

The Escalating Risk of Genocide in Darfur, Sudan: Urgent Appeal for Protection

August 2023

Since April 2023, violent conflict has engulfed much of Sudan, placing millions of civilian lives and livelihoods in jeopardy. Numerous serious violations of international humanitarian law have been carried out, reportedly by each of the principal parties to the conflict – the Sudanese Armed Forces (SAF) and the paramilitary Rapid Support Forces (RSF). Alarming, RSF forces and allied militias have reportedly committed patterns of widespread human rights violations against non-Arab populations in Sudan’s Darfur region – evidenced by photographic evidence, satellite imagery, and testimonies – which indicate that a serious risk of genocide currently exists in Darfur. As governments and multilateral organizations pursue a much-needed negotiated end to this brutal conflict, it is incumbent on them to simultaneously respond urgently to the risk of genocide facing non-Arab populations in Darfur and adopt targeted measures that will curb the violations by the RSF and its allies.

The non-Arab people of Darfur – specifically, the Fur, Zaghawa, and Masalit – were subjected to genocide before, some twenty years ago, by the government-backed Janjaweed militia that was the precursor to today’s RSF. The Jacob Blaustein Institute for the Advancement of Human Rights (JBI) expressed alarm in 2004 and [2005](#) that the measures taken by the international community to respond to this genocide were insufficient to effectively protect the groups that had been targeted for destruction.¹

On August 9, 2023, echoing concerns previously voiced by [Darfuri survivors](#),² [the Sultanate of Dar Masalit](#),³ the [U.S. Holocaust Memorial Museum](#),⁴ the [former UN humanitarian coordinator](#) for Sudan in the early 2000s,⁵ and others, U.S. Ambassador to the UN Linda Thomas-Greenfield [warned](#) the UN Security Council that “History is repeating itself—in the most tragic way possible” in Darfur, and the RSF and allied militias’ reported commission of “killings based on ethnicity,” “widespread sexual violence,” burning and looting of villages, and blocking of civilians’ attempts to flee were an “ominous reminder of the horrific events that led us to determine in 2004 that genocide had been committed in Darfur.”⁶ These and other violations, described below, are among the “human rights-related risk factors for genocide” set out in JBI’s [Manual on Human Rights and the Prevention of Genocide](#), developed by JBI in cooperation with the Special Adviser to the UN Secretary-General for the Prevention of Genocide.⁷

These reports are a shameful reminder of the consequences of inadequately responding to risks of genocide that should prompt immediate action by States like the U.S. that are parties to the Convention on the Prevention and Punishment of the Crime of Genocide.⁸ The Genocide Convention creates a duty to prevent genocide that “arise[s] at the instant that the State learns of, or should normally have learned of, the existence of a serious risk that genocide will be committed,” and requires States to “employ all means reasonably available” to prevent genocide from taking place.⁹

The RSF and its leader Mohamed Hamdan Dagalo (Hemedti) are primarily responsible for curbing the risk of genocide existing in Darfur, and JBI’s [Manual](#) provides detailed recommendations for steps that they should take to effectively address the violations at the root of each risk factor that exists today. Yet so long as RSF forces continue to attack and threaten municipalities and displaced persons’ camps with large non-Arab populations, **the U.S. and other foreign governments should make it an urgent priority to act individually and collectively to compel the RSF to change course and to protect civilians threatened with genocide in Darfur.** They should do this through measures including:

1. Urgently undertaking diplomatic efforts to mobilize governments to express concern about the risk of genocide in Darfur at the highest levels of leadership and to take actions aimed at addressing this risk;
2. Making it a diplomatic priority to impede the ability of the RSF and allied militias to obtain weapons and other forms support that are enabling them to carry out ethnically-motivated violence in Darfur;
3. Taking measures to protect civilians in Darfur and Sudanese refugees in Chad and ensure they have access to humanitarian aid;
4. Engaging representative Darfuri stakeholders in all ongoing processes to negotiate solutions to the conflict in Sudan; and

5. Encouraging UN leaders to undertake, and States to support and initiate, fact-finding efforts that include an assessment of whether the obligation to prevent genocide has been triggered in Darfur and elsewhere in Sudan, and to make their findings public, and urging all UN system actors to report on and express concern to relevant stakeholders when they become aware that human rights violations constituting risk factors for genocide are occurring, avoid taking actions that aid forces engaged in abuses constituting risk factors for genocide, and avoid repeating past failures in this area.

Background

Since April 15, 2023, the Sudan Armed Forces (SAF), led by Lieutenant General Abdul Fattah al-Burhan, Chairperson of the Transitional Sovereign Council, has been engaged in armed conflict against the Rapid Support Forces (RSF), a paramilitary group, headed by Mohamed Hamdan Dagalo (“Hemedti”), who was the Vice Chairman of the Transitional Sovereign Council at the time of the outbreak of fighting.

The RSF was formally constituted by former Sudanese President Omar al-Bashir in 2013 from the Janjaweed militia that the Sudanese government had enlisted to combat rebellions by armed groups in the 2003-2005 Darfur war. Comprised of a core of members of nomadic Arab herding communities, the Janjaweed waged a brutal campaign in Darfur targeting the non-Arab Fur, Zaghawa, and Masalit groups, whom they associated with the rebels, razing hundreds of villages, killing an estimated 300,000 people, raping women, and displacing some 2.5 million Darfuris.¹⁰ In 2004, the U.S. State Department determined that the Janjaweed and Sudanese government bore responsibility for genocide in Darfur,¹¹ and between 2007 and 2012, the International Criminal Court issued arrest warrants for four Sudanese figures including former Sudanese President Omar al-Bashir on charges including genocide stemming from the conflict in Darfur.¹² During that time, Hemedti led a Janjaweed force that reportedly engaged in looting and destruction of villages, indiscriminate killing, and mass rape in North Darfur.¹³

