

BRIEFING NOTE

Not Enough to Prevent Genocide: A Briefing on Identity-based Violence in Sudan

56th Session of the Human Rights Council

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The conflict that erupted in Khartoum on 15 April 2023 and spread to other locations, such as El Geneina in West Darfur on 24 April, has led to more than 8.8 million people fleeing their homes.¹ In March and April this year, over 1 million people in Darfur, Kordofan, Khartoum and Al Jazeera were knowingly denied humanitarian aid due to conflict and administrative blockages.² There are over 15,000 reported fatalities and over 1,400 violent events targeting civilians since the onset of the war³.

We are no longer speaking of the risk of famine as deaths resulting from hunger are a reality and are set to increase across the country, with concentrations in Darfur, Kordofan, Khartoum and Al Jazeera State where access to food is being deprived. According to one study, the tipping point at which acute malnutrition converts to large-scale death may already have been reached in May in some areas.⁴

The bombing and shelling of Al Fasher must cease immediately in line with Security Council Resolution 2736 (2024) of 13 June 2024. Despite the resolution, the war is still raging. According to Médecins Sans Frontières, more than 1,300 people were injured between 25 May and 6 June in El Fasher.⁵ Access to food is an absolute priority for IDPs. The importance of humanitarian access and free movement for civilians to leave or move cannot be overstated. Intentionally allowing civilians to starve and impeding relief supplies is a war crime,⁶ and an alarming 18 million people face acute hunger across Sudan⁷, with an estimated 2.5 million ‘excess deaths’

¹ OCHA, Situation Report, 12 June 2024, <https://reports.unocha.org/en/country/sudan>

² Famine Early Systems Network, Sudan Key Message Update, May 2024, “Escalation of conflict underscores the risk of Famine ahead of the lean season’s peak”, <https://fews.net/east-africa/sudan>

³ ACLED has recorded 15,550 fatalities and over 1,400 violent events targeting civilians across the whole country since April 2023, cited in OCHA, Situation Report, 12 June 2024, *op. cit.*

⁴ Clingendael Institute (Netherlands), May 2024, “Sudan: From Hunger to Death. An Estimate of Excess Mortality In Sudan based on currently available information”, accessed 19 June 2024:

https://www.clingendael.org/sites/default/files/2024-05/CA_From_hunger_to_death_.pdf

⁵ OCHA Briefing on the Humanitarian Situation in Sudan, 18 June 2024, accessed 19 June 2024: <https://reports.unocha.org/en/country/sudan>

⁶ Rome Statute of the International Criminal Court, July 1998, Article 8(2)(b)(xxv), accessed 19 June 2024: https://legal.un.org/ilc/texts/instruments/english/conventions/7_4_1998.pdf.

⁷ OCHA, One Year of Conflict: Key Facts, 15 April 2024, accessed 19 June 2024:

<https://www.unocha.org/publications/report/sudan/sudan-one-year-conflict-key-facts-and-figures-15-april-2024>

due to famine expected by the end of September 2024. This accounts for 15% of the population of Greater Darfur and Kordofan,⁸ where non-Arab groups are specifically being targeted, and where conditions of life being inflicted could be genocidal.⁹

The tactics used in Greater Darfur, Kordofan and in some instances in Al Jazeera State are ethnically driven. In other areas such as Khartoum Omdurman and Bahri, violence, including shelling and bombardments are in the first instance between the RSF and the Sudanese Armed Forces (SAF), though violence against civilians is being committed by both sides.

Ethnically-motivated violence

It is vital to highlight that ethnic hatred is a key feature of this conflict, just as with the genocide in Darfur 20 years ago. The war is not just between the two fighting parties, the Sudanese Armed Forces and the paramilitary Rapid Support Forces. This is also a war against civilians along ethnic grounds. Civilians are being bombed, massacred, disappeared, tortured, sexually enslaved and looted.

The ethnic and discriminatory intent behind RSF's crimes can be evidenced based on systematic patterns of violence as well as accompanying hate narratives.¹⁰ We want to echo the findings of genocide made by the Raoul Wallenberg Centre for Human Rights and others.

There is a systematic pattern of attacks against civilian populations with apparent intentions to destroy non-Arab groups such as the Masalit either in whole or in part. These attacks involve killings, physical and mental harm, including sexual violence, and inflicting conditions of life that could bring about the destruction of whole communities. These violations amount to persecution, ethnic cleansing and genocide against non-Arab ethnic groups like the Masalit in Darfur.

