

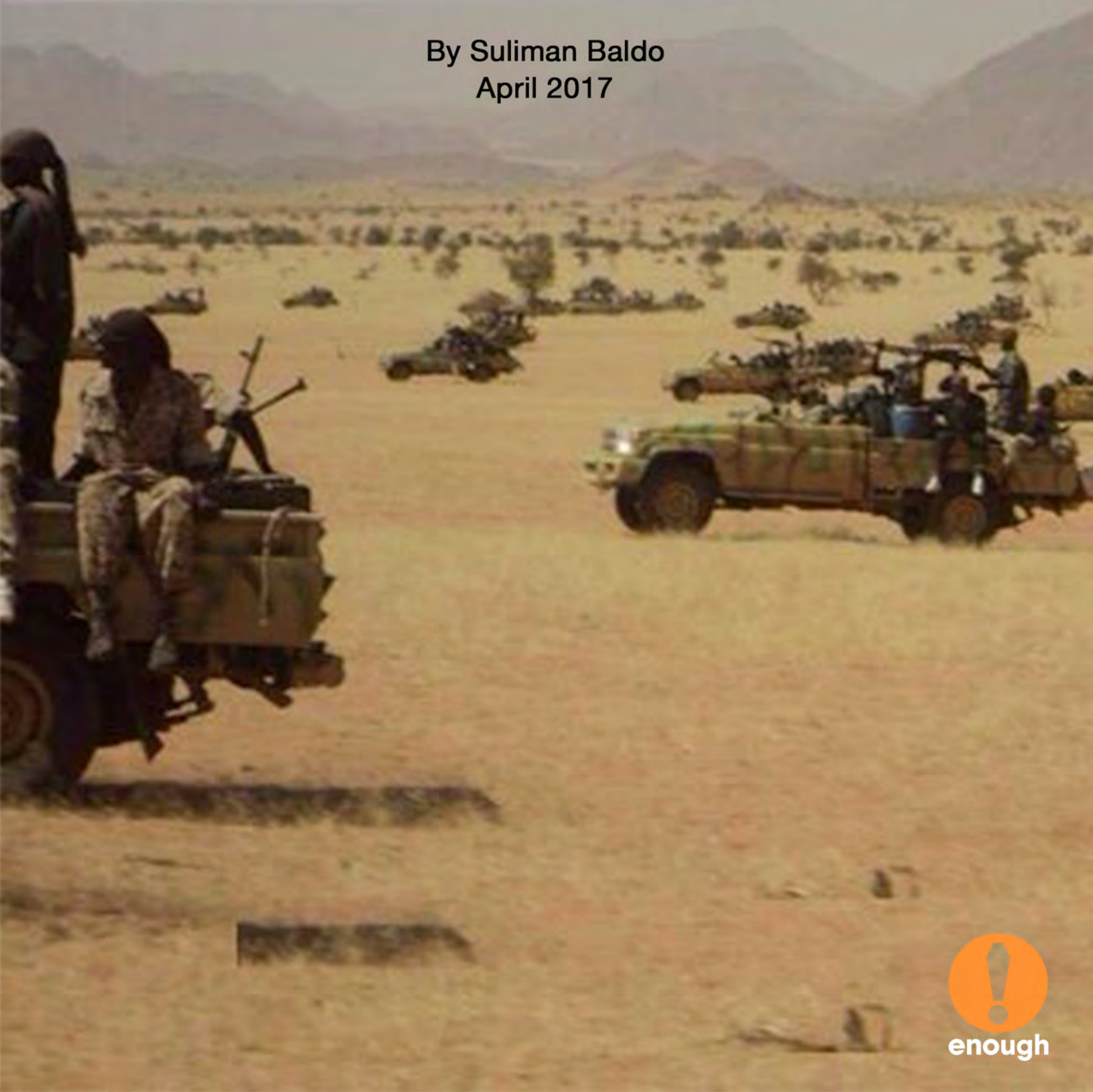
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Border Control from Hell

How the EU's migration partnership legitimizes
Sudan's "militia state"

By Suliman Baldo
April 2017





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The project to end genocide and crimes against humanity

Cover photo: RSF troops in their armed vehicles
East Jebel Marra, January 2, 2015.
Photo: Sudan Armed Forces

Border Control from Hell

How the EU's migration partnership legitimizes Sudan's "militia state"

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Executive summary

Large-scale migration to Europe has precipitated a paradigm shift in relations between the European Union (EU) and the government of Sudan, and closer ties between both entities. This new partnership has resulted in the EU disbursing millions of euros to the Sudanese government for technical equipment and training efforts geared toward stopping the flow to Europe of migrants from Sudan and those from Eritrea, Ethiopia, Somalia, and other countries in sub-Saharan Africa who come through Sudan.

The EU's action plan will involve building the capacities of Sudan's security and law enforcement agencies, including a paramilitary group known as the Rapid Support Forces (RSF), which has been branded as Sudan's primary "border force." The EU will assist the RSF and other relevant agencies with the construction of two camps with detention facilities for migrants. The EU will also equip these Sudanese border forces with cameras, scanners, and electronic servers for registering refugees.¹

There are legitimate concerns with these plans. Much of the EU-funded training and equipment is dual-use. The equipment that enables identification and registration of migrants will also reinforce the surveillance capabilities of a Sudanese government that has violently suppressed Sudanese citizens for the past 28 years.²

Sudan's strategy for stopping migrant flows on behalf of Europe involves a ruthless crackdown by the RSF on migrants within Sudan. Dogged by persistent armed uprisings led by opponents protesting chronic inequalities in the distribution of national wealth and political power in its periphery regions, the Sudanese government has always relied on a plethora of militia groups to counter insurgencies. The RSF is one of these militia groups. It evolved from the disparate Janjaweed militias that carried out the genocidal counterinsurgency policy of the Sudanese regime in Darfur that began in 2003. However, in its functions and evolution, the RSF differs significantly from other militia groups employed by the government.

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The RSF first evolved from a strike force deployed against insurgents in Darfur into a national counterinsurgency force under the operational command of Sudan's National Intelligence and Security Services (NISS) that was tasked with fighting the Sudan People's Liberation Movement/Army-North (SPLM/A-N) in South Kordofan and Blue Nile states. Then, in September 2013, the RSF was deployed against peaceful demonstrators who were protesting the Sudanese government's removal of subsidies on basic commodities. More than 170 people were killed in September 2013,³ in incidents that unmasked the Sudanese regime's dependence on the militia to quell political dissent and marked a new evolution in the role of the RSF.

Starting in 2015 and 2016, and convinced of the RSF's effectiveness as a counterinsurgency force, the regime designated the RSF as Sudan's primary force tasked with patrolling Sudanese borders to interdict migrants' movement. The Sudanese government made this designation within the framework of its partnership with the EU for the control of migration. As such, the RSF is positioned to receive EU funds for reducing the flows of migrants from Sudan to Europe. The Sudanese government enacted a law in January 2017 that integrated the RSF into the Sudan Armed Forces (SAF, national army). The 2017 law (conflictually) made the RSF autonomous, integrated into the army, and under the command of President Omar al-Bashir (see below).

