



Security Council

Distr.: General
24 January 2022

Original: English

Letter dated 24 January 2022 from the Panel of Experts on the Sudan addressed to the President of the Security Council

The Panel of Experts on the Sudan has the honour to transmit herewith, in accordance with paragraph 2 of Security Council resolution [2562 \(2021\)](#), the final report on its work.

The report was provided to the Security Council Committee established pursuant to resolution [1591 \(2005\)](#) concerning the Sudan on 23 December 2021 and was considered by the Committee on 21 January 2022.

The Panel would appreciate it if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

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Final report of the Panel of Experts on the Sudan

Summary

During the reporting period, the general situation in Darfur remained extremely fragile. The Juba Peace Agreement, which was supported by the Government of the Sudan and signatory armed movements remained the pivot of the peace process in Darfur. Although the Jebel Marra area remained largely peaceful, with the Government of the Sudan and the Sudan Liberation Army of Abdul Wahid Nur (SLA/AW), which had rejected the Agreement, respecting the ceasefire, there were pockets of clashes between different SLA factions. Many parts of Darfur witnessed large-scale intercommunal violence and deterioration in the security situation, described by many interlocutors as the worst in recent years. Overall, the national context, framed by political and economic tensions, was unfavourable to the implementation of the Darfur track of the Agreement, and the Government of the Sudan could not allocate substantial resources and attention to Darfur.

Regional States continued to support the Juba Peace Agreement; however, most of these States experienced internal tensions, as well as local armed conflicts, which had a potential for deterioration, and posed threats to peace, security and stability in the region. Mercenary activities in Libya had been the major source of financing for most Darfurian movements, however, due to international pressure and diminished pay-out from Libyan counterparts, the signatory movements progressively returned to Darfur. Some members of the armed groups in Darfur profited from local and cross-border criminal activities, and the artisanal gold mines in Jebel Marra were a major source of financing for SLA/AW. Some movements signatory to the Agreement were looking at gold-mining in Darfur as a source of potential revenue. Though an important source of revenue and employment, if not managed properly, artisanal mining could lead to local tensions and violence in Darfur.

There were outbreaks of cyclical violence characterized by attacks on villages and communities hosting internally displaced persons (IDPs), resulting in loss of lives and properties. Some IDPs and seasonal farmers who had returned to their places of origin were forced into secondary displacement because of outbreaks of violence. The farmers and IDPs pointed to Arab nomads (often calling them “Janjaweed”) as perpetrators. Pastoralist communities also suffered from seasonal violence and blamed other pastoralist communities, as well as farmers and IDPs, for assaults and cattle-rustling. Local sources reported that some Rapid Support Forces commanders supported the militias of their tribesmen with cars and weapons during attacks on villages and IDP communities, demonstrating a lack of neutrality. Local sources also named members of the signatory movements as perpetrators of some of the violence witnessed in Darfur during the reporting period. Acts of violence were also characterized by sexual assaults and rape of women and girls, although identifying perpetrators remained challenging for many victims, particularly victims of sexual violence.

The widespread availability of arms and ammunition continued to negatively affect security and stability in Darfur and the presence of explosive remnants of war posed a serious threat to civilians, with women and children most at risk. In most places, the rule of law was weak and there was no early warning or early response mechanism to avert conflicts. The assaults and destruction of property and crops during the harvest season had exacerbated the already dire humanitarian situation.

Except for power-sharing arrangements, progress on the implementation of the Juba Peace Agreement was either slow – on security arrangements – or minimal in respect of provisions relating to IDPs, refugees, nomads and herders, land, justice and accountability. The victims of violence and their families had not received reparations for the human rights violations and abuses suffered. The expected funding to implement provisions of the Agreement did not materialize, jeopardizing its overall implementation and the peace process.

The violation of the arms embargo continued, with the transfer of arms and other military materiel into Darfur. The Security Council Committee established pursuant to resolution [1591 \(2005\)](#) concerning the Sudan has not received any requests for exemptions from the arms embargo or notifications of the transfers of military materiel into Darfur.

The implementation of the travel ban and asset freeze remained a challenge owing to a lack of cooperation by the Government of the Sudan and regional States. A new instance of a travel ban violation was noted by the Panel in April 2021. The Panel provided the Committee with updated information about listed individuals.

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I. Introduction

1. On 11 February 2021, the Security Council adopted resolution [2562 \(2021\)](#), by which the Panel of Experts was mandated, inter alia, to provide the Security Council Committee established pursuant to resolution [1591 \(2005\)](#) with a final report no later than 13 January 2022. In the present report, the Panel outlines its findings and investigations since the beginning of its mandate on 13 March (see details on the Panel's mandate in annex 1).

2. The Panel conducted two missions in the Sudan (including Darfur) in June–July and in September. The Panel conducted official visits to Egypt and the United Arab Emirates and had productive online interactions with other Panels. Planned travel to other countries was postponed owing to the coronavirus disease (COVID-19) pandemic and measures related thereto. During the Panel's various visits to the Sudan (including Darfur), it also met with several contacts from within the Government of the Sudan, including the National Coordination Mechanism, the United Nations Integrated Transition Assistance Mission in the Sudan (UNITAMS), the Office of the United Nations High Commissioner for Refugees (UNHCR), civil society organizations, community and traditional leaders, male and female representatives of internally displaced persons (IDPs), human rights activists, representatives/associates of signatory armed groups, the leadership of the Rapid Support Forces and other stakeholders and two of the listed individuals subject to targeted measures.

3. The Panel worked in full conformity with the best practices and methods recommended by the Informal Working Group of the Security Council on General Issues of Sanctions (see [S/2006/997](#)) (the approach to the use of sources and terminology in the present report is outlined in annex 2). The Panel gathered information from different sources, including government interlocutors and local contacts, as well as through desk research and videoconference and telephone interviews. Different media outlets were a source of information that the Panel built upon. Information contained in the present report was collated and triangulated through engagements with the Panel's different contacts.

II. Peace process

4. The following major trends characterized the peace process throughout the reporting period:

(a) The Government of the Sudan and the signatory Darfurian armed movements¹ continued to support the Juba Peace Agreement;

(b) In accordance with the power-sharing provisions of the Agreement, the leaders of three major movements (the Sudan Liberation Army-Minni Minawi (SLA/MM), the Justice and Equality Movement (JEM) and the Sudan Liberation Army/Transitional Council (SLA/TC)) joined the Government of the Sudan and kept their positions as Ministers and Governors (Walis). For example, Gibril Ibrahim (JEM) became the Minister of Finance, Khamis Abkar (Sudanese Alliance) was appointed Governor of West Darfur and Nimir Mohamed Abdulrahman (SLA/TC) became the Governor of North Darfur. The Government of the Sudan also created the umbrella position of a regional Governor (Hakim) for all five states of Darfur; Minni

¹ Sudan Liberation Army under the leadership of Minni Arko Minawi (SLA/MM), Justice and Equality Movement led by Gibril Ibrahim (JEM), Sudan Liberation Army/Transitional Council (SLA/TC), Sudanese Alliance, two splinter groups from the non-signatory Sudan Liberation Army/Abdul Wahid (SLA/AW), led by Ali Hamid "Shakush" and Mustafa Tambor, and the Third Front-Tamazuj (see annex 6).

Arko Minawi was appointed to this post in May 2021 but has mainly stayed in Khartoum;

(c) Except for the power-sharing provisions, progress on the implementation of the Agreement was slow or negligible. Most importantly, the provisions on transitional justice, compensation and repatriation, ceasefire and security arrangements have not been implemented;

(d) Despite informal contacts with the Government of the Sudan, SLA/AW (which continued to control significant areas in Jebel Marra and exert influence among the IDPs) and the Sudan Liberation People's Movement-North (SPLM-N, the faction led by Abdul Aziz al-Hilu, also influential among some Darfurian communities) did not join the Agreement;

(e) SLA/AW promoted a "Sudan-Sudan dialogue" instead of the Agreement, but did not specify a road map for such dialogue;

(f) Armed "peace-preaching" (promotion of the Agreement among civilians, including in the IDP and refugee camps) and recruitment by the signatory movements led to more tensions in the camps. All Darfurian movements, including SLA/AW, sought to avoid clashing with the Government of the Sudan forces, such as the Sudanese Armed Forces, the Rapid Support Forces and the Central Reserve Police;

(g) Organized groups and individual elements from the movements who previously fought in Libya continued to return to Darfur;

(h) Financial pledges for implementation of the Agreement from international donors did not materialize, except in-kind assistance from the Gulf States. Armed movements and local militias continued to engage in inter-faction fighting. West Darfur was worst affected by the violence.

5. Since 25 October 2021, when the military component of the Government of the Sudan joined by several signatory movements (see para. 13) declared a state of emergency, temporarily removed the Prime Minister, Abdallah Hamdok (he was reinstated on 21 November), dissolved the Transitional Sovereign Council and the Council of Ministers and made other changes at the national and local levels, new factors have influenced the peace process in Darfur:

(a) The Darfur signatory movements diverged in their reaction to the events of 25 October in Khartoum;

(b) Government of the Sudan opponents, including Resistance Committees and the Forces for Freedom and Change (FFC) parties active in Darfur, blamed Government forces and the signatory armed movements for all outbreaks of violence. The Government of the Sudan did not officially block access to the Internet, but there were repeated and almost total blackouts;

(c) The political crisis at the national level exacerbated the already existing tensions between farmers and nomad communities, especially in West Darfur;

(d) The level of general insecurity, including local banditry and cross-border criminal activities, increased;

(e) Most international donors have stopped or frozen support for the implementation of the Agreement.

III. Implementation of the Juba Peace Agreement

6. The situation in the five states of Darfur did not present a uniform challenge for the peace process and the implementation of the Juba Peace Agreement. There were three different contexts, those of big cities, “low hotspots” and “high hotspots”. In the state capitals of Darfur, such as Nyala, there was effective state control and rule of law, even though local police lacked the necessary capacities and training. In the “low hotspots” (most residential areas), the security forces (Sudanese Armed Forces and Central Reserve Police) were able to keep the situation under control, despite tensions involving the Rapid Support Forces and the armed movements. Mobile joint forces could be sent when needed to calm the conflicts. In the “high hotspots” (IDP camps with a strong SLA/AW presence, such as Kalma and Sortony), the Government of the Sudan exerted little influence, and the people in the camps were eager to see some non-Government of the Sudan presence, such as African Union forces (“they need to see foreigners”).² West Darfur presented a particular case, with the strongest regional and international implications (see annex 8).

7. Various interlocutors and the Panel’s own observations in places such as Nyala, El Fasher and El Geneina, as well as Gereida, seemed to confirm this assessment. In Gereida (South Darfur), the Government of the Sudan deployed a force of 104 officers from the Central Reserve Police and a unit from the Rapid Support Forces to prevent further intercommunal conflicts in this locality.³ The authorities seemingly lacked the capacity to deploy such contingents all over Darfur. During a conflict in Mershing in December 2021, the Central Reserve Police was deployed temporarily with a force from the signatory Sudanese Alliance.

8. The Government of the Sudan established several bodies to deal with the implementation of the Agreement. Those entities included the Higher Committee for implementation of the Agreement, chaired by the First Vice-President of the Transitional Sovereign Council, General Mohamed Hamdan Dagalo (known as “Hemetti”), the Joint Supreme Council, chaired by the President of the Transitional Sovereign Council, General Abdel Fattah al-Burhan, and the Joint High Military Committee for Security Arrangements, also led by General Al-Burhan. The Joint Supreme Council consisted of 16 security force commanders and leaders of signatory movements. Its task was to supervise the integration of the movement forces and to assess security and the humanitarian situation in Darfur. The Government of the Sudan also started to create new commissions based on the Juba Peace Agreement and replacing the former Doha Document for Peace in Darfur commissions.⁴

9. According to the Juba Peace Agreement, \$750 million should be allocated for the implementation of the Darfur track of the Agreement. During the Panel’s visits to the Sudan, interlocutors from the movements complained about a wide gap between the promised funding and the commitment of the donors. From their side, the representatives of the donor countries showed little appetite to support the implementation of the Agreement, which was seen as too ambitious and too costly. According to some interlocutors, the Government of the Sudan and the international community should focus on a few specific key provisions of the Juba Peace Agreement. It was stated that the Sudan needed to mobilize its own resources and that

² Panel’s meeting with Mahmoud Zinelabdin Mahmoud, African Centre for Governance, Peace and Transition Studies, Khartoum, 27 June 2021.

³ Panel’s meetings (including videoconference) with UNITAMS and other United Nations bodies, July–December 2021.

⁴ Panel’s meeting with Mohamed Al’Taishi, then a member of the Transitional Sovereign Council, Khartoum, July 2021.

there was a place for profitable cooperation with foreign companies.⁵ On 11 December 2021, assessing the implementation of the Agreement, Minni Minawi admitted that only 1 per cent of the Agreement had been implemented.⁶

IV. National context

10. The national context has been largely unfavourable to the peace process, especially since the end of October 2021. Throughout the reporting period, a deep crisis plagued the economy of the Sudan, including Darfur. The political crisis also affected the capacities of the Government of the Sudan, with conflicts between civilian and military components, between the supporters and opponents of the Juba Peace Agreement among the armed movements and other political forces, as well as tensions within the military leadership itself. There were reports about a break between General Al-Burhan and Hemetti, especially after the latter said in June (at an SLA/MM event) about “integrating the army” that the Rapid Support Forces were “not a battalion or company to be integrated ... a big force... Such words dismantle the country”.⁷ The Sudanese Armed Forces and the Rapid Support Forces denied this interpretation, but the tensions persisted.

11. After several rumoured coup attempts and one failed coup attempt on 21 September 2021 in Khartoum, the security forces, acting together, temporarily removed the Prime Minister, Abdallah Hamdok, dissolved the Cabinet of Ministers and made several other changes at the national and local levels on 25 October 2021. Some components of FFC, which had influence in Darfur, such as the National Umma Party, and local Resistance Committees condemned all signatory armed movements because of their alleged participation in the events of 25 October, which they dubbed as a “coup”. SLA/AW also condemned the steps taken by the “military component” of the Government of the Sudan.

12. The FFC parties and Resistance Committees organized several protest actions (mass marches). The protests did not affect Darfur in the same way as the capital and some other cities, but they added to general insecurity. The African Union temporarily cancelled the membership of the Sudan, and donors became even more reluctant to support the implementation of the Juba Peace Agreement. Lacking international support, the authorities reconstituted the Transitional Sovereign Council and reinstated Hamdok as the Prime Minister on 21 November 2021. At the time of reporting, the protests continued, mainly in Khartoum, but also in other cities, including (to a lesser extent) in the capitals of the Darfur states.

13. Among the signatory movements, SLA/MM and JEM initially supported the military component of the Government of the Sudan, but then tried to find a more balanced political position. Other signatory movements, such as SLA/TC also stayed in the Government of the Sudan, seeing it as necessary for the implementation of the Juba Peace Agreement. The Third Front-Tamazuj supported the Government of the Sudan and tried to gain influence at the national level but failed.

14. In this context, the implementation of the Agreement became even more problematic, although the authorities in Khartoum and the signatory movements continued to support it. SLA/AW and other opposition forces in Darfur saw more arguments supporting their conviction that the Agreement was a non-comprehensive

⁵ Panel’s meetings at the embassies of the Friends of the Sudan countries and with Professor Suleiman Mohamed Eldeballo, Chair of the National Peace Commission, June–July 2021.

⁶ See www.assayha.net/86401/.

