



Darfur Documents Confirm Government Policy of Militia Support

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Summary

Numerous reports from Human Rights Watch and other sources¹ have described the “hand-in-glove” manner in which the Government of Sudan and the nomadic ethnic militias known as the Janjaweed have operated together to combat a rebel insurgency in Darfur. Hundreds of eyewitnesses and victims of attacks have testified to the close coordination between government forces and their militia partners in the conflict. Militia leaders and members have been supplied with arms, communications equipment, salaries and uniforms by government officials and have participated in joint ground attacks on civilians with government troops, often with aerial bombing and reconnaissance support from government aircraft.

¹ See among others, Human Rights Watch reports: *Darfur in Flames: Atrocities in Western Sudan*, Vol.16, No.5 (A), April 2004; *Darfur Destroyed: Ethnic Cleansing by Government and Militia Forces in Western Sudan*, Vol.16, No. 6(A), May 2004; *Report of the High Commissioner on the Situation of Human Rights in the Darfur region of the Sudan*, E/CN.4/2005/3, U.N. Office of the High Commissioner of Human Rights, May 3, 2004; *Darfur: Too Many People Killed for No Reason*, Amnesty International, February 3, 2004.

High-level Sudanese government officials have, however, repeatedly denied a government policy of creating and supporting ethnic militias in Darfur. Under mounting international pressure, the government of Sudan has committed to disarm the “Janjaweed and other armed outlaw groups,” but the government’s interpretation of the term “Janjaweed” is ambiguous.² Instead of being disarmed, members of government-backed militias are reportedly being absorbed into police and paramilitary forces operating in Darfur.

Human Rights Watch has obtained copies of government documents whose contents sharply contrast with the Sudanese government’s repeated denials of support to the Janjaweed; on the contrary, the documents indicate a government policy of militia recruitment, support and impunity that has been implemented from high levels of the civilian administration.

Background

Since February 2003, the government of Sudan has used militias known as “Janjaweed”³ as its principal counter-insurgency ground force in Darfur against civilians from the Fur, Zaghawa, Massalit and other ethnic groups from which two rebel groups known as the Sudan Liberation Army/Movement (SLA/M) and the Justice and Equality Movement (JEM) are drawn. The government-backed Janjaweed militias are derived from the “Abala,” camel-herding nomads who migrated to Darfur from Chad and West Africa in the 1970s, and from Arab camel-herding tribes from North Darfur.⁴ With government aerial support, arms, communications, and other backing, and often alongside government troops, the Janjaweed militias have been a key component in the government’s military

² “Presidential Political Decree to Resolve the Darfur Conflict,” June 20, 2004, Embassy of the Republic of Sudan website at <http://www.sudanembassy.org/default.asp?page=viewstory&id=280>, and Joint Communiqué between the Government of Sudan and the United Nations on the occasion of the visit of the UNSG to Sudan, July 3, 2004.

³ The term “Janjaweed” has become the source of increasing controversy, with different actors using the term in very different ways. Literally, the term is reported to be an amalgamation of three Arabic words for ghost, gun, and horse that historically referred to criminals, bandits or outlaws. In the wake of the conflict in Darfur, many “African” victims of attacks have used the term to refer to the government-backed militias attacking their villages, many of whom are drawn from nomadic groups of Arab ethnic origin. Victims have also used other terms, such as “fursan” and “peshmarga” to describe these government-backed militias. The Sudanese government and members of the government-backed militias themselves reject the name “janjaweed” and appear to use the term “janjaweed” to refer to criminals and outlaws, see “Sudan Arabs Reject Marauding ‘Janjaweed’ Image,” Reuters, July 12, 2004. Other terms used by the Sudanese government include the terms “outlaws” and “Tora Bora,” to refer to the rebels, and the terms “knights,” “mujaheeden” or “horsemen” which appear to refer to members of its own militias.