The EU and the EU member states that are most engaged with Sudan in the actual programmatic partnership on migration flows should scrutinize the record and conduct of the RSF as the partnership unfolds. By "building the capacity" of Sudan's newly minted border force with funding and training, the EU would not only be strengthening the hand of the RSF but also could find itself underwriting a complex system of a "militia state"⁴ that Sudan has evolved into since the current regime came to power in 1989. In so doing, the EU contradicts and undermines the overriding objectives of its own founding treaty. EU members cannot advance peace, security, and human rights and they cannot stem irregular migration from Sudan and the Horn of Africa by directly funding a government that deploys a militia group that stokes violent conflict, commits atrocities, and creates massive displacement of populations within Sudan.

The remainder of this paper synthesizes public information about the RSF's activities and argues how EU support for this group could ultimately worsen irregular migration to Europe, escalate violent conflict within Sudan and the Horn of Africa, and embolden a regime and militia force that acts with impunity and now faces even fewer checks on its criminal behavior. This paper aims to highlight the latest developments from Sudan and examine the record of earlier engagements of the RSF, lest one or all of Sudan's EU partners claim, at a later date, that they were unaware of the perverse incentives at play.

Introduction

The relations between the European Union as a whole and individual countries outside the EU, including Sudan, are governed by the provisions of the EU's external action, set forth in the 1992 Treaty on European Union. These provisions enshrine the principles of "democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law."⁵

In 2011, the EU adopted a strategic framework to guide its engagement with the Horn of Africa, stating that the EU would "work with the countries of the region and with international organizations (especially the United Nations and African Union) to resolve current conflicts, particularly in Somalia and Sudan, and avoid future potential conflicts between or within countries."⁶ Adopted formally in

October 2015, the EU Horn of Africa Regional Action Plan emphasized the objectives of the 2011 strategic framework and added migration and radicalization as two new priority areas for the EU's focus in the region. The 2015 action plan acknowledged that Sudan's conflicts were among those in the region that were leading to "substantial numbers of refugees and Internally Displaced Persons (IDPs)."⁷

The EU has held high human rights and governance standards in its partnership protocols with developing countries. The 2000 Cotonou Agreement, which entered into force in 2003 and was signed by the EU and the African, Caribbean, and Pacific (ACP) Group of Countries, held "good governance" as an essential element for development cooperation between the EU and the other signatories. Governance failure, the agreement stipulates, could lead to the suspension of EU development aid to the defaulting country. The signatories also agreed that serious corruption could lead to similar consequences. The Cotonou Agreement also contains strong clauses requiring signatories to promote justice and fight against impunity for international crimes, including through the International Criminal Court (ICC). Specifically, article 11.7 of the agreement obligates member states to "share experience in the adoption of legal adjustments required to allow for the ratification and implementation of the Rome Statute of the International Criminal Court; and fight against international crime in accordance with international law, giving due regard to the Rome Statute."⁸ After the ICC indicted Sudanese President Omar al-Bashir and issued his first arrest warrant in March 2009 for genocide, crimes against humanity, and war crimes committed in Darfur by forces under his command, Sudan formally withdrew from the Cotonou Agreement, citing the stipulation requiring member states to work toward ratifying and implementing the Rome Statute.⁹ While Sudan is no longer bound by the good governance and human rights standards of the Cotonou Agreement, the agreement still provides a

framework that governs EU cooperation with developing countries, and it is still EU policy that Sudan should follow such principles.

Between 2014 and 2016, the European Union consolidated its cooperation with the government of Sudan to stem the flow of migrants to Europe.

These policy standards and governance principles notwithstanding, between 2014 and 2016, the European Union consolidated its cooperation with the government of Sudan to stem the flow of migrants to Europe. A key part of this cooperation is the Khartoum Process, an agreement signed in 2014 that supports enhanced cooperation between countries in northern and eastern Africa, including the Horn of Africa, and the European Union on migration and mobility of migrants. Specifically, the Khartoum Process aims to

establish a framework for continuous dialogue and implementation of concrete plans to tackle human trafficking in countries of origin, transit, and destination.¹⁰ The plan emphasizes support for national measures to reduce migration, including by targeting human trafficking and smuggling.¹¹

This cooperation was enhanced further in April 2016 when the EU announced a development aid package worth 100 million euros for Sudan,¹² as part of several interventions, which include confronting the root causes of instability, irregular migration, and displacement in eastern Sudan, Darfur, and South Kordofan, and Blue Nile states. The 100 million euros were, in fact, a continuation of previous support for vulnerable populations in conflict-affected areas, and the funds are allocated to health, education, food security, etc. The new funds, which support livelihood opportunities in Sudan, were repackaged as part of a new policy on preventing irregular migration. The EU gave Sudan 15 million euros, ostensibly to upgrade the living conditions of both refugees and host communities in eastern Sudan and Khartoum, and also "to strengthen the capacity of local authorities."¹³ Furthermore, through the EU Trust Fund for Africa, Sudan was allocated 40 million euros under the

controversial Better Migration Management program, which is intended to strengthen national capacities of regional governments in the Horn of Africa to control their borders and to improve migration management.¹⁴ Of these 40 million euros, the 5 million allocated to the judiciary and law enforcement stand out as the EU funds that are most at risk for going to the RSF.

Sudan is surrounded by countries experiencing economic challenges, conflict, and political repression in the Horn of Africa and in central Africa. Sudan is therefore a major transit country for migrants from Eritrea, Ethiopia, and Somalia who are fleeing hardship in their home countries and seeking better opportunities in Europe.

Sudan's long and porous borders with its neighbors to the east and south, coupled with lax border controls, have enabled huge numbers of migrants to cross international borders. State collapse in Libya has enabled thousands of migrants to enter from Sudan without proper checks at border entry points. These migrants then embark on perilous journeys to Europe across the Mediterranean Sea. As of mid-2016 the United Nations had reportedly estimated that some four million people were moving through the region, with people coming from Somalia, Eritrea, the Democratic Republic of Congo, and the Central African Republic toward Khartoum, then moving toward Libya and across the Mediterranean Sea into Europe.¹⁵ Sudan also hosts almost 333,000¹⁶ refugees from South Sudan that have arrived since conflict erupted in South Sudan in December 2013. Sudan also hosts approximately 100,000 Syrian refugees.¹⁷ Poor management of porous borders means that the flows of migrants to Europe could continue unabated. The EU is therefore interested in working with Sudan to curtail further flows of migrants into continental Europe.

