



## Security Council

Distr.: General  
10 January 2019  
Original: English

---

### Letter dated 10 January 2019 from the Panel of Experts on the Sudan established pursuant to resolution 1591 (2005) addressed to the President of the Security Council

The Panel of Experts on the Sudan established pursuant to resolution 1591 (2005) has the honour to transmit herewith, in accordance with paragraph 2 of resolution 2400 (2018), the final report on its work.

The report was provided to the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan on 27 November 2018 and was considered by the Committee on 14 December 2018.

The Panel would appreciate it if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(Signed) Thomas Bifwoli **Wanjala**  
Coordinator

Panel of Experts on the Sudan established pursuant  
to resolution 1591 (2005)

(Signed) Priscilla **Ciesay**  
Expert

(Signed) Vincent **Darracq**  
Expert

(Signed) Nikolai **Dobronravin**  
Expert

(Signed) Rajeev **Yadav**  
Expert



## **Final report of the Panel of Experts on the Sudan established pursuant to resolution 1591 (2005)**

### *Summary*

The present report covers the period from 13 March to 23 November 2018. The Panel has continued to monitor developments in Darfur and in the region in accordance with its mandate.

The peace process has been shaped by a number of initiatives which have not, however, led to an agreement between the Government of the Sudan and the non-signatory Darfurian armed movements. During the reporting period, the regional dynamics, including the Sudan's relations with neighbours, evolved positively. The crisis in Libya remains the major source of possible conflict spillover in the region, including Darfur.

The main development in conflict dynamics has been the resumption of significant clashes across Jebel Marra between Government forces and the Sudan Liberation Army/Abdul Wahid (SLA/AW). The Government of the Sudan has responded to SLA/AW hit-and-run attacks with large-scale military operations aimed at driving the group out of its main strongholds. The ongoing fighting has resulted in a significant number of casualties on both sides.

Most of the Darfurian armed groups have consolidated their presence in Libya. Some of them participated in clashes between the Libyan National Army (LNA) and anti-LNA forces. While the current security situation in the Sudan does not allow for the Libya-based Darfurian elements to stage a large-scale operation in the home country, they are building up their military capability so as to return to the Sudan when the environment becomes more conducive for such a move.

The Government of the Sudan continues to transfer military material to Darfur in support of the various security forces deployed there and in violation of the arms embargo. These transfers are in contravention of paragraph 7 of Security Council resolution 1591 (2005). The Government has not sought approval from the Sanctions Committee before such transfers are made. Armed groups have also violated the arms embargo. The Government's weapons collection campaign has resulted in some improvement of the security situation in urban areas. However, it has not been fully comprehensive, and security incidents such as intercommunal clashes continue to occur, particularly in rural areas.

Concerns over the protection of civilians remain. Clashes in Jebel Marra have resulted in new displacement, humanitarian crisis and human rights abuses. Across Darfur, women and girls continue to be subjected to conflict-related sexual violence. Returns of internally displaced persons have also been fraught with challenges, including land disputes and lack of basic services.

Challenges in the implementation of the travel ban and assets freeze remain. The Government has not implemented these measures. While the support extended by South Sudan to the Darfurian rebel groups in terms of financial and logistical assistance has diminished, Libya has emerged as an important source of financing for such groups. SLA/AW is the only Darfurian rebel group that is presently active inside Darfur and is generating income from within Darfur.

## Contents

	<i>Page</i>
I. Introduction .....	5
II. Cooperation with the Government of the Sudan .....	5
III. Peace process .....	5
A. Dynamics of the peace process .....	6
B. Progress in the implementation of the Doha Document for Peace in Darfur .....	7
C. Darfur Internal Dialogue and Consultation .....	7
D. The African Union and the African Union High-level Implementation Panel .....	7
E. Other steps to peace in Darfur .....	8
F. National Dialogue .....	8
IV. Regional dynamics .....	9
A. Sudan-Egypt .....	9
B. Sudan-Eritrea and Sudan-Ethiopia .....	10
C. Sudan-South Sudan and Sudan-Central African Republic .....	10
D. Sudan-Chad .....	11
E. Sudan-Libya .....	11
V. Situation in Jebel Marra .....	12
A. Conflict dynamics .....	12
B. Warring parties .....	13
C. Financing of SLA/AW in Jebel Marra .....	17
D. Human rights violations and humanitarian access in Jebel Marra .....	18
VI. Darfurian armed groups in neighbouring countries .....	21
A. Darfurian armed groups in Libya .....	21
B. Darfurian armed groups in South Sudan .....	28
VII. Arms and arms control .....	33
A. Violations of the arms embargo .....	33
B. Offensive military overflights and Government activities .....	37
C. Vehicles used by armed groups to enter Darfur .....	37
D. Weapons collection campaign of the Government of the Sudan .....	37
E. The Rapid Support Forces and the militias .....	38
F. Darfur as source of weapons for the region .....	39
G. Cross-border activities .....	39
H. Local and international efforts concerning border control .....	40
I. Migrant smuggling .....	40

VIII.	Human rights and humanitarian situation . . . . .	41
A.	Sexual and gender-based violence and conflict-related sexual violence . . . . .	41
B.	Access to justice for survivors of sexual violence . . . . .	42
C.	Durable solutions for internally displaced persons . . . . .	43
D.	Voluntary repatriation of refugees . . . . .	44
E.	Tensions between farmers and nomadic herders. . . . .	44
F.	Challenges with durable solutions for Darfur. . . . .	45
G.	New land occupation in North Darfur . . . . .	45
H.	Repression of supporters of Musa Hilal . . . . .	46
I.	Detained fighters. . . . .	46
IX.	Travel ban and assets freeze . . . . .	46
A.	Implementation by Member States . . . . .	46
B.	Implementation by the Government of the Sudan . . . . .	47
C.	Ongoing travel ban investigations . . . . .	47
D.	Updating the identifiers of designated individuals. . . . .	47
X.	Financing of Darfurian armed groups . . . . .	48
A.	Rebel groups in Darfur . . . . .	48
B.	Rebel groups in South Sudan . . . . .	48
C.	Darfurian groups in Libya . . . . .	49
D.	Arab militias operating in Darfur . . . . .	50
E.	Companies and business establishments providing income streams. . . . .	51
F.	Contribution of the diaspora. . . . .	51
XI.	Recommendations . . . . .	51
A.	Recommendations to the Committee. . . . .	51
B.	Recommendations to the Security Council . . . . .	52
Annexes*	. . . . .	53

---

\* The annexes are being circulated in the language of submission only and without formal editing.

## I. Introduction

1. The Panel of Experts on the Sudan was established by the Security Council in its resolution 1591 (2005). The Panel's mandate has since been extended, most recently by resolution 2400 (2018). Full details of the Panel's mandate and methodology are found in annex I.

2. In paragraph 2 of resolution 2400 (2018), the Council requested the Panel to provide to the Council by 12 January 2019, after discussion with the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan, a final report with its findings and recommendations. The present report has been prepared in response to that request. As requested by the Council in the same paragraph, the Panel also presented two quarterly updates and an interim report to the Committee prior to this final report. In line with paragraph 17 of resolution 2340 (2017) and paragraph 3(c) of resolution 1591 (2005), the Panel has prepared statements of case concerning individuals it considers to meet the criteria for possible designation. The statements of case have been submitted to the Committee for its consideration.

3. Following renewal of the Panel's mandate, three experts were appointed and started work in April 2018. They participated in bilateral meetings in New York and presented the Panel's programme of work to the Committee on 12 April 2018. Two other experts were appointed in May 2018.

4. The Panel conducted three missions to the Sudan during this reporting period. In April, three members of the Panel joined the mission of the Chair of the Committee to the Sudan from 13 to 20 April 2018. The Panel members stayed on in the Sudan until the first week of May 2018. The second and third missions were conducted by all five members of the Panel, in June-July and October 2018. During the missions, the Panel interacted with key interlocutors in Khartoum as well as in North, West, South and Central Darfur States.

5. During the reporting period, the Panel travelled to Belgium, Egypt, Ethiopia, France, Ireland, Kenya, the Netherlands, Niger, Qatar, South Sudan, Sweden, Switzerland, Uganda, the United Kingdom of Great Britain and Northern Ireland and the United States of America to follow leads and conduct investigations relevant to its mandate. In August, the Panel presented its interim report to the committee.

## II. Cooperation with the Government of the Sudan

6. The Panel continued with its engagement with the Government of the Sudan through the national coordination mechanism throughout the reporting period. Most of the information requested was provided and the requested meetings with Government of the Sudan were organized. Unlike the previous mandate, all members were issued with entry visas (single entry visa). The Darfur travel permits were issued only upon arrival in the country, a process which delayed the Panel's onward travel to Darfur. Regarding visits and missions to Darfur, the Government of the Sudan insisted on attending most meetings of the Panel, including those held with non-Government interlocutors. The Panel considers this practice problematic regarding the independence of its work.

## III. Peace process

7. Throughout the reporting period, the peace process in Darfur has been shaped mainly by the following factors:

(a) Various meetings outside the Sudan between the Darfurian armed movements, the Government of the Sudan and the sponsors of the peace process, including in Qatar, Germany and France. The Darfurian movements took part in such meetings either as a single party, usually the Sudan Liberation Army/Minni Minawi (SLA/MM) or the Justice and Equality Movement (JEM), or together with other Sudanese opposition forces;

(b) A growing variety of peace initiatives and negotiations sponsored by external actors and international organizations, including: (i) the follow-up to the Doha Document for Peace in Darfur; (ii) the road map of the African Union High-level Implementation Panel (AUHIP), which applies to the Sudan in general; (iii) the recent Juba initiative, which has South Sudan acting as a mediator of the dialogue between the Government of the Sudan and the armed movements; and (iv) other initiatives related to the peace process in Darfur;

(c) A consistent position of the Government of the Sudan towards all peace initiatives, derived from its understanding of the Doha Document as the only platform for further negotiations;

(d) “Too many cooks spoil the broth”: various efforts to promote peace in Darfur were not adequately coordinated, reflecting diverging interests of their sponsors and sometimes appearing to compete for the attention of the parties;

(e) The weakness of the institutions based on the Doha Document, reportedly understaffed, with underpaid personnel and not sufficiently represented in all the Darfur states.

All of these factors have contributed to the lack of progress in the talks between the Government of the Sudan and the non-signatory Darfurian movements. The Government considers that it has won the war, and that the remaining armed groups in Darfur pose no real threat.<sup>1</sup>

## A. Dynamics of the peace process

8. The Government of the Sudan considers the Doha Document for Peace in Darfur as the key peace document open to all Darfur groups. During the reporting period, the Government demonstrated its willingness to continue talks with the non-signatory movements. SLA/MM, JEM and the Government took part in informal talks in Berlin in April 2018 to discuss a pre-negotiation agreement. The talks failed because the parties could not agree on the implementation mechanisms for the future peace agreement. In November 2018, SLA/MM Chairman Minni Minawi declared that the Government of the Sudan, SLA/MM and JEM had reached an agreement regarding the implementation mechanisms.<sup>2</sup> Discussions on a pre-negotiation agreement continue.

9. The attitude of the Darfurian movements towards the Doha Document remains ambiguous. JEM and SLA/MM are willing to recognize the Doha Document as the basis for further peace talks provided that additional issues are included in the document.

10. In order to facilitate the peace talks, the Government of the Sudan has repeatedly declared a unilateral ceasefire. Some of the armed movements also declared a ceasefire with the same objectives. Most recently, in a joint declaration, JEM,

<sup>1</sup> Meetings of the Panel with the Government of the Sudan, including the Ministry of Defence.

<sup>2</sup> “Last obstacle for resumption of Darfur peace talks has been overcome: Minawi”, *Sudan Tribune*, 24 November 2018.

SLA/MM and the Sudan Liberation Army/Transitional Council (SLA/TC) announced a ceasefire from 9 November 2018 to 8 February 2019 for humanitarian purposes.

11. The Sudan Liberation Army/Abdul Wahid (SLA/AW) has rejected the current peace process and continued fighting. In a meeting with the Panel in March 2018, Abdul Wahid reiterated his refusal to negotiate with the Government of the Sudan under the present political and security conditions. In July 2018, Jeremiah Nyamane Kingsley Mamabolo, Joint Special Representative of the Chairperson of the African Union Commission and the Secretary-General of the United Nations for Darfur and head of UNAMID, wrote to Abdul Wahid inviting him to join the peace process, but did not receive a reply. In September, SLA/AW allowed UNAMID to access the areas controlled by this movement and affected by mudslides in Jebel Marra.<sup>3</sup>

## **B. Progress in the implementation of the Doha Document for Peace in Darfur**

12. Several bodies mandated by the Doha Document for Peace in Darfur continue to exist.<sup>4</sup> However, these bodies have not been fully operational. The main challenges to their work have included underfunding, understaffing and insufficient deployment on the ground.<sup>5</sup>

13. Within the framework of the Doha Document, there have been several initiatives supported by the Qatar Foundation, such as the construction of model villages. Some projects were also supported by the League of Arab States.

## **C. Darfur Internal Dialogue and Consultation**

14. Within the framework of the Doha Document, the Darfur Internal Dialogue and Consultation mechanism has continued to promote intercommunal peace and reconciliation in Darfur. The work of this body has been facilitated by UNAMID. At a meeting with officials and local administrators taking part in the mechanism, the Panel was informed that peace initiatives at the local level had resulted in a series of inter-tribal agreements, with the mediation of the state and federal authorities. These processes are based on traditional reconciliation methods (*judiyya*) and include the settlement of such issues as payment of blood money (*diya*). Major weaknesses of local peace settlements have been connected with the issues of implementation and absence of an established national or regional record of such agreements.

## **D. The African Union and the African Union High-level Implementation Panel**

15. With the support of UNAMID, the African Union High-level Implementation Panel headed by Thabo Mbeki continues to work on the achievement of peace in Darfur. In January 2018, Thabo Mbeki invited the Sudanese opposition to a meeting in Addis Ababa to discuss the follow-up to the road map signed in 2016. However, the Sudan Call coalition (which includes SLA/MM and JEM), the major opposition force in the country, rejected this initiative.

<sup>3</sup> SLA/AW, "Report on the visit of the UNAMID team to the affected areas of Jebel Marra", Sudaress website, 25 September 2018. Available from [www.sudaress.com/sudanile/109286](http://www.sudaress.com/sudanile/109286).

<sup>4</sup> The Darfur Land Commission, the Voluntary Return and Resettlement Commission, the Justice, Truth and Reconciliation Commission, the Darfur Security Arrangements Implementation Commission and the Darfur Reconstruction and Development Fund.

<sup>5</sup> Meetings of the Panel with the Government of the Sudan, UNAMID and other sources.

16. Sudan Call met in Paris from 24 to 27 May 2018 to discuss its organization and strategy. The Panel took this opportunity to meet representatives of Darfuri movements as well as the mediators. The African Union High-level Implementation Panel and Germany have tried to facilitate the peace process in Darfur, engaging in consultations with all parties with a view to the resumption of peace talks. The African Union has repeatedly urged the Darfuri armed movements to reach an agreement with the Government of the Sudan or face sanctions. Another round of informal talks took place in Berlin in November 2018 between the High-level Implementation Panel and the Sudan Call members.

## **E. Other steps to peace in Darfur**

17. The Troika (the United Kingdom, Norway and the United States) has been supporting the Darfur peace process. In June 2018, the Troika condemned the clashes between forces of the Government of the Sudan and SLA/AW, as well as “inter-tribal violence” in Jebel Marra, stressing that “there can be no military solution to the conflict in Darfur and the international community should consider imposing sanctions against those who continue to act as spoilers”.<sup>6</sup>

18. The ongoing normalization of relations between the Sudan and the United States has included cessation of hostilities in Darfur within one of the tracks. In November 2018, the two countries launched the second phase of the dialogue, with the objective of lifting the status of the Sudan as a “State sponsor of terrorism”.<sup>7</sup>

19. Also in November 2018, Salva Kiir, the President of South Sudan, announced a new peace initiative which would involve the Government of the Sudan and Sudanese armed movements, including those of Darfur. President Salva Kiir and the head of the African Union High-level Implementation Panel, Thabo Mbeki, agreed to coordinate their efforts.<sup>8</sup>

## **F. National Dialogue**

20. The Government of the Sudan launched the National Dialogue in 2014. In 2016, the participating parties and movements signed the national document.<sup>9</sup> The main opposition forces and the Darfur movements did not take part in this process. In April 2018, Omar Hassan Al-Bashir, President of the Sudan, announced the beginning of the second phase of the National Dialogue, which should lead to the new permanent constitution of the country. The Government of the Sudan invited all opposition forces, including the armed movements, to join the National Dialogue. However, they have not taken part, considering this process as a departure from the road map of the African Union High-level Implementation Panel.

<sup>6</sup> United States Department of State, “Sudan: The Troika condemns continued clashes in Jebel Marra, Darfur”, media note, 19 June 2018. Available from [www.state.gov/r/pa/prs/ps/2018/06/283317.htm](http://www.state.gov/r/pa/prs/ps/2018/06/283317.htm).

<sup>7</sup> United States Department of State, “Sudan commits to strengthening cooperation and meaningful reforms”, press statement, 7 November 2018. Available from [www.state.gov/r/pa/prs/ps/2018/11/287197.htm](http://www.state.gov/r/pa/prs/ps/2018/11/287197.htm).

<sup>8</sup> “South Sudan’s Kiir, AUHIP’s Mbeki agree to join hands for peace in Sudan”, *Sudan Tribune*, 22 November 2018. Available from [www.sudantribune.com/spip.php?article66648](http://www.sudantribune.com/spip.php?article66648).

<sup>9</sup> The text of the national document is available from <http://hewarwatani.gov.sd/eng/images/Papers/NDen.pdf>.



21. The Government of the Sudan invited the non-signatory movements to participate in the drafting of the permanent constitution. This initiative was supported by the Council of Darfur Peace Signatory Movements.<sup>10</sup>

## IV. Regional dynamics

22. In 2017 and the first months of 2018, the relations between the Sudan and the neighbouring States experienced up and down trends. The relations between Sudan on one side and Egypt and Eritrea on the other were particularly tense in the first months of 2018. These tensions did not, however, directly influence the situation in Darfur.

23. The crises in South Sudan, the Central African Republic and Libya have affected stability in the Sudan. The conflict in South Sudan resulted in a major flow of refugees to the Sudan, and the border areas of Darfur were also affected. Ethiopia and Eritrea generated migration flows to and through the Sudan, including Darfur. Other external factors, such as the crisis in the relations between Qatar, the major sponsor of the peace process in Darfur, and Saudi Arabia and its allies, also point to the likelihood of continued instability in the region.

24. Nevertheless, throughout the reporting period the regional dynamics showed clear signs of positive development. By the end of 2018 the relations between the Sudan and all of its neighbours had been normalized. According to various assessments, the region wants peace. This trend may bring political and economic benefits to the Sudan, including Darfur as a border area.

