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Sudan: Crisis Conditions in Southern Kordofan

The Sudanese government forces are conducting indiscriminate bombings and abuses against civilians in the Nuba Mountains area of Southern Kordofan, Human Rights Watch said today. Such attacks may amount to war crimes and crimes against humanity, and are creating a humanitarian crisis, exacerbated by the government’s denial of access to humanitarian agencies outside government-controlled towns, Human Rights Watch said.

Human Rights Watch researchers went to the region in mid-April 2012 and interviewed victims and witnesses in three areas. They consistently described almost-daily aerial bombardment by government forces, the destruction of grain and water sources that are critical to their survival, arbitrary detentions, and sexual violence against women.

“Civilians in Southern Kordofan have endured 11 months of terror,” said [Leslie Lefkow](#), deputy Africa director at Human Rights Watch, who took part in the research mission to the area in mid-April. “Children have been maimed, women have been raped, and many people have no idea whether family members detained by Sudanese government forces are dead or alive.”

Sudan Armed Forces (SAF) and the Sudan People’s Liberation Army-North (SPLA-N) are locked in an armed conflict in Southern Kordofan state and neighboring Blue Nile state, both of which lie north of the border with South Sudan, which gained independence in July 2011. Communities in both states were aligned with the southern rebels during

Sudan's 22-year civil war.

The Sudanese government forces' actions are serious violations of international humanitarian law, Human Rights Watch said. The government should immediately halt indiscriminate attacks in civilian areas, rein in abusive forces, and release civilians captured and now arbitrarily detained by its forces.

On May 2, the United Nations Security Council passed a resolution condemning recent cross-border violence between Sudan and South Sudan, but failed to condemn Sudan's indiscriminate bombing inside its own territory in areas such as Southern Kordofan. The UN Security Council and the African Union should unequivocally condemn these attacks, insist that Khartoum free all civilians unlawfully detained and facilitate access for aid agencies, Human Rights Watch said.

The civilian deaths and injuries from aerial bombing investigated by Human Rights Watch occurred mostly in civilian areas, where witnesses indicated that there was no apparent military target or presence of rebel fighters at the time the attacks occurred.

In recent weeks, fighting between Sudanese and South Sudanese forces in the oil-producing area of Heglig has overshadowed the ongoing crisis in Southern Kordofan, where conflict between the Sudanese government and remnants of the Sudan People's Liberation Army first erupted in June 2011, and in Blue Nile, where the conflict spread in September 2011. [Human Rights Watch also visited Blue Nile State](#) in April.

Human Rights Watch's most recent research in Southern Kordofan builds on research in the region in [August 2011](#). The April visits were to El Buram, Um Durein, and Heiban, three localities where the government bombing and humanitarian needs are severe. Human Rights Watch visited some areas that were particularly hard hit by fighting in December and February such as the towns of El Taice and Troji, where government soldiers destroyed boreholes and other sources of water and destroyed grain supplies as they withdrew.

Human Rights Watch found that Sudan's bombing campaign across the Nuba Mountains has killed and injured scores of civilians over the past 11 months. In one such attack, a bomb from an Antonov plane hit Halima Kafi's home in El Taice, in El Buram, in March. Her brother was inside. "The bomb fell on the house, and we couldn't find a single piece of my brother," she said. Her 9-year-old daughter, Asia, also died immediately. Her 8-year-old son Khamis lost an arm; and 14-year-old Nafisa had shrapnel wounds all over her body.

Thousands of Nuba civilians are hiding from bombs, shelling, and missiles in mountain caves, afraid to return home. Many displaced people interviewed by Human Rights Watch said their homes had been destroyed by the bombing and fighting, and they had lost all of their belongings, including cattle and other livestock looted by government soldiers. The fear of being hit by aerial bombardment prevents civilians from going about their normal lives, including preparing fields for cultivation.

The loss of last year's harvest, coupled with the Sudanese government's refusal to allow humanitarian assistance into the Nuba Mountains, has created severe food shortages and prompted many civilians to flee the area.

More than 350,000 people are estimated to be internally displaced within Southern Kordofan, according to Sudanese civil society and humanitarian groups. At least 25,000 have fled to refugee settlements in South Sudan. According to the United Nations refugee agency (UNHCR), an average of over 200 refugees arrived in the Yida refugee camp daily during April, and there has been a marked increase in cases of malnutrition among recent refugee arrivals.

The Sudan government has permitted UN staff to go to Kadugli, in Southern Kordofan, and Damazin and Roseiris in Blue Nile, but has blocked humanitarian aid to the most severely affected areas and rebel-held areas in both states since the conflict began.

