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# **SUDAN: NO END TO VIOLENCE IN DARFUR**

**ARMS SUPPLIES CONTINUE  
DESPITE ONGOING HUMAN  
RIGHTS VIOLATIONS**

**AMNESTY  
INTERNATIONAL**



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# MAP OF DARFUR



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As of January 2012, the Darfur region has been divided into five federal states with Western and Southern Darfur split into West, Eastern, Central and South Darfur. North Darfur remains as one state.

# MAP OF SUDAN



Map No. 4458 UNITED NATIONS  
October 2011

Department of Field Support  
Cartographic Section

Map of Sudan. © United Nations

# INTRODUCTION

*We first heard sounds of ‘hababil’ (helicopters) getting closer, and we saw them and some planes flying over the village. First they flew over the village without shooting or bombing. Then they came back from the eastern side and started the attack.* Displaced Zaghawa civilian, 2011

The supply of various types of weapons, munitions and related equipment to Sudan in recent years, by the governments of Belarus, the People’s Republic of China and the Russian Federation, have allowed the Sudanese authorities to use their army, paramilitary forces, and government-backed militias to carry out grave violations of international human rights and humanitarian law in Sudan. This ongoing flow of new arms to Darfur has sustained a brutal nine-year conflict which shows little sign of resolution.

In the last twelve months, as other developments in Sudan overshadowed international attention on Darfur, the region has seen a new wave of fighting between armed opposition groups and government forces, including government-backed militias. The fighting has shifted during 2011 away from former epicentres of the war near the border with Chad and elsewhere, to eastern Darfur in particular. This has included targeted and ethnically motivated attacks on civilian settlements, and indiscriminate and disproportionate aerial bombings that have contributed to the displacement of an estimated 70,000 people from their homes and villages.

This briefing describes some of these events; the types of arms in use by those responsible for serious violations of international humanitarian and human rights law; and the suppliers of those arms to Sudan. These arms have in some cases been supplied to Sudan barely 12 months before their use in Darfur.

Critically, this briefing shows that the governments whose exported military equipment have over the years turned up at the site of serious human rights violations in Darfur -- including Belarus, the People’s Republic of China and the Russian Federation -- continue to supply those kinds of equipment to Sudan on a regular basis. The main ‘suite’ of arms used in Darfur by all parties to the conflict has been supplied to Sudan by this key group of state suppliers almost every year since the UN Security Council (UN SC) imposed an UN arms embargo on Darfur on 30 July 2004: an embargo which “remains without discernible impact”, in the words of the UN body charged with monitoring it.<sup>1</sup> Such arms supplies have



continued despite concrete evidence, repeatedly presented over the last five years by UN bodies and non-governmental organizations, that the arms are rapidly being transferred to parties to the conflict in Darfur.

The case of Darfur shows unambiguously that existing international legal regimes to prevent weapons, munitions and related equipment from contributing to crimes under international law are not working, as Amnesty International has repeatedly documented. In the absence of an effective UN arms embargo on the whole of Sudan and a system of strict national controls amongst arms suppliers across the globe under an Arms Trade Treaty, states -- including permanent members of the UN SC -- can simply close their eyes to overwhelming evidence of the repeated use of their exported arms in serious human rights violations and crimes under international law. They can also ignore evidence that their customers continue flagrantly to violate UN arms embargoes with these arms. The case of Darfur further demonstrates that it is ineffective to put in place an arms embargo on only part of a country and allow arms to be transferred to one of the parties to the conflict whom it is known will invariably transfer some of those arms to the conflict area under embargo, thereby fuelling further grave violations of international law.

