



安全理事会

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2016 年 9 月 22 日安全理事会关于苏丹的第 1591 (2005) 号决议所设委员会主席给安全理事会主席的信

谨提及我 2015 年 12 月 28 日的上一封信。我在那封信中转递了第 1591(2005) 号决议所设苏丹问题专家小组依照安全理事会第 2200(2015)号决议第 2 段的要求提交的最后报告。

安全理事会关于苏丹的第 1591(2005)号决议所设委员会成员已进行了磋商，请将本信和最后报告作为安全理事会的文件分发为荷。

安全理事会关于苏丹的第 1591(2005)号决议
所设委员会

主席

拉菲尔·达里奥·拉米雷斯·卡雷尼奥(签名)



2015 年 12 月 4 日安全理事会第 1591 (2005) 号决议所设苏丹问题专家小组给安全理事会关于苏丹的第 1591 (2005) 号决议所设委员会主席的信

第 1591(2005)号决议所设专家小组成员谨随函附上专家小组根据第 2200(2015)号决议编写的报告。

安全理事会第 1591(2005)号决议所设
苏丹问题专家小组

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第 1591 (2005) 号决议所设苏丹问题专家小组的最后报告

摘要

苏丹问题专家小组在 2015 年 3 月 12 日获得任命之后，从 2015 年 5 月到 11 月用了大约六个月时间调查达尔富尔当地局势。小组成员作了大量旅行，以确定安全理事会相关决议是否得到执行，并识别和调查违反事件。

总体而言，小组欢迎苏丹政府改善合作，表示愿意向专家小组提供更多资料。不过，由于资料往往不够详细，小组无法独立地进行确证或核实。获取达尔富尔旅行许可的新系统目前运转正常，但政府继续维持最初只发放单次入境签证的政策。

小组三次被地方当局拒绝入境，致使调查受到限制。政府还拒绝小组接触一名涉及调查的政府官员，不给予该官员回答的机会。

在减少违反武器禁运方面的进展

小组发现达尔富尔境内存在 2005 年后生产的小武器弹药，这在以往任务授权下未作报告，但无法查明其供应链。将弹药运入达尔富尔，肯定是有尚待识别的实体违反了武器禁运。

可以肯定的是，正义与平等运动(正义运动)违反了武器禁运，在 2015 年 4 月 23 日前后将大量各种型号的武器和弹药运入达尔富尔。还可以肯定的是，南苏丹没有采取必要措施阻止正义运动在其境内进行技术培训并将武器运入达尔富尔，也违反了制裁制度。

有确凿证据显示苏丹空军目前拥有集束弹药。可以肯定的是，苏丹空军在尼亚拉前方作业基地的武器装卸区至少部署了四枚 RBK-500 集束炸弹。

小组几乎可以肯定，政府已首次将一辆台风装甲运兵车部署到达尔富尔，其供应链也已查明。阿拉伯联合酋长国没有向小组提供证据，证明该国已完全按照第 1945(2010)号决议第 10 段的要求确保进行适当的最终用户认证。

小组发现有人向政府出售了具有电子情报能力的入侵软件，并确定可将这一软件归类为军事装备。其供应商 Hacking Team 公司无疑阻碍了小组的工作，因此违反了第 2200(2015)号决议。

包括空中轰炸在内的进攻性军事飞越和航空资产

在当前任务期间，小组注意到据报空袭次数有所减少。小组发现，停驻法希尔的 An-26 飞机在任务期间作了空中轰炸飞行，大部分空袭几乎肯定都是由其实施。

在当前任务期间，小组发现苏丹空军在达尔富尔的空中资产有所减少。2015年4月，两架 MiG-29 飞机被临时部署到尼亚拉，同正义运动从南苏丹进入南达尔富尔的时间重合。2008 年以来一直在达尔富尔的 Su-25 飞机，至少从 2015 年 6 月起再没有见到。小组发现，此前从未在达尔富尔见到的 Mi-24 直升机，于 2015 年下半年在达尔富尔出现。这些事件都违反了武器禁运，因为飞机未经安全理事会关于苏丹的第 1591(2005)号决议所设委员会事先核准，就例行公事般地进入了达尔富尔。

调查被苏丹空军用作简易轰炸机的 An-26 飞机的采购链发现，苏丹于 2009 年和 2010 年购买了三架此类飞机。一家私营公司使用无效的最终用户文件，向一家苏丹幌子公司供应了旧军用飞机。

小组发现政府补给飞行次数急剧增加，而且几乎肯定是用于向达尔富尔的快速支援部队提供后勤支助。苏丹空军对苏丹武装部队的传统补给飞行次数有所减少。

违反国际人道主义法和侵犯人权

小组对定向攻击平民和民用目标、不加选择地轰炸平民区、以及冲突期间犯下的性暴力作了调查。这些违反行为的责任在于政府。小组继续调查 2014 年 5 月 24 日非洲联盟-联合国达尔富尔混合行动在卡布卡比亚遇袭事件(见 S/2015/31)。

小组还调查了达尔富尔境内招募和使用儿童兵事件，侵犯被剥夺自由者、包括战争伤残人员和平民事件，以及与保护平民免受非签字方武装团体所致冲突影响有关的违反国际人道主义法事件。

小组发现，苏丹空军、快速支援部队及其代理部队和正义运动，都肯定在某种程度上参与违反了国际人道主义法。

武装团体的资金来源

小组可以肯定，某个武装团体控制着杰贝勒阿米尔手工黄金开采区，而且非法征税。小组几乎可以肯定，该团体有潜力每年赚取 5 400 万美元，其中包括对勘探者和支助企业征税 2 800 万美元，对直接探矿征税 1 700 万美元，以及对非法出口开采的黄金征税 900 万美元。小组几乎可以肯定，另有一些武装团体也控制着达尔富尔的大部分手工采矿区，而且对勘探者非法征税。

小组分析贸易数据发现，从 2010 年到 2014 年，大约有 4.8 万公斤达尔富尔黄金可能从苏丹偷运到阿拉伯联合酋长国。这一出口水平相当于达尔富尔各武装团体在此期间增加了 1.23 亿美元的收入。

小组可以肯定，按照经济合作与发展组织的定义，杰贝勒阿米尔的手工开采黄金受冲突影响，是苏丹中央银行从达尔富尔金矿购买黄金的一部分。小组认为，

政府尽早有效执行大湖区问题国际会议的区域认证机制，将有助于阻断达尔富尔各武装团体当前所利用的这一简便而庞大的资金供应。

旅行禁令和资产冻结的执行情况

埃及几乎可以肯定有一个未遵守旅行禁令的新例子，因为谢赫·穆萨·希拉勒·阿卜杜拉·阿尔西恩被发现前往该国。

小组可以肯定，谢赫·穆萨·希拉勒控制的一个实体通过在杰贝勒阿米尔非法收取黄金开采税，获得了滚滚财源。这一征税相当于创造了新的资产。小组认为，政府没有依照第 1591(2005)号决议第 3(e)段冻结此类资产，肯定违反了资产冻结措施。

政治进程及破除和平进程阻力方面的进展

冲突的总体起因和暴力的结构因素没有变化，达尔富尔居民继续疲于奔命，遭受挫折。《多哈达尔富尔和平文件》的执行进展依然相当缓慢，主要是达尔富尔地区管理局内部紧张关系所导致。夏季决战行动 2 的安全举措固然削弱了非签字方武装团体的能力，但其领导人依然是国际舞台上的关键政治行为体。

2015 年 10 月 10 日在喀土穆举行的全国对话官方启动仪式丝毫没有改变基本状况。非洲联盟缺席，非洲联盟高级别执行小组主席也没有到场，加上民间反对派阵营的抵制，都无助于取得建设性进展。阿拉伯国家联盟秘书长参加启动仪式，几乎无条件地支持政府对全国对话的管理，表明了阿拉伯联盟与非洲联盟之间的分歧。

包容性和平进程已经恢复，政府与非签字方武装团体已于 2015 年 11 月 19 日在亚的斯亚贝巴启动谈判，苏丹人民解放军阿卜杜勒·瓦希德·穆罕默德·努尔派没有到场。不过，各主要角色的立场仍然相对立。2015 年 11 月 23 日，非洲联盟高级别执行小组主席表示，鉴于各叛军代表团呼吁给予所有各方更多协商时间，谈判不得不暂停。

乍得继续在区域一级采取行动。乌干达总统 2015 年 9 月 15 日访问喀土穆，反映了两国之间特别是在南苏丹问题上的和解进程。达尔富尔依然容易受利比亚境内激进活动的影响，但专家小组没有可证明任何激进分子从利比亚潜入并可能影响达尔富尔稳定和安全的可靠证据。

区域环境在结构上不利于非签字方武装团体，他们现在实际上已经失去邻国(乍得、乌干达以及利比亚和南苏丹这两个受内部冲突影响的国家)的传统支持。

2015 年，国际社会根据第 2200(2015)号决议序言部分第 4 段，令人鼓舞地增加了对包容性全国对话的支持。

目录

	页次
一. 导言	9
二. 工作方案	9
三. 业务环境与合作	10
A. 苏丹政府	10
B. 联合国系统	11
C. 会员国	11
四. 冲突动态	11
五. 在减少违反武器禁运方面的进展	12
A. 小武器和轻武器	13
B. 集束弹药实地部署情况	15
C. 台风装甲车	16
D. 电子情报遥控软件系统	17
E. 正义与平等运动在南苏丹的基地	18
六. 监测包括空中轰炸在内的进攻性军事飞越和达尔富尔境内的航空资产	20
A. 进攻性空中军事行动	20
B. 达尔富尔境内苏丹空军资产概览	21
C. 新发现部署在达尔富尔的苏丹空军资产	23
D. 达尔富尔境内军事航空行动水平和部署情况	24
E. 使用按民用登记的飞机对达尔富尔进行的补给飞行	28
七. 违反国际人道主义法和侵犯人权行为	29
A. 归因于政府的违反国际人道主义法行为	29
B. 不加选择的空袭案例研究	31
C. 归因于武装团体的违反国际人道主义法行为	33
D. 对 2015 年 4 月 23 日和 24 日卡斯事件的调查	34

E. 性暴力和性别暴力	35
F. 对非洲联盟-联合国达尔富尔混合行动和人道主义工作人员的袭击	35
八. 武装团体的资金来源	35
A. 达尔富尔的手工黄金开采	35
B. 杰贝勒阿米尔的黄金年产量	37
C. 对阿巴拉武装团体收入来源的财务分析	38
D. 从苏丹走私黄金到阿拉伯联合酋长国	39
E. 对苏丹黄金出口地域分布情况的分析	41
F. 大湖区问题国际会议区域认证机制的执行情况	41
G. 苏丹中央银行采购达尔富尔黄金的情况	42
H. 阿拉伯联合酋长国的入境控制措施	43
I. 边境管理	43
九. 旅行禁令的执行情况	43
A. 谢赫·穆萨·希拉勒	43
B. 吉布里勒·阿卜杜勒卡利姆·易卜拉欣·马育(又名“特科”)	44
C. 亚当·雅库布·沙里夫	44
D. 提高旅行禁令的执行效力	45
十. 资产冻结的执行情况	45
A. 执行问题	45
B. 谢赫·穆萨·希拉勒	45
十一. 政治和区域问题以及努力扫除包容性政治进程中的障碍	46
A. 《多哈达尔富尔和平文件》的执行情况	46
B. 摆脱危机进程的主要障碍	46
C. 非签字方武装团体的处境	47
D. 包容性政治进程面临的挑战	48
E. 启动全国对话	49

F. 区域环境 50

G. 努力扫除包容性政治进程中的障碍 51

十二. 建议 51

A. 安全理事会 52

B. 委员会 53

附件* 54

* 附件仅以原文分发，未经正式编辑。

一. 引言

1. 苏丹问题专家小组由安全理事会第 1591(2005)号决议设立，其任务授权随后经相关决议数度延长，最近一项是第 2200(2015)号决议。有关小组任务授权和工作方法的全部详情，见附件 1。¹
2. 安全理事会第 2200(2015)号决议要求小组最晚于 2016 年 1 月 15 日提交附有结论和建议的最后报告，本报告就是应此要求编写的。
3. 2015 年 3 月 12 日，秘书长任命下列专家为小组成员：阿伯哈伊·斯里瓦斯塔夫(印度，协调员兼金融专家)、达克什尼·鲁万蒂卡·古纳拉特内(斯里兰卡，国际人道主义法专家)、伊萨·马罗(法国，区域问题专家)、吉多·波特斯(荷兰，航空专家)和阿德里安·威尔金森(大不列颠及北爱尔兰联合王国，武器专家)(见 S/2015/180)。小组感谢穆罕默德·穆蒂提供支助(瑞士，语言咨询员)。

二. 工作方案

4. 专家小组的优先事项和目标是着重跟进达尔富尔事态发展，并广泛分析收集到的信息和资料。小组采取的工作方案是为了在苏丹、特别是达尔富尔实地投入大量时间，并计划分三个时段，在当地实际停留大约六个月。小组所有成员都已经或将要在下列时段的不同时间在当地停留：
 - (a) 2015 年 5 月 8 日至 7 月 25 日；
 - (b) 2015 年 9 月 7 日至 11 月 15 日；
 - (c) 2016 年 1 月 19 日至 2 月 5 日。
5. 除这些计划内时段外，如果实地局势发展牵涉到小组的任务授权，小组还准备视需要即刻前往达尔富尔。
6. 小组的详细出差时间和地点见附件 2，供参考。不出差时，小组成员在各自居住地开展调查和分析。
7. 为了维护公正，并与各主要冲突方(政府和非签字方武装团体)保持同等程度的接触，小组在苏丹境外地点会见了苏丹革命阵线(苏革)的两个派系：由米尼·阿尔库·米纳维领导的苏丹解放运动(苏解米纳维派)，以及由吉布里勒·易卜拉欣领导的正义与平等运动(正义运动)。小组在喀土穆会见了所有签字方武装团体。

¹ 报告中涉及某一事件可能性的术语，均使用量化陈述来反映相关可能性或信心百分比(肯定 >99%，几乎肯定 90-98%，很可能 75-89%，可能 55-74%)。小组对看到或拿到的量化和质化证据的质量进行主观评估，据此确定使用的术语。

三. 业务环境与合作

A. 苏丹政府

8. 国家协调员穆斯塔法·易卜拉欣·穆罕默德·阿布德少将继续为小组的行政需求提供有效支助。2015年7月2日，他与政府协调委员会和小组成员举行了正式会议。他还与小组不同成员在整个本次报告所述期间举行了例会。针对小组索取资料的请求，政府的回应略有改善，在当前任务期间提供了比过去两年更多的数据资料。不过，其中许多资料不够详细，小组无法独立地予以确证或核实。国家协调员还特别要求小组在处理据指称的国家违反事件时保持公正，并避免在报告中反映反政府的倾向。

9. 在2015年4月政府以选举期间有其他优先事项为由推迟向小组发放第一组签证之后，本年度其余时间的签证发放都很及时。政府处理签证延期申请也同样有条不紊，但继续维持最初只发放单次入境签证的政策。

10. 达尔富尔旅行许可发放系统2015年有了变动，导致小组首访苏丹期间无法及时获得许可。新系统随后投入使用，而且看来已发挥效用，许可在提出申请后平均一周即可发放。

11. 国家协调员与国家情报和安全局允许小组接触在2015年4月26日纳卡拉袭击事件²中被俘或投降的一些儿童。小组还得以通过双边途径，秘密约谈了五名随意选取的年轻人。国家协调员办公室的哈姆扎准将也帮助小组在很短时间内核实了其中一些年轻人的年龄。

12. 小组在2014年最后报告(S/2015/31)中将2014年5月24日在北达尔富尔的卡布卡比亚袭击非洲联盟-联合国达尔富尔混合行动维持和平人员的责任归于一人名个人。2015年5月21日，国家协调员和政府协调委员会通知小组，不允许小组接触此人。由于无法与此人相见，小组收集信息、包括生物识别信息的能力受到不利影响，因此，政府的拒绝举动违反了第2200(2015)号决议第22段。2014年9月23日，政府提供一份书面答复，其中概述了此人的参与程度和减轻因素。按照小组的工作方法，政府的这一陈述不能取代对给予具体个人回答机会的答复(见附件3)，但小组还是对这一陈述作了审议。小组2015年3月7日请政府提供上述个人身份信息的要求被政府拒绝，政府在2015年9月23日的信中表示：“在知晓个人制裁侵犯国际公约和国家宪法规定人权的情况下，不可能给予合作，提供任何可能被用来对苏丹国民发布个人制裁的私人信息”。小组的进一步调查结果，见本报告的一份机密附件。

² 快速支援部队与正义运动的交战发生在戈兹但戈和纳卡拉之间，与所有流动战一样，通常都用一个地名来指称。

13. 小组无法进入达尔富尔某些地区。2015 年 6 月和 10 月，小组请求进入杰贝勒迈拉山区的戈洛、洛克洛和古勒多地区，政府都以安全关切为由予以拒绝。2015 年 10 月 19 日，小组进入北达尔富尔的哈沙巴被军事情报部门拒绝。此外，尽管事先已在喀土穆获得国家协调员放行，2015 年 10 月 20 日小组进入卡斯地区仍被国家情报和安全局地方办公室拒绝。2015 年 10 月 22 日，小组应要求会见了南达尔富尔州州长及国家情报和安全局南达尔富尔办公室负责人，获悉是他们直接负责以协调和安全为由拒绝小组进入。这些拒绝举动，违反了第 2200(2015)号决议第 21 段。

B. 联合国系统

14. 达尔富尔混合行动和联合国国家工作队其他机构继续为小组的工作提供全力支持。除定期直接与国家工作队官员会面外，小组还在喀土穆和达尔富尔直接与混合行动官员会面，交流信息和专门知识。小组与混合行动和国家工作队之间一直保持着极佳的合作关系。

C. 会员国

15. 2015 年，小组多次通过正式函文，就具体问题向会员国、同时也向私营实体发出索取资料的请求，包括提醒提供索要的资料。小组指出，此类请求不一定意味着相关政府或其国民涉嫌违反制裁制度。小组强调，当前任务期间向会员国发出的索取资料请求只有不到一半获得回复。小组的往来函件一览表，见附件 4。

四. 冲突动态

16. 由快速支援部队发起、有时还得到苏丹武装部队支持的夏季决战 2 行动，在 2015 年前七个月对达尔富尔境内的冲突动态产生了重大影响。

17. 快速支援部队对非签字方武装团体发起的直接武装暴力事件与 2014 年同期几无二致。从 2015 年 1 月 1 日到 9 月 30 日，快速支援部队据报对各团体发动了 54 次武装袭击(见附件 5 和 6)。快速支援部队的作战行动主要集中在中达尔富尔和北达尔富尔(见附件 6)，其战略意图是遏制各团体的部署，同时对各团体已知的据点开展“锁定和摧毁”行动。

18. 夏季决战 2 行动对快速支援部队来说是一次成功，而且几乎肯定大幅削弱了非签字方武装团体的作战能力和流动自由。显示其影响力的一项指标是，从 2015 年 1 月 1 日到 9 月 30 日，各团体据报仅发动了 18 次针对政府安全部队的武装袭击，比 2014 年同期减少 64%(见附件 7)。其中只有两次是有实际意义的小规模战斗：2015 年 3 月 15 日，苏丹人民解放军阿卜杜勒·瓦希德·穆罕默德·努尔派(苏

解瓦希德派)袭击了洛克洛^{3,4}附近的快速支援部队阵地,以及2015年5月2日,苏丹人民解放军米尼·阿尔库·米纳维派(苏解米纳维派)袭击了朱迈扎⁵附近的快速支援部队。另一项指标是政府在本期间缴获或接收的装备数量(见附件8),其中包括在2015年4月26日纳卡拉战斗中从正义运动手里收缴的装备(见第51至53段)。

19. 随着快速支援部队在夏季决战2行动期间牵头开展作战行动,苏丹武装部队对非签字方武装团体发起的直接武装暴力与2014年同期相比略有减少。从2015年1月1日到9月30日,由苏丹武装部队单独对各团体发动的武装袭击据报只有7次(见附件9),比2014年同期增加20%。由苏丹武装部队发起的武装暴力总次数比2014年同期减少13%,其中许多事件是针对有组织犯罪采取的行动,或是未获授权的不法军官或士兵所为。

20. 在本报告所述期间(2015年3月12日至10月30日),武装暴力导致达尔富尔混合行动一名维持和平人员死亡,13人受伤。2015年第二季度针对混合行动人员和财产的武装暴力,主要是武装抢劫,比2014年同期增加了400%多。第三季度(2015年7月1日至9月30日)的武装暴力降至历史低点(见附件10)。

21. 2015年前三个季度,小组发现部族武装暴力比2014年同期减少了15%。其中许多事件是小规模武装冲突,但一些部族之间仍然一直有发生局部高强度冲突的可能,重大伤亡时有报告(见附件11)。

22. 与2014年同期相比,据报由不明身份团体或其他民兵实施的武装暴力小幅增加(4.8%),但无法确定具体武装暴力行为的责任方(见附件12)。不过,此类武装暴力在2015年第一季度出现激增,但随后与以往第二和第三季度记录相比则有所下降。2015年以来的民兵袭击有15%是针对政府人员或目标。

23. 使用武装暴力的犯罪活动随处可见,而且逐年增加(见附件13)。

五. 在减少违反武器禁运方面的进展

24. 根据经第1591(2005)号决议第7段扩大、经第1945(2010)号决议第8至第10段加强、并经第2035(2012)号决议第4段更新的第1556(2004)号决议第7和第8

³ 达尔富尔混合行动拥有关于达尔富尔8 000多个地点的两个数据库,但在报告时常常使用不同地名,包括没有列入地理数据库的地名。拼写相似导致难以精准确定所指是哪个地点,因此,对于已获确认的地点,均在脚注中列出地理数据。主要城镇因为众所周知,其地理数据不予列出。

⁴ 北纬11°35'13",东经24°26'05"。

⁵ 位于库图姆地区(北纬14°12'23",东经24°39'00")。

段，小组继续重点开展监测和调查活动，以确定政府、会员国、非签字方武装团体或其他实体是否有违反武器禁运的行为。

A. 小武器和轻武器

违反制裁情况

25. 自 2015 年 2 月 12 日以来，小组拿到了物证，⁶ 或通过来源保密的图片确定，达尔富尔境内存在来自其他国家在实施武器禁运后制造的小武器和轻武器弹药(见表 1)。