The laws of war require all parties to the conflict, including the Sudanese authorities, to allow and facilitate rapid and unimpeded passage of impartial humanitarian assistance for civilians in need. Although the Sudanese authorities have a right to control the delivery of aid, they may not arbitrarily deny access to humanitarian agencies and must allow access to humanitarian organizations that provide relief on an impartial and non-discriminatory basis if the survival of the population is threatened.

Human Rights Watch has repeatedly called on the [United Nations](#) and African Union to demand an end to indiscriminate bombing in civilian areas and humanitarian access to populations in need in both [Southern Kordofan](#) and neighboring [Blue Nile State](#), and to authorize an independent investigation into serious crimes against civilians in both states.

"Khartoum's indiscriminate bombing campaign, destruction of water resources and grain supplies, and steadfast denial of access for humanitarian assistance appears designed to starve civilians in the Nuba Mountains," Lefkow said. "The suspected presence of rebels in the region in no way justifies brutally killing and starving its people, and destroying their homes and livelihoods."

Details of attacks on civilians and on their means to survival, arbitrary detentions, and other abuses follow.

Indiscriminate Bombardment

Since early June 2011, the Sudan Armed Forces (SAF) has continuously carried out indiscriminate airstrikes on civilian areas in the Nuba Mountains, killing scores of civilians and wounding many more, Human Rights Watch said.

Human Rights Watch investigated airstrikes in El Buram, Um Durein, and Heiban localities. Witness accounts and physical evidence seen by Human Rights Watch, including bomb fragments, unexploded ordnance, and craters, indicate that the government forces have dropped bombs from Antonov planes, fired missiles from fighter jets, shelled, and launched rockets into civilian areas.

People have been killed or wounded in their own homes, while trying to keep safe in mountain caves, and while grazing cattle. All civilians interviewed by Human Rights Watch said they had a friend, neighbor, or family member who had died as a result of bombing, or had been injured themselves. Medical staff at a hospital near Kauda told Human Rights Watch that almost all of the close to 100 people they have treated for injuries from bombings over the past 11 months have been civilians.

Human Rights Watch visited a home outside of Um Sirdiba, Um Durein locality, where five members of a single family died when shells hit their home and set it ablaze the night of February 17. There were no apparent military targets in the vicinity. Four sisters who were sleeping in one room burned to death. Their father, Samuel Delami, died soon afterward.

Halima Tiya Turkan, from the town of Ongolo in El Buram locality, was going to bury her brother, who had been killed by a bomb, when she heard the sound of an Antonov plane. She hid in a cave with her daughter, Asha. A bomb exploded at its entrance and bomb fragments flew inside, wounding the mother in the abdomen. "I didn't know whether I would live or not," she said. She was brought to a hospital on February 18, and was still recovering in April.

Early one morning in March, 16-year-old Daniel Omar milked his uncle's cows and took them to graze not far from their house in El Dar, El Buram locality. He heard the sound of an Antonov plane and lay down on the ground. A bomb landed 10 meters away, immediately cutting off one of his arms. The other was badly injured and was later amputated. "I still have pain in my wounds," he told Human Rights Watch researchers.

Around 10 a.m. on April 11, a 10-year-old boy, Kalo Sama, was playing with two other boys near mango trees in a field near Kauda. An Antonov dropped a bomb nearby, and fragments hit him in the left side of his head. His mother told Human Rights Watch that her son was so severely wounded that she did not recognize him when she found him in a hospital. His head is still bandaged and he has difficulty moving the left side of his body.

Churches, hospitals, and schools have also been damaged. Human Rights Watch visited a church in Alganaya, El Buram locality, that was destroyed by a bomb dropped by an Antonov plane on January 13. A home nearby was damaged by a second bomb the same day. A pastor from Um Durein told Human Rights Watch that a church there had been bombed, injuring a 15-year-old boy.

The hospital in the town of Buram was visibly damaged by bomb fragments. Sudanese human rights monitors also told Human Rights Watch that bombing or shelling had damaged a church in Darea, Dalami locality on December 31; a bible school in the town of Heiban on February 1; a clinic in Kurchi, Um Durein locality, on February 6; and a primary school in Um Sirdiba on February 17.

Many civilians told Human Rights Watch that while they had endured near-daily bombing in previous months, the intensity of the bombing diminished in the first two weeks of April while the fighting was taking place between the Sudan and South Sudan armed forces in Heglig.

Human Rights Watch has stated repeatedly that the armed forces' bombing methods, rolling out unguided munitions manually from Antonov planes, is inherently indiscriminate as attacks cannot be directed accurately at a military objective.