25. While the regional situation has evolved in a generally positive direction, the stability achieved remains fragile and needs political and financial support from the international community. All of the States in the region remain vulnerable to internal political and economic risks. The conflicts in Libya, South Sudan and the Central African Republic may still spill over to the region, including Darfur, as an area which is open to external influences from the neighbouring States.

### A. Sudan-Egypt

26. Relations between the Sudan and Egypt improved during the reporting period. Egypt has been calling for the international community to assist Sudan financially to deal with the internally displaced persons and refugee issues, in order to avoid a relapse of the conflict in Darfur.<sup>11</sup>

27. In 2017 the Sudan accused Egypt of supporting the Darfurian movements (see [S/2017/1125](#)). The Government of Egypt has confirmed that some of those movements, such as JEM, could have indirect support from the forces affiliated with Khalifa Haftar in Libya, but not from Egypt. The Government of Egypt told the Panel that it had established communication with the authorities in eastern Libya, trying to put limits on the activities of the Darfurian movements in the area and to help the Government of the Sudan to achieve stability in Darfur. After an incident in July 2018, when a few Egyptian soldiers were abducted by a Libyan faction and later released as a result of coordination between Egypt and the Sudan, there have reportedly been further contacts between the two countries in order to track the Darfur armed movements and secure the Egypt-Sudan borders.

<sup>10</sup> Ministry of Foreign Affairs, Government of the Sudan, "Council of Darfur Peace Signatories says coalition option is open", 11 November 2018. Available from [http://mofa.gov.sd/en/more.php?main\\_id=6&sub\\_id=0&id=61533](http://mofa.gov.sd/en/more.php?main_id=6&sub_id=0&id=61533).

<sup>11</sup> Meeting of the Panel with the Ministry of Foreign Affairs and the General Intelligence of Egypt, Cairo, 18 September 2018.

28. The improvement of relations between the Sudan and Egypt might make the situation of the Sudanese opposition activists in Egypt more dangerous. Some Darfurian refugees and asylum seekers have been subjected to harassment by unknown persons, including threats of deportation to the Sudan.<sup>12</sup>

## **B. Sudan-Eritrea and Sudan-Ethiopia**

29. In the first months of 2018, the bilateral relations between the Sudan and Eritrea went through a period of tensions. Later, they went back to relative stability.

30. Relations between the Sudan and Ethiopia have remained cordial. In July 2018 the Governments of Ethiopia and Eritrea announced the end of the state of war between those two countries. The improvement of bilateral relations between Ethiopia and Eritrea has had a positive impact on the region, first of all as an example of effective conflict resolution.

## **C. Sudan-South Sudan and Sudan-Central African Republic**

31. During the reporting period, there have been positive developments in the peace processes in South Sudan and the Central African Republic. These developments might have positive implications for Darfur, especially for the border areas of Central, South and East Darfur. However, according to the Government of the Sudan, the situation in South Sudan and the Central African Republic still threatens the national security of the Sudan.

32. Relations between the Sudan and South Sudan have been affected by the unresolved border disputes, economic problems related to oil revenues and the closure of the border, as well as the presence of South Sudanese refugees in the Sudan. Since 2011 and until recently, the Government of South Sudan supported the activities of Darfurian and other Sudanese armed groups.

33. In June 2018, the major parties to the conflict in South Sudan concluded a peace agreement in Khartoum, brokered by the Government of the Sudan and the Government of Uganda. On 12 September, the Revitalized Agreement on the Resolution of the Conflict in South Sudan was signed in Addis Ababa. The role of the Government of the Sudan as a peace sponsor has led to improved relations between the Sudan and South Sudan. This process might have a negative impact on the situation of the Darfurian groups in South Sudan.

34. The Government of the Sudan and the Government of South Sudan have continued to discuss the ways to further improve their bilateral relations, including means of addressing the issues of the oil industry and border demarcation, mainly in the framework of the Joint Political and Security Mechanism and other joint mechanisms. Some border areas of South and East Darfur remain contested by the Sudan and South Sudan, representing a long-term risk to the relations between the two countries.

35. The communities living along the Central African Republic-Sudan border (in Darfur on the Sudan side) are deeply interdependent. The north-eastern corner of the Central African Republic imports most household goods from Darfur. At the same time, weapons from Darfur find their way to the Central African Republic (see [S/2018/729](#), annex 6.3).

---

<sup>12</sup> Meetings of the Panel with various sources in Cairo, June and September 2018.

36. In 2018, instructors from the Russian Federation trained the national defence and security forces of the Central African Republic both in that country and in the Sudan (in Darfur). According to the Panel of Experts on the Central African Republic, the training took place following relevant exemptions and notifications to the Security Council Committee established pursuant to resolution 2127 (2013) concerning the Central African Republic (see S/2018/729, summary).

37. In August 2018, Khartoum hosted a session of negotiations between the ex-Séléka and anti-balaka armed groups of the Central African Republic with the support of the Russian Federation and under the sponsorship of President Al-Bashir. The Khartoum declaration of understanding was signed by the sides on 28 August 2018. The talks are expected to resume in Khartoum before the end of 2018. The Government of the Sudan and the Government of the Central African Republic have repeatedly stressed that these negotiations will not replace the existing African Union initiative to achieve peace in the Central African Republic.

#### **D. Sudan-Chad**

38. The relations between the Sudan and Chad have remained the cornerstone of stability in Darfur. The two countries have established close cooperation, including the deployment of a joint border force. Chad has had concerns about the Rapid Support Forces of the Sudan (RSF), because they include former elements of the Chadian armed groups among their ranks.<sup>13</sup>

#### **E. Sudan-Libya**

39. The ongoing conflict in Libya remains unresolved and is a major threat to stability in the region. Libya has continued to attract fighters and migrants from the Sudan, including Darfur (see sect. VI.A below).

40. In 2018, the Government of the Sudan, Chad and Niger and the internationally-recognized Government of Libya agreed to improve cross-border security. However, the authorities in Tripoli do not have much influence in the eastern part of Libya adjacent to Darfur, which is controlled by the Libyan National Army (LNA) led by Khalifa Haftar and other Libyan factions.

41. The situation remains particularly tense in the southern areas of Libya, contested by various forces, including the Darfurian armed groups. On 19 October, the United Nations Support Mission in Libya (UNSMIL) condemned foreign groups' violations in those areas and encouraged regional actors to support Libyan authorities in addressing the situation, respecting Libya's sovereignty.<sup>14</sup>

42. The situation in Libya has continued to pose risks of instability for the adjacent areas of Darfur. The presence of various Darfurian, Chadian and Islamic State-affiliated groups in Libya has contributed to tensions in the region, in particular in the triangle border area between Libya, Egypt and the Sudan.

43. In spite of the presence of the Darfurian fighters in Libya, the Sudanese border with that country has remained calm since June 2017, when the Government of the Sudan repulsed the last major Darfurian movements' incursions into Sudan (see S/2017/1125, sect. IV.A).

<sup>13</sup> Meetings of the Panel with the Government of Chad, October 2018.

<sup>14</sup> UNSMIL, "Statement on the security situation in southern Libya", 19 October 2018. Available from <https://unsmil.unmissions.org/unsmil-statement-security-situation-southern-libya>.

## V. Situation in Jebel Marra

### A. Conflict dynamics

44. The main development in conflict dynamics in Darfur during the reporting period has been the resumption of heavy clashes between SLA/AW and the security forces in several areas of south-eastern, western and northern Jebel Marra (see map of clashes in annex 2), after a relative lull for close to a year. SLA/AW, which controls mountainous, remote territories that are difficult for Government forces to access, has engaged in repeated hit-and-run attacks and ambushes on convoys and advanced bases of the security forces. The Government, for its part, has launched several military operations<sup>15</sup> to dislodge the group from its remaining strongholds, using a combination of Sudanese Armed Forces (SAF), RSF and local Arab militias.

45. The clashes have caused dozens of casualties on both sides. For instance, fighting in Gubbo on 16 September claimed the lives of 11 SAF/RSF troops and several SLA/AW elements, according to Government and United Nations sources. The Government managed to seize several SLA/AW strongholds, such as the villages of Golol, Gubbo and Boulay. However, the Government has failed to defeat the group. Several human rights violations by Government forces and allied militias occurred during the clashes. In November, the RSF leader, General Mohammed Hamdan Doglo “Hemmeti”, pledged to liberate Jebel Marra from SLA/AW within three months, portending further clashes.

46. Infighting between various SLA/AW factions also occurred. In late 2017 and early 2018, sporadic clashes took place in the Feina area (eastern Jebel Marra) between forces of General Commander Abdelgadir Abdelrahman Ibrahim “Gaddura” and a group led by commanders Osman al-Zayn and Zunoon Abdelshafi. According to internal SLA/AW sources, the cause of the clashes was that al-Zayn wanted to replace “Gaddura” as General Commander, reportedly with the support of Abdul Wahid al-Nour, the head of SLA/AW.<sup>16</sup> That round of fighting came to an end after mediation by leaders of internally displaced persons. In October 2018, new clashes pitted al-Zayn’s group against a group led by Abdul Wahid’s brother, Dafallah Mohamed Ahmed al-Nour, and Saleh Borso, in the Umu-Daya area (central Jebel Marra), resulting in the killing of al-Zayn. Dafallah’s force ambushed al-Zayn’s group because the latter was about to sign a peace agreement with the Government of the Sudan, according to SLA/AW sources.

47. On several occasions, such as in northern Rokero locality (north-eastern Jebel Marra), fighting also took place between local armed Arab tribesmen and SLA/AW owing to cattle-rustling raids by SLA/AW. As part of these clashes, Arab tribesmen sometimes attacked villages inhabited by Fur civilians (most SLA/AW fighters are from the Fur community).

<sup>15</sup> In meetings with the Panel, several Government officials, including the SAF Chief of Staff, stressed that the clashes between the security forces and SLA/AW were not military operations, but “security operations against bandits”, “forceful weapons collection” and a response to “provocative attacks” by SLA/AW.

<sup>16</sup> According to SLA/AW and civilian sources, the two groups were also competing over the taxation of local civilians.

## B. Warring parties

### 1. Sudan Liberation Army/Abdul Wahid<sup>17</sup>

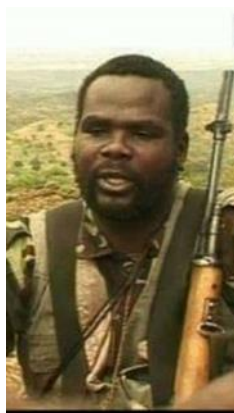
#### (a) Presence and structure

48. SLA/AW remains the only armed group with a significant military presence in Darfur. Its capability is now limited, but the group is resilient. It knows the Jebel Marra area well, is mobile and knows how to take advantage of the mountainous terrain, which does not require the heavy weaponry and vehicles that the movement currently lacks. It now comprises between 1,000 and 2,000 fighters.

49. The military force is led by General Commander Abdelgadir Abdelrahman Ibrahim “Gaddura”. Under Gaddura there is a military office composed of several departments (training, operations, intelligence, supply, administration). Gaddura is also assisted by several civilian departments in charge of administrating the areas under the movement’s control (humanitarian affairs, judiciary, etc). The legal adviser, Mujeeb al-Rahman, usually based in Kwila (western Jebel Marra), is one of the top members of this civilian component. Under the military office, the force in Jebel Marra is organized in eight brigades<sup>18</sup> reflecting the native administration’s boundaries, themselves falling under four military divisions.<sup>19</sup> However, owing to military pressure from the Government of the Sudan, Abdul Wahid’s poor leadership, defections of important commanders and logistical challenges, the structure of the force has eroded over the years and become more informal. The force is now made of several loosely-coordinated, sometimes antagonistic, local groups, headed by various military commanders (see map in annex 2).

Figure 1

#### Photograph of “Gaddura”



Source: SLA/AW member.

<sup>17</sup> This section, including photographs, is based on information gathered by the Panel in meetings with members and ex-members of SLA/AW in Sudan, the region and Europe between March and November 2018.

<sup>18</sup> Martyr Muhammad Hasbullah Brigade; Martyr Ali Dinar Brigade; Martyr Hassan Samu Brigade; Martyr Sultan Tayrab Brigade; Martyr Mujahid Brigade; Martyr Karam al-Din Brigade; Martyr Abdullah Karin Brigade; Martyr Abu-Khayrat Brigade.

<sup>19</sup> Fanga/Boulay; area from Torong-Taura to Golol/Boldong; south-west (from Torong-Taura to Golol); Deribat.

Figure 2  
**Photograph of Mujeeb al-Rahman**



*Source: SLA/AW member.*

50. Gaddura, based in the Torontonga/Gurlambang area (southern Jebel Marra), remains the most influential commander. He is assisted by Commanders Abdulrazig Turti and Musa Shoba, legal adviser “Irtakz”, head of military police Mohamed Yagoub and intelligence officer Mostafa Roko, based in the Torontonga area with him. His relationship with Abdul Wahid has been difficult and uneven in recent years. Abdu Wahid communicates directly with local commanders, bypassing Gaddura and hereby undermining his authority over the force.

51. The group led by the late Osman al-Zayn and commanders Mubarak Waldoon and Faysal Adam Ali Konio, based in the Umu/Daya area, has been competing with Gaddura for leadership and influence for several years. This group had very close relations with Abdul Wahid and influential SLA/AW politician Mohamed Mahmoud (Abdul Wahid’s uncle, based in Kampala) thanks to old friendship and family ties (like Abdul Wahid, the leaders of this group are from the Thura, Daya and Umu villages). However, as reported above, in recent months this group entered secret peace talks with the Government of the Sudan, which resulted in deadly clashes with other SLA/AW elements opposed to the deal.

Figure 3  
**Photograph of Osman al-Zayn**



*Source: SLA/AW member.*

Figure 4  
**Photograph of Mubarak Waldoon**



*Source:* SLA/AW member.

52. Other local commanders include:

(a) Abdallah Karjek, loyal to Gaddura, runs a brigade in the Boldong area (western Jebel Marra), seconded by Yassin Joroko. Karjek was seriously injured in a battle against Government forces in Golol area in April 2018;

(b) Tirka Said Tirka, also loyal to Gaddura, is based in Buro and controls the Wadi Toro area (western Jebel Marra). This group also includes commanders Habib Al-Rahman Moussa, Osman Saleh (based in Kwila) and adviser Yassin Abulgasim;

(c) Yusif Abdelkarim, who follows Gaddura, is based in the Boulay area (northern Jebel Marra) with about 200 troops;

(d) Yahia Adam is based in the Feina area (eastern Jebel Marra). Commander Mohamed Assabalah is based in the same area;

(e) Zunoon Abdelshafi, a young university graduate who came to prominence in recent years, is based near Dwo and Dulow villages (eastern Jebel Marra). Closely aligned with al-Zayn's group, he was supposed to join the same peace deal;

(f) Dafallah Mohamed Ahmed al-Nur, Saleh Borso and Yusif Abdelkarim lead a force near Thura. Usually very close to al-Zayn's group, they turned against it and aligned with Gaddura when al-Zayn sought a deal with the Government of the Sudan. Borso is also head of the SLA/AW reserve force, composed of veteran fighters and mobilized on an ad hoc basis;

(g) Khalid Omer Bournioul is based in the Torong-Taura area (southern Jebel Marra);

(h) Alamin Diki is located in Karu area (between Umu and Derbat);

(i) Haroun Ali is located in Saboon al Fugur area (southern Jebel Marra);

(j) Mostafa Leiba is based in the Leiba area (eastern Jebel Marra);

(k) Mohamed Taha, a commander loosely aligned with Gaddura, is based in Fuguli area, near Leiba.



Figure 5  
**Photograph of Saleh Borso, head of SLA/AW reserve force**



Source: SLA/AW member

53. SLA/AW retains a following in internally displaced persons camps. However, during the reporting period, this support has eroded visibly. Some major leaders of the internally displaced who are closely affiliated with the movement have become increasingly autonomous from Abdul Wahid, as they consider that his radical strategy of non-engagement with the Government has failed to produce any positive results for the internally displaced. This increased independence has created tensions in internally displaced persons camps, in particular in Hamadya (Central Darfur) and Kalma (South Darfur), usually the most pro-SLA/AW camps.

#### **(b) Military equipment**

54. SLA/AW in Jebel Marra has only two or three vehicles, in very poor condition, in Torong-Taura. This is due to the difficult, mountainous terrain and the group's problems in procuring spare parts. Fighters move mostly on foot, on horseback and camelback. The group mostly has light weapons such as assault rifles, rocket-propelled grenades, sniper guns and 12.7mm machine guns. Its remote positions in Jebel Marra have made it difficult for the group to access weapons and ammunition in recent years, in particular given the Government forces' tight control over the few roads leading into Jebel Marra. There are two main means for the group to obtain weapons and ammunition. Attacks on SAF positions and convoys are often aimed at capturing equipment. For instance, in its attack on the Gubbo SAF base on 16 September 2018, the group reportedly seized important amounts of weapons and ammunition. The group also buys weapons from Arab tribes living on the fringes of Jebel Marra.

### **2. Government forces and auxiliary militias**

55. On several occasions during the reporting period, the Government conducted operations in Jebel Marra involving SAF, RSF and groups of local armed Arab tribesmen. According to local sources, in the usual modus operandi, the SAF troops stay behind, occasionally engaging in artillery shelling; the RSF elements, in vehicles, enter the targeted village; and the tribal militias, on horses and camels, roam the outskirts of the village, attacking civilians before looting the village. According to the sources, most of the violations occurring during Government operations were committed by the militias and, occasionally by RSF. For instance, according to



various sources, Sa'ada tribesmen and RSF looted several Fur villages during Government operations and sold stolen property (fruits, crops and furniture) in local markets (Shangil Tobaya, Kass and Nyala).

56. In eastern and south-eastern Jebel Marra, most of the auxiliary fighters hail from the Sa'ada tribe, which has had a conflictual relationship with the Fur community in the area since the 1980s. Two main Sa'ada groups of fighters are reportedly involved. One is based in Jabra village and is led by the Azreg brothers (Mohamed, Abdallah and Hassan). The other is based in Gardud village; its leaders include Nouredine Haj Ahmed and his brother Jiddo Haj Ahmed. Members of the Ruwas tribe (based in the Limo area) were also involved in some fighting.

57. In western Jebel Marra, many militia members hail from the Nawaiba tribe, which has a strong presence between Thur and Nertiti. One of the most famous Nawaiba militia leaders is Alqura. Some elements from the Jalul clan of the Mahamid tribe, based around Nertiti, also participate in militia activity.

58. These members of local Arab tribes are mobilized on an ad-hoc basis by the security forces for Government of the Sudan military operations. The connection between these tribal militias and the security forces is mostly based on family and tribal ties.<sup>20</sup> In particular, some RSF members hail from those tribes and mobilize their kinsmen in the tribe when support is needed. For instance, according to local sources, several Sa'ada leaders mentioned above are themselves RSF officers.