表 1

2015 年小组查明的小武器弹药(外国制造)违规情况

口径	标识	制造年份	相符制造商 ^a	小组报告首次提及	日期和地点
7.62x39mm	71 06	2006 年	中国，工厂不详	2010 年	3 月 19 日，梅里特
7.62x39mm	811 06	2006 年	中国，工厂不详	2013 年	4 月 23 日，卡斯
7.62x39mm	811 07	2007 年	中国，工厂不详	2008 年	3 月 19 日，梅里特
7.62x54mm 凸缘式	71 06	2006 年	中国，工厂不详	2010 年	2 月 15 日，弗尔诺 ^b
12.7x108mm	11 07	2007 年	中国，工厂 11	2009 年	2 月 15 日，克鲁恩 ^c
12.7x108mm	41 07	2007 年	中国，工厂 41	2009 年	2 月 15 日，克鲁恩
12.7x108mm	41 08	2008 年	中国，工厂 41	2009 年	2 月 15 日，克鲁恩
12.7x108mm	41 09	2009 年	中国，工厂 41	2010 年	2 月 15 日，克鲁恩
14.5x114mm	41 09	2009 年	中国，工厂 41	新	2 月 15 日，弗尔诺

^a 标识、材料和设计都与该制造商相符。从这些相似性看，若无相反证据，则弹药很可能是该制造商所造。

^b 近北纬 14° 22' 41"，东经 24° 26' 26"。

^c 戈洛以南约 5 公里处(北纬 13° 07' 42"，东经 24° 16' 53")。

26. 未经安全理事会关于苏丹的第 1591(2005)号决议所设委员会事先核准就将这些小武器弹药成批运入达尔富尔，肯定违反了武器禁运(第 1556(2004)号决议第 7 段和第 1591(2005)号决议第 7 段)，其实施者的身份尚待确认。小组已提出追查这些弹药的请求，调查将继续进行。

小武器弹药的本土生产和供应能力

27. 交战各方将武装行动保持在现有冲突强度所需的后勤再补给水平保持不变，主要需求仍是口径在 20 毫米以下的小武器和轻武器弹药。此类弹药、包括从其

⁶ 三名边防警卫 2015 年 3 月 19 日交给达尔富尔混合行动驻梅里特队部的武器，以及一支尼日利亚巡逻队(NIBATT44)在 2015 年 4 月 23 日和 24 日卡斯事件后收回的弹药。

他会员国进口到苏丹的弹药，其供应链仍在苏丹国界之内，因此也完全处于国家当局的有效控制之下。这与小组 2013 年最后报告(S/2014/87)第 32、38 和 39 段以及 2014 年最后报告(S/2015/31)第 84 和 88 至 96 段所述情况相同。

非洲联盟-联合国达尔富尔混合行动武器流失情况

28. 政府声称，达尔富尔混合行动的武器流失到武装团体手中是此类团体获取武器的一个重要手段。⁷ 2014 年 10 月 29 日，政府向小组提供了混合行动资产流失详细清单，其中虽然主要涉及车辆，但也包括武器。小组对此作了调查，并查明混合行动从 2010 年 3 月到 2015 年 4 月申报流失了 175 件武器(见附件 14)。

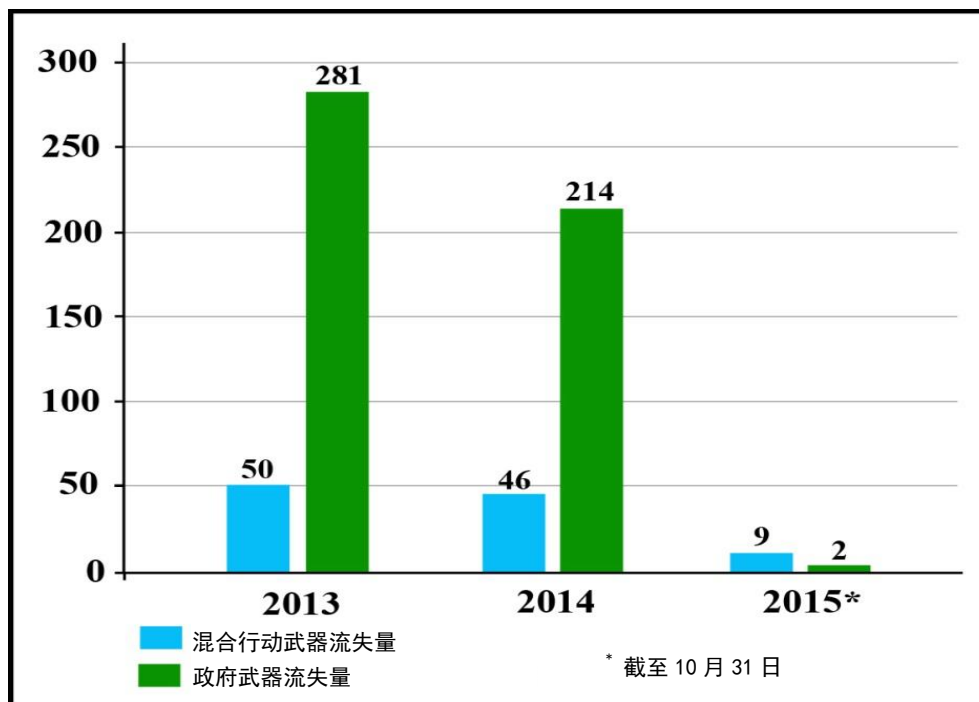
29. 小组随后通过公开来源查明，政府武器在两年半时间里总共流失了 497 件(见图一)。⁸

⁷ 见 “Sudan, AU and UN weigh exit of UNAMID from Darfur”, Xinhua.net, 2015 年 2 月 16 日, 可查阅: http://news.xinhuanet.com/english/africa/2015-02/16/c_134001400.htm, 以及 Khalid Abdelaziz and Louis Charbonneau, “Question marks hang over flawed Darfur peacekeeping force”, Reuters, 2015 年 3 月 11 日, 可查阅: <http://news.yahoo.com/marks-hang-over-flawed-darfur-peacekeeping-force-104344727.html>。

⁸ 专家小组无法列入 2013 年之前的数据，因为当时小组尚未建立针对这类问题的数据库。

图一

已确认的达尔富尔混合行动武器流失量与“已查明的”政府武器流失量比较 (2013-2015)⁹



30. 小组指出,在此期间,通过公开来源“已查明的”政府武器流失量几乎是混合行动流失量的五倍,政府实际流失量很可能高于小组整理和分析的公开来源数据。¹⁰

31. 小组认为,虽然用处不大,但过去几年达尔富尔混合行动流失到武装团体手中的武器数量肯定大大低于政府在达尔富尔的流失量。此类流失几乎可以肯定不是武装团体的可靠或主要武器来源,其中肯定包含很大比例的武器(例如 R4 步枪),而且武装团体肯定没有此类武器所用弹药的持续再补给能力。

B. 集束弹药实地部署情况¹¹

32. 对苏丹空军尼亚拉前方作业基地的图片分析确定,在 2015 年 4 月 12 日至 16 日之间,几乎肯定有集束弹药被部署到机载武器装卸区。小组通过图片确信,2015 年 6 月底,武器装卸区至少部署有四枚 RBK-500 集束炸弹。

⁹ 未列入迫击炮和加农炮,因为混合行动没有此类武器流失。

¹⁰ 依据是所有非签字方武装团体声称在武装冲突后从政府部队手中缴获的武器,但没有关于所缴武器的详细数据。

¹¹ 另见小组 2013 年 7 月 31 日临时报告(未印发)第 37 段和 S/2015/378 第 50 段。

33. 苏丹虽未签署《集束弹药公约》，但先前曾否认拥有或使用集束弹药。2012年4月，苏丹常驻联合国日内瓦办事处和其他国际组织代表团的一名代表表示，“苏丹既非生产国，也没有储存，在此之前，在过去或是最近，都未使用过集束弹药。因此，在该领域对我国的任何指控都是毫无根据的”。¹²

34. 一个运作中的机载武器装卸区存在集束弹药，这为2015年4月联合国地雷行动处在一份未作引注的报告中关于苏丹空军近期曾使用此类弹药的调查结果提供了支撑依据。联合国地雷行动处有资料显示，2014年6月或7月间，至少有两枚RBK-500集束炸弹被投放到卡利吉亚提地区。¹³

C. 台风装甲车

35. 2015年6月1日，小组在尼亚拉发现了¹⁴几乎可以肯定是台风4x4型的一辆装甲车。¹⁵小组调查了供应链，并肯定是阿拉伯联合酋长国的Streit装甲保护车公司¹⁶制造了这类装甲车。Streit将装甲车卖给中间商Kamaz国际贸易公司，¹⁷发票日期为2012年7月9日(见附件15，附录1和2)。异乎寻常的是，Kamaz 2012年7月4日通关所用的商业发票(见附件15，附录3)也是其支付Streit的同一笔600万迪拉姆。尽管已要求Kamaz提供关于此次买卖的全部文件资料，小组仍未见到Kamaz给政府的最后发票。

36. 阿拉伯联合酋长国进出口管制商品和物资委员会执行办公室¹⁸最初于2012年4月8日授予Streit出口权(见附件15，附录4)，¹⁹该出口权随后由2012年7月3日授予Kamaz的出口权(见附件15，附录5)取代。

37. 该货物的最终用途证明并不清楚。小组已反复要求阿拉伯联合酋长国政府、Streit、Kamaz和Wadi Al-Neel清关转运公司²⁰提供最终用途证书。

¹² 见 http://www.clusterconvention.org/files/2012/04/Sudan_Wrap-up.pdf。参加2015年9月7日至11日在杜布罗夫尼克举行《集束弹药公约》缔约国第一次审查会议的苏丹代表作了类似发言。

¹³ 北纬12°57'59"，东经25°22'57"。

¹⁴ 武器和航空专家都一眼看出是这种装甲车。当时该地区无法拍照。

¹⁵ 见 <http://www.armored-cars.com/vehicle.php?vid=2>。

¹⁶ PO Box 54513, Technology Park, Free Trade Zone, Ra's al-Khaymah, United Arab Emirates (www.armored-cars.com)。

¹⁷ PO Box 54609, Ra's al-Khaymah, United Arab Emirates(www.kamazexport.com)。

¹⁸ 阿拉伯联合酋长国的出口管理当局。

¹⁹ 这是异乎寻常的，因为其中称日本是原产国。

²⁰ PO Box 912, Sharjah, United Arab Emirates。

38. Kamaz 在 2014 年 10 月 16 日的信(见附件 15, 附录 6)中明确告诉小组, 他们未签发这些装甲车的最终用户证书。但这与小组手中由 Streit 提供的证据相悖, 后者清晰显示了 Kamaz 签署的证书, 称这些装甲车仅供 Kamaz 使用(见附件 15, 附录 7)。

39. 2012 年 7 月 20 日, 这些装甲车由 Shaker 1 号滚装货船(国际海事组织编号 7929102)从迪拜哈姆利亚港运至苏丹港。Wadi Al-Neel 安排了这次运送。²¹

40. 小组认为:

(a) Streit 根据最终用户证书向 Kamaz 供应了装甲车, 而且几乎可以肯定, Streit 知晓该证书并不反映装甲车的真实最终用户;

(b) 装甲车很可能是 Kamaz 在阿拉伯联合酋长国政府未确保有适当最终用途证明来说明这些装甲车不会在达尔富尔使用的情况下供应给苏丹政府, 因此违反了第 1945(2010)号决议第 10 段;

(c) 阿拉伯联合酋长国政府、Kamaz 和 Wadi Al-Neel 一贯故意不按小组要求提供各自所掌握的具体资料, 无疑阻碍了小组的工作, 因此违反了第 2200(2015)号决议第 22 段;

(d) 政府未向委员会提交关于在达尔富尔部署台风装甲车的豁免请求, 因此肯定违反了安全理事会在连同第 1591(2005)号决议第 7 段一并阅读的第 1556(2004)号决议第 7 段中规定的武器禁运。

D. 电子情报遥控软件系统

41. 2014 年 2 月, 小组通过隐私国际组织了解到多伦多大学研究方案“the Citizen Lab”(公民实验室)²²的一份报告, 其中暗示, 政府从意大利的 Hacking Team 公司采购了伽利略遥控系统, 一种入侵软件。

42. 小组指出, 欧盟理事会 2009 年 5 月 5 日关于建立共同体两用物品出口、转让、中介和过境管制制度的第 428/2009 号条例第 2(1)条规定, “两用物品”指的是包括软件和技术在内、兼具民事和军事用途的物品。

43. 小组还指出, 政府肯定可以使用伽利略遥控系统获取情报, 支持在达尔富尔的军事行动。该系统本身有重大军事功效, 具备军事用途, 可视为第 1556(2004)号决议第 7 段和第 1591(2005)号第 7 段所指的军事装备。在这种情况下, 该系统还应遵守第 1945(2010)号决议第 10 段关于最终用户文件的要求。

²¹ Wadi al-Neel 和政府之间有持续业务关系, 具体表现为政府使用 Shaker 1 和该公司运送了苏丹军事工业公司 2015 年 2 月 22 日至 26 日在阿布扎比举行的国际防卫展览和会议上展示的所有军事装备, Shaker 1 还定期从海湾地区造访苏丹港。信息来源保密。

²² 见 <https://citizenlab.org/2014/02/mapping-hacking-teams-untraceable-spyware/>。

44. 正如2015年1月16日意大利常驻代表团给小组的信中所转述,Hacking Team表示,在欧盟委员会关于修订建立共同体两用品出口、转让、中介和过境管制制度的理事会第428/2009号条例的2014年10月22日第1382/2014号授权条例²³生效之前,公司并不认为该系统是“一种武器”。其理由是,遥控系统直到那时才归入“入侵软件”类别,在新条例中被列为两用军事装备。小组不接受这一理由,而且还指出,它发现很难从Hacking Team那里获得准确信息(见附件16)。

45. 小组认为:

(a) 伽利略遥控系统具备明确的军事电子情报能力、军事功效和军事用途,肯定属于第1556(2004)号决议第7段和第1591(2005)号决议第7段所指的“军事装备”;

(b) Hacking Team一贯故意不按小组要求提供所掌握的具体资料,无疑阻碍了小组的工作,因此违反了第2200(2015)号决议第22段。²⁴

46. 所以,安全理事会应决定小组所审议的伽利略遥控系统或类似入侵软件系统是否属于“军事装备”,²⁵今后转让此类系统是否需要最终用户证书。

47. 如果安全理事会认为伽利略遥控系统确实是军事装备,那么,意大利政府2012年首次向苏丹供应该系统时未确保武器和有关材料包括第1556(2014)号决议第7段所列军事装备附有适当的最终用途证明,就违反了第1945(2010)号决议第10段。

E. 正义与平等运动在南苏丹的基地

48. 虽然正义运动2015年7月7日在伦敦与小组会面时否认在南苏丹有基地,

但小组独自确证,正义运动第十二营²⁶在2014年和2015年初肯定将西加扎勒河州靠近提穆萨哈²⁷的一处地点用于培训新兵,然后于2015年4月中旬入侵南

²³ 使用该文件中的定义,伽利略遥控系统肯定属于“入侵软件”。

²⁴ Hacking Team 2014年不与专家小组合作,也违反了第2138(2014)号决议第18段。为保持调查的机密性,小组当时未作报告。

²⁵ 该决定还将影响欧盟理事会关于就苏丹局势采取限制性措施并废止第2011/423/CFSP号决定的2014年7月10日第2014/450/CFSP号决定,因为其中使用第1591(2005)号决议的术语作为依据。

²⁶ 正义运动的营虽然也称为“营”,但根本达不到标准职业军队650人一个营的规模和能力。正义运动每一个营都有一个装饰图案。小组确定了九个,但无法说明各个图案属于正义运动的哪个营。这些图案是狮、蛇、蝎、鹰、豹、虎、骷髅和交叉骨、眼镜蛇和火箭。小组在缴获的正义运动车辆上见到了其中四个图案。

²⁷ 北纬 08° 58'41", 东经 25° 39'13"。

达尔富尔。小组还可以肯定，正义运动同一时期在霍尔沙曼²⁸ 还运作着另一个培训基地。霍尔沙曼基地很可能是正义运动第一、第二、第八和第十一营的大本营。附件 17 的地图显示了正义运动在南苏丹的培训和(或)后勤基地的位置。

49. 正义运动在霍尔沙曼和提穆萨哈的军事单位几乎可以肯定是与苏丹人民解放军成员共处一地，也就是说，几乎可以肯定，南苏丹政府知道正义运动处于这些地点，而且允许正义运动开展军事活动。²⁹ 正义运动还很可能在这两个地点都有培训和后勤能力。

50. 因此，南苏丹没有在 2014 年至 2015 年 4 月 21 日之间采取必要措施，防止向南苏丹境内的正义运动提供与武器供应有关的技术培训和援助，肯定违反了连同第 1591(2005)号决议第 7 段一并阅读的第 1556(2004)号决议第 8 段。

正义与平等运动的行动所带来的影响

51. 现在可以肯定的是，正义运动 2015 年 4 月中旬从南苏丹向达尔富尔部署了一支庞大的武装部队³⁰ (见附件 17 所载地图中的路线)。正义运动向达尔富尔供应(实际移交)了武器和弹药，肯定违反了武器禁运。南苏丹未采取必要措施，防止正义运动向达尔富尔供应武器和弹药，也肯定违反了连同第 1591(2005)号决议第 7 段一并阅读的第 1556(2004)号决议第 7 段。

52. 正义运动部队的规模(有 160 多辆车)使其相对容易成为政府情报、监视、瞄准和侦察资产的目标，也使得快速支援部队能够于 2015 年 4 月 26 日在戈兹但戈³¹和纳卡拉³² 周边地区策划非常有效的围堵袭击。正义运动部队被完全击溃，可能有 750 多人死亡，几乎可以肯定有 250 多名战斗人员和 160 多辆车被快速支援部队俘获。

53. 正义运动的行动未能实现下列任何最初的战术目标，³³ 夺取尼亚拉的战略目标更是不可能实现：

²⁸ 北纬 08° 32'54"，东经 25° 47'10"。

²⁹ 专家小组有未经确认的资料，显示正义运动还在南苏丹西赤道州的通布拉(北纬 05° 39'52"，东经 27° 28'18")、西加扎勒河州的波罗梅第纳(北纬 08° 27'51"，东经 24° 48'07")和团结州的曼加(北纬 08° 42'33"，东经 29° 47'07")拥有基地。

³⁰ 可能得到了苏解米纳维派部分成员的支持。见“Sudanese army and rebels both claim victory in South Darfur”，《苏丹论坛报》，2015 年 4 月 26 日。可查阅：<http://www.sudantribune.com/spip.php?article54742>。

³¹ 北纬 10° 01'14"，东经 24° 43'53"。

³² 北纬 10° 47'42"，东经 24° 27'39"。

³³ 见“Will Goz Dango be the beginning of the end of a rebel movement?”，Sudan Vision，2015 年 12 月 15 日，可查阅：<http://news.sudanvisiondaily.com/details.html?rsnpid=249711>；以及由机密来源提供的资料。

- (a) 从尼亚拉以南的拉哈德比尔迪³⁴ 夺取后勤资产来维持今后的行动；
- (b) 投入大约 50 辆 4 X 4 改装军车，尝试抓捕前金戈威德领导人阿里·库沙布，以便有可能将他移交国际刑事法院；
- (c) 投入大约 100 辆 4 X 4 改装军车，摧毁拉哈德比尔迪的苏丹武装部队基地。

54. 这一战几乎可以肯定使正义运动的军事能力遭受重创。正义运动很可能需要一段时间之后，才可被视为具有任何形式的可信军事行动能力。

六. 监测包括空中轰炸在内的进攻性军事飞越和达尔富尔境内的航空资产

55. 根据第 1556(2004)、1591(2005)、1945(2010)和 2200(2015)号决议，小组在当前任务期内继续着重监测事态发展，并对涉及军用航空资产或行动的违规案件进行调查。小组可以肯定，政府是达尔富尔冲突各方中唯一使用进攻性航空资产并控制空域的一方。

A. 进攻性空中军事行动

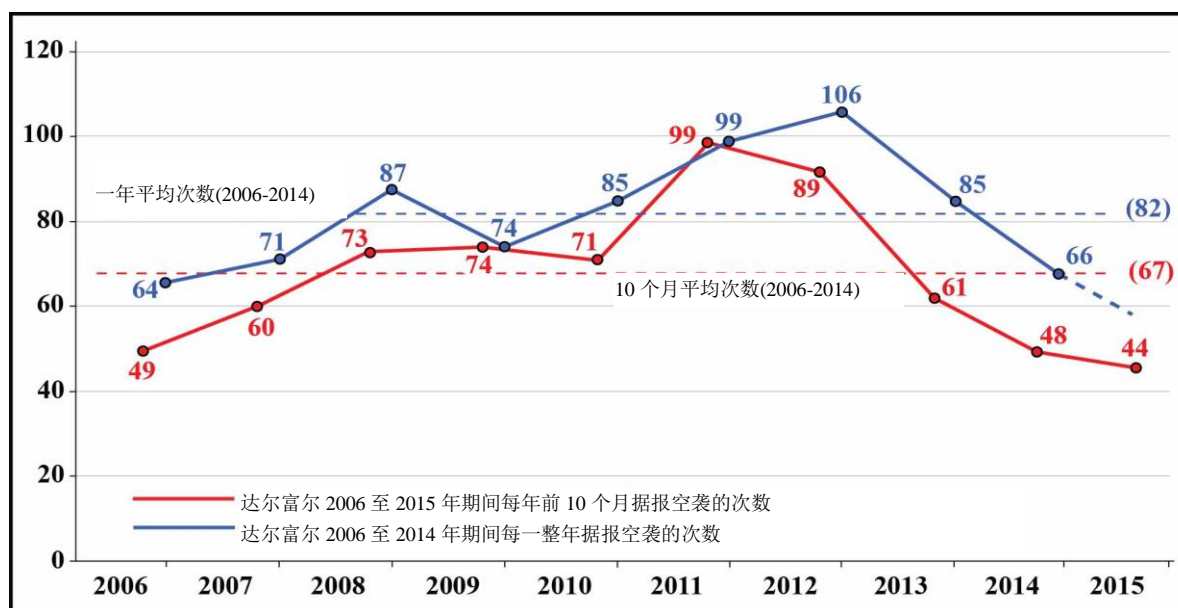
56. 在第 1591(2005)号决议第 6 段中，安全理事会要求政府停止在达尔富尔境内的任何进攻性军事飞行。在当前任务期内，小组继续收到指称进攻性空中军事行动的报告，主要发生在杰贝勒迈拉东部地区(见附件 18)。小组继续对照以往公开来源的历史数据，分析据报进攻性空中行动的发生次数。