# ATTACKS AND REPRISALS AGAINST CIVILIANS

In the first half of 2011, an estimated 70,000 people were newly displaced by a wave of fighting which involved ethnically-targeted attacks by government forces and newly-formed government-backed militias, including indiscriminate aerial bombardments and the clearing and burning of villages in eastern Darfur. North and West Darfur also saw more sporadic aerial bombardments of civilian areas.<sup>2</sup>

## AIRSTRIKES AND AERIAL BOMBARDMENTS

Despite the UN SC having prohibited all airstrikes and aerial bombardments in Darfur since 2005,<sup>3</sup> the Sudan Armed Forces (SAF) have continued to ignore this prohibition with total impunity. Witness testimonies from sites of airstrikes, material evidence of airstrikes, photographs and satellite imagery of armed military aircraft operating from Darfur's main airports, all indicate that SAF has continued to conduct aerial bombardments and direct-fire airstrikes on both military and civilian targets in all states of Darfur during 2011. Eyewitnesses indicate that SAF airstrikes in Darfur and elsewhere in Sudan are carried out with Mi-24 attack helicopters and Su-25 ground attack aircraft, while other aerial bombardments are undertaken by Antonov-24/26 transport aircraft converted into rudimentary bombers. While SAF aerial attacks have been credibly reported across all of Darfur during 2011, they have been concentrated on two particular areas:

- Jebel Marra in West Darfur, the largest unitary area of Darfur's territory controlled by an armed opposition group (Sudan Liberation Army - Abdulwahid Mohamed Nour or SLA-AW) and,
- eastern Darfur, between the towns of Khor Abeshe and Abu Zerega around the North/South Darfur border.

A number of aerial bombings have deliberately targeted civilian settlements, including attacks on villages in areas under government control perceived by the government to be harbouring Dafuri armed opposition groups. For example, the village of Khair Wajid, near Labado in South Darfur, was bombed by SAF aircraft on 26 March 2011 in reported response to an alleged armed opposition attack the previous day on a passenger bus in the village carrying both civilian and military personnel. The bus attack reportedly killed two government military personnel. The retaliatory bombing the following day by the SAF injured 16 civilians including two elderly people, who were evacuated to Nyala hospital. The attack also destroyed houses and killed livestock, and caused almost all the village's residents to flee to South Darfur towns.

## ETHNICALLY TARGETED ATTACKS AND REPRISALS

From December 2010 and throughout the first half of 2011, the area surrounded by the towns and villages of Khor Abeshe, Dar-es-Salam, Tabit, Abu Zerega and Shangel Tobaya, in North Darfur - south of El Fasher and straddling the South Darfur border - experienced the most intense violence witnessed by the whole region during 2011. Deaths and injuries were caused by indiscriminate attacks and in some cases also by deliberate attacks on civilian settlements. In addition, the wider humanitarian impact of the violence and military confrontation, involving SAF and allied militias, and small groups of armed opposition movements – notably the Sudan Liberation Army (SLA-Minni Minawi and SLA-Justice) – resulted in one of the largest waves of forced displacement in Darfur for several years, with an estimated 70,000 newly displaced persons registered by humanitarian organizations in 2011.

The described area of Darfur had been controlled by the SLA since 2004, and remained under the direct authority of the forces of the SLA-Minni Minawi (SLA-M) faction after it signed the May 2006 Darfur Peace Agreement, and joined the Sudanese government. In December 2010 SLA-M's leader, Minni Arku Minawi, withdrew from the government and called on his troops to resume armed opposition. A cycle of violence begun on 14 December 2010 with the reported firing of shots from an SLA-M checkpoint at a government delegation led by the Governor of North Darfur, which had visited the Dar-es-Salam locality to call upon predominantly Zaghawa SLA-M forces to disarm or join government forces. Government officials subsequently reported that SLA-M forces had launched an attack on Dar-es-Salam town on 23 December 2010, resulting in the displacement of the local population out of the town for several days and the killing of three civilians, including two women. The SLA-M forces were also reportedly involved in fighting that erupted in the area of Tabit in late December and early January 2011. By mid-January 2011, SLA-M and SLA-Justice forces had retreated from villages and populated areas, moving westwards to the mountains, from where they reportedly conducted 'hit and run' attacks on both commercial and SAF convoys.



The burnt village of Tukumare, reportedly attacked by SAF and PDF elements in January 2011. © Private.



The burnt village of Tangarara, attacked by SAF and PDF elements in April 2011 © Private.

