

# THE SECOND YEAR OF THE WAR IN SUDAN Urgent Preventative Action Needed to Halt Genocide April 19, 2024

On April 15, 2023 conflict erupted between the Sudanese Armed Forces (SAF), led by General Abdel Fattah al-Burhan, and the Rapid Support Forces (RSF) headed by General Mohamed Hamdan Dagalo (commonly known as Hemedti). The collapse of their relationship of political expediency came amidst rising tensions over the security sector reform laid out by the Framework Agreement which would have seen the RSF integrated into the Sudanese Army, and a return to a civilian transition. This brief outlines key considerations and recommendations for the second year of war in Sudan, related to conflict dynamics; politics and peace; the humanitarian crisis; human rights; and international dynamics.

Despite repeated early warnings of atrocities and violence, the international community has failed to take effective prevention measures on Sudan. While the international community has widely condemned the actions of the belligerents, there has been little substantive action to halt the violence, provide urgently needed humanitarian assistance, or to support a civilian political path towards democracy. Decades of impunity emboldened the warring parties to commit atrocities brazenly and repeatedly. Without collective action beyond stakeholders' words of condemnation, the destruction of Sudan will continue unabated into its second year.

# **Conflict Dynamics**

As the war enters its second year, there are no signs of de-escalation from either side. Recent months have seen the <u>proliferation of armed groups</u> involved in the conflict, many of whom are fighting in <u>SAF's counter-offensive</u> to recapture Gezira State from the RSF. The longer the conflict persists, the more the conflict dynamics mutate. Though initially a conflict between SAF and the RSF, the <u>Darfur Joint Forces</u> have now officially <u>declared war on the RSF</u><sup>1</sup> and factions of SLM/A and JEM forces are now fighting alongside SAF in Omdurman and Gezira. Other groups involved in the fighting include the Popular Resistance Forces, civilians who were recruited and mass armed by SAF. Both sides are also allegedly recruiting <u>child soldiers</u>, using <u>racist hate speech</u>, and there were reports in January of armed groups operating <u>training camps in Eritrea</u>, a significant development that underscores the risk of the regional spillover.

<sup>&</sup>lt;sup>1</sup> The Joint Force of Armed Struggle Movements (JSAMF) is made up of armed groups that signed the Juba Peace Agreement and was initially a neutral force in this war committed to protecting civilians.

An independent inquiry by the Raoul Wallenberg Centre found that the "[RSF] and allied militias have committed and are committing genocide against the Masalit", and that "there are reasonable grounds to believe" that they are also committing genocide against other non-Arab groups such as the Fur and Zaghawa. PAEMA issued an atrocity alert for El Fasher on April 17, 2024 where the next phase of the genocide is imminent following RSF and allied militias' large scale ethnic targeting of Zaghawa villages which appear to be retaliatory attacks linked to JEM's allegiance to SAF. The Yale Humanitarian Research Lab verified these attacks and reported on April 16, 2024 that the RSF controls the major roads surrounding El Fasher "which will likely prevent civilians from fleeing," increasing the risk that civilians will be harmed by violence or ethnically targeted. The RSF has also committed widespread conflict-related sexual violence (CRSV) and other forms of gender-based violence (GBV) in their genocide campaign. Meanwhile SAF continues to conduct indiscriminate airstrikes causing large numbers of civilian casualties, including in areas that have not seen ground battles in months.

Fighting between Darfur's armed groups seems <u>increasingly likely</u> after Al-Hadi Idris' SLM-TC and the GSLF left the Joint Forces and pledged to establish their own neutral force committed to civilian protection. This may lead to the further targeting of communities that are the traditional constituents of rebel movements, including in refugee camps in eastern Chad.

#### Recommendations

- The UN Security Council should expand the current Darfur arms embargo to all of Sudan and must take enforcement measures such as applying targeted sanctions to countries, entities and individuals that violate the ban.
- All parties to the conflict must immediately cease hostilities, and end all attacks against the civilian population.
- State parties to the Genocide Convention must uphold their international legal obligation to prevent genocide by taking all appropriate measures.

#### **Politics and Peace**

The insecurity in Sudan is being used as cover to crush any remaining elements of the December Revolution and the opening of civil space that followed. Decrees by SAF-aligned authorities in several states banned the ERRs, Resistance Committees, and the Forces of Freedom and Change (FFC), in violation of the rights of freedom of association and freedom of speech. The SAF-controlled Office of the Public Prosecutor also <u>filed charges</u> in March that carry the death penalty against the senior leadership of Taqaddum, the broad-based coalition of Sudanese civil forces united against the war.