57. 2015 年 1 月至 10 月据报空中打击的发生次数已降至 2006 年至 2014 年同期的历史平均值以下(见图二)。小组认为，下降的原因包括苏丹空军 2015 年减少了在达尔富尔的航空资产，以及 2015 年第三季度据报空中打击的次数大幅下降。

³⁴ 北纬 11° 17'39"，东经 23° 53'14"。

图二

2006 年 1 月 1 日至 2015 年 9 月 30 日达尔富尔境内据报空袭的次数



58. 小组认为，停驻法希尔的安东诺夫 An-26 飞机在当前任务期内肯定一直在实施空中轰炸飞行(更多详情，见下文第 107 至 112 段)。

B. 达尔富尔境内苏丹空军资产概览³⁵

59. 小组发现，2015 年 1 月至 10 月，部署在达尔富尔的苏丹空军资产数目出现大幅波动。小组可以肯定的是，在本报告所述期间，表 2 所列飞机均处于达尔富尔境内。

表 2

2015 年 1 月至 10 月在达尔富尔境内运作的苏丹空军资产

机型	数量	战术编号	作用	在达尔富尔境内的时间
Su-25	2	2**, 2**	战斗机对地攻击/ 近距离空中支援	至少从 1 月到 4 月
MiG-29	2	6**, 6**	战斗机对地攻击/ 多用途	至少在 4 月份
An-26	2	7715, 7719	轻型轰炸机/运输	2015 年；当时有一架飞机(见附件 20 的图 1 和图 2)
Mi-17 ^a	1	537	多用途	至少在 6 月和 7 月

³⁵ 全面历史概览见附件 19。

机型	数量	战术编号	作用	在达尔富尔境内的时间
Mi-17 ^b	1	54*	运输	至少在 10 月
Mi-24	5	9**,9**,933, 965,966	攻击/多用途	从 1 月到 3 月以及至少从 5 月到 10 月

^a Mi-17 改装型，可配备外挂点。

^b Mi-17 运输型，有一个大型尾部装料门。

60. 经常性地向达尔富尔部署和调配飞机，肯定违反了连同第 1556(2004)号决议第 7 段一并阅读的第 1591(2005)号决议第 7 段。

61. 小组认为，2014 年观察到的安东诺夫 An-26 飞机(战术编号 7715)(见 [S/2015/31](#)，第 124 和 125 段)在 2015 年也被用作简易轰炸机，这肯定构成了进攻性飞越，因此违反了第 1591(2005)号决议第 6 段。

62. 2015 年 10 月，小组观察到五架苏丹空军飞机停驻达尔富尔：

(a) 一架安东诺夫 An-26 运输机，主要用作简易轰炸机(停驻法希尔前方作业基地)；

(b) 三架米尔 Mi-24 攻击/多用途直升机：一架 Mi-35 亚型，两架 Mi-24P 亚型(均停驻尼亚拉前方作业基地)；

(c) 一架米尔 Mi-17 运输直升机(停驻尼亚拉前方作业基地)。

63. 小组还认为，苏丹空军飞机虽然可以肯定是停驻达尔富尔境外，但也可以肯定在向达尔富尔境内的苏丹武装部队提供后勤支助(见表 3)。

表 3
为达尔富尔境内苏丹武装部队提供补给的苏丹空军运输机

机型	数量	战术编号/民用登记号	作用	备注
An-12	3	9955/ST-AZN, ^a 9966/ST-KNR, ^a 9988/ST-KNT ^a	运输	9988/ST-KNT 是新发现(见附件 20, 图 3)
An-32	3	7710/ST-ALM, ^a 7720,7721	运输	
Il-76TD	2	—,—	运输	两架飞机的登记标识都被移除;一架外观与 ST-APS 相同(见附件 20, 图 4), 另一架与 ST-AZZ 相同(见附件 20, 图 5)

^a 该飞机登记为军民两用。

64. 小组认为, 这些展示军事战术编号的飞机经常飞入达尔富尔, 肯定是军用飞机, 这意味着, 将其部署到达尔富尔肯定违反了连同第 1556(2004)号决议第 7 段一并阅读的第 1591(2005)号决议第 7 段。

65. 小组还认为, 表 4 所列飞机虽然肯定是停驻达尔富尔境外, 但也肯定是由政府运营, 而且几乎肯定在当前任务期内向达尔富尔快速支援部队提供了后勤支助。有关这些运输飞行的更多信息, 见第 95 至 97 段。

表 4
为达尔富尔境内快速支援部队提供补给的政府运输机

机型	数量	战术编号/ 民用登记号	作用	备注
An-12	1	—	运输	既无民事也无军事标识(附件 20, 图 6)
An-74	2	ST-BDT,ST-GFF	运输	附件 20, 图 7 和图 8
Il-76TD	1	ST-EWX	运输	附件 20, 图 9

C. 新发现部署在达尔富尔的苏丹空军资产

66. An-26 飞机(战术编号 7719)2013 年和 2014 年肯定时不时地在达尔富尔飞行。2015 年, 该飞机停驻法希尔前方作业基地, 小组在那里观察到该飞机被用作轻型轰炸机。政府未向委员会提交关于向达尔富尔部署该飞机的任何豁免请求, 因此肯定违反了武器禁运。政府将该飞机用作简易轰炸机, 肯定构成了进攻性军事飞越, 因此违反了第 1591(2005)号决议第 6 段。

67. 小组发现,两架米高扬 MiG-29 多用途战斗机整个 2015 年 4 月肯定都停驻于尼亚拉前方作业基地。卫星图像显示,从 2015 年 4 月 4 日到 26 日,这两架飞机有五天停在尼亚拉机场的军用停机坪(见附件 20,图 10)。政府未向委员会提交关于向达尔富尔部署这些飞机的任何豁免请求,因此肯定违反了武器禁运。关于在尼亚拉部署情况的更多资料,见第 70 至 73 段。

68. 小组观察到两架以前从未在达尔富尔见过的米尔 Mi-24P 攻击/多功能直升机。2015 年 10 月,战术编号为 965 和 966 的两架直升机停驻于尼亚拉前方作业基地(见附件 20,图 11 和 12)。政府未向委员会提交关于向达尔富尔部署这些直升机的任何豁免请求,因此肯定违反了武器禁运。

69. 小组继续监测向达尔富尔部署空中资产的情况及其行动。

D. 达尔富尔境内军事航空行动水平和部署情况

米高扬 MiG-29 多用途战斗机

70. 小组 2011 年首次报告在达尔富尔境内有 MiG-29 飞机(见 S/2011/111,第 84 段,以及本报告附件 20,图 13)。政府当时表示,在达尔富尔部署该飞机是为了开展边境侦察飞行。在当前任务期内,政府在 2015 年 10 月 22 日的信中告知小组:

该飞机用于国防,目的是抵抗外国威胁。值得一提的是,这是符合安全理事会第 1591(2005)号决议各项规定的主权行为,该决议重申了安理会对苏丹主权、统一、独立和领土完整的承诺。此外,部署该飞机也是为了阻止从南苏丹共和国发起的越境侵犯,正如今年上半年在戈兹但戈地区发生的事件。

71. 政府的声明证实,MiG-29 战斗机既可用于防空,也可用于战斗机对地攻击/近距离空中支援。在后一情况下,该飞机可配备一系列空对地武器和精准弹药。

72. 小组指出,MiG-29 飞机可装投自 2015 年 4 月中旬以来一直在尼亚拉前方作业基地待命的 RBK 集束弹药(见第 32 至 34 段)。

73. 2015 年 4 月 12 日和 23 日拍摄的卫星图像显示,该飞机附近有两辆车,而且几乎可以肯定是加油车。对飞机在停机坪上确切位置的分析显示,飞机当月停放不同位置。因此,小组认为飞机几乎可以肯定在达尔富尔上空进行了飞行作业,但无法核实这些飞行是防御还是进攻目的。

米尔 Mi-17 多用途直升机

74. 2015 年 6 月,小组在尼亚拉前方作业基地观察到一架武装多用途型 Mi-17 运兵直升机(见附件 20,图 14)。该直升机虽然没有外挂武器架,但能在外挂点上装载两个火箭吊舱或其他空投弹药。小组曾报告,该直升机(战术编号 537)于 2010 年首次部署到达尔富尔(见 S/2011/111,第 87 段)。

米尔 Mi-24 多用途攻击直升机

75. 卫星图像证实,2015 年 1 月至 3 月在尼亚拉前方作业基地同时部署了至少两架 Mi-24 直升机(Mi-24P 或 Mi-35 的改装型)。2015 年 4 月至 6 月,这两架直升机消失。2015 年 9 月和 10 月,可以肯定又再次部署到达尔富尔。先是撤离,然后再次部署,政府肯定违反了第 1591(2005)号决议第 7 段。

苏霍伊 Su-25 战斗机对地攻击/近距离空中支援机

76. 小组根据卫星图像认定,2015 年 1 月至 4 月肯定有两架现役 Su-25 飞机同时部署在法希尔前方作业基地。但小组没有关于飞机身份的资料,也不了解是否除这两架飞机外还有其他飞机参与轮换(见 [S/2014/87](#), 第 118 和 119 段)。小组目前仍在调查。

77. 小组在 2015 年 6 月、9 月和 10 月访问达尔富尔期间未发现 Su-25 飞机。小组不确定这些飞机是临时还是永久撤离,因为自 2008 年苏丹收到第一架以来,此类飞机一直停驻达尔富尔。

主要用作简易轰炸机的安东诺夫 An-26 运输机

78. 自 2005 年以来,小组报告中一直都提到 An-26 飞机。小组一直将这类飞机与空中轰炸相联系,在法希尔前方作业基地主停机坪东南侧的该飞机指定停机位附近,经常看到简易空投弹药。

79. 卫星图像显示,2015 年 3 月和 4 月一架 An-26 飞机比平常更频繁地出现在尼亚拉前方作业基地。而同期卫星图像显示法希尔前方作业基地一架 An-26 飞机消失。因此,小组几乎可以肯定,2015 年 3 月和 4 月,停驻法希尔的 An-26 被部署到尼亚拉。

80. 与战术编号为 7706、7715 和 7716 的 An-26 飞机外观不同,战术编号为 7719 的飞机通体白色,无附加标识或国别颜色。

81. 自 2015 年 8 月中旬以来,停驻法希尔的 An-26 飞机使用了机场东北角一个更偏远的新停机位,此前达尔富尔混合行动的飞机曾停在那里。

用作简易轰炸机的安东诺夫 An-26 飞机的供应链

82. 从 2011 年 5 月到 2015 年 10 月,小组观察到战术编号为 7706、7715、7717 和 7719 的安东诺夫 An-26 飞机经常在达尔富尔运作。小组肯定编号为 7715 和 7717 的飞机参与了空中轰炸(见 [S/2014/87](#), 图 14-18 和第 103-115 段,以及 [S/2015/31](#), 图 13A 和 13B 及第 119-129 段),并调查了这两架飞机的供应链。

83. 小组可以肯定, 2006 年 9 月 15 日, Asterias 商业公司³⁶ 以 20.1 万美元向罗马尼亚政府购买了三架 An-26 飞机(制造商序列号为 12606、13307 和 13405)。这些飞机都属于罗马尼亚空军。Asterias 向政府提供了最终用户证书, 称飞机将归摩尔多瓦共和国民间实体马库莱斯第国际机场使用。

84. 这三架飞机在 2007 年 4 月 19 日至 6 月 21 日之间从罗马尼亚飞往基辅的维修设施接受了大修和非军事化处理。

85. 巧合的是, 摩尔多瓦当局于 2007 年 6 月 21 日撤销了马库莱斯第国际机场作为预定运营商的航空营运执照。没有这一执照, 该机场就不可能是飞机的合法最终用户。马库莱斯第国际机场为了尽快恢复这一执照, 向罗马尼亚提供了交接验收证书, 证实这三架飞机已于 2007 年 7 月 25 日抵达基辅。³⁷ 安东诺夫 2012 年 5 月 4 日延长了制造商序列号为 12606 的飞机的飞行寿命, 称马库莱斯第国际机场是序列号为 12606 的 An-26 飞机的拥有人和营运人。小组从未发现可确证制造商上述说法的证据。小组肯定飞机从未在摩尔多瓦共和国注册, 摩尔多瓦当局也强烈否认了制造商有关马库莱斯第国际机场拥有和运营上述飞机的说法。

86. 到 2009 年下半年, 三架飞机的维修工作均已完成。Asterias 雇用了定期为其服务的一家航空运营商将飞机飞往喀土穆。2009 年 11 月 12 日, 制造商序列号为 13307 的 An-26 飞机(临时登记号为 UR-CFZ)飞往苏丹, 并于次日抵达。2010 年 1 月 5 日, 制造商序列号为 12606 的 An-26 飞机(临时登记号为 =UR-CFY)随后抵达。2010 年 2 月 23 日, 第三架飞机(制造商序列号为 13405, 临时登记号为 UR-CGA)转场飞至喀土穆。

87. 苏丹空军随后对飞机作了军事战术编号: 制造商序列号为 12606 的飞机战术编号为 7717, 制造商序列号为 13307 的飞机战术编号为 7715, 制造商序列号为 13405 的飞机战术编号为 7716。

88. 小组几乎可以肯定, 喀土穆一家名叫 Marble 工程公司的实体向 Asterias 支付了这三架飞机的费用。小组可以肯定, 2010 年 3 月 10 日, Asterias 收到了 Marble 工程公司按照 2008 年 2 月 18 日签订的 AST-080218/S-02 号合同, 为购买制造商序列号为 13405 的飞机而支付的 744 629 美元。³⁸ 除此之外, Asterias 还从 Marble 工程公司收到了其他款项: 2009 年 12 月 22 日, 收到 2009 年 6 月 3 日签订的 AST-090603 号合同费用 138 万美元; 2010 年 3 月 8 日, 收到 An-26 飞机 RU19-A300 辅助发动机费用 170 285 美元。

³⁶ Asterias 是一家巴拿马公司, 成立于 1996 年 7 月, 1996 年 10 月起在希腊作为外国公司注册, 三名乌克兰董事主要在乌克兰境内运作。公司使用希腊雅典沃拉区一处住宅为通信地址。小组几乎可以肯定, 该地址不是公司 2009 年开展业务的地点。

³⁷ 该执照最终于 2008 年 10 月 14 日恢复。

³⁸ AST-080218 S-01 号合同涉及制造商序列号为 13307 的飞机。

89. Asterias 还肯定向 Marble 工程公司开具了与飞机运输有关的其他各种服务发票, 包括出售目前在苏丹空军服役的制造商序列号为 8345702 的 An-12 飞机(ST-ZNN/战术编号为 9933 号), 以及延长制造商序列号为 14405 的 An-26 飞机的飞行寿命(见附件 21), 但制造商称, 后面这架飞机并不存在。因此, 小组几乎可以确定, 发票上有一处笔误, 序列号应当为 13405。

90. Marble 工程公司对 Asterias 的所有付款都是从恩图曼国民银行的一个账户转账, 该银行在苏丹通常被称为是苏丹武装部队的银行。小组在研究有关 Marble 工程公司的文件时找不到任何地址, 也无法核实其中所载详细联系方式。小组几乎可以肯定, 地址并不存在, 所列电话号码也是空号。因此, 小组认为, 几乎可以肯定, 政府将 Marble 工程公司作为幌子公司, 为其国防利益服务。

91. 对于小组索要采购资料的请求, Asterias 最初的回复是“无法向小组提供 AST-090603 号合同的扫描件, 因为未保留该合同副本”, 以及“公司的合同和文件只保留一个财政年度”。公司“没有这些飞机当前拥有人的资料”。

92. 在随后的回复中, Asterias 表示从未听说过 Marble 工程公司。Asterias 称已将这三架飞机卖给苏丹 Master 技术公司, 并提供了证明文件, 其中部分内容无法识别。文件中包括 AST-080218/S-02 号合同的内容, 提到 Asterias 向苏丹 Master 技术公司出售了制造商序列号为 13405、登记号为 UR-CGA 的飞机(见附件 22)。不过, 小组有 Marble 工程公司为同一份合同向 Asterias 付款的书面证据。小组仍在调查苏丹 Master 技术公司的角色。

93. Asterias 告诉小组, 该公司在飞机抵达喀土穆之前拥有这架飞机。不过, 小组发现, Asterias 与这架飞机的关系持续到 2011 年 3 月, 与制造商序列号为 12606 的飞机则持续到 2012 年 4 月, 因为:

(a) 从 2009 年 3 月到 2011 年 3 月, Asterias 每月向转场飞行三架 An-26 飞机的航空营运人付款, 用于“An-26 飞机的运营支持”。付款总额超过 145 375 美元(包括 2011 年 8 月支付的 5850 美元尾款)。这一数额远高于双涡轮螺旋桨飞机三次转场飞行 4000 公里的行业标准费率;

(b) 临时分配的登记号可以肯定直到 2011 年 3 月 3 日才取消, 时间是在最后一架飞机交付后一年多;

(c) Asterias 可以肯定于 2012 年 3 月和 4 月向安东诺夫支付了 50 988 美元, 用于延长制造商序列号为 12606 的飞机(战术编号为 7717)的规定飞行寿命。

94. 小组还认为:

(a) Asterias 一贯故意向小组提供有关三架 An-26 飞机销售的不完整、含糊或不真实的答复, 而且不提供所掌握的具体资料, 无疑阻碍了小组的工作, 因此违反了第 2200(2015)号决议第 22 段;

(b) 几乎可以肯定，政府采购这些飞机是为了军用，因为民用采购不必使用幌子公司(Marble 工程公司)，无需在签发后不久即失效的最终用途证明(马库莱斯第国际机场)，也不必使用可疑的第三方经纪人(Asterias)；

(c) 政府未就飞机采购或 Marble 工程公司的角色提供任何资料，无疑阻碍了小组的工作，因此违反了第 2200(2015)号决议第 22 段。

E. 使用按民用登记的飞机对达尔富尔进行的补给飞行

95. 在当前任务期内，小组发现有四架民用运输机参与了从喀土穆到达尔富尔的直接补给飞行。大多飞往尼亚拉，但法希尔、杰奈纳和扎林盖也是目的地。由一架安东诺夫 An-12 飞机(无明显登记号)、两架安东诺夫 An-74 飞机(ST-BDT 和 ST-GFF)和一架伊留申 Il-76 飞机(ST-EWX)执飞。

96. 小组要求政府提供有关这些飞行的更多资料。政府答复说：“小组提到的所有飞机和飞行均为民事机构为民事目的租用的民用飞机，因此，不属于小组的任务授权范围”。但小组查明了不支持政府这一说法的下列因素和指标：

(a) 四架飞机中有三架停在喀土穆国际机场 1 号停机坪，该停机坪为军用停机坪；

(b) 苏丹是《国际民用航空公约》缔约国，该公约第 1 条规定，每一国家对其领土之上的空域具有完全的和排他的主权。成员国必须为其从事国际空中航行的飞机配备国籍和登记标志(第 20 条)。国际民航组织的登记规则不适用于在本国境内运营的飞机，但没有明显登记号的 An-12 几乎可以肯定是政府运营的飞机，而非民用飞机(第 3(b)条)；

(c) 苏丹民航管理局 2015 年 5 月 4 日发布有效期至 2015 年 10 月 31 日(但于 2015 年 8 月撤销)的尼亚拉机场航行通告，其中指出：“机场于当地时间 8 时至 15 时关闭，直升机飞行除外”。该措施给达尔富尔混合行动和苏丹民用固定翼飞机的飞行造成了不利影响。不过，在 2015 年 5 月至 8 月间的这一时段，上述四架飞机仍可畅通无阻地进出尼亚拉；

(d) 小组过去曾发现，四架飞机中有三架参与了对达尔富尔的军事补给飞行(见 S/2007/584 第 97 至 114 段，S/2008/647 第 63、73 和 74 段，S/2009/562 第 183 段，S/2011/111 第 79 段，S/2014/87 第 117 段，S/2015/31 表 5)，即 ST-BDT (见 S/2008/647 第 74 段，S/2014/87 第 117 段)、ST-GFF(见 S/2008/647 第 73 段)和 ST-EWX(见 S/2007/584 第 114 段，S/2011/111 第 79 和 80 段)；

(e) 有一架飞机(An-74 ST-GFF)展示苏丹商业航空公司 Green Flag 的徽标,³⁹ 但小组此前曾报告 Green Flag 的军事联系(S/2008/647 第 74 和 75 段, S/2009/562 第 185 至 189 段)。

97. 小组通过分析上述证据认定,几乎可以肯定,政府正尽一切努力掩盖这些飞机在向达尔富尔秘密运送补给方面发挥的作用。小组权衡可能性后认为,这四架飞机几乎可以肯定被用于运送军需品,这违反了第 1591(2005)号决议第 7 段和第 1556(2004)号决议第 7 段。

七. 违反国际人道主义法和侵犯人权行为

98. 安全理事会第 2200(2015)号决议要求小组报告违反国际人道主义法或侵犯和践踏人权行为,包括涉及袭击平民、实施性暴力和性别暴力、侵犯和虐待儿童的行为,并向委员会提供符合第 1591(2005)号决议第 3(c)段所述列名标准的个人和实体的资料。

99. 在调查期间,冲突各方违反国际人道主义法事件丝毫没有减少。由于普遍存在不安全感、没有执法当局以及某些地区缺少法治,政府和非签字方武装团体违反国际人道主义法却长期不受惩罚。下文各节将介绍小组的调查情况。有关实地人权状况和流离失所情况的更多一般性资料,可查阅秘书长关于达尔富尔混合行动的相关报告。

