

The Sudan Consortium
African and International Civil Society Action for Sudan

Human Rights Update: June 2014.

Three year anniversary of outbreak of conflict sees highest number of attacks directed against the civilian population of Southern Kordofan¹

The Sudan Consortium works with a trusted group of local Sudanese partners who have been working on the ground in Southern Kordofan since the current conflict began in late 2011. All the attacks referred to in this report were launched against areas where there was no military presence and which were clearly identifiable as civilian in character. **We believe that this information provides strong circumstantial evidence that civilians are being directly and deliberately targeted by the Sudanese armed forces in Southern Kordofan.**

The Government of Sudan's (GoS) military offensive against opposition forces of the Sudanese People's Liberation Movement-North (SPLM-N) in Southern Kordofan reached a new level of intensity during June, provoking increased concern over the fate of civilians in those areas.

Between 1 and 22 June, monitors on the ground recorded a total of 1,062 bombs² and 1,229 artillery/rocket shells landing on or near civilian settlements in Southern Kordofan during the course of 82 separate attacks. This represents the highest number of attacks directed against the civilian population in Southern Kordofan since the conflict began in 2011.

Additionally, on 16 June, Sudanese government aircraft bombed a hospital run by the international organization Medecins Sans Frontieres (MSF). This follows a similar attack on the Mother of Mercy Hospital in South Kordofan at the beginning of May, an attack which was widely condemned by the international community.³ These repeated attacks on clearly marked medical facilities indicate that, at the very least, the Sudanese government is failing to take all feasible precautions to ensure that its attacks do not violate the protected status of these facilities under international humanitarian law. A more straightforward interpretation of the observed facts on the ground is that the hospitals are being deliberately targeted.

Human rights monitors in Southern Kordofan are also reporting increased concerns over the actions of Sudanese government ground forces, and in particular the Rapid Support Forces (RSF) militia. Witnesses interviewed by the Sudan Consortium's partners on the ground, allege that in recent weeks the RSF have been responsible for abduction, rape and extrajudicial killings of civilians as they advance into areas of Southern Kordofan previously under opposition control.

¹ The Sudan Consortium is not able to report on the situation in Blue Nile (BN) this month due to technical difficulties in obtaining the information from monitors on the ground. Updates on the situation there will be published as information becomes available.

² For the purposes of this report the definition of "bombs" includes S8-KO air-to-surface rockets, FAB-500 parachute retarded bombs, and "barrel bombs".

³ Sudan Consortium "Human Rights Update: Concern Over Protection of Civilians in Southern Kordofan – May 2014," June 2014, available at http://www.sudanconsortium.org/darfur_consortium_actions/reports/2014/SudanConsortiumUpdateMay_%202014_FINAL.pdf

Sudan Consortium partners report that more than 53,000 civilians⁴ have been displaced in June as a result of the Sudanese government's military operations, adding to the 800,000 who have already been internally displaced or otherwise severely affected during the course of the three year conflict. While international organisations are currently warning of the prospect of famine in neighbouring South Sudan, there are mounting fears that those in Southern Kordofan will be similarly affected, as the Sudanese government continues to deny access to humanitarian organisations, whilst pursuing a military strategy that has the effect of disrupting local agricultural production, and therefore severely limiting the ability of the civilian population in Southern Kordofan to sustain itself.

Bombing of hospital

During an air strike on the village of Farandalla in Al Buram County, Southern Kordofan on 16 June, the Sudanese Air Force bombed and partially destroyed a hospital run by the international humanitarian organization, MSF.

Witnesses on the ground reported that two bombs hit the hospital directly, destroying the emergency room, a dressing room, the pharmacy and the hospital kitchen. Five people were injured in the attack, including one MSF staff member. Two of these victims (one woman, one child) subsequently died from their injuries.

In a statement issued immediately after the bombing, MSF's head of mission in Southern Kordofan expressed his shock at the attack and asserted that that MSF had previously made the Sudanese government aware of the hospital's location.⁵ The hospital is clearly identifiable from the air by virtue of a large red cross on the hospital roof.

Hospitals enjoy a special protected status under international law. It is a war crime deliberately to attack a hospital or other medical facility.

A spokesman for the Sudanese Armed Forces (SAF) denied all knowledge of the air strike, reportedly stating to journalists that "there is no way that our aircraft is involved in this attack. We did not bomb any hospital."⁶ Given that the Sudanese government has complete control over its own air-space, and consistently bombed schools, clinics, churches, mosques and other protected civilian objects during its three year bombing campaign in Southern Kordofan, these denials from the Sudanese government lack all credibility.