Between the end of December 2010 and the first weeks of 2011, traditional leaders (also called ‘native administrators’) and local government officials began openly and publicly advocating the expulsion of all Zaghawas from the area. In particular, local government officials and traditional leaders issued calls in public gatherings to form new local Popular Defence Forces (PDF) militias to oppose Zaghawa residents, precipitating the targeting of one specific ethnic group by government-backed forces. Traditional leaders, elected officials and commanders of the subsequently-created PDF militia in Shangel Tobaya and Dar-es-Salam stated that they did not distinguish between Zaghawa armed fighters and Zaghawa civilians.

Fearing for their security, on 20 December 2010 over 4,000 Zaghawa civilians - 3,000 of whom had previously been living in the New Shangel Tobaya Internally Displaced Persons (IDP) camp outside Shangel Tobaya town - moved into the external security perimeter of the UNAMID Shangel Tobaya Team Site with their possessions. There, despite the immediate proximity of UNAMID peacekeeping forces and an increase of UNAMID patrols in the area, they continued to be threatened, harassed, limited in their movements and physically attacked by PDF and SAF forces, including cases of sexual violence and killings. With UNAMID apparently unable to carry out its mandate to protect civilians and to prevent such actions within the perimeter of its own base, in early April 2011 the IDPs finally abandoned the UNAMID Team Site and left the region altogether. Several hundred PDF militias were recruited and established in Dar-es-Salam and Shangel Tobaya between December 2010 and February 2011,<sup>4</sup> equipped with small arms and commanded by SAF officers, and operating alongside SAF forces.



IDPs gathering at the Shangel Tobaya UNAMID Team Site in December 2010. © Private.

As corroborated by UNAMID reports, media releases and diplomatic missions' statements, these PDF and SAF forces appear to have been deployed in a consistent pattern of attacks involving large-scale military operations conducted with transport and ground attack aircraft for reconnaissance and airstrikes, followed by ground forces mounted on Land Cruisers and armoured personnel carriers.

*"I arrived here three months ago [in February 2011] after my village was bombed. Everyone in the village was Zaghawa. Before the bombing there were no major incidents near here, since all the people living in the village were civilians: 45 families. We first heard sounds of 'hababil' (helicopters) getting closer, and we saw them and some planes flying over the village. First they flew over the village without shooting or bombing. Then they came back from the eastern side and started the attack. There were different aircraft involved; two 'Mij',<sup>5</sup> two 'hababil' (helicopters) and one Antonov. The operation lasted four to five hours; I think they bombed several areas towards the west at the same time. The government carried out attacks in several villages, including ours, where they killed some cows by shooting with machine-guns mounted on vehicles. The last time this happened was on February 2011, but SAF deployed also on previous occasions. The attacks were generally conducted by a mix of militias and SAF, moving on SAF vehicles, camels and*

horses.”

*“Up till now there remain empty shells on the ground and bombs that didn't explode. I know this because people started running away on the day of the bombardment, but family members on the same night as the bombing went back to find injured children who had been left behind. Then they found the unexploded bombs, and many of the houses destroyed. They were grey rockets with fins, some inside the village itself and some even inside houses. There were also smaller rockets from helicopters, and large bullets in different colours – some yellow, some silver.*

*There were two people killed, and six children were wounded, playing on the street when the bombing started. We came to get them at night, but couldn't take them to the hospital at Shangel Tobaya so brought them here in Abu Zerega. Some people fled to Zam-Zam, others to other places. No one has returned home. The government also bombed our water well at Tabaldiya, on the same day. This means that we can't go back as there is no way to sustain ourselves.”*

## OTHER TARGETED CIVILIAN KILLINGS AND ATTACKS ON CIVILIAN AREAS

Government security agencies and affiliated militias, sometimes operating partly outside government control, have also continued deliberately to attack civilians, including those already displaced by violence. For example, in early 2011 the government deployed the notorious *al-Ittihad al-Merkazi* (Central Reserve Police - CRP), a combat-equipped paramilitary force,<sup>6</sup> into Zam Zam, one of Darfur's largest IDP camps, to provide security in place of civilian police. Far from contributing to security, the CRP's elements were responsible for a spike in looting of shops and property by CRP personnel, shootings of civilians, and other harassment of Zam Zam's residents, many of whom had recently fled the wave of violence in eastern Darfur.