International humanitarian law prohibits attacks that do not or cannot discriminate between civilian and military objects. Attacks that may be expected to cause civilian harm disproportionate to the direct and concrete anticipated military gain are also prohibited. The Sudanese military and the SPLA-North, the armed opposition group operating in the Nuba mountains, are obliged to take all feasible precautions to minimize harm to the civilian population.

Arbitrary Arrest and Detention

People in El Taice and Troji interviewed by Human Rights Watch said that Sudanese government soldiers, while in control of some areas, arbitrarily detained hundreds of men, women, and children, and then forced them to leave with the troops when they withdrew to government-controlled towns like Kadugli. The whereabouts of hundreds of

civilians are unknown.

Eight witnesses from El Taice told Human Rights Watch that in early 2012, the SAF captured an estimated 400 to 500 civilians. El Taice, which is near Kadugli, has changed hands several times over the past 11 months, and was controlled by government forces for brief periods. Human Rights Watch researchers visited the town in late April.

Fatiya Kuchi was hiding in the mountains above the town and saw soldiers climbing into the hills, taking people by force and loading them into vehicles when the government forces left, apparently for Kadugli. “My mother was taken by SAF with four of my children. My first-born is a girl and she was pregnant. I don’t know if she is dead or alive,” she said. Hanan Kafi Rahal, also from El Taice, estimated seeing 10 large trucks filled with people.

Six civilians from Troji described a similar pattern of forced detentions and subsequent disappearances. Men, women, and children fled up into the mountains when government forces captured Troji in December. Scores of people were detained while trying to gather remnants of the destroyed harvest from their fields or while going to fetch water, or were forcibly removed from places they had taken refuge in the mountains.

Boutros Kuku Jahabiya, a farmer, said, “We were in the mountains and saw that many people were captured. Sometimes SAF would attack the mountains with guns and then when people ran down, SAF would capture them. Also, those in the mountains would get hungry and the only way for them to get food was to go down from the mountains. When they went down, SAF would also capture them.” He named 11 people he believed were taken by government forces and estimated that more than 200 had been captured by the government troops.

People interviewed said they thought these civilians were taken to Kadugli or Kharasana, another town controlled by government forces.

Arbitrary arrests, enforced disappearances, the taking of civilian hostages, and extrajudicial killings are all strictly prohibited under international human rights and humanitarian law, and may constitute crimes against humanity and war crimes. Both the government and rebel forces are prohibited from ordering the displacement of civilians for reasons related to the conflict unless the security of the civilians or imperative military reasons so demand. Ordering the forced displacement of civilians for reasons related to the conflict, in other circumstances, is a war crime.

Sexual Violence

Human Rights Watch interviewed victims and several witnesses of sexual violence carried out by government soldiers in El Taice.

A 22-year-old woman from El Taice reported that she was taken by Sudanese forces into a trench the troops had dug. “One threatened me with a gun and the other raped me,” she said.

A mother of seven watched from a hiding place in the mountains as soldiers raped local women. “There were many ladies,” she said. “Some were injured. Some were killed and buried.”

Government soldiers raped the mother, aunt, and sister of a young woman from El Taice: “I saw my aunt being raped. We were in the mountain together, and they came and took her. She was raped near the mountain...afterward they took her to Kadugli.” The young woman’s mother told her that she had been raped by 11 soldiers. “When my mother came home, she could not even sit down.”

Human Rights Watch previously [documented reports of rape in Kadugli and Heiban](#). Several people also spoke of rape by government soldiers or allied militia in Dalami, Troji, and Dammam, but Human Rights Watch has been unable to confirm specific incidents or interview witnesses from those incidents.

Denial of Access to Essentials of Life

The actions of the Sudanese government, including the destruction of towns across the Nuba Mountains and ongoing indiscriminate bombing, have resulted in a worsening humanitarian situation. Civilians, many of them displaced from their homes and living in mountain caves, urgently need food aid, access to potable water, and healthcare. The government, however, is continuing to restrict humanitarian aid.

Communities in the Nuba Mountains rely heavily on their own agricultural production, planting crops in June and July and beginning to harvest in November. Due to indiscriminate attacks and bombing, many families were unable to cultivate their land in 2011. Many people interviewed said they still are too terrified by the continuing bombing to spend days outside in open fields, or are unable to reach farms located some distance from their homes.