⁷ See <https://pressn.net/article/11295784?news=-الجيش-في-السريع-دمج-قوات-الدمج-السريع-في-الجيش-السوداني>.

agreement between the Government of the Sudan and the signatory movements, aimed only at power-sharing between them and ignoring the real concerns of Darfurians.

V. Regional context

15. All regional States continued to support the peace process in Darfur and the implementation of the Juba Peace Agreement. This context was favourable to the peace process in Darfur. On the negative side, most neighbouring States experienced local political and military conflicts with a potential for further deterioration, threatening regional peace and stability.⁸

16. The Panel's interlocutors in West, North, Central and South Darfur referred to the presence of alleged foreign elements (refugees, migrants, criminals and new settlers). The tensions in West Darfur and some localities of Central and South Darfur were interrelated with the situation in the adjacent areas of Chad, the Central African Republic and South Sudan. The flows of illegal migrants were not confined to these neighbouring States. Darfur also remained the springboard for international migration from West and Central African countries, as well as the Horn of Africa, towards Europe across Libya and the Mediterranean.

17. The authorities in Khartoum and Darfur stressed that the situation along the borders remained under the control of the security forces. However, not everyone shared this view, especially among non-State interlocutors, who spoke of "open borders". Regular official reports about cross-border illegal activities seemed to corroborate the latter assessment. Such activities include the smuggling of vehicles, alcohol, drugs, cosmetics and gold, as well as trafficking in arms and persons (from and to South Sudan, the Central African Republic, Chad and Libya).

18. Most non-State interlocutors in Darfur told the Panel that various foreign settlers were occupying the lands that belonged to today's IDPs and refugees. The list of the countries from which these settlers came included Chad, the Central African Republic, Mali, the Niger and Nigeria. The Panel's interlocutors described new settlers as nomads, "Arabs" and "Janjaweed". In the concrete cases presented to the Panel (in Zamzam IDP camp, North Darfur, in July 2021), the new settlers were Darfurians of various origins. At meetings in Khartoum and Darfur, the Sudanese authorities denied the existence of foreign settlement on the lands claimed by IDPs and refugees. Chadian interlocutors also shared this view; according to them, "the land of Darfur belongs to ethnic groups", and the groups that live along the bilateral borders (Chad-the Sudan) are not foreigners on either side.⁹

19. Several interlocutors told the Panel that the uncontrolled return of the Darfuri fighters from Libya, with weapons and experience of lucrative fighting,¹⁰ constituted a potential serious threat to regional stability, especially in the context of unclear perspectives for their participation in disarmament, demobilization and reintegration, which needed concerted international funding efforts.

⁸ See "Second State of the IGAD Region Address" by the Executive Secretary of the Intergovernmental Authority on Development, Workneh Gebeyehu, Mombasa, 17 December 2021. Available at <https://igad.int/executive-secretary/2937-the-igad-executive-secretary-state-of-the-region-speech>.

⁹ Panel's meeting with the Ambassador of Chad in the Sudan, July 2021.

¹⁰ Panel's videoconference meeting with UNITAMS, December 2021.

A. South Sudan

20. The relations between the Sudan and South Sudan remained close. Several unsolved issues, such as the pending border demarcation, did not prevent the two countries from engaging in political and economic cooperation. The Government of South Sudan supported the Juba Peace Agreement and was actively involved in the mediation between the non-signatory Sudanese movements and the Government of the Sudan. After 25 October 2021, South Sudanese authorities continued their mediation efforts in the Sudan. At the same time, according to the Panel's interlocutors, the areas of South Sudan adjacent to South and East Darfur continued to provide shelter for militias, smugglers and traffickers. Illegal gold-mining, logging and charcoal production also took place there. The forces of Darfurian armed movements also had their bases in those areas. Despite such cross-border activities, the Government of the Sudan indicated that it did not see them as a security threat for the Sudan.

B. Chad and the Central African Republic

21. Maintaining good relations with neighbouring States had been a prerequisite for stability in the border areas of the Sudan. The Government of the Sudan and the Government of Chad maintained strong and beneficial relations, which were not affected by the death of the former President of Chad, Idriss Deby, in April 2021, or the political change in the Sudan in October 2021.

22. The situation along the borders between the two countries remained volatile, however, according to the Panel's interlocutors in the Sudanese security forces, under the control of the Sudan-Chad joint border force. Darfurian fighters returning to the Sudan from Libya continued to cross the territory of Chad, often avoiding the direct, but apparently more difficult, road from Libya. The Panel has had no information about official control of these elements and their weapons in the Sudan. Chadian Front pour l'alternance et la concorde au Tchad (FACT) rebels and some social media sources accused Darfurian rebel movements, SLA/MM and the Gathering of the Sudan Liberation Forces (GSLF), of intervening in Chad to support the Chadian military against FACT, on the ground of shared Zaghawa affiliation between them and Deby. They also alleged that the Chadian authorities had reached out to those Darfurian forces in Libya to ask them to attack FACT forces there. However, the Panel has found no evidence of such intervention of Darfurian movements in Chad.

23. The former Governor of Central Darfur, Adeeb Yousif, told the Panel that there were tensions in four localities of the state near the borders with Chad and the Central African Republic (Um Dukhun, Bindisi, Mukjar and Wadi Salih). In these areas, the population sometimes helped the Chadian armed opposition. On one occasion, around 200 Salamat Arabs on 150 motorcycles from Um Dukhun moved to Chad for mining activities and clashed with Chadians there. This incident led to a revenge incursion in Darfur. The Sudan-Chad joint border force then solved the issue.¹¹

24. During the conflicts in the border localities of West Darfur, the affected population sought refuge among kin communities in Chad; this happened, for example, during the clashes in Jebel Moon in November 2021. Some Sudanese officials and social networks blamed Chad or non-State armed elements from the neighbouring State for the tensions in West Darfur. The official Chadian interlocutors of the Panel denied any involvement in the local conflicts.

¹¹ Panel's meeting with the then Governor of Central Darfur, July 2021.

25. The Sudan-Central African Republic border was, according to the South Darfur authorities, under the control of the police, and there was a component of the joint border force on the Sudanese side (this force was inactive from the Central African Republic side). The Government of the Sudan security forces also saw the situation as stable, although there were recurrent problems because of the activities of movements from the Central African Republic between Birao and Umm Dafog in the Sudan. Earlier in 2021, the Governor of South Darfur said in an interview that the police in those areas had no weapons, equipment or vehicles.¹² The latter assessment, not intended for a foreign audience, seemed more plausible. According to some of the Panel's United Nations interlocutors, South Darfur was crucial for arms supplies to opposition movements in the Central African Republic.

26. Between March and June 2021, there were clashes between the Ta'a'ishah Arab and Fulani (Fallata) pastoralist communities near the Sudan-Central African Republic border, which led to the destruction of several villages and markets. Some of the Panel's interlocutors attributed the clashes to ecological factors (seasonal scarcity of water) and the tradition of revenge parties. After the clash at Mandowa, the authorities of South Darfur sent a mobile joint force, which calmed the tensions. The traditional leaders of the community (the Council of the Fallata tribe) had a different assessment of the events, blaming the clashes on the absence of official control, the attempts of the Government of the Sudan to establish such control and even the search "to make for them (Arabs) new land" in the border areas. These interlocutors denied all allegations of connections with the Fulani communities in the Central African Republic, such as the rebel leader Ali Darasa who "does not even speak Arabic". They confirmed that there was some cross-border arms traffic, and a few Darfurian Fulani fighters had joined the opposition movements in the Central African Republic.¹³ From the other side, illegal migrants continued to move to South and Central Darfur. The tensions in the Sudan-Central African Republic border areas may constitute a threat to regional stability; both the Sudan and the Central African Republic seem to lack the support necessary for regular border control.

C. Libya

27. The Government of the Sudan made efforts to work with the Libyan authorities in Tripoli and in the border areas. In April 2021, Khartoum and Tripoli agreed to cooperate to maintain regional stability.¹⁴ The Government of the Sudan also sent security forces ("Saharan Shield") to fight "illegal migration, human trafficking, arms trade, smuggling, terrorism and cross-border-crimes", still common in the Libya-Egypt-Sudan border area. The operations of these forces led to casualties and seizures of weapons. Official government interlocutors argued that these forces needed international support, as "this is a regional problem and may expand beyond the region".¹⁵ The Government of the Sudan faced significant challenges with command and control of Darfurian fighters who were returning from Libya with their weapons.

28. The Government of the Sudan took part in the activities of the 5+5 Joint Military Commission, facilitated by the United Nations Support Mission in Libya (UNSMIL). According to a United Nations interlocutor, the Libyan authorities were eager "to push out various armed groups operating there". This approach would help to make

¹² Panel's meetings in Nyala and Khartoum, July 2021; Tayba satellite television channel, 27 March 2021.

¹³ Panel's meetings in Khartoum and Nyala, June–July 2021. See www.darfur24.com/en/2021/06/07/, 7 June 2021.

¹⁴ See <https://sudantribune.com/article67580/>.

¹⁵ Panel's meetings with military intelligence and the Governor of North Darfur, Khartoum and El Fasher, July 2021.

Libya stable for six months but could destabilize the Sudan and possibly other regional States, such as Chad, then the fighters would possibly go back to Libya. The coordination mechanism involving United Nations bodies in the Sudan, Libya and Chad lacked the capacity to support the disarmament, demobilization and reintegration process for the returning elements. To prevent destabilization of the region, the international community needed to provide funding to the Sudan and other affected countries.¹⁶

D. Gulf States

29. The Gulf States, especially the United Arab Emirates, Saudi Arabia and Qatar, retained a special place among the international partners of the Sudan. They continued to interact with the Government of the Sudan and all major political forces in the Sudan, including Darfurian armed movements, before and after the events of October 2021.

30. According to the United Arab Emirates, it continued to support and monitor the situation and expressed serious concern regarding the security, stability and prosperity of the Sudan.¹⁷ The United Arab Emirates saw the Constitutional Declaration and the Juba Peace Agreement as the basis for a successful transition, and it recommended that the Darfurian movements join the Government of the Sudan. At the same time, it argued that the United Arab Emirates did not finance or arm the movements, focusing on capacity-building, health services and education efforts (all provided indirectly, through the Abu Dhabi Fund for Development, for instance). The United Arab Emirates interlocutors indicated to the Panel that there was a need for a Security Council resolution to provide direct financial support to the Sudan, including Darfur. The United Arab Emirates claimed to have helped the Sudan and other regional States to better control their borders as part of the international efforts against human trafficking, a claim some non-State Sudanese interlocutors questioned. Responding to allegations of possible financial or military support to Darfurian forces (both in the Sudan and in Libya), the United Arab Emirates referred to its country's moderate position and struggle against extremism and hate speech during its meeting with the Panel in November 2021.

31. Qatar, which was a major actor at the earlier stage of the peace process that led to the Doha Document for Peace in Darfur, had not played a similar role in the Juba peace talks. Rather, Qatar had continued to maintain contact with the Darfurian armed movements and the Government of the Sudan, hosting, for example, several meetings of the Finance Minister and JEM Chairman Gibril Ibrahim. Qatar pledged to continue financial development projects in Darfur, such as the building of "model villages" for IDPs and refugees.¹⁸

E. Regional terrorist activities

32. The Government of the Sudan and other interlocutors viewed the risk of terrorist activities inside Darfur as low but referred to the presence of terrorist organizations in some neighbouring States as a latent threat to regional stability. As one of the

¹⁶ Panel's videoconference meeting with UNITAMS, November 2021.

¹⁷ Panel's meeting with Ministry of Foreign Affairs of the United Arab Emirates in Dubai, November 2021.

¹⁸ The Qatar Fund for Development provided funding for the construction of services complexes, with schools, police stations and housing for the returnees, such as in Abu Suruj (Sirba locality) and Sisi (Kireinik locality) in West Darfur. Saudi Arabia provided humanitarian and health assistance through King Salman Humanitarian Aid and Relief Centre.

Panel's interlocutors put it, "if extremists want to come to the Sudan, in 12 hours they will be there".¹⁹ Since March 2021, the security forces in Khartoum had discovered and dismantled several cells of Da'esh and Al-Qaida (comprising multiple nationalities, including Chadians).²⁰ In November 2021, Hemetti declared that such cells were all over the Sudan, without making any specific reference to Darfur. Official interlocutors had earlier told the Panel that the Darfurians were traditionally averse to religious extremism.

VI. Arms and armed groups

A. Implementation of the Juba Peace Agreement

1. Security arrangements

33. Positive developments with the implementation of the security arrangements under the Juba Peace Agreement were reported with the establishing and activation of the Permanent Ceasefire Committee. Several interlocutors stated that funding from international donors, the United Nations and the Government of the Sudan would be critical to ensure that the committees would fulfil their functions. Calls have been made for the international community to engage proactively to ensure the sustainable implementation of the responsibilities and activities under the ceasefire provisions in the Agreement. The Panel spoke with the Chair of the Permanent Ceasefire Committee, who gave a briefing about its functions and the security situation in Darfur.²¹

34. Lack of funding, coupled with multiple national and regional factors, continued to hamper and slow down the implementation of most of the security tracks of the Agreement. The creation of the most important component of the Agreement, a joint security force, was never completed (see annex 3).²²

35. The delays resulted in discontent among the fighters who returned from Libya, who had not received any logistical support or salaries pending the start of the integration process. The situation, which created problems between the movements' military forces and their political leaders, could drive fighters to return to Libya or engage in alternative means to earn a living. Lack of implementation also fuelled mistrust between the parties to the Agreement. The Sudanese Armed Forces and the Government of the Sudan said that the delays were caused by a lack of funding. Rebel leaders interviewed by the Panel believed that the security apparatus was deliberately delaying the implementation, to undermine the movements and force them to join in a weaker position.

36. The Panel noted the growing visibility of a new signatory armed group, Third Front-Tamazuj.²³ The group, previously unheard of, joined the Juba peace talks and signed the Darfur track of the Juba Peace Agreement at the last minute in October 2020. Since then, it has been very active in Darfur and other parts of the Sudan. The group, constituted mostly from the nomad communities of the border areas, including some former Chadian rebels in El Geneina, claimed that it was previously the Darfur wing of SPLM/N; however, the Chair of SPLM/N, Abdelaziz Al Hilu, told the Panel

¹⁹ Panel's meeting with the Sudan Disarmament, Demobilization and Reintegration Commission, July 2021.

²⁰ See www.sudaress.com.

²¹ Videoconference with General Sandeep Bajaj, Chairman of the Permanent Ceasefire Committee, and Simon Yazgi on 7 December.

²² See www.thenewhumanitarian.org/news-feature/2021/5/25/UN-peacekeeping-pullout-leaves-security-vacuum-in-darfur.

²³ See www.youtube.com/watch?v=y8onf_Cd2hs.

that it was unknown to him and had no links with SPLM/N. Other signatory groups considered that the Third Front-Tamazuj was a fabrication of the security services and the Sudanese Armed Forces, who wanted to use it to undermine the movements and the implementation of the security arrangements.