The cycle of violence in the eastern Darfur area reached its peak between late May and mid-June 2011 in a series of events which escalated following a livestock rustling raid. On 31 May 2011, according to Abu Zerega IDPs, PDF elements from Shangel Tobaya conducted a raid to steal livestock in Abu Zerega, then heavily populated by the Zaghawa which had fled from further south. In response, according to Zaghawa residents, several hundred Zaghawa civilians established a 'faza' (raid) to recover their livestock. The PDF reportedly obtained reinforcements from SAF units stationed in Shangel Tobaya – including one Sukhoi-25 ground attack aircraft sent from El Fasher – and forced the 'faza' to disperse. Some of the members of the 'faza' were subsequently arrested while trying to return to Abu Zerega.

On 31 May 2011 close to Shangel Tobaya, 20 Zaghawa civilians engaged in recovering stolen cattle were captured by PDF forces. Seventeen of them were then unlawfully killed by the PDF, as confirmed by a subsequent official investigative committee dispatched by the North Darfur authorities. At the site of the killings, the committee reported the presence of empty cartridge cases for 'Dushka' (DShK-type) and 'Goronov' (SGM-type) machine guns, concluding that the tied and unarmed victims were killed with heavy weapons mounted on vehicles. The committee's

report also concluded that *“PDF forces in the area are not obeying the orders of local or state authorities”* and recommends *“bringing the PDF under the control of the state authorities”*.<sup>7</sup>



Cartridges collected by the North Darfur Enquiry Committee on the killing of Abu Zerega, in June 2011. © Private.

Attacks on civilian settlements and property by armed opposition groups have also continued in violation of international humanitarian law. Reportedly as a reprisal for the 31 May killings, several dozen armed men mounted on vehicles and camels attacked Shangel Tobaya town on 17 June, killing 19 people including 13 civilians and injuring 35 more. Over 100 houses were burnt. While no group publicly claimed responsibility for the attack, local traditional leaders and individuals affiliated with SLA-M have reported that the operation was organized by armed opposition groups including SLA-M members, although Zaghawa civilians were also reportedly involved in the raid.



Above, PDF elements patrolling, and below, collecting the dead body of the victim of an attack reportedly perpetrated by elements of armed opposition group, in early 2011. © Private.





## THE ARMS SUPPLY CHAIN

Arms supplied to the government of Sudan are used in Darfur both directly by government forces; and by government-backed militia like the PDF, operating alongside Sudan Armed Forces (SAF) and using their vehicles. This section outlines available evidence of military equipment imported and used by SAF and affiliated militia to perpetrate violations of international human rights and humanitarian law.

Since 2006, reports of the UN Panel of Experts on Sudan – the body charged with monitoring the UN arms embargo on Darfur – have repeatedly showed how weapons, munitions and related equipment used by government security agencies and armed forces in Darfur have been regularly imported from the same state suppliers, including Belarus, China and the Russian Federation.<sup>8</sup> While some military equipment used in Darfur and other conflicts within Sudan appears to be manufactured – or, in some cases, simply assembled – domestically by Sudanese state-controlled military companies, the weapons found and observed at sites where SAF has operated in Darfur and other conflict zones' attacks and airstrikes in 2011, originate in large part from this circle of international suppliers.<sup>9</sup>

### CHINESE-MANUFACTURED WEAPONRY

The UN Panel of Experts have extensively shown<sup>10</sup> that significant volumes of small-arms ammunition used in Darfur by SAF, other security agencies and government backed militia groups appear to be Chinese-manufactured, carrying marking-codes used by Chinese military corporations (codes '11', '41', '61', '71', '811' and '945').<sup>11</sup> The markings often indicate that they were manufactured – and thus transferred to Darfur – well after the establishment of the UN arms embargo on Darfur in 2004, and sometimes scarcely 12 months before being observed in Darfur itself. In 2010, for example, the UN Panel of Experts on Sudan found 2009-manufactured 7.62x54mm ammunition, commonly used for machine guns, carrying the Chinese manufacturing code '41', being used by SAF forces in North Darfur in July 2010.<sup>12</sup> Supplies appear to have continued unhindered: batches of 2010-manufactured ammunition, again with Chinese manufacturing code '945', have also been observed in Southern Kordofan in 2011.