A. 归因于政府的违反国际人道主义法行为

100. 2015 年,小组调查了五起应由政府承担责任的违反国际人道主义法事件,其中三起是针对平民和民用物件的定向袭击,分别于 2015 年 1 月 1 日前后发生在北达尔富尔塔维拉县的马萨拉、⁴⁰ 桑巴勒和希拉尔哈格村,2015 年 1 月 1 日前后发生在北达尔富尔的方加苏克,以及 2015 年 1 月 24 日至 27 日发生在中达尔富尔戈洛县的戈洛和巴尔达尼。⁴¹ 两起是不加选择的空中轰炸袭击,都发生在北达尔富尔的洛瓦塔,⁴² 其中 2015 年 4 月 1 日的轰炸影响到平民,2015 年 4 月 6 日的轰炸还影响到达尔富尔混合行动。

针对平民和民用物件的定向袭击

101. 上述事件中的违反国际人道主义法行为在附件 40 的表 1 中作了概述,几乎可以肯定包括抢夺牲畜和家居物件以及破坏民生用品。此外,在戈洛和巴尔达尼

³⁹ 另一架飞机(An-74 ST-BDT)尾翼上的 Green Flag 类似徽标于 2014 年移除。

⁴⁰ 北纬 13°29'51", 东经 24°39'41"。

⁴¹ 北纬 14°09'01", 东经 22°40'59"。

⁴² 亦发音为“Rofata”,位于北纬 13°20'15", 东经 24°30'04"。

还分别发生了针对妇女和男子的性暴力。有两人在马萨拉和桑巴勒遇害，民宅被烧毁(见附件 23 的戈洛案例研究以及附件 24 的马萨拉、桑巴勒和希拉尔哈格案例研究)。

违反国际人道主义法行为的个人和集体责任

102. 在马萨拉、桑巴勒和希拉尔哈格，受害者将违反国际人道法行为的责任归于“阿拉伯”裔武装团体。他们向达尔富尔境内所犯罪行特别检察官和法希尔警察局指认，犯罪头目是巴德尔·阿布·基内希、穆萨·奈纳和哈杜。据指称，巴德尔·阿布·基内希是边防卫队的高级军官，案发时还担任北达尔富尔和平与安全事务专员，由时任北达尔富尔州州长奥斯曼·基比尔按文职人员任命。⁴³ 穆萨·奈纳和哈杜常常与巴德尔·阿布·基内希相联系，虽然并不清楚他们是否也在苏丹武装部队担任正式职务。巴德尔·阿布·基内希在库图姆、克尔马和塔维拉都有据点(见附件 24)。

103. 在方加苏克、⁴⁴ 戈洛和巴尔达尼，犯罪者几乎可以肯定是快速支援部队和“阿拉伯”裔武装团体。边防卫队也很可能参与了后两个县的袭击平民事件。相反，也几乎可以肯定的是，苏丹武装部队驻戈洛分队在发生袭击时曾采取措施，保护戈洛平民及其物件免遭上文所述快速支援部队、边防卫队和“阿拉伯”裔武装团体的侵害。不过，这些措施已被证明不足(见附件 23)。快速支援部队和边防卫队是国家机构，他们所实施的违反国际人道主义法原则的行为当然可归于政府。

快速支援部队与武装团体的关系

104. 根据在塔维拉、戈洛、比尔卡、⁴⁵ 霍尔阿贝歇⁴⁶ 和方加进行的五项调查，⁴⁷ 小组认为，在涉及快速支援部队的四起事件和涉及“阿拉伯”裔武装团体的所有五起事件中，肯定都存在违反国际人道主义法的行为。几乎可以肯定的是，所有各方在当地负责的高级指挥官，都未采取必要措施确保遵守国际人道主义法。

105. 小组在 2014 年最后报告(S/2015/31)中指出，无法确证经常近距离接触快速支援部队的便衣武装男子是否为快速支援部队成员，也无法证实他们是否属于某

⁴³ 巴德尔·阿布·基内希很可能到最近的 2015 年 8 月还在担任该职务。

⁴⁴ 北纬 13°16'32"，东经 24°38'13"。

⁴⁵ 北纬 13°43'19"，东经 25°00'17"。

⁴⁶ 北纬 12°38'48"，东经 25°16'13"。

⁴⁷ 小组在本节中采用了 2014 年和 2015 年的调查结果。2014 年，小组调查了快速支援部队和被确定为“阿拉伯”裔的武装团体在比尔卡和霍尔阿贝歇事件中实施的袭击。

个武装团体，在现场只是为了利用快速支援部队行动之后通常出现的混乱局面。小组现在几乎可以肯定的是，在霍尔阿贝歇、比尔卡、戈洛和方加事件中，快速支援部队和其他武装团体协调开展了对各个村庄的袭击行动，他们的目的相同。

106. 在第五次袭击中，虽然巴德尔·阿布·基内希身着军装，但其武装团体成员中有许多人是平民打扮，骑着马或骆驼。他们不是以建制边防卫队的身份部署或开展合法行动。

B. 不加选择的空袭案例研究

107. 小组还查明了更多不加选择实施空袭⁴⁸的证据，这些空袭对平民和民用物件造成了严重和反复的影响(第 108 至 112 段)。可以肯定的是，下文所述袭击具有不加选择的性质，因此对平民造成了重大损害。这些袭击肯定违反了第 1591(2005)号决议第 6 和第 7 段以及国际人道主义法。

洛瓦塔空袭(2015 年 4 月 1 日)

108. 洛瓦塔村位于杰贝勒迈拉的洛克洛地区，据苏解瓦希德派称，靠近苏解瓦希德派的一个重要基地。苏解瓦希德派控制着包括该村在内的地区，袭击发生时就在附近。据目击者报告，2015 年 4 月 1 日下午 1 时 30 分至 2 时，一架白色安东诺夫飞机投下 10 件爆炸装置，几乎可以肯定是简易空投炸弹。其中一件在该村人群汇集处爆炸，共有 15 名妇女和儿童死亡(见 S/2015/378，第 4 段)，至少 17 名妇女和儿童被炸伤。随后引发的大火烧毁了 7 至 15 栋住房，许多牲畜被烧死。据苏解瓦希德派称，其战斗人员未受伤，装备和基地也未受损。

109. 袭击还导致平民流落到杰贝勒迈拉更为偏远的地区，无法获得医疗救助和人道主义援助。伤员及其照料人员仍然留在村内。

110. 有关违反行为的图片，见附件 25。

洛瓦塔空袭(2015 年 4 月 6 日)

111. 2015 年 4 月 6 日下午大约 1 时 30 分，达尔富尔混合行动一支巡逻队进入洛瓦塔村核查 2015 年 4 月 1 日轰炸事件。巡逻队观察到一架白色安东诺夫型飞机在该村及其周边“低空”盘旋。巡逻队通常看不到安东诺夫飞机如此低空飞行。大约下午 3 时，该飞机投下五件爆炸装置，其中两件落在离巡逻队不到 200 米处。据报没有对混合行动、平民或苏解瓦希德派造成伤亡。

112. 这些袭击违反制裁和(或)国际人道主义法的详情见下文。

⁴⁸ 见红十字国际委员会习惯国际人道主义法规则第 12 条，可查阅：www.icrc.org/customary-ihl/eng/docs/v1。

侵犯受保护人员及其物件

113. 平民应受到保护,除非直接参与敌对行动,否则都不能成为袭击目标。⁴⁹ 几乎可以肯定的是,受袭平民在上述袭击发生时并未直接参与敌对行动。⁵⁰ 政府作为达尔富尔境内唯一使用安东诺夫飞机的一方,肯定应对袭击负责。因此,小组认为,政府肯定是民用物件受损、15 个平民死亡、17 名妇女和儿童受伤的责任方,而且肯定违反了国际人道主义法。

114. 受袭民宅和牲畜属于有权得到保护的民用物件,因此不是军事目标。⁵¹ 在任何有疑问的情况下,国际人道主义法都倾向于推定将人员和物件视为平民和民用物件。⁵²

涉及相称性原则和防范措施的违反行为

115. 小组确信,在两次袭击中,苏解瓦希德派战斗人员都在村内或周围。根据国际人道主义法,战斗人员及其装备和军事设施可视为军事目标。同样,平民及任何联合国维持和平人员不能因为有苏解瓦希德派战斗人员夹杂其中而失去受保护的權利。⁵³ 在这种情况下,袭击方必须确保在袭击中适当考虑相称性原则和防范措施,最大限度减少对平民的损害。

116. 小组认为,空勤人员没有将受保护人员和物件与军事目标相区分,包括九部有明显标识的联合国车辆。这可能是出于疏忽,也可能是因为缺少精确定目标的技术能力(见第 118 段)。或者,空勤人员罔顾受保护人员和物件的存在,在既未遵守国际人道主义法关于相称性的原则,也未采取适当防范措施的情况下蓄意发动了袭击。因此,小组认为,无论在何种情形下都可以肯定,政府既未遵守相称性原则,也未确保采取必要的防范性措施,是进一步违反国际人道主义法行为的责任方。

涉及战争手段和方法的违反行为(安东诺夫 An-26 型飞机/简易空投弹药组合)

117. 国际人道主义法禁止采用具有不加选择性质的战争手段和方法。⁵⁴ 战争手段主要包括武器、武器系统和平台,包括军用飞机。战争方法指的是各方采用的作战模式,例如在袭击对方时使用的战术。

⁴⁹ 《第二附加议定书》第 13(3)条,例如,红十字国际委员会习惯国际人道主义法规则关于保护平民的第 6 条以及关于维持和平人员及其物件的第 33 条。

⁵⁰ 根据通行的判例法,“如果平民只是支持敌对方的战斗或军事活动,或以其他方式间接参与敌对行动,就不能仅以此为由将他们视为战斗人员。这是因为,间接参与,例如向一个或多个武装派系出售物品,向其中一方表示同情,或者更为明显的是,未能采取行动防止其中一个武装派别入侵等,并不涉及对敌对方立即构成实际损害的威胁的暴力行为。见美洲人权委员会《关于哥伦比亚人权情况的第三次报告》(Ser.L/V/II.102 Doc.9 rev.1),1999 年 2 月 26 日。可查阅:www.cidh.org/countryrep/Colom99en/table%20of%20contents.htm。

⁵¹ 例如,见红十字国际委员会习惯国际人道主义法规则第 9、10 和 33 条。

⁵² 这也与核实受袭物件是军事目标、而非平民或民用物件的义务相符。

⁵³ 见红十字国际委员会习惯国际人道主义法规则第 6 条和相关国家实践。

⁵⁴ 见红十字国际委员会习惯国际人道主义法规则第 71 条。

118. 小组经过分析(见附件 26), 几乎肯定 An-26 型飞机没有能力在惯常飞行高度使用简易空投弹药进行精确轰炸。该飞机所采用的敞开式货舱投放技术, 加上此类弹药的设计, 都清晰表明圆概率误差⁵⁵ 半径将高于从专用轰炸机上投放设计更为现代的炸弹。所以, 命中率很差。在这一背景下, 在惯常飞行高度使用 An-26/简易空投弹药组合打击平面目标, 肯定违反了国际人道主义法。

C. 归因于武装团体的违反国际人道主义法行为

侵犯被囚禁者

119. 小组确定某个非签字方武装团体实施了针对平民和战争伤残人员的违反国际人道主义法行为。鉴于其中一些被囚禁者仍被该团体关押, 而且极有可能遭到报复, 小组将相关调查结果列在本报告的一份机密附件中。

归因于正义与平等运动、涉及儿童的违反国际人道主义法行为

120. 小组调查了正义运动及其领导人招募、部署和使用儿童参与南达尔富尔敌对行动及其他违反国际人道主义法行为方面, 包括在拒绝保护儿童免遭冲突影响方面应承担的责任。小组认为:

(a) 可以肯定, 正义运动招募了 18 岁以下儿童, 其中几乎肯定有 15 岁以下儿童, 以提供保护或交通、或者给予/允诺给予奖励为条件, 强迫或利诱儿童进入军车, 随后将他们送至南苏丹的正义运动训练营接受军事训练;

(b) 可以肯定, 正义运动未经这些儿童的父母或监护人知情或同意, 绕过边境管制, 将儿童从南科尔多凡州越境贩运到南苏丹, 再从南苏丹贩运到南达尔富尔。附件 27 所载地图显示了正义运动招募儿童的地点以及据报有儿童兵或儿童的正义运动部队所在地点。

(c) 可以肯定, 霍尔沙曼和迪姆贾拉卜军事训练营有儿童接受军事训练。在军营中让儿童与成年战斗人员一起受训以及包括武器使用在内的训练方式, 都表明正义运动有意让儿童参战;

(d) 几乎可以肯定, 一些儿童被禁锢在营地内, 而且是被强制留下。还可以肯定, 在任何时候, 儿童都不能自行脱离正义运动;

(e) 3 月前后, 运有儿童(包括战斗儿童和平民儿童)的军事车队从南苏丹的达莱巴出发, 前往南达尔富尔的尼亚拉参战。可以肯定, 这些儿童是与成年战斗人员一起被部署到南达尔富尔参加或支持敌对行动。同样毫无疑问的是, 这些儿童不能拒绝加入这一车队;

⁵⁵ 圆概率误差用于计量武器系统的精确度或精准度。其定义是在弹着平面上, 以弹着点几何平均为圆心, 涵盖 50%弹着点的圆半径值。

(f) 可以肯定，一些儿童在执勤时穿有制服而且携带武器。在发生敌对行动时，这些制服和武器会使儿童成为潜在目标，容易遭受袭击；

(g) 可以肯定，有儿童担任警卫等职务，包括守护军车。他们被部署到达尔富尔之后，还负责清洁武器、协助修理参战车辆、做饭和放哨，包括在部署期间放哨。可以肯定，根据国际人道主义法，这些活动大多属于直接参战。

121. 因此，小组认为，正义运动及其高级军事领导人肯定对违反国际人道主义法、招募并使用儿童参加达尔富尔境内的敌对行动负有责任。小组尤其获悉，正义运动主席兼部队最高指挥官吉布里勒·易卜拉欣、军事总指挥官西迪克·穆罕默德·阿卜杜勒·拉赫曼·邦戈、以及正义运动霍尔沙曼基地其他已查明身份的指挥官，都知道训练营和正义运动基地内有儿童存在。所以，他们对招募儿童以及可能和实际使用儿童参战早就知情。此外，小组发现其中一些指挥官决定着达尔富尔的战斗序列，因此，他们对部署儿童参战负有直接责任。

122. 秘书长自 2009 年起将正义运动列为招募和使用儿童参战的惯犯，而且每年都找到了违反的证据(见 [A/63/785-S/2009/158](#) 及 [Corr.1](#)、[A/64/742-S/2010/181](#)、[A/65/820-S/2011/250](#)、[A/66/782-S/2012/261](#)、[A/67/845-S/2013/245](#)、[A/68/878-S/2014/33](#) 和 [A/69/926-S/2015/409](#))。安全理事会在第 1539(2004)、1612(2005)、1882(2009)、1998(2011)和 2098(2012)号决议等多项决议中表达了对惯犯问题的关切。秘书长在最近一份报告([A/69/926-S/2015/409](#))中指出，2015 年 1 月和 2 月，正义运动强行招募了 55 名 14 至 17 岁儿童。小组发现，2015 年初招募的儿童有一些参加了纳卡拉之战。因此，小组可以断定，正义运动的招募和使用儿童行为肯定经常发生，不曾间断，而且几乎肯定未受惩罚。

123. 小组约谈的儿童仍被羁押。小组认为，政府应考虑将非司法措施作为起诉和羁押的替代方法，并根据第 2225(2015)号决议第 6 段，注重使儿童康复和重返社会。

D. 对 2015 年 4 月 23 日和 24 日卡斯事件的调查

124. 小组启动了对 2015 年 4 月 23 日和 24 日发生在卡斯的袭击达尔富尔混合行动(尼日利亚第 44 营，NIBATT44)事件和据称袭击平民事件的调查。小组研究了迄今为止收到的书面证据，并约谈了涉事营队成员，但由于地方当局 2015 年 10 月 20 日和 21 日拒绝让小组进入事发地区(不准小组离开达尔富尔混合行动卡斯基地)，以及地方当局阻止平民证人前往联合国队部所在地与小组会面，其他进展受到限制。事件发生已有一段时间，这意味着现场已不大可能找到任何可接受的实物法医证据。小组还认为，如果不进行重大法医调查(例如弹道重建和伤口弹道分析)，就无法确定事件的责任归属，但小组不具备这方面的能力。

E. 性暴力和性别暴力

125. 小组了解到对 2014 年在塔比特实施性暴力的指控，而且几乎可以肯定，至少在戈洛和巴尔达尼事件中有性暴力发生。小组还发现，由于实地缺少在小组打算约谈潜在受害人时跟进的心理医疗服务(此类服务为国际建议的最佳做法)，加上达尔富尔没有保护证人和受害人的能力，受害人在与小组约谈后可能面临极大的人身危险，对某些冲突中性暴力案件的有效调查受到阻碍。这在据指称的受害人及其社区面临重大威胁和恐吓时尤其如此，塔比特案就是一例。因此，如果不能对消息来源提供适当的心理医疗支助或安全保护，小组将无法开展有效调查。

126. 小组在有关性暴力的工作中遭受限制，迄今仍无法独立地查明肇事者身份，也无法在发生经过协调的大规模武装袭击时查明谁是头领。小组指出，政府有责任调查这些事件，将肇事者移送司法，并采取措施避免出现一个性暴力有罪不罚的环境。政府对这些指控的公开回应一直是否认和恐吓。有关进一步详情，见附件 28。

F. 对非洲联盟-联合国达尔富尔混合行动和人道主义工作人员的袭击

127. 自 2015 年 2 月 12 日以来(即今年前三个季度)，达尔富尔混合行动巡逻队和混合行动人员至少 70 次遭受武装暴力，包括劫持车辆、武装抢劫和伏击(见附件 10)。这比 2014 年同期增加了近 225%，其中大多可归因于第二季度一连串的武装劫车事件。

八. 武装团体的资金来源

128. 武装团体拥有资金，可在通常同时违反武器禁运的情况下，通过购买更多武器、弹药、车辆和其他军事装备增强军事能力，向成员支付报酬，并招募更多成员。在通过非法开采自然资源获取资金并侵占同胞公民和社区资产的同时，武装团体还据知犯有违反国际人道主义法和人权法的行为，对达尔富尔的稳定构成了切实的威胁。小组对武装团体通过开采达尔富尔黄金获得的资金进行了调查，并咨询了矿物特别是黄金出口和采购尽职调查问题专家安贾德·里汗，后者协助小组了解了这个问题的复杂性。经他同意，此处提及他的名字。

A. 达尔富尔的手工黄金开采

背景

129. 苏丹境内近 90% 的黄金生产来自手工开采。⁵⁶ 附件 29 所载地图显示了截至 2015 年 8 月达尔富尔手工开采黄金的地点。鉴于达尔富尔手工黄金开采

⁵⁶ 见 “Sudan predicted to be Africa’s largest gold producer by 2018”，《苏丹论坛报》，2014 年 7 月 7 日，可查阅：http://sudantribune.com/spip.php?iframe&page=imprimable&id_article=51609，以及 “Sudan produces 73.3 tons of gold”，Sudanow，2015 年 1 月 28 日，可查阅：<http://sudanow.info.sd/sudan-produces-73-3-tons-of-gold/>。

规模庞大，⁵⁷ 占苏丹黄金生产总量的 50% 以上，小组审视了武装团体利用手工黄金开采贸易进行非法筹资的能力。2014 年 6 月 9 日，苏丹矿业部长向议会报告称，政府对传统采矿工人生产的黄金几乎毫无控制。⁵⁸ 因此，小组访问了达尔富尔境内规模最大手工黄金矿区之一的杰贝勒阿米尔(见图三)，以了解针对此类矿场的管理措施。

130. 关于手工黄金开采安排和杰贝勒阿米尔金矿管理委员会运作的资料，见附件 30。

图三

截至 2015 年 6 月 15 日的杰贝勒阿米尔金矿



图例说明：图 1，杰贝勒阿米尔矿区；图 2，典型金矿，呈矩形(4 米 X 4 米)，从中挖出矿石(希望内含黄金)，装袋后倒入碎石机；图 3，碎石机将矿石碾成粉末；图 4，用汞和水冲洗矿石粉末；图 5，将汞金化合物放在勺中加热，汞蒸发后，留下金块。

对杰贝勒阿米尔矿区的控制

131. 小组可以肯定，杰贝勒阿米尔矿区的控制者是北达尔富尔的阿巴拉里宰加特民兵，⁵⁹ 当地人称“阿巴拉民兵”，下文称“阿巴拉武装团体”，理由如下：⁶⁰

⁵⁷ 政府未按小组要求提供达尔富尔各矿区的黄金年产量数据。机密消息来源称，政府估计数仅计入贸易商在手工采矿区购入的黄金量。因此，达尔富尔及苏丹其他地区的黄金产量是根据小组约谈结果得出的估计数。另见第 144 段。

⁵⁸ 见 “75% of Sudan’s gold production is smuggled: official”，《苏丹论坛报》，2014 年 6 月 9 日，可查阅：<http://sudantribune.com/spip.php?article51288>。

⁵⁹ 见 Belachew Gebrewold-Tochalo, *Anatomy of Violence: Understanding the Systems of Conflict and Violence in Africa*, (Farnham, Ashgate Publishing, 2009), 第 169 页。

⁶⁰ 根据小组与杰贝勒阿米尔金矿管理委员会成员及该矿区探矿者、采矿工人、黄金贸易商和销售商的约谈结果，以及机密消息来源。

(a) 2013 年 1 月，苏丹武装部队撤离杰贝勒阿米尔，⁶¹ 避免与阿巴拉武装团体对抗；

(b) 阿巴拉武装团体成员来自许多里宰加特部落，其中有些人同时服役于政府辅助部队(边防卫队、中央后备警察和人民防卫部队)；⁶²

(c) 杰贝勒阿米尔金矿管理委员会安保小组由阿巴拉武装团体实际控制，⁶² 其成员有许多来自该武装团体，而该武装团体的控制人是被指认的谢赫·穆萨·希拉勒·阿卜杜拉·阿尔西恩。⁶² 此外，凭着担任管理委员会主席，谢赫·穆萨·希拉勒也控制着安保小组；⁶³