After President al-Bashir elevated Hemedti to lead the RSF, it fought counterinsurgency campaigns in Darfur and the Southern Kordofan and Blue Nile regions in 2014 and 2015 in which its forces were accused of committing widespread violations including forcibly displacing whole communities, burning and looting homes, and committing widespread torture, extrajudicial killings, and mass rape.¹⁴

In late 2018, an unprecedented large-scale nonviolent civilian pro-democracy movement provoked a revolution in Sudan. Al-Bashir was ousted, tried, and imprisoned on corruption charges, and eventually a Sovereign Council composed of military and civilian representatives was established and charged with leading the country to eventual elections. In October 2021, however, al-Burhan and Hemedti carried out another military coup and dissolved the joint civilian-military council. Conflict between the RSF and SAF erupted in April 2023 in response to a disagreement between al-Burhan and Hemedti about the terms by which the RSF would be integrated into the SAF pursuant to a new political framework agreement to which they had agreed in December 2022 and which was intended to revive the eventual transition to civilian rule and elections within two years.

Since the outbreak of renewed conflict in Sudan, the SAF and RSF have both been credibly accused by observers, including United Nation monitors, of committing grave violations of international humanitarian law and human rights law – including widespread indiscriminate attacks against civilians and civilian objects, targeted killing, and sexual violence – in Khartoum and beyond. The conflict has had a devastating impact on Sudan’s population. An August 15 statement by UN High Commissioner for Human Rights Volker Türk reported that more than 4,000 people had been killed in the fighting; that his Office had identified 73 victims of sexual violence, with men in RSF uniforms implicated in the majority of incidents; and that more than 4 million Sudanese people had been displaced by the violence and more than 20.3 million were facing food insecurity.¹⁵

In this context, the RSF’s seizure of control over territory throughout Darfur since the recent fighting began in April 2023 is especially alarming, as are reports of patterns of widespread human rights violations committed by the RSF and associated militias targeting civilians in Darfur on the basis of their ethnic identity, in ways that are disturbingly reminiscent of the 2003-2005 conflict.

Human Rights Related Risk-Factors for Genocide Implicated by Reports of RSF abuses in Darfur

JB I's [Human Rights Related Risk-Factors for Genocide](#) were first developed in 2011 in cooperation with the Special Adviser to the UN Secretary-General on the Prevention of Genocide. These risk factors have been identified because members of particular national, ethnic, racial, or religious groups have been subjected to one or more of these human rights violations on a widespread (large-scale) or systematic (in a manner suggesting that the violations appear to be organized or planned) basis prior to past incidents of genocide. Their formulation incorporates the high threshold inherent in the definition of the crime of genocide¹⁶ into the process of identifying situations in which a risk of genocide is present.

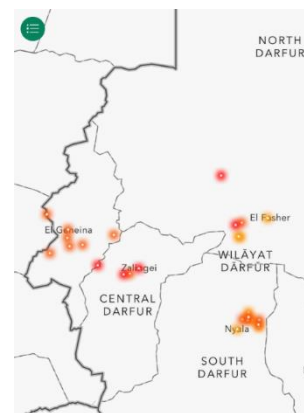
Communications blackouts have seriously impeded the ability of monitors to document violations in and access many locations across Darfur since May 2023. However, as set out below, photographic evidence, satellite imagery, and testimonies published as of August 20, 2023, indicate that the following human rights-related risk factors for genocide set out in JB I's *Manual* currently appear to be present in Darfur:

1. The widespread or systematic **expropriation or destruction of property** belonging to members of a particular group with no effective administrative or legal recourse or compensation;
2. The widespread or systematic **destruction of subsistence food, water, and medical supplies, including humanitarian aid**, intended for members of a particular group, or the widespread or systematic blocking of access to such supplies by members of a particular group;
3. The widespread or systematic **forcible transfer** from their habitual place of residence of members of a particular group without compensation or administrative or legal recourse or review;
4. The widespread or systematic **killing or enforced disappearance** of members of a particular group, including their community leaders;
5. The widespread or systematic **denial of or severe restrictions on the right to freedom of movement** of members of a particular group;
6. The widespread or systematic **use of rape and other forms of sexual violence** targeting members of a particular group.

Expropriation or destruction of property and destruction of subsistence food, water, and medical supplies of a particular group

Since April 2023, the RSF and its allies have engaged in the widespread or systematic destruction of at least 27 municipalities in Darfur, many of which had large non-Arab populations that appear to have been deliberately targeted. In the course of these attacks, the RSF has destroyed civilian infrastructure necessary for sustaining residents' life and health.

- As documented by the Sudan Conflict Observatory, the RSF engaged in May and June 2023 in a “systematic attempt...to control and siege key cities around Darfur and the intentional destruction of villages along their path... [that] forcibly displaces civilian populations and prevents them from returning.”¹⁷ In one report, it identified 26 communities¹⁸ in Darfur, a number of which were primarily demographically Masalit or other non-Arab Muslim ethnicities, where RSF forces engaged the “near total razing or destruction or partial targeted arson or destruction of protected civilian areas,” in acts it said were “highly indicative of an intent by RSF and aligned forces to render these communities uninhabitable.”¹⁹
- In one of the 26 localities, the West Darfur capital of El Geneina, the Sultanate of Dar Masalit reported that RSF forces had destroyed 20 neighborhoods and all 86 makeshift shelters for the displaced in the city, looted the offices and warehouses of all national



Mapping of towns attacked and destroyed by RSF documented in the Sudan Conflict Observatory's July 14 report.