⁴ Darfur has been the site of intermittent inter-communal conflict between groups of nomadic camel and cattle-herders and sedentary agriculturalists due to desertification and increasing competition for land and water resources. The Janjaweed are clearly also stakeholders in the Darfur conflict. Many of the members of the Janjaweed have been recruited from specific nomadic groups of Arab ethnic origin who have been involved in clashes with the so-called African farmers in previous years. The willingness of some members of the nomadic groups to take part in the conflict as an auxiliary force is no doubt linked to their interest in acquiring land and livestock. See also HRW, *Darfur in Flames: Atrocities in Western Sudan*, at footnote 1.

campaign in Darfur; a campaign that has resulted in the murder, rape and forced displacement of thousands of civilians.⁵

Hundreds of villages in Darfur have been totally or partially burned and destroyed by bombing and ground attacks. More than a million people have been forced from their homes and more than 158,000 people have fled Darfur for neighboring Chad. The vast majority of displaced civilians remain in Darfur where most are settled in camps and on the outskirts of towns, dependent on international humanitarian assistance that the Sudan government has blocked and restricted for months. In these areas under government control, displaced civilians continue to be preyed upon by the Janjaweed militias who are based in camps and villages in the rural areas they control, from which they have forcibly displaced most of the original inhabitants.

Despite the humanitarian ceasefire agreement signed by the government of Sudan and rebel groups on April 8, 2004, the violence has not ceased. Attacks on civilians have continued, including incidents of government bombing of both civilians and military targets, Janjaweed raids on civilians and their livestock within Darfur and across the border into Chad, and rebel attacks on various targets including aid convoys.⁶

Official Sudanese Government Statements Regarding the Janjaweed

Since the start of conflict in Darfur, the government has denied any official links with Janjaweed ethnic militias and, in particular, that the Janjaweed militias have been recruited and armed by the government as an auxiliary force.

In the initial months of the conflict, Sudanese officials denied that the Janjaweed militias existed. More recently, statements by government officials have acknowledged the existence of militias but have refused to admit the government's responsibility for arming them.

On April 7, Dr Sulaf al-Din Salih, the commissioner-general of Sudan's Humanitarian Aid Commission, stated "We asked all the people of Darfur to help in protecting themselves against the rebellion. This is standard practice which we do in this country,"⁷ but did not acknowledge a government policy of recruitment, arming and coordinating the Janjaweed militias. On May 14, 2004, Sudanese Foreign Minister Mustafa Ismail continued to deny government support for the

⁵ The Sudanese government's use of militias or proxy forces is not new. Numerous ethnic militias have been supported and used as proxy forces in southern Sudan throughout the conflict of the past two decades.

⁶ A Human Rights Watch report on recent attacks and violations of the ceasefire in Darfur and Chad is forthcoming.

⁷ IRIN, "Interview with Government Humanitarian Aid Commissioner on the Darfur Crisis," April 7, 2004 at www.sudan.net.

Janjaweed and publicly refused to disarm them while the rebels remained armed.⁸ On July 5th, the Minister of the Interior (and the President's Representative for Darfur) Abdel Raheem Muhammad Hussein, continued in the same vein, noting "we will not appease the Americans by capturing tribal leaders as every Darfur tribe has a militia."⁹ Further government statements have focused on the need to disarm all "outlaw groups," without specifying that the government-backed militias would be included in this category.¹⁰

These statements continue to obscure and minimize the primary role played by the Sudanese government in instrumentalizing and using the militias as a mainstay of their military force in Darfur. Despite the government's denials, evidence from official documents proves that the Janjaweed are an integral part of the government's military force and counter-insurgency strategy in Darfur, a force and a strategy that have been responsible for war crimes and crimes against humanity.

Government Support for the Janjaweed

Human Rights Watch has obtained copies of Sudanese government documents that describe an official policy of support to the Janjaweed militia.¹¹ These documents, which originate from the offices of the civilian administration in Darfur, implicate government officials ranging a deputy minister from the central government to the highest levels of the Darfur civilian administration—the governor or "wali"—to provincial commissioners and local officials in a policy of support to the Janjaweed. The documents illustrate the involvement, at the highest levels, of the state bureaucracy in the recruitment and arming of militia and the authorization of their activities that have resulted in crimes against humanity and war crimes.