(d) 安保小组成员控制着矿区出入口，进入矿区需要谢赫·穆萨·希拉勒事先准许或同意。小组 2015 年 6 月 15 日对矿区的访问就需要事先准许。

(e) 苏丹革命觉醒委员会是一个由谢赫·穆萨·希拉勒创建并控制的政治组织，其指挥官对矿区安保管理有决定权。

(f) 苏丹革命觉醒委员会发言人 2014 年曾表示，矿区保护由管理委员会负责，与政府正规部队无关；⁶⁴

(g) 苏丹 MAM 集团于 2014 年 4 月获得杰贝勒阿米尔金矿的特许勘探权，但没有能够开展业务，因为谢赫·穆萨·希拉勒警告该公司不要进行勘探，称“当前局势不允许在该地区勘探”。⁶⁵

B. 杰贝勒阿米尔的黄金年产量

132. 为了估算阿巴拉武装团体每年获得的资金，小组制作了一个财务模型，其中对一些变量使用了较小的估计值。小组在分析根据模型得出的数据后发现，几乎可以肯定，该矿区黄金年产量保守估计有 8 571 公斤，按杰贝勒阿米尔当地黄金价格计算，相当于 4.22 亿美元。该模型还估算探矿者和采矿工人的年收入分别为 32 400 美元和 1 530 美元(见附件 31)。

⁶¹ 见“Sudan army withdraws from gold mine area of Jebel Amer”, Radio Dabanga (Hilversum), 2013 年 1 月 27 日。可查阅：<http://allafrica.com/stories/201301280161.html>。

⁶² 根据小组与杰贝勒阿米尔金矿管理委员会成员及该矿区探矿者、采矿工人、黄金贸易商和销售商的约谈结果，机密消息来源，以及小组与管理委员会安保小组一名高级成员的约谈结果。

⁶³ 根据与谢赫·穆萨·希拉勒的约谈结果。

⁶⁴ 见“Sudan: Musa Hilal's council forms Jebel Amer administration, calls for intifada in Sudan”, Radio Dabanga (Hilversum), 2014 年 12 月 16 日。可查阅：<http://allafrica.com/stories/201412170243.html>。

⁶⁵ 见“Darfur gold concession winner warned-off by Hilal”, Dabanga, 2014 年 4 月 17 日，可查阅：www.dabangasudan.org/en/all-news/article/darfur-gold-concession-winner-warned-off-by-hilal。谢赫·穆萨·希拉勒在与小组的约谈中确认了这一报告。

C. 对阿巴拉武装团体收入来源的财务分析

征税

133. 小组可以肯定，阿巴拉武装团体对探矿者和杰贝勒阿米尔矿区各辅助企业的其他人员征收以下税赋：⁶⁶

(a) 挖出的矿石每一袋向阿巴拉武装团体交缴 5 苏丹镑(按 1 美元兑换 6.09 苏丹镑计算，合 0.82 美元)；

(b) 探矿者每隔一个工作日向阿巴拉武装团体交缴一袋挖出的矿石；⁶⁷

(c) 每一个在矿区购买黄金的黄金商人每月交缴 1 000 苏丹镑(164 美元)；

(d) 每一个在矿区开店的销售商每月按商铺大小交缴 800 至 1 200 苏丹镑(131 至 197 美元)；

(e) 每一个屠户每杀一头羊交缴 20 苏丹镑(3.28 美元)。

134. 小组认为，阿巴拉武装团体每年对探矿者和辅助企业的征税收入有 2 800 万美元(见表 5)。

表 5

阿巴拉武装团体对探矿者和辅助企业的征税收入

征税性质	每日 (苏丹镑)	每月 (苏丹镑)	每年 (苏丹镑)	每年 (美元) ^a
每袋 5 苏丹镑	122 850	3 071 250	36 855 000	6 051 724
每隔一个工作日交缴一袋	368 550	9 213 750	110 565 000	18 155 172
对销售商的商铺征税	70 400	1 760 000	21 120 000	3 467 980
对黄金商人征税	8 000	200 000	2 400 000	394 089
对屠户征税	6 000	150 000	1 800 000	295 567
总计	575 800	14 395 000	172 740 000	28 364 532

注：下列苏丹镑数字为每日征税额：122 850、368 550 和 6 000。下列苏丹镑数字为每月征税额：1 760 000 和 200 000。其余数字通过假定每年为 300 天计算得出。

^a 按 1 美元兑换 6.09 苏丹镑计算。在用美元计算矿区黄金买价时使用了“实地”兑换率(1 美元兑换 10.1 苏丹镑)。

⁶⁶ 根据小组与杰贝勒阿米尔金矿管理委员会成员及该矿区探矿者、采矿工人、黄金贸易商和销售商的约谈结果，以及机密消息来源。无论袋中矿石是否含有黄金，都必须缴税。而且，这些税赋高于杰贝勒阿米尔金矿管理委员会收取的合法税赋。

⁶⁷ 平均而言，一个雇用 14 名工人的矿场两天可挖出 20 袋矿石。也就是说，武装团体拿走一袋矿石就等于敲诈了 5% 开采的黄金。

阿巴拉武装团体作为探矿者

135. 小组几乎可以肯定，阿巴拉武装团体作为探矿者至少在杰贝勒阿米尔开采了 400 个金矿，⁶⁸ 并因此增加了 1 700 万美元的收入(见附件 32，表 1)。

阿巴拉武装团体作为出口商

136. 2014 年初，苏丹矿业部长告诉议会，生产的黄金有很大一部分被走私出境。⁶⁹ 国际和当地黄金差价是走私的诱因(见附件 32，表 3)。

137. 小组可以肯定，在杰贝勒阿米尔开采的黄金有很大一部分先在达尔富尔的朱奈纳汇总，然后空运至喀土穆，再非法出口到阿拉伯联合酋长国。附件 32 的表 2 对两家航运公司非法出口 15 公斤黄金的一次行程费用作了估算。经过分析，小组几乎可以肯定，阿巴拉武装团体通过非法出口在杰贝勒阿米尔生产的一些黄金，每年增加了 900 万美元的收入(见附件 32，表 3)。

阿巴拉武装团体通过杰贝勒阿米尔黄金生产和贸易获得的收入总额

138. 小组几乎可以肯定，阿巴拉武装团体年收入保守估计有 5 400 万美元。

139. 政府在 2015 年 11 月 13 日的信中告诉小组，“杰贝勒阿米尔地区由政府有关当局控制，没有武装团体驻留”。小组可以肯定，截至 2015 年 6 月 15 日，而且几乎可以肯定，截至 2015 年 10 月 25 日，杰贝勒阿米尔仍在阿巴拉武装团体的控制之下(见第 131 段和附件 30)，但无法核实自那以后是否换由政府控制。

D. 从苏丹走私黄金到阿拉伯联合酋长国

贸易数据分析

140. 鉴于达尔富尔占到苏丹黄金产量的 50% 以上，有必要对全国的黄金走私趋势进行分析，以估算达尔富尔境内其他武装团体的潜在收入来源。⁷⁰

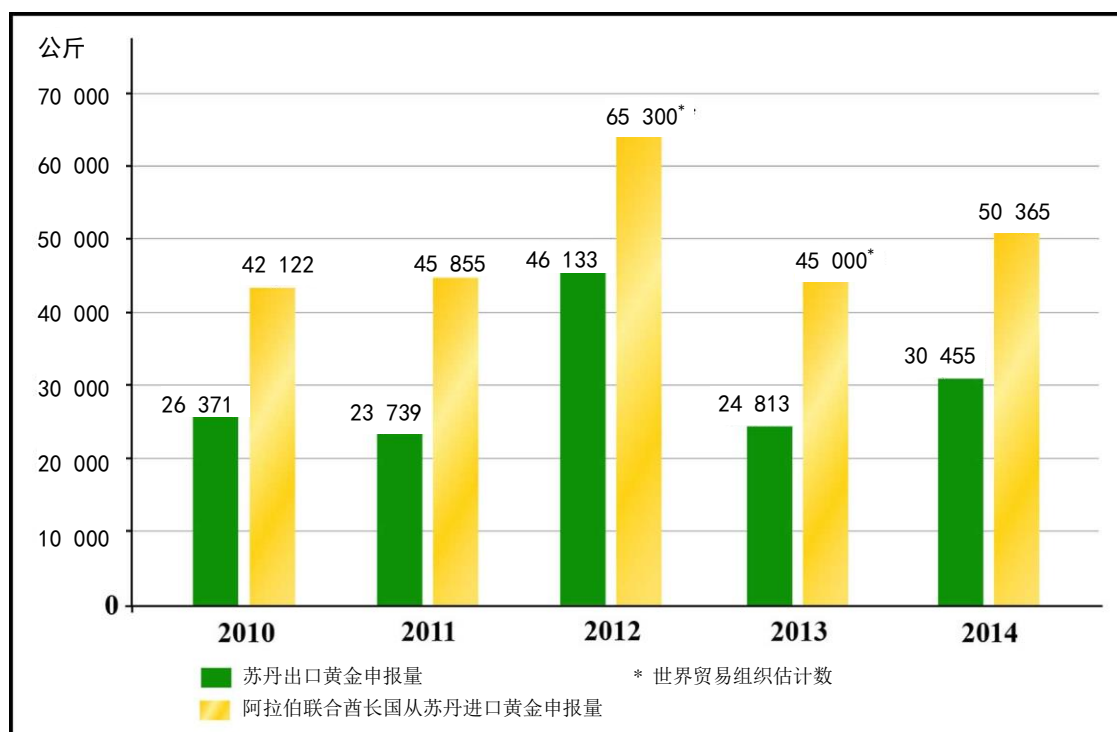
141. 小组分析了苏丹和阿拉伯联合酋长国分别报告的黄金贸易统计数据，并比较了出口时向苏丹当局申报的出口到阿拉伯联合酋长国的黄金数量和进入阿拉伯联合酋长国时向该国当局申报的苏丹黄金数量(见图四和附件 33 的表 1)。

⁶⁸ 根据小组与杰贝勒阿米尔金矿管理委员会成员及该矿区探矿者、采矿工人、黄金贸易商和销售商的约谈结果，以及机密消息来源。另见附件 30 的脚注 4。

⁶⁹ 见 “75% of Sudan’s gold production is smuggled: official”，《苏丹论坛报》，2014 年 6 月 9 日，可查阅：<http://sudantribune.com/spip.php?article51288>，以及 Ulf Laessing，“Special report: the Darfur conflict’s deadly gold rush”，Reuters，2013 年 10 月 8 日，可查阅：www.reuters.com/article/2013/10/08/us-sudan-darfur-gold-idUSBRE99707G20131008。

⁷⁰ 有此需要是因为政府不掌握整个地区或单个金矿的黄金生产和出口数据。小组已要求提供资料，但尚未收到回复。

图四
从苏丹明显走私到阿拉伯联合酋长国的黄金数量



142. 分析显示, 从 2010 年到 2014 年, 从苏丹明显走私到阿拉伯联合酋长国的黄金总量至少⁷¹ 有 96 885 公斤, 价值 46 亿美元。⁷² 鉴于达尔富尔生产的黄金已确定占到年产量的 50%(见脚注 57 和第 144 段), 这充分意味着在该时间段有多达 48 000 公斤的达尔富尔黄金可能被走私到苏丹境外。从附件 32 的表 2 所列数据看, 估计这相当于在此期间为达尔富尔武装团体增加了 1.23 亿美元的收入。⁷³

走私案例研究

143. 为了验证从一般贸易数据推断得出的走私结论(见第 142 段和附件 33), 小组审视了 2012 年黄金走私的具体案例。小组在分析机密来源提供的文件以及苏丹中央银行提供的出口数据之后认为, 几乎可以肯定, 有 16 个以上的实体和个人将 10 100 多公斤黄金从苏丹走私给阿拉伯联合酋长国的一个实体。权衡可能性后, 这意味着至少有 50% 的走私黄金采自达尔富尔。

⁷¹ 由于没有按国别分列的苏丹出口数据, 计算时假定黄金全部出口到阿拉伯联合酋长国。如果有一部分出口到其他国家, 那么, 走私数量和名义出口税损失都将更大。

⁷² 苏丹政府特许权使用费和出口税的名义损失将达到 5.04 亿美元(见附件 33)。

⁷³ 927 万美元 X 48 000 / 3 630 公斤 = 1.23 亿美元。

E. 对苏丹黄金出口地域分布情况的分析

144. 小组分析了 2012 年出口到阿拉伯联合酋长国的黄金总量，以确定苏丹及达尔富尔矿区的黄金出口分布情况(见表 6)。

表 6
2012 年苏丹黄金出口地域分布情况

年份	阿拉伯联合酋长国进口量		达尔富尔出口 (57%)				苏丹其余地区出口 (43%)			
			达尔富尔 (阿巴拉武装团体) (24%)		达尔富尔 (其他武装团体) (23%)		达尔富尔 (其余地区) (10%)		苏丹其余地区 (10%正规部门) (33%手工矿区)	
			重量 ^a	价值	重量 ^b	价值	重量 ^c	价值	重量 ^d	价值
			(公斤)	(百万美元)	(公斤)	(百万美元)	(公斤)	(百万美元)	(公斤)	(百万美元)
2012	65 000	3 507	15 600	842	14 500	782	6 500	351	28 400	1 532

^a 根据 2012 年在杰贝勒阿米尔矿区采矿工人和探矿者的证词。

^b 根据 2012 年在哈沙巴、达哈卜沙鲁和阿卜杜勒沙库尔矿区采矿工人和探矿者的证词。2012 年，哈沙巴矿区由苏解米纳维派控制。

^c 达尔富尔一些小型手工矿场很可能不受任何武装团体影响，例如加布尔加南、萨布拉纳、奥里和加尔兰邦。

^d 苏丹其余地区的正规黄金开采部门约占总产量的 10%。[[tpu fix spacing here]]

145. 小组认为，达尔富尔其他武装团体 2012 年黄金出口额很可能达到 7.82 亿美元。由于达尔富尔其余地区对金矿征收的地方税和非法税赋与杰贝勒阿米尔不同，小组尚无法确定这一收入来源带来的利润。小组仍在进行调查。

F. 大湖区问题国际会议区域认证机制的执行情况

146. 小组在巴黎会见了经济合作与发展组织(经合组织)官员，讨论了《受冲突影响地区和高风险地区负责任矿产供应链问题尽职调查准则》针对达尔富尔武装团体控制矿区所产手工黄金的“黄金补编”⁷⁴的执行情况。经合组织解释说，其中所载建议和流程构成了大湖区问题国际会议区域认证机制的基础，⁷⁵目的是确保只从没有冲突且达到最低限度社会标准的矿场寻购包括黄金在内的指定矿产。

⁷⁴ 见“黄金补编”，<http://www.oecd.org/corporate/mne/goldsupplementtotheduediligenceguidance.htm>，以及经合组织，《经合组织受冲突影响地区和高风险地区负责任矿产供应链问题尽职调查准则》，第 2 版(2013 年，巴黎)。可查阅：<http://www.oecd.org/corporate/mne/GuidanceEdition2.pdf>。

⁷⁵ 见 <http://www.oecd.org/investment/mne/49111368.pdf> 和 <http://www.oecd.org/investment/mne/47892582.pdf>。

147. 苏丹总统于 2010 年签署了《大湖区问题国际会议特别峰会关于打击非法开采大湖区自然资源行为的卢萨卡宣言》。⁷⁶ 在峰会上，成员国对持续非法开采黄金等自然资源及其与小武器和轻武器扩散、长期危害人类罪行和武装团体资金筹措的联系表示关切。《宣言》签字方承诺推行区域打击非法开采自然资源倡议的六项工具，特别是区域认证机制。

148. 在区域认证机制手册第 4.9 段中，“无冲突”矿物链是指不受“非法控制矿场或以其他方式控制运输通道、矿产交易点和供应链上游行为体”，以及(或者)“在矿场出入口、运输通道沿线或矿产交易点非法征税或勒索钱财矿产”，以及(或者)“对矿场主、矿场运营商、中间商、贸易商、出口公司或上游监护链任何其他行为体非法征税或勒索钱财矿产”的非国家武装团体或者公共或私人安全部队影响的矿物链。⁷⁷

149. 区域认证机制还考虑发放与金伯利钻石证书相似的大湖区问题国际会议证书，并且只发放给可证明其来源、运输和加工均不涉及冲突的货物。

150. 小组认为，政府尽早有效执行区域认证机制，几乎可以肯定将有助于阻断达尔富尔武装团体如当前这样轻易和大量地获取资金供应，而且还有可能遏制走私现象，因为如果没有大湖区问题国际会议证书，海关当局不会允许任何黄金进入阿拉伯联合酋长国或其他国家。

151. 附件 34 进一步介绍了《卢萨卡宣言》、区域打击非法开采自然资源倡议、区域认证机制、以及上述倡议在苏丹的执行现状。

G. 苏丹中央银行采购达尔富尔黄金的情况

152. 2008 年，黄金仅占苏丹出口收入的 1%。这一数字到 2014 年已增至 30%。苏丹中央银行通过买方中介，在杰贝勒阿米尔矿区等手工矿场寻购供出口用的黄金，买方中介则从支付给探矿者的款项中扣取 7% 的提成。⁷⁸

153. 小组可以肯定的是，按照定义，在杰贝勒阿米尔手工开采的黄金已受到冲突影响，因为存在私人安全部队、对探矿者非法征税、非法勒索矿产、以及对中间商和贸易商非法征税。苏丹中央银行从杰贝勒阿米尔矿区采购的也是受冲突影响的黄金，即使这些黄金正被带入合法的黄金供应和出口系统。国际货币基金组织将中央银行这种黄金采购称为“未经消毒”。⁷⁹

⁷⁶ 见 www.oecd.org/corporate/mne/47143500。

⁷⁷ 《经合组织尽职调查导则》附件二第 3 段也提供了对无冲突矿产的类似定义。

⁷⁸ 见国际货币基金组织，“苏丹”，基金组织国别报告第 13/320 号(2013 年 10 月，华盛顿特区)，第 20 和 21 段。可查阅：<https://www.imf.org/external/pubs/ft/scr/2013/cr13320.pdf>。

⁷⁹ 见国际货币基金组织，“苏丹”，基金组织国别报告第 14/364 号(2014 年 12 月，华盛顿特区)。可查阅：<https://www.imf.org/external/pubs/ft/scr/2014/cr14364.pdf>。

154. 小组还可以肯定的是，鉴于达尔富尔境内被武装团体控制的其他许多主要手工矿场也在开采黄金，这些黄金也同样受冲突影响(见附件 29)。达尔富尔境内另有两个主要手工矿场，即哈沙巴和阿卜杜勒沙库尔，被来自库图姆地区的“阿拉伯民兵”控制。小组可以肯定，他们也对探矿者征收非法税赋。

155. 小组可以肯定，中央银行采购受冲突影响的黄金，违反了《经合组织尽职调查准则》和苏丹签署的《卢萨卡宣言》以及区域打击非法开采自然资源倡议。小组无法了解矿业部或中央银行对这个问题的看法，因为政府没有同意小组在 2015 年 6 月 12 日和 10 月 1 日信中提出的与这些机构官员会面的请求。小组 2015 年 11 月 30 日收到政府来信，其中强调在手工采矿区没有叛乱团体存在。小组曾在 2015 年 11 月 23 日的信中告知政府，在杰贝勒阿米尔和哈沙巴/阿卜杜勒沙库尔黄金采矿区分别存在阿巴拉武装团体和“阿拉伯民兵”。这些武装团体都是和平进程的非签字方武装团体(另见附件 23)。政府对武装团体非法征税一事未作评论。在研究阿巴拉武装团体的潜在收入来源时，小组特意未列入部族委员会、即杰贝勒阿米尔金矿管理委员会收取的税赋。此外，政府对黄金总产量中达尔富尔所占比重的评估结果，与小组获得的证据相反(见脚注 57 及附件 30 和 31)。对特定个人和实体的调查仍在进行(见第 143 段)。

H. 阿拉伯联合酋长国的入境控制措施

156. 小组访问迪拜，研究了现有对黄金供应链的控制措施。小组已请阿拉伯联合酋长国政府说明手提黄金进入该国的海关程序要求，但尚未收到相关资料。更多详情见附件 35。

I. 边境管理

157. 考虑到自然资源走私的规模以及关于跨越区域受制裁国家国际边界、包括达尔富尔外部边界进行武器贩运的报告，小组认为，有关组织应考虑制订区域能力建设方案，以提高制裁措施的执行效率。关于加强边境管理能力的更多资料，见附件 36。

九. 旅行禁令的执行情况

A. 谢赫·穆萨·希拉勒

158. 小组 2015 年 6 月 25 日在喀土穆会见了谢赫·穆萨·希拉勒，向他通报了出国旅行的豁免规定。

159. 随后，小组发现谢赫·穆萨·希拉勒再次违反了旅行禁令。小组几乎可以肯定，他于 2015 年 7 月 15 日飞往开罗，⁸⁰ 并于 2015 年 7 月 27 日返回苏丹。⁸¹

⁸⁰ 见“Darful Janjaweed leader flies to Egypt despite UNSC travel ban”，《苏丹论坛报》，2015 年 7 月 20 日，可查阅：www.sudantribune.com/spip.php?article55768；以及 [www.twitter.com/wasilalitaha](https://twitter.com/wasilalitaha)；并根据机密消息来源。

小组于 2015 年 7 月 21 日和 11 月 6 日分别致函埃及和苏丹政府，要求提供更多详情。2015 年 11 月 13 日，埃及政府告知小组，没有这方面的资料。

160. 小组指出，鉴于苏丹政府 2015 年 6 月曾阻止一个反对派代表团前往法国斯特拉斯堡参加会议，⁸² 政府是有能力执行出境控制的。所以，小组认为，政府肯定可以通过与埃及政府分享谢赫·穆萨·希拉勒的离境信息，协助执行对他的旅行禁令。