and international organizations, and destroyed critical infrastructure, including hospitals, as well as several camps for displaced persons and seven nearby villages.”²⁰ On June 24, 2023, OHCHR Spokesperson Ravina Shamdasani said that “El Geneina has become uninhabitable with essential infrastructure destroyed and movement of humanitarian aid to the city, blocked.”²¹

- In the cities of Murnei and Tawilah, RSF forces reportedly set fires, which could be confirmed by satellite images, that damaged substantial amounts of territory, including marketplaces, rendering the cities uninhabitable.²²
- The Sudan Conflict Observatory also reported that as of July 10, the RSF had carried out several attacks against IDP camps in Darfur with sizable non-Arab populations, citing multiple instances of violence and destruction of civilian protected objects in Abu Shouk IDP camp near El-Fasher; attacks against and displacement of residents of the Kassab IDP camp near Kutum; and alleged RSF attacks of the Nyala-El-Salam IDP Camp.²³
- From July 24 to 30, RSF forces and allied militias attacked Sirba in West Darfur, leading to its near-complete destruction and rendering it almost uninhabitable.²⁴ The Darfur Bar Association confirmed that 4,463 of approximately 5,200 structures in the town were destroyed.²⁵ The Sudan Conflict Observatory reported that satellite images from Sirba showed the destruction of about 86% of the town, and a “lack of connecting burn” marks between dwellings and buildings, indicating that it is likely RSF fighters went door-to-door burning civilian homes.²⁶

Forcible transfer of members of a particular group

The actions taken by the RSF and allied militias described above have resulted in the widespread forcible transfer of members of non-Arab groups, particularly Masalit, in Darfur. Between late April and late July, the UNHRC had reportedly registered 329,000 newly arrived Sudanese refugees in eastern Chad, as well as some 48,000 Chadian citizens who fled Darfur, and as of late July, authorities in Adré, the main entry point for refugees from Sudan, which is 30km west of El Geneina, were reportedly recording 1,500 to 2,000 new arrivals per day, mainly Masalit.²⁷

Killing or enforced disappearance of members of a particular group, including community leaders

Numerous reports from credible sources have alleged that the RSF and its allies have engaged in widespread killing of members of non-Arab ethnic groups, particularly the Masalit, in the course of carrying out attacks in Darfur. The traditional Masalit leader, Sultan Saad Bahar al-Deen, has alleged that since the fighting began in April, some 10,000 Masalit have been killed in West Darfur.²⁸

- On May 28, the RSF attacked Misterei, West Darfur, a majority Masalit non-Arab community. At least 28 Masalit were reportedly summarily executed by Arab militias and at least 100 people were killed in total.²⁹ Survivors described the RSF shooting fleeing civilians in the back and “systematically” following survivors into schools and a mosque searching for men, summarily executing them.³⁰ During the May 28 RSF attack on Misterei, according to reports, witnesses said they overheard the “assailants cheering and uttering racial slurs. One said: ‘Some Arabs were cheering and shooting in the air, saying, ‘We burned the Masalit, we burned the zorga [Black people].’”³¹
- In June 2023, the RSF carried out a major military operation in West Darfur’s capital, El Geneina, which Sultan Saad Bahar al-Deen called “an organized operation to clear El Geneina of Masalit.”³² Many Masalit were reportedly killed by RSF and allied forces while fleeing El Geneina to Chad, and newly arrived refugees in Chad reported that RSF and allied Arab militia members were singling out and killing Masalit.³³ The UN Human Rights Office reported as early as June 13 that the bodies of at least 87 ethnic Masalit reportedly killed by the RSF and allied militias on the RSF’s orders had been buried in a mass grave outside the city.³⁴ A humanitarian worker subsequently told reporters that more than 1,000 people were killed on June 15 alone and that it and the two days that followed were the most violent of the attack.
- On June 24, a UN Human Rights spokesperson expressed alarm that “Arab militias backed by the Rapid Support Forces [were] killing people fleeing...on foot...primarily targeting male members

from the Masalit community,” and noted that of a group of 30 that fled, only had 17 crossed the border to Chad. Quoting a survivor, she noted “some were killed after coming under fire from vehicles belonging to the RSF and Arab militia near the Chad border, while others were summarily executed,” while being subjected to ethnic and racial slurs, citing witnesses who said that as Arab militia members shot at them, they shouted “You are slaves, you are Nuba,” and told them to leave Sudan because it is “not your country.” She cited witnesses reports of “dead bodies scattered along the road – and the stench of decomposition.”³⁵

- On August 14, a Masalit tribal representative announced that civil leaders in West Darfur had uncovered 30 hidden mass graves containing around 1,000 bodies around El Geneina and alleged the RSF had dumped hundreds of additional bodies in the Kaja Valley and unknown locations.³⁶
- RSF forces and allied militia reportedly targeted Masalit community and political leaders for execution during the weeks-long attack on El Geneina, beginning in April.³⁷ On June 14, Khamis Abdallah Abbakar, the Governor of West Darfur who was of Masalit ethnicity, was taken into custody by RSF forces and killed shortly thereafter hours after alleging that the RSF was committing genocide against the Masalit.³⁸ The Masalit Sultan’s brother and two cousins; three mayors; several sheikhs; several doctors, including the Dean of the Faculty of Medicine at El Geneina University; a number of senior civil servants; and several imams were also reportedly killed by RSF and allied forces on June 14.³⁹ The Darfur Bar Association also reported that the RSF deliberately targeted and killed four prominent lawyers in West Darfur because of their involvement in reporting past violations in El Geneina, highlighting the “systematic” nature of the killings.⁴⁰
- In Sirba, West Darfur, a locality 23 km from El Geneina with a majority of residents from the Erenga tribe, the RSF reportedly killed over 460 people, including local leaders and individuals in a mosque, in an attack on the locality and the neighboring Abu Suruj IDP camp in late July.⁴¹