59. In its operations against SLA/AW, the Government has relied to a significant degree on ex-SLA/AW groups that defected to the Government in recent years and were subsequently integrated in SAF. This includes the groups led by Sadiq al-Fuka in northern Jebel Marra, the late al-Amin Toro in western Jebel Marra and Jidu Tako in southern Jebel Marra. As former SLA/AW members, these troops have an excellent knowledge of the movement and the terrain.

### **3. Musa Hilal's elements**

60. In the weeks preceding and following the arrest of Musa Hilal, dozens of his elements fled to Jebel Marra, for instance between Gubbo and Torong-Taura. Often, these elements have established relations with SLA/AW, but they keep a low profile.<sup>21</sup>

## **C. Financing of SLA/AW in Jebel Marra**

61. SLA/AW has a strong presence in several internally displaced persons camps in Darfur. The residents of these camps are required to pay taxes to it. In the past, these levies were strictly imposed, and while the camps had people who were not supporters of SLA/AW, they were coerced into making the payment. A part of the money collected from the displaced persons is made available to the commanders in Jebel Marra to support their operations, while the other part is sent to Abdul Wahid. According to sources, Sheikh Yagoub Foury is responsible for collecting the money from the Kalma camp, and Adam Rezail Haroon based in El Geneina is one of the persons responsible for transferring the money to Abdul Wahid. As mentioned above, Abdul Wahid is gradually losing control over the camps and many leaders in the camps are turning against him. The money flows from the camps into the coffers of SLA/AW are also declining. Besides collecting money from the internally displaced persons, SLA/AW was diverting a portion of the food supplies they received from the aid agencies. In recent years, with the improvement of the situation and on the basis of revised needs assessments, the quantity of food aid supplied to the displaced

<sup>20</sup> Meetings with local sources, Sudan, April, June and October 2018.

<sup>21</sup> Ibid.

persons has decreased. Accordingly, SLA/AW elements are getting less food from the camps than before.

62. SLA/AW administers a system of taxation in its territories in Jebel Marra. The head of the movement's civil administration is also the tax administrator. Analysis and evaluation are done before determining the tax to be paid. The people are required to pay taxes that can vary from 50 to 100 Sudanese pounds per month, on a quarterly basis. Taxes levied on fruit trees, camels, cattle and goats are paid annually or biannually. SLA/AW collects taxes from the traders operating in the various markets under its control. Tolls are collected from the commercial vehicles which enter and leave the territory under its control. Disputes related to the taxes are taken to the "court of advisers". SLA/AW commanders and soldiers are engaged in agriculture in their respective areas, which provides food for the soldiers. Grains and rations are also collected by the logistics division from the various households living in the region on a fortnightly or monthly basis.

63. Increased fighting between SLA/AW and the Government of the Sudan since 2016 has resulted in the displacement of large numbers of people from their villages to the internally displaced persons camps or to remote areas. Agriculture and commercial activity have suffered. In the past few years SLA/AW has lost control of various markets in Kalokitting, Gurlambang, Kaira, Sorrong, Dangei and Thur. The increased armed activity, the migration of people from the villages, the loss of agriculture and loss of control over the markets has resulted in low collection of taxes and levies. Faced with a money and food shortage, SLA/AW has often indulged in rustling of cattle and camels from Arab herders. Several incidents of cattle rustling attributed to SLA/AW have been recorded in the past few months. According to sources, SLA/AW retains control over a few gold mines in Jebel Marra (like Toray) and collects tax from them.

64. Through an order issued in October 2018, SLA/AW established an office of Deputy Commander of the Finance Command to control, regulate and budget the public finances (see annex 3). Overall, SLA/AW faces a shortage of funds in Jebel Marra.

## **D. Human rights violations and humanitarian access in Jebel Marra**

### **1. Violations by Government forces and auxiliaries**

#### **(a) Attacks on civilians**

65. Contrary to provisions of human rights standards and of international humanitarian law governing internal armed conflicts, some armed forces of the Government of the Sudan continue to initiate clashes with civilians and carry out indiscriminate shootings and looting and burning of homes and villages. Most of these attacks are alleged to have been carried out by members of RSF. In addition to reported cases of rape and other sexual assaults against women and girls, RSF has been implicated in acts of torture, inhumane and degrading treatment of civilians and excessive use of force.

66. In an incident near Thur, Central Darfur, uniformed soldiers, suspected to be part of RSF, fired on two people and seriously wounded them. SAF personnel are also implicated in similar incidents. RSF also launched an unprovoked attack on Narglah village in Golo on the morning of 5 July, resulting in 7 civilians, including 1 child, being killed and 10 others injured. In their retreat, the RSF elements rustled livestock and looted property from civilians. A similar incident was reported a few weeks later in Kwila village in the Kass locality, where a joint RSF and SAF team reportedly fired indiscriminately into the air. One woman was hit and injured by a bullet. The soldiers also reportedly looted camels and sheep during their retreat.

67. In gross violation of international humanitarian law provisions, on 7 June, members of RSF blocked all the roads leading to Kass and Nyala to prevent newly displaced civilians from Jebel Marra, who were in search of shelter and humanitarian assistance, from becoming documented internally displaced persons. During the encounter, 12 women who were fleeing from Omara village were harassed, assaulted and 3 of them reportedly raped by members of RSF before the women were turned back to Jebel Marra. During his meeting with the Panel on 24 October in Khartoum, General Himetti rejected all accusations of rape by RSF elements and claimed that other security personnel such as the police should be implicated. This complete denial seems to indicate that no investigations will be conducted into such allegations.

68. In April, the African Centre for Justice and Peace Studies put out an urgent call for investigations into the death of a civilian while under RSF/SAF detention in eastern Jebel Marra, South Darfur. Mosa Mohamed Salih, a 72-year-old and member of the Fur community was arrested on 13 April in Rakoon village by members of RSF and taken to the SAF/RSF camp on the periphery of Rakoon. While in detention, he was tortured for his alleged affiliation with and sharing of military information with SLA/AW, and died the next day. On 15 April, members of RSF took his body to a military base in Mershing town and forced his family to come and receive the body. The family reported the death to the police in Mershing but the officer reportedly refused to file a case. The family was also denied access to criminal form 8, a medical evidence form used in criminal proceedings related to death or grievous bodily harm. Despite the prohibition of torture in the Sudan's 2005 Interim National Constitution, other legislation, such as the 2010 National Security Act and 1994 Evidence Act, creates conditions rendering detainees extremely vulnerable to torture and ill-treatment. The 2007 Armed Forces Act, the 2008 Police Act and the 2010 National Security Act all grant immunities to State actors, including RSF.

69. Hemmeti claimed that RSF took action and sent those who accused of abusing civilians to the courts, but he did not say to which courts his men were sent or for which abuses or crimes. Against this backdrop, during a meeting with the Panel in June 2018, the Chief of Joint Staff of SAF informed the Panel that there had been no recorded cases of action being taken against members of the security forces for human rights abuses or any other infractions.

70. In addition to incidents occurring during clashes between Government and SLA/AW elements, civilians have repeatedly come under attack by armed nomads. On 19 August, about 60 newly displaced families, mostly women and children, arrived in the Hashaba displaced persons camp having fled four villages in East Jebel Marra (including Feina and Swanee) following an attack on 11 August by a large group of armed Arab nomads on camels and horses. Some of the armed nomads were reportedly in military attire, riding on two military pickup vehicles. Four men were killed and 10 other civilians injured and transferred to the Nyala hospital. The perpetrators reportedly looted property and livestock.

## **(b) Enforced disappearance**

71. Cases which can be classified as enforced disappearances,<sup>22</sup> following arrests by Military Intelligence agents, continued to be documented. In September, three

<sup>22</sup> Under the terms of the Declaration on the Protection of All Persons from Enforced Disappearance (General Assembly resolution 47/133), enforced disappearance occurs when "persons are arrested, detained or abducted against their will or otherwise deprived of their liberty by officials of different branches or levels of Government, or by organized groups or private individuals acting on behalf of, or with the support, direct or indirect, consent or acquiescence of the Government, followed by a refusal to disclose the fate or whereabouts of the persons concerned or a refusal to acknowledge the deprivation of their liberty, which places such persons outside the protection of the law".

displaced persons were arrested by Military Intelligence in Thur, Central Darfur and taken to an undisclosed location; they have not been heard from since. A resident of Kass, South Darfur, was also picked up by Military Intelligence agents in September and his status and whereabouts also remain unclear. Those arrested are almost certainly subject to torture and are likely to face death or long imprisonment without due process. Civil society organizations and other human rights groups claim that many who go into Military Intelligence prisons are never heard from again. In July, local sources informed UNAMID that on 27 July, the National Intelligence and Security Service arrested a Fur civilian suspected of being a member of SLA/AW in Komi village, 4 km east of the Golo temporary operating base (TOB). His whereabouts remain unknown.

## **2. Population displacement**

72. As a result of the new clashes and human rights abuses, the displaced population has continued to rise in Jebel Marra. In October, the Jebel Marra task force of UNAMID documented nearly 655,000 internally displaced persons in its area of responsibility. According to the International Organization for Migration (IOM), since January, approximately 14,026 people are verified to have been displaced into various camps and settlements in and around Jebel Marra in South and Central Darfur. Other newly displaced persons have either not been verified or are not being considered for humanitarian assistance, owing in part the announcement of the Government of the Sudan that there will be no new gathering sites for internally displaced persons “due to the improved security and stability in the region”. This policy is being implemented robustly in Jebel Marra localities such as Kass and Golo, even though civilians will most likely continue to face displacement owing to ongoing clashes. In Golo, all of the newly displaced persons — comprising 442 households and 1,824 individuals, mostly women and children — had taken shelter at the new Golo primary school.<sup>23</sup> These displaced persons are expected to stay with host communities. The education of the newly displaced students is in limbo, and even with the waiver of school fees, some parents do not have the resources to send their children to school. In addition, only 40 students could be accommodated in school owing to space constraints.

## **3. Humanitarian access**

73. UNAMID has not been able to verify most of the reports of clashes and associated violations owing to repeated denials access by the Government of the Sudan. Between March and October 2018, UNAMID teams in the south, central and north sectors had 30 denials of access and were only able to verify 15 of 54 armed clashes/major incidents. The Government justifies these denials on grounds of safety and security. On the other hand, some UNAMID sources have informed the Panel that SLA/AW often invites the Mission to its locations. Access denials for some humanitarian actors seem to be driven primarily by different interpretations of the Humanitarian Aid Commission policy at the national and federal/state levels. It should, however, be mentioned that after the landslides in eastern Jebel Marra, humanitarian access was granted to UNAMID and other actors in order to deliver humanitarian aid to the affected victims.

## **4. Violations by the Sudan Liberation Army/Abdul Wahid**

74. Some SLA/AW elements have engaged in human rights violations such as attacks on civilians and arbitrary detentions in Jebel Marra during the reporting

---

<sup>23</sup> International Organization for Migration verification of internally displaced persons between 16 June and end of September.

period. In order to run the areas under its control, SLA/AW put a parallel administration in place in Jebel Marra in the early phase of the conflict, including a justice system with legislation, various levels of courts and prisons. According to local sources, the remaining SLA/AW prisons are located in Gurlambang, Torontonga, Logi (all three controlled by Gaddura), Thura (under Osman al-Zayn's group) and Dwo (under Zunoon Abdelshafi).

75. As a result of the decay of the structure of the movement over the years, this judiciary system has become increasingly informal and arbitrary, according to SLA/AW sources. Some commanders run their own courts and prisons, outside the established laws and structures of SLA/AW, and have turned the judiciary system into a personal tool for extortion and power. Some members of the movement are jailed over internal disputes, while some wealthy civilians are arbitrarily fined and jailed if they refuse to pay.

76. Abuses against local Fur civilians have been reported as a result of the tensions between al-Zayn and Zunoon's elements and Gaddura. In particular, local sources accused Zunoon of attacks on villagers living in Gaddura's area as well as looting of their properties and forced recruitment.<sup>24</sup> Attacks on Arab camel herders by SLA/AW are also frequent. Some commanders such as Saleh Borso and Mohamed Taha are well known for such activities.

## **VI. Darfurian armed groups in neighbouring countries**

### **A. Darfurian armed groups in Libya<sup>25</sup>**

77. Major Darfurian armed groups continue to have a significant presence in Libya (see Libya map in annex 4). So long as the balance of force is unfavourable for them in the Sudan, they are unlikely to engage in a large-scale attempt to return to Darfur, though hit-and-run attacks may be launched from Libya to border areas of Darfur. In Libya, the groups engage in mercenary and/or opportunistic activities (trafficking, illegal checkpoints, interception of convoys, etc.). They do so to build up their military capability in preparation to re-enter the Sudan for good when the internal situation of the country allows for it. If their presence in Libya were to be prolonged, they would run the risk of becoming irrelevant in Darfur and part and parcel of the conflict in Libya.

#### **1. Mapping of the groups**

##### **(a) Sudan Liberation Army/Minni Minawi**

78. SLA/MM remains the Darfur group with the largest presence in Libya. While the political leadership is mostly based in Europe and East Africa, its entire military force is located in Libya, led by General Commander Juma Hagggar and his deputy Jabir Ishag. Jabir Ishag in particular is considered responsible for consolidating the group's presence in Libya (Juma Hagggar only arrived there in April 2017). Other important commanders include Faisal Saleh (number three of the force), Mokhtar Shomo, Abd al Majid Ali Senine, Abbas Ahmed Aseel "Jebel Moon", Ramadan Jaber Nahar (former commissioner of Dar as Salaam locality, North Darfur), Ahmed Arkouri, Mansour Yahia Ramadan and Haroun Saleh Diffa "Tawila". According to sources, SLA/MM forces in Libya comprise some 800 to 1,000 fighters, with between

<sup>24</sup> Meetings of the Panel with local newly displaced civilians, SLA/AW members.

<sup>25</sup> This section, including photographs, is based on information gathered by the Panel in interviews with members and former members of rebel groups during the reporting period in the Sudan and the region.

150 and 200 vehicles. They are located mostly in the Jufra region, in particular in the Hun and Zella areas, and are aligned with Khalifa Heftar's LNA. In annex 5, the transcript of a video interrogation of a SLA/MM commander captured in Libya provides details of the SLA/MM presence in Libya.

Figure 6

**Photograph of Jabir Ishag (second from left), with an SLA/MM delegation in Libya, late 2017**



Source: confidential.

#### **(b) Gathering of the Sudan Liberation Forces**

79. The Gathering of the Sudan Liberation Forces (GSLF), also known as the Sudan Liberation Force Alliance, is the second biggest Darfur armed group in Libya.<sup>26</sup> While its chairperson, Taher Hajer, travels between Cairo and Libya, his deputy, Abdallah Yahia, the Chief of Staff, Abdallah Bashar Jeli "Janna",<sup>27</sup> and the bulk of the force are based in Libya. According to sources, the force – reportedly about 100 cars and 500 men – is located mostly in the Jufra region (Zella, Hun), Waw al Kabir (south) and Ras Lanuf (oil crescent). In addition to "Janna", top military commanders include Security Secretary Mohamed Abdallah Ali, Deputy General Commander Aboud Adam Khater, Military Adviser Moussa Ibrahim, Ahmed Abu Tonga and Musa "Com'Groupe".

80. The main loyalty of GSLF in Libya lies with Haftar. The group says that it cooperates with him on the basis of a shared interest in fighting Islamist extremism, and because he is against the Government of the Sudan.<sup>28</sup> However, in the past, commanders of the group have occasionally worked with other Libyan factions. The group is in contact with President Idriss Deby of Chad, who encourages it to make peace with the Government of the Sudan. The group is mostly constituted of Zaghawa, like SLA/MM.

#### **(c) Justice and Equality Movement**

81. JEM, which joined the current Libyan conflict later than the other groups, continues to try and increase its presence in Libya. It now comprises some 100 to 200 fighters and 20 to 30 vehicles. In 2018, its presence has been reported in the south of Libya (around Sebha in particular), as well as between Misrata and Sebha. Its top commander in Libya is former JEM General Commander Abdel Karim Cholloy.

<sup>26</sup> In July 2017, three Darfur rebel groups based in Libya since 2015–2016, SLA-Justice of Taher Hajer, SLA-Unity of Abdallah Yahia and a JEM/Dabajo splinter group led by Abdallah Bashar Jeli "Janna", merged to form GSLF.

<sup>27</sup> "Janna" has been detained in N'Djamena by the Chadian authorities since October 2018.

<sup>28</sup> Meeting of the Panel with GSLF chairperson Taher Hajer, Cairo, May 2018.

According to sources, other prominent commanders include Mohamed Dardoug (from the Meidob tribe) and Ahmed Nurredine (from the Zaghawa's Kobe clan).

82. In Libya, the group has been working mostly for anti-Haftar forces, including the Benghazi Defence Brigades and Misrata's anti-Haftar faction. Thanks to personal and tribal relations between some commanders of the two groups, JEM in Libya cooperates closely with the Union of the Forces of Resistance, a Chadian rebel group that is based in the same areas and works with the same Libyans.

Figure 7

**Photograph of Abdel Karim Cholloy**



Source: confidential.

**(d) Sudan Liberation Army/Abdul Wahid**

83. Yusif Ahmed Yusif "Karjakola", SLA/AW Chief of Staff, is operating in Libya with about 100 fighters and 50 vehicles. In the last year, his group has been reinforced by the arrival of SLA/AW elements formerly based in Ain Siro (North Darfur), led by Ayoub Tukanj. Other major commanders of the group include Salah Juk (from the Zaghawa tribe, making him one of the few non-Fur SLA/AW commanders) and Yusif Mulagat. According to most sources, this force acts semi-independently from Chairperson Abdul Wahid. While the group was working for the anti-Haftar forces, it is believed to be recently aligned with LNA.

**(e) Sudan Liberation Army/Transitional Council**

84. The Sudan Liberation Army/Transitional Council (SLA/TC), a SLA/AW splinter group, also has most of its military force (reportedly dozens of vehicles and several dozen fighters) in Libya. This force is led by General Commander Saleh Jebel Si and works closely with SLA/MM, aligned under LNA. It also has sustained contacts with Karjakola's SLA/AW group.

**(f) Musa Hilal's elements/Sudanese Revolutionary Awakening Council**

85. Several dozen Musa Hilal supporters (in particular from Hilal's Mahamid tribe) fled to Libya after his arrest, mostly through Chad. These elements have started to organize themselves and make contact with Darfur rebel groups based in Libya as well as Libyan factions, which are all keen to attract them. They consider themselves members of the Sudanese Revolutionary Awakening Council (SRAC), the political organization created by Musa Hilal in 2014. On 22 November 2018, SRAC officially declared itself against the Government of the Sudan and announced the launch of military action against the Government.<sup>29</sup>

<sup>29</sup> "Musa Hilal group says they would launch military attacks in Darfur", *Sudan Tribune*, 23 November 2018.