The documents include orders for additional recruitment of militia, provision of military support to allied ethnic groups, and in one case, provide relative impunity for abuses committed by Janjaweed militia members against civilians.

⁸ Agence France Presse, "Sudan will not disarm militias while rebellion rages: foreign minister," May 14, 2004.

⁹ "We will not appease the Americans by capturing tribal leaders," Al Wan, July 5, 2004.

¹⁰ See footnote 2.

¹¹ On file with Human Rights Watch. These documents cannot be reproduced in full due to security concerns, however all of the documents bear official stamps, seals and/or letterhead of the respective offices of origin that correspond with those seen on other documents from the same sources. Human Rights Watch has reproduced parts of these documents exactly as they are written in the original.

Authorizing Janjaweed Impunity

In a clear indication of official support for known Janjaweed militia leader Musa Hilal, a directive dated February 13th, 2004 from the office of a sub-locality in North Darfur is directed at all “security units in the locality.” The document urges the recipients to “allow the activities of the mujahedeen and the volunteers under the command of Sheikh Musa Hilal to proceed in the areas of [North Darfur] and to secure their vital needs.”¹² The “mujahedeen” are typically members of the Popular Defense Forces, a paramilitary unit organized by the government of Sudan that has frequently been used to fight its so-called holy war in southern Sudan.¹³ The reference to “volunteers” refers to militia members under the command of Musa Hilal, but it appears that these militia members are considered to be “mujahedeen.”

The document continues, in a directive: “We also highlight the importance of non-interference so as not to question their authorities and to overlook minor offences by the mujahedeen against civilians who are suspected members of the rebellion...”¹⁴ The document then qualifies the impunity conferred upon the fighters (mujahedeen) by requesting that security units “ensure that what happened in the area of Kutum, which reflected a distorted version of events that raised questions about the intentions of the fighters and resulted in false media propaganda, is not repeated.”¹⁵

The reference to the events in Kutum is clearly to the events of early August 2003, one of the first publicly reported incidents in which Janjaweed and government forces were accused of collaboration and responsibility for atrocities.¹⁶ After the SLA forces occupied and then withdrew from Kutum town on August 3, 2003, at least 42 civilians are reported to have been summarily killed by Janjaweed militia deliberately targeting individuals based on ethnicity.¹⁷ The

PT¹²TP العمل علي تمرير سياسات المجاهد ين و المتطوعين للقتال والذين يعملون تحت أمره المجاهد الشيخ موسي هلال بمناطق <بشمال دارفور> و تأمين الاحتياجات الضرورية لهم.

¹³ The presence of PDF among the Sudanese government forces in Darfur has been noted by several sources. Some of the Janjaweed militia were alleged trained at PDF camps in 2003. See for instance, “Milicias ravage Darfur in gangs of hundreds,” IRIN, March 10, 2004, at <http://www.reliefweb.int/w/rwb.nsf/3a81e21068ec1871c1256633003c1c6f/f2f40c858beed20849256e530027080d?OpenDocument>

¹⁴ كذلك نوصي بأهمية عدم التدخل في تحجيم صلاحياتهم و غرض الطرف عن تجاوزاتهم الطفيفة التي يقوم بها بعض الجانحين من المجاهد ين بحق المدنيين المشكوك في إبتنائهم للتمرد

¹⁵ وكذلك لضمان عدم تكرار ما حدث في منطقة كتم من عكس مشوة للأحداث يشكك في صدق نوايا المجاهدين و يعمل على الترويج الإعلامي الكاذب لها.

¹⁶ “Sudan rebels accuse pro-government militias of killing 300 in Darfur,” Agence France Presse, August 11, 2004.

¹⁷ “Immediate Steps to Protect Civilians and Internally Displaced Persons in Darfur,” Amnesty International, August 29, 2003. A survivor of the Kutum massacre has stated that over 60 individuals were killed.