Denial of the right to freedom of movement of members of a particular group

In the course of attacks on civilians, RSF forces and allied militias reportedly attempted to identify Masalit civilians and pursue and kill them rather than permitting them to flee.⁴²

- Doctors Without Borders reported in early August that many of the more than 800 mostly Masalit refugees who had fled from El Geneina and successfully reached their facility in Chad were suffering multiple gunshot wounds, particularly to the abdomen, back, and legs, and had reported being shot at by RSF forces as they were fleeing and having being targeted because of their Masalit ethnicity.⁴³ This report aligns with testimonies from other survivors of the El Geneina attack who reported that many civilians attempting to flee the city were summarily executed in the streets, others died while being shot at by the RSF as they attempted to cross a river, and many were apprehended by the RSF and then told to run to safety if they were Masalit but then shot.⁴⁴

Use of rape and other forms of sexual violence targeting members of a particular group

RSF forces and allied militia have also reportedly engaged in widespread rape and sexual violence particularly targeting non-Arab, and especially Masalit, women and girls.

- The Women’s Future Organisation recorded 73 instances of rape between April 15 and August 7, 2023, in West Darfur, most of which it said were perpetrated by the RSF and were “clearly ‘targeted against certain tribes, to violate the dignity of the women, families, and communities of these tribes.’”⁴⁵ Human Rights Watch documented allegations of rape by 78 women and girls who were attacked in El Geneina or while fleeing to Chad by members or allies of the RSF between April 24 and June 26, 2023, noting that the RSF forces “appear to have targeted people because of their Masalit ethnicity and, in some cases, because they were known activists.” All of the rape survivors from El Geneina interviewed by Human Rights Watch researchers said that their attackers explicitly mentioned their ethnic identity and used ethnic slurs about the Masalit or non-Arabs more generally.⁴⁶ Similarly, the head of Sudan’s Combating Violence Against Women Unit reported that her office had documented 11 cases of conflict-related sexual violence in El Geneina, “as well as mass rapes at a

university building where people had been seeking safety and shelter,” while noting that the reported cases likely only constituted a tiny fraction of what had occurred.⁴⁷

International response

Regrettably, for the most part, international actors and foreign governments have not yet responded to mounting evidence that a serious risk of genocide exists in Darfur by taking actions commensurate with it. While a few government figures like U.S. Ambassador to the UN Linda Thomas-Greenfield have expressed concern that the patterns of human rights violations being committed in Darfur signify the presence of a risk of genocide, government leaders have focused their political efforts primarily on pursuing a negotiated conclusion to the conflict between the SAF and RSF in Sudan. The multiplicity of conflict resolution efforts underway – including one spearheaded by the U.S. and Saudi Arabia in Jeddah – have not formally involved the participation of Darfuri stakeholders.

There is no presently existing international, regional, or sub-regional force with a mandate to protect civilians in Darfur. Although States employed many of the UN’s peace and security and human rights tools to address the prior conflict in Darfur some 15 years ago, many of the mechanisms that once existed have been wound down or have not been effective at preventing the reemergence of armed conflict or the commission of widespread human rights violations against civilians documented above. While the UN Security Council authorized the deployment of a hybrid AU-UN peacekeeping mission, the African Union-United Nations Hybrid Operation in Darfur (UNAMID), in 2007, it downgraded its status to that of a special political mission, the United Nations Integrated Transition Assistance Mission in the Sudan (UNITAMS), in 2020. In response to the prior conflict in Darfur, the Security Council also imposed an arms embargo on Darfur and a framework for imposing travel bans and asset freezes and created a panel of experts to monitor its implementation. These continue to exist today, but they have not been enforced or effectively employed to prevent or respond to the new reports of targeted, ethnically motivated attacks against civilians by the RSF and its allies in Darfur described above. Indeed, at least one and possibly several members of the Security Council are reportedly violating the arms embargo and facilitating the export of arms to the RSF through Chad.⁴⁸

These and other current dynamics at the UN Security Council suggest that it will be difficult if not impossible for it to reach consensus agreement, or at least the tacit support of all five veto-wielding UNSC members, on measures that would effectively impede the RSF’s access to arms, broaden the sanctions regime to cover the leadership of the RSF and those responsible for its campaign in Darfur, or secure a UN mandate under Chapter VII of the UN Charter to protect civilians. In another recent conflict situation on which the UNSC has been deadlocked, Russia’s 2022 invasion of Ukraine, following the veto of a resolution on the situation at the UNSC, the UN General Assembly (UNGA) has taken an outsized role, adopting several resolutions conveying the conviction of a large majority of member States that Russia’s military conduct is condemnable. While the UN General Assembly could act similarly to address the situation in Darfur, the SAF’s likely opposition to any such initiative will likely cause many African and other countries to refuse to support such an initiative.

On July 11, the quartet of countries on Sudan designated by the International Governmental Authority for Development (IGAD) – Kenya, Ethiopia, Djibouti, and South Sudan – issued a communique concerned about the “spread of violence outside of Khartoum to the other parts of Sudan particularly in Darfur as well as Kordofan where it is assuming ethnic and religious dimensions thereby threatening to deepen the polarization in the country.” They resolved “to request the East Africa Standby Force (EASF) summit to convene in order to consider the possible deployment of the EASF for the protection of civilians and guarantee humanitarian access.”⁴⁹ The EASF is one of the five standing regional multidimensional Forces of the African Standby Force (ASF) established as part of the African Peace and Security Architecture (APSA). As of August 20, however, no further action had been taken in pursuit of this call, and the SAF had expressed its unwillingness to participate in meetings of the IGAD quartet unless Kenya, which it considers partial to the RSF, is replaced.⁵⁰