86. The main leaders of these elements are Zekeria al-Duch (a former JEM commander, based in Libya for several years), Omda Zekeria and Mahamat Bakhit “Doydoy” (two Border Guard officers), Ahmed Mohamed Abakar (SRAC spokesman) and Abdoulaye Waldam al Kutum (a Mahamid from El Geneina). These elements have fought as mercenaries for various factions in order to make a living. The bulk of this group is reportedly aligned with LNA. Some elements led by Bashir, a Mahamid Islamist politician, have joined forces with JEM in the Sebha area and have participated in anti-Haftar military operations alongside JEM. Musa Hilal’s elements have also engaged in gold mining in the Kouri-Bougoudi area (Libya-Chad border).

**(g) Opportunistic elements**

87. Many Darfurian fighters without any political agenda, including former rebels and Arab militiamen, have taken advantage of the opportunities provided by the Libyan conflict to get involved in mercenary and trafficking activities in Libya (see annex 6).

**(h) Unification attempts**

88. Aware that their internal divisions have undermined their position both on the battlefield and at the negotiating table, Darfurian rebels based in Libya have been discussing ways to reunify for about a year. These negotiations have included high-level communications between the exiled political leaders, as well as direct meetings on the ground in Libya between military commanders and political officers of the various groups. GSLF has been the driving force behind these attempts.

89. The first step was the creation of the GSLF coalition in July 2017. Then GSLF entered into negotiations on unification with SLA/MM. Two rounds of talks took place in Libya in August and November 2017. In May 2018, GSLF and SLA/AW signed a pre-agreement on unification, in Libya. That agreement had been prepared by discussions between GSLF and SLA/AW chairs Taher Hajer and Abdul Wahid, respectively. The SLA/AW signatory was Chief of Staff Karjakola (see para. 83 above). However, the GSLF unification attempts have failed so far, mostly owing to leadership issues. While military commanders of all groups seem to favour a unification deal, Minni Minawi and Abdul Wahid are reportedly reluctant.

Figure 8

**Photograph of signing ceremony between GSLF and SLA/AW (“Karjakola” for SLA/AW, left, and Mubarak Bakhit for GSLF, middle.)**



Source: confidential.



## 2. Libyan partners

90. During the reporting period, all of the main warring Libyan factions continued to use Darfur rebels as auxiliary fighters. Although Haftar's LNA often denounces the presence of foreign fighters in Libya, it relies heavily on rebels from Darfur, in particular SLA/MM and GSLF, for its own operations, for instance to secure the Jufra region and the oil crescent. Within LNA, General Abdelkarim Hadiya, head of the Secretariat General of the LNA General Command, who reports directly to Haftar, supervises the relations with the Darfurian (and Chadian) rebel groups, according to several rebel sources. However, the perceived unreliability and indiscipline of the Darfurian rebels occasionally causes frictions between them and LNA (see internal LNA correspondence in annex 7). On 24 March 2018, the LNA air force bombed some GSLF elements near Tamisah, killing one and injuring two (GSLF says its members were targeted by mistake).

91. Some local Libyan commanders and politicians often act as brokers between the major Libyan warring parties and the Darfur rebels. A former Gaddafist<sup>30</sup> based in Zella, Sheikh Hilal Musa remains the key intermediary between LNA and its Darfurian allies based in the Jufra region (SLA/MM and some GSLF elements). He provides them with logistical support, including farms where they can stay.

92. Nasser Ben Jerid, a leader from the Gaddafa tribe based in Sebha, is an essential focal point for Darfur rebels in southern Libya and provides Darfurian and Chadian fighters to various Libyan factions. In particular, he has reportedly worked with Karjakola's SLA/AW as well as Mohamed Abdallah Ali's GSLF elements.

Figure 9

**Photograph of Nasser Ben Jerid (in the middle)**



Source: confidential.

93. Hassan Keley (also known as Hassan Musa), a major Tubu leader from southern Libya, who has high-level connections with the Tripoli Government and in foreign countries such as Qatar, has become an unavoidable interlocutor for Darfurian rebel groups operating in Libya. In particular, he is the key intermediary between Darfurian rebels (JEM in particular) and anti-Haftar forces such as the Benghazi Defence Brigades. Most sources underline that he has important financial means at his disposal for such a task.

<sup>30</sup> "Gaddafist" here refers to supporters of former Libya leader Muammar Gaddafi.

Figure 10  
**Photograph of Hassan Keley**



*Source:* confidential.

94. In order to be allowed to operate in southern Libya, an area largely controlled by the Tubu, Darfur rebels need to be endorsed by local Tubu leaders. In Sebha, Hassan Kasha, an associate of Hassan Keley, reportedly plays an important role in facilitating the presence of Darfurian elements by putting villas and plots at their disposal in Tubu neighbourhoods such as Nasseriya. Similarly, Ali Mohamed “Wujij”, the local Tubu leader who controls Waw al Kabir (seen as a Haftar supporter), has been working with Darfur rebels since at least 2015 and allows some groups such as GSLF and JEM to be based in the area. JEM in particular has good relations with the Tubu, thanks to Abdel Karim Cholloy (his Gorane tribe has close affiliations with the wider Tubu tribal community).

### **3. Military operations**

95. During the reporting period, Darfur groups participated in several military operations mounted by Libyan factions. In particular, clashes opposed some anti-Haftar forces to LNA in the oil crescent in June 2018. A coalition led by Ibrahim Jadhnan on 14 June attacked the oil crescent held by LNA and captured the Ras Lanuf and Sidra oil terminals after fierce clashes. The LNA launched a successful counterattack a few days later and regained control over the terminals.

96. Darfurian armed groups participated in these clashes on both sides. JEM as well as the Musa Hilal group of Bashir (see para. 86 above) were part of Jadhnan’s force. Hassan Keley, who is known to have good relations with Jadhnan, secured the participation of these Darfurian elements in the operation. On the other side, the LNA used the SLA/MM and GSLF elements based in Jufra and Ras Lanuf to counter the attack. While these two groups suffered significant losses during Jadhnan’s attack, they were instrumental in the successful counter-offensive by LNA. An important GSLF field commander, Abdallah Moussa Mery, was killed during these clashes. During such clashes where Darfur rebels can be found on both sides, they communicate in order to avoid fighting each other directly.

97. The presence of Darfur rebels tends to create problems with the local population. For instance, in late October 2018, after a Darfurian fighter was found dead in Zella, Darfurian elements (believed to be from SLA/MM) caused incidents in the town, erecting checkpoints and killing at least one Libyan.

#### 4. Military equipment

98. The activities of Darfur rebels based in Libya are geared towards building up their capabilities, in particular acquiring more vehicles. When they make money through their mercenary and trafficking activities there, they often reinvest it immediately in new vehicles and weapons. In Libya, rebels occasionally receive vehicles from Libyan factions in return for their support, including armoured vehicles, a type which they had not been using previously. However, after some Darfur rebel groups defected from LNA to the Benghazi Defence Brigades in March 2017, LNA has reportedly become more cautious about handing vehicles to the Darfur rebels, and only provides them with food.

99. When participating in military operations alongside Libyan factions, Darfur rebel groups are often allowed by their Libyan partners to loot vehicles and weapons. For instance, during Ibrahim Jadhra's attack on the oil crescent in June 2018, JEM reportedly seized several vehicles and significant quantities of weapons and ammunition (including anti-aircraft guns, 106mm guns and rocket-propelled grenades).

100. The Libya-based Darfuri rebels source most of their weapons in Darfur, in particular 12.7mm, 14.5mm and Gornov machine guns, which they frequently use but which are rarely available in Libya. They purchase some of these weapons from Darfuri smugglers, often ex-members of Arab militias, who deliver the weapons to Chad or Libya, where the transaction takes place. For instance, in November 2018, according to a rebel source, some GSLF elements were arrested by the Chadian authorities on their way back to Libya after buying weapons (12.7mm machine guns) brought from Darfur to a refugee camp in eastern Chad. Some other rebels use their personal connections with the SLA/AW group led by Soliman Marajan in the Malha area (North Darfur) to come and purchase weapons in the Malha and Mellit areas. Abusin, a JEM commander from the Meidob tribe based in Libya, was arrested near Malha in early 2018. He had purchased several heavy machine guns, rocket-propelled grenades, AK-47s and various types of ammunition, which he was bringing back to Libya. The FN assault rifle is a type of weapon that Darfur rebels buy in Libya itself, as they are newer and cheaper than in Darfur.

#### 5. Recruitment

101. The Darfuri rebels based in Libya recruit in several constituencies:

(a) In their communities in Darfur. For instance, in March 2018, two men belonging to JEM commander Dardoug were arrested in the Malha area, having reportedly come to recruit fighters;

(b) In Darfuri communities living in other regions of the Sudan. In particular, the Panel is aware of recruiting networks in El Gezira;

(c) In refugee camps in eastern Chad. Many Darfuri refugees are from the Zaghawa tribe, like most members of SLA/MM, GSLF and JEM, and the groups have supporters in the camps;

(d) Among artisanal miners working in the gold mining areas in the border region between the Sudan, Libya and Chad, many of whom are former Darfur rebels or Zaghawa.

## **B. Darfurian armed groups in South Sudan<sup>31</sup>**

102. JEM, a JEM splinter group and SLA/AW all maintain a military presence in South Sudan (see map of South Sudan, annex 8). Support from the South Sudanese authorities has diminished owing to the difficult economic situation in South Sudan and international pressure on the Government of South Sudan. However, the groups continue to work closely with some individuals and bodies in the South Sudan administration and security apparatus. The rebels based in South Sudan are now too weak to conduct any significant operation in Darfur and have no other choices but to lay down their weapons, engage in local businesses in South Sudan or participate in the South Sudanese conflict to survive.

### **1. Mapping of the groups**

#### **(a) Justice and Equality Movement**

103. JEM retains a small force in South Sudan, mostly in Lol State. Lack of military and political perspectives and deteriorating material conditions undermine the group's morale and cohesion and generate defections.

104. The movement suffered an important blow in April 2018 when about 70 elements defected with 14 vehicles and a significant quantity of weaponry. These elements crossed from Lol State to eastern Chad through the north-eastern corner of the Central African Republic. In Chad, President Deby facilitated their negotiations with the Government of the Sudan, and they entered West Darfur in June. Currently stationed at the SAF base in El Geneina, they are discussing a security arrangement with the Government of the Sudan, by which those meeting health and age requirements would be integrated into SAF. The leaders of this group are Hussein Abdel-Rahman Arkory "Abu Garja" and Ibrahim Hashim Bashar "Garsil", two experienced commanders from the Zaghawa Kobe clan, which forms the core of JEM. The Panel was able to meet this group and inspect its weapons and vehicles (see para. 114 below).

105. JEM General Commander Siddiq "Bongo" left the field for Kampala in early 2018 and was ultimately relieved of his position. Omda Tahir, Military Adviser to the JEM Chairperson, is now the top field commander in South Sudan. Other important commanders include Al Tayb Zekeria and Taha Hussein Idriss (both from the Kobe clan). The group now reportedly has fewer than 100 fighters and about 20 vehicles. According to the latest information received by the Panel, the group is now based in Katta, on the road between Raja (capital of Lol State) and Boro Medina.

<sup>31</sup> The information in this section, including photographs, was gathered by the Panel in meetings with members and former members of rebel groups as well as former officers of SPLA between March and November 2018.

Figure 11  
**Photograph of Siddiq “Bongo”**



*Source: confidential.*

Figure 12  
**Photograph of Omda Tahir**



*Source: confidential.*

**(b) Sudanese Revolutionary Council (JEM splinter group)**

106. In its final report under the 2017 mandate ([S/2017/1125](#)), the Panel reported that a significant number of JEM elements, mostly led by Massalit commanders, had defected in March 2017 and constituted their own group in Lol State. This group formalized its existence in February 2018 under the name of Sudanese Revolutionary Council (see annex 9). The new group’s Chair is Bahrudin Adam Karama, a Massalit politician based in Cairo. The main field commander is General Abdulrahman Arbab Hamid, appointed as the group’s Secretary of Military Affairs. Other main commanders include Hosni Fadlullah Farah and Arbab Abdallah Younis. The group reportedly has about 20 vehicles and 200 troops. According to local sources, it is currently based in Boro Medina (west of Raja).

Figure 13  
**Photograph of General Abdulrahman Arbab Hamid**



*Source:* confidential.

107. In Lol State, both JEM and the Sudanese Revolutionary Council work closely with Governor Rizig Zakaria Hassan and with local units of the Sudan People's Liberation Army (SPLA), whom they assist in securing the area against the rebels of the Sudan People's Liberation Army in Opposition (SPLA-IO) and Fertit militias. For instance, on 17 December 2017, a JEM convoy clashed near Raja with an SPLA-IO group (six JEM fighters were killed in the incident). Clashes between SPLA and Darfur rebels on one side, and SPLA-IO on the other side, were also reported by the United Nations Mission in South Sudan on 5 April 2018 in the Sopo and Deim Zubeir areas.

108. In return for their military assistance, JEM and the Sudanese Revolutionary Council reportedly receive food, water, medical supplies, fuel and small ammunition, although these supplies are more limited now. In order to generate income, they also engage in local business activities as well as farming. According to local sources, they have been very mobile in recent months, moving among their various bases<sup>32</sup> to support SPLA operations where needed, but also to avoid being spotted by the Sudanese intelligence and international observers.

**(c) Sudan Liberation Army/Abdul Wahid**

109. In South Sudan, SLA/AW has a military force of about 200 men (including dozens of prisoners) and between 30 and 40 vehicles (including several commercial trucks captured during the attack on Abu Kershola in April 2013). The group operates in the border area between Pariang County, in South Sudan's Ruweng State, and the Kauda area of the Sudan's South Kordofan State. This force is led by General Abdullah Haran Adam, interim SLA/AW Deputy Chair since November 2017. The group also has a safe house in Juba.

<sup>32</sup> These can be found in Boro Bahar (north of Raja), New Site (between Raja and Boro Bahar), Khor Shamam (on the road between Raja and Aweil) and Yangoshi (8 kilometres south-east of Raja, on the road to Deim Zubeir).

Figure 14  
**Photograph of General Abdullah Adam Haran**



*Source:* confidential.

110. Recently, the group has experienced internal divisions. The incident of the kidnap and beating of commander Abbas Khamis by some of his colleagues in August illustrates this (see annex 10).

## **2. Special operations desk of the Sudan People's Liberation Army**

111. The special operations desk of the South Sudanese Military Intelligence is the key government body in charge of managing SPLA relations with the Darfur rebel groups. Created in 2011 after the secession of South Sudan to organize relations with the Sudanese rebels (Sudan People's Liberation Movement-North (SPLM/N) and Darfurian groups), it has been headed by General Akol Majok Nyigan since 2014. The desk was formally dismantled in 2017, and General Majok was appointed as the SPLA Director of Logistics and Supply. Nonetheless, the special operations desk continues to operate under the wing of Majok's Department of Logistics and Supply, with the same personnel, premises and objectives as before.

112. According to sources, the desk has a monthly budget of 36 million South Sudanese pounds.<sup>33</sup> It takes care of all logistical and operational aspects of the relationship with the Sudanese rebels. This includes coordination with the Darfurian groups in Juba and in the field, the rental of houses for Darfur rebel leaders and commanders in Juba and the provision of weapons, ammunition,<sup>34</sup> vehicles and other equipment such as uniforms. This has made General Majok the key focal point in South Sudan for Darfurian groups to date, with a considerable degree of autonomy from the Military Intelligence leadership. In recent months, Majok's engagement with the Darfur groups has been more limited owing to the economic issues affecting SPLA. However, Majok remains the key resource person for Darfur rebels in the

<sup>33</sup> This amounted to approximately \$276,300 as at November 2018. In 2011, the amount was \$12.3 million.

<sup>34</sup> The desk reportedly has its own store in the ground forces' barracks.



security apparatus, as illustrated by his central role in the resolution of the internal SLA/AW incident over Abbas Khamis.

113. Key special operations staff include Major Denis Lomoro (Majok's deputy) and William Mac and Charles Juma (both in charge of finances). Captain Athian Deng, who is responsible for special operations activities in the Western Bahr el Ghazal region (including Lol State), is a pivotal contact for Darfur rebels in the field.

Figure 15

**Photograph of General Akol Majok Nyigan**



*Source: confidential.*

Figure 16

**Photograph of Captain Athian Deng**



*Source: confidential.*



Figure 17  
**Photograph of Major Denis Lomoro**



Source: confidential.

## VII. Arms and arms control

### A. Violations of the arms embargo

#### 1. Justice and Equality Movement dissident group

114. In April 2018, some JEM elements left the group in South Sudan and arrived in El Geneina (West Darfur) in June, seeking to negotiate a security arrangement with the Government of the Sudan. They came with 14 vehicles (13 gun-mounted Toyota Landcruisers and a double-cabin Toyota Hilux) and significant quantities of weapons, which they handed over to SAF. The Panel is aware that this equipment was brought into Darfur as part of a peace initiative. However, this technically constitutes a violation of the arms embargo. On 2 July, the Panel inspected the vehicles and weapons at an SAF base in El Geneina. The weapons are listed in the table below.

<i>MANPAD</i>	<i>Anti-aircraft guns</i>	<i>Machine guns</i>	<i>Rocket launchers</i>	<i>Recoilless rifles</i>	<i>Assault rifles</i>
9K38 Igla (SA-18)	23mm ZU-23-2	Type 56H MG	107mm type 63	SPG-9	Type 56-1
	14.5mm KPV	Type 54	Type 69	Type 65	Type 56
		Khawad	Sinnar		Type 58
		Type M80			MPi-KM
		Type PKM			AKM
		Type MG			AK-47
					M22
					MPi-AKM7

*Abbreviation:* MANPAD, man-portable air defence system.

Below are various images the Panel took of the weapons.

**Anti-aircraft gun 23mm ZU-23-2**



**Recoilless rifle 73mm SPG-9**



**Multiple rocket launcher 107mm type 63**



### Machine gun 12.7mm DShK



### 9K38 Igla (SA-18) man-portable air defence system



115. Most of these weapons are old, common in the region and difficult to trace. However, several pieces are noteworthy and provide indications on how the Darfur armed groups access weapons, in particular the 9K38 Igla (SA-18) man-portable air defence system (the groups usually do not have such advanced weapons). According to its marking, this weapon was produced in 1994 in a country of Eastern Europe.<sup>35</sup> A credible hypothesis is that JEM received this piece from SPLA of South Sudan. Two former SPLA officers declared to the Panel that SPLA had delivered several 9K38 Iglas to the Darfur rebel groups. According to them, these weapons were purchased from Eastern Europe by SPLA through a neighbouring country. The weapons were of limited use to the Darfurian groups, because SPLA did not deliver them the associated training.

116. The Khawad machine gun (a Sudan-made copy of the DShK model), serial number 11-0206, is also noteworthy. The serial number indicates that this weapon is likely to have been manufactured by the Sudanese arms industry in 2011. In 2012,

<sup>35</sup> In response to an information request from the Panel, the Russian Federation stated on 20 November 2018 that, owing to the absence of manufacturing markings and the long time elapsed since the date of production, it could not confirm whether the weapon had been produced in the Russian Federation and provide additional information.

