

Date: 14 May 2024

Honourable Rémy Ngoy Lumbu,
The Chairperson,
Special Rapporteur on Human Rights Defenders and Focal Point on Reprisals in Africa,

Honourable Janet Ramatoulie Sallah-Njie
The Deputy Chairperson,
Special Rapporteur on the Rights of Women in Africa

Honourable Hatem Essaiem
Special Rapporteur on Sudan and Chair of the Committee for the Prevention of Torture in Africa

Honourable Solomon Ayele Dersso
Focal Point on Human Rights in Conflict Situations

Hon Commissioner's,

Ahead of the 79th Ordinary Session of the African Commission on Human and Peoples' Rights, as Sudanese and international civil society organizations, we express our deepest concerns regarding the grave and recurring violations of human rights committed by all parties in Sudan.

At the time of writing, the city of El Fasher, North Darfur, is surrounded by General Hemetti's Rapid Support Forces (RSF) and violent clashes have already started between the RSF and the Sudanese Armed Forces (SAF) and its allies. **We echo the warning of impending 'large scale massacre' in El Fasher, North Darfur, where some 800.000 people are in danger, emphasizing the urgent need for action to avert a human rights and humanitarian catastrophe.**

In the past six months, **in ethnically motivated, cleansing and genocide on El-Geneina and Ardamata, West Darfur**, between 10,000 and 15,000 people were killed based on their ethnicity in and around El Geneina alone (UN's Panel of Experts for Darfur). These attacks by the RSF and Arab militias targeted the predominantly Masalit neighborhoods of El Geneina, assassinated prominent community leaders, such as the Governor of the State Khamis Abdalla Abaker. The ***West Darfur Activist Group*** documented cases of civilians including children burned alive as well as evidence of sexual violence, among other serious crimes.

One year since the start of the conflict that started between the RSF and SAF, fighting and attacks on civilians have spread across the country. In Khartoum, Darfur and Kordofan there has been no respite from fierce fighting since the beginning of the conflict. The **humanitarian situation is fast-deteriorating, with 5 million people in Sudan on the brink of famine**, and tens of millions

of people in desperate need of aid. The World Food Program declared at the beginning of March that more than **25 million people** scattered across Sudan, South Sudan and Chad are “trapped in a spiral” of food insecurity. And yet, the warring parties continue to obstruct humanitarian access and aid.

Sexual and gender-based violence is widespread in the areas most affected by fighting, and takes many forms. At least **118 cases of sexual and gender based violence**, including rape, gang rape, attempted rape and other forms of sexual violence, including trafficking for the purpose of sexual exploitation and forced prostitution, were documented in the first eight months of the war. It's likely that the actual figure is much higher for lack of trust in the justice system, fear of social stigma and risks associated with reporting.

Human rights defenders have been targeted and subjected to kidnapping, arbitrary detention, torture, and sexual violence by all warring parties. In Darfur, **Yalla Narsud** monitored more than 35 arrests of lawyers since the war started in Sudan and more than 10 lawyers who have been

killed. **Women human rights defenders have been subjected to severe violations** especially in Darfur and Kordofan committed by all warring parties.

The **Sudanese Human Rights Monitor** and its partners documented some **cases of arbitrary detention, torture, and other forms of cruel, inhuman, or degrading treatment or punishment committed by both parties throughout Sudan**. In Khartoum, the RSF arrested a lawyer from the Haj Youssef area on 5 November 2023, and a journalist who is a member of the Sudanese Journalists Syndicate Council on 18 January 2024 from his home in Khartoum North. His whereabouts remain unknown. In Central Darfur state, one of the leaders of the internally displaced people (IDPs) was arrested by the RSF from inside the city of Zalingei on 18 February 2024. All the detainees were accused of being supporters of the SAF. Also, the Military Intelligence of the Sudanese Army in Sennar State arrested a lawyer on 14 January 2024. He was released on 16 February 2024. He was subjected to torture and ill-treatment and witnessed the death of 4 detainees inside the detention centre in Sennar. In North Kordofan State, the Military Intelligence arrested and detained a businessman along with five other people from the city of Bara. All detainees were accused of cooperating with the RSF.