The repeated appearance of this ammunition in Darfur so soon after its manufacture suggests that its ongoing supply to Sudan has been entirely unaffected by the presentation of strongly-documented evidence to the UN SC of its transfer into Darfur, in violation of the UN arms embargo, and its use by both government forces and armed opposition groups in Darfur. This raises serious concerns about the exporting countries' willingness or capacity to implement responsible arms export mechanisms, and to undertake effective risk-assessments before licensing arms and ammunition transfers to Sudan.



On the left, a box of ammunition captured from SAF in South Kordofan in July 2011. All rounds of ammunition bear identical marking-codes (company code '945' and year of manufacturing code '09'); and on the right, a 7.62x54mm cartridge collected in Darfur in mid-2010 by the UN Panel of Experts on the Sudan (see S/2011/11). The headstamp bears the company code '945' and year of manufacturing code '09' as in 2009. © Private.

Recently manufactured ammunition bearing Chinese-manufacture company codes reportedly continue to be used to commit serious human rights violations. For example, on 1 December 2011, CRP personnel in Zam Zam IDP camp, south of El Fasher, carried out a looting raid during which one man was shot dead and six other displaced persons were seriously injured. Witnesses contacted by Amnesty International reported finding cartridges following the raid bearing Chinese '41' and '71' manufacture codes, and (20)06 and (20)08 manufacture dates, indicating that it was transferred to Darfur after the imposition of the UN arms embargo.



In addition to small calibre ammunition, Amnesty International has also gathered evidence of the use of Chinese manufactured weapons and large calibre ammunition elsewhere in Sudan during 2011. In particular, QLZ87 35mm grenade launchers and grenades, supplied to Sudan by a Chinese company under a contract dated 2008 according to packaging markings, were captured from SAF forces in Southern Kordofan in June 2011.

Boxes of 35mm grenades (QLZ87 Type) seized in Southern Kordofan in July 2011. © Private.

## HELICOPTER GUNSHIPS AND GROUND ATTACK AIRCRAFT

The fighting in Darfur described above has been accompanied by a repeated pattern of aerial attacks on both military and civilian objectives using SAF Sukhoi-25 ground-attack aircraft, Mi-24 helicopter gunships, and Antonov transport aircraft as rudimentary but effective bombers: a pattern well documented by UN, Amnesty International and non-governmental observers since at least 2006. Amnesty International has established that the same types of aircraft were also used by SAF to conduct aerial strikes in Southern Kordofan from June 2011 onwards.

Sudan has continued to receive new Mi-24 helicopter gunships in recent years: 36 were delivered by the Russian Federation between 2007 and 2009.<sup>13</sup> While it is yet to be verified which of these recently-supplied gunships is operational in Darfur, their supply undoubtedly compensates for Mi-24 attack helicopters lost in the course of SAF's Darfur operations during 2011. Their continual replacement by the Russian Federation makes it possible for such attacks to continue. These replacement helicopter gunship supplies from Russia appear to have continued during 2011: a photograph taken at St Petersburg airport in the Russian Federation in May 2011 shows a new Mi-24 helicopter gunship painted in SAF markings (number '949', the next consecutive number in the sequence of SAF helicopter numbers seen in Sudan),<sup>14</sup> apparently awaiting export.

The UN Panel of Experts has previously reported that a Russian company provides maintenance for a fleet of Mi-17 and Mi-24 attack helicopters, and that Sudanese military personnel have been trained at the Combat and Conversion Training centre of the Air Force at Torzhok in Russia as pilots for the Mi-24s.



SAF Mi-24P helicopter gunship number 949 photographed at St Petersburg airport, Russian Federation, May 2011  
© helicopter-database.de

The UN Panel of Experts' reports<sup>15</sup> and the United Nations Register for Conventional Arms<sup>16</sup> also show that Sudan received 15 Sukhoi-25 aircraft from Belarus between 2008 and 2010. Since 2008, at least ten Sukhoi-25s have been sighted in Darfur by UN and other observers, and eyewitness testimonies repeatedly describe the use of such aircraft to attack military targets and civilian objects on the ground.