The attack on the MSF hospital comes only weeks after the Sudanese Air Force bombed the Mother of Mercy Hospital in Gidel, Southern Kordofan. This attack also provoked strong international condemnation – and was similarly denied by the Sudanese government.⁷

⁴ E-mail correspondence with partner organisation, on file with the Sudan Consortium.

⁵ Medecins Sans Frontieres, "MSF Hospital Bombed in Sudan," 17 June 2014, available <http://www.msf.org/article/msf-hospital-bombed-sudan>

⁶ CNN, "Sudan's army denies aid group's claim that it bombed hospital," 18 June 2014, available at <http://edition.cnn.com/2014/06/17/world/africa/sudan-hospital/>

⁷ Sudan Consortium "Human Rights Update: Concern Over Protection of Civilians in Southern Kordofan – May 2014," June 2014, available at http://www.sudanconsortium.org/darfur_consortium_actions/reports/2014/SudanConsortiumUpdateMay_%202014_FINAL.pdf



Bomb damage caused to MSF hospital, Farandalla village, Al Buram County, Southern Kordofan – 16 June

Indiscriminate bombing and shelling of civilians

Elsewhere in Southern Kordofan, the Sudanese government continued to bomb and shell civilians and civilian infrastructure as part of its ongoing military operations.

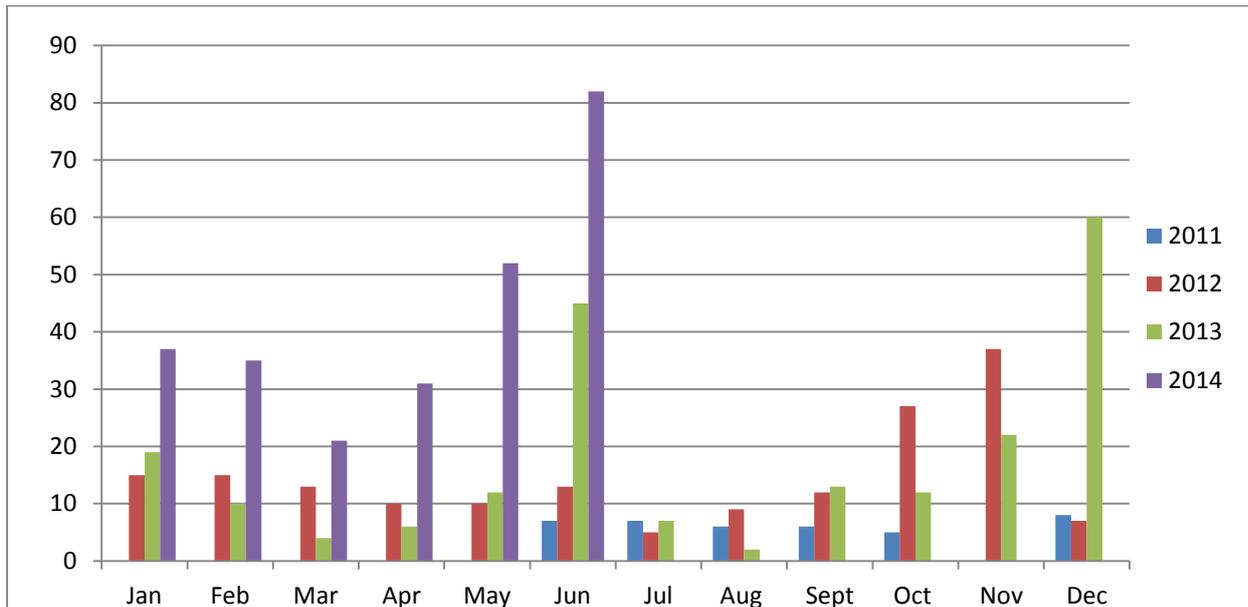
Last month saw the most intense period of bombardment experienced by the civilian population of opposition-held Southern Kordofan since the conflict began in 2011. Between 1 and 22 June, monitors on the ground recorded a total of 82 separate attacks, during which 1,062 bombs and 1,229 artillery/rocket shells landing on or near civilian settlements in Southern Kordofan. This represents a more than 60% increase in attacks when compared with May 2014 and is almost double the number of attacks recorded this time last year. The graph on the following page (see Number of bombing and shelling attacks on civilians and civilian objects in Southern Kordofan) illustrates the unprecedented scale of these attacks.