Conflict Armament Research inspected two Khawads with serial numbers close to 11-0206 in the hands of SPLM/N, which had reportedly captured those weapons from the Government of the Sudan. This suggests that Khawad in the possession of JEM came from the same lot and was obtained in similar conditions, most likely during clashes between the Sudan Revolutionary Front coalition (of which JEM and SPLM/N are members) and the Government of the Sudan.<sup>36</sup>

## 2. Government of South Sudan

117. Former members of Darfur rebel groups and of SPLA told the Panel that, since 2011, the Government of South Sudan had provided the Darfur rebel groups based in South Sudan (JEM, SLA/MM and SLA/AW) with military equipment (machine guns, rocket-propelled grenades, AK-47s, ammunition, etc.), Toyota Landcruiser vehicles and logistics (uniforms, fuel and food). That support diminished about two years ago, partly owing to South Sudan's economic issues. The Darfur rebel groups now receive small amounts of ammunition, fuel and food when they are mobilized by SPLA and the local authorities for operations, mostly in Lol State. The sources also reported to the Panel that, from 2011 to at least 2015, South Sudan had provided some members of Darfur rebel groups with military training in various fields such as tank operations, intelligence, artillery, air defence, radio communications and close protection. Training sessions took place at several sites, including the SPLA Belpham camp in Juba, an SPLA camp near Yambio (Gbudue State) and sites in Lol State.

118. The same sources stated that during the same period, some members of Darfur rebel groups had received military training in Uganda from the Ugandan military, under SPLA cover. SPLA had inserted some Darfurian rebels into SPLA units sent for training to Uganda. The sources claimed that the Government of Uganda, which at the time had difficult relations with the Government of the Sudan, was aware of this. These acts constitute violations of the arms embargo by South Sudan.

## 3. Government of the Sudan

119. Security Council resolution [1591 \(2005\)](#) requires that the Committee established pursuant to the resolution approve any movement of military equipment by the Government of the Sudan into Darfur. During the reporting period, the Government of the Sudan continued to transfer military equipment without seeking the Committee's approval. In its travel to Darfur, the Panel on several occasions saw the offloading of military equipment from aircraft. In various meetings with the Panel, the Government of the Sudan confirmed the transfer of military equipment into Darfur. These movements of military equipment are in violation of the provisions of Security Council resolution [1591 \(2005\)](#).

120. The Government of the Sudan provided the Panel with an explanation for the movement of military equipment and forces into and out of Darfur. Making reference to paragraph 15 (a)(i) of Security Council resolution [2363 \(2017\)](#),<sup>37</sup> the Government explained that it had the primary responsibility to protect civilians across Darfur. In a meeting with the Panel on 25 October 2018, the SAF Chief of Staff confirmed to the Panel that the increase in military presence was intended to secure Darfur. General Hemmeti, the head of RSF, in a meeting with the Panel held on 24 October, also confirmed the deployment of RSF across Darfur. The RSF elements had been trained outside of Darfur, some of them in Khartoum, before moving with their equipment into Darfur.

<sup>36</sup> The Panel wishes to thank Warren Melia and Conflict Armament Research for their assistance.

<sup>37</sup> The beginning of paragraph 15(a)(i) reads as follows: "Without prejudice to the primary responsibility of the Sudanese authorities to protect civilian, to protect civilians across Darfur, including women and children...".



121. In April 2018, in a meeting with the Chair of the Committee attended also by the Panel, the national coordination mechanism emphasized that the Government of the Sudan could not protect civilians in Darfur without equipping their armed forces and other security forces. As a further reason for the transfers of military equipment into Darfur, it cited Article 2 of the Charter of the United Nations and the need to protect its international borders with Libya, Chad and the Central African Republic.<sup>38</sup> The authorities argued that the Government of the Sudan needed to move weapons into Darfur in order to fulfil its national and international commitments, and that the arms embargo imposed by the Security Council should therefore be lifted.

## **B. Offensive military overflights and Government activities**

122. During the reporting period, the Panel received unconfirmed but reliable information of military overflights and bombings by SAF in some lower parts of Jebel Marra during the months of May and June 2018. The Panel has not been able to confirm the information. However, during the reporting period, the Panel received information from various independent sources of heavy artillery shelling by SAF in areas like Sarun, near Kass, and Golo.<sup>39</sup> In some instances, there were reports of civilian casualties and injuries. The Panel, in several meetings, including with the SAF Chief of Staff, raised this issue. The Government of the Sudan accepted that it may have carried out retaliatory attacks on armed opposition in Jebel Marra but consistently denied using heavy artillery.

## **C. Vehicles used by armed groups to enter Darfur**

123. One of the valuable assets used by armed groups in Darfur and the region is vehicles, usually 4x4 Toyotas, that are mounted with light weapons, including machine guns. Given the terrain in Darfur, these vehicles are extremely reliable and useful for armed groups and opportunistic criminal gangs, some of which are involved in migrant smuggling, among other activities. In the past, the Panel has documented how these groups source their vehicles (see [S/2017/1125](#), para. 149). Saud Bahwan Automotive, a company based in Oman, handled most of the vehicles in the possession of Darfur armed groups that were inspected by the Panel. Attempts to get further information from this company have not been successful.<sup>40</sup>

## **D. Weapons collection campaign of the Government of the Sudan**

124. The weapons collection campaign was started by presidential decree No. 419 of 2017, establishing the high committee for collection of weapons and unregistered vehicles. The campaign started in August 2017 with a voluntary phase, followed in October 2017 by a forcible phase that is to last until 2020.

125. On the ground, the operations are led by combined forces of SAF, police, RSF and the National Intelligence and Security Service, which cordon off areas before conducting targeted house searches. On 20 June 2018, the Disarmament, Demobilization and Reintegration Commission told the Panel that 65,547 weapons had been collected thus far, 11,060 in East Darfur, 11,622 in Central Darfur, 12,070 in West Darfur, 21,135 in South Darfur and 9,560 in North Darfur.<sup>41</sup> According to the

<sup>38</sup> See paragraph 12 of the report of the Chair's visit to the Sudan from 13 to 20 April 2018.

<sup>39</sup> This information was obtained from interviews with displaced persons the staff of United Nations agencies and other international staff working in Darfur.

<sup>40</sup> See annex 11 for details of the vehicles handled by this company.

<sup>41</sup> The Government of the Sudan did not provide updated numbers to the Panel after June.

Government of the Sudan, seized weapons are stored by the SAF department of logistics; those in good condition are distributed to the security forces, while the others are destroyed.<sup>42</sup>

126. According to various accounts, the campaign has contributed to improving the security environment in Darfur, in particular in towns and on main roads. Armed militias that used to roam around urban areas are much less visible, while most illegal checkpoints have been dismantled. This improvement is only partly due to a reduction in the number of weapons, as the number of weapons collected has been relatively modest. It is mostly a consequence of the deployment of significant numbers of security forces in main towns as part of the campaign, which has discouraged militias and armed individuals from moving around freely. It is also due to the new, general understanding in the minds of people, as a result of the weapons collection campaign, that the Government of the Sudan is now determined to crack down on civilians carrying guns.

127. However, rather than handing over weapons, many individuals and armed tribes seem to have devised tactics of dissimulation. In rural areas, few weapons have reportedly been collected. Many people tend to behave more discreetly with their weapons and minimize their use, hiding them in arms caches or leaving them at home. Reportedly, some armed tribes such as the Fellata in the border areas with the Central African Republic, have temporarily handed over their most significant weapons to fellow tribesmen in the neighbouring country, in order to evade the campaign. Also, some tribes, in particular those who support the Government's military operations against SLA/AW, seem not to have been targeted by the campaign.

## **E. The Rapid Support Forces and the militias**

128. The Government of the Sudan has used the weapons collection campaign to reassert its authority over militias. During the Darfur conflict, the Government relied heavily on mainly Arab tribal militias of Darfur to fight the mostly non-Arab rebellion. Successive paramilitary units, such as the Central Reserve Police, the Border Guards and later RSF, were formed to that end. However, many of these forces became difficult to control (as illustrated by the case of Musa Hilal) and their acts of criminality turned into a major challenge to the authority of the Government. Also, the Government was becoming overdependent on a specific constituency — the Arabs of Darfur — for its security.

129. Now that the Government of the Sudan is confident that the rebels only pose a limited threat, it seems to have reassessed its position towards militias and to have decided to rein them in. The weapons collection campaign forced some militias that had been controlling certain urban areas (in Kabkabiya for example) and manning illegal checkpoints to move away and become more discreet. Also, as part of the campaign, the Government dissolved the Border Guards, an often ill-disciplined force with unclear status, and is in the process of integrating its members in the more formalized RSF.<sup>43</sup>

130. The Government has also been working on making RSF a more professional, regular force, without losing its tactical advantages (mobility, pace and flexibility). In January 2017, RSF was integrated in SAF by a parliamentary act. In order to dilute the "Darfuri Arab" character of the force, recruitment was expanded to non-Arab

<sup>42</sup> There is no reliable baseline on weapons in Darfur. Most observers suggest that there are several hundreds of thousands of firearms in Darfur.

<sup>43</sup> A first batch of former members of the Border Guards was integrated in RSF in October 2018.

communities of Darfur<sup>44</sup> and tribes outside Darfur. More comprehensive, longer training is now also provided, and internal discipline is more strictly implemented. Officers from the National Intelligence and Security Service and SAF have also been integrated in RSF in order to make it more professional (and reportedly to curtail the influence of General Hemmeti). As a result of these reforms, the general behaviour of the has reportedly improved compared to the early years, when the force was causing havoc everywhere it went.<sup>45</sup> However, human rights abuses continue to be reported (see sect. VIII below).

## **F. Darfur as source of weapons for the region**

131. Darfur continues to be a source of weapons for foreign belligerents in neighbouring countries. Some armed groups participating in the Libyan conflict purchase some of their weapons and ammunition (such as 12.7mm machine guns) in Darfur, in particular from Arab militia members in the Kutum/Kabkabiya area of North Darfur. For example, the Chadian authorities said to the Panel that in the second half of 2018, they had discovered an important arms cache in the Kariari refugee camp in eastern Chad (inhabited mostly by Darfurian Zaghawa refugees). These weapons originated from Darfur and were to be sent to Chadian rebels in Libya.<sup>46</sup>

132. Some ex-Séléka factions based in the north-eastern Central African Republic also sourced some weapons from militias of Darfur in 2018. Weapons smuggling from Darfur to neighbouring countries seems to have been accentuated by the weapons collection campaign in Darfur, as the campaign pushed some armed Darfurian elements to sell off their weapons surpluses rapidly.<sup>47</sup>

## **G. Cross-border activities**

133. There is a long-standing tradition of communities living and continually interacting with each other across borders, for example in Chad and the Sudan. This has meant that historically, these people move across the borders without seeking official clearance. These movements often go undetected because large parts of the border between the Sudan and Chad, Libya and the Central African Republic are unmanned. Despite all the local and regional efforts, the management and monitoring of the international borders of the Sudan continue to pose a great challenge to the Government. The porous borders with Chad, Libya, and the Central African Republic have continually been taken advantage of by opportunistic criminal gangs, remnants of armed groups.

134. The special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the strategic review of UNAMID (S/2017/437) refers to an increase in cross-border criminal activities, which are made worse by the absence of an efficient police force and rule of law. The instability in Libya and the porous nature of the borders have ensured that regional management of borders remains a challenge to both the Sudan and the neighbouring countries. Criminal cross-border groups have continued operating in the region.

<sup>44</sup> Including by integrating rebel defectors, such as the SLA-MM elements of Mohamedein “Orkajor” in 2014 and the SLA-AW elements formerly based in Ain Siro in 2017.

<sup>45</sup> See Enough Project, “Janjaweed reincarnate”, 2014 (<https://enoughproject.org/blog/new-report-janjaweed-reincarnate>).

<sup>46</sup> Meeting with Chadian authorities, N’Djamena, October 2018.

<sup>47</sup> Meetings with various sources in Darfur.

## H. Local and international efforts concerning border control

135. During the reporting period, the Government of the Sudan repeatedly informed the Panel that it had strengthened its borders by deploying RSF and other security forces along Sudan's borders with Libya and Chad.<sup>48</sup> This deployment has reportedly had some positive impact, including seizures of weapons, contraband and narcotics by RSF.

136. On 24 and 25 April 2018, the Governments of the Sudan and Chad held a conference in El Geneina, West Darfur, on improving border management in the framework of the joint border force that has been in place since 2010. The conference, attended by the presidents of both countries, endorsed recommendations in several categories: (a) security and military cooperation; (b) the economy, trade and investments; and (c) social cohesion, culture, media and youth. Under the first category, the two countries agreed to deploy more troops and to add a judicial committee and customs and immigration officials to the force. On 17 July, the President of Chad issued a decree announcing the merger of the joint Sudan-Chad border force with the previously established tripartite border force of the Sudan, Chad and the Central African Republic.

137. The Sudan, Chad and the Central African Republic held a summit meeting in Khartoum from 21 to 24 May 2018. The participants agreed to form a three-party joint force to protect their borders. They also agreed on coordination between the three ministries of the interior to control smuggling and cross-border migration and fight organized crime. The three Governments agreed to encourage peaceful coexistence between the pastoral communities living along the shared borders and encouraged the voluntary return of refugees of the three countries.<sup>49</sup>

138. There have been further regional efforts aimed at strengthening cooperation and improving cross-border security.<sup>50</sup> These have targeted cross-border criminal activities for example human trafficking, arms as well as smuggling of goods. These initiatives, if properly implemented, could help improve general regional security including Darfur borders.

## I. Migrant smuggling

139. The Sudan has historically been a starting point and route for illegal migration facilitated by different smuggling networks. Migrant smuggling has been identified as an impediment to regional peace and stability. One of the key priorities of the Government of the Sudan is to address the scourge of organized crime syndicates and criminal groups smuggling people and goods in and out of the Sudan. To this end, the Government told the Panel that it was engaged in joint operations to tackle these challenges. The Panel is aware that the Sudan is part of an African Union-led initiative to combat human trafficking and migrant smuggling. A regional operational centre in Khartoum will serve as a platform and information-sharing resource for this initiative.

140. In August 2018, 154 migrants were stopped by RSF in North Darfur (El Malha) en route to Libya. The migrants were detained in Al Jeilil Prison. Testimonies reportedly obtained from the detainees indicate that they were civilians who had embarked on the journey to reach Libya, and possibly further destinations, for

<sup>48</sup> Meeting with General Hemmeti, 24 October 2018.

<sup>49</sup> "Summit of Chad, Sudan and Central Africa concludes in Khartoum", Radio Dabanga, 25 May 2018.

<sup>50</sup> Mustafa Fetouri, "Will Libya's newly signed border security agreement change anything?", Al-Monitor, 8 June 2018.



education and economic reasons. Although RSF emphasized that it abides by international conventions and respects the rights of the victims, it classified the detainees as belonging to “terrorist organizations and negative movements”. This classification does not afford international protection to vulnerable groups and potentially exposes them to further abuse and violations. Evidence suggests that the victims were not treated in a humane manner. Additionally, the Government lacks proper facilities in which to keep migrants while their status is being assessed. The Panel asked to visit the detainees, but the visit did not materialize.

141. General Hemmeti stressed that his institution was fighting illegal migration within a very extensive desert area and pointed to successes in stemming the flow towards Libya. The Panel notes, however, that members of RSF have also been accused of being involved in migrant smuggling. A report released in 2018 by the Clingendael Institute, based on interviews with migrants, migrant smugglers and some RSF members, provided credible, detailed information on the involvement of some RSF elements in migrant smuggling.<sup>51</sup>

142. In general, the Government of the Sudan has acknowledged that it does not have a database on the numbers of illegal migrants or gangs that are active in smuggling, owing primarily to a lack of capabilities.

## **VIII. Human rights and humanitarian situation**

143. Information gathered from Government of the Sudan and communities points to notable improvements in the overall security situation in parts of Darfur. However, the root causes of the conflict remain largely unaddressed. These are compounded by growing inequalities and human rights abuses, lack of basic services and infrastructure and the absence of justice and accountability. The situation is further exacerbated by vulnerabilities and a climate of fear, sometimes due to the presence of herders who graze their animals on farmlands belonging to internally displaced persons, resulting in the destruction of crops. Some have been known to resort to violence in the face of resistance. Statistics from UNAMID refer to 152 incidents of assault occurring between January and October 2018. Most of the incidents which resulted in injuries to the victims, some of them severe, were committed by armed assailants using firearms as well as knives and sticks. Separately, 74 assaults resulted in the death of the victims.

### **A. Sexual and gender-based violence and conflict-related sexual violence**

144. The planting and harvesting seasons have proved to be the most volatile for women in Darfur, as they make up the majority of the workforce. They continue to be exposed to the risks of rape and other assaults, particularly as they engage in livelihood activities. Most of these assault are undertaken with force, resulting in severe injuries and sometimes death of the victims. Gang rape, primarily by armed men, is becoming an increasing phenomenon in Darfur, according to information gathered by the Panel, as are reports of abductions and kidnapping for the purpose of rape. Men who have tried to come to the aid of rape victims have also been subjected to physical assaults and sometimes killed. These human rights abuses and other criminal acts continue to be perpetrated with impunity and leave women and girls extremely vulnerable. The rape of children also remains a serious concern in Darfur.

<sup>51</sup> Jérôme Tubiana, Clotilde Warin and Gaffar Mohammad Saeneen, *Multilateral Damage: The Impact of EU Migration Policies on Central Saharan Routes* (Clingendael, September 2018). See in particular section 3.

145. The Panel was informed of 122 cases documented by UNAMID from January to October 2018. Amid the scourge of conflict-related sexual violence, survivors have lamented impunity on the part of perpetrators, sometimes owing to challenges in identifying the perpetrators, which are partially related to the environment under which these heinous acts are carried out. In most incidents of conflict-related sexual violence, the victims do not know the perpetrators, who typically accost them under cover of darkness or while they are working on their farms. Most manage to escape the scene before help arrives or soon after the commission of the act, and only in a very few cases are the perpetrators traced. Descriptions of perpetrators include civilian men and boys, armed men, members of militia groups in civilian clothing and members of State security forces, including SAF, RSF, the Border Guards and the police. Members of SLA/AW in the Jebel Marra have also been named as perpetrators.

146. Many survivors do not receive adequate medical care, if any, following their ordeal. Cultural bias, fear of stigmatization and possible further victimization result in some incidents not being reported. This situation is exacerbated by the general lack of available medical care for survivors, some of whom are not able to reach any proper medical services in a timely manner. Throughout the Darfur region, very few survivors receive any form of psycho-social support, with the only such service provider operating from the Saudi hospital in El Fasher.