In the absence of effective action by the UN Security Council to protect civilians, the UN General Assembly and UN Human Rights Council could play a positive role by endorsing statements of concern about the commission of ethnically motivated atrocities in Darfur and calling for more robust action by

regional actors. To date, the UN Human Rights Council has convened a special session on the situation in Sudan (in May 2023, at the request of a group of primarily Western States that included no African States) and adopted a resolution expressing concern about the situation and mandating further reporting on it to the UNHRC by the High Commissioner for Human Rights and his designated Expert on Sudan. However, the UNHRC has thus far stopped short of creating an independent monitoring or fact-finding body like a Commission of Inquiry (having discontinued the mandate of the Independent Expert on Sudan in 2020), and adopted the modest resolution approved at the Special Session by a very narrow margin, suggesting a lack of support among African States for more robust measures.⁵¹ At the UNHRC's last regular meeting, High Commissioner Türk called for a "humanitarian corridor between Chad and El Geneina and for safe passage for all civilians out of the conflict areas,"⁵² and in August he called for "the international community to increase political and economic pressure on the parties to the conflict to stop immediately the fighting, and increase financial support for humanitarian agencies responding to the humanitarian crisis caused by the conflict."⁵³ High Commissioner Türk will next report to the UNHRC about the situation in Sudan at its 54th meeting from September to October 2023. This will create an opportunity for States to take further action in the form of a resolution at the UNHRC on Sudan which could call for reporting by the High Commissioner to the UN General Assembly, create an independent monitoring mechanism, or otherwise encourage measures to protect civilians.

While also consistently deploring the commission of serious violations of international humanitarian and human rights law by each of the main parties to the conflict in Sudan, UN leaders have been increasingly outspoken about the specific implications of the RSF's conduct in Darfur. On June 13, the United Nations Special Adviser on the Prevention of Genocide, Alice Wairimu Nderitu, [warned](#) of the risk of atrocity crimes, including violations targeting victims on the basis of ethnicity in areas around Sudan, particularly highlighting the possible emergence of "renewed campaigns of rape, murder, and ethnic cleansing amounting to atrocity crimes" in Darfur if the violence in West Darfur were to continue. The Prosecutor of the International Criminal Court, Karim Khan, [announced](#) in July that his office had opened an investigation into reports of extrajudicial killings, burning of homes and markets, and looting in El Geneina as well as the killing and displacement of civilians in North Darfur, over which the ICC has jurisdiction pursuant to the UN Security's referral of the situation in Darfur to the ICC in 2005.⁵⁴

On August 1, in a meeting with Major General Abdul-Rahim Dagalo, Hemedti's brother and the Deputy Commander of the RSF, UN Special Representative on Sexual Violence on Conflict (SRSV) Pramila Patten [reportedly](#) raised serious concerns about cases of sexual violence by RSF affiliates, including in Darfur, and reports of slave markets in Darfur. On August 15, UN High Commissioner for Human Rights Volker Türk [warned](#) that attacks were being committed against civilians based on their ethnicity in West Darfur, following his early statement of alarm to the Human Rights Council in July and statements by the UN Human Rights office in June. On August 17, a group of UN experts expressed [alarm](#) at reports of brutal and widespread use of rape and other forms of sexual violence by the Rapid Support Forces (RSF) in Sudan, noting the particular vulnerability of women and girls in Darfur. However, none of the UN or international actors cited above has yet to specifically warn of the existence of a risk of genocide in Darfur or refer to the Genocide Convention's obligation to prevent genocide. Moreover, concern about the willingness of UN leaders to clearly express alarm about the mounting risk of genocide in Darfur, which is always a concern in situations in which the UN requires the consent of parties implicated in atrocities to access civilians in need of aid, has been compounded by the SAF's hostility to the Special Representative of the Secretary-General for Sudan and head of UNITAMS, Volker Perthes, who it declared *persona non grata* in June.⁵⁵ Sudan's government reportedly threatened the UN Secretariat that it would expel UNITAMS from the country if Perthes briefed the UN Security Council at its August 9 meeting.⁵⁶

To date, the US and UK have taken initial measures to target the main parties to conflict in Sudan generally but without any specific reference to Darfur. An [Executive Order](#) issued by President Biden on May 4 authorizes the U.S. Government to impose sanctions on persons or entities in Sudan in connection with "the military's seizure of power in October 2021 and the outbreak of inter-service fighting in April 2023, including against persons or entities engaged in "the targeting of women, children, or any other civilians through acts of violence, abduction, forced displacement, or through conduct that would constitute a serious abuse or violation of human rights or international humanitarian law." Thus far, the

U.S. has only designated four companies under this authority, two affiliated with the RSF and two associated with the SAF.⁵⁷ Other businesses associated with the RSF have been sanctioned by the U.S., UK, and EU in actions related to Russia’s invasion of Ukraine targeting subsidiaries of the Wagner Group, the Russia-linked private military company.⁵⁸ On July 12, the UK also announced sanctions against companies and individuals linked to each of the two parties.⁵⁹ However, neither Hemedti nor any other RSF personality with command responsibility for the forces reportedly committing widespread violations against civilians in Darfur on the basis of their non-Arab ethnicity has yet been subject to targeted sanctions.

Recommendations

Given the significant challenges impeding effective coordinated international action, it is particularly imperative that the United States and other concerned countries initiate effective unilateral measures to not only communicate their particular concern about the serious risk of genocide in Darfur, as Ambassador Thomas-Greenfield has done, but also to “employ all means reasonably available” to prevent genocide from taking place.