Significantly, neither the Russian Federation nor Belarus acknowledge that they have violated the arms embargo on Darfur by exporting a stream of Mi-24 helicopter gunships and Su-25 attack aircraft to Sudan in recent years; yet there has been copious public evidence during this time that these types of aircraft were rapidly being transferred from Khartoum to Darfur in violation of the embargo, and used to carry out attacks on civilians and indiscriminate attacks.<sup>17</sup> That their supply to Sudan can have continued unchecked shows plainly the inadequacy of current international controls on arms transfers, and the complete ineffectiveness of the embargo on Darfur established by the United Nations.

### AIRCRAFT ROCKETS

S5 (57mm) air-to-ground rockets have been used in SAF air strikes in Darfur, and elsewhere in Sudan. These rockets, known to have been manufactured in a number of former Soviet Union countries, are consistent with the weapons suites of Mi-24 helicopter gunships and Su-25 ground attack aircraft. In particular, SAF Su-25s have been photographed in Darfur carrying both B-8M1 rocket pods for firing S-8 (80mm) rockets, and UB-32 rocket pods for firing S-5 rockets.

Recent research by Amnesty International has also found that similar S5 and S8 air-to-ground rockets were used in SAF airstrikes conducted in Southern Kordofan in July 2011.





Remnants of S5SB (flechette-variant) 57mm air-to-ground rockets in Southern Kordofan in June 2011, after SAF aerial strikes in Kauda. © Private.



Remnants of S8 80mm air-to-ground rockets in Firga, (Western Bahr el Ghazal State, South Sudan) after a SAF airstrike near an SPLA base, February 2011. © Private.

## BTR-80 ARMORED VEHICLES AND MULTIPLE ROCKET LAUNCHERS

Amnesty International has also documented the use of both BTR-80A armored vehicles and 107mm multiple-rocket launchers mounted on Land Cruiser-type vehicles in SAF and SAF/PDF operations in Darfur.



A BTR-80 armoured vehicle seized from SAF in Southern Kordofan. © Private.



Multi-rocket launchers mounted on military vehicles observed in 2011 in eastern Darfur. © Private.

While it has not been possible to verify the origin of these precise rocket launchers and armoured vehicles (the last publicly reported exports of BTR-80s to Sudan was from Belarus in 2004), Sudan has continued to import armoured vehicles from Belarus, Ukraine and the Russian Federation.<sup>18</sup>

Year	Exporting State	Armoured vehicle type	Number
2004	Belarus	BTR-80	7
	Belarus	BMP-1	1
2007	Belarus	BTR-70 (Kobra turret version)	2
2009	Russian Federation	<i>Not known</i>	15
2010	Russian Federation	<i>Not known</i>	45
	Ukraine	BTR-3	2

Source: National reports to UN Register of Conventional Armaments

#### ARMED OPPOSITION MOVEMENTS' WEAPONS AND AMMUNITION

Research undertaken for this briefing was unable to determine the origin of military equipment used by armed opposition groups in Darfur and Southern Kordofan during 2010-11, despite a number of meetings with these movements' representatives. Small calibre ammunition and pick-up vehicles observed or recovered from armed opposition groups nevertheless appears to match those used by SAF, consistent with statements by both armed opposition group commanders and political representatives, who have stated that a significant part – if not the majority – of their movements' weapons have been captured from SAF during military clashes and ambushes. Captured weapons may be a more significant source of supply for armed opposition movements since the rapprochement between Sudan and Chad in early 2010, as well as the fall of the Libyan regime, both of which may have restricted previous sources of supply in Chad and Libya.<sup>19</sup>

# CONCLUSIONS AND RECOMMENDATIONS

National and international arms export controls, including the UN SC arms embargo on Darfur, have failed to prevent the international transfer of arms to Sudan. This is despite compelling evidence that transferred arms have been and continue to be used to commit serious violations of international humanitarian and human rights law in Darfur, and more recently in Southern Kordofan.

Arms manufactured and supplied from Belarus, China and the Russian Federation, or evidence of their use, have been found in various conflict areas in Sudan, including Darfur and Southern Kordofan.