161. 因此，小组认为，几乎可以肯定：

(a) 埃及政府未阻止被指认人员入境，违反了第 1591(2005)号决议第 3(d)段规定的旅行禁令；

(b) 苏丹政府未与埃及当局分享相关离境信息，违反了第 2200(2015)号决议第 12 段；

(c) 谢赫·穆萨·希拉勒未履行其向委员会寻求旅行豁免的隐含义务。

162. 附件 37 提供了关于此次违反事件的更多资料。

B. 吉布里勒·阿卜杜勒卡利姆·易卜拉欣·马育(又名“特科”)

163. 小组已在 2013 年最后报告(S/2014/87)第 179 和 180 段中确定，又名“特科”的吉布里勒·阿卜杜勒卡利姆·易卜拉欣·马育违反了旅行禁令。小组 2015 年 5 月在乍得开会时告知乍得政府，第 1591(2005)号决议第 3(f)段特别规定了逐案豁免措施，鼓励乍得政府就被指认个人今后的任何旅行寻求旅行禁令豁免。

C. 亚当·雅库布·沙里夫

164. 小组尚未找到亚当·雅库布·沙里夫已经死亡的书面证据(见 S/2013/79，第 147 段)。在 2015 年 5 月 21 日会议上，国家协调员表示，政府没有此人已死亡的证据，因此认为他还活着。

⁸¹ 机密消息来源。

⁸² 见“Sudanese security body resumes its travel ban series: representatives of ‘Call Sudan’ powers banned from travelling to attend European Parliament’s session”，阿拉伯人权信息网，2015 年 6 月 9 日。可查阅：<http://anhri.net/?p=145481&lang=en>。

D. 提高旅行禁令的执行效力

165. 小组认为，各会员国，包括作为被指认个人居住地国的苏丹，在被指认个人离开该国时应立即通知目的地会员国和委员会，以使目的地国能够执行旅行禁令，拒绝此人入境。⁸³ 小组认为，如果能在所有被指认个人的旅行文件上注明持有人受制于旅行禁令，须经委员会许可才能出国，那么，效力将进一步提高。

166. 故意唆使或协助被指认个人违反旅行禁令的实体和个人，对达尔富尔的和平与稳定构成了威胁，因为此种旅行往往是为了筹集资金或者与非签字方武装团体成员会面。因此，对于此类实体和个人，必须特别适用第 1591(2005)号决议第 3(c)段所规定的列名标准。

167. 执行旅行禁令不能只依靠提供姓名。阻碍执行禁令的往往不是缺乏意愿，而是缺少生物鉴别数据。因此，小组认为，在相关的国际刑警组织-联合国安全理事会特别通告中列入被指认个人的图片和其他生物鉴别数据，执行情况将得到改善。

十. 资产冻结的执行情况

A. 执行问题

168. 小组认真研究了政府 2014 年提交的回复，其中概述了针对被指认个人的资产冻结措施在执行时因为侵犯人权而遇到的问题。附件 38 载有关于这个问题的背景说明。

169. 一些会员国通过采取与本国宪法相符的立法和行政措施，成功地实施了资产冻结。这些立法使各国能够仅凭安全理事会决议的指认，在不带任何其他前提条件的情况下，冻结与制裁制度挂钩的资产。

B. 谢赫·穆萨·希拉勒

170. 小组可以肯定，被指认个人谢赫·穆萨·希拉勒控制着阿巴拉武装团体，而该团体又控制着杰贝勒阿米尔矿区(见第 131 段)。鉴于该团体通过对探矿者非法征税、直接探矿或非法出口所采黄金的方式在杰贝勒阿米尔的黄金开采贸易中获利，这实际上也是在创造资产。

171. 根据第 1591(2005)号决议第 3(e)段，苏丹政府必须冻结被指认人员或者代表他们或按他们指示行事的人员直接或间接拥有或控制的实体所持有的一切资金。政府没有冻结此类资产，因此肯定违反了资产冻结措施。

⁸³ 小组指出，虽然《世界人权宣言》第十三条第二款规定“人人有权离开任何国家，包括其本国在内，并有权返回他的国家”，但根据《公民权利和政治权利国际公约》第十二条第三款，国家可以对离开国家的权利加以限制。这是一项国家决定，居住地国实行出境控制将是执行旅行禁令的最有效方式。

十一. 政治和区域问题以及努力扫除包容性政治进程中的障碍

A. 《多哈达尔富尔和平文件》的执行情况

172. 2015 年 1 月 4 日列入宪法的《多哈达尔富尔和平文件》已成为包容性政治进程的核心组成部分。达尔富尔地区管理局的任期已由 2015 年 6 月 28 日法令延长至 2016 年 7 月 14 日,以便继续实施重建和发展项目,并按照《多哈文件》的规定,就达尔富尔的永久行政地位安排举办全民公投(可能在 2016 年 4 月)。

173. 2015 年 9 月 8 日在多哈举行的《多哈达尔富尔和平文件》执行情况后续行动委员会第十次会议推动继续实施解除武装、复员和重返社会方案,并启动了达尔富尔第二阶段内部对话和协商。除了已经完成的 315 个项目,达尔富尔地区管理局还打算为 40 个地区的 443 个新项目拨出 9 亿苏丹镑专款。不过,全面实现 2013 年 4 月 7 日和 8 日在多哈国际捐助方会议上通过的《达尔富尔发展战略》所载宏伟发展目标需要投入大量资金。由于达尔富尔缺乏稳定和安全,资金流入目前非常缓慢。国际注资对于缓解达尔富尔人民的痛苦和沮丧至关重要,他们渴望看到《多哈文件》带来的好处。内部分裂损害了地区管理局推进这一发展工作的积极性。

174. 达尔富尔地区管理局所宣布的成就,受到其主要支柱、即解放与正义运动官员的质疑。2015 年,地区管理局主席提贾尼·塞西·阿蒂姆的支持者与他的对手、解放与正义运动秘书长兼联邦卫生部长巴尔·阿布·加尔达的支持者之间加剧了紧张关系。不过,经过卡塔尔的调解,包括在执行情况后续委员会第十次会议间隙安排双方会面,这两个派系之间的紧张关系已有所缓和。

B. 摆脱危机进程的主要障碍

175. 政府和非签字方武装团体继续谋求军事解决办法。2015 年上半年夏季决战行动 2 的成功,大幅削弱了苏解瓦希德派、苏解米纳维派残余势力和正义运动的作战能力和行动自由。2015 年下半年由于进入雨季(7 月至 9 月),加上政府单方面宣布从 2015 年 9 月 22 日起停火两个月,以及苏革单方面宣布从 2015 年 10 月 21 日起停火六个月,战事急剧减少。

176. 在 2015 年 4 月 13 日至 15 日举行总统选举之后,政府立即开始接管达尔富尔五州的决策和指挥中心。任命五州州长成为新的总统特权,表明政府对冲突采取了基于安全的对策。五位州长中有三位是国家情报和安全局官员(东达尔富尔、北达尔富尔和西达尔富尔),另外两位是全国大会党成员。

177. 由于部落事务持续转向军事化和政治化,对抗时有加剧,社会鸿沟加深。局势虽自 2015 年 9 月以来趋于平静,但部族冲突仍是潜在威胁(见附件 39)。总体而言,盛行的氏族精神(assabiyyat)影响着部落行为,继续煽起冲突的火焰。尽

管政府、州长、传统冲突解决机构(协商大会(shura)、长老会(ajawid))和达尔富尔地区管理局时常在达尔富尔混合行动的支持下干预,所有停火与和解协议却在太多时候被忽视,因为这些协议都没有消除冲突的根本起因,包括争夺被认为不可剥夺的对部族土地(hakura)的祖传权利、在部族土地内充分行使政治和社会经济领导权、索要对自然资源的权利、游牧/半游牧和定居农耕者之间的长期紧张关系、以及努力打击偷窃牲畜行为。

178. 在本报告所述期间,达尔富尔各地武装犯罪不断。被政府称为“猖狂亡命之徒”的武装劫匪、公路抢匪、民兵组织、游牧民和武装帮派几乎天天寻衅滋事,还有绑架和强奸及毁坏庄稼等行为,都始终没有减少。无论是个人(营地内的流离失所者以及生活在城市和偏远农村地区的孤立个人),还是公共和私人财产或商业中心,都无法避免武装劫匪的袭击。达尔富尔混合行动、联合国其他机构(特别是世界粮食计划署)和国际非政府组织,也成为愈演愈烈的武装犯罪的目标。

C. 非签字方武装团体的处境

179. 由于领导层纠纷和各级派系发展,加上疲于坚持武装斗争(12年从未成功,只是加重平民苦难),三个非签字方武装团体已开始失去动力。小组发现,各团体成员已日渐认识到军事选项徒劳无益。有许多过去的行政主管和战地指挥官已经远离武装斗争,或者加入了包容性政治进程。

180. 相反,小组注意到由于战斗人员疲惫不堪,加上政府从2010年起采取的分化政策取得成效,新的异见团体纷纷出现。2015年有五个此类异见团体成立。⁸⁴

181. 最后,小组还注意到苏革内部的凝聚力和团结程度有所减弱。苏丹人民解放运动北方派(苏解北方派)和三个主要非签字方武装团体继续以改变政权为战略目标,但对政府并没有一个政治上统一的共同办法。苏解瓦希德派领导人有违背共识的倾向。虽然2013年5月通过的苏革章程规定,主席职位由四个伙伴轮流担任,但苏解北方派自2012年2月22日以来一直把持着政治和军事的双重领导权。最近,在苏革领导人2015年10月13日至17日于巴黎举行会议、与会者重申轮任原则之后,苏解北方派领导人仍拒绝将主席职位轮换给吉布里勒·易卜拉欣(正义运动)。这一激烈的领导权争斗导致苏革内部严重分裂,伙伴之间互不信任,并在媒体上恶语相向。

⁸⁴ 在乍得的努力下,从苏解瓦希德派、苏解米纳维派和苏解卡尔比诺派分离出来的三个派系参加了2015年10月10日的全国对话。第四个派系(苏解瓦希德派)自2015年7月25日以来一直由尼米尔·穆罕默德·阿卜杜勒·拉赫曼以及阿卜杜勒·瓦希德昔日战友、苏解瓦希德派部队参谋长穆罕默德·亚当·阿卜杜勒·萨拉姆将军(又名卡杜拉)领导。第五个分离派系由一群正义运动行政主管成立于2015年5月22日,由曼苏尔·阿尔巴布·尤尼斯领导。

182. 虽然三个主要运动的军事能力有所削弱，但其领导人吉布里勒·易卜拉欣·米尼·阿尔库·米纳维和阿卜杜勒·瓦希德·穆罕默德·努尔仍然是国际舞台上的关键政治人物。

D. 包容性政治进程面临的挑战

183. 包容性政治进程在整个 2015 年基本上陷入停滞。与这一萎靡状态相伴随着，是政府与得到民间反对派阵营支持的非签字方武装团体之间的争端。虽然总统 2015 年 6 月 2 日向国民议会承诺，他将宣布大赦反对者，以使它们能够参加全国对话，但持续的不信任和猜疑仍然存在。尽管政府和反对派都重申了对和平的承诺，他们的政治立场却依旧针锋相对。

184. 政府凭借其军事优势，认为能够消除非签字方武装团体的军事影响，因此采取了维持现状的战略。根据《苏丹论坛报》的一篇文章，总统在 2015 年 9 月 8 日对苏丹武装部队指挥部的讲话中表示，叛乱将于 2016 年结束。政府的意图是保持对全国对话的全面控制，不同意在亚的斯亚贝巴举行就全国对话的程序事项进行谈判的筹备会议，⁸⁵ 并强调《多哈达尔富尔和平文件》就其技术方面(如安安排、永久停火机制、新来者在分享权力和财富方面的代表性)而言，即使没有非洲联盟高级别执行小组主席的参与，也仍然是多哈谈判的基石。

185. 苏革在其前进路线图中采取了与政府相反的立场，要求在亚的斯亚贝巴举行筹备会议，不同意以《多哈达尔富尔和平文件》为基础的最终和永久解决办法，表示支持并要求加强非洲联盟高级别执行小组，认可非洲联盟和平与安全理事会第 539 次会议的建议，并强调全国对话必须反映宪政程序，包括权力的和平更替、善治、基本自由和表达自由。

186. 在当前阶段，各主要人物对包容性政治进程的目的存在不同看法。如果全国对话顺利结束，政府充其量只会接受民间和军事反对派加入由全国大会党领导的政府。相反，反对派则认为对话进程是民主和宪政转型的开始，从长远看，实际上意味着政权的改变。

187. 除了各利益攸关方大相径庭的立场之外，政府还对非洲联盟和平与安全理事会第 539 次会议的建议感到愤怒，将其视为是对民间和武装反对派所提要求的认可。这导致政府与非洲联盟高级别执行小组之间的信任关系破裂。小组了解到，非洲联盟高级别执行小组主席和联合国驻非洲联盟办事处主任最近曾试图说服政府参加亚的斯亚贝巴筹备会议，但被总统以毫不妥协的立场断然拒绝。小组还了解到，政府圈子里有一些人对总统的立场感到惊讶，这有可能使对话变成纯粹的自说自话，其结果可想而知。

⁸⁵ 根据 2015 年 2 月 27 日《柏林宣言》和 2015 年 8 月 25 日非洲联盟和平与安全理事会第 539 次会议的建议。

E. 启动全国对话

188. 尽管陷入僵局，全国对话官方启动仪式仍于 2015 年 10 月 10 日在喀土穆举行，小组出席了仪式。苏丹和乍得两国总统、苏解瓦希德派和苏解米纳维派三个新的异见运动领导人⁸⁶ 和阿拉伯国家联盟秘书长主持了仪式。参加仪式的还有非洲联盟-联合国达尔富尔问题代理联合特别代表以及伊斯兰合作组织、92 个内部反对派政党、九个非签字署方武装团体、民间社会部门、研究中心和“Turuqi”神秘兄弟会的代表。

189. 应当指出的是，非洲联盟、非洲联盟高级别执行小组主席、联合国驻非洲联盟办事处主任、以及平民和武装反对派⁸⁷ 都没有出席启动仪式。不过，最引人注目的是谢赫·穆萨·希拉勒的缺席。

190. 启动仪式上呼吁武装团体和政治侨民参与对话。根据 2014 年 8 月 16 日负责全国对话的“7+7 委员会”通过的路线图，对话将围绕以下六个优先主题构建(为期三个月)：和平与安全、经济、基本权利、自由、民族特点和外交事务。

191. 苏丹总统强调大门仍对抵制者开放，并宣布准备采取下列建立信任措施：彻底停止敌对行动，条件是各武装团体也同意这样做；政治自由；表达自由；为愿意前往喀土穆参加全国对话的非签字方武装团体代表提供安全保障；以及释放所有政治犯。他还指出，如果抵制者仍拒绝参加，那么，达尔富尔、青尼罗和南科尔多凡的冲突将通过军事手段就地解决。

192. 乍得总统强调，三个非签字方武装团体的缺席起了消极作用。他表示愿意坚持开展斡旋，说服这些团体参加。

193. 目前情况是，在总统于 2014 年 1 月 27 日宣布全国对话倡议并获得国际社会一致支持之后近 20 个月才正式启动的全国对话，并没有产生多大作用。面对非签署方武装团体和民间反对派政党的顽固抵制，政府感到别无选择，只能与“仅有的到场者”开始对话。

194. 谢赫·穆萨·希拉勒的缺席意味着全国对话存在局限性。他与政府保持暧昧关系，期待为他的支持者谋取政府高级职位，尽管他自己的里宰加特部族同盟已有许多代表密切参政。自总统再次当选以来，他一直隐居在喀土穆，但仍控制着里宰加特部族的北方分支。快速支援部队战地指挥官(赫梅提)就来自该分支，而且该分支已扩展至乍得。他与各非签字方武装团体保持接触，是一位令人畏惧

⁸⁶ 这些新的异见运动分属苏解瓦希德派(阿布勒-卡塞姆·伊曼)、苏解米纳维派(穆哈马迪·伊斯梅尔·比齐尔)和苏解卡尔比诺派(塔赫尔·阿布巴卡尔·哈吉)。

⁸⁷ 包括苏革的四个武装分部(苏解北方派、正义运动、苏解瓦希德派和苏解米纳维派)，苏丹呼吁联盟的所有成员，以及《柏林宣言》的签字方，即萨迪克·马赫迪的乌玛党、加齐·萨拉赫·埃丁的现在改革党、法鲁克·阿布·伊萨的全国共识力量和阿明·马基的苏丹民间社会组织同盟。

的部族首领，拥有大量财政和军事资源。他还获得了在边防卫队中占主导地位的部族、北里宰加特的阿巴拉(骆驼牧民)分支的支持。因此，鉴于“阿拉伯”部族对事态发展的潜在影响，他肯定是一个不可忽视的人物。

195. 从一开始就参与全国对话进程的非洲各组织没有到场，表明他们对政府面对非洲联盟和非洲联盟高级别执行小组主席的拒不妥协态度感到愤怒。这种态度意味着阿拉伯集团与非洲联盟之间出现意见分歧。阿拉伯国家联盟秘书长在启动仪式上致辞，强调该联盟近乎无条件地支持政府对全国对话的管理。

196. 不过，政府与非洲联盟之间的对话仍在继续。继苏丹外交部长、非洲联盟委员会主席和非洲联盟高级别执行小组主席 2015 年 10 月 23 日在亚的斯亚贝巴举行会谈之后，政府同意从 2015 年 11 月 19 日开始，在亚的斯亚贝巴恢复与非签字方武装团体的谈判。⁸⁸ 除苏解瓦希德派领导人抵制会谈外，政府与正义运动和苏解米纳维派领导人相互强调了最终达成永久人道主义停火的承诺。这一协议有利于营造信任气氛，为进一步就正义运动和苏解米纳维派参加喀土穆全国对话的机制和方式进行谈判打开了大门。

F. 区域环境

197. 当前区域环境，包括受内部冲突影响的邻国利比亚和南苏丹的局势，仍然格外紧张。

198. 小组尚未发现伊拉克和黎凡特伊斯兰国(伊黎伊斯兰国)的利比亚成员对达尔富尔安全局势有任何直接影响。根据《苏丹报》2015 年 7 月 14 日的一篇文章，达尔富尔事务部长认为苏丹不是伊黎伊斯兰国的优先目标，博科哈拉姆也不太可能将其活动移到达尔富尔和苏丹。不过，苏丹境内已确认存在伊黎伊斯兰国的萨拉菲圣战思想，虽然目前还微不足道，但已有传教者显示效忠于伊黎伊斯兰国头目。

199. 2015 年 5 月，高等教育和技术部长也承认，伊黎伊斯兰国已在喀土穆大学招募学生。

200. 小组不断从各种消息来源、包括从非签字方武装团体那里听到关于苏解米纳维派武装分子介入利比亚冲突的指称。有消息来源称，苏解米纳维派成员与哈里发·贝卡西姆·哈夫塔尔将军的部队一道部署在苏丹和利比亚边界附近的库夫拉，负责打击“利比亚黎明”激进旅。这些战斗人员据称目前已返回北达尔富尔的马勒哈。小组现阶段无法对这些指称进行确证或予以驳回。

⁸⁸ 亚的斯亚贝巴谈判受到了美国苏丹和南苏丹问题特使以及德国、联合王国和政府间发展管理局成员国代表的关注。

201. 苏丹继续指责南苏丹支持非签字方武装团体，让这些团体在违反双边边界和安全协定的情况下进入达尔富尔。关于南苏丹向正义运动提供资助和军事装备的指称尚待小组确证，但正义运动在南苏丹开设军事训练营、从南苏丹部署到南达尔富尔、并在内战中支持南苏丹总统，都已经是不争的事实。小组认为，几乎可以肯定，一些非签字方武装团体的政治执行成员目前仍在朱巴。

202. 乌干达总统 2015 年 9 月 15 日访问喀土穆，是 1990 年以来的首次，两国和解进程似已就此启动。有可靠消息来源称，两国总统同意合力维护由南苏丹总统(丁卡族，亲近乌干达)与他的努埃尔族对手里克·马查尔(亲近苏丹)于 2015 年 8 月 16 日艰苦敲定的脆弱和平协定。乌干达似已承认苏丹作为主要角色的必然作用。此外，乌干达总统在 2015 年 2 月 8 日与苏丹第二副总统进行讨论之后，似已说服非签字方武装团体离开乌干达。他同意不延长他们的护照，作为交换，苏丹则同意不再支持上帝抵抗军。

203. 利比亚冲突可能蔓延到乍得、达尔富尔和萨赫勒区域武器扩散、以及博科哈拉姆新增能力并于 2015 年在恩贾梅纳发动了四次武装袭击，似乎是乍得的主要关切。因此，乍得一直大力推动达尔富尔实现和平与稳定。乍得总统在全国对话启动仪式致辞中强调了乍得和苏丹的密切联系，指出两国命运相互交织，达尔富尔的安全和稳定对于乍得的安全与稳定至关重要。

204. 乍得总统在包容性政治进程中一直发挥关键作用，他 2015 年 10 月 3 日前往巴黎与吉布里勒·易卜拉欣、米尼·阿尔库·米纳维和阿卜杜勒·瓦希德·穆罕默德·努尔会面，努力说服他们参加全国对话。这次会面是在 2015 年 10 月 10 日于喀土穆启动全国对话的前夕进行，虽然没有取得预期成果，但他仍打算坚持开展和平努力。

G. 努力扫除包容性政治进程中的障碍

205. 面对达尔富尔冲突各主要当事方的顽固立场，和平力量奋力寻找能够将政府、民间反对派和非签字方武装团体汇聚到谈判桌前的折中办法，国际行为体 2015 年也有了更多参与。非洲联盟、代理联合特别代表和非签字方武装团体 2015 年 8 月 14 日和 15 日在巴黎举行的会议，非洲和平与安全理事会 2015 年 8 月 25 日在亚的斯亚贝巴举行的第 539 次会议，三驾马车(美利坚合众国、大不列颠及北爱尔兰联合王国和挪威)、德国和法国 2015 年 9 月 9 日在巴黎与苏革举行的会议，以及 2015 年 9 月在喀土穆与德国特使的会面，都表明国际社会决心继续努力，设法将包容性政治进程带回正轨。