The RSF and Hemedti are primarily responsible for curbing the risk of genocide existing in Darfur, and JBI’s *Manual* provides detailed recommendations for steps that they should take to effectively address the violations at the root of each risk factor. Yet so long as RSF forces continue to attack and threaten municipalities and displaced persons’ camps with large non-Arab populations, **the U.S. and other foreign governments should make it an urgent priority to act individually and collectively to compel the RSF to change course and to protect civilians threatened with genocide in Darfur.** They should do this through measures including:

1. Urgently undertaking diplomatic efforts to mobilize governments to express concern about the risk of genocide in Darfur at the highest levels of leadership and to take actions explicitly aimed at addressing this risk;
2. Making it a diplomatic priority to impede the ability of the RSF and allied militias to obtain weapons and other forms of support that are enabling them to carry out ethnically motivated violence in Darfur;
3. Taking measures to protect civilians in Darfur and Sudanese refugees in Chad and ensure they have access to humanitarian aid;
4. Engaging representative Darfuri stakeholders in all ongoing processes to negotiate solutions to the conflict in Sudan; and
5. Encouraging UN leaders to undertake, and States to support and initiate, fact-finding efforts that include an assessment of whether the obligation to prevent genocide has been triggered in Darfur and elsewhere in Sudan, and to make their findings public, and urging all UN system actors to report on and express concern to relevant stakeholders when they become aware that human rights violations constituting risk factors for genocide are occurring, avoid taking actions that aid forces engaged in abuses constituting risk factors for genocide, and avoid repeating past failures in this area, for example as occurred in Myanmar in the context of the genocidal attack against the Rohingya.

¹ JBI, “We Must Halt the Genocide in Darfur, Sudan Now,” (June 2005), <https://www.policyarchive.org/download/12300>.

² Sudan Genocide Warning Letter (June 29, 2023), <https://medium.com/@atrocitiesprevention/sudan-genocide-warning-letter-ea8e78b671b1>

³ Dar Masalit Sultanate, *Massacres in Al Ginaina from April 24 to June 12, 2023*, (June 20, 2023), <https://www.altaghyeer.info/en/2023/06/20/dar-masalit-sultanate-massacres-in-al-ginaina-from-april-24-to-june-12-2023/>

⁴ United States Holocaust Memorial Museum, “Museum Warns Risk of Genocide in Darfur,” (June 29, 2023), <https://www.ushmm.org/information/press/press-releases/museum-warns-risk-of-genocide-in-darfur>

⁵ Mukesh Kapila, “Peace in Sudan depends on justice for the Darfur genocide,” (May 24, 2023) <https://theconversation.com/peace-in-sudan-depends-on-justice-for-the-darfur-genocide-205690>.

⁶ Remarks by Ambassador Linda Thomas-Greenfield at a UN Security Council Briefing on Sudan, August 9, 2023, <https://usun.usmission.gov/remarks-by-ambassador-linda-thomas-greenfield-at-a-un-security-council-briefing-on-sudan-3/>