Particularly notable in June was the sharp increase in the use of ground-based artillery and rocket systems by SAF, in addition to the airstrikes on civilian settlements which have been a consistent feature of their military campaign since the conflict began in 2011.

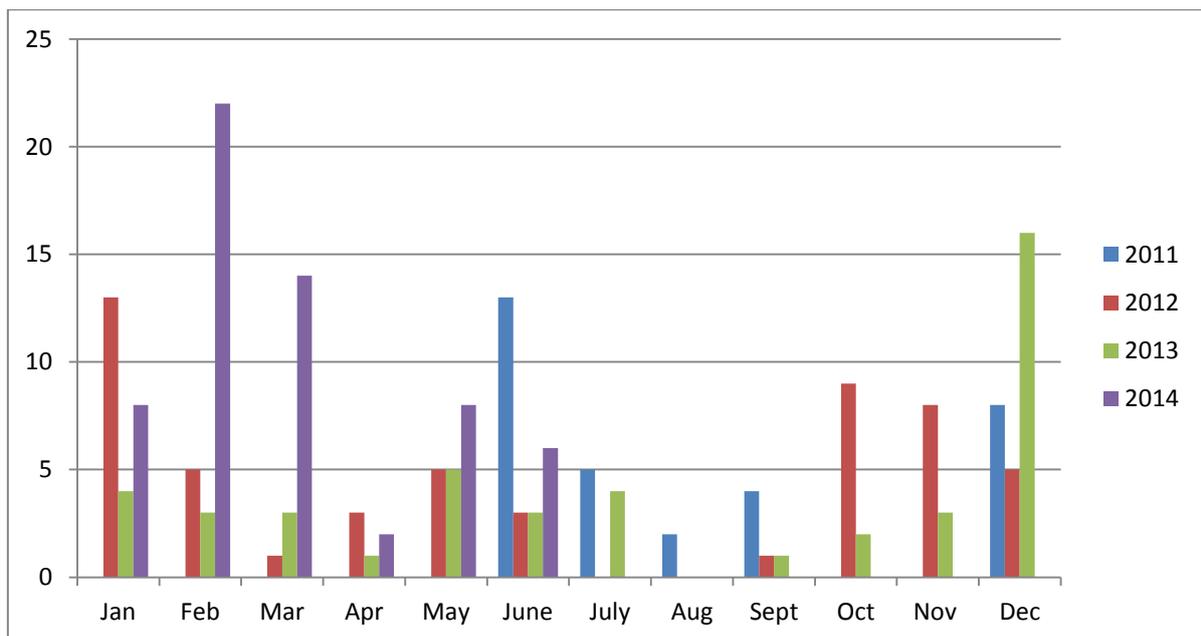


Unexploded ordnance in Aberi village, Delami County, Southern Kordofan.

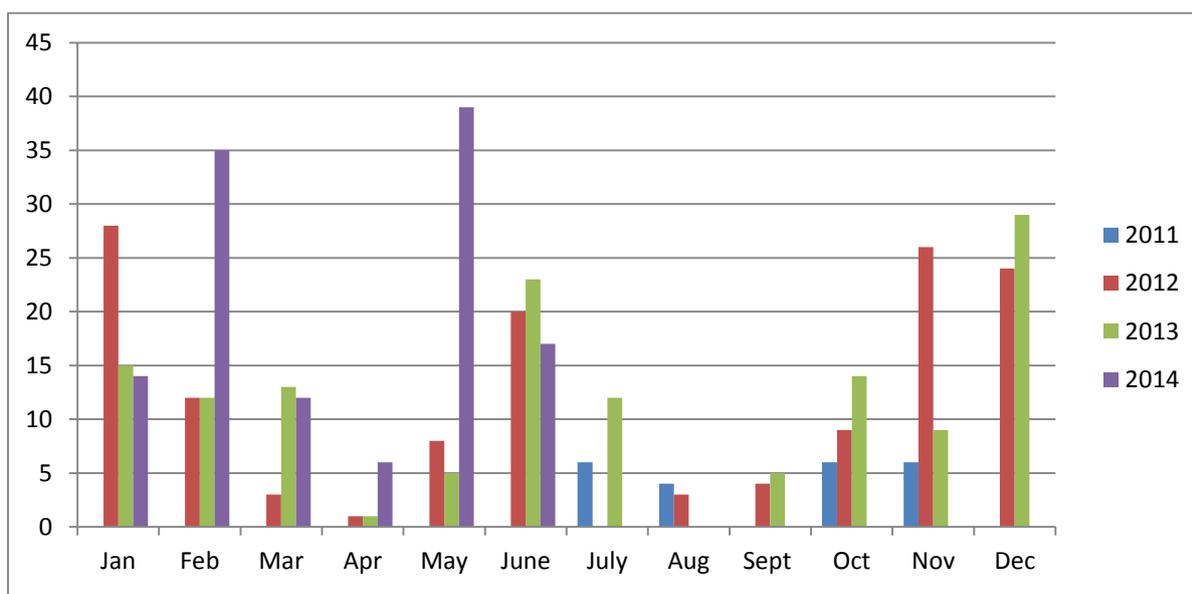
**Number of bombing and shelling attacks on civilians and civilian objects in Southern Kordofan
June 2011 - June 2014**