Governor of North Darfur publicly denied allegations that the Janjaweed were supported by government forces.¹⁸

Orders for recruitment and military supply

Several other documents from North and South Darfur states authorize “mobilization” (i.e. recruitment) of new militia members (often referred to as “volunteers”) and the provision of military support to their camps and groups by government officials.

North Darfur:

Documents from North Darfur officials, including the office of the Commissioner of Kutum, one of the largest towns in North Darfur, are explicit.

Despite a public declaration on February 9th, 2004 by Sudanese President Omar El Bashir that the war was over and there would be an “end of all military operations in Darfur,” specific orders were issued from officials in Darfur calling for increased recruitment and military support to “allied” or “loyalist” tribes. Human Rights Watch obtained a directive dated February 2004, from the office of the Commissioner of Kutum Province in North Darfur state, which borders Chad.

The memorandum is marked “highly confidential” and is addressed to all those in charge of “mobilization” or “recruitment” in the provincial localities.

The document refers to the “President of the Republic’s directives declaring...an end of military activities in major areas of operations in Darfur and the withdrawal of all outlawed groups from the areas they used to occupy in the northern part of the state, and to guarantee the avoidance of a repetition of this, we recommend the following....” It then notes six steps in follow-up of the presidential statement. Rather than ending military operations, however, the document recommends:

- (1) Increase in the process of mobilizing loyalist tribes, and providing them with sufficient armory to secure the areas.”¹⁹

¹⁸ Ibid.

TP¹⁹PT لقرارات السيد/ رئيس الجمهورية التي اعلنت بحمد الله انتهاء العمليات العسكريه بمناطق العمليات الرئيسية في دارفور وانسحاب كل الفئات الخارجة عن القانون من المناطق التي تسيطر عليها بشمال المحافظة ولضمان عدم تكرار ذلك نوصى بالاتي:

1/ تكثيف عمليات الحمد والتعبئة للموالين من القبائل وضمان التسليح الكافي لهم لتأمين المناطق.

This directive coincides with a marked increase in Janjaweed militia activity along the Chadian border, including cross-border incursions into Chad and attacks on refugee settlements along the border.²⁰

An eyewitness who was in Musa Hilal's main camp in Mistriya, near Kebkabiya, in early 2004 confirmed this pattern of government support to the militias and told Human Rights Watch that government helicopters came to the camp three times per week and brought weapons, ammunition, letters and provisions, including food.²¹

South Darfur:

Two of the documents authorizing recruitment and military support to the Janjaweed are from the office of the governor of South Darfur, the highest-ranking official in the state, who is directly appointed by the President of Sudan.

A document dated November 22, 2003 describes the visit of the highest ranking state official in South Darfur, Governor Adam Hamid Mussa, and a deputy Minister of the Interior from Khartoum (from the national government), Colonel Ahmad Haroun, to a Janjaweed camp in Qardud on November 18, 2003, where they requested that leaders "recruit 300 knights [armed horsemen or Janjaweed] for Khartoum." Governor Mussa was removed from his position by President El Bashir on June 24, 2004, apparently due to increasing international criticism of his role in channeling government support to ethnic militias.²²

In another document from the office of the governor of South Darfur dated March 2, 2004, a directive is issued to Said Adam Jamaa, the Commissioner of Nyala, the largest town in and the capital of South Darfur, to form a security committee and increase the level of recruitment to ensure that "the activities of the outlaws [i.e., rebels] are not brought into the state." Among the named members of the security committee are known tribal leaders responsible for mobilizing militia members from their communities. These individuals include:

- Mohammed Adam Saliko, a Janjaweed leader of Saada ethnicity reported to be in charge of the al-Qardud training camp in South Darfur, who was rewarded by the Governor of South Darfur in late-2003 with a place on the

²⁰ "Sudan-Chad: Cross-border conflict escalates," IRIN, March 16, 2004, at <http://www.reliefweb.int/w/rwb.nsf/3a81e21068ec1871c1256633003c1c6f/e0f1adb1bfd2b0d985256e590069c777?OpenDocument>

²¹ Human Rights Watch interview, June 2004. Further details are confidential in order to protect the security of this witness.