- ⁷ Jacob Blaustein Institute for the Advancement of Human Rights, *Manual on Human Rights and the Prevention of Genocide* (2015), available at <https://www.jbi-humanrights.org/JBI%20Manual%20on%20Human%20Rights%20and%20Prevention%20of%20Genocide.pdf>.
- ⁸ Convention on the Prevention and Punishment of the Crime of Genocide, art. 2, Jan. 12, 1951, 78 U.N.T.S. 277.
- ⁹ International Court of Justice, Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro), Judgment, I.C.J. Reports 2007, para 431, <https://www.icj-cij.org/files/case-related/91/091-20070226-JUD-01-00-EN.pdf>
- ¹⁰ USHMM, Holocaust Encyclopedia, “Darfur,” <https://encyclopedia.ushmm.org/content/en/article/darfur>.
- ¹¹ President’s Statement on Violence in Darfur, Sudan (September 9, 2004), <https://georgewbush-whitehouse.archives.gov/news/releases/2004/09/20040909-10.html>.
- ¹² ICC, Situation in Darfur, Sudan, available at <https://www.icc-cpi.int/darfur>.
- ¹³ Foreign Policy, The Man Who Terrorized Darfur Is Leading Sudan’s Supposed Transition, May 14, 2019, <https://foreignpolicy.com/2019/05/14/man-who-terrorized-darfur-is-leading-sudans-supposed-transition-hemeti-rsf-janjaweed-bashir-khartoum/>
- ¹⁴ The Guardian, Hemedti: The Feared Commander Pulling the Strings in Sudan, May 29, 2019, available at <https://www.theguardian.com/world/2019/may/29/hemedti-the-feared-commander-pulling-the-strings-in-sudan>
- ¹⁵ OHCHR, “Sudan: Human rights situation,” (15 August 2023), <https://www.ohchr.org/en/press-releases/2023/08/sudan-human-rights-situation>.
- ¹⁶ The following acts constitute genocide when committed against members of a national, ethnic, racial or religious group, and with intent to destroy, in whole or in part, the group as such: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; or (e) forcibly transferring children of the group to another group. Genocide Convention, art. 2.
- ¹⁷ Howarth, Caitlin N., Kaveh Khoshnood, Nathaniel A. Raymond, et al. “Evidence of Alleged Crimes Against Humanity by Rapid Support Forces in Darfur, 15 April – 10 July 2023”, 12 July 2023, Sudan Conflict Observatory: Washington, DC. Available at <https://sudan.conflictobservatory.org>. Sirba has previously been the site of atrocities, with Janjaweed attacking the town and targeting mostly non-Arab tribes in the early 2000s, as well as again in 2007 when the Janjaweed threatened to attack the civilians for suspected “anti-government forces” against the Bashir regime.
- ¹⁸ List of 26 communities and dates of attack according to the Sudan Conflict Observatory: Oukom Kasigo 17-Apr-2023 El-Fasher 19-Apr-2023 Nyala 20-Apr-2023; Bilail (Settlement 1) 21-Apr-2023; Abu Odum 28-Apr-2023; Tawilah (Settlement 1) 29-Apr-2023; Tawilah (Settlement 2) 29-Apr-2023; Kemsy 07-May-2023; Bilail (Settlement 2) 08-May-2023; Andur Sudan 09-May-2023; Kudumi 12-May-2023; Wadi Barei Bridge 14-May-2023; Tendelti 17-May-2023; Daraba 18-May-2023; Kongi 19-May-2023; El-Geneina 21-May-2023; Kanbarah 21-May-2023; Shearia 23-May-2023; Abu Luk 25-May-2023; Majmari 26-May-2023; Misterei 29-May-2023; Azum 01-Jun-2023; Kutum 03-Jun-2023; Zalengei 13-Jun-2023; Murnei 27-Jun-2023; and Tawilah (Town) 28-Jun-2023. Available at: <https://hub.conflictobservatory.org/portal/apps/sites/#/sudan/pages/darfur-1>.
- ¹⁹ Sudan Conflict Observatory, Evidence of Alleged Crimes Against Humanity by RSF. This includes “communities’ civilian dwellings and neighborhoods, main marketplaces, schools, and other infrastructure or civilian protected objects necessary for the sustenance of life.
- ²⁰ Dabanga Sudan, More than 5,000 reportedly killed in El Geneina ‘genocide.’
- ²¹ Comment by UN Human Rights Spokesperson Ravina Shamdasani, raising alarm on killings of people fleeing El Geneina in West Darfur, Sudan (24 June 2023) <https://www.ohchr.org/en/statements-and-speeches/2023/06/comment-un-human-rights-spokesperson-ravina-shamdasani-raising#:~:text=El%2DGeneina%20has%20become%20uninhabitable,areas%20affected%20by%20the%20hostilities>.
- ²² Centre for Information Resilience, Destruction of Residential Areas in Darfur, July 28, available at <https://www.info-res.org/post/destruction-of-residential-areas-in-darfur>
- ²³ Sudan Conflict Observatory, Evidence of Alleged Crimes Against Humanity by RSF.
- ²⁴ Sudan Conflict Observatory, Sirba, Report 008, August 2, 2023, available at <https://hub.conflictobservatory.org/portal/sharing/rest/content/items/33bda16ddb444a395627050ffa85119/data>.
- ²⁵ Dabanga Sudan, Army accused of allowing violence to engulf Sirba.
- ²⁶ *Id.* See also Sudan Conflict Observatory, Sirba.
- ²⁷ Crisis Group The Fallout in Chad from the Fighting in Darfur, August 10, 2023, available at <https://www.crisisgroup.org/africa/central-africa/chad/fallout-chad-fighting-darfur>.
- ²⁸ AYIN, The Road to Adré, Sudan’s most dangerous journey, August 15, 2023, available at <https://3ayin.com/en/adre-road/>
- ²⁹ Human Rights Watch, Sudan: Darfur Town Destroyed ICC Should Investigate Killings, Looting by Rapid Support Forces, Arab Militias, July 11, 2023, available at <https://www.hrw.org/news/2023/07/11/sudan-darfur-town-destroyed>.
- ³⁰ Sudan Conflict Observatory, “Evidence of Alleged Crimes Against Humanity by Rapid Support Forces in Darfur, 15 April – 10 July 2023,” 12 July 2023, <https://sudan.conflictobservatory.org>.
- ³¹ Human Rights Watch, Sudan: Darfur Town Destroyed ICC Should Investigate Killings, Looting by Rapid Support Forces, Arab Militias, July 11, 2023, available at <https://www.hrw.org/news/2023/07/11/sudan-darfur-town-destroyed>
- ³² AYIN, The Road to Adré, Sudan’s most dangerous journey, August 15, 2023, available at <https://3ayin.com/en/adre-road/>.
- ³³ The New Humanitarian, ‘Every checkpoint could be your last’: The perilous road to safety for Darfuri refugees: ‘We found corpses lying every two kilometres,’ August 15, 2023, available at: <https://www.thenewhumanitarian.org/news-feature/2023/08/15/every-checkpoint-could-be-your-last-perilous-road-safety-darfuri-refugees>. A Masalit woman was asked what

tribe she belonged to while fleeing the violence, said she belonged to the Bargo tribe because she knew if she “told them the truth, that [she was] Masalit, [she] would undoubtedly be killed.

³⁴ OHCHR, Sudan: At least 87 buried in mass grave in Darfur as Rapid Support Forces deny victims decent burials, June 13, 2023, available at <https://www.ohchr.org/en/press-releases/2023/07/sudan-least-87-buried-mass-grave-darfur-rapid-support-forces-deny-victims>

³⁵ OHCHR Statement, Comment by UN Human Rights Spokesperson Ravina Shamdasani, raising alarm on killings of people fleeing El Geneina in West Darfur, Sudan, June 2023, available at <https://www.ohchr.org/en/statements-and-speeches/2023/06/comment-un-human-rights-spokesperson-ravina-shamdasani-raising>

³⁶ All Africa, Sudan: More Mass Graves Found in West Darfur, RSF Accused of Demolishing Camps, August 15, 2023, <https://allafrica.com/stories/202308150105.html>. The Masalit representative claimed that the RSF forced Sudanese Red Crescent Society workers to gather bodies around the city and load them into vehicles and the RSF then buried them in unknown locations.

³⁷ Sudan’s warring factions target doctors and activists, The Washington Post, May 17, 2023, available at <https://www.washingtonpost.com/world/2023/05/17/sudan-rsf-doctors-military-bahri/>.

³⁸ US Department of State, Condemning Atrocities in Darfur, June 15, 2023, available at <https://www.state.gov/condemning-atrocities-in-darfur/>. The UN confirmed “compelling eyewitness accounts attribute this act to Arab militias and the RSF.” OHCHR, Sudan: High Commissioner appalled by killing of West Darfur Governor, <https://www.ohchr.org/en/press-briefing-notes/2023/06/sudan-high-commissioner-appalled-killing-west-darfur-governor>.