## **B. Access to justice for survivors of sexual violence**

147. The Panel is concerned that the Office of the Public Prosecutor and the Special Prosecutor for Darfur Crimes continue to categorize heinous acts of sexual violence, including rape, as merely criminal acts and not as conflict-related sexual violence, despite the environment and circumstances under which these crimes were committed. In this vein, reports that the North Darfur office of the Special Prosecutor reached an arrangement with UNAMID in August are welcomed. Under the agreement, any reported case of sexual violence that occurs outside of the domestic setting will be classified as conflict-related sexual violence, considering the ongoing conflict situation and displacement in Darfur.

148. The establishment of fully functional, trained and professional police structures, including female personnel, and judges in major locations, capable of timely and prompt investigations and proper adjudication of cases is required for improved access to justice. The Panel takes note of accountability measures in different parts of Darfur, including with the trial and sentencing of perpetrators of sexual violence. However, challenges remain, such as the absence of procedural rights and guarantees during some court hearings. In some cases, the parties do not have legal representation. For example, in El Geneina, the Family and Child Court sentenced a 19-year-old SAF staff member to 20 years imprisonment with a fine of 3,000 Sudanese pounds (\$71) for the rape of a 15-year-old girl which occurred on 2 January 2018. The accused had no legal representation.

149. Survivors of conflict-related sexual violence and sexual violence in general sometimes have no say in what type of redress they would wish. Courts have granted applications for out-of-court settlements to be reached by relatives of victims and the perpetrators. For example, in the case of an internally displaced 16-year-old minor girl who was raped by a 39-year-old man in April, the judge ruled that the victim should settle the case out of court. In other instances, involving the rape of minors and in clear violation of the rights of the child, relatives had to allow the victims to be married off to their abusers.

150. The Government's Unit for Combating Violence against Women and Children shared information about initiatives aimed at improving legal, medical and

psychosocial support for survivors. These include decentralizing the Unit to have a presence in all Darfur states, deployment of female police officers in the different camps and improved access to justice for women and children. The Director stated that the Unit encounters significant challenges in ensuring that the mechanisms trickle down to remote areas. Lack of funding to run and manage a database also means that statistics and information about violence against women and children are only systematically documented at the national level. Overall, challenges remain to transform the culture of stigma and ostracization for acts of violence against women to ensure appropriate responses by communities and timely investigation of reported cases by authorities.

### **C. Durable solutions for internally displaced persons**

151. Principle 28 of the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2, annex) recognizes that the competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, for internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. The Government of the Sudan informed the Panel that the situation of the internally displaced in Darfur would be reorganized in line with the three following options.

#### **Option 1: integration into host communities**

152. The Government of the Sudan is progressing with plans to transform some of the internally displaced persons settlements into urban dwellings. On 5 November 2018, the Governor of North Darfur officially launched the transformation of the Abu Shouk, El Salam and Zamzam camps in North Darfur into fully serviced residential districts. The first phase includes the resettlement of approximately 45,000 families who would be granted 300 to 400 square metres of land and an ownership certificate. The Governor said that the authorities would work to provide basic services, especially water, health, education, security and stability. He urged the internally displaced persons to support the plan and make the settlements their permanent place of residence, adding that the Abu Shouk camp would be renamed Al Dawha (Doha). The heads of the three camps have submitted a package of demands for the implementation of the new housing schemes. These include the construction of schools and mosques and creation of employment opportunities for youths. Similarly, in February 2018, the Government of South Darfur embarked on transforming the El Sereif camp into a permanent town, to be named “El Sereif City”.

153. In North Darfur, the Panel was shown plans for the new urban settlements. However, concerning the procedures of transformation, some representatives of the internally displaced argued that the process was not a voluntary one. In some places such as Kass, displaced communities were resisting the transformation plans because they feared losing their original land. Despite requests to different Government officials for clarification, the Panel was not able to get concrete answers about the status of the original land that once belonged to the internally displaced persons.

#### **Option 2: return to villages of origin**

154. As a result of some improvement to the security situation, voluntary return has taken place in some areas with the support of the Government’s Voluntary Return and Resettlement Commission. In May, the IOM displacement tracking matrix registered 12,623 individuals who had returned to different areas in North Darfur, where some localities are considered areas of high rates of return.

155. However, in many areas, return is hampered by the continued presence of other communities (mostly described as “Arab settlers” by the sources) on the land of the internally displaced persons. Returnees are exposed to attacks and harassment by the current settlers, leading to them returning to the camps. For example, the Panel received reports that in June, nine voluntary returnees had been killed in Gireida locality of South Darfur since the start of the cultivation season. The Government’s response to such incidents has often been limited. The reason given to the Panel by judicial staff in South Darfur was that no formal complaints of unauthorized occupation, physical assault or harassment in respect of land disputes or destruction of agricultural farmlands had been lodged with the authorities.

156. RSF promised to provide protection in return areas. However, many displaced persons distrust RSF owing to its perceived closeness to Arab communities and the human rights violations and abuses committed by some of its members. Other challenges include the provision of basic services such as water, schools and medical facilities in the return areas.

157. The Government of the Sudan has repeatedly stated that some people left their original land years ago and have not used the land since then, resulting in its occupation by others. Under the traditional *hakura* system, one can lose ownership if land is left abandoned for three years or more. Although some Darfurians have settled in internally displaced persons camps, they have nonetheless tried to continue working their farmlands so as not to lose ownership.

### **Option 3: relocation to another place in the country**

158. While the Sudanese have a constitutional right to freedom of movement within the country, the viability of moving to a completely new location with very few or no resources or support from the Government remains questionable. As far as the Panel is aware, not many people have opted for this option. This is aggravated by the difficult economic situation in the Sudan, which deprives the Government of the necessary resources to support this option.

## **D. Voluntary repatriation of refugees**

159. In September the tripartite committee of the Governments of the Sudan and Chad and the Office of United Nations High Commissioner for Refugees (UNHCR) decided to resume the voluntary repatriation of Sudanese refugees from Chad by November, and the voluntary return of Chadian refugees from the Sudan in December. This follows the first voluntary returns from Chad, which took place in April when UNHCR and the Commissioner of Refugees assisted dozens of Sudanese refugees from Chad in their return to Kabkabiya, Saraf Omra and Kornoi. UNHCR said that the Sudanese returnees were assisted with a reintegration package and transportation from the reception centre in Tina to their home villages in North Darfur. However, refugee repatriation has been very limited owing to various challenges, including unresolved land issues.

## **E. Tensions between farmers and nomadic herders**

160. Despite reported improvement in some localities, tensions between farmers and herders persist in many areas. Different arrangements brokered by local administrators and traditional authorities are in place in some localities and are promoting social cohesion. However, some of these arrangements are unequal. For example, for access to their farmlands, some returnees and internally displaced persons have to share the proceeds from their harvests with new settlers. In other

instances, such as the Salam internally displaced persons camp (South Darfur), local communities are compelled to share their harvest with RSF in return for protection, or risk attacks. Overall, and unless addressed, the prevailing situation seems to make it near impossible for most farmers to access and work on their land as sole owners.

161. To address tensions, different localities are putting in place measures such as the demarcation of migratory routes and provision of water points for grazing animals. In addition, proposals have been put forward to fence off designated areas to temporarily hold cattle found grazing on farmlands, as well as compensation for damaged crops. This practice is said to be effective in Nertiti.

## **F. Challenges with durable solutions for Darfur**

162. Throughout the reporting period, the Panel has documented concerns expressed by communities of internally displaced persons about mechanisms the Government of the Sudan is putting in place to implement durable solutions. While in some quarters the proposed allocation of land to the displaced has been welcomed, the issue of access to original land does not appear to be addressed consistently. Rather, different agreements are brokered by local administration as well as informally, the sustainability of which remains worrying for some. Many of the displaced assess that the commercial value of the small allotments proposed by the Government<sup>52</sup> is largely inferior to the value of their original tracts of land, often large and located in fertile areas. The Panel further notes that in addition to the destruction of farmlands by armed militias, violence, including killings and sexual violence, have prompted the abandonment of plans by returnees to settle permanently in some areas. In addition, the internally displaced youth represent a specific challenge for the Government. Having been born in the camps or arrived at a young age, they have little connection with their place of origin. The very high probability that this category of individuals will fall outside of the durable solutions for the internally displaced cannot be overlooked. Unless sustainable socioeconomic opportunities are available for this category of individuals, it is feared that their needs will not be addressed, leaving them desolate members of society. Overall, with the deepening economic crisis facing the country as a whole, the Panel is concerned that implementation of the durable solutions will not yield tangible results, particularly in the absence of adequate security measures and basic services to ensure sustainability of returns, including in the proposed new residential districts.

## **G. New land occupation in North Darfur**

163. One example of simmering tensions, involving the internally displaced and refugees, is the situation in the Zuruq area of North Darfur. In the last two years, RSF has created a base there. The objective, according to General Hemmeti, the head of RSF, is to control the borders with Libya and Chad, create an “attractive environment” for settlement and develop the place with assistance from the Gulf States in order to lure people from the cities.<sup>53</sup> In the process, members of Hemmeti’s Awlad Mansour clan have also settled in the area. These new settlers are led by Juma Dogolo, Hemmeti’s uncle and now self-appointed *omda* (chief) in the area. This occupation, which reportedly disregards the traditional land rights, has led to protests by the Zaghawa, who see the area as part of their own territory. One part of the newly-occupied territory (Muzbat) is a historical stronghold of SLA/MM. Many Zaghawa

<sup>52</sup> Ranging from 300 to 400 square metres, up to 900 in some cases.

<sup>53</sup> Meeting of the Panel with General Mohammed Hamdan Doglo “Hemmeti”, 24 October 2018, Khartoum; speeches and interviews with him in the Sudanese media.

displaced persons, refugees and traditional leaders accuse RSF and the Government of carrying out an ethnic cleansing and bringing in new Arab settlers from abroad (Chad, Niger and Mali). The fears were substantiated by a few articles in the Sudanese media, which claimed that the area historically belonged to the Arabs. All official protests and complaints by Zaghawa leaders have reportedly remained unanswered. UNAMID no longer has a presence in the area, and the Panel could not confirm or refute the claims of RSF and the Zaghawa concerning the situation in the area. Various sources have informed the Panel that the situation in Zuruq might become a source of a renewed conflict.<sup>54</sup>

## **H. Repression of supporters of Musa Hilal**

164. After the arrest of Musa Hilal in November 2017, many of his supporters, mostly Mahamid Arabs, were also detained. The arrests of Musa Hilal's followers was largely carried out by RSF. For example, in November 2018, an RSF team led by the brother of Hemmeti raided the house of Ismail Aghbash (a top Musa Hilal aide) and other people who were reportedly opposed to the new leadership of the Mahamid. They were detained for a few days and then released, but hundreds of Musa Hilal's supporters are reportedly still detained. Some of them are facing military trial in Khartoum.

## **I. Detained fighters**

165. In August, one of the rebel fighters captured during the clashes between SLA/TC, SLA/MM and the Government of the Sudan in Darfur in May 2017 died in prison. SLA/TC claimed that four of its fighters had since died as a result of "medical negligence of the hostages who were injured during the battles and torture practices".

166. The Panel has received reports of ill treatment of former fighters who are being held in various locations in the Sudan, including the Shalla Federal Prison in El Fasher and the Al Huda Prison in Omdurman. These include lack of proper medical check-up and of proper medical attention even in cases of emergencies. In addition, family visits requested by the detainees and access by national or international organizations have reportedly not been allowed.

167. The Panel was informed that some of the detainees had first been taken to court in December 2017, but since then, the court had not passed sentence for charges including crimes against the State, terrorism, undermining the constitutional order and unlawful possession of arms. It is further claimed that contrary to constitutional provisions, procedural rights before the court have not been respected, as none of the detainees had legal representation during court sessions.<sup>55</sup> A visit to the detainees requested by the Panel in October 2018 did not materialize.

## **IX. Travel ban and assets freeze**

### **A. Implementation by Member States**

168. The Panel continues to monitor the implementation of the assets freeze and travel ban measures by Member States and has written to Member States to seek

<sup>54</sup> Meetings with various sources in Khartoum, El Fasher, N'Djamena and Cairo.

<sup>55</sup> In 2005, the Government of the Sudan set up the Special Criminal Court on the Events in Darfur to try international crimes committed in Darfur, including large-scale attacks on civilians and other serious violations of international humanitarian law and international human rights law.

information on this issue. Recently, Hungary through its note verbale dated 10 July 2018 submitted its implementation report to the Chair of the Committee (see [S/AC.47/2018/1](#)).<sup>56</sup> The Panel notes that many Member States have not submitted their implementation reports and consequently the Panel is not in a position to assess the status of implementation of sanction measures.

## **B. Implementation by the Government of the Sudan**

169. The Government of the Sudan has not submitted its implementation report on the travel ban and assets freeze. In response to a request from the Panel in 2014, the Government of the Sudan expressed its inability to implement the assets freeze measure (see [S/2015/31](#), paras. 28, 208 and 214). In June 2017, the Panel requested the Government to provide any update on the issue (see [S/2017/1125](#), para. 184). Additionally, in October 2018, the Panel requested the Government to inform it regarding the steps taken and measures put in place for the identification and freezing of the assets of the designated individuals. Two of the designated individuals, namely, Musa Hilal Abdalla Alnsiem (permanent reference number SDi.002) and Gaffar Mohammed Elhassan (SDi.001) are present in the Sudan. Musa Hilal is in the custody of the Government of the Sudan. The issue of the assets freeze and travel ban was again raised with the Government during the meeting with the national coordination mechanism in Khartoum in October 2018. The Government has not furnished any response on the subject.

170. In the absence of cooperation from the Sudan on the issue of the assets freeze in respect of the four designated Sudanese individuals, the implementation of this measure remains difficult.

## **C. Ongoing travel ban investigations**

171. In 2014 and 2017, the Panel requested the Government of Chad to examine certain instances of possible travel ban violations pertaining to Musa Hilal Abdalla Alnsiem (permanent reference number SDi.002) and Jibril Abdulkarim Ibrahim Mayu (SDi.004), relating to their visits to Chad during from 2011 to 2014 ([S/2017/1125](#), para. 188). The Panel has again requested the Government of Chad to provide the required information. The Panel has received credible information that Jibril Abdulkarim Ibrahim Mayu (SDi.004) was present in Chad during the reporting period. The Panel has requested the Government of Chad to confirm the same.

## **D. Updating the identifiers of designated individuals**

172. Four individuals were sanctioned by the Security Council in paragraph 1 of its resolution [1672 \(2006\)](#). The Panel is mandated to provide updated identifying information on the four designated individuals: Adam Shareif, Jibril Abdulkarim Ibrahim Mayu, Musa Hilal Abdalla Alnsiem and Gaffar Mohammed Elhassan. The information in respect of three listed individuals (Adam Shareif, Jibril Abdulkarim Ibrahim Mayu, and Musa Hilal Abdalla Alnsiem) was amended and updated on 14 March 2018.<sup>57</sup> The Panel continues to be engaged in obtaining updated information regarding these four designated individuals.

<sup>56</sup> See [www.un.org/sc/suborg/en/sanctions/1591/implementation-reports](http://www.un.org/sc/suborg/en/sanctions/1591/implementation-reports).

<sup>57</sup> See [www.un.org/press/en/2018/sc13248.doc.htm](http://www.un.org/press/en/2018/sc13248.doc.htm).

## **X. Financing of Darfurian armed groups**

173. The Panel has examined various sources of financing of Darfurian groups. Following its independence, South Sudan was an important source of support and sustenance for the various Darfurian groups. However, South Sudan, caught up in its own civil war and problems, is no longer the main source of financing or support for the Darfurian groups. In the last few years, Libya has emerged as an important source of financing for the Darfurian groups. The political situation and the civil war in Libya have provided the various Darfurian elements with opportunities to get involved in the armed conflict in Libya in exchange for money, arms and equipment (see paras. 180–182 below).

### **A. Rebel groups in Darfur**

174. SLA/AW is the only Darfurian movement that is active inside Darfur, with its activities concentrated in the Jebel Marra area. While it generates substantial income from within Darfur, it also has a presence in Libya and South Sudan. The financing of SLA/AW within Darfur is described in paragraphs 55 to 58 above.

### **B. Rebel groups in South Sudan**

175. The presence and involvement of Darfurian groups in South Sudan are discussed in section VI.B above. The support to such groups in South Sudan in terms of money, arms, equipment and supplies has decreased in recent years. The morale among these Darfurian groups in South Sudan is low, with many defections in the recent past. Most of those present in South Sudan wish to join the Libyan theatre of civil war, which offers greater opportunities and financial rewards.

#### **1. Sudan Liberation Army/Abdul Wahid**

176. SLA/AW is now focused mainly on economic activities, including agriculture around its military bases. Some of the agricultural produce is meant for consumption by the forces, while a large part (tomatoes and onions) is intended for marketing and export. SLA/AW is engaged in the transportation business within South Sudan and to Uganda and controls a few trucks and cars. Abdul Hafiz Zubeirin South Sudan and Abdul Sami Zubeirin Kampala are two of the individuals entrusted with money and commercial operations in South Sudan. They are brothers and are related to the family of Abdul Wahid. Trading activity is carried out between Uganda and South Sudan. SLA/AW also regularly seeks contributions from the Fur traders doing business in South Sudan in the towns of Juba, Maban, Malakal and Faluj (Paloich).

177. In recent years, the South Sudan authorities have been restricting the activities of SLA/AW in South Sudan. The recent incident of arrest and detention of SLA/AW commander Abbas Khamis in Juba (see annex 10) displeased the South Sudan authorities and it may become more difficult for SLA/AW to carry out its commercial activities in South Sudan.

#### **2. Factions of the Justice and Equality Movement**

178. JEM factions have been providing security support to the Governor of Lol State, Rizig Zakaria Hassan, in and around Raja town and have been operating as his private security force. They are also called upon by SPLA to help in some of its operations against the anti-SPLA groups. In return they receive financial assistance as well as weapons, uniforms and supplies.



### 3. Assassination of Al Nur Abakar Idris in Wau, South Sudan

179. Al Nur Abakar Idris was a successful Darfurian Zaghawa businessman based in Wau, and was related to SLA/MM. He had establishments in Jou and Hajar markets in Wau and was engaged in trading of electronic household goods and generators, the real estate business and renting of buildings. Al Nur Abakar was supporting the Darfurian community as well as the various Darfurian rebel movements in South Sudan. Though related to Minni Minawi and formally holding a position in SLA/MM, he was closely involved in financing and support for all the Darfurian armed groups. He was also close to senior Government leaders and officials in South Sudan. Al Nur Abakar was assassinated outside his home on 4 May 2018 by unidentified gunmen. The internal dispute and rivalry within the Darfurian community in South Sudan is one of the possible reasons for his assassination. The death of Al Nur Abakar has demoralized the Darfurian community in Wau and will adversely affect the operations of Darfurian rebel groups in South Sudan.

Figure 18

**Photograph of Al Nur Abakar**



Source: confidential.