Resistance committees in El Gezira reported a new wave of violence by the RSF against villages in Wad Madani, El Gezira State. Humanitarian workers, especially local relief groups such as the Emergency Response Rooms (ERR), are targeted by both parties to further obstruct aid delivery.

We would like to take this opportunity also to raise our concerns on two particular thematic issues which we have jointly documented. The following information is the result of investigations combining online monitoring through open sources as well as interviews conducted with victims, families, witnesses and journalists currently working in Sudan:

1- Deliberate and indiscriminate attacks on healthcare

Since the start of the conflict, a disturbing surge in unlawful attacks on medical facilities, orchestrated by both warring factions, as well as looting and seizures of vital medical resources, and the threats and enforced disappearances of medical personnel was documented.

Deliberate attacks on hospitals have been conducted in Khartoum and around, but also in Darfur. On January 11, 2024, in Nyala, South Darfur, an SAF aircraft bombed the Muna'at al-Tebbi Medical Centre and the Shifa Care Hospital using explosive barrels. Meanwhile in Central Darfur, collected testimonies confirm the RSF's responsibility in the attack and ransacking of Zalingei Teaching hospital.

The RSF has also occupied medical facilities on several occasions. In West Darfur, Resistance Committees reported to Radio Dabanga that, at the end of April 2023, RSF and allied militias ransacked and destroyed hospitals and clinics in El Geneina, causing the deaths of at least 237 people. MSF corroborates this attack and looting in El Geneina Teaching hospital supported by the NGO.

Attacks are accompanied by **threats and violence against medical personnel**, with reports of doctors being arrested by both sides, leaving the few remaining healthcare providers in constant fear for their lives.

The fall of Wad Madani to the hands of RSF, where the majority of Sudan's health stock was stored, has left entire regions cut off from essential supplies.

Joint Sudan Human Rights Hub and Ayin report, in partnership with AWAFFY Sudanese Organization, Sama Foundation for Advocacy & Human Rights and Sudanese Defenders Center for Legal Aid - [available here](#).

2- Rise in the recruitment of child soldiers

The two warring parties and their respective allies seek to **recruit on a massive scale using civilian mobilization targeting young boys**, according to Sudan's UNICEF representative. The report documents that the recruitment is now happening all over Sudan and by all parties, including Juba Agreement signatories. **ACJPS** has particularly documented **the recruitment of child soldiers in Darfur** and especially by community leaders affiliated to the RSF in South Darfur.

When it comes to RSF recruitment, a large number of videos shared on social media contain testimonies about the recruitment of children. Coercive recruitment methods such as intimidation, torture, summary execution, and the withholding of food and medical aid are being widely used.

Sudanese and international civil society organizations' recommendations ahead of the African Commission for Human Rights and People 79th Session

While RSF recruitment of children started before the war, recruitment by SAF seems to have started soon after April 15, 2023. In the eastern and northern states of the country (Northern State, River Nile, Kassala, Gedaref, Sennar, and West Kordofan), the SAF launched a vast mobilisation campaign in December 2023 to bolster the ranks of the national civil resistance. Al-Baraa Ibn Malik Katiba, led by al-Musbah Abu Zaid Talha, plays an important role in recruiting *mustanfareen* (volunteers), including children.

Joint Sudan Human Rights Hub and Ayin report, in partnership with Sudanese Defenders Center for Legal Aid, West Darfur Activists and Free Aqlam Network for Human Rights - available in one week.

We call on the African Commission of Human Rights and People during its 79th Ordinary Session:

1) To publish an urgent press release calling for action:

- to stop the risks facing civilians in El-Fasher, as well as,
- to urgently call for both warring parties and their respecting allies to end all attacks on civilians and civilian infrastructure,
- and to urgently call warring parties to stop the obstruction of humanitarian aid, with 5 million people in Sudan on the brink of famine.