十二. 建议

206. 小组审议了所有违反制裁事件(见附件 40)，审查了备选办法，并向安全理事会和委员会提出以下建议：

A. 安全理事会

207. 专家小组建议安理会：

武器禁运

(a) 确定入侵软件是否属于第 1556(2004)、1591(2005)和 1945(2010)号决议所载“武器和有关物资”一词的范畴；

(b) 重申所有国家应确保在向苏丹出售或供应未被第 1556(2004)和 1591(2005)号决议禁止的武器和有关物资时配备必要和适当的最终用户文件，以使各国可以确信，任何此类出售或供应均符合这些决议规定的措施；

国际人道主义法

(c) 考虑坚决要求政府今后在达尔富尔开展联合行动时只使用苏丹武装部队、快速支援部队、边防卫队、人民防卫部队和中央后备警察的各级建制单位，而且这些单位不得与穿便衣的“阿拉伯”武装团体或其他团体的散兵游勇进行合作；

(d) 考虑敦促政府对快速支援部队和辅助部队在“夏季决战 1 和 2”行动中实施的违反国际人道主义法行为进行系统有效的调查和起诉；

武装团体的资金来源

(e) 考虑敦促政府立即开始全面执行《卢萨卡宣言》，包括区域认证机制，并统一相关立法，确保为达尔富尔黄金等冲突矿产建立一条不涉及冲突的供应链；

(f) 考虑扩大第 1591(2005)号决议第 3(c)段所述列名标准，在其中列入那些向探矿者和其他参与手工开采黄金者非法征税、非法开采和非法贩运黄金等自然资源，因而被确定为对达尔富尔和平与稳定构成威胁的个人和实体；

(g) 考虑促请会员国采取适当步骤，提高进口商、加工企业和消费者对苏丹黄金的认识，确保他们切实遵守《经合组织受冲突影响地区和高风险地区负责任矿产供应链问题尽职调查准则》和“黄金补编”；

旅行禁令

(h) 考虑扩大第 1591(2015)号决议第 3(c)段所述列名标准，在其中列入那些故意违反旅行禁令，为名单所列个人提供旅行便利的个人和实体，因为此类违反行为会破坏达尔富尔的和平、稳定和(或)安全；

(i) 考虑扩大旅行禁令的范围，要求会员国立即向目的地会员国和委员会通报被指认个人离开其领土的情况；

(j) 考虑鼓励会员国在所有被指认个人的旅行文件上注明，持有人受制于安全理事会的旅行禁令。

B. 委员会

208. 小组建议委员会考虑：

航空和武器禁运

(a) 印发一份执行援助通知，敦促和鼓励各国停止向苏丹政府出售或供应安东诺夫 An-26 飞机、对此类飞机进行保养、或为此类飞机供应零部件，无论此类飞机是否源于本国，除非按照第 1945(2010)号决议第 10 段的要求出具适当的最终用途认证，注意到安东诺夫 An-26 型飞机虽然为军民两用设计，但在达尔富尔一直主要用于军事目的，包括开展进攻性飞越；

国际人道主义法

(b) 促请政府确保与达尔富尔冲突相关联的所有被囚禁者、包括纳卡拉战役的俘虏，都能获得《1949 年 8 月 12 日日内瓦四公约》、《1949 年日内瓦四公约 1977 年附加议定书》和《囚犯待遇最低限度标准规则》规定的基本保障和保护，并准许一个中立的人道主义组织自由接触与冲突相关联的所有被囚禁者；

(c) 促请政府确保在达尔富尔充分执行《儿童权利公约关于儿童卷入武装冲突问题的任择议定书》的各项规定；

武装团体的资金来源

(d) 敦促政府加强出关管制，禁止非法运送黄金等自然资源；

旅行禁令

(e) 敦促会员国向国际刑警组织提交被指认个人的任何图片和其他生物鉴别数据，供列入国际刑警组织-联合国安全理事会特别通告；

总体情况

(f) 鼓励政府与世界海关组织及其他有关投送机构合作，制订边境管理能力建设方案，以加强苏丹政府相关边境管理机构的能力；

(g) 小组在机密附件中提供了符合第 1591(2005)号决议第 3(c)段和第 2035(2012)号决议第 3 段所述列名标准的个人和实体的资料。

Annex 1

Details of the Panel's mandate and methodology

A. Mandate details

1. In paragraphs 7 and 8 of its resolution 1556 (2004), the Security Council imposed an arms embargo on all non-governmental entities and individuals, including the “janjaweed”, operating in the states of North Darfur, South Darfur and West Darfur. In its resolution 2035 (2012), the Council extended the reference to the three states of Darfur to all the territory of Darfur, including the new states of Eastern and Central Darfur created on 11 January 2012. In paragraph 7 of its resolution 1591 (2005), the Council extended the arms embargo to include all parties to the N'Djamena Ceasefire Agreement and any other belligerents in the aforementioned areas. In paragraphs 3 (d) and 3 (e) of that resolution, the Council imposed targeted travel and financial sanctions on designated individuals (the listing criteria were further extended to entities in resolution 2035 (2012)), to be designated by the Security Council Committee established pursuant to resolution 1591 (2005), on the basis of the criteria set out in that resolution. In its resolution 1672 (2006), the Council designated four individuals. The enforcement of the arms embargo was further strengthened by resolution 1945 (2010).

2. The Panel operates under the direction of the Security Council Committee established pursuant to resolution 1591 (2005). The mandate of the Panel, as set out in resolution 1591 (2005), is:

(a) To assist the Committee in monitoring implementation of the arms embargo;

(b) To assist the Committee in monitoring implementation of the targeted travel and financial sanctions; and

(c) To make recommendations to the Committee on actions that the Security Council may want to consider.

3. In its resolution 2200 (2015) and preceding resolutions, the Security Council also requested that the Panel:

(a) Continue to coordinate its activities, as appropriate, with the operations of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) and with international efforts to promote a political process in Darfur, and with other Panels or Groups of Experts, established by the Security Council, as relevant to the implementation of its mandate;

(b) Assess in its interim and final reports:

(i) Progress towards reducing violations by all parties of the measures imposed by paragraphs 7 and 8 of resolution 1556 (2004), paragraph 7 of resolution 1591 (2005) and paragraph 10 of resolution 1945 (2010);

(ii) Progress towards removing impediments to the political process and threats to stability in Darfur and the region;

(iii) Violations of international humanitarian law violations of international humanitarian law or violations or abuses of human rights, including those that involve attacks on the civilian population, sexual- and gender-based violence and violations and abuses against children;

(iv) Other violations of the above-mentioned resolutions;

(c) Provide the Committee with information on those individuals and entities meeting the listing criteria in paragraph 3 (c) of resolution 1591 (2005); and

(d) Continue to investigate the financing and role of armed, military and political groups in attacks against UNAMID personnel in Darfur, noting that individuals and entities planning, sponsoring or participating in such attacks constitute a threat to stability in Darfur and may therefore meet the designation criteria provided for in paragraph 3 (c) of resolution 1591 (2005).

B. Methodology

4. The Panel followed a professional and technical methodology underpinned by the maintenance of transparency, objectivity, impartiality and independence. The Panel worked in full conformity with the best practices and methods recommended by the Security Council's Informal Working Group on General Issues of Sanctions (see S/2006/997). Emphasis has been placed on the adherence to standards regarding transparency and sources, documentary evidence, corroboration of independent verifiable sources and providing the opportunity to reply. The Panel based its reasoning on a balance of probability to ascertain that a reported fact or piece of information can be substantiated on the basis of a credible source or verifiable evidence.¹

5. The Panel has placed importance on the rule of consensus and agreed that, if differences and/or reservations arise during the development of reports, it would only adopt the text, conclusions and recommendations by a majority of four out of the five members. In the event of a recommendation for designation of an individual or a group, such recommendation would be done on the basis of consensus.

6. In line with guidance received from the Security Council's Informal Working Group on General Issues of Sanctions (see S/2006/997), the Panel has offered the opportunity to reply to Member States, entities and individuals involved in the majority of incidents that are covered in this update. Their response has been taken into consideration in the Panel's findings.

¹ Terminology relating to the probability of an event, shown in bold in the report, uses a qualitative statement to reflect as associated probability or confidence percentage. (**Certain** > 99%, **Almost Certain** 90-98%, **Highly Probable** or **Highly Likely** 75-89%, **Probable** or **Likely** 55-74%). The term awarded is based on a subjective assessment of the quality of the combination of quantitative and qualitative evidence the Panel has seen and/or had access to.

Annex 2

Summary of Panel travel

<i>Expert</i>	<i>March 2015</i>	<i>April 2015</i>	<i>May 2015</i>	<i>June 2015</i>	<i>July 2015</i>	<i>August 2015</i>	<i>September 2015</i>	<i>October 2015</i>	<i>November 2015</i>
	12		25-29	1-30	1-3 26-31	1-5/6-8/9-11/18-22/ 23-24/25-26	8-11 30	1-3/4-8/9-30	5-9/10-24
Coordinator/ Finance	Appointed		New York	Sudan	Sudan/Brindisi	Brindisi/Spain/ Belgium/New York/ France/Ukraine	New York/Greece	Greece/UAE/ Sudan	Geneva/Brindisi
	12	1-30	10-25	17-30	1-3/6-9/26-31	1-5	23-30	1-12	5-7/10-24
Arms	Appointed	Awaiting Visa	Sudan	Sudan	Sudan/London/ Brindisi	Brindisi	Sudan	Sudan	London/Brindisi
	12	1-30	11-26	17-30	1-3 26-31	1-5 25-26	8-11 12-29 30	1-3 13-27	10-24/25-26
Aviation	Appointed	Awaiting Visa	Sudan	Sudan	Sudan/Brindisi	Brindisi/Ukraine	New York/Sudan/ Greece	Greece/Sudan	Brindisi
	12	1-30	3-6/7-11/20-31	1-30	1-3/6-9/ 26-31	1-3	8-11 12-24	1-28	5-7/8-10/10-24/25-26
IHL	Appointed	Awaiting Visa	Geneva/ Netherlands/ Sudan	Sudan	Sudan/London/ Brindisi	Brindisi	New York/Sudan	Sudan	UK/Geneva/Brindisi/ Netherlands
	12	1-30	3-7/8-23/24-31	1-3	1-25 26-31	1-5/6-8/9-11/12-16/ 23-24		4-8/9-31	10-24
Regional	Appointed	Awaiting Visa	New York/Sudan/ Chad	Ethiopia	Sudan/Brindisi	Brindisi/Spain/ Belgium/UAE/France		UAE/Sudan	Brindisi

Annex 3

‘The opportunity to reply’ methodology used by the Panel

1. Although sanctions are meant to be preventative not punitive, it should be recognized that the mere naming of an individual¹ in a report as recommended for designation, impacts adversely on the fundamental human rights and reputation of the person. As such, it is important that the Panel allows the individual concerned to provide an alternative narrative and to provide concrete and specific information/material to support the narrative. Through this interaction, the individual is given the opportunity to demonstrate that his/her conduct does not fall within the relevant listing criteria. This is called the ‘opportunity to reply’.
2. The Panel’s methodology on the opportunity to reply is as follows:
 - (a) Providing an individual with an ‘opportunity to reply’ should be the norm;
 - (b) It is reasonable for the Panel to deny an individual an opportunity to reply if a Panel concludes based on credible evidence that doing so would:
 - (i) Result in the individual moving assets if he/she receives advance warning of a possible recommendation for designation;
 - (ii) Restrict further access of the Panel to vital sources or areas;
 - (iii) Endanger Panel sources or Panel members;
 - (iv) Adversely and gravely impact humanitarian access for humanitarian actors in the field; and/or
 - (v) For any other reason that can be clearly demonstrated as reasonable and justifiable in the prevailing circumstances.
3. Unless any of 2 (b) (i) to (v) above apply, members of the Panel should be in a position to provide an individual with an opportunity to reply, and for the individual to communicate directly to the Panel to convey his/her personal determination as to the level and nature of interactions with the Panel.
4. Interactions between the Panel and the individual should be direct, unless in exceptional circumstances.
5. In no circumstances can third parties, without the knowledge of the individual, determine for the individual his/her response or level of interaction with the Panel.
6. The individual, on the other hand, in making his/her determination of the level and nature of interaction with the Panel, may consult third parties or allow third parties (for example, legal representatives or his/her government) to communicate on his/her behalf on subsequent interactions with the Panel.
7. The key requisite is that the Panel, at the conclusion of its investigations, is able to directly communicate with the individual to afford the ‘opportunity to reply’ to allegations against him/her. Some possible differences between a right of reply (after designation) and the opportunity to reply (before designation) are as shown in the table below:

¹ The term ‘individual’ in this note includes entities that may also be recommended for designation.

<i>Question</i>	<i>Right of Reply</i>	<i>Opportunity to Reply</i>
Who is the responsible entity?	A duly appointed focal person/ ombudsperson with the ability to provide an effective remedy.	The Panel
When should the right of reply/ opportunity to reply be given?	After the individual/entity is designated.	If possible before an individual or entity is named in the report as having violated the sanctions regime and definitely before a confidential recommendation is made to the Sanctions Committee recommending designation.
What are the objectives sought to be achieved?	To afford the individual/entity the ability to contest the listing/ designation. It is up to the relevant competent body to decide on the extent of information shared with the individual/entity, but it should be sufficiently detailed to enable him to prepare an informed response.	To allow the Panel to complete its investigation and to ensure that the individual/entity does not have an alternative narrative that requires further investigation prior to a recommendation for designation.
What information should be shared with the individual/ entity?	Information deemed necessary by the competent authority.	<p>Sufficient information on the activities being investigated.</p> <p>Outline of allegations against individuals/entities to enable them to provide an informed response to these allegations.</p> <p>Sufficient information on the relevant violations of the Security Council resolution.</p> <p>Any other information deemed relevant.</p>

Annex 4

Summary of Panel correspondence (12 February-29 November 2015)

This Annex summarizes the level of responses to the Panel's written requests for information from States, international organizations, national authorities or commercial entities.¹

Country/Organization	Number ² of letters sent ³	Information fully supplied	Information partially supplied	Information not supplied	No answer	Visit or Visa request(s)
		#	#	#	#	#
Austria	1	1				
Belarus	1				1	
Bulgaria	1				1	
China	1		1			
Djibouti	1	1				
Egypt	2		1		1	
Greece	1	1				4
Israel	1				1	
Italy	4		2		2	
Jordan	1				1	
Moldova	3	3				
Oman	1				1	
Panama	2	1		1		
Romania	3	3				
Russian Federation	1				1	
Sao Tome and Principe	1				1	
South Africa	1	1				
South Sudan	4				4	
Sudan	22	1	1 (Visit) ⁴ 6	2 (Meeting) ⁵ 2	10	8
Turkey	1	1				

¹ If the response to a Panel letter was verbal, or access was granted, or information shared in another way, then that has been included as an effective response. Therefore the number of letters sent by the panel does not equate to formal written responses.

² This does not include letters sent requesting visits or visas, these are recorded in the visit or visa request column. If the Panel has only ever written to a Member State for a visa request, and that request was expedited, then that Member State is not listed. This makes the data easier to interpret.

³ If a response was given as a result of a reminder letter then only one letter is recorded as being sent.

⁴ Access to captured weapons permitted in response to written request.

⁵ The meetings were not arranged as requested.

<i>Country/Organization</i>	<i>Number of letters sent</i>	<i>Information fully supplied</i>	<i>Information partially supplied</i>	<i>Information not supplied</i>	<i>No answer</i>	<i>Visit or Visa request(s)</i>
		#	#	#	#	#
UAE	6	1			5	3
Ukraine	4	4				2
UK	1		1			
USA	1				1	
SUB-TOTALS	65	19	10	6	31	17
ICGLR	1	1				
SRSG CAAC	1	1				
UNICEF	1	1				
WCO	1	1				
JEM	5				5	
SLA/AW	2				2	
SLA/MM	1				1	
Amros (Djibouti)	2	2				
Asterias (Panama)	2		2			
Cranfield (UK)	1				1	
Egypt Air (Egypt)	1	1				
Entity A	1	1				
Entity B	1		1			
Entity C	1		1			
Kamaz International Trading (UAE)	1				1	
MIC (Sudan)	2				2	
Individual A (Greece)	2	2				
Individual B (Greece)	1	1				
Streit (UAE)	3	1		1	1	
Toyota (Japan)	3	3				
Vision Valley (UAE)	1	1				
Wadi Al Neel (UAE)	1				1	

Annex 5**Summary of reported RSF operations in Darfur (01 January-30 September 2015)^{1 2}**

<i>Date</i>	<i>Location³</i>	<i>State</i>	<i>Target</i>	<i>Damage/Comment</i>	<i>Resulting IDP</i>	<i>Killed</i>	<i>Injured</i>
01 Jan	Dobo	South		Farms plundered		4	NK
01 Jan	Fananga ⁴	North	SLM/MM LFM ⁵			50+	NK
03 Jan	Funga Suk	North	SLA/AW			NK	NK
6/7 Jan	Tawila	North	SLM/MM	Villages plundered	50,000+	NK	NK
06 Jan	Shagar Gei	North				6	3
07 Jan	Birdik	North	SRF			NK	NK
08 Jan	Pious	East				NK	NK
11 Jan	Dillow	South				1	0
22 Jan	Deribat Area	North	SLA/AW			12	NK
22 Jan	El Malam	North				NK	NK
24 Jan	Kobos	North		Village plundered			
24 Jan	Golo	Central	SLA/AW	Village plundered		5	5
24 Jan	Arra	Central		Village arson		0	0
24 Jan	Koron	Central	SLA/AW			NK	NK
25 Jan	Sarrong	Central	SLA/AW			NK	4
25 Jan	Graida	South		Presence only		NK	NK
26 Jan	Golo Area	Central				7	13
28 Jan	Musbat	North				3	NK
30 Jan	Hamia Rotoke	South		Individual RSF soldier		1	0

¹ Multiple sources, including UN reports, print media, internet and radio.

² The dashed lines on this, and all subsequent, tables indicate the commencement of the mandate period or end of reporting quarters.

³ Identifying particular locations within Darfur remains a challenge for the Panel. UNAMID GEO maintains a database of over 4802 place names (and variations) with accurate GEO co-ordinates. This database is routinely updated. Yet government agencies, press reports, local residents and even UN organizations all use different spellings for the same place. The panel has been able to positively identify only 51% of the locations reported in this Table and those that follow.

⁴ <https://www.dabangasudan.org/en/all-news/article/sudan-s-forces-recapture-jebel-marra-area-from-darfur-rebels>.

⁵ Liberation Forces Movement.

<i>Date</i>	<i>Location</i> ³	<i>State</i>	<i>Target</i>	<i>Damage/Comment</i>	<i>Resulting IDP</i>	<i>Killed</i>	<i>Injured</i>
30 Jan	Um Meineilkhir	North		Village		1	1
30 Jan	Hashaba, Um Sidir, Basheen, Mellit	North		Villages		NK	NK
01 Feb	Ed el Gerid and Birdik	North		Villages		3	1
02 Feb	Graida	South	Fallata			5	3
03 Feb	Donkey Ba'ashim	North		Village		10	4
03 Feb	Tima	North		Village		NK	9
08 Feb	Korny	Central	SLA/AW			2	1
09 Feb	Khazan Tungar	Central	SAF Militia			9	12
15/16 Feb	Fama and Karkary	North		Cattle rustling		0	0
22 Feb	Shangil Tobaya	North	Civilian			1	0
24 Feb	Abu Sallalah	South	Civilian			2	0
24 Feb	Fanga	North	Civilian			1	0
02 Mar	Khor Almalih	North	SLA/MM	23 arrested and 6 vehicles captured by RSF		18	7
07 Mar	Tim Sahah	South	SRF			NK	NK
08 Mar	Tiro, Rokoro	North	SLA/AW	Village destroyed		6	NK
15 Mar	Nyala/Kass	South	Armed NK			2	0
18 Mar	Gemiza	South	Civilian			0	1
19 Mar	Wadi Ashara	North	Civilians	Cattle rustling		4	1
22 Apr	Golo	Central	Civilian	Convoy carrying oranges		0	0
26 Apr	Nakhara	South	JEM	Convoy		200	30
02 May	Jumeiza	North	SLM/MM			64 ⁶	NK
08 May	Dobo El Madrasa	North	Civilians	Village destroyed		3	0
13 May	Tawila	North	Civilians	Convoy looted ⁷		0	0
13 May	Gireida	South	Civilian	Armed robbery		1	0
16 May	Gireida	South	Civilian	Armed robbery		2	0

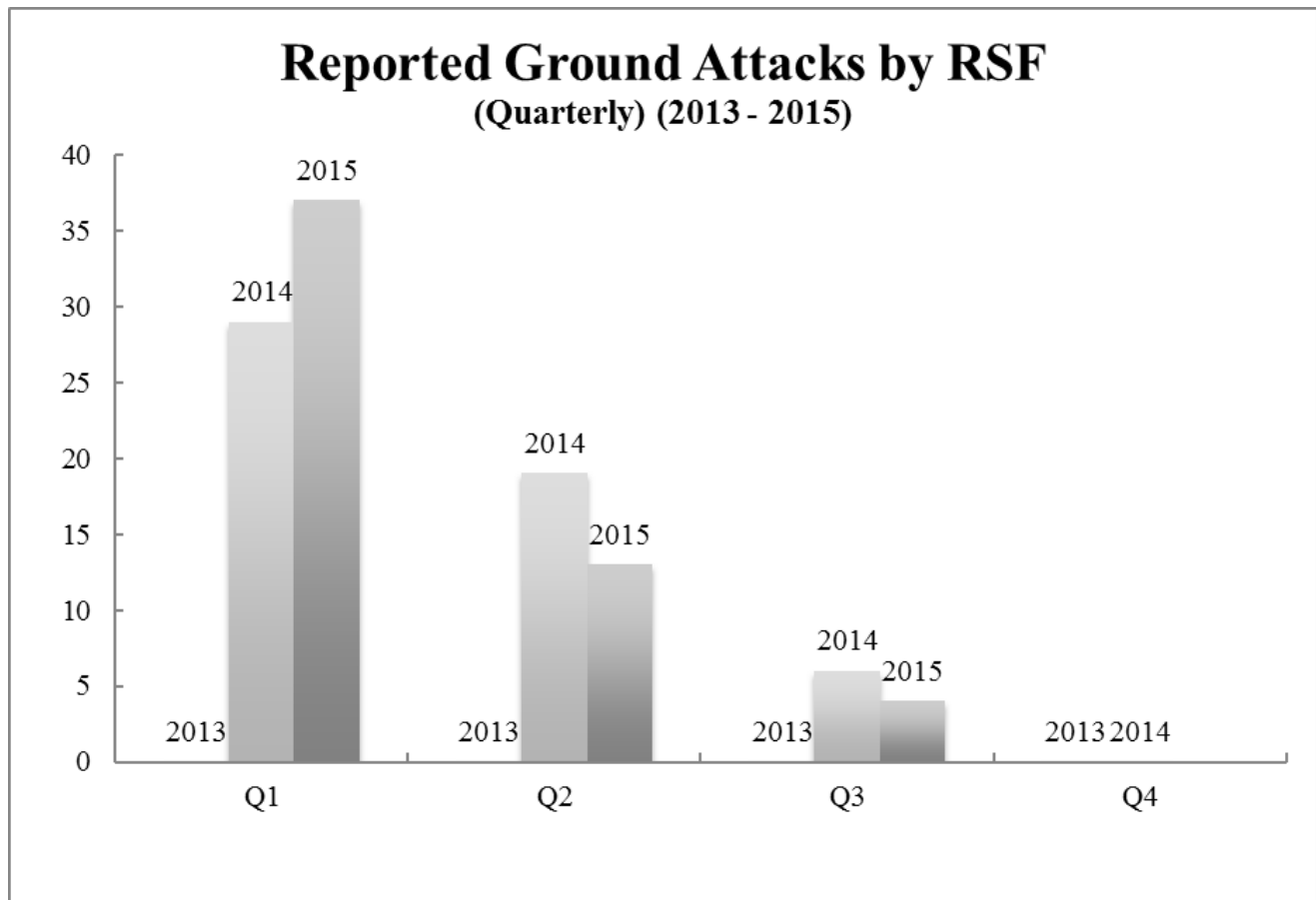
⁶ 60 x RSF Fatalities, 4 x SLA/MM.