Civilians killed by bombing and shelling attacks in Southern Kordofan: June 2011 - June 2014



Civilians injured by bombing and shelling attacks in Southern Kordofan: June 2011 – June 2014



Satellite imagery, showing the deployment of static and self-propelled artillery, as well as multi-launch rocket systems (MLRS), to Southern Kordofan by the Sudanese government, was published in April 2014 by the Satellite Sentinel Project.⁸ As both artillery and MLRS are indirect-fire weapons (i.e. they are fired at a target which cannot be seen by the aimer, generally because the target is at a longer range or is obscured by the terrain) these weapons are insufficiently accurate to allow the aimer to make sufficient distinction between military targets and protected civilian objects. In any event, notwithstanding the limitations of conventional artillery, MLRS are not designed to hit precise individual targets, but rather to saturate an area (of up to one square kilometre) with projectiles. As such, these weapons are inherently indiscriminate, and unlawful when used against areas populated by civilians.



A village grain store in Hadara, Delami County, Southern Kordofan, destroyed in an attack by Sudanese fighter aircraft on 12 June



A crater made by a barrel bomb dropped near a water bore-hole in Farandalla village, Al Buram County, Southern Kordofan, on 16 June

⁸ Satellite Sentinel, "Human Security Alert: Massive Mobilization of Sudan Armed Forces (SAF) in the Nuba Mountains," April 2014, available at <http://www.satsentinel.org/report/human-security-alert-massive-mobilization-sudan-armed-forces-saf-nuba-mountains>

These indiscriminate attacks killed and injured 19 civilians, including women and children, destroyed numerous homes and communal amenities including shops, grain stores and village markets. They also killed livestock and damaged large areas of agricultural land.

None of those killed or injured were taking any active part in the hostilities. There was no opposition military presence in any of the locations targeted by the bombing and shelling attacks, and they cannot be considered legitimate military targets.



Man killed by an artillery shell which hit Tangal village, Um Dorein County, Southern Kordofan, on 2 June

It is a fundamental principle of international law that civilians and civilian property must be distinguished from military targets, and that only military targets can be attacked. It is well documented that the Sudanese government is failing to observe that basic distinction in the conflict in Southern Kordofan and Blue Nile and is committing war crimes in so doing.

Population displacement and humanitarian consequences

As the Sudanese government's offensive in Southern Kordofan intensifies, the prospects for the civilian population there are becoming increasingly bleak. Preliminary figures provided by the partners on the ground indicate that over 53,000 civilians were displaced by the fighting in Southern Kordofan during June. Of these, approximately 50,000 were displaced from Um Dorein County.

Sources on the ground report that due to this massive population displacement, and the consequent inability of farmers to tend their fields during this vital planting and growing season, crop cultivation in many areas of Southern Kordofan is likely to fail. The disruption of agricultural production has been particularly severe in Um Dorein County, where 13 farms were targeted by Sudanese government air strikes and artillery fire during June and displacement is particularly severe.

Meanwhile, the Sudanese government continues to deny UN aid agencies access to opposition held areas of Southern Kordofan and to severely limit the provision of humanitarian assistance. Therefore, whilst international aid organisations are now warning of the need to drastically increase humanitarian assistance to South Sudan in order to avert a potential famine in that conflict-affected country,⁹ the Sudanese government continues to obstruct the provision of any meaningful humanitarian assistance to similarly affected civilians in the immediately adjacent Southern Kordofan.

⁹ BBC, "South Sudan hunger crisis 'to affect four million'," 2 July 2014, available at <http://www.bbc.com/news/world-africa-28132247>



A family displaced from their home following a SAF Antonov bombing attack on Al Buram County, Southern Kordofan, on 10 June. The picture on the left shows the remains of the family's destroyed house.