²² The new governor of South Darfur is Alhaj Atta el-Mannan Idris, a former commissioner of South Darfur state and currently Secretary General of the National Congress Party for Khartoum state. He is reputed to have close links to Vice-President Ali Osman Mohammed Taha.

list of individuals permitted to go on the “hajj” or annual pilgrimage to Mecca;

- Mustafa Abu Nouba of the Southern Rizeigat ethnicity; and
- Mohammed Yacoub, an “omda” or leader of the Turjum ethnicity.

The document continues by requesting the Commissioner of Nyala to “swiftly deliver provisions and ammunition to the new camps to secure the south-western part of the state.” This March directive directly coincides with reports of increased recruitment and military activity in South Darfur in March 2004, following SLA attacks in the Buram area.²³

Resettlement of lands by nomadic groups

The document from the office of the commissioner of Kutum province, North Darfur State, dated February 12, 2004, also appears to validate claims made by numerous sources (in reports of Human Rights Watch and others) that the Sudanese government has a plan to resettle lands from which the original inhabitants have been displaced.

The memorandum recommends certain measures to guarantee the avoidance of the return of “outlaw forces from the areas they used to occupy” in North Darfur. The memorandum is addressed to those in charge of “orientation and mobilization branch at province localities” and recommends:

- (5) Designing a plan for resettlement operations of nomads in places from which the outlaws withdrew, based upon field trip and evaluation operations.²⁴

The same memorandum refers also to other measures that are consistent with a plan to move new persons into land that had been emptied of previous occupants and destroyed:

- (2) Rehabilitate water resources, and open schools in these areas.²⁵

Human Rights Watch recently gathered new testimony in Chad indicating that resettlement activities in Darfur may be aimed not only at nomadic communities in Darfur, but also at Chadian Arab nomads, who in some locations are being

²³ Agence France Presse, “Sudan turns down request for aid agencies to extend operations,” March 15, 2004.

²⁴ (5) وضع تصور اعمييات لعادة توطين الرحل بالمناطق التي انسحب منها الخارجين عن القانون بناءا على الزيارة الميدانية وعمليات التقييم.

²⁵ (2) اعادة تاهيل مصادر المياه وفتح المدارس بتلك المناطق.

encouraged to cross the border into Darfur and resettle land previously occupied by Darfurian farmers.

Another alarming feature of Sudanese government policy as recently stated by Sudanese Minister for the Interior, Major General Abdel Rahim Mohammed Hussein on July 2, 2004, is the intention to create 18 “settlements” to host more than one million displaced persons, a plan which would “facilitate offering services and protection of the villagers who were previously living in numerous scattered villages.”²⁶

These statements raise the concern that rather than returning to their homes and lands, displaced civilians will be forced to remain in camps or permanently resettle in new locations, effectively consolidating the ethnic cleansing that has taken place. Instead of supporting this outcome, the international community should demand that Janjaweed militias are removed from areas they have occupied, thereby permitting displaced civilians to voluntarily return to their lands and villages in safety and dignity.

Janjaweed militia to “protect” internally displaced persons

The “highly confidential” February 2004 memorandum from the office of the Commissioner of Kutum also confirms the use of Janjaweed camps sited near major towns to “protect civilians.” It specifically recommends:

- (2) Opening of new camps for volunteers to protect civilians in major cities, and to conduct security missions among the citizens.²⁷

Victims and witnesses have reported that the Janjaweed militia have moved into rural areas in many areas of Darfur and have set up military camps outside the villages and towns from which they conduct reconnaissance missions and raids on villages.

According to reports from credible sources in Darfur and testimony from refugees in Chad, from these camps the Janjaweed patrol the areas around the major towns and villages, including the IDP camps and have also been given responsibilities for manning checkpoints along the main roads. Displaced persons venturing outside the camps have been subjected to serious abuses including rape, torture and robbery.²⁸

²⁶Agence France Presse, “Sudan to set up 18 “settlements” for million Darfur refugees: report,” July 2, 2004.