## C. Darfurian groups in Libya

### 1. Mercenary activities

180. The civil war in Libya and the struggle among the various Libyan factions for control of territory and oil has provided opportunities for the Darfurian groups to participate and profit. While the Libyan factions are cash rich, they lack fighters and seek them from elsewhere. The various Darfurian groups are present in Libya as mercenaries and seek to gain money, arms and equipment. The alignment of the various Darfurian groups with the various Libyan factions is usually not based on ideology but on convenience and getting the most favourable deal. Darfurian groups have sometimes switched sides. It has also been observed that Darfurian rebel groups working together in Darfur are at times supporting opposing Libyan factions.

181. The payoffs to the armed groups depend on the understanding which they have with the Libyan armed groups. In some cases, a group of 10 fighters is provided with a vehicle and arms by the Libyan side. Some groups of fighters in possession of vehicles and arms are reportedly paid up to \$5,000 per month per vehicle. The payment for offensive operations is higher than that for guarding installations. After

a successful attack the fighters are allowed to retain the vehicles and property that they seize. According to sources, brokers and agents for the warring sides in Libya pay up to \$3,000 for a new recruit to a Libyan faction. According to rebel sources, the Benghazi Defence Brigades paid several Darfurian groups (including JEM and Mohamed Abdallah Ali's elements) for their support for that group's offensive on the oil crescent held by LNA in March 2017. The payments, reportedly amounting to several million Libyan dinars, were made through a Chadian rebel group also involved in the operation, which received the cash from the Benghazi Defence Brigades and shared it with the Darfurian groups before the attack.

182. SLA/AW has benefited from its participation in the Libya conflict. According to testimonies received by the Panel, the group recently obtained about 20 vehicles in exchange for its services. The Panel has learned that SLA/AW in Libya sent some money to the SLA/AW commanders in Jebel Marra.

## **2. Criminal activities**

183. The Panel has received information indicating that, besides being mercenary fighters for the various Libyan factions, some Darfurian groups are also engaged in providing protection and safe passage to migrant smugglers and in kidnapping for ransom, smuggling of arms, drugs and cars and collection of tolls from commercial vehicles. These activities are carried out in association with the local criminal groups operating in Libya and Chad. According to a rebel source, some Darfur rebels operating in southern Libya occasionally cooperated with a Sudanese Zaghawa migrant smuggler named Abdelaziz Tayara and a Libyan migrant smuggler based in Beni Walid known as Mohamed al-Muzri, providing escort to convoys of migrants from the Sudan-Libya border up to Sebha.

184. In southern Libya, according to various local sources, some Darfur rebels also conduct patrols in the desert to intercept convoys of migrant and drug traffickers. They then collect levies to allow the convoys to continue or capture and resell the goods. Such operations are sometimes conducted in partnership with their local Tubu protectors, who know the trafficking routes and take a cut of the Darfurians' gains. For instance, in late 2016, according to various sources, some followers of Abdallah Bashar Jeli "Janna" intercepted a vehicle carrying drugs in the south of Libya. They sold the captured narcotics to traffickers and used the proceeds to acquire three Landcruisers in Chad, which they brought to Libya. All of these activities are ad hoc and opportunistic. According to sources, most Darfur rebel groups lack the knowledge and contacts to be solidly integrated in trafficking networks.

## **3. Smuggling of vehicles from Libya to Darfur**

185. Though the Government of the Sudan has taken action against car smuggling by seizing the cars and subjecting them to customs duties and other fines and penalties, the Panel has been informed that the smuggling of cars from Libya into North Darfur is still going on. The cars are usually brought in trucks through Malha. However, to evade government agencies the smugglers often drive the cars through the desert into North Darfur. The smugglers in Libya pay for the cars with oil, and the cars enter Darfur within three weeks of their entry into Libya.

## **D. Arab militias operating in Darfur**

186. Various Arab militias are operating in Darfur and are reportedly engaged in criminal activities such as kidnapping for ransom, human trafficking, smuggling of weapons and drugs and cattle rustling. Some Arab groups sell arms and ammunition to SLA/AW in Jebel Marra.

## **E. Companies and business establishments providing income streams**

187. The Panel has received information indicating that the Darfurian groups are operating businesses and companies, the revenues from which are utilized to fund and support their activities. SLA/AW has businesses in South Sudan, Uganda and neighbouring countries, with trading and transportation being the main activities. These businesses, as with all matters related to money and finance, are largely handled by people from the family of Abdul Wahid. Abdul Hafiz Zubeir in South Sudan and Abdul Sami Zubeir in Kampala are involved in the commercial operations for SLA/AW in South Sudan. JEM and SLA/MM have establishments in Europe, and businesses in Uganda, the United Arab Emirates and West Africa engaged in trading. The transfer of money for financially supporting the Darfur movements is done through carriers, *hawala*, mobile money and Western Union. The Panel is engaged in further examining the links of these businesses in various countries with the Darfurian groups.

## **F. Contribution of the diaspora**

188. The Darfurian movements had offices across the world and used to collect contributions from the Darfurian diaspora to support their armed struggle in Darfur. Now, with the exception of SLA/AW, these movements are not active in Darfur. SLA/AW solicits contributions from the Fur diaspora. Though such contributions used to be substantial, with the loss of confidence and enthusiasm among the diaspora for the movements, the contributions have waned.

# **XI. Recommendations**

## **A. Recommendations to the Committee**

189. The Panel recommends that the Committee consider the statements of cases provided by the Panel pursuant paragraph 3 (c) of Security Council resolution [1591 \(2005\)](#).

190. The Panel notes the regular presence of officials of the Government of the Sudan at some meetings of the Panel with non-governmental interlocutors. This interferes with the independence of the Panel, prevents it from meeting some interlocutors and also raises certain protection risks for the sources. The Panel recommends that the Chair write to the Government of the Sudan recommending that cooperation be extended to the Panel with full respect for its independence and investigative mandate.

191. The Committee should encourage the Government of the Sudan to complete the full transformation of RSF into a professional, inclusive and accountable force, in accordance with the Rapid Support Forces Act.

192. The Committee should encourage the Government of the Sudan and the donors to provide the post-Doha Document commissions and other bodies with the necessary resources to implement their mandates.

193. The Committee should advise the Government of the Sudan to provide nationwide capacity-building and training in relation to sexual violence and protection for women and girls, and to enhance provision of legal, medical and psychosocial support for survivors of sexual violence.

194. The Committee should encourage the Government of the Sudan to speedily extend State authority, in particular the police and judiciary institutions, to remote localities to facilitate access to justice. The said institutions should also be fully equipped and resourced and have the capacity to work independently in conducting investigations and holding perpetrators of violations of human rights and international humanitarian law accountable.

195. Recalling its past recommendations on the subject, the Panel reiterates that the Committee may wish to urge the Government of the Sudan and Member States to put in place mechanisms (for example strengthening of the border and passport controls) for monitoring and implementing the travel ban on designated individuals.

196. Recalling its past recommendations on the subject, the Panel reiterates that the Committee may wish to urge the Government of the Sudan and Member States to implement the asset freeze on designated individuals and entities.

197. The Committee should urge Member States to cooperate fully with the Panel and provide timely responses to its information requests.

## **B. Recommendations to the Security Council**

198. The Panel recommends that the Security Council urge the Libyan warring factions to stop cooperating with the Darfurian armed groups.

199. The regional operational centre in Khartoum and similar regional initiatives should be supported by Member States as part of a holistic and comprehensive approach to peacebuilding, border management and addressing cross-cutting challenges such as migrant smuggling.

## Annex 1 — Mandate and Methodology

### Mandate

In paragraph 7 of resolution [1556 \(2004\)](#), the Security Council mandated all states to take the necessary measures to prevent the sale or supply, to all non-governmental entities and individuals, including the Janjaweed, operating in the states of North Darfur, South Darfur and West Darfur, by their nationals or from their territories or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, whether or not originating in their territories.

In paragraph 8 of the resolution [1556 \(2004\)](#), the Council further mandated all states to take the necessary measures to prevent any provision to the non-governmental entities and individuals identified in paragraph 7, by their nationals or from their territories of technical training or assistance related to the provision, manufacture, maintenance or use of the items listed in paragraph 7.

In paragraph 7 of its resolution [1591 \(2005\)](#), the Council extended the arms embargo to include all parties to the N'Djamena Ceasefire Agreement and any other belligerents in the aforementioned areas in Darfur.

In its resolution [2035 \(2012\)](#), the Council extended the reference to the three states of Darfur to all the territory of Darfur, including the new states of Eastern and Central Darfur created on 11 January 2012.

The enforcement of arms embargo was further strengthened, in Paragraph 10 of the resolution 1945, by imposing the condition of end user documentation for any sale or supply of arms and related materiel that is otherwise not prohibited by resolutions 1556 and 1591.

In paragraphs 3 (d) and 3 (e) of resolution [1591 \(2005\)](#), the Council imposed targeted travel and financial sanctions on designated individuals (the listing criteria were further extended to entities in resolution [2035 \(2012\)](#)), to be designated by the Security Council Committee established pursuant to resolution [1591 \(2005\)](#), on the basis of the criteria set out in paragraph 3 (c) of that resolution. In its resolution [1672 \(2006\)](#), the Council designated four individuals.

The Panel operates under the direction of the Security Council Committee established pursuant to resolution [1591 \(2005\)](#). The mandate of the Panel, as set out in resolution [1591 \(2005\)](#), is:

- a- To assist the Committee in monitoring implementation of the arms embargo;
- b- To assist the Committee in monitoring implementation of the targeted travel and financial sanctions; and
- c- To make recommendations to the Committee on actions that the Security Council may want to consider.

In its resolution [2340 \(2017\)](#) and preceding resolutions, the Security Council also requested that the Panel:

- d- Report on the implementation and effectiveness of paragraph 10 of resolution [1945 \(2010\)](#) in quarterly updates;
- e- Continue to coordinate its activities, as appropriate, with the operations of the UNAMID, with international efforts to promote a political process in Darfur, and with other Panels or Groups of Experts, established by the Security Council, as relevant to the implementation of its mandate;

- f- Assess in its first and final reports;
- g- Progress towards reducing violations by all parties of the measures imposed by paragraphs 7 and 8 of resolution [1556 \(2004\)](#), paragraph 7 of resolution [1591 \(2005\)](#) and paragraph 10 of resolution [1945 \(2010\)](#);
- h- Progress towards removing impediments to the political process and threats to stability in Darfur and the region;
- i- Violations of violations of international humanitarian law or violations or abuses of human rights, including those that involve attacks on the civilian population, sexual and gender-based violence and violations and abuses against children; and
- j- Other violations of the above-mentioned resolutions;
- k- Provide the Committee with information on those individuals and entities meeting the listing criteria in paragraph 3 (c) of resolution [1591 \(2005\)](#);
- l- Continue to investigate the financing and role of armed, military and political groups in attacks against UNAMID personnel in Darfur, noting that individuals and entities planning, sponsoring or participating in such attacks constitute a threat to stability in Darfur and may therefore meet the designation criteria provided for in paragraph 3 (c) of resolution [1591 \(2005\)](#); and
- m- Investigate any means of the financing of armed groups in Darfur.

### **Methodology**

The Panel followed a professional and technical methodology underpinned by the maintenance of transparency, objectivity, impartiality and independence. It worked in full conformity with the best practices and methods recommended by the Informal Working Group of the Security Council on General Issues of Sanctions (see [S/2006/997](#)). Emphasis was placed on adherence to standards regarding transparency and sources, documentary evidence, corroboration of independent verifiable sources and providing the right of reply to interlocutors. The Panel based its reasoning on a balance of probability to ascertain that a reported fact or piece of information can be substantiated on the basis of credible sources or verifiable evidence. The Panel has collected information on incidents and topics from multiple sources, with first-hand knowledge of events as much as possible.

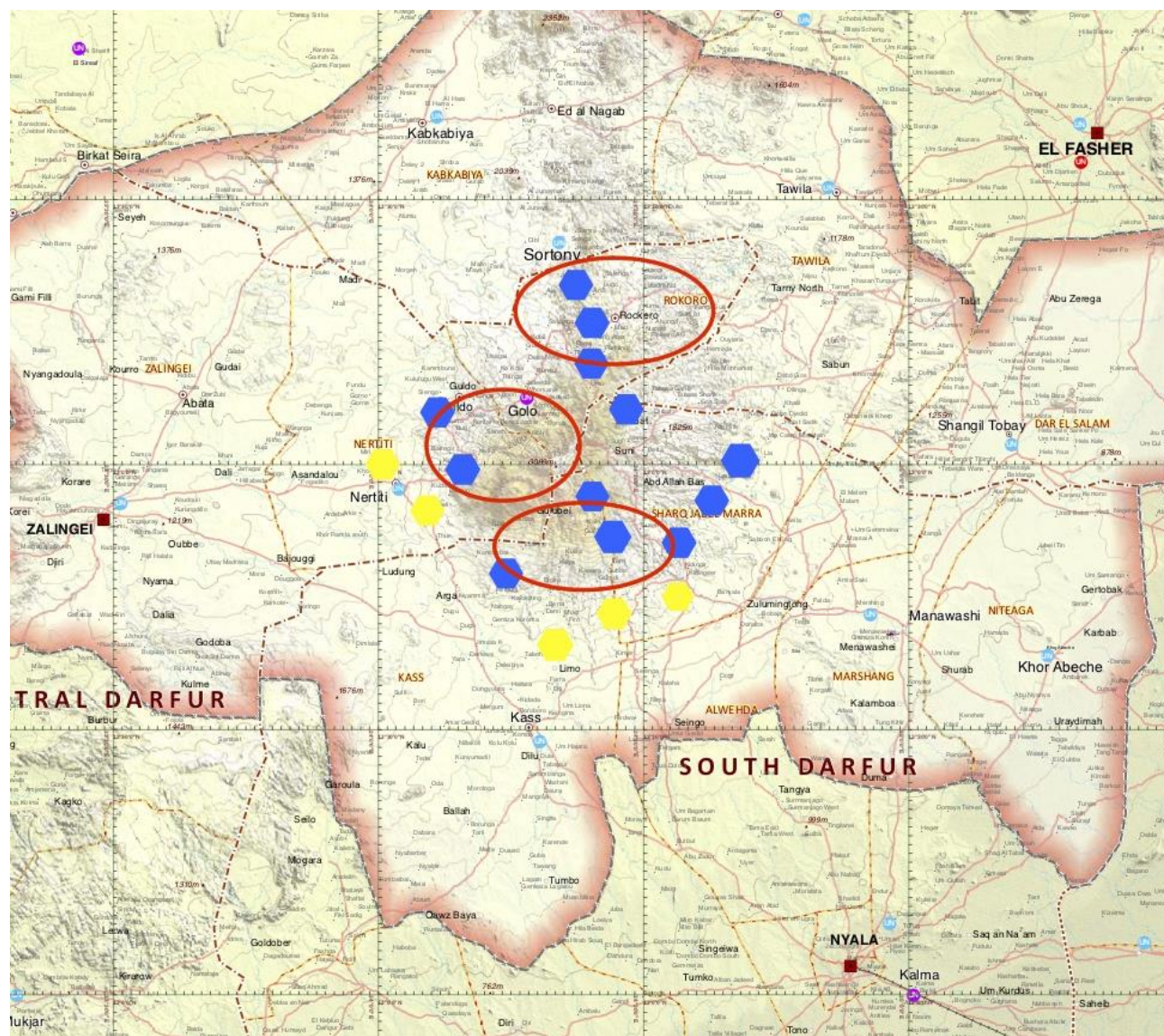
The report is based on information gathered during the Panel's visits to Sudan and other countries from March to December 2018. The Panel met with a wide range of interlocutors, including the Government of Sudan (GoS), foreign Governments, the African Union-United Nations Hybrid Operation in Darfur (UNAMID), armed groups, Internally Displaced Persons (IDP), civil society organizations and United Nations bodies.

During the reporting period, the Panel has had regular exchanges with the UN Panel of experts on CAR, Libya and South Sudan, in order to address the crossborder aspects of the Darfur file and of the Sudan sanctions regime.

The Panel has retained the terms used in previous reports, as understood in the context of the Darfur conflict and by most interlocutors. We define as "militias", armed groups which are neither part of the rebellion nor have any official governmental status. We define as "rebel groups", armed groups with an anti-government agenda.



## Annex 2 — Conflict dynamics in Jebel Marra



SLA/AW

Arab militias

Area of clashes

### **Annex 3 — Transcript of a SLA/AW internal document regarding the establishment of the movement's Public Finance Office**

*Translated from Arabic*

Sudan Liberation Army movement

General Command

Office of the Commander-in-Chief      No. *mim*

No. *mim/qaf/ayn*

To: Office of the Vice-President of the movement, General Harran

Subject: Establishment of the Public Finance Office in the liberated territories

With regard to the above subject and in accordance with your instructions, I, the Commander-in-Chief of the Sudan Liberation Army, have established the Office of Deputy Commander of the Finance Command and have issued the following decision:

The office shall function for one year. It shall approve a budget every six months and monitor the performance of those who have been designated. At the end of the year, nominations shall be made, and direct elections held.

Following is the composition of the Public Finance Office:

1. Uthman Adam Umar Yahya, general commander of public finance
2. Muhammad Ali Taha Abdulghani, deputy [commander] of public finance
3. Abdulaziz Bashar Abu Taqiyah, public finance rapporteur (administration)
4. Al-Tayyib Muhammad Ali, office of the secretary of public finance

The heads of the branch finance offices:

1. Yusuf Abdullah Sulayman Muhammad, Martyr Muhammad Hasbullah Brigade
2. Ya'qub Ali Salih, Martyr Ali Dinar Brigade
3. Ahmad Adam Harun Rahamh, Martyr Ali Dinar Brigade
4. Muhammad Ali Khamis Hamid, Martyr Hasan Samu Brigade
5. Siddiq Abdulmawla Abdullah Nayrubi, Martyr Sultan Tayrab Brigade
6. Abdulhamid Abu al-Qasim Arbab (teacher), Martyr Mujahid Brigade
7. Abu Bakr Abdullah Muhammad Sawmit, Martyr Karam al-Din Brigade
8. Adam Harun Muhammad Buway, Martyr Abdullah Karin
9. *To be determined*, Martyr Abu al-Khayrat Brigade A
10. *To be determined*, Martyr Abu al-Khayrat Brigade B

Orders:

1. Control financial resources.
2. Maintain the financial foundations and controls of the movement.
3. Work with other branches of the movement, with a view to ensuring that their needs are met.
4. Audit and develop budgets.



5. Mobilize public finance resources.
6. Control spending in such a manner as to serve the general interest.
7. Identify and distribute resources year-round.
8. With the authorization of command, develop plans to secure funds and regulate financial operations.
9. Establish spending priorities.
10. Secure the sites where funds are held.
11. Maintain clear income and expense ledgers.
12. Ensure that disbursement authorizations are dated and clearly written.
13. Equitable distribution to the entire army, in accordance with instructions from command.
14. Revitalize investment plans.
15. Carry out any other tasks assigned to them.

The Office of the Deputy Commander of the General Command was hereby established.