The influx of hundreds of thousands of migrants into Europe in 2014 and 2015¹⁸ has posed major challenges to EU governments. For years, migrants travelled from central and northern Sudan to Libyan and Egyptian ports, hoping to cross over into southern Europe. As of mid-December 2016, more than 173,500 and as many as 181,126 migrants (an increase of 27,000 to 29,000 from 2015) had traveled the "central Mediterranean route" to Italy.¹⁹ A similar number of migrants—182,534 by one count—had moved through the "eastern Mediterranean route" toward Turkey and Greece in 2016, a



Area for new displaced people in Kalma camp for Internally Displaced Persons, South Darfur. March 9, 2014.
Photo: Albert Gonzalez Farran/UNAMID

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decrease from the 885,386 from 2015.²⁰ In 2016, some 4,200 migrants are believed to have drowned on the central Mediterranean route alone. The number of people who have perished in Africa, en route to the Mediterranean Sea and before crossing it, is unknown.²¹

Trafficking in migrants has proven lucrative enough that those charged with stopping it ultimately facilitate it, profit from it, or turn a blind eye to the migrant flows, as many reports have documented.²² According to a 2014 Human Rights Watch report, Sudanese and Egyptian border control agents and military collude with human traffickers to extort money from the migrants.²³

Despite documentation to the contrary,²⁴ Sudanese officials maintain that Sudan is only a transit country for migrants from neighboring areas.²⁵ This assertion ignores the fact that decades of civil war, economic mismanagement, and official corruption in Sudan²⁶ have forced a generation of Sudanese youth into dire circumstances²⁷ that are similar to those of the migrants from the neighboring countries, including those in the Horn of Africa.

The EU's cooperation with Sudan on migration issues is potentially fraught with several concerns, most notably the fact that the country is effectively a dictatorship rife with human rights abuses.

But the EU's cooperation with Sudan on migration issues is potentially fraught with several concerns, most notably the fact that the country is effectively a dictatorship rife with human rights abuses and the stifling of democratic pluralism. In a document outlining how the 40 million euros allocated under the EU Trust Fund for Africa will be used, EU officials showed that they were well aware of the concerns of disbursing financial support to oppressive regimes that partnered with it to address irregular

migration. One of the main concerns, the document stated, was the "provision of equipment and trainings to sensitive national authorities (such as security services or border management) diverted for repressive aims; criticism by NGOs and civil society for engaging with repressive governments on migration (particularly in Eritrea and Sudan)."²⁸

The EU had tried to keep confidential the details of the proposed actions outlined in the document. However these plans leaked to the media,²⁹ prompting a barrage of criticism and warnings³⁰ from the press, human rights groups, and communities in repressive states in the Horn of Africa.

The EU's New Partner: RSF's Evolution from Janjaweed Militia to Guardians of the Regime

The gravest concern about the EU's new partnership with Sudan is that the Rapid Support Forces (RSF), one of the most abusive paramilitary groups in the country, stands to benefit from EU funding.

The force that is now known as the RSF is composed of fighters who were originally part of the Janjaweed militias that committed the atrocity crimes that displaced more than 2.5 million Darfuris in 2003 and 2004. To date, the Darfuris who have been attacked live in precarious conditions and many remain in various camps for internally displaced people within Darfur.

As the government of Sudan came under increasing international pressure in 2004 and 2005 to dismantle the Janjaweed and halt the deadly attacks against Darfuri civilians, the government integrated several of the most abusive Janjaweed groups under the formal command structure of the Sudan Armed Forces (SAF) as early as 2003, in the Border Guards corps. The integration was meant to confuse the international community by creating numerous paramilitary groups under multiple names

while allowing the SAF to pursue its scorched earth policy and collective punishment strategy targeting for punishment and forced displacement entire communities suspected of supporting rebels. Over time, and as the SAF control over these paramilitary forces loosened, competing integrated paramilitary groups, while still under the formal command of the SAF, frequently attacked civilians with total impunity and engaged in armed robberies and in deadly inter-tribal conflicts that further worsened the security conditions for Darfur.³¹

The formal creation of the RSF in 2013 was rooted in a fallout between the Sudanese government and Musa Hilal, a former Janjaweed—and subsequently Border Guard—commander. Hilal was a key orchestrator of the atrocities in Darfur in 2003 and 2004.³² In 2012, Hilal started challenging government authority in Darfur. To counter his criticism and growing military influence, the Sudanese government carved the RSF out from the Border Guards, and appointed as its commander the second-most prominent Border Guard leader, Mohammed Hamdan Dagolo, also known as “Hemmeti.”

The appointment stopped an estimated initial contingent of 4,000 to 5,000 militia fighters who were loyal to Hemmeti from joining Hilal.³³ “Most importantly,” one analysis notes, “from the perspective of GoS’ ruthless divide to rule policies, the move succeeded in building a strong rival militia commander to Hilal as it exploited the historic rivalries between the Mahariya clan of the same camel-herding North Darfur Rizeigat tribe as Hilal’s Mahameed clan.”³⁴

Since its formal establishment as a government-recognized national paramilitary entity in 2013, the RSF has consistently committed war crimes and other atrocity crimes in Sudan’s conflict areas of Darfur, Blue Nile, and South Kordofan as documented in numerous U.N. reports and other accounts by local and international human rights organizations.³⁵ The RSF’s criminal conduct drew much local and international condemnation and exposed the unconstitutionality of the force’s affiliation with Sudan’s National Intelligence and Security Services (NISS). NISS, under Sudan’s constitution, had a mandate that was limited to information-gathering, analysis, and the formulation of policy recommendations for decision-makers.

Since its formal establishment as a government-recognized national paramilitary entity in 2013, the RSF has consistently committed war crimes and other atrocity crimes in Sudan’s conflict areas.

To deflect the rising chorus of criticism against the RSF, Sudan’s Parliament legalized what had been unconstitutional and controversial by adopting far-reaching constitutional amendments in January 2015.³⁶ These amendments granted the NISS, and by extension also the RSF, the status of a regular force, responsible for fighting internal and external threats to the regime. The amendments maintained the operational command of the RSF by the NISS, but placed the RSF under the direct control of President Omar al-Bashir. These changes appear to indicate that the president may want to rely on the RSF as his primary protection force in case of political or military challenges to his rule.

The latest phase in the RSF’s rise to prominence is the adoption in early January 2017 by the Parliament of the Rapid Support Forces Act, integrating the militia into the Sudan Armed Forces (SAF) but also providing that the commander of the force be appointed by the head of state.³⁷ Sudanese Defense Minister Gen. Awad Ibn Auf, as well as the RSF commander, Hemmeti, were both present for the parliamentary vote, with the former praising the RSF and the latter asserting that the force will remain semi-independent within the SAF.³⁸

The RSF's status became much more clear with the Sudanese Parliament's unanimous passage on December 29, 2016 of a 2017 national budget that allocates, for the first time, a significant amount of public funding for the RSF. These funds are separate and independent from those allocated to the SAF and the NISS. Prior to this, the RSF did not have any earmarked allocations in previous public budgets.

The official 2017 Sudanese government budget anticipates total revenues of 77.7 billion SDG with total expenditures of 96.2 billion SDG. These amounts are equal to \$12.5 billion and \$15.5 billion respectively, at the official rate of exchange of 6.2 SDG to the dollar. More realistically, these allocations would amount to \$4.9 billion of projected revenue against \$6.1 billion in anticipated expenses at the commercial rate of exchange of 15.8 SDG to the dollar.