In addition, evidence collected in recent years unambiguously indicates that – with regard to Darfur – the Sudanese government continues to fail to fully comply with the guarantees and commitments required by exporting countries when licensing arms transfers. The repeated breach of such conditions by the Sudanese government does not seem to have generated any significant limitation of arms supplies to Sudan by these exporting governments, nor a discernable application of the risk-assessment mechanisms that should be put in place to minimize the risks of serious human rights violations with such equipment.

The adoption of a comprehensive Arms Trade Treaty (ATT) should contribute to the minimization of these risks; and persuade States to establish stricter risk-assessment procedures before authorizing exports and deliveries to States where diversion and unintended use of equipment has been observed in the past. It is unclear how these arms-supplying States assess risks to human rights in their arms transfer decisions. Therefore, one of the key objectives of the ATT should be to ensure the prevention of serious violations of international humanitarian and human rights law.

Amnesty International is advocating for an ATT that has international human rights at the core of its normative framework. This approach requires states to deny a transfer of arms where there is a substantial risk that those arms will be used to commit or facilitate serious violations of international humanitarian and human rights law.

**In light of the above findings, Amnesty International makes the following recommendations:**

## **To the Arms Supplying States:**

- Suspend all international arms transfers to the government of Sudan to stop the further deployment and use of foreign transfers in Darfur by the government of Sudan, and acquisition by other parties to the conflict in Darfur in order to prevent



further violations of international humanitarian and human rights law;

- Support the negotiation of an effective ATT which includes:
  - strong human rights parameters to prevent the transfer of conventional arms if there is a substantial risk that those arms will be used to commit or facilitate serious violations of international humanitarian and human rights law;
  - a comprehensive scope that encompasses all weaponry, munitions, armaments and other equipment used for military and law enforcement operations; and
  - robust standards for implementation and enforcement, including national authorization and licensing systems and post delivery verification mechanisms.

**To the UN Security Council:**

- Immediately expand the current UN arms embargo to cover the whole of Sudan, in order to stop military and related supplies reaching all parties to the conflict in Darfur. This embargo should continue to be monitored by an adequately-resourced UN Panel of Experts which reports regularly to the UN Security Council's Sanctions Committee. The Panel of Experts should carry out investigations internationally and should regularly monitor the main ports of entry to Sudan to ensure that the embargo is respected;
- Demand that the government of Sudan complies with the existing UN arms embargo on Darfur, including by stopping all offensive military flights and seeking prior authorization from the UN Security Council Sanctions Committee to move military equipment and supplies into Darfur.

**To the Government of Sudan:**

- Cease all attacks in violation of international humanitarian and human rights law in Darfur, including deliberate attacks on civilians and indiscriminate aerial bombardments;
- Cease all offensive military flights in and over the Darfur region and seek prior authorization from the UN Security Council Sanctions Committee to move military equipment and supplies into Darfur in line with UN Security Council Resolution 1591;
- Ensure all allegations of human rights violations and violations of international humanitarian law, both past and present, are promptly and thoroughly investigated, removing any immunities under domestic law for security forces; and, where there is sufficient admissible evidence, bring suspects to justice in

proceedings that conform to international fair trial standards; and without recourse to the death penalty.

**To the Armed Opposition Groups:**

- Take concrete steps to ensure fighters respect international humanitarian law and in particular refrain from all attacks on civilians or civilian objects;
- Remove anyone suspected of violations of international humanitarian law from positions where they can continue to commit abuses.

## ENDNOTES

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1 Report of the Panel of Experts on the Sudan established pursuant to resolution 1591 (2005), published 8 March 2011 (S/2011/111), p 4. Resolution UN SC 1556 (2004) imposed an arms embargo against all non-governmental entities in Darfur. Resolution UN SC 1591 (2005) expanded the arms embargo to include Sudanese government forces operating in Darfur.

2 Estimated new displacement figures from UNHCR: estimated 61,000 new displacement from Shangel Tobayaa area to ZamZam by 20 June; additional 11,000 following renewed fighting in June/July.