Sudanese people have been unequivocal: there cannot be a political future for either the RSF or SAF in Sudan, the role of the armed forces must be limited to protecting national security with civilians left to determine the political path of the nation. SAF now <u>refuses to participate in talks</u> with the RSF and continues to pursue a military victory, driven by the fear of losing their grip on

the reins of political power. This underscores the urgent need to include civilian and other national stakeholders in Sudan's peace negotiations, particularly in light of the proliferation and mutation of the conflict.

There are a <u>plethora of mediation initiatives</u> such as the AU High Level Panel on Sudan, IGAD talks, Manama, Jeddah, and Juba talks, as well as initiatives led by <u>Turkey</u>, <u>Libya</u>, and <u>Egypt</u>. The proliferation of forums allows the belligerents to <u>'shop around'</u> for the approach that best fits them, of which SAF is particularly guilty. Despite these numerous efforts, there have been no multi-track approaches and effectively no inclusion of civil society – despite <u>UN Security Council</u> (UNSC) <u>Resolution</u> 2252 which recognises that "the responsibility for sustaining peace is broadly shared by the Government and all other national stakeholders", as well as "the importance of women's leadership and participation in preventing and resolving conflict".

The involvement of Taqaddum in talks could be a step towards the inclusion of national stakeholders, however, a much broader spectrum of civil groups will need to be at the table. Taqaddum already faces a crisis of legitimacy following the Addis Declaration, signed with the RSF, which fueled accusations that the group is the civilian arm of the RSF. Taqaddum is yet to hold its founding conference due to repeated delays related to the Sudan communications blackout which has limited delegates' ability to travel; however, they must urgently address issues of representation. They currently allocated 30% representation to political and armed groups with 70% going to civil society actors. However, representation is about more than quotas and a diversity of perspectives is vital. There are also particular concerns around youth and women's inclusion: they must be given meaningful power in decision-making – the time of tokenistic youth and women's inclusion is over.

#### Recommendations

- The AU, UN, IGAD and other stakeholders should support a unified mediation effort to end the competition across currently overlapping efforts.
- Mediators should adopt a multi-track peace process that includes broad and inclusive civil society representation and all national stakeholders with a strong focus on youth and women's inclusion.
- Sudan's Office of the Public Prosecutor should revoke the charges against the Taqaddum leadership.
- Sudanese state authorities must revoke the decrees banning resistance committees, ERRs, and the FFC and end the persecution of civil opposition to the war.
- The international community should continue to support the Sudanese people in developing a political path towards democracy through development assistance and other forms of material and knowledge support.

## **Humanitarian Impacts**

Sudan is the <u>world's largest internal displacement crisis</u> and is at risk of becoming the <u>worst hunger crisis</u> as well. According to the <u>UN</u> 8.6 million have been displaced since April 15, 2023, 25 million people need humanitarian assistance. Of the 17.7 million facing <u>acute hunger</u>, 4.9 million people suffer from emergency levels of food insecurity. The humanitarian crisis is not a natural disaster, it was politically manufactured by the belligerents through their weaponization of humanitarian aid/access and entirely preventable. Bureaucratic hurdles imposed by the SAF-controlled Humanitarian Aid Commission, such as shipment inspections and visa delays for months are easily surmountable if the junta chose to prioritize the delivery of aid to civilians. However, SAF has no regard for the life nor basic human needs of the civilian population as recently demonstrated by their internationally-condemned <u>closure of the Chadian border</u> On the other side, the RSF has also reportedly looted aid intended for IDPs.

Despite the consistent warnings of Sudanese and international civil society, the international community also bears some responsibility for the crisis, for failing to provide the funding required to respond to a crisis of this magnitude. The pledging of \$2 billion at the International Humanitarian Conference for Sudan in Paris was a welcome development given that the 2024 Humanitarian Appeal was barely 6% funded prior to April 15, 2024. Though international humanitarian organizations have little access to conflict zones, Sudanese youth have been consistently providing humanitarian assistance since the outbreak of war, through the <a href="Emergency Response Rooms">Emergency Response Rooms</a> (ERRs) and other grassroots initiatives, on a voluntary basis with few overhead costs. This Sudanese-owned/led response is exemplary of what can be achieved through a localized approach to aid. As informal groups, they have been able to circumvent HAC and utilize diaspora donations to provide desperately needed aid.