The 2017 budget priorities reflect those the regime has favored since it took power in 1989. The defense and security sector gets the lion's share of public funds with a budget of 29 billion SDG (about 30 percent of the total expenditures). The "sovereignty sector" receives 5 billion SDG. Public education receives 828 million SDG, less than one percent of the national budget. Within the defense and security sector, the RSF receives for the first time an allocation of 3.2 billion SDG, while the NISS receives 4.4 billion SDG and the Ministry of Interior receives 6.3 billion SDG. A detailed analysis of the 2017 budget figures by a leading Sudanese economist established that the actual allocation for the defense and security sector, including expenditure items allocated to the sector under different chapters of the budget, would total 75 percent of the 2017 expenditures. The agricultural, industrial, public health, and public education sectors collectively receive a meager 6 percent of the 2017 expenditures.³⁹

With the volatile currency exchange rate prevailing in Sudan, it is best to compare different budgetary allocations in local currency to reflect the favor in which the RSF is held by the regime compared to other components of the security sector.⁴⁰

It is also important to note that extra budgetary allocations are a well-established practice in Sudan. Official public budget figures are in reality perhaps much higher; budget discipline is poor, and overspending is a common practice.

The Sudanese regime has certain motivation to endow the RSF with such comparatively large resources and present the RSF as the primary force enforcing border controls. The regime seeks to whitewash the RSF's deeply tarnished record of large-scale and systematic attacks on civilians that include theft and destruction of property amounting to war crimes and crimes against humanity. By integrating the RSF into the national army, subjecting the RSF to state command, and funding it with public money, the Sudanese government creates a public image that advances its interests. The Sudanese government creates the impression that the RSF's violent attacks on civilians are a thing of the past—the impulsive acts of a rogue and unaccountable force that has since been brought under the control of a government that will deploy the force responsibly to enhance security.

The RSF's criminal record notwithstanding, many of the Sudanese regime's hopes for ending its diplomatic and economic isolation are connected to the RSF. Sudanese diplomats have used the engagement with the EU as an additional argument in their campaign for the lifting of U.S. economic sanctions on Sudan. The outgoing administration of U.S. President Barack Obama partially lifted these sanctions conditionally on January 13, 2017, citing "Sudan's positive actions over the past 6 months. These actions include a marked reduction in offensive military activity, culminating in a pledge to maintain a cessation of hostilities in conflict areas in Sudan, and steps toward the improvement of

humanitarian access throughout Sudan, as well as cooperation with the United States on addressing regional conflicts and the threat of terrorism.”⁴¹ Despite these assessments, no political solution for the armed conflicts appears to be within closer reach. Humanitarian relief is not reaching people in conflict-affected areas.⁴² Altogether absent from the Obama administration’s sanctions relief announcement was any reference to the Khartoum government’s continued security crackdowns on the fundamental freedoms of its citizens. The U.S. announcement likewise made no reference to the Sudanese government’s massive levels of official corruption and ranking as one of the worst governments in the world for good governance and transparency.⁴³

Despite this background, the EU’s action plan and funding will equip Sudanese forces with the sort of dual-use equipment and training that could be used not only to counter irregular migration to Europe but also to strengthen the tools of a government and forces that violently suppress citizens.

It is important to highlight the consistent record of violations of human rights and international humanitarian law by the RSF and other units of the Sudanese military and auxiliary forces. The RSF, as one of Sudan’s leading counterinsurgency forces, has systematically attacked civilians in conflict areas as well as in urban centers.



126 huts torched in Hemeda, a town located two kilometers south of Dolma and 65 kilometers southwest of Al Fashir. Vicious ground attacks were carried out by the RSF as SAF conducted airstrikes. March 21, 2014. Photo: DigitalGlobe

An Insatiable Appetite for Rapid Political and Monetary Dividends

Close scrutiny of recent actions and statements by Sudanese government officials, RSF commanders, and other Sudanese military leaders reveal the desires, opportunistic motivations, and tactics behind the Khartoum regime's capitalization on the issue of migration and human trafficking for its political and economic gain.

The Sudanese regime saw, in the partnership with the EU, a political opportunity to use cooperation on migration as leverage to improve its image and end its international isolation. In the partnership with the EU, the al-Bashir regime sees the potential of not only improving its relations with Europe, but also of using the latter as leverage on the United States to lift sanctions imposed in the 1990s for Sudan's role in supporting international terrorism and committing human rights abuses.

In addition to these broad foreign and economic policy objectives of ending Sudan's isolation and improving the country's image, the regime also had more immediate practical military supply needs that EU funds could help it address. The regime hoped to replenish the RSF's fleet of militarized four-wheel Toyota pick-up trucks, which are highly valued vehicles in desert and savannah warfare. The shopping lists that Sudanese officials presented to EU officials visiting the country included hundreds of pickup trucks.⁴⁴

Over a period of two years, the Sudanese government skillfully deployed a number of tactics to win its bid for EU funding in the Khartoum Process and ultimately see the easing of U.S. sanctions in January 2017.

First, in its haste to earn recognition and praise from the EU in the early implementation phase of the Khartoum Process, Sudan engaged in high-visibility actions meant to demonstrate its resolve and ability to deliver on promises to stem migration. The Sudanese government deployed the RSF to secure the northern borders with Libya, launching the implementation of its commitments under the partnership to enhance border protection.⁴⁵ The Sudanese government also carried out arrests and forceful repatriations of hundreds of Eritrean migrants, a display designed to warn would-be migrants

The Sudanese regime staged a concerted campaign in the fall of 2016 to pressure the European Union into delivering more technical and monetary support than originally planned.

to Libya that they could be similarly intercepted. Although this effort was meant in part to demonstrate to the European Union the Sudanese government's ability to stem irregular migration, the migrant crackdowns by Sudanese security forces in early and late May 2016 drew sharp international criticism. The expelled Eritreans endured punishment from their government in the form of further detention in a rehabilitation camp on the border with Sudan.⁴⁶

Following this first effort to demonstrate resolve to contain migration, the Sudanese regime staged a concerted campaign in the fall of 2016 to pressure the European Union into delivering more technical and monetary support than

originally planned. This campaign, which began in September 2016, entailed a consistent messaging strategy carried out by the regime's officials who called on the EU to increase its monetary assistance beyond a level that the Sudanese government clearly viewed as frustratingly insufficient. The EU's decision to combine the 40 million euros with development funds directed through international

agencies and aid organizations working on rehabilitation projects in the country appears to have added to Khartoum's frustration.⁴⁷

When the Sudanese government's arrests and repatriations of Eritrean migrants and the messaging campaign calling for a larger sum of (less restricted) money failed to yield the desired outcome, some regime officials took a harder line, with threats and ultimatums. Instead of appealing for additional funding from the EU in diplomatic language, the RSF commander Hemmeti said in late August 2016 that the European Union should pay the funds or else his forces would leave Sudan's border open for the migrants to cross into Libya. Hemmeti even claimed that the RSF had arrested 20,000 migrants in the company of human traffickers, and confiscated the latter's vehicles. "We are hard at work on behalf of Europe in containing the migrants," Hemmeti said, "and if our valuable efforts are not well appreciated, we will (re)open the desert to migrants."⁴⁸