37. Misunderstanding and mistrust between the Sudanese Armed Forces and the movements continued to develop on multiple levels. The Sudanese Armed Forces blamed the movements for various breaches of the Agreement associated with the return of their forces to the Sudan.²⁴ The movements accused the security forces of deliberately delaying the implementation of the security arrangements, in particular the integration of the forces, to undermine them; they cited lack of proper follow-up by the Government of the Sudan, delays in creating the proper implementation mechanisms, lack of financial and logistical support from the Government of the Sudan for their forces that had returned to the Sudan and the creation by the Government of the Sudan of “fake rebel movements”, referring to Third Front-Tamazuj.²⁵

38. After the movements complained publicly, General Al-Burhan held a meeting with them and, on 5 July, he issued decrees forming the joint security arrangements committees (see annex 4). Despite this development, further problems were expected. In particular, the movements and the Government of the Sudan were not on the same page with regard to the integration of the movements’ forces in the Sudanese Armed Forces and establishment of a “single national professional army with a new unified military doctrine that reflects the demographic diversity of Sudan”.²⁶ While the movements now claimed hugely inflated numbers of fighters, most of whom were recruited after they had returned to the Sudan, the security forces made it clear to the Panel that their capacity to integrate rebel fighters was limited and that, in strict accordance with the Agreement, all rebel members recruited after the signing of the Agreement would be excluded from the process. While some movements intended to integrate large numbers of fighters into the Rapid Support Forces, in July, Hemetti informed the Panel that the Rapid Support Forces could absorb just a few. Divergences between the Government of the Sudan and the movements on issues such as military ranks and enrolment criteria were also likely to create major tensions.

39. The disarmament, demobilization and reintegration provisions of the Agreement, including steps to establish the Darfur regional disarmament, demobilization and reintegration commission, which would be responsible for a comprehensive assessment of needs and challenges, had not been implemented. The Sudan Disarmament, Demobilization and Reintegration Commission also confirmed that the verification of forces of the armed movements could not be done without a list of combatants, which had to be provided to the Permanent Ceasefire Committee.

40. Ad hoc implementation of the Agreement was reported. On 30 August, an ad hoc joint force arrived in Nyala to support a visit of the Regional Governor, Minni Arko Minawi. The commander of the force on behalf of the GSLF, Major General Ismail Ibrahim, said that “they had arrived in Nyala with forces for the Darfur track, including the Sudan Liberation Movement (SLM) (Minawi’s wing), the Transitional Council, JEM and the forces of the Sudan Liberation Movement”.²⁷

²⁴ Such as bringing some fighters to Khartoum and big cities, failure to canton their forces and hand over their weapons and recruitment of new fighters after the signing of the Juba Peace Agreement. Panel’s meetings with the Sudanese Armed Forces and the General Intelligence Service, Khartoum, June–July 2021.

²⁵ Panel’s meetings with various military commanders of the Darfurian movements, June–July 2021.

²⁶ Juba Peace Agreement of 3 October 2020, para. 33.5.1.

²⁷ See <https://alahdonline.net/11693/>.

41. On 31 August, the Joint High Military Committee for Security Arrangements held its first meeting headed by the President of the Transitional Sovereign Council, General Al-Burhan, and the Deputy Chairman of the Committee, Lieutenant General Suliman Sandal. The meeting reviewed the security arrangements and the mechanisms of command and control. It also addressed the importance of forming the higher mechanism vis-à-vis the issue of prisoners of war and missing persons. On 5 September, UNITAMS convened a technical consultative meeting of the Permanent Ceasefire Committee established under the Darfur permanent ceasefire and final security arrangements of the Agreement in the Sudan. The implementation modalities of the Permanent Ceasefire Committee and its subsidiary mechanisms were discussed.

42. On 3 December, it was reported that a component of the Civilian Protection Force of 1,500 soldiers had arrived in El Fasher. This group consisted of the Sudanese Armed Forces, the Rapid Support Forces, the Sudan Police Force (SPF) and the national security apparatus. The armed movements were not represented in this Force. The then Acting Governor of Darfur, Muhammad Issa Aliw, met the commander of the Civilian Protection Force, Major General Yasser Fadlallah al-Khidr, in El Fasher. The Governor said that the Civilian Protection Force would aim to combat negative phenomena, resolve tribal conflicts and protect the harvest season.²⁸

43. On 6 December, the Commander of the Rapid Support Forces in East Darfur, Brigadier General Hussein Manzoul, claimed that the previous agricultural season had been one of the calmest and most stable thanks to the efforts made by the regular forces and the citizens' responses to the security mechanism that had been established. He said that the Rapid Support Forces had been deployed in all the locations in the region to ensure security and stability.²⁹ This assertion was highly questionable based on information about different security incidents provided through the Panel's sources and as widely reported in the media.

44. On 8 December, the Joint High Military Committee for Security Arrangements, headed by General Al-Burhan, decided to form a joint deterrence force (joint peacekeeping force) consisting of the Sudanese Armed Forces, the Rapid Support Forces, SPF, the signatory armed movements and military intelligence. The force would have an advanced joint command in El Fasher. The aim of this force would be to support the maintenance of security and protection of citizens and their properties. The force would have broad powers to control, contain and resolve all infractions, collect weapons, and submit offenders and accused to the courts established for this purpose. The force would need to ensure the rule of law and contribute to the protection of civilians and the implementation of the Juba Peace Agreement.

2. Juba Peace Agreement: views from Darfur

45. The signatory movements made efforts, including many visits by the leaders across the five states, to mobilize support for the Juba Peace Agreement in Darfur. However, many of the Panel's local interlocutors, while often admitting that the signing of the Agreement was a positive development, were sceptical. For instance, IDPs with whom the Panel met in South and North Darfur were either against the Agreement or sceptical about its implementation. In Zamzam camp, the IDPs complained that the situation had become more complicated because of "various armed groups moving around" and asked for the "[Juba Peace Agreement] people" to be disarmed or evicted from the camp. The Resistance Committees in El Fasher

²⁸ See www.assayha.net/85450/.

²⁹ See www.assayha.net/85756/.

supported the Agreement but spoke about negative issues such as the presence of armed militias in the city.³⁰

46. The Resistance Committees in Nyala saw the Agreement as the first step towards comprehensive peace, but listed security and return to the areas of origin as the main issues. They also mentioned the influx of foreign settlers and illegal migrants and called for justice, including the bringing of perpetrators to the International Criminal Court. The interlocutors were worried that there were many unknown people wearing different uniforms in the city (“we can’t figure out who is military and who is not military”).³¹

3. Hold-out groups

47. After the signing of the Agreement, the Government of the Sudan and the South Sudanese mediators maintained their efforts to reach out to hold-out groups, in particular, SLA/AW. After reaching Juba on 15 March, Abdul Wahid al-Nur held various consultations with some government representatives, the mediators, representatives of the international community and his supporters to discuss the way forward. In July, SLA/AW held a conference in Jaw (South Sudan), attended by more than 100 delegates coming from Jebel Marra, some other areas, South Sudan and Libya. While stating that he was now in favour of peace, he rejected the Juba peace process and the Agreement. He advocated instead for a Sudan-Sudan dialogue inside the Sudan, to discuss Sudanese issues (not restricted to Darfur), however, the practical details regarding implementation of such a dialogue remained elusive. Several top Government of the Sudan interlocutors expressed to the Panel their frustration towards Abdul Wahid and stressed that the peace implementation should continue with or without him.

48. The leaders of several smaller groups operating in Libya, such as Musa Hilal’s Sudan Revolutionary Awakening Council (SRAC), New JEM, Abbas Aseel Jebel Mun, Zekeria Alduch and Yasin Osman expressed to the Panel their willingness to engage in peace talks and return to the Sudan and were seeking the right way to approach the Government of the Sudan in this regard.

B. Armed groups in Darfur

1. Sudan Liberation Army/Abdul Wahid in Jebel Marra

49. During the reporting period, there was a de facto truce between the two SLA/AW factions in Jebel Marra, following the intervention of local civilian and traditional leaders. According to sources in the movement, Mubarak Aldouk’s faction was looking for options to engage in peace talks with the Government of the Sudan.

50. Abdul Wahid Nur was in a difficult position as the South Sudanese authorities reportedly increased the pressure on him to join the peace process. There were also new initiatives among the Fur community to join the peace and engage on the matter with the Government of the Sudan and the South Sudanese mediators. In early May, about 20 representatives of the Fur community in Darfur (traditional authorities, IDPs and civil society) held a workshop in Juba (facilitated by the French non-governmental organization Promediation) to devise a peace strategy for the Fur community and met the South Sudanese chief mediator, Tut Gatluak.³²

³⁰ Panel’s meeting, El Fasher, July 2021.

³¹ Panel’s meeting, Nyala, July 2021.

³² See <http://promediation.org/>.

51. SLA/AW continued to be in a situation of “no war/no peace”. Abdul Wahid’s return to Africa and decision to engage politically to solve issues in the Sudan and Darfur resulted in a de-escalation of tensions on the ground between the movement’s military and the security forces. The movement did not engage in any significant clashes with Government of the Sudan forces, except for sporadic fighting in northern Jebel Marra with a former local SLA/AW commander, Al-Sadiq Foka, who joined the Sudanese Armed Forces in 2016. In mid-July, according to local sources, five of Foka’s soldiers were killed in an SLA/AW attack in Aru.

52. Similarly, internal fighting between Abdul Wahid’s loyalists led by General Commander Abdelgadir Abdelrahman Ibrahim, known as “Gaddura”, and the dissident faction led by Mubarak Aldouk and Zanoun Abdulshafi receded substantially.³³ This was partly due to lassitude among the two rival groups, which understood that they could not defeat each other, and to a mediation by several local civil society representatives in February. Aldouk and Zanoun’s group remained interested in joining the peace process and had initial contacts with local Government of the Sudan authorities and several groups signatory to the Agreement in this regard.

53. SLA/AW continued to take advantage of increased gold-mining revenues to strengthen its capability. Several batches of hundreds of new recruits received military training in the movement’s headquarters in Torontonga, and the movement acquired more weapons, thanks to its relations with some Arab militiamen based on the fringes of Jebel Marra.

Figure I

Photograph of a graduation ceremony of a batch of SLA/AW fighters, Torontonga, 1 June 2021



Source: Panel of Experts.

54. On 31 August, SLA/AW handed over a prisoner of war to the International Committee of the Red Cross. The prisoner of war, Abdul Rahim Muhammad Hussein, was captured in February 2021 in the Rakona area during an altercation between the Sudanese Armed Forces and SLA/AW forces. The SLA/AW spokesman, Muhammad Abdul Rahman Al-Nayer, stated that the decision to release the prisoner was taken in

³³ S/2021/40, para. 36.

compliance with international conventions and treaties related to the treatment of prisoners of war and took into consideration his health condition.³⁴

2. Musa Hilal (SDi.002) and the Sudan Revolutionary Awakening Council

55. Detained since November 2017 and subject to prosecution by a military court, Hilal was released on 11 March 2021. Since then, Hilal has tried to find his feet, exploring opportunities for new political alliances, holding many meetings with major Darfurian and Sudanese stakeholders to carve out a new role for himself in the current transition (see annex 5).

3. Groups signatory to the Juba Peace Agreement in Darfur

56. Since November 2020, in accordance with the Agreement, significant numbers of the signatory movements' military forces returned to the Sudan from Libya with technical vehicles with mounted heavy machine guns, various types of weapons and some armoured vehicles: about 250 cars for SLA/MM, 200 for GSLF, 50 for JEM and 40 for SLA/TC.³⁵

57. Prominent commanders who returned from Libya included the SLA/MM General Commander, Lieutenant General Juma Haggar, the Head of Military Intelligence, Brigadier General Haroun Saleh Diffa "Tawila", and the Head of Operations, Colonel Amir Djoka; the GSLF General Commander, Abdallah Bashar Jeli "Janna", and commanders Ahmed Abu Tonga and Musa "ComGroupe"; and JEM commanders Yahia Omda and Mohamed Dardug. In early April, SLA/MM also brought back about 25 technical vehicles from South Sudan.³⁶

58. SLA/MM posted its forces in several main places in North Darfur: Umm Barru (main camp with about 90 vehicles), Wadi Furawiyah (Minni Minawi's area of origin), Kutum, Kornoi, Tine, Muzbat, Abu Gamra and El Fasher. JEM settled in Bassao (North Darfur), before deploying some of its forces to places such as Tine. The main base of SLA/TC was in Korma (North Darfur), while the GSLF main camp was in Aboulia (near Umm Barru).

59. On several occasions, the movements' forces conducted local security operations and military patrols. For instance, some JEM forces in early July intervened to stop intercommunal fighting between Gimir and Tama communities in West Darfur. The signatory movement established a joint military presence around the former facilities of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) in El Fasher to prevent looting and secure the handover of the facilities to the Government of the Sudan, while some engaged in criminal activities, such as commandeering goods from United Nations contractors' convoys transporting United Nations property from former UNAMID compounds in El Fasher. According to local sources, the Wali of North Darfur intervened to secure the return of some of the items taken.

60. Several Darfurian interlocutors informed the Panel that, in some localities, the return of fighters from Libya had a negative impact on the local security situation. Their presence contributed to the large availability of firearms and an increase in crime, as armed men pretending to be members of groups signatory to the Agreement (a claim often impossible to verify) roamed around freely. Sometimes, the return of these forces also fuelled local tensions in areas where the movements were seen as aligned with local communities. For instance, on 23 April, armed men from Terjem Arab community attacked an SLA/TC military camp in Gusan Jamat area (South Darfur), and

³⁴ See www.darfur24.com/en/2021/09/11/slm-al-nur-releases-a-prisoner-of-war-on-health-ground/.

³⁵ Interviews with members of armed groups during the Panel's visit to the Sudan, June–July 2021.

³⁶ Ibid.

subsequently attacked and looted several villages inhabited by Fur in the vicinity, killing five civilians.³⁷

61. Delays in the implementation of the security arrangements and associated lack of means of subsistence generated strong discontent among the rebel fighters who returned from Libya. This situation created problems between the movements' forces and their political leaders, criticized by the fighters for not delivering and not paying them. Some individual fighters, frustrated with the situation, started to leave the movements. In July, an SLA/TC leader informed the Panel that about 20 fighters had left the movement in recent weeks.

4. Recruitment into signatory movements

62. After returning to Darfur, all the signatory movements engaged in large-scale recruitment of new fighters. Veterans who had left the movements years prior were targeted, as well as youth, including students. Recruitment was done mostly through personal and family relations. While most movements had no money to offer, they frequently promised positions and ranks in the security forces. For instance, an SLA/TC commander stated to the Panel that the movement had recruited 11,000 new fighters in South and Central Darfur alone, gathered in dozens of camps.

Figure II

Photograph of SLA/TC forces joining the Government of the Sudan security architecture in accordance with the Juba Peace Agreement, Korma, west of El Fasher, December 2021



Source: Panel of Experts.

³⁷ Terjem claimed that they attacked the camp in retaliation following the theft of goats by SLA/TC fighters, while SLA/TC leaders and Fur traditional leaders interviewed by the Panel believed that Terjem were afraid that SLA/TC would support the local Fur against them.

Figure III
Photograph of a ceremony commemorating SLA/TC forces joining the Government of the Sudan security architecture in Korma



Source: Panel of Experts.

63. The recruits received military training and graduated. For example, on 10 July, SLA/MM held a public graduation ceremony in Korno locality for about 2,000 new fighters, all recruited after the signing of the Agreement.³⁸ The Sudanese Alliance held a similar graduation ceremony in July.