3 UN Security Council Resolution 1591 (2005), para. 6: "...demands that the Government of Sudan, in accordance with its commitments under the 8 April 2004 N'djamena Ceasefire Agreement and the 9 November 2004 Abuja Security Protocol, immediately cease conducting offensive military flights in and over the Darfur region"; UN Security Council Resolution 1841 (2008), preambular para. 7: "demands...that there should be no aerial bombings nor the use in Darfur, by any party of the conflict, of white aircraft or aircraft with markings resembling those on United Nations aircraft".

4 PDF in Shangel Tobaya also have authority over two units posted in Um Dressaya and Shadad. There is a reserve force in Shangel Tobaya area of about 80 to 90 men who are available to join the structure if requested and upon training.

5 The term 'Mij' (from 'MiG', a manufacturer of Russian fighter aircraft) is used by civilians throughout Darfur and South Sudan to denote all of SAF's jet aircraft. Airport activity and ordnance remnants indicate that SAF's Sukhoi-25s, not MiG, are used in most Darfur airstrikes reported as 'Mij' attacks.

6 Popularly known as 'Abu Tera' (bird) police due to the flying eagle symbols on their uniforms.

7 Quote from the North Darfur Government's Enquiry Committee

8 All the reports submitted by the UN Panel of Experts on the Sudan (established pursuant to resolution 1591 of the Security Council) are available on <http://www.un.org/sc/committees/1591/reports.shtml>

9 The existence of a domestic military industry is well known, and Sudanese government officials have made repeated public statements regarding domestic military production. The website of the Sudan Military Industry Corporation ([www.mic.sd](http://www.mic.sd)) contains further statements of this kind.

10 See, in particular, paragraphs 48 to 52 of the report S/2011/111 and paragraphs 139 to 147 of the report S/2009/562.

11 As reported in UN Panel of Experts' report S/2011/111 (paragraph 58), the Chinese Government recognized that these codes are used by Chinese military corporations.

12 S/2011/111 pp.21-23

13 Information about the delivery of these combat helicopters was submitted by the Russian Federation to the United Nations Register on Conventional arms. See [http://unhq-appspub-01.un.org/UNODA/UN\\_REGISTER.nsf](http://unhq-appspub-01.un.org/UNODA/UN_REGISTER.nsf) for further reference. Paragraphs 85 to 88 of the UN Panel of Experts report S/2011/111 also provide some details on the export of these helicopters.

14 Sudan's Mi-24 helicopter gunships are all numbered 9XX; the latest, 948, was first observed in Darfur in 2010: see S/2011/111.

15 See paragraphs 81 to 83 of the UN Panel of Experts' report S/2011/111.

16 See [http://unhq-appspub-01.un.org/UNODA/UN\\_REGISTER.nsf](http://unhq-appspub-01.un.org/UNODA/UN_REGISTER.nsf) for the relevant years.

17 Reports of the UN Panel of Experts on the Sudan 2006-10 (S/2006/65, S/2006/260, S/2007/584, S/2008/647, S/2009/562, S/2011/111). See also Amnesty International, Sudan: Arming the Perpetrators of Grave Abuses in Darfur, November 2004 (AI Index: AFR 54/139/2004); Amnesty International, Sudan: Arms continuing to fuel serious human rights violations in Darfur, May 2007 (AI Index: AFR 54/019/2007); Amnesty International, Blood at the Crossroads: Making the Case for a Global Arms Trade Treaty, October 2008 (AI Index: ACT 30/011/2008), chapter 10.

18 According to the United Nations Register on Conventional Arms, it appears that Belarus delivered 22 BTR-70s (two in 2007 and ten in 2004), 7 BTR-80s (in 2004) and 22 BRDM-type vehicles in 2004. Similarly, Ukraine submitted to the UN Register information about the delivery of two BTR-3s in 2010, while the Russian Federation exported 45 armoured combat vehicles (unspecified type) in 2010. See [http://unhq-appspub-01.un.org/UNODA/UN\\_REGISTER.nsf](http://unhq-appspub-01.un.org/UNODA/UN_REGISTER.nsf)

19 For details of previous weapons supplies to Darfuri armed opposition groups via Chad, see Amnesty International, Blood at the Crossroads: Making the Case for a Global Arms Trade Treaty, October 2008 (AI Index: ACT 30/011/2008), chapter 10



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