Al-Intibaha, a Khartoum daily newspaper, quoted Hemmeti as demanding a "ransom" from the EU for the transfer of detained migrant traffickers.⁴⁹ A state minister in the Ministry of Foreign Affairs later denied that any ransom demands were made, but reinforced the fact that Europe's funding for tackling migration was insufficient given the challenges Sudan faced.⁵⁰ Hemmeti continued to repeat his public demands for increased EU funds.⁵¹

Sudan's State Minister of Interior Babiker Ahmed Digna repeated the RSF commander's threat to leave open the Sudanese borders with Libya almost verbatim a few weeks after Hemmeti's initial statement, at a press conference held at the government-run Sudan Media Center. Digna said that Sudan's cooperation with stemming migration depended directly on the EU's delivery of aircraft and radar systems to enhance Sudan's technical capacities to monitor its borders. He claimed that he said to an unnamed British government counterpart, "Why should Sudan bear losses of elements of its forces in shootouts with human traffickers and the loss of crashed vehicles? You support us and we stop the traffic as we in Sudan are not harmed by people crossing into our country and smuggled by traffickers (into Europe)."⁵²

Other Sudanese military commanders, including the chief of staff of the land forces, and senior commanders from the national police force and the National Intelligence and Security Services (NISS) also spoke to the press, describing specific needs for their respective forces in order to effectively manage the migrant problem "on behalf of Europe."⁵³

In late August 2016, *Sudan Vision*, an English language daily newspaper, finally revealed the underlying objective of the media blitz that had lasted several weeks, noting that "Sudan has called on the international community to shoulder its full responsibilities towards the human trafficking issue which is tremendously increasing by internationally organized criminal networks. Sudan criticized the stances of some Western countries which it said are still classifying Khartoum as not cooperative despite the great efforts exerted by the Sudanese government to combat migration."⁵⁴

In October 2016, Hemmeti made headlines again when he told the official Sudan News Agency that Sudan's engagement in anti-human trafficking efforts would be conditioned on the lifting of economic sanctions. "The Rapid Support Forces is fighting to thwart traffickers and is engaged in anti-trafficking efforts, which is in the interest of the international community," Hemmeti reportedly said. "If the international community positively responded to the demands of the Sudanese people, then the RSF would be ready to decisively settle human trafficking and extremism operations."⁵⁵

Some of the boasts and threats by Sudanese leaders were likely overstated. Hemmeti's claim that the RSF had arrested 20,000 migrants contradicted the figure of 816 arrested migrants (84 Sudanese; 130

Ethiopians; 347 Eritreans; 54 Somalis; and 2 Syrians) given by the Ministry of Defense.⁵⁶ Hemmeti had also claimed that the RSF lost 150 “wagons” and recited his demands of increased financial support for his forces, presumably to help resupply or increase the RSF’s stock of military vehicles.⁵⁷ Sudanese officials also claimed that the RSF lost 25 soldiers and 315 were injured in gunfights with traffickers.⁵⁸

In messaging to the European Union, senior Sudanese government officials and representatives also falsely claimed that Sudan was “only a transit country” for migrants. Sudan is in fact a significant source, transit, and destination country for migrants.⁵⁹

Sudanese leaders obfuscate the fact that the regime’s own oppressive policies and attacks on the population have forcibly displaced millions of Sudanese people. As the European Commission has referenced in its own publications, some 5.8 million people in Sudan (15 percent of the population) need humanitarian assistance from the international community.⁶⁰ Some 3.3 million of them are in Darfur alone.⁶¹ There are as many as 3.2 million people who are internally displaced in Sudan, 2.6 million of them in Darfur and an estimated 600,000 of them in South Kordofan and Blue Nile states.⁶² Sudanese government-backed forces have heavily attacked civilians in these three areas in particular for years, creating this large-scale need and displacement within Sudan and also sending Sudanese populations over international borders in search of security and economic opportunity that is not available to them because of the Sudanese government’s policies.



Internally displaced people in Kalma camp, South Darfur, March 9, 2014.

A February 2016 literature review prepared for European Commission’s Contributing to Stability and Peace program found, “Sudanese migrants are a mixed group of refugees and asylum seekers, economic migrants and, to a lesser extent, foreign students. The majority are men aged 25–40, and they come from a wide range of socioeconomic and educational backgrounds. The majority of refugees and asylum seekers are in neighbouring countries, while somewhere in the region of 500,000 economic migrants are working in the Gulf States. There are also

smaller numbers of Sudanese migrants in Western countries, with 16,901 residence permit holders in the EU28 by the end of 2014.”⁶³ The literature review for European lawmakers also noted, “There were 5,891 Sudanese refugees in the EU in 2014. The majority of these were in the UK, France, Norway, Sweden, and Italy. In comparison there were 244,042 Sudanese refugees in South Sudan, 299,799 persons of concern of Sudanese origin in Chad, 37,113 persons of concern in Ethiopia, and 10,040 refugees in Kenya in 2015.”⁶⁴ According to UK government reports, at 2,842, the Sudanese represented the second largest number of applicants for asylum in the UK in the year ending September 2015, behind applicants from Eritrea and ahead of Iranian and Syrian applicants.⁶⁵

In another strategic messaging tactic with Europe regarding funds to address migration, Sudanese leaders consistently asserted that their government was engaged in the management of migration “to

render service to Europe.” This official line and reference to “rendering service” (in exchange for financial compensation) buttresses the Sudanese government’s justification for extracting maximum monetary returns from its increased cooperation with Europe.

The Sudan People’s Liberation Movement-North armed opposition group in South Kordofan and Blue Nile states saw in the official arguments by top Sudanese security commanders and the foreign ministry spokesmen an attempt by Khartoum to extract greater EU funding to subsidize its main counterinsurgency force, the RSF, ahead of the then-approaching 2016/17 annual dry season⁶⁶ offensive.⁶⁷ (The offensive did not take place this year, only because the United States made reduced violence a condition for the full lifting in July 2017 of U.S. sanctions on Sudan that were initially eased in January 2017.) The European Union, for its part, issued a press release, denying that any of its funding was given directly to government agencies and asserting that none went to the RSF.⁶⁸ While the EU may not directly replenish the RSF’s fleet of four-wheel drive mini-trucks that the RSF claims to have lost in encounters with migrant traffickers, the RSF could still become strengthened and emboldened with “capacity building” programs that benefit it and other law enforcement agencies under the EU aid package.

The Political Economy of Violence in Sudan’s “Militia State”

The European Union engagement with Sudan on migration should be considered in the context of Sudan’s political economy of violence and the government’s use of tribal militias.

The Sudan Armed Forces (SAF), despite its ideological purges and the weakening of discipline because of the introduction of ideological affinities in officers’ promotions, remains a traditional army that sees itself as ‘national’ and non-tribal. But for decades, successive governments in Sudan have relied on tribally-recruited militias to augment the national armed forces. These militias are “paramilitaries” and subsidiary forces, acting in parallel to the SAF with oversight and command and control from the SAF’s military intelligence department. It is a hybrid structure. The RSF formed as one such militia within this structure, and the RSF has been deployed to counter recurrent insurgencies in Sudan’s outer regions. It was hardly the first. During the 1980s and 1990s, the SAF recruited and commanded no fewer than 30 southern militias during the wars with and within the south (from 1983 to 2005).