C. Darfurian armed groups in Libya

1. Groups signatory to the Juba Peace Agreement: “One foot in Darfur and one foot in Benghazi”

64. During the reporting period, the signatories to the Juba Peace Agreement (SLA/MM, GSLF, JEM and SLA/TC) continued to have large forces in Libya. The political developments in Libya have served to push out Darfur armed groups and other foreign fighters who are still in Libya. SLA/MM had about 200 cars, mostly in Jufrah region under the command of Deputy Commander, Major General Jabir Ishag, and Military Chief of Staff, Major General Faysal Saleh. The Deputy Commander-in-Chief of SLA/MM, Jaber Ishaq, the architect of the group’s installation in Libya and a prominent commander, is also preparing to return with several hundred troops to the Sudan, where he is to represent SLA/MM in the Permanent Ceasefire Committee established under the Agreement. GSLF had about 100 cars in Libya, in Jufrah and in southern locations, such as Tmassah, led by Deputy General Commander Aboud Adam Khater. Even though it brought back a new batch of fighters and a few dozen vehicles to North Darfur in April, SLA/TC kept a small force in Libya. In mid-November, the chief military commander of SLA/TC, Saleh Jebel Si, returned to Darfur with several dozen vehicles. JEM established a small force between Qatrun and the Kilinja mountains, under the command of Abdel Karim Cholloy.

65. Several sources in the movements told the Panel that the movements had no intention of completely withdrawing from Libya at this stage because they continued to get most of their financing and supplies from their engagements there. As a

³⁸ See <https://suna-sd.net/read?id=717248>.

commander said to the Panel, “we will have one foot in Darfur and one foot in Benghazi”. In the absence of support from the Government of the Sudan, the movements depended on their presence in Libya for the provision of supplies to their forces in Darfur. For instance, every few weeks, SLA/MM forces in southern Libya sent a convoy of trucks full of supplies (food and fuel) to the movement’s main Darfur camp in Umm Barru. Payment and financial support to most of the foreign armed groups in Libya has, however, been reduced or completely terminated. This situation developed owing to serious pressure from the international community and internally in Libya to push for all foreign fighters to leave Libya.

66. The slow implementation of the security arrangements under the Agreement was also a strong disincentive against the full return of the forces. With their integration in the security forces being delayed, returnee fighters were experiencing difficult conditions. Several members of the movements mentioned to the Panel that the groups kept most of their heavy weapons in Libya because they did not know yet if the Government of the Sudan could be trusted on peace implementation.

67. The movements continued to send new recruits to Libya. An SLA/MM commander informed the Panel that the movement had sent about 500 recruits from Darfur in January–February, then 300 more in April. SLA/MM gathered new recruits in its Umm Barru camp; on their way back to Libya, the trucks that brought the supplies to SLA/MM forces in Darfur (see above) transported the recruits to Libya, where they received military training at SLA/MM headquarters in Zillah. These travels between Libya and Darfur were coordinated by commander Yusuf Zakaria, a relative of Juma Hagar.

2. Military training by foreign trainers in Darfur

68. Several sources in GSLF and SLA/MM informed the Panel that they benefited from military training in Darfur provided by foreign trainers. This information was confirmed to the Panel by interlocutors in the Government of the Sudan security apparatus. The Panel’s investigations, which are ongoing, revealed that, from December 2020 to July 2021, nine independently contracted South African nationals trained new recruits of the signatory movements at their training camps in North Darfur. The training took place at the SLA/MM training camp in Orusheng (near Abu Gamra) and the GSLF camp in Aboulia. The trainers left the Sudan in early July, after their training contract was abruptly cancelled. Approximately 1,000 new recruits were trained in the use of rifles, heavy machine guns, rocket-propelled grenades and mortars. Another group of approximately 1,000 new recruits were also present, anticipating training that never took place.

69. Members of the Sudanese Armed Forces interviewed by the Panel in Khartoum in July said that the Government of the Sudan was not consulted or informed by the movements about this training operation. A member of the Transitional Sovereign Council informed the Panel that the training of Darfurian fighters on Sudanese soil by foreigners was “unacceptable”. This investigation is ongoing.

3. Non-signatory groups in Libya

70. Even in the light of international pressure, the non-signatory movements continued to have significant forces in Libya. SLA/AW had a force of about 100 vehicles in Jufrah, led by its Chief of Staff, Yusif Ahmed Yusif “Karjakola”. Musa Hilal’s SRAC in April split into two factions over money issues: one faction led by the Secretary-General, Mohamed Bakhit “Doydoy”, had forces in the Sirte area, while the other one, led by General Commander Ahmed Samah, was based in Jufrah. Both

SLA/AW and SRAC continued to recruit and train new fighters, as can be seen, for example, in videos of graduation ceremonies released by the groups.³⁹

71. In addition to these two major non-signatory movements, several smaller groups, such as Abdallah Banda's Assembly of Justice and Equality Movement Forces, continued to operate in Libya on the side of the Libyan National Army, mostly in Jufrah, under the umbrella of SLA/MM, in the case of Banda. The leaders of several of these small groups since February repeatedly expressed to the Panel their will to engage in peace talks with the Government of the Sudan and to return to the Sudan, but they did not identify yet the right method and channel to approach the Government of the Sudan.

72. It is difficult to give a clear estimate of the number of Darfurian fighters in Libya, as information is difficult to verify on the ground. Moreover, many Darfurians joined the Libyan warring factions as individuals, outside Darfurian armed groups (see annex 7). Unlike the signatory movements, non-signatory movements are not under pressure to leave Libya. They continue to benefit from incentives from the Libyan National Army, and there are no push factors to compel their return to Darfur.

4. Relations with the Libyan National Army

73. Despite the signing on 23 October 2020 of the Libyan Ceasefire Agreement, whereby all foreign fighters were required to leave the country, most of the Darfurian groups in Libya continued to work under the Libyan National Army. As a result of the ceasefire agreement, in April, the Libyan National Army requested the groups to move the forces they had in Harawa (near Sirte), where they were very visible, to Jufrah, a more remote place.

74. Liaison meetings between the main Darfurian commanders and high-ranking officers of the Libyan National Army were held in Benghazi on several occasions in 2021. The Libyan National Army continued to make payments and provide logistics to the five main groups (SLA/MM, GSLF, SLA/TC, SRAC and SLA/AW). In February–March, the Libyan National Army tried to reorganize with those five movements, as well as with FACT, a Chadian rebel group, by establishing them as six distinct Libyan National Army divisions (one for each group). Concerns remained that payments to most groups had not been regular and were lowered owing to a lack of operations in Libya and the recent inactivity of the soldiers.

5. Coordination with the United Arab Emirates

75. According to various sources, in Libya, Emirati officers continued to coordinate with the five main movements for the provision of financial and logistical support. During the reporting period, several meetings were held in Benghazi in this regard. After the split in April in SRAC between Doydoy's and Samah's factions (see annex 7), Emirati officers organized consultations with the two sides in Benghazi to reconcile them, which were unsuccessful.⁴⁰

76. The United Arab Emirates hosted the families of some Libya-based Darfurian commanders in the United Arab Emirates, to cultivate direct, personal relations with these commanders. In SLA/MM, Juma Haggar, Jaber Ishag and Faysal Saleh benefited from such arrangements.

³⁹ See www.youtube.com/watch?v=xPDeMrGqhc8.

⁴⁰ Panel's meeting with interlocutors during its visit to the Sudan, June–July 2021.

D. Arms and ammunition

77. The presence and proliferation of arms and ammunition in Darfur continued to be a major threat to security to the region. The Panel received confirmation from multiple sources that cross-border merchants continued to provide a wide range of arms and ammunition in the local markets in Darfur with standardized prices.⁴¹ This included automatic firearms, rocket-propelled grenades, handguns, high precision long-range rifles and even ground-to-air missiles.

78. The presence and use of arms in most regions in Darfur continued to be visible in multiple intercommunal attacks, armed robberies, and other criminal activities. The commander of the Shirlit border military base, Lieutenant Colonel Ali Ahmed Mahmoud Awajeh, said in statements that the Rapid Support Forces, the “Desert Shield Mobile” group deployed on the border strip between the Sudan, Egypt and Libya, had seized a shipment of weapons, ammunition and explosives coming from Libya.⁴² Four members of the arms trade gangs, including two of Libyan nationality, were arrested and handed over to the competent authorities. It is unclear where the consignment was bound for.

79. The intensity of attacks and retaliations in communities all over Darfur has clearly shown that the circulation and proliferation of weapons is a key conflict enabler and driver that needs to be brought urgently under control. The current slow implementation of tangible provisions of the Agreement will seriously hamper any attempts to establish small arms and light weapons control among the communities. Unless the drivers of non-State weapon possession in Darfur are properly addressed, communities will resist any arms control measures.

80. In the last few months, some communities who were previously on the losing side, with their lands occupied and limited armed capability, began to organize to protect themselves and source weapons. This was visible in West Darfur, where, in response to the attacks by armed Arabs on Krinding camps in late December 2019, the Masalit community acquired many weapons to protect themselves, partly thanks to contributions from the diaspora. In South Darfur, several Fur activists and traditional leaders with whom the Panel met explained that the local Fur communities intended to follow the same path and were looking to buy weapons. These attempts by local communities to take their security into their own hands, resulting from the incapacity of the Government of the Sudan to protect them, did not bode well for the stability of Darfur.

E. Violation of the ban on movement of arms into Darfur

81. Under paragraph 3 of resolution [2562 \(2021\)](#), the Government of the Sudan was requested to submit requests for the Committee’s consideration and, where appropriate, prior approval for the movement of military equipment and supplies into the Darfur region, particularly in the context of the implementation of the Juba Peace Agreement. The Panel noted that no such requests were received from the Government of the Sudan during the reporting period. The lack of compliance with this requirement would constitute a violation of the United Nations arms embargo.

⁴¹ Panel interviews during its visit to El Geneina and Nyala, June–July 2021.

⁴² Items confiscated included two cars, 36 rifles, two boxes of hand grenades, heavy machine guns, one rocket-propelled grenade launcher and a large amount of ammunition.

F. Explosive remnants of war

82. Explosive remnants of war continued to negatively impact communities and civilians, particularly women and children, with several involved in fatal explosions. One documented incident occurred in late August in Kulbus in El Geneina, West Darfur, where an 11-year-old boy was seriously injured when a hand grenade he was playing with exploded. Many incidents go unreported owing to a lack of access to authorities and medical facilities. Eyewitnesses in El Geneina provided the Panel with various images of several explosive remnants of war, which clearly established a serious risk for the local communities.

83. In line with the UNITAMS strategic objectives in Darfur, the United Nations Mine Action Service in the Sudan was integrated into UNITAMS in January 2021 to provide mine action service. The Mine Action Service supports the Sudan National Mine Action Centre in building institutional capacity to meet the country's obligation under article 5 of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, namely, to make its territory mine-free by April 2023, and to provide humanitarian mine action.⁴³ According to the Operational Plan 2020–2023 for the Sudan and monitoring groups, the total amount of explosive remnant of war contamination was estimated to be 4.31 km² in the three territories of Blue Nile, South Darfur and South Kordofan.⁴⁴

84. UNITAMS supported the National Mine Action Centre in opening the Sudan Regional Training Centre for Humanitarian Mine Action on 14 October. The National Mine Action Centre is aimed at providing strengthened mine action capacity-building and technical assistance to the region, including Chad, Libya and Arab States, and ensuring better training to equip national authorities to facilitate humanitarian assistance and meet demands for the removal of landmines and explosive remnants of war.⁴⁵

VII. International humanitarian law

A. Intercommunal violence

85. Intercommunal tensions were heightened throughout the reporting period, characterized by a highly volatile security situation and violence involving settled farmers and pastoralist or nomad communities. The root causes of the conflicts stipulated in the protocols of the Agreement⁴⁶ remained unaddressed. Deep-seated tensions among different communities resulted in attacks and revenge attacks, leading to a significant number of people killed and injured, damage and destruction of property, looting of livestock and kidnappings, according to local sources. Amid

⁴³ See www.unmas.org/en/programmes/sudan. The Mine Action Service mobilizes funds and manages land release (survey and clearance), explosive ordnance risk education and victim assistance activities in coordination with the National Mine Action Centre and ensures mine action activities are coordinated to support humanitarian, development and peacebuilding needs. It also provides technical advice and training for the National Mine Action Centre and national mine action non-governmental organizations.

⁴⁴ See www.the-monitor.org/en-gb/reports/2021/sudan/impact.aspx. It was expected that the amount of recorded explosive remnant of war contamination would increase with the completion of a non-technical survey in 2021 that is still outstanding.

⁴⁵ See <https://unitams.unmissions.org/en/opening-regional-mine-action-training-centre-sudan-key-factor-peace-and-humanitarian-access>.

⁴⁶ For instance, justice, accountability and reconciliation, compensation and reparations, IDPs and refugees, development of the nomads and herders sector in the Darfur Region, land and *hawakeer*.

increased violence, secondary displacement of IDPs occurred, and an overwhelming number of civilians fled to Chad as refugees.

86. West Darfur has experienced four waves of deadly violence since 2019, affecting several localities, including communities on the Sudan-Chad border. Some incidents were related to clashes over land and access to farmlands, pitting pastoralists against farmers, as well as returnees conducting agricultural activities against new occupiers. On 4 April 2021, the General Coordination of the IDP and Refugee Camps specifically named El Geneina, Kalma IDP camp, Saraf Omra, Tulus and Gereida locality as the areas experiencing the worst insecurity, causing victims and new displacement. By November, the situation in Gereida had improved owing to a permanent police presence. This demonstrates that an adequate and fully resourced police presence can contribute to improved security in some areas.

87. The city of El Geneina and neighbouring areas of West Darfur have experienced regular and significant outbreaks of violence since 2019. In April 2021, the upsurge of violence had reached catastrophic dimensions, as assessed by West Darfur authorities. The conflict had also led to secondary displacement and an influx of refugees into neighbouring Chad. The clashes (“the Reds against the Blacks”, according to an interlocutor based in Jabal) involved the Arab citizens of El Geneina and Arab fighters from other states and Chad. Local sources argued that the events took the form of ethnic cleansing, directed against the Masalit and other non-Arab communities.

88. A representative of Médecins sans frontières in El Geneina reported that, between January and April 2021, conflict had killed more than 150 people from West Darfur and forced over 100,000 from their homes. With the potential for further violence, many people had initially been too scared to return to their villages, although months later, people had started to return and rebuild.⁴⁷

89. This confidence was short-lived as the IDPs were again caught up in renewed, deadly violence. Outbreaks of clashes during the months of July and August in different localities in West Darfur, some of which were due to disputes over farmland, led to the killing and injury of several IDPs (including women and children), the rape of women and minor girls, and wanton destruction of properties and household commodities, as well as further displacements.

90. During that period, the International Organization for Migration reported that 149,115 individuals (30,357 households) were seeking shelter in El Geneina and its surrounding villages. In its report, it was highlighted that at least 19,532 new IDPs had lost personal belongings and livestock, with a total toll of 283 killed, 650 injured and 20,305 individuals suffering severe losses.⁴⁸ IOM further highlighted “concerns over reports of attacks on women and children as well as humanitarian facilities in El Geneina”.

91. Some of the Panel’s sources in El Geneina confirmed this worrying character of clashes and blamed the Rapid Support Forces (equated with the Janjaweed) or various “Arab militias”. Some spoke about coordinated Janjaweed attacks in a three-axes offensive from the Sudan, Chad and the Central African Republic. On 5 April 2021, the Governor of West Darfur, Mohammed Abdullah Al-Doma, said that “armed militia coming from Chad and Saraf Umra and Zalingei areas attacked the city”. On 9 April, in his press conference in Khartoum, the Governor blamed “cross-border militias” (from Chad and Libya) and local militias from North and South Darfur and Wadi

⁴⁷ See www.aljazeera.com/opinions/2021/9/21/west-darfur-still-desperately-needs-humanitarian-help.