³⁹ Dabanga Sudan, Relatives of Masalit sultan killed in renewed attacks on West Darfur capital, June 14, 2023, <https://www.dabangasudan.org/en/all-news/article/relatives-of-masalit-sultan-killed-in-renewed-attacks-on-west-darfur-capital>. The Guardian, Sudan: paramilitary forces blamed for assassination of West Darfur governor, June 15, 2023, <https://www.theguardian.com/world/2023/jun/15/sudan-paramilitary-forces-blamed-assassination-khamis-abdallah-abbakar-government-official> Dabanga Sudan, More than 5,000 reportedly killed in El Geneina ‘genocide.’

⁴⁰ Dabanga Sudan, DBA: Four lawyers slain in West Darfur ‘deliberately targeted’, June 21, 2023, <https://www.dabangasudan.org/en/all-news/article/dba-four-lawyers-slain-in-west-darfur-deliberately-targeted>. International Bar Association, Sudan: IBAHRI condemns the killing of lawyers, calls for their protection and an end to the conflict, July 7, 2023, <https://www.ibanet.org/Sudan-IBAHRI-condemns-the-killing-of-lawyers-calls-for-their-protection-and-an-end-to-the-conflict>

⁴¹ Dabanga Sudan, Tragic stories from Sirba as violence in West Darfur spreads, August 8, 2023, available at, <https://www.dabangasudan.org/en/all-news/article/tragild.c-stories-from-sirba-as-violence-west-darfur-spreads>; Dabanga Sudan, Army accused of allowing violence to engulf Sirba in West Darfur, July 31, 2023, available at <https://www.dabangasudan.org/en/all-news/article/army-accused-of-allowing-violence-to-engulf-sirba-in-west-darfur>

⁴² Dabanga Sudan, More than 5,000 reportedly killed in El Geneina ‘genocide.’

⁴³ Doctors Without Borders, “They gave us two options: leave for Chad or be killed”, August 1, 2023, available at <https://www.doctorswithoutborders.org/latest/they-gave-us-two-options-leave-chad-or-be-killed>. On June 15, people managed to escape to Adré after being stranded for two months in El Geneina, 858 war-wounded people were treated by MSF Adré hospital from June 15 to 17.

⁴⁴ CNN, “Shot at while they drowned. Executed in the desert. Those who collected the bodies recount ‘one of the worst days’ in Darfur’s genocide-scarred history,” (Aug. 17, 2023), <https://www.cnn.com/2023/08/16/africa/darfur-sudan-geneina-massacre-account-cmd-intl/index.html>. Jamal Khamiss, a human rights lawyer, and one of the Sudanese who fled said “to say you were Masalit was a death sentence...” and he only survived because he said he was from the Tagoy ethnic group.”

⁴⁵ Dabanga Sudan, Calls to address sexual violence in Darfur, El Burhan orders investigation into ‘war crimes’, August 7, 2023: <https://www.dabangasudan.org/en/all-news/article/calls-to-address-sexual-violence-in-darfur-el-burhan-orders-investigation-into-war-crimes>.

⁴⁶ Human Rights Watch: Darfur: Rapid Support Forces, Allied Militias Rape Dozens (August 17, 2023).

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⁵¹ Human Rights Council, The Human Rights Impact of the ongoing Conflict in Sudan, Resolution Adopted by the Human Rights Council, S-36/1, available at <https://undocs.org/en/A/HRC/RES/S-36/1>

⁵² OHCHR, Sudan: High Commissioner calls for an end to the “sea of suffering,” June 19, 2023, available at <https://www.ohchr.org/en/statements/2023/06/sudan-high-commissioner-calls-end-sea-suffering>

⁵³ OHCHR, Press Release, Sudan: Human Rights Situation, August 15, 2023, available at <https://www.ohchr.org/en/press-releases/2023/08/sudan-human-rights-situation>.

⁵⁴ Security Council Resolution 1593 (March 31, 2005), <https://digitallibrary.un.org/record/544817?ln=en>.

⁵⁵ Secretary-General Guterres responded through the UN Spokesman that “the doctrine of persona non grata is not applicable to or in respect of United Nations personnel and its invocation is contrary to the obligations of states under the [UN Charter],” <https://press.un.org/en/2023/db230906.doc.htm#:~:text=Spokesperson%3A%20Well%2C%20I%20think%20what,Nations%2C%20including%20those%20concerning%20the>. As of August 21, Perthes remained the SRSF for Sudan.

⁵⁶ Remarks by Ambassador Linda Thomas-Greenfield at a UN Security Council Briefing on Sudan, August 9, 2023, <https://usun.usmission.gov/remarks-by-ambassador-linda-thomas-greenfield-at-a-un-security-council-briefing-on-sudan-3/>.

⁵⁷ These are the SAF-affiliated Defense Industries System [Sudan's largest defense enterprise] and Sudan Master Technology and the RSF-affiliated Al Junaid Multi Activities Co Ltd [UAE] and Tradive General Trading L.L.C.

⁵⁸ These include the Meroe Gold company and its subsidiaries M-Invest and the Al-Solag Mining Company Ltd.

⁵⁹ UK Parliament, Sudan: Sanctions on Entities Linked to SAF and RSF, July 12, 2023, available at <https://hansard.parliament.uk/commons/2023-07-12/debates/23071219000008/SudanSanctionsOnEntitiesLinkedToSAFAndRSF>.

In addition to the four entities sanctioned by the US, the UK sanctioned the SAF-linked Zadna International Company for Investment Ltd. and RSF-linked GSK Advance Co. Ltd.