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When the Darfur conflict broke out in western Sudan in 2003, the Sudanese government unleashed the Janjaweed militias on civilian populations who were collectively suspected of sympathizing with the Darfuri armed opposition. The Janjaweed carried out ground attacks and were often accompanied by SAF air support. Together the Janjaweed and SAF forces burned to the ground thousands of villages. The Sudanese regime again relied on militias when it reengaged militarily in 2011 with the Sudan People’s Liberation Army/Movement-North, a group that demanded greater autonomy and a share in the national wealth and political representation for the marginalized regions of South Kordofan and Blue Nile states.

Given how consistently the Sudanese government relies on tribal militias as auxiliary forces, particularly in the periphery and border regions, there are grounds to argue that Sudan is fast becoming a “militia state,” a term coined by the French scholar Roland Marchal in reference to Chad.⁶⁹ A militia state is one in which a process of de-institutionalization occurs that relegates traditional standards and regulations of hierarchy and bureaucracy to a distant background as militias take

greater roles in operations, owing their loyalty not to the state, but primarily to the barrels of their guns, which allows them to collect their pay by extortion of civilian populations and theft of civilian property.⁷⁰

This militia strategy unfolds within the context of a broader political system that the Enough Project calls “violent kleptocracy.” A violent kleptocracy, by Enough’s working definition, is a “system of state capture in which ruling networks and commercial partners hijack governing institutions for the purpose of resource extraction and for the security of the regime. Ruling networks utilize varying levels of violence to maintain power and repress dissenting voices. Terrorist organizations, militias, and rebel groups can also control territory in a similar manner.”⁷¹

Given SAF’s view of itself as a national and non-tribal force that is augmented by tribally recruited paramilitary forces that supplement the SAF’s operations, the growing influence and power of the militias and the tribes from which they come, particularly in Darfur, has alarmed some officers at the top echelons of the Sudanese army. In October 2015, Maj.-Gen. Imad Adawi, the SAF Chief of Staff of Joint Operations, publicly expressed serious concerns about the negative impact of this development on the army. “The army might turn into state pockets and lose nationalism, as has happened to the police,” he said, during a workshop at the Military Academy in Omdurman.⁷² Other officials have reportedly echoed these concerns as well. A Sudanese Federal Governance Bureau official was quoted as saying that tribalism and regionalism have “greatly impacted the work of the armed forces because of the penetration of tribalism within the armed forces.” He added, “The power of the tribe has become far greater than some might imagine, as some of the decisions have been issued to satisfy certain tribal orientations.”⁷³ The army’s concerns about the growing influence of tribes in military operations and the potential tribalization of the army echo earlier concerns expressed by police.

The much-publicized “integration” of the RSF within the SAF in January 2017 raised more questions than it answered and failed to lay to rest the genuine concerns of the SAF Chief of Staff of Joint Operations and of the Sudanese public at large. The RSF is composed of fighters predominantly from one ethnic group, yet it has been ostensibly integrated into an army composed of many other ethnic groups. There have been conflicting public messages about the RSF’s composition, armament, and command and control structure. For instance, the RSF commander, Hemmeti, made statements to the press shortly after the parliamentary vote, stressing that the RSF would remain “semi-autonomous” within the SAF, answerable only to the head of state, President al-Bashir, and not to the SAF general commander. Hemmeti noted that the RSF intended to acquire its own air and naval forces. A spokesman for the RSF, and not the SAF, revealed that the RSF numbered 30,000 fighters by the time of its “integration” in the SAF.⁷⁴ Accounts about this force size could not be verified.

The regime would appear to want to have it both ways: ease the concerns of international partners who are wary of being associated with a militia that is known for committing atrocity crimes against defenseless civilians throughout Sudan by appearing to bring that militia under the control of its regular army, while at the same time preserving the integrity of the force and allowing it to deploy freely as its commander and spokesman have indicated it will do despite its much-touted integration in the army.

EU engagement with Sudan on migration fails to account for questions and complications like these with a militia force that is and is not part of the army, has unclear command and control, and is used opportunistically within an overall system of violent kleptocracy. European governments appear to be engaging with the government of Sudan without accounting for the political economy of violence in the country and the roles played by tribal militias in this economy, into which the EU is injecting more money for a select, tribally defined group with a history of committing atrocities against civilians at

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the Sudanese government's behest. The EU funds appear to be approved for disbursing on the flawed assumption that the Sudanese regime and its agents have the desire and the technical competence to foster peace and security in Sudan and create conditions that dissuade large-scale population movements. The evidence does not support this assumption.

Both the regime and the RSF have records of attacking and killing civilians and looting civilian property in conflict areas across the country. Their engagement in extortion and other criminal behavior has eroded law and order in Darfur and extended beyond borders as evidenced by the large numbers of illegal vehicles brought into the country from neighboring Central Africa Republic, Chad and southern Libya (see more below, under "Regional looting forays"). Primarily concerned about defeating armed opposition groups in Darfur and

elsewhere, the Sudanese regime either stoked this activity directly or turned a blind eye to such conduct, enabling the RSF and other militias to enjoy total impunity for breaking domestic and international law.

In short, by tolerating the RSF as the primary implementer of better border controls in its partnership with Sudan, the EU risks underwriting not only that particular tribal militia force and its criminal conduct but also the entire system that the Sudanese regime has developed of dominating people through reliance on tribal militias.

Economic Incentives and Punishments

Tribal militias offer the SAF economical ways to wage war on insurgents who are bent on unseating ruling elites from riverine north-central Sudan. Generations of these ruling elites have long monopolized political power and the national wealth, and they have also neglected to extend basic services and economic development benefits outside of their narrow constituencies.

Economic incentives coupled with political rewards are central to the functioning of militia states. The Sudanese regime's recruitment drive in 2003 and 2004 was well received by the smaller sections and clans of North Darfur's Rizeigat Abbala, or camel-herding groups, because the latter shared historic grievances with being denied the rights to their tribal homelands or "dars." The larger cattle-herding groups of East and South Darfur, including the Rizeigat Bagarra, who had historic entitlements⁷⁵ to dars, were less responsive to the recruitment drive.

Like the rest of Darfur's populations, the camel herders also suffered economic and political marginalization by Sudan's central ruling elites, and the herders suffered particularly from decades of environmental degradation that reduced the primary sources of their wealth, their herds. Some of the smaller clans hoped that their military alliance with the government would offer them opportunities to gain military clout at the local level and political influence both regionally and at the center. These smaller groups also had incentives to join militias because the government offered monthly salaries to their unemployed youth, free feed for their animals, and promises of compensation for the surviving family members of fighters who were killed or injured while serving the government.