The massacres of El Geneina (West Darfur), which took place over roughly 2 months in June-July 2023, are reported by victims to have been accompanied by racial insults such as “no slaves will live here”, “no Masalit here”, “this is the land of the Arabs” and references of “cleaning” the area¹¹ that could demonstrate genocidal intent. The UN Panel of Experts estimates some 15,000 people were killed in the El Geneina massacre.

We also see some patterns of ethnic violence committed by the Sudanese Armed Forces. This is not on the same scale as RSF, but for instance, in February 2024, it was reported that SAF undertook beheadings based on ethnicity after a video of young men being executed by individuals in military uniform was circulated on social media.¹² Individuals were allegedly

⁸ Clingendael Institute (Netherlands), May 2024, *op.cit.*

⁹ Rome Statute of the International Criminal Court, July 1998, https://legal.un.org/ilc/texts/instruments/english/conventions/7_4_1998.pdf.

¹⁰ Raoul Wallenberg Centre for Human Rights, ‘Breaches of the Genocide Convention in Sudan, an Independent Analysis, April 2024, accessed 19 June, <https://www.raoulwallenbergcentre.org/en/news/2024-04-14>

¹¹ Human Rights Watch, ‘The Masalit will not come home’, May 2024, <https://www.hrw.org/report/2024/05/09/massalit-will-not-come-home/ethnic-cleansing-and-crimes-against-humanity-el>.

¹² Middle East Eye, ‘Sudan war: Gory beheading video emerges as army advances in the capital’, February 2024, <https://www.middleeasteye.net/news/sudan-war-gory-beheading-video-emerges-army-advances-capital>.

beheaded because they belonged to Arab tribes from Darfur, and thus were suspected of being members of or associated with the Rapid Support Forces.¹³

Conflict-related sexual violence

This briefing coincides with the International Day for the Prevention of Sexual Violence in Conflict, and we want to emphasise why it is important to refer to conflict-related sexual violence rather than SGBV or GBV. The sexual violence we are seeing in Sudan is not private or incidental; it is violence that is deliberately intended to subjugate, torture, persecute and destroy groups of civilians – based on their identity – as a “weapon of war”.

We have seen and continue to see a familiar pattern of sexual violence being committed by RSF, including rapes, abductions, sexual slavery, forced marriage, torture, detention, and enforced disappearances.

Reporting in this context is problematic. The numbers of reported violations are snapshots and do not reflect the true scale of victimisation. We are aware of 96 women who have disappeared. The Combatting Violence against Women and Children Unit in the Ministry of Social Welfare has been able to document 169 cases of rape since the start of the conflict. We are familiar with various cases of sexual slavery, including 13 cases where women and girls were abducted, raped and made to be ‘wives’ to their captors.

We have also learned of one unspeakable case of a gang rape of a thirteen-year-old girl by seven men, who are now sharing this girl amongst themselves as their wife in sexual slavery.

There are also numerous cases of forced marriage. Vulnerable people such as caretakers or building janitors who originally came to cities from conflict areas and who are more vulnerable as a result have been forced to give over their daughters as wives.

We are also seeing widespread violations committed by SAF against civilians including war crimes as a result of bombardment and shelling of populated neighbourhoods, and attacks against hospitals and humanitarian workers. There are also numerous reports of patterns of human rights violations reminiscent of Bashir-era repression along political, gender or ethnic lines.

For instance, we have seen a reported case of a woman who allegedly survived sexual violence and captivity in the hands of RSF, and who was then tried and found guilty of committing State crimes. , she was tried in Port Sudan and sentenced to life imprisonment. Another woman in Atbara City in River Nile State was sentenced to death for collaborating with RSF.

Finally, there is an acute concern that, in this highly polarised environment the battles largely between RSF and SAF could translate into a wider inter-communal conflict between civilians.

¹³ JuristNews, ‘Sudan Armed Forces announces investigation of alleged beheadings of paramilitary group members’, 18 February 2024. <https://www.jurist.org/news/2024/02/sudan-armed-forces-to-investigate-alleged-beheadings-of-paramilitary-group-members/>

Virulent hate speech and active recruitment of youths into armed groups along ethnic lines raise fears that without strong and positive leadership at all levels, this war could spill over and unleash mass atrocities between communities. States have international obligations to both *prevent* and punish such acts. Not enough is being done to prevent what may be a large-scale genocide.

We are all Human. Yet around the world
We see minority groups being discriminated,
Demonised, dehumanised, their rights eroded –
paving the way to mass atrocities.

This isn't a new story. It's predictable.

It's also preventable

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