⁴⁸ See <https://dtm.iom.int/reports/sudan---emergency-event-tracking-report-ag-geneina-west-darfur-013-part-1-2021>.

Salih, Central Darfur, but denied the involvement of the Rapid Support Forces, stressing that the perpetrators had also attacked the Rapid Support Forces.

92. The Rapid Support Forces, on the other hand, blamed non-signatory movements and SPLM/N (Al-Hilu's faction). Al-Hilu himself and other non-signatories rejected these allegations as unfounded. On 28 April, the Rapid Support Forces announced that they had arrested some elements involved in the El Geneina events, arguing that the attack "deliberately coincided with the coming of the armed movements to Darfur". Some interlocutors accused the Third Front-Tamazuj (a movement signatory to the Agreement, see below) of taking part in the attacks in the Jabal neighbourhood, as well as in Krinding and Abuzar IDP camps.

93. On 28 April, Hemetti remarked that "the problem of El Geneina is unique ... among neighbours ... house to house". On 19 May, a new attack took place in Gailu (Tendelti area) in West Darfur, after which the Governor of West Darfur ordered the digging of a trench near El Geneina "to prevent smuggling and protect citizens".

94. In July, the Panel learned that disputes over access to farmland between IDPs and host communities had resurfaced in North Darfur, exacerbated by competition for scarce local resources and changes in power dynamics. For instance, in South Darfur, the local Dajo community had warned members of the Fur community in Otash and Kalma IDP camps not to cultivate any land in the localities.

95. During meetings with the Panel in July, local sources in North Darfur mentioned the risks encountered by original landowners trying to return to their land to farm, for instance, around Zamzam IDP camp. It was reported to the Panel that some nomadic pastoralists claimed that the areas of origin of the IDPs now belonged to them as they had been left unoccupied. In some instances, farmers were forced into "unfavourable arrangements", under which they were allowed access to the land in return for part of the harvested crops. These incidents contributed to poor harvests, adding to an already worsening humanitarian situation for affected communities.

96. Numerous attacks by armed nomads on IDPs engaging in farming activities outside the camps were also reported. IDPs in Zamzam narrated several incidents that occurred in June–July, including the killing of 14 IDPs by armed nomads and the rape and killing of a young girl who was working on her parents' farm.

97. Tensions between pastoralists and farming communities in North Darfur escalated with significant consequences against the IDP communities and other villagers. There were recurrent attacks on the farmers from Zamzam IDP camp. Groups of gunmen also attacked villages near Tabit and burned down Tangeranga village in August. A 35-year-old farmer was killed, and a 30-year-old woman and her two sons were wounded before the attackers fled with two displaced shepherds and several livestock. The incident resulted in secondary displacement of several villagers in the area and "a large number of women and children were seen wandering in the valleys after the attack on their villages in Tawila".⁴⁹

98. During the month of November, near Shangil Tobaya area, Tawila locality, North Darfur, seven armed Arab herders drove their camels into farms near the Naivasha IDP camp. After the farmers protested, the herders shot them dead.⁵⁰

99. In November, in Jebel Moon locality, West Darfur, the Higher Pastoralists Coordination reported that 11 nomads had been killed and six others wounded when a nomad search team was tracing stolen camels, following an attack by "an armed

⁴⁹ See www.dabangasudan.org/en/all-news/article/attacks-on-north-darfur-villages-continue-leave-three-people-dead.

⁵⁰ See www.dabangasudan.org/en/all-news/article/darfur-gunmen-see-coup-as-a-license-to-resume-attacks.

group”. In a separate incident, a large group of heavily armed militiamen riding four-wheeled vehicles, motorcycles and horses attacked around 10 villages, as well as IDP camps, burning them down. At least 10 people were killed and 14 were wounded. Thousands fled to eastern Chad in search of safety.⁵¹

100. During these clashes, a combination of general-purpose machine guns, light assault rifles, heavy weaponry, different mortars and rocket-propelled grenades were used. Perpetrators were reportedly supported by 4x4 “technical” vehicles with medium and heavy mounted machine guns and motorbikes with a pillion rider providing capacity for rapid and quick movements. The World Food Programme reported that multiple stray bullets had entered its compound and that two rocket-propelled grenade shells had landed and exploded inside its compound in El Geneina. During its visit to El Geneina in October 2021, the Panel saw the marks and remnants of one of the shells in the World Food Programme parking lot.

B. Situation of internally displaced persons

101. The overall situation of IDPs remained unchanged, owing primarily to a volatile security situation, recurrent intercommunal violence and limited engagement by the Government of the Sudan and other humanitarian actors, including on issues of return and the implementation of durable solutions. IDPs and seasonal returnee farmers bore the brunt of attacks and clashes with security forces and attacks by armed elements from nomad communities.

102. As is customary, during the May–June rainy season, farmers cultivated their land in preparation for the agricultural season, yet competition for scarce resources, combined with the movement of nomads, led to waves of violence. Among the most publicized recent conflicts, serious incidents took place in West Darfur, in Jebel Moon, Kireinik and Mornei. The Panel received contradictory reports about the triggers of these conflicts, but the patterns were similar. The pastoralist communities engaged in what they saw as revenge for the killing of their kin and the looting of camels (as in Jebel Moon). The farmers and especially IDPs saw the events as a continuation of “Janjaweed” attacks.

103. In a UNHCR report of 7 December, it was indicated that, in 2021, over 200 incidents of violence had been reported in the Darfur region, leading to new displacements. Furthermore, nearly 10,000 individuals had fled a wave of intercommunal violence in the Jebel Moon locality of West Darfur State and over 2,000, mostly women and children, had sought refuge in neighbouring Chad.⁵²

104. Overall, the humanitarian situation is dire and no state in Darfur has provided adequate humanitarian aid (if any) in conflict-affected areas. IDPs and several host communities still do not have access to adequate food supplies, health care, sanitation or water supplies.

105. IDPs were also exposed to collateral violence due to internal SLA/AW fighting or fighting between the rebels and the Government of the Sudan forces. For instance, following clashes between SLA/AW and the Sudanese Armed Forces, led by Colonel Foka, near Sortony IDP camp, local sources reported that Foka’s men had attacked the camp on 17 and 18 July, claiming that IDPs supported the rebels. Seventeen IDPs were killed, including five children, seven women and five men, and at least nine were injured, including two children and seven women. The camp was targeted by artillery shelling. Shops were looted and several houses were burned. This incident

⁵¹ See www.dabangasudan.org/en/all-news/article/west-darfur-violence-leaves-at-least-21-dead-thousands-displaced.

⁵² See www.unhcr.org/news/briefing/2021/12/61af220d4/darfur-clashes-displace-thousands.html.

caused secondary displacement of several thousand IDPs. Most stayed in the open without any shelter. Following the incident, protesters called on the state government to address security, humanitarian assistance and protection concerns urgently in Sortony and other camps.⁵³

106. Reports from local Protection Officers and media outlets indicated that on or around 3 August, four children below the ages of 8 years, who, with their families, had sheltered in the open for close to five days, had died. During that period, they had received no humanitarian aid, including water, food or proper shelter, following an attack on their village in Tawila, North Darfur.⁵⁴

107. The ongoing clashes in different parts of Darfur is having a negative impact on women and children. Women in Darfur yearn for peace to be restored to enable them to rebuild their lives in safety and dignity.

C. Conflict-related sexual violence

108. Local sources, as well as media outlets, reported several cases of rape of women and girls who continued to bear the brunt of conflicts and remained extremely vulnerable to the scourge of sexual violence. Girls as young as 10 years old had been gang-raped during attacks on their homes and farmlands while others were physically and sexually assaulted while engaging in livelihood activities.

109. Forces belonging to different SLA factions often targeted women of opposing factions who were harassed and sometimes raped. Members of the security personnel of the Government of the Sudan were also identified as perpetrators of rape incidents. Three cases of rape of IDPs in the vicinity of Otash camp were reported between 13 and 22 June, despite the presence of security forces nearby. The Panel was informed that earlier this year (period not specified), three women between the ages of 17 and 27 years and one in her late thirties were assaulted and raped in the village of Umm Hashaba, North Darfur, by Arab herdsmen. One of these four victims was also stabbed in her vagina with a sharp object.

110. On 11 July, the Panel met with two survivors of rape, aged 10 and 11 years, who were accompanied by their guardians at the Nyala hospital. The 10-year-old girl had been attacked and raped the previous day while on her way to the farm in Beleil (east of Nyala) by a man who was wearing a police uniform. Her guardian claimed that at least 10 rape cases occurred every year during the farming season in their community, most of which were perpetrated by men in uniform carrying weapons, but that survivors got no justice when cases were reported to the police. He called on the Government of the Sudan to send protection forces to their communities during the rainy season to tackle rape cases and killings.

111. Also at the hospital, a 16-year-old girl informed the Panel that she had been raped by a soldier and had an 18-month child born out of rape. She claimed that even though she had reported the incident to the police and identified the perpetrator, no action had been taken to arrest him before he fled from the area.

112. According to a local Protection Officer, between July and August at least 30 rape cases, including the gang rape of minor girls were documented in North Darfur during violent attacks against farmers in Kolgi and neighbouring localities. The victims included two sisters, aged 12 and 10 years, and a 26-year-old woman. These

⁵³ See www.dabangasudan.org/en/all-news/article/hundreds-protest-deadly-attack-on-north-darfur-s-displaced.

⁵⁴ See <https://allafrica.com/stories/202108050692.html>.

incidents were reported to the Kireinik Police Department, but no action had been taken.

113. Media outlets also reported that gunmen raped a girl during an attack on the Kushni area of Tawila locality in North Darfur on 24 August. Villagers were beaten and animals were looted by “dozens of armed men on camels and motorcycles wearing military uniforms and a *kadamool* (scarf covering the face)”.⁵⁵ In December, two girls were gang-raped in separate incidents in the area south of El Fasher, the capital of North Darfur, according to local sources. Identifying perpetrators remained challenging for many victims, particularly victims of sexual violence.

114. The rapes and other sexual violence in Darfur constitute grave violations of international human rights and humanitarian law, including war crimes and crimes against humanity.

Figure IV

Photograph of victims of violence and sexual violence in the Tarny Administrative Unit in Tawila locality at a protest vigil in front of the North Darfur government secretariat buildings, El Fasher, 12 September



Source: Radio Dabanga.

115. During meetings with the Panel earlier this year, the Combating Violence against Women and Children Unit recorded progress at the national level but noted that significant challenges caused by lack of resources and awareness remained in Darfur. For example, prosecution of three soldiers who had raped a 16-year-old girl at the Krinding IDP camp (El Geneina) was stopped when all prosecution personnel were removed from the locality.

116. Added to other social and other economic pressures, sexual and gender-based violence victims are in dire need of psychosocial support, trauma healing and medical support, but lack the means even if any such services might be available. Fear of stigma and other concerns prevent victims from talking about their encounters. Cases of children born out of rape are highly taboo and an added stigma for the victims. Lack of accountability perpetuates sexual violence against women and girls, many of whom do not believe that they will receive justice, citing the dominance of patriarchal

⁵⁵ See www.dabangasudan.org/en/all-news/article/girl-raped-as-attacks-on-darfur-villages-persist.

structures and the absence of functioning law enforcement and judicial systems in their localities.

117. As protection gaps continued to grow, the Panel believes that the robust implementation of the National Action Plan against Sexual and Gender-based Violence and the National Protection of Civilians Plan should serve as effective tools to enhance protection for women and girls in Darfur.

D. Situation in Jebel Marra

118. The prevalent clashes between SLA/AW factions in areas in eastern and western Jebel Marra, respectively, resulted in a volatile security environment with a negative impact on the civilian population, particularly women and children. Government of the Sudan authorities stated that the clashes were primarily in places termed as “liberated areas” by SLA/AW and that, to avoid violating the ceasefire agreement with SLA/AW, their forces could not go there.

119. Although the internal SLA/AW fighting had decreased recently, local civilians were still harassed and intimidated by fighters, accused of supporting the rival faction. For instance, local sources reported that some civilians could not farm in some areas east of Feina for fear of being attacked by Zanoun’s soldiers. Local human rights groups also confirmed that in areas under the control of the Government of the Sudan bordering SLA/AW areas, some civilians, in particular traders, were still harassed and sometimes unlawfully detained by the security forces, on the assumption that they supported SLA/AW.

120. Furthermore, attacks by Arab militias on Fur villages on the fringes of Jebel Marra continued. In a meeting in Otash IDP camp with civilians displaced by attacks in recent months, the Panel gathered that some unidentified groups of armed Arabs had attacked and looted the villages of Berta (November 2020), Faluga (March 2021), Duo (April 2021) and Rokona (May 2021). In each of these attacks, several villagers had been killed, and some women had been raped, according to displaced villagers.

121. Between 11 and 13 August, armed clashes were reported in North Darfur between SLA/AW elements and the Sudanese Armed Forces in different positions and bases in Sortony locality, including Kube, Buli, Kaguro and Barde. As a result, 27 Sudanese Armed Forces personnel had reportedly been killed. Also, between 11 and 13 August in Central Darfur, armed conflicts were reported between SLA/AW elements and the Sudanese Armed Forces at Rofata near Rokero. As a result, 9 Sudanese Armed Forces personnel had reportedly been killed.

122. Interlocutors informed the Panel that the clashes were mainly between forces of the Sudanese Armed Forces under Commander Al-Sadiq Foka and SLA/AW under General Commander Gaddura. The Wali informed the Panel that, since the clashes, Gaddura had maintained the ceasefire and allowed the flow of humanitarian assistance in the SLA/AW-controlled Jebel Marra region.

E. Durable solutions

123. The Juba Peace Agreement provides for durable solutions, which should bring about lasting peace and address root causes of the Darfur conflict. Attacks on returnees highlighted above and lack of basic services in areas of origin meant that there was no significant, permanent return of IDPs and refugees to certain areas. Some Government of the Sudan authorities were in a state of denial in this regard. For instance, a South Darfur interlocutor has mentioned to the Panel that, in 2021, 500,000 of the 800,000 IDPs in the state returned to their area, a claim contradicted

by the observations of the Panel and all other sources (for instance, according to UNHCR, over 11,000 newly displaced people were recorded in South Darfur in the first two months of 2021 owing to either armed conflicts or intercommunal violence, compared with 20,000 displaced in the whole of 2020).⁵⁶

124. In Rokero, north Jebel Marra, communities and local authorities finalized workshops that were started in late 2020 to build the capacity of local communities to participate effectively in finding and planning durable solutions for IDPs, returnees and host communities. Also key in their proposals was the need to establish a local committee for reconciliation and conflict resolution, improvements on the security situation, agricultural, veterinary, education and other socioeconomic services to ensure that returns were sustained in the different communities. Local sources stated that since its last workshop and despite pledges by the Government of the Sudan to support the initiatives, no concrete action had been taken. The Panel anticipates that the implementation of durable solutions should commence soon after the national strategy on solutions for IDPs, returnees, refugees and host communities is finalized.

F. Protection of civilians

125. Concerns over the protection of civilians remained elevated throughout the reporting period. Earlier in the year, in West, North and South Darfur, authorities had declared a state of emergency owing to the insecurity and unrestrained harassment, intimidation and violence by armed militias in the marketplaces and other public areas, in villages and IDP communities. A toxic mix of heightened criminality, insecurity and inter-communal violence exacerbates protection concerns in Darfur.