2) To adopt a strong resolution on Sudan as the situation dictates, with particular emphasis on the following points:

- Issue a resolution laying out the ACHPR's strategy to use all instruments and tools available to effectively fulfill their commitments on human rights, humanitarian law and justice and accountability in Sudan for all warring parties, and to make it clear to those responsible that they will be held accountable for the grave violations committed.
- Engage with the warring parties and their regional backers:
 - to end all attacks on civilians and civilian infrastructure, including with the use of heavy weaponry,
 - to end the deliberate obstruction of aid and allow unhindered, safe and immediate humanitarian access,
 - to urgently address the issue of enforced disappearances and grave violations in detention centers, as well as all forms of sexual and gender-based violence,
 - to urgently address the very worrying situation in Darfur including ethnically motivated attacks and call for accountability for perpetrators of such violations,
 - cooperating on the above with the United Nations (UN) and African Union (AU).
- Call on the African Union to take the following urgent measures to put an end to the conflict in Sudan and restore peace and stability in line with the [resolution of the ACHPR of 12 June, 2023](#):
 - Pursue negotiations between the various parties to end the conflict and stop the war,
 - Support civilian efforts to identify and consolidate an inclusive and accountable civilian political leadership to take Sudan forward once the war stops,
 - Mobilize its member states and international actors to bring pressure to bear on the warring parties including through the use of targeted sanctions and [supporting the call for the arms embargo](#) to compel the leaders of the warring parties to put an immediate end to the conflict.

- Call on the AU, in partnership with the UN Secretariat, to initiate discussions to put in place a mechanism with a mandate to protect civilians, monitor violations of human rights and international humanitarian law (including obstruction of humanitarian assistance), and lay the groundwork towards the safe return of those displaced.
- Collaborate fully with the UN International Fact-Finding Mission on Sudan, in line with [the resolution of the ACHPR of 29 December 2023](#), and call on States to support and cooperate with other international accountability efforts, including with the International Criminal Court,
- Continue to call on neighboring countries to ensure there are safe and regular pathways for Sudanese displaced by the conflict and that nobody is forcibly returned to Sudan, in line with the [resolution of the ACHPR of 29 December 2023](#),
- Urge concerned stakeholders to provide technical and financial support as well as protection for Sudanese civil society organizations, human rights defenders and women's rights groups in their efforts to document, monitor, conduct advocacy and provide support to survivors.

List of signatories:

- African Center for Justice & Peace Studies (ACJPS)
- Africans for the Horn of Africa initiative (Af4HA)
- AWAIFY Sudanese Organization
- Darfur Women Rights Defenders Coalition
- Darfur Network for Human Rights (DNHR)
- International Federation for Human Rights (FIDH)
- Madania News
- Sudan Human Rights Hub (SHRH)
- Sudanese Defenders Center for Legal Aid
- Sudanese Human Rights Monitor (SHRM)
- Yalla Narsud Organization
- West Darfur Activist Group

Relevant sources of information:

African Centre for Justice and Peace Studies (ACJPS):

- Sudan: the continued use of child soldiers in the armed conflict in South Darfur, January 2024
- Zalingi, Central Darfur: Urgent call to RSF to end the recruitment of child soldiers, November 2023

AWAFY Sudanese Organization:

- Central Darfur Under The Burden of War, Eight Months of Isolation, and Death, January 2024
- Hasahisa IDP Camp Urgent Report, November 2023
- 10Days Monitoring 4 July – 31 August
- 10Days Monitoring Report 11 June – 4 July
- 10Days Monitoring Report 1-10 June 2023

Darfur Network for Human Rights (DNHR):

- When the War Ends, I Will Go Back Home: Documenting sexual violence and torture in Darfur

Sudan Conflict Monitor Newsletter by the Sudan Human Rights Hub and its partners (last three editions):

- Sudan Conflict Monitor #10 - February 2024
- Sudan Conflict Monitor #11 - March 2024
- Sudan Conflict Monitor #11 - April 2024