These economic incentives worked well, as long as the government had a large cash surplus during the years of high oil revenues in Sudan (from 1999 to 2011). However, Sudan lost 75 percent of its oil

reserves and more than half of its foreign currency income following the independence of South Sudan in 2011. These losses triggered a severe economic crisis from which Sudan has yet to recover. The loss of easy cash has affected the regime's ability to continue paying for its complex patronage networks. With Darfur's militias, the loss of regular pay has increased criminal activities of all kinds to make up for the income that the government was no longer able to provide.

In 2013, during an address to Parliament in which the defense minister lamented that salaries for soldiers were low and fueling desertions from the army, the Secretary-General of Sudan's Islamist Movement recommended that war booty be used to supplement the salaries of soldiers and members of the auxiliary forces.⁷⁶ The recommendation echoed Zairean President Joseph Mobutu's statement to Congolese soldiers: "You have guns. You don't need a salary."⁷⁷

The state's use of militias from a particular defined group to attack others outside that group has had a devastating effect on populations seen as loyal or sympathetic to the armed opposition. The burning of villages, killing of civilians, looting, rape and abduction of women and girls, and forced displacement of thousands are the hallmarks of RSF incursions into armed opposition-held areas in Darfur, South Kordofan, and Blue Nile states. The systematic stripping of the assets of the targeted populations, particularly livestock, appears to be intended to undermine livelihoods and dignity and condemn the people of these areas to lasting destitution. The targeting of entire communities for punishment is also meant to dent the morale of opposition fighters as they see "their" otherwise resilient families and communities experience the harmful effects of their opposition to the government.



Left: A burnt room of the looted clinic in Labado village, East Darfur, which is currently inoperative, November 19, 2013. Photo: Albert Gonzalez Farran/UNAMID. Right: Bombardment in west Jebel Marra, photo received February 2016. Photo: Radio Dabanga.

With the government's failure to provide for and discipline its proxy militias increasingly evident, today Darfur is the theatre of a cascade of catastrophic consequences stemming from the government's ill-advised and destructive policies. These consequences include the total breakdown of law and order in many parts of Darfur; the collapse of its regional economy and of its contribution to the national wealth as a result; and the tearing apart of the social fabric of the region and its long traditions of peaceful coexistence among a highly culturally diverse population.

Territorial and Political Rewards

The government of Sudan has also sought to reward loyal tribes by granting them territorial control over lands they claim to be traditionally and historically theirs and by designating tribal chiefs who were loyal to the government—regardless of whether these appointed individuals were entitled to their positions by traditional and customary practice. These policies had the added advantage, from

the regime's distorted perspective, of better dividing larger and influential tribes to better control their areas and resources. Such policies have led to the creation of de facto militarized ethnic federalism in the Darfur region in particular and there are signs of its expansion to West and South Kordofan and elsewhere in Sudan. Darfur's local government units now increasingly overlap with the traditional domains of the tribes. The practice of appointing tribal leaders to local government positions, and allowing these leaders to recruit and command their own militias, has added fuel to localized traditional disputes over boundaries and access to natural resources. The presence of government-issued weapons in the hands of tribesmen has reignited and exacerbated dormant traditional disputes, leading to unprecedented levels of deadly inter- and intra-tribal conflict in Darfur, which stem directly from these government policies.⁷⁸

Regional Looting Forays

By encouraging tribal militias to compensate themselves with war booty, the Sudanese regime sows regional instability and encourages looting sprees and other criminal activity, not only in Darfur but also in neighboring countries that face destabilization and state failure. Such looting forays have extended into the Central Africa Republic, Chad, Libya, and as far afield as northern Nigeria. There is little accountability or deterrence against these attacks. The impunity has encouraged unruly militiamen to appropriate hundreds of vehicles that the government had issued to paramilitary groups—such as the Border Guards and now their more recent offshoot, the Rapid Support Forces.

People in the affected areas have coined satirical labels to describe the appropriation of government-issued vehicles by the militia members. The term “Sargha Halal,” Arabic for “legalized theft,” is commonly used. Locals also called the vehicles that are illegally acquired from neighboring countries “Boko Haram vehicles.” What makes such vehicles recognizable is their movement within the five Darfur states without license plates. Vehicles are among the most prized looted goods and have a high market value even when militiamen are not in a position to prove ownership or provide documentation for how they obtained the vehicles. According to one report, the sale value of a 2016



Vehicles that the RSF claim to have seized from the rebel forces in East Jebel Marra, January 2015. Photo: Sudan Armed Forces

Toyota Double Cabin in June 2016 was 200,000 SDG in Darfur, while a legally imported vehicle of the same model would sell for almost four times that—750,000 SDG—in Khartoum. By the commercial exchange rate of 15.8 SDG to the dollar, the price in Darfur is approximately \$13,000 and the price in Khartoum is approximately \$50,000 at the time of publication.⁷⁹

In late 2016, a Sudan customs committee determined that more than 10,000 stolen and undocumented vehicles were operating in Darfur's five states. A campaign to register all such vehicles was then launched in early November 2016.⁸⁰

The Sudanese government appears to be simply legalizing the status of vehicles of uncertain legality, most of which were likely stolen by militiamen from failing neighboring states before being brought into Sudan and are now being made legal and approved by the government for use and circulation.

Stolen foreign vehicles underscore the destabilizing impact of Sudan's militia policy on neighbors. Chadian fighters and militiamen from South Darfur took part in the swift March 2013 military

campaign that brought the Séléka group to power in neighboring CAR. Sudan's motivation in that intervention was to assist a Muslim leader ascend to power in Bangui, a move Khartoum believed would serve its interest. However, the intervention seemed poorly planned and lacked strategic vision for addressing the outcomes. The Darfuri fighters who were involved in the campaign in CAR had joined in hopes of reaping large rewards from looting. Ivory, diamonds, and other resources were particularly targeted, but the primary prize for the commanders were four-wheel-drive vehicles, as already explained. An International Crisis Group report captured the scale of the looting, noting: "Cars owned by NGOs, the UN and private companies were stolen and sold in neighboring countries on such a scale that the Séléka coup seemed more like a car theft operation than the result of political struggle."⁸¹

The end result proved disastrous for both the Central African Republic and its Muslim population. The presence of Chadian and Sudanese senior advisors and militia commanders in the newly installed Séléka government of Michel Djotodia, and the involvement of their fighters in mass human rights violations against the non-Muslim population, proved a key catalyst in triggering an equally horrific backlash by the "Anti-Balaka" (or "machete") self-defense militias that targeted members of the Muslim community throughout the CAR. The sectarian violence brought the country to the brink of social disintegration and state collapse.