126. In June 2020, the Transitional Government announced the National Plan for Civilian Protection and stressed its determination to implement the plan and take full responsibility for protecting its citizens. While some measures were taken to respond to the surge of clashes in different parts of Darfur including deployment of the Peace Shield Forces, the Panel assessed that most responses were slow.

127. The capacity of the Government of the Sudan to anticipate and respond to outbreaks of violence had been widely criticized. As was the case for previous incidents in El Geneina, the authorities failed to intervene speedily during the clashes despite the presence of State security agents in proximity to the IDP camp. Speaking to the press on 8 April, the Governor was unequivocal in his criticism of the Government's response when he stated that "no military force has gone to West Darfur, and the force there cannot repel any attack". During the week of 29 April, the Government deployed a 2,000-strong force comprising the Sudanese Armed Forces and the Central Reserve Police, after weeks of fighting and mass violence resulted in injury and loss of life, wanton destruction and looting. Thousands of people went into secondary displacement and as refugees into neighbouring Chad.⁵⁷ On 3 May, the El Geneina Victims Committee cited the inability of the Sudanese regular forces to protect civilians and accused some members of the regular forces of being involved in the attacks.⁵⁸

128. While the Government of the Sudan demonstrated some commitment to improve security, such as the Community Policing programs initiated by UNAMID including in Kalma and Zamzam IDP camps which have been hailed by some communities as

⁵⁶ Panel's meeting with UNHCR, South Darfur.

⁵⁷ See <https://reliefweb.int/report/sudan/sudan-conflict-flash-update-18-west-darfur-29-april-2021> enar.

⁵⁸ See www.dabangasudan.org/en/all-news/article/west-darfur-victims-committee-calls-on-sudan-govt-and-un-to-protect-civilians.

viable options to address minor conflicts, significant concerns remained over issues of civilian protection.

129. Training programmes were ongoing according to the Government of the Sudan, and female teams would engage in activities aimed at protection for women including to address sexual violence. The Panel was unsuccessful in attempts to confirm the status of these initiatives with Government of the Sudan representatives.

130. The policies and initiatives of the Government of the Sudan on Darfur had not progressed, including in respect of the full and effective implementation of security arrangements under the Juba Peace Agreement. The increasing presence (and use) of weapons and ammunition has heightened criminality and security related incidents. Security measures in place are primarily reactionary and armed Arab militias and their supporters continued to attack, plunder, kill, subject individuals to enforced disappearances and rape civilians.

131. Despite known hotspots around Darfur and the high level of security intelligence, it does not appear that adequate measures are being taken to prevent clashes during agricultural seasons. For instance, according to media sources, in North Darfur farmers from the Zamzam IDP camp who had gone to work on their agricultural farmlands in Kolgi at the end of July were met with violent resistance by Arab tribes who were inhabiting the land. Security forces deployed were reportedly unable to remove the militias from the villages and several violent attacks ensued.⁵⁹ The victims fled after being beaten and shot at by militias who also tore up their tents. The incidents resulted in the killings and secondary displacement of some IDPs and lootings. Five children got separated from their families. Incidents of conflict-related sexual violence were reported.⁶⁰

132. The State Security Committee formed a joint force, including from the armed signatory groups, to secure the agricultural areas, provide security and protect the civilians in the Kolgi area. On separate occasions, the force, which included the Sudanese Armed Forces, SPF, the Rapid Support Forces and the Sudanese Armed Forces Reserves and the GSLF forces, as well as a backup GSLF force, were both ambushed by an unidentified armed group, leaving seven dead and many injured among the joint forces.⁶¹ The above incidents clearly demonstrated the fragile security situation in Darfur and the capacity of armed groups to launch complex attacks, including against Government forces.

133. Amid reports that the security forces initially sent by the Government to contain the situation in Kolgi had been withdrawn following the attack on the joint forces, on 9 August dozens of people in El Fasher protested outside the residence of the Governor of North Darfur, calling for the protection of farmers. Furthermore, communities across Darfur have criticized the Sudanese authorities for failing to implement the security arrangements as stipulated in the Juba Peace Agreement, claiming speedy and effective implementation will contribute to curbing the violence and other security-related incidents. During a mediation meeting following the deadly attacks in Kolgi in August, Lieutenant General Suleiman Sandal, Political Secretary of JEM and Vice-Chairman of the Joint High Military Committee for Security

⁵⁹ See www.dabangasudan.org/en/all-news/article/violence-continues-as-occupying-militants-refuse-to-leave-north-darfur-farms.

⁶⁰ See www.dabangasudan.org/en/all-news/article/armed-men-attack-seven-villages-in-north-darfur-s-tawila.

⁶¹ See www.dabangasudan.org/en/all-news/article/north-darfur-violence-rebels-ambushed-high-level-delegation-arrives-in-el-fasher.

Arrangements, said that “the recent attacks highlight the need to implement security arrangements and form a joint force in Darfur”.⁶²

134. Against heavily armed groups, civilian police do not have the capability or resources to enforce law and order. Militias and other perpetrators are emboldened by lack of accountability. On 14 May 2021, unknown drug traffickers killed 14 police officers and injured 11 others during an exchange of fire in Songo, Radom locality in Nyala, South Darfur.⁶³ Security incidents had increased, while policies and rules put in place – such as civilian disarmament, the prohibition of motorcycles in certain areas and carrying of weapons – were openly ignored without any repercussions.

135. On 5 August, the Minister of Defence, Major General Yassin Ibrahim, in a press statement, expressed concerns over security violations by the military and the growing phenomenon of exploitation by the regular forces, security bodies and the armed movements of the military uniform to commit crimes. Earlier in December, the Joint High Council for Security Arrangements in Khartoum decided to form a new joint task force to contain the growing violence in Darfur.

G. Justice and accountability

136. “No peace without justice” has been the clarion cry for several Darfurians. The need for effective, victim-centred accountability processes cannot be overstated to enhance social cohesion and peaceful coexistence and foster dialogue for reconciliation and lasting peace. Coupled with accountability measures is the need for victim-focused reparations.

137. Following the Krinding IDP camp massacre in West Darfur between 29 and 31 December 2019, calls for investigations into the deadly attacks have continued.⁶⁴ A committee was set up in January 2020 to investigate the attack in Krinding camp and 33 alleged perpetrators were referred for trial by the State prosecutors. Renewed attacks erupted in El Geneina in December 2021, reminiscent of previous incidents. Similarly, acts of sexual violence and rape against women and girls have often not been promptly investigated.

138. The failure of the Government of the Sudan to investigate outbreaks of violence of any kind or magnitude and to hold perpetrators accountable emboldens others to act with impunity. The provisions in the Agreement on justice and accountability should be implemented without delay.

VIII. Travel ban and asset freeze

139. The Panel continued to monitor the implementation by Member States of the asset freeze and travel ban measures imposed through paragraphs 3 (d) and (e) of Security Council resolution 1591 (2005) and wrote to the concerned Member States to seek information on this issue.

⁶² See www.dabangasudan.org/en/all-news/article/darfur-displaced-we-are-willing-to-return-if-security-and-protection-are-in-place.

⁶³ See www.darfur24.com/en/2021/05/14/over-10-policemen-killed-in-shootout-with-drug-traffickers-in-south-darfur/.

⁶⁴ See www.ecoi.net/en/document/2023991.html.

A. Implementation by the Government of the Sudan and other States

140. The Government of the Sudan has not in the past submitted implementation reports to the Panel on travel ban and asset freeze measures. In previous years, the Panel has requested the Government of the Sudan to provide an update regarding the implementation of the asset freeze measures. However, the Government of the Sudan has not replied. Two of the designated individuals, namely, Gaffar Mohammed Elhassan (permanent reference number: SDi.001) and Musa Hilal Abdalla Alnsiem (permanent reference number: SDi.002) were present in the Sudan. Musa Hilal was in the custody of the Government of the Sudan for more than three years prior to his release in March 2021.

141. Musa Hilal travelled to Chad in the last week of April 2021 as a member of the official Government of the Sudan delegation to offer condolences on the death of the former President, Idriss Deby. The travel of Hilal to Chad constituted a violation of the travel ban provisions imposed under paragraph 3 (d) of Security Council resolution 1591 (2005). In a letter dated 20 May 2021, the Panel sought a response from the Government of the Sudan on this travel ban violation. The letter also requested the Government of the Sudan to apprise the Panel about the steps taken to identify and freeze the assets of Hilal. The reply from the Sudan is still awaited.

142. In its previous report, the Panel reported that, in 2016,⁶⁵ Musa Hilal had sold one of his properties in Khartoum for 27 million Sudanese pounds and that Musa Hilal had had part of that money with him during his arrest in 2017 and that the Government entities were aware about the presence of the money. During the meeting with the Panel, Musa Hilal confirmed the sale of the property and that part of the money had been with him when he was arrested by the Government forces. Musa Hilal stated that the money had been seized by the Government forces. Besides the money, the arresting party also took control of the valuable artefacts, gifts, family heirlooms and animal wealth belonging to Musa Hilal and his family. This fact had not been reported by the Government of the Sudan to the Committee or to the Panel. This act would constitute a violation of asset freeze measures outlined in paragraph 3 (e) of Security Council resolution 1591 (2005).

143. Gaffar Mohammed Elhassan is a retired military officer who is reported to be receiving rent from the part of his house that he has rented out. The Government of the Sudan did not ask for and neither received, an exemption from the asset freeze from the Committee for this rent payment.

144. It appears that the Government of the Sudan did not take any concrete steps towards implementing the travel ban and asset freeze provisions under resolution 1591 (2005). In 2018, 2019 and 2020 the Panel had requested the Government of Chad to examine certain instances of possible travel ban violations pertaining to Musa Hilal and Jibril Abdulkarim Ibrahim Mayu (permanent reference number: SDi.004), relating to their visits to Chad during 2011–2014. No response was received.

145. In view of the new information about Hilal's travel to Chad in April 2021, in a letter dated 25 May 2021, the Panel sought confirmation from the Government of Chad regarding the said travel and the details thereof. No response was received.

B. Request for additional information on two listed individuals

146. In response to the request of the Government of the Sudan for the delisting of the listed individuals, the Committee had tasked the Panel to provide updated

⁶⁵ S/2021/40, para. 137.

information about Gaffar Mohammed Elhassan (permanent reference number: SDi.001) and Jibril Abdulkarim Ibrahim Mayu (permanent reference number: SDi.004). The Panel provided the updated information regarding Jibril Abdulkarim Ibrahim Mayu and Gaffar Mohammed Elhassan to the Committee.

147. The Government of the Sudan facilitated the meeting of the Panel with Gaffar Mohammed Elhassan on 4 October 2021. Gaffar Mohammed Elhassan cooperated in this meeting, which was held in a conducive and constructive environment, and answered the queries in an open manner, including on his assets, travel and financial, personal and family issues. He discussed his military service in Darfur and early retirement from military service, and said that since his retirement he had not engaged in any political or military activity. He claimed that the charges for which he had been sanctioned did not reflect a correct understanding of the operational command or the situation on the ground and that he had not been provided any opportunity to defend himself. According to him, the listing and sanctions against him imposed in 2006 and continuing in 2021, even though he had retired in 2010, were grossly unfair and constituted a denial of his basic human rights. His listing, accompanied by an asset freeze and travel ban, had brought him and his family suffering and hardships and prevented him from leading a dignified life, he claimed.

148. During meetings with the Panel in Khartoum in July and October 2021, Musa Hilal enquired about the sanction measures imposed on him and the procedures to apply for an exemption to the travel ban, citing his need to travel abroad for medical reasons. He stated that, for many years, he had been in opposition to the Government in Khartoum as he had been working for peace, reconciliation and democracy along with the other movements. In addition to his medical reasons, he needed to travel to Chad and the Niger “to meet his people and bring about reconciliation and peace”. According to him, the prolonged sanctions were a denial of his human rights.

IX. Financing of Darfurian armed groups

149. Even though the Juba Peace Agreement had been signed, Libya continued to be the main source of financing for the groups signatory to the Agreement. Most of the Darfurian armed groups were present in Libya and profited from the opportunities provided by the civil war and the lack of government control there. SLA/AW, the only Darfurian armed rebel group holding territory in Darfur, continued to control gold mines in Jebel Marra.

A. Sudan Liberation Army/Abdul Wahid in Darfur

150. SLA/AW continued to generate profits out of gold-mining in territories under its control in Jebel Marra. It controlled the Torroye gold mine⁶⁶ in south-eastern Jebel Marra, and levied taxes on miners and small companies operating there. Disputes over the sharing of the revenues from this gold mine were one of the reasons for the internal conflict between the SLA/AW factions. During the reporting period, there were some clashes between the SLA/AW groups in the vicinity of the mine, leading to the temporary cessation of mining activity. It is reported that the yields and the productivity of these mines has declined in recent months.

151. In addition, SLA/AW is exploiting a gold mine near Danaya, west of Gardut (South Darfur). According to several sources, SLA/AW had an agreement to manage the mine jointly with some Arab militias (from Sa'ada and Hutiya tribes) and SLA/AW

⁶⁶ S/2021/40, paras. 142–148.

took a cut from the daily production. There have been clashes between SLA/AW and the local Arab groups, which has led to the temporary suspension of mining activities.

B. Groups signatory to the Juba Peace Agreement

152. After signing the Juba Peace Agreement, the armed movements tried to find new resources to finance their new political activities in the Sudan. Having landed the positions of Governor of Darfur (Minni Minawi) and Minister for Mining in the national cabinet (Mohamed Bashir “Abounomo”, SLA/MM chief negotiator), SLA/MM was in a good position to take advantage of future mining projects in Darfur. The Panel was aware of contacts between SLA/MM leaders and several foreign mining companies in the last few months.

153. In meetings with the Panel in Khartoum in June–July, several cadres in the movements reported that, in late June, each of the five movements signatory to the Agreement (SLA/MM, GSLF, JEM, SLA/TC and the Sudanese Alliance) had received \$1 million from the Ministry of Finance to cover its expenses in the Sudan.

C. Armed groups in South Sudan

154. The SLA/AW group present in South Sudan, led by deputy chair Abdullah Haran, has continued its business activities, mainly agriculture and transportation.⁶⁷ The new development has been the presence of Abdul Wahid in South Sudan for peace negotiations with various Sudanese and South Sudanese interlocutors. Besides the official support from Government of South Sudan for peace negotiations, and the business activities of Abdullah Haran, Abdul Wahid got support from the Sudanese businessman Ashraf Seed Ahmad Al-Cardinal who has extensive business interests in South Sudan.

155. The Panel had previously reported on a memorandum of agreement between Abdul Wahid and a South Sudan business entity.⁶⁸ The South Sudan business entity had provided equipment, material and provisions worth \$3.41 million to SLA/AW, for which no payment was made. Recovery proceedings were initiated against Abdul Wahid for the outstanding amount, which included the principal amount and surcharges for delayed payment. After the arrival of Abdul Wahid in South Sudan in March, the business entity made fresh attempts to recover the amount and enlisted the help of high-ranking officials in the Government of South Sudan to lean on Abdul Wahid for the settlement of the outstanding dues. The Panel is continuing to investigate the issue.

D. Armed groups in Libya

1. Mercenary activities

156. Most Darfurian armed groups continued to work for the Libyan National Army in Libya during the reporting period, securing areas and manning checkpoints. In return for these tasks, the five main movements (SLA/MM, GSLF, SLA/TC, SLA/AW and SRAC) were receiving payments and logistical support. Several sources in the movements said that the money and support were discussed and agreed upon in meetings between their military commanders and United Arab Emirates representatives in Libya; the payments were provided by the United Arab Emirates

⁶⁷ S/2020/36, paras. 161–166.