### Recommendations

- Donor pledges from the Paris humanitarian conference must be urgently disbursed.
- Donors must continue to increase their pledges as UN OCHA, UNHCR, and partners require \$4.1 billion to respond to the Sudan crisis only 50% of this has been pledged.
- Humanitarian organizations, partners and donors must work creatively to find solutions for access by establishing reliable humanitarian corridors and scaling up their response in Sudan and in neighboring countries in the face of increasing needs.
- Grassroot initiatives that are providing frontline humanitarian assistance, including the ERRs, must be robustly and consistently supported through direct cash transfers and other creative methods to support the localisation of aid.

### **Human Rights**

In <u>July 2023</u>, the ICC launched an investigation into war crimes in Darfur under the previous referral of the Darfur situation to the ICC by the UNSC. In <u>January 2024</u>, the Chief Prosecutor of the ICC (Karim Khan) reported to the UNSC that they had found evidence of war crimes and crimes against humanity perpetrated by both the RSF and SAF. The gender-based violence

perpetrated by the RSF is also well documented and particularly impacts the women and girls of Sudan. Given the arduous pace of ICC investigations and the fact that the court only prosecutes a handful of individuals with the greatest command responsibility, other avenues must be explored beyond the ICC when seeking justice for atrocities in Sudan.

The establishment of the <u>Independent International Fact-Finding Mission</u> (FFM) on Sudan by the UN Human Rights Council in October 2023 was a welcome advance in the pursuit of justice. The FFM is mandated to investigate human rights and international humanitarian law violations and their root causes. However, as of April 2024, the FFM is understaffed, lacks funding, and has no access to Sudan, so the experts must rely on documentation conducted by Sudanese civil society. Sudanese documenters face ongoing threats from belligerents and must be supported to continue their vital work as evidence gathering. This is vital as Starlink, the final communications lifeline for many in Sudan, is due to <u>end services by April 30, 2024.</u>

#### Recommendations

- The international community should provide financial, material, and capacity-building assistance to support Sudanese documenters in providing information to the FFM.
- Where human rights defenders are being targeted in relation to their work, the international community should provide protection support, including urgent relocations within or outside of Sudan.
- International stakeholders should ensure that the FFM is sufficiently staffed and resourced, and support the mandate's renewal during the 47th session of the Human Rights Council in September/October 2024.
- All signatories to the Rome Statute must support the ICC in executing arrest warrants issued in relation to conflict in Darfur.

## **International Dynamics**

There are many international interests at work in the Sudan war. The UAE's support to the RSF is well documented, including in a recent report by the <u>UN Panel of Experts on Sudan</u>. Egypt continues its historically strong relations with SAF, and Iran and SAF recently restored diplomatic relations which was rapidly followed by shipments of Iranian weapons to the army.

International engagement on Sudan has failed to match either the geopolitical significance of this war, or the scale of the humanitarian crisis unfolding within Sudan. Sudan borders on Egypt, Libya, Chad, CAR, South Sudan, Ethiopia, and Eritrea. Egypt currently faces an economic crisis that predates the Sudan war and has most recently required an \$8 billion bailout from the IMF. Chad, which hosts over 571,000 refugees, has Presidential elections looming in May and fears of electoral violence spiraled following the assassination of a leading opposition figure. Meanwhile, South Sudan has perhaps been most dramatically affected by the Sudan war, hosting 640,000 refugees and South Sudanese returnees. South Sudan is grappling with its own

displacement and hunger crises, a rapidly failing economy following the closure of key oil pipelines due to the war, and its upcoming election are fraught with concerns.

This is a mere snapshot of the instability plaguing Sudan's neighbors and each day that this war continues undermines the vague stability of the entire region. All international stakeholders must redouble their efforts to secure an immediate humanitarian ceasefire and a peaceful, Sudanese-led solution to this war.

#### Recommendations

- The UK should match the diplomatic efforts of the other Troika members (the U.S. and Norway) by appointing a Special Envoy on Sudan to renew its commitment to finding peaceful solutions to the Sudan conflict.
- The UN Security Council must expand the current arms embargo on Darfur to cover the entire country, take action to enforce the embargo on Darfur, and issue targeted sanctions on individuals violating international law.
- Further sanctions must be considered by all stakeholders as part of a coordinated, multilateral approach.

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PAEMA is dedicated to preventing and ending mass atrocities by amplifying the integral role of community centered solutions. We help local communities in our areas of focus to establish and sustain relationships to drive structural and policy change.

The team at the Never Again Coalition has now transitioned into PAEMA.