Militias as Entrepreneurs of Violence: The Toll Gates Industry

Sudan has its own version of "zonal commanders" or "commzones," a system devised by rebel commanders during the civil war in Côte d'Ivoire that enabled them to divide the areas under their control, with each commander controlling multiple facets of economic activities in their designated areas and extracting personal wealth from legitimate or criminal economic activities in the area.⁸² A similar system has been documented in the past in South Sudan.⁸³ In CAR, several armed leaders,⁸⁴ but particularly Séléka commanders, adopted this "Commzone" system following their seizure of power in Bangui in 2013.⁸⁵

Just as during the civil war in Côte d'Ivoire and in some of the rural areas of CAR as has been documented for decades,⁸⁶ one common manifestation of the harm in the commzone system in Darfur is evident in the widespread use of illegal "toll gates" or road checkpoints. The practice reportedly became widespread starting in 2009 in South Darfur state and quickly spread to North and West Darfur states before becoming a daily reality throughout the region. A mid-October 2016 news article in *Sudan Tribune* describes how illegal toll collections continued to thrive despite a directive, delivered in person by President Omar al-Bashir himself, to end the practice. Sudanese state governors have also tried without success to ban the practice. Militiamen manning a gate impose predetermined "fees," in fact extortion money, on commercial and civilian vehicles and individual passengers under the pretext of guaranteeing their safety to the next gate.⁸⁷ The 195-kilometer highway between Nyala and al-Fashir, two main cities in Darfur, has about 37 such gates. Those who fail to pay fees at these gates face beatings and threats to their lives.

Attempts by the North and South Darfur governments to ban this practice quickly failed when the militiamen resorted to highway robbery on the busiest commercial roads. The government's interest in using the militias to counter armed opponents in region eclipsed its concerns about the militias' highway robbery. The government backed down on its effort to stop the use of checkpoints, and the toll gates returned to stay. When some traders and commercial buses have stopped doing business—due to the high risk and the high costs of the "protection money" estimated at a daily average of 16,000 SDG for commercial trucks—the militiamen used their government-issued vehicles to transport goods and people for pay.⁸⁸

Government militias provide armed escort for pay to large commercial convoys along strategic roads that are susceptible to be attacked by roaming armed opposition groups or criminal bands. Within state capitals and larger towns, the imposition of protection money on traders has become routine. With petty traders, militiamen have grown accustomed to serve themselves from displayed goods and refusing to pay for these goods, particularly when their government salary was late in coming. They subject traders who protest to beatings and killing if the latter resist.

The population has protested peacefully and closed markets, but these efforts have failed to counter such rampant predation.

Militiamen as Entrepreneurs of Violence: The Golden Era

The imposition of levies on traders grew significantly when large quantities of gold deposits were discovered in North Darfur in 2012. Thousands of artisanal miners rushed to Jebel Amir, where the largest gold mines were located. This influx of miners triggered an intense and sometimes violent contest between rival tribal militias, some loyal to Hemmeti and Musa Hilal,⁸⁹ for control of levies on the miners. Deadly clashes in early 2013 between the government-allied Abbala militias and the Beni Hussein, on whose traditional lands the mining site is found, caused the deaths of at least 839 people, mostly among the sedentary Beni Hussein, and displaced some 150,000 people.⁹⁰ Since then, tensions have subsided and feuding tribal and militia chiefs have agreed to work together to co-lead the committee overseeing mining operations and share lucrative revenues generated by the gold mining in the Jebel Amir area rather than confront each other.⁹¹

However, tensions returned to the fore on January 5, 2017 when Sudanese Minister of Interior Gen. Ismat Abdel Rahman Zein al-Abdin declared before Parliament that some 3,000 heavily armed “foreign” militiamen had taken control of the site.⁹² The Minister of Interior called on the SAF to intervene with all the means at its disposal, including air power, to wrestle control of the site, as the militiamen were better armed than the national police forces.⁹³

An acrimonious public dispute followed. Both Hemmeti and Musa Hilal publicly denounced the minister’s statement as baseless, warning of dire consequences if the government sought to change the status quo by force.⁹⁴ In the weeks that followed, several journalists travelled to the region and said they saw only a few foreigners among the thousands of artisanal miners. The reporter confirmed that real control of the mining operations was not in the hands of any government agency but of a senior tribal committee headed by Musa Hilal and the tribal chief of the Beni Hussein. Day-to-day management of the site was the mandate of a management committee representing all the tribes living in the area. A security subcommittee of the same composition secures the site, alongside detachments from both SAF and the RSF. These reports confirm findings by the U.N. Panel of Experts for Sudan that tribal structures and militias under their command exercise de facto control over the site and levy lucrative percentages of the wealth generated there from the gold that is discovered and the services provided to the artisanal miners.⁹⁵

One reporter stated that a company called El-Geneid, which is owned by the brother of Hemmeti, is one of only two companies with a license from the management committee to process the residues of artisanal mining and extract additional gold beyond what the artisanal miners have the technical means to extract. The other company was owned by a commander of the Border Guards, according to the report.⁹⁶

Conclusion

On February 27, 2017, a Sudanese police force brutally dispersed hundreds of Ethiopian refugees and asylum seekers who were staging a sit-down in front of the Ethiopian embassy to protest increases in the processing fees for their documents.⁹⁷ The police arrested dozens of protesters, and a judge later condemned those arrested to 40 lashes each that were promptly administered by the police. Protesters also received \$800 fines, and 40 people were immediately deported. The incident raised serious concerns and prompted local human rights advocates and several members of the European Parliament to question the effectiveness of human rights provisions attached to the EU assistance package to Sudan. The vice-chair of the EU Parliament's subcommittee for human rights, Barbara Lochbihler, called for a thorough EU investigation to "... draw the necessary conclusion: if projects such as Better Migration Management carry the risk for the EU to become complicit in human rights abuses, which I believe to be true, we should pull out immediately."⁹⁸ This serious incident should serve as yet another reminder to the EU of the serious political risk it is taking by appearing to encourage the government of Sudan's use of the RSF to spearhead the implementation of EU policy objectives, even if the EU is not actually funding the RSF directly.

EU Parliament members have drawn attention to the imperative of due diligence in dealing with Sudan's policies and practices for dealing with refugees, asylum seekers, and irregular migrants. While a police force was responsible for the brutality of the latest incident, the Sudanese government has delegated the primary responsibility for enforcing border controls to the notorious Rapid Support Forces.

Sudan's official militia policy has displaced millions of Sudanese people and deliberately destroyed the livelihoods of large numbers of communities in Darfur, Blue Nile, and South Kordofan states. The Sudanese regime's harsh crackdowns on political dissent and its abuses of the constitutionally guaranteed rights of its citizens to free expression, association and assembly have harmed thousands more throughout the country.

An elaborate system of patronage to buy and preserve the loyalty of militias that are integrated in the government's security strategies has led to the emergence of a multifaceted criminal economy in conflict areas, as exemplified in the Darfur region, where this criminal economy is most developed. This criminal economy is based on predation, looting, and a wide range of organized economic crimes including bank robberies, the looting of salaries for government workers, and the extortion of cash from businesses and ordinary people. The criminal activities of the militias in Darfur have extended to neighboring CAR, Chad, and Libya. Gold deposits discovered in the Jebel Amir area in 2012, are contributing to the financing of militia groups in the region, as reported by the United Nations. Fighting among competing militias for the control of this resource has been a leading driver of violence in the region in recent years.

By extending material and technical support to Sudan in order to enhance its migration management capacity, and given that Sudan had designated one of Darfur's most abusive militias to patrol its borders with Libya and Egypt, the EU risks not only supporting the RSF but also underwriting an elaborate web of economic interests in Sudan's militia state.

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