People in Troji told Human Rights Watch that in December, SAF soldiers set fire to stores of grain and to fields, destroyed grinding mills, and looted cattle. Troji was under SPLA-North control from June through the end of 2011, allowing some citizens time to plant crops. But the government attack coincided with the annual harvest. A traditional leader

in Troji said that when Sudanese forces came in December, “they drove with tanks and vehicles over our fields and burned the piles of sorghum that had already been cut and heaped together. They put gas on them.”

Human Rights Watch also heard allegations that government forces intentionally destroyed boreholes and water pumps, limiting access to potable water for some communities. Researchers saw physical evidence of this in El Taice, where a borehole pump in the middle of town appeared to have been intentionally unearthed and hand pumps had been dismantled. Civilians in Troji said that none of the boreholes are functional, and as a result, they drink well water, which is visibly discolored. One man in Troji told Human Rights Watch: “Before SAF left, they destroyed all boreholes, so we are just drinking water from the wells. This water is dirty, and sometimes causes sicknesses. There were six boreholes in this area, and all were destroyed.”

People interviewed said it was particularly hard for them to get food and water when their towns were under government control. In El Taice and Troji, civilians described hiding in the mountains from government forces. Some of those who ventured down to gather grain or to fetch something to drink were either captured or killed.

The inability to cultivate, the destruction of crops, and restrictions of movement mean that civilians increasingly face serious hunger and risk starvation. Many people said they have been eating leaves, nuts, and wild fruit for months. Sorghum, the staple food, is completely unavailable in some markets, or is extremely expensive. The price of a malwa [about 3.5 kg] of sorghum has apparently risen from 2 or 3 Sudanese pounds to 15 pounds in Kauda. Human Rights Watch heard multiple reports that some people, particularly the elderly and children, have died of hunger or disease, but was unable to confirm the allegations.

Saleh Tiran Talha, 32, told Human Rights Watch that his 2-year-old son and father both died of illness in a cave around Buram town last November. He was unable to find medicine for his son, and was forced to abandon the body of his father when Antonovs flew over as he was going to bury him.

Zahra Jadain, living in mountains around El Taice, said: “My mother is there in the caves. She is sick and cannot walk. There is no hospital to take her to. I don’t have anything I can do with her. She is complaining of back pain because of running so much and carrying things on her head.”

International humanitarian law prohibits parties to an armed conflict from destroying objects indispensable to the survival of civilian populations and deliberately causing a

population to suffer from hunger.

For the past 11 months, the Sudanese government has restricted humanitarian access to Southern Kordofan. The laws of war require all parties to the conflict, including the Sudanese authorities, to allow and facilitate rapid and unimpeded passage of impartial humanitarian relief for civilians in need.

International Response

The international response to ongoing violence and human rights violations in the two states has been muted, said Human Rights Watch.

While the UN Security Council's May 2 resolution urged the two parties to the conflict to permit humanitarian access to the population in Sudan and South Sudan affected by the cross-border violence, it stopped short of condemning indiscriminate bombing of civilian populations in Southern Kordofan and Blue Nile or calling for an investigation into abuses there.

In February, the African Union, the United Nations, and the League of Arab States proposed a tri-partite agreement to permit humanitarian access to the affected populations in Southern Kordofan and Blue Nile, but the Sudan government has refused to accept this proposal.

An August 2011 report by the Office of the High Commissioner for Human Rights (OHCHR) recommended an independent, thorough, and objective inquiry into alleged violations of international human rights and humanitarian law in Southern Kordofan, with a view of holding those responsible to account. Human Rights Watch has also called for an independent investigation into abuses in both [Southern Kordofan](#) and [Blue Nile](#).

President Omar al-Bashir of Sudan is wanted by the International Criminal Court (ICC) on charges of war crimes, crimes against humanity, and genocide in Darfur. In December, the ICC prosecutor requested an arrest warrant for Sudan's defense minister, Abduraheem Hussein, for his involvement in the same conflict. Ahmed Haroun, the current governor of Southern Kordofan, is also wanted on charges of war crimes and crimes against humanity committed in Darfur.

Impunity for crimes in Darfur has allowed Sudan to continue committing grave abuses against its own citizens in Darfur and elsewhere, Human Rights Watch said.

Background

The outbreak of fighting in Southern Kordofan followed weeks of growing tensions

between the northern Sudan ruling National Congress Party (NCP) and the Sudan People's Liberation Movement (SPLM) over disputed state gubernatorial elections and security arrangements in the 2005 Comprehensive Peace Agreement (CPA), which ended the long-running civil war. The election results indicated that Haroun narrowly won the governorship.

Conflict spread in early September to Blue Nile state, where tensions between the two political parties had risen amid delays in carrying out the popular consultations called for in the peace agreement.