16 to 18 October at General Command.

The restructuring of the Office of Local Administration and the Office of Humanitarian Affairs will be addressed at the next meeting on 30 October 2018.

Revolution, revolution until victory.

Endorsed by

Commander-in-Chief

Abdulqadir Abdulrahman Ibrahim

Gaddura

**Annex 4 — Map of Libya (with the place-names names mentioned in the report underlined). Source: <https://unsmil.unmissions.org/sites/default/files/libya.pdf>**



## Annex 5 — Transcript of a video interrogation of an SLA-MM commander captured in Libya

*Translated from Arabic*

Question: What is your name?  
 Answer: My name is Amir Adam [incomprehensible].  
 Question: What is your age?  
 Answer: 32 years.  
 Question: What is your nationality?  
 Answer: I am a Sudanese national.  
 Question: When did you enter Libya?  
 Answer: I have been in Libya for one year.  
 Question: What is your affiliation?  
 Answer: [Unintelligible] Sudan Liberation Army/Minawi branch.  
 Question: What is your rank in the movement?  
 Answer: Huh?  
 Question: The movement, what is your rank in the movement?  
 Answer: Major.  
 Question: Uh-huh. What exactly is it that you do in the movement?  
 Answer: I am a group commander.  
 Question: Group commander. You mean that you are in charge of a group?  
 Answer: Group commander.  
 Question: When you entered Libya... where exactly did you enter Libya?  
 Answer: I entered Libya [unintelligible] and headed to Awbari, then I went to Bazimah, then on to Zella and Sarim.  
 Question: You went to Zella and Sarim?  
 Answer: Yes.  
 Question: In which battles did you participate in Libya?  
 Answer: I participated in battles at Bazimah?  
 Question: What did you participate in at Awbari?  
 Answer: At Awbari, I [unintelligible].  
 Question: When you entered Libya... how many of you were there when you entered Libya?  
 Answer: Huh?  
 Question: How many persons entered Libya?  
 Answer: How many were we?  
 Question: Yes, how many?  
 Answer: We had five dead.  
 Question: No. How many persons entered Libya? How many vehicles and how many persons?  
 Answer: We entered Libya with 25 vehicles and 300 persons.  
 Question: 300 persons?  
 Answer: Yes.  
 Question: Alright. With which Libyans did you deal?  
 Answer: In Libya, we dealt with Hajj Husayn.  
 Question: From where is Hajj Husayn?  
 Answer: Husayn is from [unintelligible].  
 Question: Which tribe?  
 Answer: Tubu.  
 Question: Who supported you and came to you in Awbari?  
 Answer: Hajj Husayn.  
 Question: Anyone else?  
 Answer: Ali Sidi.  
 Question: Who is Ali Sidi?

Answer: Ali Sidi.  
Question: What does he do?  
Answer: Ali Sidi said, 'I am the head of southern Libya'.  
Question: Head of southern Libya?  
Answer: Yes.  
Question: Alright. What was the purpose?  
Answer: He said, 'I have problems in southern Libya'.  
Question: Speak louder, speak louder.  
Answer: I have problems in southern Libya, in Awbari, Safa and Kufrah.  
Question: Okay. Alright. You participated in the battle at Bazimah?  
Answer: I participated in the battle at Bazimah.  
Question: Alright. When they captured you, what vehicle were you driving?  
Answer: A Toyota.  
Question: A Toyota [Land] Cruiser?  
Answer: Yes, a [Land] Cruiser.  
Question: What weapons?  
Answer: A 14.5 [gun].  
Question: What are the weapons for which you have received training?  
Answer: I am trained to use 14.5 [guns] and Dushkas.  
Question: Alright? Where were you trained, exactly? In which region were you trained?  
Answer: I trained in Jebel Marra.  
Question: Where is Jebel Marra?  
Answer: In northern Darfur.  
Question: Northern Darfur?  
Answer: In the Sudan.  
Question: Alright. Did you participate in the battles at Bawabat Abu Zurayq?  
Answer: Abu Zurayq, no I did not participate.  
Question: Did you loot?  
Answer: Abu Zurayq.  
Question: Loot. Loot. Did you or did you not loot?  
Answer: No, I did not loot Abu Zurayq.  
Question: Alright, [unintelligible] stole the vehicle?  
Answer: Yes, at the battle of Tazarbu I had a commander named Muhammad Tubah.  
Question: Muhammad Tubah.  
Answer: Yes.  
Question: [Unintelligible].  
Answer: He stopped the vehicles and had soldiers disembark. He said, 'Inspect these vehicles, the vehicles with [unintelligible]'.  
Question: What did they have with them?  
Answer: [Unintelligible] and took money and telephones from them.  
Question: Were you with him?  
Answer: I was with him, on top of the vehicle.  
Question: Alright. What happened then?  
Answer: We could see far. I was on top of the vehicle.  
Question: Alright. What happened then? Did he steal a larger vehicle?  
Answer: From there we headed in the direction of Zallah. We came across a vehicle on the road. A civilian vehicle. A [Land] Cruiser [unintelligible].  
Question: A [Land] Cruiser [unintelligible]?  
Answer: Yes, [unintelligible] a man, two women and a small child.  
Question: Alright.  
Answer: He made them get out right there, on the road.

Question: He made them get out right there on the road?  
Answer: He told them [unintelligible] here with [unintelligible] he gave them water, then we returned to Bazimah.

Question: You took their vehicle?  
Answer: The vehicle on the road to Zella [unintelligible] in Bazimah.

Question: Very well, very well. Where were you headed originally? Where did you go to in Zella? To whom?  
Answer: Huh?

Question: Where were you quartered exactly in Zallah?  
Answer: We were at a farm in Zella?

Question: Whose farm?  
Answer: The farm of Shaykh Hilal.

Question: Who?  
Answer: Shaykh Hilal

Question: Shaykh Hilal?  
Answer: Yes.

Question: What is his nationality? Libyan?  
Answer: Shaykh Hilal is a Libyan.

Question: Libyan?  
Answer: Yes.

Question: Alright. Who was at the farm?  
Answer: Huh?

Question: Who, who was staying at the farm?  
Answer: The farm! Shaykh Hilal.

Question: Alright. You went to the farm, and who was there? All Saudi Arabians, or were there other nationalities?  
Answer: All Saudi Arabians.

Question: How many?  
Answer: Almost 600 persons.

Question: Alright. How many vehicles were there?  
Answer: 50 vehicles.

Question: What weapons were mounted on them?  
Answer: [Incomprehensible], rocket launchers, Dushkas, 106, RPG 9, and [incomprehensible]

Question: Alright? Where did you get all these weapons?  
Answer: Huh?

Question: Where did you get the weapons and vehicles?  
Answer: They came from the Sudan.

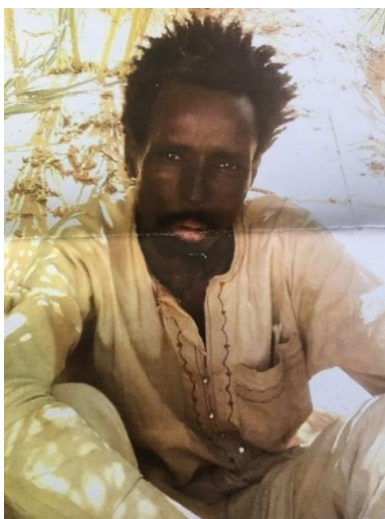
Question: You brought them from the Sudan?  
Answer: Yes.

## Annex 6 — Opportunistic Darfur elements in Libya

1. Various Darfuri elements not aligned with Darfuri armed groups have been engaging in various illegal activities in Libya. For instance, Jibril Ibrahim Abdulkarim Mayu ‘Tek’, who is subject to the 1591 Sanctions regime, is reportedly involved in various criminal activities between Darfur, Libya and Chad. A member of the Liberation Justice Movement (LJM) rebel coalition which signed the DDPD, he suddenly left Sudan for Libya about two years ago.

2. Mubarak Jeli, a former JEM-Dabajo commander who refused to join the DDPD with JEM-Dabajo, is another good example of these former rebels who operate independently in Libya as mercenaries and traffickers. In September 2017, Jeli was captured with his men in southern Libya by the Conseil de Commandement Militaire pour le Salut de la Republique (CCMSR) Chadian rebel group, who proposed to deliver him to the Sudanese authorities (who refused). After a mediation by local Tubu leaders, Jeli was eventually released by the CCMSR.

*Jeli taken by the CCMSR*



3. Abdallah Banda, an ex-JEM commander charged and wanted by the ICC for his alleged involvement in an attack on African Union peacekeepers in Darfur in 2007, has been engaged in artisanal gold mining in the Kouri Bougoudi area for 2 or 3 years. In November 2018, his team clashed with the CCMSR Chadian rebel group in southern Libya and reportedly suffered heavy losses.

4. According to several sources, many members of Arab tribes of Darfur work as mercenaries for all the Libyan factions (LNA, BDB, etc). Recruitment has reportedly increased recently. This is partly because in a context where Libyan parties accuse each other of using foreign mercenaries, their Arab ethnicity makes them less noticeable than the mostly black Darfur rebels.

Annex 7 — Internal LNA correspondence on Darfuri rebel auxiliaries  
(Source: Confidential)

حول إفادة : الموضوع :  
التاريخ : 21 محرم الحرام 1439 هـ  
الموافق : 2017/10/11 م  
الاشاري : م. م. ١٤ / ١ / 36

القيادة العامة للقوات المسلحة  
رئاسة الأركان العامة  
منطقة سبها العسكرية

3015

إلي / القيادة العامة للقوات المسلحة

أفيدكم بأن القوة المساندة السودانية منتشرة في مناطق الواو وسبها وأم الأرنب وتمسه وهي غير منضبطة وأفرادها يمارسون في أعمال التهريب حيث تم ضبط أحد أفرادها بحوزته مواد مخدرة علي إثر ذلك تهجم فرد آخر من أجل تخليص زميله وحاول الاستيلاء علي سلاح فرد الشرطة العسكرية بالبوابة مما اضطره إلى الرماية علي أرجله أدى ذلك إلي وفاته أثناء إسعافه لتعرضه لنزيف حاد .

تقدم أمر هذه القوة إلى أهل فرد الشرطة العسكرية مطالباً بالفدية أو أخذ الثار من أبنيهم وطالبهم بمبلغ مائتان وخمسة وعشرون ألف دينار وتخوفاً من أهل الشرطي علي أبنيهم وافقوا علي ذلك وقاموا بدفع مبلغ خمسون ألف دينار كدفعة أولى وطالبوا بمهلة حتى يتمكنوا من تجميع بقية المبلغ .

عليه يرجى أمركم إلى أمر هذه القوة بإلغاء هذا الاتفاق نظراً لأن فرد الشرطة العسكرية كان يقوم بمهامه المكلف بها قانوناً والرماية كانت للدفاع عن النفس ولم يقصد القتل المباشر حيث كانت علي الأرجل وإن تعذر ذلك يرجى الموافقة علي دفع الفدية كاملة من مخصصات إدارة الشرطة العسكرية .

يرجى الاستلام ،،،،

المرفقات :  
صورة من الاتفاق

لواء /  
امضان عطية الله أبوزيد البرعصي  
م. م. منطقة سبها العسكرية

القيادة العامة للقوات المسلحة  
رئاسة الأركان العامة  
منطقة سبها العسكرية

صورة منه إلى :  
فرع إدارة الاستخبارات العسكرية / للعلم

**Translation from Arabic**

Armed Forces General Command  
Office of the Chief of Staff  
Sabha Military Zone

Subject: For information  
Date: 21 Muharram A.H. 1439  
Corresponding to: 11 October 2017

Reference no.: Sabha Military  
District / / 36 [illegible]

[Handwritten:] 345

To: Armed Forces General Command

I hereby inform you that the Sudanese auxiliary force deployed in the Waw, Sabha, Umm al-Arnab and Tumsah zones is indisciplined. Its members are engaging in smuggling operations. One of them was arrested in possession of narcotic substances. Subsequently, another member made an attack to free his comrade. He tried to grab the weapon of a military policeman at the checkpoint. He was forced to shoot at his legs. He died enroute to hospital from loss of blood.

The commander of that force went to the family of the military policeman demanding a ransom or retaliation against their son. He asked them for 225,000 dinars, and out of fear for their son, the family of the policeman agreed to that. They paid 50,000 as a first instalment and asked for extra time to enable them to collect the rest.

We ask you to order the commander of that force to cancel that agreement. The military policeman was only carrying out the duties he was charged with under the law. He fired in self-defence, without intent to kill, shooting at the legs. If that is not possible, then we request approval to pay the full ransom out of the allocations for the military police administration.

Please be so advised.

Annexes:  
Photocopy of the agreement

(Signed) Ramadan Atiyatullah Abu Zayd al-Birr **al-Bar'asi**  
Commander of the Sabha Military Zone

[Seal: Armed Forces General Command  
Sabha Military Zone  
Office of the Chief of Staff]

CC:  
Military intelligence administration branch / For information  
[Bottom of page cut off]



## Annex 8 — Map of South Sudan



**Annex 9 — Official statement by “Sudanese Revolutionary Council”,  
15 February 2018 (translated from Arabic)**

*In the name of God, the Merciful, the Compassionate*

The Sudanese Revolutionary Council

Decisions of the Chairman of the Revolutionary Council

Decision No. 5 (2018)

Name of decision and entry into force:

This decision shall be called the “Decision appointing the secretaries of the Council’s executive secretariats”. It shall enter into force from the date of its signature.

In accordance with the powers conferred upon me by the Basic Statute, I hereby issue the following decision:

The following persons shall be appointed secretaries of the executive secretariats indicated next to their names:

- |    |                                 |  |
|----|---------------------------------|--|
| 1. | General Abdulrahman Arbab Hamid | Secretary of Military Affairs                    |
| 2. | Ahmad Hamid Ahmad               | Secretary of Political Affairs                   |
| 3. | Husni Fadlullah Farah           | Secretary of Justice and<br>Humanitarian Affairs |
| 4. | Abdulrazizq Qamr Adam           | Secretary of Foreign Affairs                     |
| 5. | Isa Adam Muhammad               | Secretary of Organization Affairs                |
| 6. | Adam Abdullah Muhammad          | Secretary of Media Affairs                       |

Issued under my signature and seal

15 February 2018

Bahruldin Adam Karamah

Chair of the Sudanese Revolutionary Council

General Commander of the Council’s forces

## Annex 10 — Incident about Abbas Khamis (SLA/AW)

On 15 August 2018, Abbas Khamis, deputy-commander of the force in South Sudan, was kidnapped by SPLA Military Intelligence (MI) personnel in Rajal-Mafi area of Juba. The SPLA MI informed Abbas that he was detained on the orders of Abdullah Haran. While in captivity, he was badly injured during a scuffle with his captors. The SLA/AW men Abdul Hafiz, Adam Ortega Haroon, Mubarak and Abu Shanab took custody of Abbas and moved him from the MI premises to the SLA/AW safe house in Guedelee, Block 8 in Juba where he was chained and beaten up. The plan was reportedly to transfer Abbas Khamis to the SLA/AW base in Pariang area and to eliminate him. For carrying out this operation the MI members were allegedly paid 300000 South Sudanese Pounds by Mubarak and Sultan Adam Fur, on behalf of Abdullah Haran. Abbas was able to inform some of his colleagues about his detention, who reached out to SPLA Major General Akol Majok Nyigan. General Majok had Abbas traced and released from his captors. The SLA/AW members and MI staff involved in the incident were arrested by General Majok.

This information was sourced from the interviews conducted with various SLA/AW members who were closely involved with this incident.

Abbas Khamis' injury



Source: Confidential

## Annex 11 — 4X4 vehicles in possession of armed groups

The Panel of Experts, in the course of their work have found 4X4 vehicles used by the various Darfuri armed groups in Darfur and elsewhere. The Panel has deliberately attempted to find out how the said vehicles have come into possession of the groups.

Most of these vehicles have been handled or sold through the following company based in Oman.

Oman vehicles  
 Saud Bahwan Group  
 P.O Box 3168, Ruwi  
 Postal Code 112 Sultanate of Oman  
 Telephone: (968) 24578000  
 Fax (968) 24561631  
 e-mail: sbgroup@omantel.net.om

The Panel has written this company asking for details including who was the final recipient, who paid for the vehicles among other important details. The table below show the reference numbers of letters the Panel has written to this company requesting for information.

Table showing letters written by the Panel on 4X4 vehicles to Saud Bahwan group

Date of inquiry	Number of vehicles	Letter reference number
September 2014	11	S/AC.47/2014/PE/OC.188 of 26 September 2014
September 2017	5	S/AC.47/2017/PE/OC.88 of 29 September 2017
August 2018	11	S/AC.47/2018/PE/OC.29 of 7 August 2018

## Annex 12: Abbreviations

AU	African Union
AUHIP	AU High-Level Panel
BDB	Benghazi Defence Brigades
CAR	Central African Republic
CCMSR	Conseil de Commandement Militaire pour le Salut de la République
DDPD	Doha Document for Peace in Darfur
DDR	Disarmament, Demobilization and Reintegration.
DRA	Darfur Regional Authority
DTP	Darfur Travel Permit
EU	European Union
EUC	End User Certificate
GoS	Government of Sudan
GoSS	Government of South Sudan
GSLF	Gathering of the Sudan Liberation Forces
HAC	Humanitarian Aid Commission
IDP	Internally Displaced Person(s)
IHL	International Humanitarian Law
IOM	International Organization for Migration
JEM	Justice and Equality Movement
JSR	Joint Special Representative
MI	Military Intelligence
LNA	Libyan National Army
NCP	National Congress Party
NFP	National Focal Point
NGO	Non-Government Organisation
NISS	National Intelligence and Security Service (Sudan)
OCHA	Office for Coordination of Humanitarian Affairs (UN)
RPG	Rocket Propelled Grenade
RSF	Rapid Support Force(s)
SAF	Sudanese Armed Forces
SDG	Sudanese Pound
SLA/AW	Sudan Liberation Army-Abdul Wahed Mohamed Nour
SLA-Justice	Sudan Liberation Army-Justice
SLA-MM	Sudan Liberation Army-Arkou Minni Minawi
SLA-TC	Sudan Liberation Army-Transitional Council

SLA-Unity	Sudan Liberation Army-Unity
SLFA	Sudan Liberation Forces Alliance
SPLA	Sudan People's Liberation Army (South Sudanese Army)
SPLM-N	Sudan People's Liberation Movement-North
SRF	Sudanese Revolutionary Front
SRSG	Special Representative of the Secretary General
TS	Team Site
UK	United Kingdom of Great Britain and Northern Ireland
UN	United Nations
UNAMID	African Union-United Nations Hybrid Operation in Darfur
UNHCR	United Nations High Commissioner for Refugees
UNMISS	United Nations Mission in South Sudan
UNSC	United Nations Security Council
UNSMIL	United Nations Special Mission in Libya
USA	United States of America
USD	United States Dollar
VIN	Vehicle Identification Numbers

---