⁶⁸ S/2020/36, para. 167 and annex 9.

and channelled to the movements by the Libyan National Army, which took a cut. Occasionally, disagreements reportedly occurred: the Libyan National Army believed that the movements were claiming an exaggerated number of fighters to receive larger payments, while the movements believed that the cut of the Libyan National Army was too big. In the recent months with relative peace in Libya and the announcement of elections, there is pressure on the signatory Darfurian armed groups to leave Libya. The payments to the Darfurian groups have been reduced.

157. Smaller groups, such as those led by Banda and Jebel Mun, did not have a direct relationship with the top echelon of the Libyan National Army and the representatives of the United Arab Emirates. Therefore, to be paid, they had to work under the bigger groups, an uncomfortable system resulting in smaller, more irregular payments for them, according to some of the leaders interviewed by the Panel. Currently, these groups are struggling to support themselves in Libya and are supporting themselves by selling off their cars and equipment.

158. In some cases, the leaders of the movements benefited personally from the mercenary activities. For instance, according to SRAC sources, in April, SRAC main commander in Libya Mohamed Bakhit “Doydoy” sent to Musa Hilal about 20 million Sudanese pounds (approximately \$50,000).

2. Criminal activities

159. Some members of the Darfurian armed groups were also engaged in smuggling of arms, drugs and cars and providing protection and safe passage to migrant smugglers in cooperation with the local criminal groups. Various Darfurian and Chadian rebel sources mentioned the participation of some JEM elements under the leadership of Cholloy in such smuggling operations in southern Libya in the last few months. With reduced support from Libyan groups, more of these armed groups are turning to criminal activities to support themselves.

160. The Government of the Sudan saw the smuggling of vehicles to the Sudan, mostly imported from or through Libya, as related to criminal activities. The authorities repeatedly prohibited the use of such vehicles, used without number plates (so-called “Boko Haram cars”), as well as motorcycles. The Panel could see that such cars were widespread in Darfur.

E. Gold seizure in the United Arab Emirates

161. The Panel received information that authorities in the United Arab Emirates had seized gold that was linked to one of the Darfurian movements. During its meeting with the authorities of the United Arab Emirates in Dubai on 7 November and subsequently, through a letter dated 12 November 2021, the Panel sought the details and additional information on this seizure. At the time of writing, the said information and reply from the United Arab Emirates was yet to be received.

X. Recommendations

162. The Panel recommends that the Committee:

(a) Urge the movements to withdraw all their forces from foreign countries. If they fail to comply, and therefore continue to pose a threat to regional stability, the Committee should consider listing those individuals or entities on the sanctions list;

- (b) Urge the Libyan warring factions and those entities backing them to stop engagement with and providing support to the Darfurian armed groups and to facilitate and support their withdrawal from Libya and return to Darfur;
- (c) Urge the Government of the Sudan to facilitate the creation of the joint security force in Darfur, with the inclusion of the forces of the armed movements;
- (d) Urge the Government of the Sudan to establish the Darfur regional disarmament, demobilization and reintegration commission with branch offices in the five states of Darfur and provide the commission with capacity and resources to enable the implementation of the disarmament, demobilization and reintegration activities envisaged in the Juba Peace Agreement;
- (e) Urge the signatory groups to the Agreement to stop recruiting fighters and provide master lists of their forces, including name, rank and file, to facilitate and promote donor trust and buy-in to support the processes of integration and disarmament, demobilization and reintegration envisaged in the Agreement;
- (f) Urge the Government of the Sudan to strengthen, support and staff the established Permanent Ceasefire Committee to provide capacity and funding to continue the operationalization and implementation of the mandate of the Committee to ensure monitoring and strengthening of the security situation in Darfur;
- (g) Request the Government of the Sudan to establish a mechanism to facilitate, manage and submit requests for exemptions to the arms embargo concerning the weapons and ammunition that are being transferred to Darfur by the signatory movements in their ongoing process of complying with the requirements on returning to Darfur under the Agreement;
- (h) Recognizing that the security crisis in Darfur combined with the return of fighters outside of the provisions of the Agreement is a direct threat to regional stability, encourage the Sudan and the neighbouring States to strengthen joint security forces to control the cross-border arms trade and prevent the possible spread of terrorist activities in the region.

163. The Panel recommends that the Security Council:

- (a) Call for urgent support from Member States for the implementation of the Juba Peace Agreement in its resolution related to the Sudan in full accordance with the Agreement;
- (b) Urge the Sudan and neighbouring countries to implement the provisions of the travel ban and asset freeze against the designated individuals;
- (c) Urge the Government of the Sudan to take measures aimed at maintaining law and order and strengthening the rule of law, including by providing adequate resources and enhanced capacity of law enforcement and judicial personnel to support them;
- (d) Urge the Government of the Sudan to take concrete steps to investigate allegations of human rights violations and abuses by State and non-State actors and acts of violence and criminal activities. All those found responsible must be held accountable in competent courts of law;
- (e) Encourage the investigation of the security forces or signatory armed movements found supporting armed groups or militias or otherwise joining or instigating intercommunal conflicts.

Annex 1 – Mandate

On 11 February 2021 the Security Council recalled its previous resolutions concerning Sudan, in particular 1591 (2005), 1651 (2005), 1665 (2006), 1672 (2006), 1713 (2006), 1779 (2007), 1841 (2008), 1891 (2009), 1945 (2010), 1982 (2011), 2035 (2012), 2091 (2013), 2138 (2014), 2200 (2015), 2265 (2016), 2340 (2017), 2400 (2018), 2455 (2019), and 2508 (2020), and its Presidential Statement of 11 December 2018 (S/PRST/2018/19).

In paragraph 1 of resolution 2562 (2021),

the Security Council recalled the measures imposed by paragraphs 7 and 8 of resolution 1556 (2004), as modified by paragraph 7 of resolution 1591 (2005), and paragraph 4 of resolution 2035 (2012), and the listing criteria and measures imposed by subparagraphs (c), (d) and (e) of paragraph 3 of resolution 1591 (2005), as modified by paragraph 3 of resolution 2035 (2012), and

reaffirms the provisions of subparagraph (f), (g) of paragraph 3 of resolution 1591 (2005), paragraph 9 of resolution 1556 (2004), and paragraph 4 of resolution 2035 (2012).

In paragraph 2 of resolution 2562 (2021) ,

the Council further extends the mandate of the Panel of Experts until 12 March 2022 originally appointed pursuant to resolution 1591 (2005) and previously extended by resolutions 1779 (2007), 1841 (2008), 1945 (2010), 2035 (2012), 2138 (2014), 2200 (2015), 2265 (2016), 2340 (2017), and 2400 (2018), *reaffirms* the mandate of the Panel of Experts' as established in resolutions 1591 (2005), 1779 (2007), 1841 (2008), 1945 (2010), 2035 (2012), 2138 (2014), 2200 (2015), 2265 (2016), 2340 (2017), 2400 (2018), 2455 (2019), and 2508 (2020), and

requests the Panel of Experts to provide to the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan (hereafter "the Committee") with an interim report on its activities no later than 12 August 2021, and provide to the Council, after discussion with the Committee, a final report by 13 January 2022 with its findings and recommendations, and

further requests the Panel of Experts to provide updates every three months to the Committee regarding its activities, including Panel travel, and the implementation and effectiveness of paragraph 10 of resolution 1945 (2010), and

expresses its intention to review the mandate and take appropriate action regarding the further extension of the mandate no later than 12 February 2022.

In paragraph 3 of resolution 2562 (2021) the Council recalls paragraph 3(a) (v) of Security Council resolution 1591 (2005) and

requests the Government of Sudan to submit requests for the Committee's consideration and, where appropriate, prior approval for the movement of military equipment and supplies into the Darfur region, particularly in the context of the implementation of the Juba Peace Agreement, in accordance with paragraph 7 of resolution 1591 (2005), as clarified and updated in paragraph 8 of resolution 1945 (2010) and paragraph 4 of resolution 2035 (2012);

In paragraph 4 of resolution 2562 (2021) Council requested the Secretary-General, in close consultation with the Government of Sudan, signatories of the Juba Peace Agreement,

UNITAMS, and the Panel of Experts, to conduct a review of the situation in Darfur, including threats to stability, implementation of the Juba Peace Agreement and the National Plan for Civilian Protection, measures to tackle the proliferation of weapons, including progress on the weapons collection program, and compliance with the measures on Darfur as recalled in paragraph 1 of this resolution.

The council further requested the Secretary General, in close coordination with the Panel of Experts and in consultation with the Government of Sudan, to provide to the Security Council, by 31 July 2021, a report containing recommendations for clear and well identified key benchmarks that could serve in guiding the Security Council to review the measures on Darfur as recalled in paragraph 1 of resolution 2562 (2021).

Annex 2 – Terminology

The Panel has retained terms such as “tribe”, “Janjawid”, “settlers”, “nomads” and personal and place names as provided by the various sources. Such usage does not necessarily reflect the views of the Experts.

The Panel defines “militias” as armed groups operating independently and without any official Governmental status.

Annex 3 – The Security-keeping Force in Darfur

The security keeping force in Darfur, to be formed by joint forces of the GoS and the signatory movements, was a key creation of the JPA, aimed at protecting civilians and compensating for the exit of UNAMID. To date, it was not established yet. Ad hoc efforts were initiated by the SAF and some JPA signatory armed groups but no joint coordinated activities. The GoS deployed a group of 6 000 members to Darfur in contribution to their respective representation in the force; this included 3000 Police, 1500 SAF, 1450 RSF and 50 GIS.

On 17 July 2021, a convoy with 800 fully armed soldiers arrived at a gathering point in El Fasher, marking the contribution to the security keeping force of SLA/MM. Minawi said that it was agreed that the Darfur track movements would jointly provide 8,000 soldiers to protect civilians in Darfur in line with the provisions of the JPA. These fighters will receive training in El Fasher and Nyala before their integration in the force.

Annex 4 – Security Arrangements Committees

On 5 July, the Chairman of the Sovereign Council, General Abdel Fattah Al-Burhan, issued a decree to form the Joint High Military Committee for Security Arrangements (JHMCSA) and Ceasefire Committee in the Darfur region.

The JHMCSA would supervise, monitor, and verify the implementation of the agreement including the assembly sites for the combatants of the groups that signed the Juba Peace Agreement including the DDR programmes which will last for 39 months. The decree established a six-month rotating chairmanship of the joint body that oversees the implementation process. The Sudanese army would assume chairmanship during the first term.

The Ceasefire Monitoring Committees will be headed by state committees in the five states of Darfur.

The members of the JHMCSA and Ceasefire Committee are as follow: Lieutenant-General Suleiman Sandal Haggar (JEM), Lt Genl. Juma Mohamed Hagar (SLA/MM), Taher Adam Hammad (JEM), Lt Genl. Saeed Yousef Mahel (Sudanese Alliance), Ahmed Yahia Gido (SLA/TC), Salah Ibrahim Al-Taher Noreen (GSLF), Commissioner of the DDR, Commissioner for Humanitarian Affairs, South Sudan Mediation representative, Chad Representative, AU, UN.

Annex 5 – Musa Hilal (SDi.002)

Musa Hilal's release was the outcome of a personal deal between him and Hemetti, in the context of an initiative the Rezeigat tribal reconciliation (Hilal is from Rezeigat Mahamid clan, while Hemetti is from Rezeigat Mahariya clan). Musa Hilal shared with the Panel his skepticism about future relations with Hemetti.

According to SRAC sources, Hilal tried to take advantage of the ongoing tensions between SAF and RSF to propose his support to SAF against Hemetti. In private consultations in June, he discussed with General Al-Burhan the possibility of integrating some of his armed supporters in SAF. However, the recent rapprochement between Burhan and Hemetti shut the door on Hilal, at least temporarily.

Currently Musa Hilal is politically weak and continued to look for opportunities and relevance in the regional political landscape. Following his arrest, his Border Guards paramilitary unit had been disbanded (some joined the RSF, some left for Libya, and some others just vanished), and he therefore does not have his own, organized military force in Darfur as before. His finances were depleted, as he did not have access to government funding anymore and lost control over the Jebel Amir gold mine. He is now depended on "pocket money" given by Hemetti and revenues sent by SRAC fighters from Libya, not enough to entertain a large clientele. His grip over his Mahamid community also loosened, as other local Mahamid leaders now cultivated their own support base. So has his control over SRAC forces in Libya, which were reluctant to continue sharing their revenues from the Libya war with him and have broken out in several rival factions.

One of the two cases against Musa Hilal (killing of police officers) was settled through a traditional compensation to the victims' families (diya – blood money). The second case (killing of RSF elements during his arrest in Misteriha, North Darfur) was not resolved. In a meeting with the Panel in Khartoum in July 2021, Hemetti made it clear that he could bring this case back to the court.

Annex 6 – Third Front / Tamazuj - origin and activities

1. The origins of this new group are elusive. The Chairman of the group, Mohamed Ali Kurashi, a Rezeigat from Abu Matariq (East Darfur), claimed to the Panel that it originated in 2006 and was one of three SPLM/N fronts (Blue Nile, Jebel Nuba and Raja in South Sudan). However, leaders of both SPLM/N factions, Abdelaziz Al Hilu and Malik Agar, said to the Panel that they did not know Kurashi and his colleagues, and alleged that they were connected to the security services of the former Sudanese regime.

2. It seems from various interviews conducted by the Panel that several Third Front / Tamazuj leaders, mostly from Arab tribes of Kordofan and East Darfur such as Misseriya and Rezeigat, had joined the Sudan People's Liberation Army (SPLA) in the eighties, falling at the time under the leadership of Riek Machar. After the signing of the Comprehensive Peace Agreement (CPA) between the GoS and the SPLA in 2005, many of those elements joined the People's Defence Forces (PDF), a GoS paramilitary unit, providing protection to their nomadic communities moving across the border areas between Sudan and South Sudan with their cattle. When the civil war in South Sudan broke out in 2013, some of them supported Riek Machar's SPLA-In Opposition against the South Sudanese government.

3. After the Juba peace process began, several of these leaders approached Machar, now South Sudan's first Vice-president, to obtain a seat at the negotiations. Machar convinced Hemetti to let them join the peace process; after SPLM/N Agar refused their participation in its Two Areas track,¹ they were added to the Darfur Track, under the name "Third Front / Tamazuj". After signing the JPA, the movement quickly expanded and rose to prominence. It opened offices across Sudan and engaged in a large-scale recruitment drive, targeting in Darfur mostly amongst disaffected Arab militiamen². The movement was very active, claiming to control various areas on behalf of the GoS, displaying many vehicles and weapons.

4. Rapidly, it split into several factions. One of the main ones, known as "Gelhak" and led by a former SLA/MM member, Ahmed Yahia "Karbino", and Mohamed Ismail "Zero", a Tama from Gezira state, claimed to control the border with CAR around Am Dafok. The various factions competed for visibility, local control, and recruitment, and spiraled out of control. Third Front / Tamazuj elements were accused by the GoS authorities of various crimes (armed burglaries, selling of ranks, carjacking etc.) and of contributing to rising insecurity in Khartoum and other areas. In West Darfur, Masalit leaders accused the local Tamazuj forces, led by commander Ahmed Guja, of supporting Arabs in the fighting against Masalit. In a meeting with the Panel in July, Kurashi acknowledged these illegal activities, but claimed they were perpetrated by factions contesting his leadership, upon which he had no control.