Abductions, rape and unlawful killings of civilians by the RSF

In addition to those civilians unlawfully killed as a result of the Sudanese government's failure to distinguish legitimate military targets from civilians and civilian objects in their bombing campaign, monitors on the ground are also reporting atrocities committed by Sudanese ground forces, specifically members of the RSF.

As noted in previous Sudan Consortium reports,¹⁰ the Sudanese government has significantly increased its reliance on the use of RSF ground troops in its ongoing military offensives in Southern Kordofan. The RSF is made up of *Janjaweed* militia integrated into the Sudanese government's military and security structure, and falls under the ultimate command of the Sudanese National Intelligence and Security Service.¹¹

An extensive report published at the end of June by the NGO, The Enough Project, provides a detailed analysis of the activities, structure and development of the RSF over the last nine months and sets out the case for senior officials in the Sudanese government to be held accountable for war crimes and crime against humanity carried out by RSF, not only in Southern Kordofan, but in Darfur.¹²

Although it remains difficult to obtain accurate information from areas in Southern Kordofan controlled by Sudanese government forces, those fleeing from the fighting into opposition held areas have provided human rights monitors on the ground with consistent reports of systematic looting and destruction carried out by advancing RSF forces since the current offensive began in April.

This month, monitors on the ground have received credible reports that three young women, aged 16, 17 and 19 years were raped by RSF militia following RSF's capture of the village of Aberi in Delami County on 28 April. The whereabouts and subsequent fate of the girls is unclear, but

¹⁰ See, for example, the Sudan Consortium, "The impact of Sudanese military operations on the civilian population of Southern Kordofan – April 2014," May 2014, available at http://www.sudanconsortium.org/darfur_consortium_actions/reports/2014/Sudan%20Consortium%20SK-BN%20Update%20Apr_%202014%20FINAL.pdf.

¹¹ Mahmoud A Suleiman, "Rapid Support Forces are the NCP recycled Janjaweed," 21 May 2014, available at <http://www.sudantribune.com/spip.php?article51083>

¹² The Enough Project/Satellite Sentinel, "Janjaweed Reincarnate. Sudan's New Army of War Criminals," 26 June 2014. Available online at <http://enoughproject.org/reports/janjaweed-reincarnate-sudan%E2%80%99s-new-army-war-criminals>

unverified reports from local sources who fled from government-controlled areas indicated that the women were taken against their will to the Sudanese government-controlled town of Dilling.

Elsewhere in Southern Kordofan, on 15 June, reports indicate that a 70 year old woman from the village of Nyakima village in Heiban County may have been summarily executed by troops from the RSF. The woman's body was discovered by relatives, who conducted a search for her after she failed to return from gathering palm tree fruits in a forest around a 30 minute walk from the village. She had been killed by two gunshots to the head. The area where the body was found had been disturbed by the tracks of four camels and two men. Her relatives followed these tracks to the neighbouring settlement of Sarafyi, which has been in the hands of RSF militia since they captured it in April.

Conclusion

June 2014 saw the three year anniversary of the outbreak of the current conflict in Southern Kordofan between the GoS and the opposition SPLM-N.

Unfortunately, this month also witnessed the highest number of bombing and shelling attacks by the Sudanese government directed against the civilian population in Southern Kordofan during this entire three-year conflict.

Recent weeks have also seen increasing concern over allegations of violations of international human rights and humanitarian law committed against the civilian population by the RSF militia deployed by the GoS to lead its ground offensive in Southern Kordofan.

Sudan is party to the four Geneva Conventions of 1949 (as well as to Additional Protocol II to the Geneva Conventions which applies specifically to non-international armed conflicts) and as such has a clear international obligation to ensure that the civilian population shall not be the object of attack during its ongoing military operations in Southern Kordofan.

Sudan is also party to several international and regional human rights treaties applicable to the context of Southern Kordofan, including the International Covenant on Civil and Political Rights and the African Charter on Human and People's Rights.

Although allegations of violations of international human rights and humanitarian law have been made against both sides of the conflict over the last three year period, the overwhelming majority of the allegations and other relevant information implicate forces of the GoS and aligned armed groups, including the RSF.

The Sudan Consortium remains seriously concerned that the civilian population in Southern Kordofan continues to bear the brunt of the military counter-insurgency campaign being waged out by the SAF against the SPLM-N. The Sudan Consortium renews its call for the international community to recognise these attacks on civilians and on protected civilian objects as breaches of international law and to mandate a full investigation with a view to ensuring that those responsible are called to account for their actions.