²⁷ (4) فتح معسكرات جديده للمتطوعين لحماية المدن الرئيسية والقيام بالاعبا الامنية فى اوساط المواطنين.

²⁸ See HRW, *Darfur Destroyed*, May 2004; “UN Agencies Report Mixed Progress on Enhancing Humanitarian Access,” UN News Service, July 12, 2004.

New Janjaweed camps have been reported from all three states in Darfur over the past three months, including at Saraf Omra in North Darfur; Mercoondi in South Darfur; and Um Dukhun, Buram, and Abugradil in West Darfur. These are in addition to more than twelve existing Janjaweed militia camps in the three states.

Disarming the Janjaweed and reversing ethnic cleansing

Despite the April 8, 2004 ceasefire agreement signed by the government of Sudan and the SLA and JEM rebel groups, violence against civilians has not ceased. On the contrary, the security situation appears to be deteriorating: Human Rights Watch has documented ongoing attacks on civilians by government forces and Janjaweed in North and West Darfur, a proliferation of armed groups along the Sudanese-Chadian border, and attacks on government-held towns and at least two confirmed incidents of kidnapping of aid workers by rebel groups.²⁹

In response to international demands that the government of Sudan protect civilians from the continuing insecurity, President El Bashir recently called for 6,000 new police to be recruited.³⁰ However, there are increasing allegations that instead of being disarmed and disbanded, Janjaweed militia members are being incorporated into these new police and military forces.³¹

While protection of civilians remains an overriding priority in Darfur, clearly Janjaweed members who have participated in attacks, murders and rapes of civilians should not be included within the police and military forces used to protect civilians.

Conclusions

The documents described in this paper confirm the Government of Sudan's policy of official support to the Janjaweed militia. They illustrate patterns of official recruitment and military support to the militias by officials from a variety of levels in the Sudanese government, a pattern that cannot be dismissed as arbitrary or as the actions of individuals over-reaching their authority. The directives issued by government officials illustrate the extent to which the government-backed militias are used as auxiliaries in the military campaign and a fundamental tool and instrument of government policy and military strategy.

If genuinely concerned with bringing peace and stability to Darfur and ending the cycle of violence and impunity in the region, the Sudanese government should suspend key government officials who bear responsibility for recruiting, arming

²⁹ See Human Rights Watch report on ceasefire violations and other abuses, forthcoming July 2004.

³⁰ "Presidential Political Decree to Resolve the Darfur Conflict," June 20, 2004, see footnote 2.

³¹ "Sudan: Threat of forced return looming in Darfur," IRIN, July 12, 2004.

or otherwise supporting the Janjaweed militias from official duties, pending official investigation of their responsibility for abuses.

In addition, the international community must recognize that the government-backed militias and government forces are clearly indivisible—they are utilized as one entity. Those officials for whom there is evidence of implication in the policy of militia support should be included in any forthcoming international measures, including international travel sanctions, arms embargoes, and investigation by any future international commission of inquiry.

This international commission of inquiry should be established by the U.N. Security Council and dispatched to examine the evidence concerning crimes against humanity, war crimes and other violations of international humanitarian law committed by all parties in Darfur in 2003-2004, including the nature of the crimes, the identity of the perpetrators, and the role of authorities in the commission of crimes; collect and preserve evidence of the crimes; and, make recommendations on appropriate action to ensure accountability for the crimes.³²

Finally, given the continuing abuses and the allegation that Janjaweed members are being incorporated into police forces, the disarmament and removal from rural areas of the government-backed militias must be closely monitored by international monitors such as the African Union mission, and its capacity increased and supported commensurately.

³² As noted in the recommendations of the U.N. Office of the High Commissioner of Human Rights, May 7, 2004, and the conclusions of the E.U. General Affairs Council, July 12, 2004.