5. Third Front / Tamazuj's wrongdoings created concern amongst the GoS authorities. On 18 June, Hemetti announced the launch of a joint force between the GoS, and the movements aimed at cracking down on insecurity in Khartoum and main cities.³ SAF officers and Darfurian commanders interviewed by the Panel explained that this force was formed primarily to stop Tamazuj's illegal activities.

¹ Panel's interview with Malik Agar, Khartoum, July 2021.

² For instance, the Governor of Central Darfur, Adeen Yusuf, mentioned to the Panel that, in his state, the movement was recruiting amongst former Musa Hilal's Border Guards.

³ <https://www.reuters.com/world/africa/new-joint-force-crack-down-insecurity-sudan-2021-06-18/>

6. Several interlocutors, amongst armed groups but also in GoS, were very suspicious of the sudden rise of Third Front / Tamazuj and strongly believed that some GoS organs, SAF's department of Military Intelligence in particular, were supporting and instrumentalizing this group to undermine the JPA signatory groups and Hemetti. In meetings with the Panel, SAF leaders denied any link with the group, and expressed their concern towards its illegal activities. Since 25 October the activities of Third Front/Tamazuj apparently diminished. A faction of the movement continued to issue declarations on the current situation supporting the GoS.

Annex 7 – Non-signatory Darfurian armed groups in Libya

1. SLA/AW had a force of between 100 and 150 vehicles, in Jufrah and several localities in the south, led by Military Chief of Staff "Karjakola". Musa Hilal's SRAC comprised about 110 vehicles. In April, it split into two factions over money issues - one faction led by Secretary General Mohamed Bakhit Ajab al-Dor "Doydoy" had forces in Sirte area while the other one, led by General Commander Ahmed Samah Daud, was based in Jufrah. Later, other commanders left to form their own faction, such as Military Chief of Staff Abdallah Hussein Adam, and the group was now scattered in five or six factions of 15-20 vehicles each. Both SLA/AW and SRAC continued to recruit and train new fighters, as illustrated by videos of graduation ceremonies in Libya released by the groups in April and seen by the Panel.

2. Abdallah Banda's Assembly of JEM Forces, comprising a few dozens of vehicles, continued to operate in Libya on the LNA's side, mostly in Jufrah, under SLA/MM's umbrella. While Banda was reluctant to join the peace process because of his problems with the International Criminal Court, his main commanders such as his deputy Bichara Adam Ali and UN-sanctioned individual Gibril Mayu "Tek" were interested in returning to Sudan and entering negotiations with the GoS, according to the Panel's discussions with cadres of the movement. Dozens of Banda's elements returned to Sudan as part of SLA/MM forces to join the security arrangements there.

3. Several smaller movements with 10-25 cars each, such as New JEM and groups led by Abbas Aseel Jebel Mun, Yassin Osman and Zekeria Alduch, continued to operate in Libya alongside the LNA, under the umbrella of bigger groups.

Annex 8 – Dynamics of the Protracted Conflict in El Geneina, West Darfur

1. After outbursts of violence in December 2020 and January 2021, new clashes broke out in El Geneina in April 2021. According to the Masalit interlocutors, the attack aimed at the Masalit or all the black population such as Borgo, a well-established immigrant community from Wadai in neighbouring Chad. The perpetrators were defined as Janjawid, Arab militias, RSF, SLA/MM, JEM, Tamazuj, coming from outside the city and from outside Sudan.¹ On 9 April 2021 at a press-conference in Khartoum the then-Governor of West Darfur spoke about “cross-border militias” from Chad and Libya joining local militias from North Darfur, South Darfur, and Wadi Salih (Central Darfur), but rejected accusations against RSF. The Governor stressed that the security committee in West Darfur had no funds and no new vehicles to maintain security and stop the fighting. He complained about lack of communication with the ministries of Interior and Defense, resulting in the lack of reinforcement, and asked the UN for help with border control. Other sources, mostly from Arab communities, blamed non-signatory movements and Masalit militias from the IDP camps for an attack on the Arabs in Jebel neighbourhood, and accused the Governor of “racism”.

2. Some aspects of the April conflict remained unclear. The new Governor of West Darfur Khamis Abdallah Abakar in July told the Panel that the attackers went to the Jebel neighbourhood, because “they cannot reach Abu Zar unless through Jebel”.² It was unclear why Abu Zar IDP camp was the objective of the attack, and who were the attackers; Mansour Arbab's New JEM and SPLM-N (al-Hilu faction) denied their involvement. The new Governor said that both sides of the conflict lost lives. According to various estimates, there were more than 300 killed and wounded; people from Jebel moved to government offices, schools, and mosques

3. On 28 May 2021 the Sultan of Dar al-Masalit Saad Abdul Rahman Bahr al-din accused GIS and “awlad NISS” (“NISS children”) as well as the criminal “Colombia” group (“various tribes based in Abu Zar”) of instigating the conflict. According to the Sultan, “Abdulaziz al-Hilu wants to impose his people, and Mansour Arbab also wants to impose his people, as well as Dr. Alraya” (Alraya is a former SLA/MM deputy-chairman from Masalit), while non-IDPs were speaking on behalf of the IDPs.³ Some of the Panel’s interlocutors saw the conflict as derived from land issues and political competition between Masalit and Arab groups; other sources spoke of a conflict amongst Masalit supporters and adversaries of the former Governor.

4. One feature of the conflict was the presence of openly separatist Masalit propaganda. This position probably echoed the position of SPLM/N (al-Hilu faction), which advocated the right of Jebel Nuba to self-determination. According to some Masalit activists, 65-70 per cent of the population in West Darfur support al-Hilu, thanks to his Masalit origins.

5. After the events, the security forces divided El Geneina into sections and ordered to dig a trench surrounding the city, with gates controlled by joint forces (SAF, RSF, GIS and signatory movements). The main purpose of the trench was to identify those who came through the corridors. The same method was earlier used in El Fasher. GoS also decided to appoint a special prosecutor to combat incitement to violence and spread of hate speech in West Darfur.⁴ The new Governor sent new judges to El Geneina to enhance rule of law in the city.

¹ Panel’s meeting, 2 July 2021.

² Panel’s meeting, 3 July 2021.

³ <https://shnnonews.com>, 28 May 2021.

⁴ <http://www.alrakoba.net/31551645>, 14 April 2021.

6. The conflict in El Geneina and other border areas of West Darfur will represent a threat to regional stability throughout in both Sudan and Chad. In May-December there were outbreaks of violence in the border localities, including Foro Baranga, Sirba and Jebel Moon.

7. Since May 2021, the situation inside El Geneina remained stable, but tense. The state authorities made efforts to control the IDP camps and strengthen support for their protection, interacting with armed movements and youth organizations.

Annex 9 – A Local Peace Agreement, West Darfur

Below, the non-aggression document by the components of the Misterei region. This model is being used as a mechanism, already introduced in Jebel Moon, for local conflict-dispute resolution and social cohesion for peaceful co-existence.

Misterei, Beida locality, 15 December 2021.

Draft Agreement

“We, the undersigned, representing the social components in the Misterei area in West Darfur state, pledge, to abide and obligate all our parties not to attack. We pledge to open markets and roads and abide by this. In the event of any breach of this commitment, any party will be legally responsible”

(Then follows the list of signatories, with the names of the Sultan Saad Abd al-Rahman Bahr al-Din, Colonel Musa Hamid and the representatives of four armed movements, Mustafa al-Jamil, Badr Ishaq Ushar, Tijani al-Tahir Karshum, Muhammad Adam Yahya)

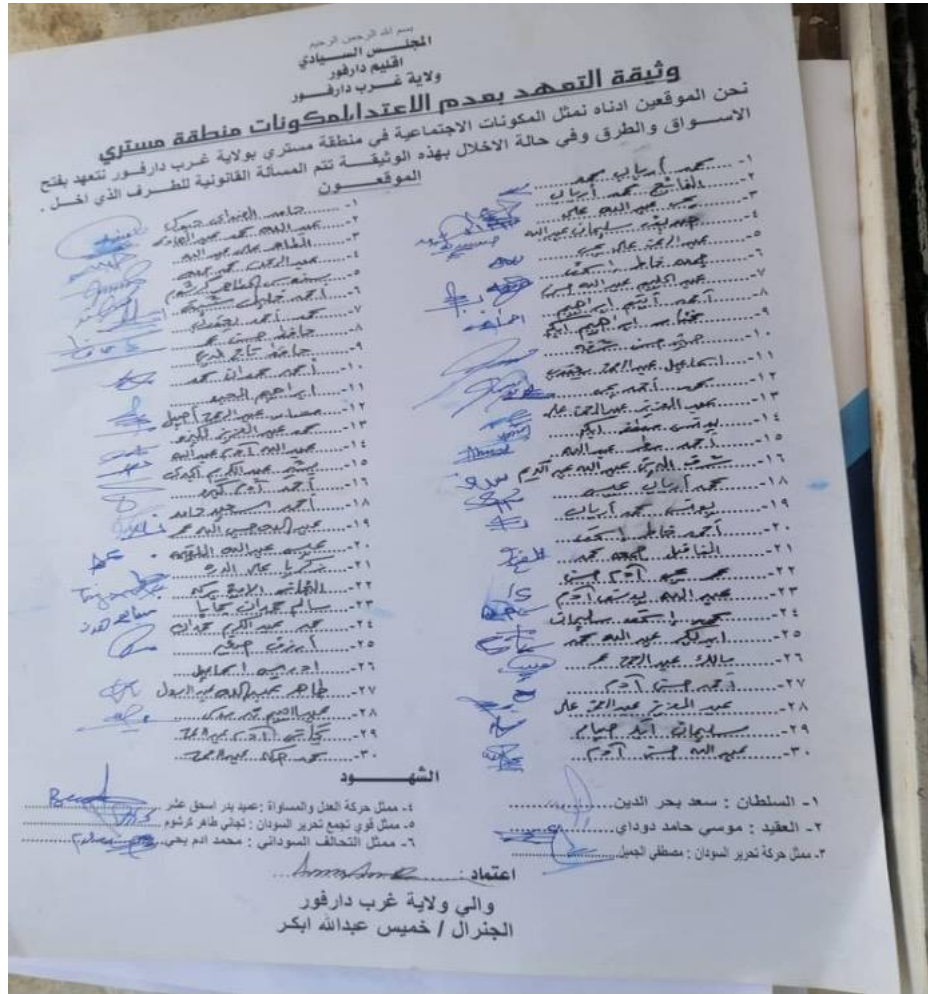


Signed agreement:

In the Name of God, the Most Gracious, the Most Merciful
The Sovereign Council
The Darfur region
West Darfur State

We, the undersigned, representing the social components in the Misterei area in West Darfur state, pledge to open markets and roads, and in the event of a breach of this document, the party which violated it will be legally responsible.

(Then follow thirty signatures from each side; witnessed by the Sultan Bahr al-Din, Colonel Musa Hamid Duday, the representatives of JEM, GSLF, Sudanese Alliance and SLA/MM; approved by the Governor of West Darfur General Khamis Abdallah Abkar).



Source: <https://www.assayha.net/86777/>;
<https://twitter.com/tobyharward/status/1471237538719350788/photo/1>

Annex 10 – Developments in Libya Peace Process

Significant developments in the implementation of the Libya peace process directly affected both the Sudanese and Darfuri JPA signatory and non-signatory armed groups present in Libya. On 8 October, the Libya Joint Military Commission (JMC), facilitated by UNSMIL, signed a comprehensive Libyan Action Plan in Geneva. The Action Plan intends to develop an implementation module and mechanism for the gradual, balanced, and sequenced process of departure of all mercenaries, foreign fighters, and foreign forces, through consultation and negotiation with Libya's neighbours and international partners. This agreement was the result of the Ceasefire Agreement for Libya that was adopted on 23 October 2020.

Sudanese and Darfuri armed groups will be withdrawn from Libya in two phases. In the first phase all the JPA signatory armed groups will be withdrawn and in the second phase the non-signatory armed groups. In the light of absence of support from the GoS, the second group would be more complicated. However, the slow implementation of the security arrangements provided for in the JPA do not provide substantial incentives to both groups to establish motivation to return to the Sudan or Darfur. The Libyan Action Plan also sets out initial principles, including that Libyan Authorities and foreign Countries must freeze entry of new mercenaries and foreign fighters or any armed groups to the Libyan territory once withdrawal of foreign fighters begins.

Building on the Cairo Declaration of June 2021, hosted by the Egypt from 29 October to 1 November and with the support of Special Envoy, Mr. Jan Kubis, the 5 + 5 Joint Military Commission (JMC) met in Cairo where they agreed with representatives of Chad, Niger, and Sudan on an effective communication and coordination mechanism to support the implementation of the Action Plan for the gradual, balanced, and sequenced process of withdrawing mercenaries and foreign fighters from Libyan territory. Sudan, Chad, and Niger "expressed their full readiness for coordination and cooperation that would ensure the exit of all fighters belonging to their countries, with all their classifications, from the Libyan lands, ensuring that these countries receive their citizens and coordinating to ensure that they do not return again to Libyan lands and that none of the neighbouring countries are destabilized".¹ With UNSMIL facilitation and in alignment with the Ceasefire Agreement of 23 October 2020, respective United Nations Security Council Resolutions, 2570 and 2571 (2021) on Libya, and the outcomes of the Berlin Conference, the mechanism should enable the first steps of the withdrawal process that will take into full account the needs and concerns of Libya and its neighbours.

On the 11 November, representatives of the Libya Arab Armed Forces (LAAF) of Khalifa Haftar East based forces announced that a "first group of 300 mercenaries and foreign fighters are to be repatriated" at the request of France.²

It stated further that the withdrawal of the 300 mercenaries and fighters would be a "unilateral" gesture, adding that they expect nothing in return from the government in Tripoli. It must be noted that the nationalities and destination of return of the 300 mercenaries and foreign fighters was not revealed, and actual withdrawal could not be confirmed.

On 12 November 2021, the President of the French Republic, the Federal Chancellor of Germany, the President of the Italian Council of Ministers, the President of the interim Presidency Council of Libya, the Prime Minister of the interim Government of National

¹ اللجنة العسكرية المشتركة 5+5. Cairo, 1 November 2021; UNSMIL statement on the JMC meeting in Cairo with representatives of Chad, Niger, and Sudan and agreement on establishing communication and coordination mechanism with neighboring countries. Tripoli 4 November 2021 <https://unsmil.unmissions.org/unsmil-statement-jmc-meeting-cairo-representatives-chad-niger-and-sudan-and-agreement-establishing>.

² <https://www.france24.com/en/live-news/20211111-300-pro-haftar-mercenaries-to-quit-libya>

Unity of Libya, and the Secretary-General of the United Nations, co-convened a conference of Heads of State and Government on Libya, in Paris, in support of the implementation of a Libyan-led and owned political process facilitated by the United Nations, leading to a political solution to the Libyan crisis.

In their declaration the participants expressed their full support for the comprehensive “Action Plan for the withdrawal of mercenaries, foreign fighters and foreign forces from the Libyan territory” developed by the 5+5 JMC in line with SC resolution 2570 (2021) including through the prompt development of timelines, as a first step towards the full implementation of the 23 October 2020 ceasefire agreement and SC resolution 2570.

To assist the JMC with the implementation of the Action Plan for Libya a technical committee has been established with UNITAMS and the Resident Coordinator of Chad to facilitate the coordination between neighbouring countries and regional organizations.