⁷ RSF Force allegedly commanded by Colonel Gidou Mohamed Hamdan Ahmed.

<i>Date</i>	<i>Location</i> ³	<i>State</i>	<i>Target</i>	<i>Damage/Comment</i>	<i>Resulting IDP</i>	<i>Killed</i>	<i>Injured</i>
17/18 May	Abu Zereiga, Dolma, Humeida, Nemra, Masaleet, Sharafa, and Tokomari	North	Civilians	Villages attacked		0	NK
28 May	Um Bereida	South	Civilians	Dispute over sale of goods		2	1
28 May	Rahad El Berdi	South	Civilian	Alleged murder of civilian ⁸		1	0
02 Jun	Mere	South	Criminals	In support of CRP operation to recover UNAMID vehicles.		6	3
06 Jun	Um Bululu IDP	West	Civilians	Armed dispute		1	4
24 Jul	Thur IDP	Central	IDPs	Attempted armed robbery		1	0
09 Sep	Aien Sero	North	Individuals	16 miners arrested		0	0
22 Sep	Tawila	North	Militias			4	13
28 Sep	Otash IDP	South	IDP	Accidental shooting		0	1

⁸ In this case it was reported that the individual RSF member was arrested and committed to trial.

Figure 5.1

Reported RSF initiated armed violence (Quarterly Analysis 2013-2015)

Annex 7**Summary of reported¹ non-signatory group initiated armed violence (01 January-30 September 2015)²**

			Non-signatory group							Target		Government Casualties		
			JEM	LJM	SLA-AK ³	SLA-AW	SLA-MM	SPLM-N	SRF	GoS	NK	Fatal	Injured	
Date	Location (Town)	Sector												Remarks
04 Jan	Fanga Suk	North					P		X		NK	NK		Counter-Attack
16 Feb	Golo	North					P		X		NK	NK		
18 Feb	Karmel	North					P		X		14	NK		Internal feud
19 Feb	Golo	North						P	X		9	NK		
24 Feb	Guldo	North					P		X		NK	NK		
8 Mar	Golo	North					P		X		9	NK		
9 Mar	Nooni	Central					P		X		4	NK		
10 Mar	El Fasher	North	PX								0	0		
13 Mar	Rokoro	Central					P		X		68	100+		
24 Mar	Kora	Central					P		X		5	7		Civilians killed
26 Apr	Buram, Sesseban and Antikina	South	P				P		X		NK	NK		Attacked RSF. Armed force of 300 vehicles and 5 tanks
02 May	Jumeiza	North					P		X		60	9		Attacked Fur tribe
10 May	Niskam, Rokoro	North					P			X	NK	NK		

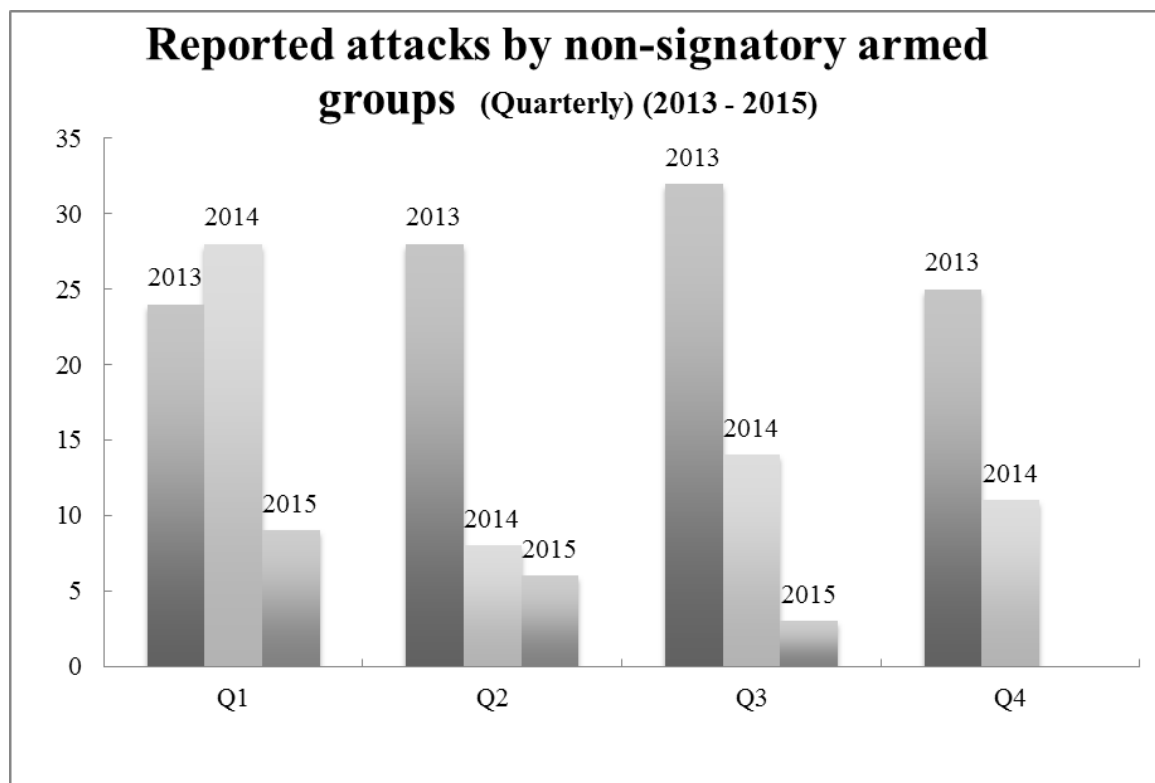
¹ These are incidents reported from a range of sources, cross-referenced against UNAMID reporting to establish veracity where possible. The data does not necessarily include un-reported incidents of armed violence, but does indicate the magnitude of the issue. The data is included as it is 'reported' and therefore may not necessarily be totally accurate.

² P = Perpetrator. X = Target. NK = Not Known, TBC = To Be Confirmed.

³ Also reported as being called the Sudan Liberation Movement for Justice (SLMJ) or SLA/Justice.

<i>Date</i>	<i>Location (Town)</i>	<i>Sector</i>	<i>Non-signatory group</i>							<i>Target</i>		<i>Government Casualties</i>		<i>Remarks</i>
			<i>JEM</i>	<i>LJM</i>	<i>SLA-AK³</i>	<i>SLA-AW</i>	<i>SLA-MM</i>	<i>SPLM-N</i>	<i>SRF</i>	<i>GoS</i>	<i>NK</i>	<i>Fatal</i>	<i>Injured</i>	
09 Jun	Savanga, Dubo Neita, Golo	Central				P				X		30	38	Convoy of 82 x 4X4 attacked
15 Jun	Seleah	West				P				X		2	5	2 4x4 seized
16 Jun	Sirba	West				P				X		NK	NK	
16 Jun	Burgo, Rokoro	Central				P				X		NK	NK	
03 Jul	Guldo	North				P				X		1	2	Arms seized
14 Jul	Kafod	North							P	X		1	0	SLA Free Will attacked PDF Camp
14 Jul	Kafod	North							P	X		6	3	SLA Free Will attacked PDF Funeral
06 Sep	Kurra, Rokoro	Central				X					X	0	0	Details NK

Figure 7.1
Reported non-signatory armed group initiated armed violence
(Quarterly Analysis 2013-2015)



Annex 8

Summary of non-signatory armed group weapon and ammunition seizures claimed by Government

The Panel was allowed to inspect weapons in the custody of the RSF on 30 June 2015, but could not independently verify they were all ex-JEM. The age and condition of these weapons were also of such poor quality that the initiation of tracing requests would almost certainly not result in any evidence emerging as to their supply route to Darfur.

8.1 Weapons

<i>Date</i>	<i>Location</i>	<i>Group</i>	<i>Assault Rifles</i> 7.62mm	<i>Medium Machine</i> 12.7mm	<i>Heavy Machine</i> 14.5mm	<i>Gun</i> ¹ 23mm	<i>Anti-Aircraft Gun</i> ² 30mm	<i>Grenade Launcher</i> 37mm	<i>Cannon</i> 40mm	<i>RPG 7</i> 73mm	<i>Recoilless Rifle</i> (RCL) ³ 82mm	<i>RCL</i> 106mm	<i>MBRL</i> ⁴ 107mm	<i>MBRL</i> ⁵ 122mm	<i>Total</i>
2 Mar	Khor Almalih	SLA/MM		6	1										7
26 Apr	Nakhara Area ⁶	JEM	500+		15	6	1	2		5	3	4	11	4	647+
7 Jun	El Fasher ⁷	SLA/MM	24	5		2			5			2			38
TOTALS			524+	11	16	8	1	2	5	5	3	6	11	4	692

8.2 Vehicles

Over 172 vehicles, mainly 4x4 type, were claimed by the RSF to have been captured by the Government from the non-signatory armed groups.

¹ ZPU-24 or Type 56 variant. (*Zenitnaya Pulemetnaya Ustanovka*. (Anti-Aircraft Gun)).

² ZU-23-2 or Type 80 variant. (*Zenitnaya Ustanovka*. (Anti-Aircraft Gun)).

³ 82-PM or Type 67 variant.

⁴ Multi-Barrel Rocket Launcher.

⁵ BM-21 or Type 89 variant.

⁶ Data from Government supplied on 22 September 2015 by the NFP. Verbal discussions with an RSF Commander at the Nyala weapons warehouse suggested that the number of weapons captured was much greater (as reported in the Panel mid term report).

⁷ Orgajur Group moved over to the Government on 7 June 2015.

8.3 Ammunition (Rounds)

<i>Date</i>	<i>Location</i>	<i>Group</i>	<i>7.62mm</i>	<i>12.7mm</i>	<i>14.5mm</i>	<i>23mm</i>	<i>40mm RPG</i>	<i>Total</i>
2 Mar	Khor Almalih	SLA/MM						
26 Apr	Nakhara Area	JEM						
7 Jun	El Fasher	SLA/MM	410	1,500	3,050	1,992	66	
TOTALS			410	1,500	3,050	1,992	66	6,718

Annex 9**Summary of reported¹ armed violence initiated by Government (non-RSF) forces
(01 January-30 September 2015)^{2 3 4}**

Date	Location (Town)	Sector	Target														Casualties		Remarks
			JEM	LJM-TH	SLA-AW	SLA-MM	SPLA	SPLM-N	SRF	IDP	Civilian	Criminal	SAF	NK	Fatal	Injured			
02 Jan	Grindling	West								X					0	2	Drunk SAF soldier committed offence		
03 Jan	Funga Suk	North				X									NK	NK			
07 Jan	El Geneina	West									X				1	0	GoS Police members initiated attack??		
13 Jan	Orchi	North				X									39	NK	SLA/MM Commander Mohamed Harry Shardgo killed		
19 Jan	Nyala	South									X				0	9	During demonstration at market		
16 Feb	Kanzanjadeed	East									X				2	2	PSO ⁵ stopping civilian violence		
20 Feb	Maila	East			X										11	NK			
20 Feb	Golo	East			X										NK	NK			
21 Feb	Golo	East			X										NK	19			
22 Feb	Abu Karinka	East												X	2	2	PDF v SAF		
04 Mar	Ed Daein	East									X				1	0	Drunk CRP member committed offence		
04 Mar	Garsila	West												X	1	0	SAF soldier shot CRP Officer		
09 Mar	Terro	Central									X				0	0			
12 Mar	Sirba	West									X				1	0	GoS Police members		
30 Mar	Zamzam	North								X					1	0	CRP member was drunk		
30 Mar	Kabkabiya	North									X				0	1	Stray round from warning shots		

¹ These are incidents reported from a range of sources, cross-referenced against UNAMID reporting to establish veracity where possible. The data does not necessarily include un-reported incidents of armed violence, but does indicate the magnitude of the issue. The data is included as it is 'reported' by various sources and therefore may not necessarily be totally accurate. Data has been included for the 4 first three Quarters of 2015 only, which allows for trend analysis against previous years activities.

² P = Perpetrator. X = Target. NK = Not Known. TBC = To Be Confirmed.

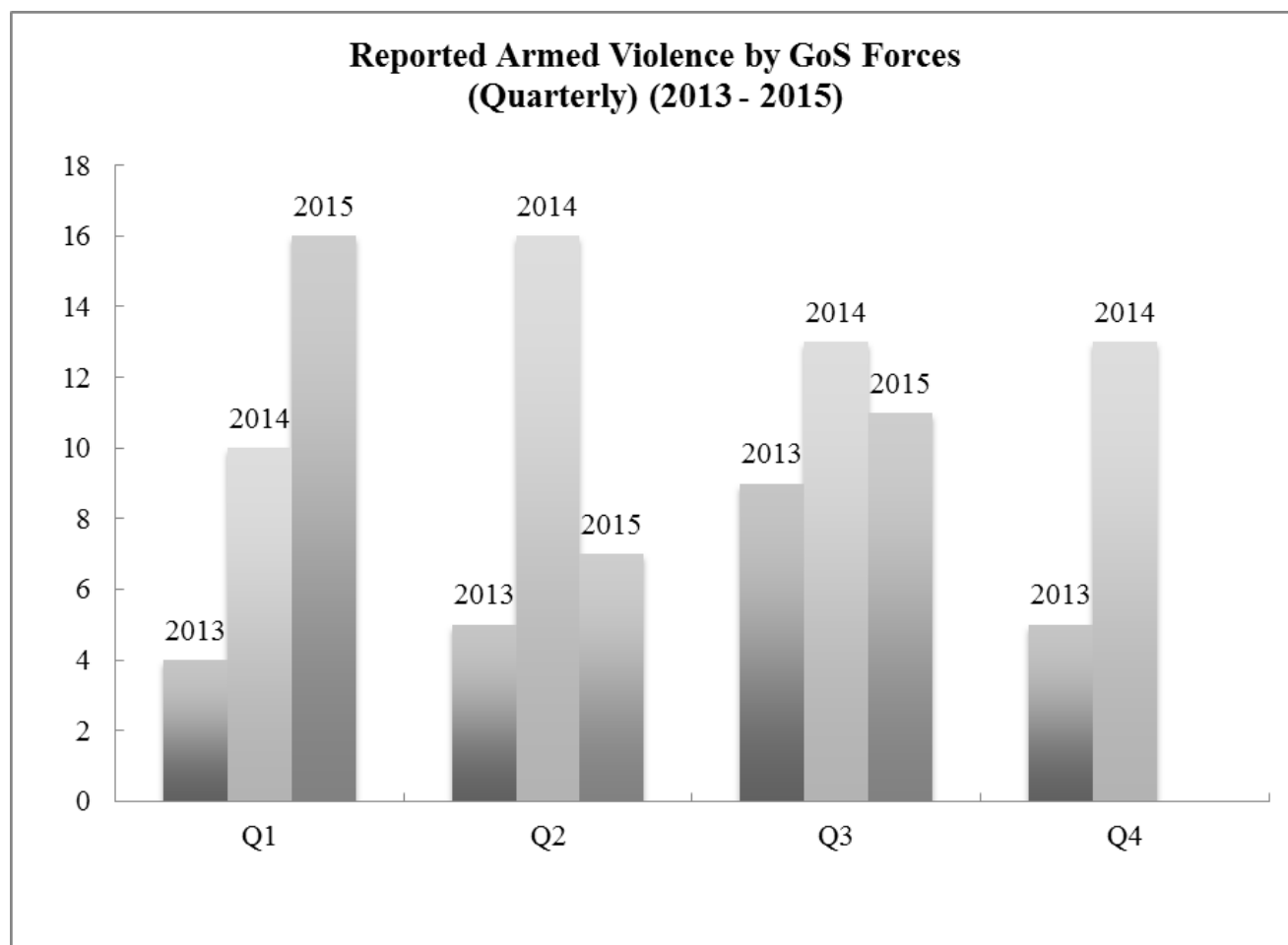
³ The dashed lines on this, and all subsequent, tables indicate the commencement of the mandate period or end of reporting quarters.

⁴ This table does NOT include attacks initiated by the RSF against civilian targets. These are covered in annex V.

⁵ Peace Support Operation.

Date	Location (Town)	Sector	Target														Casualties		Remarks
			JEM	LJM-TH	SLA-AW	SLA-MM	SPLA	SPLM-N	SRF	IDP	Civilian	Criminal	SAF	NK	Fatal	Injured			
06 Apr	Tofai, El Kuma	North									X					2	0	Border Guards attack	
09 Apr	Al Wihda, Nyala	South									X					1	0	Stray round	
13 Apr	Mournei IDP	West							X							0	9	Stray rounds	
14 Apr	Zalinegei	Central										X				2	18	Related to prison escape	
16 Apr	Kuma	North									X					0	0	Armed carjacking by CRP of INGO 4X4	
17 Apr	Al Jeer	South									X					1	0	Stray rounds	
17 Apr	Labado	East											X			0	0	“Blue on Blue”. SAF v SAF	
18 Apr	Foro Baranga	West									X					1	0	Stray round	
27 Apr	Um Takina	South	X													0	0	40 captured by PDF	
28 Apr	Graida	South									X					1	0	SAF personal dispute, No arrest.	
07 May	Near Rockero	Central			X											6	1	Border Guards attack	
31 May	Abuzar	West									X					1	0	GoS Police shot 14yr old boy	
08 Jun	Tawila	North										X				7	6	Stopped armed robbery	
06 Jul	El Geneina	West									X					0	1	Injured during inter GoS fight	
09 Jul	Korma IDP	North							X							0	1	Negligent discharge by SAF	
14 Jul	Kafout	North									X		X			3	0	PDF v Militia	
18 Jul	Bardani	West									X					0	1	SAF at bus at checkpoint	
19 Jul	Tawila	North												X		0	0	CRP	
24 Jul	Anka	North									X					9	4	Killers in CRP and SAF uniforms	
4 Aug	Zalingei	Central									X					1	0	SAF officer in self-defence	
9 Aug	Amin Abid	North									X					1	1	At VCP when vehicle failed to stop	
14 Aug	Althoprah	Central									X					1	1	Drunken BG	
28 Aug	Nertiti	Central											X			1	2	“Blue on Blue”	
31 Aug	Dimo	South									X					2	0	“Tortured to Death Allegation”	

Figure 9.1

Reported Government initiated armed violence (Quarterly Analysis 2013-2015)

Annex 10**Summary of reported¹ armed violence against UNAMID (01 January-30 September 2015)^{2 3}**

Date	Location	Sector	UNAMID Target					Casualties		Remarks	
			Base	TS	Patrol	Residence	Individual(s) A/C ⁴	Perpetrator	Fatal		Injured
06 Jan	Karesmano	South			X			Armed NK	0	0	5/2 attackers killed/wounded
06 Jan	Habilla	West			X			Armed NK	0	0	
06 Jan	Sheria	East		X				SAF	0	0	Stray bullet
07 Jan	Tulus	South		X				Armed NK	0	0	Random shooting
12 Jan	El Fasher	North					X	Armed NK	0	0	Armed carjacking
23 Jan	El Fasher	North					X	Armed NK	0	0	Attempted robbery
26 Jan	El Fasher	North					X	Armed NK	0	0	Armed carjacking
29 Jan	Zalingei	Central					X	Armed NK	0	0	2 UN contract aircrew abducted
11 Feb	El Fasher	North					X	Armed NK	0	0	Armed robbery
23 Feb	El Fasher	North					X	Armed NK	0	0	Armed carjacking
01 Mar	El Fasher	North					X	Armed NK	0	0	Armed carjacking
02 Mar	El Fasher	North					X	Armed NK	0	0	Armed robbery
04 Mar	El Fasher	North					X	Armed NK	0	0	Armed carjacking
10 Mar	Kutum	North			X			Armed NK	0	1	UNAMID returned fire to protect WFP convoy
15 Mar	El Fasher	North			X			Armed NK	0	0	Garbage truck car-jacked

¹ These are incidents reported from a range of sources, cross-referenced against UNAMID reporting to establish veracity where possible. The data does not necessarily include un-reported incidents of armed violence, but does indicate the magnitude of the issue. The data is included as it is 'reported' and therefore may not necessarily be totally accurate.

² P = Perpetrator. X = Target. NK = Not Known. TBC = To Be Confirmed.

³ The dashed lines on this, and all subsequent, tables indicate the commencement of the mandate period or end of reporting quarters.

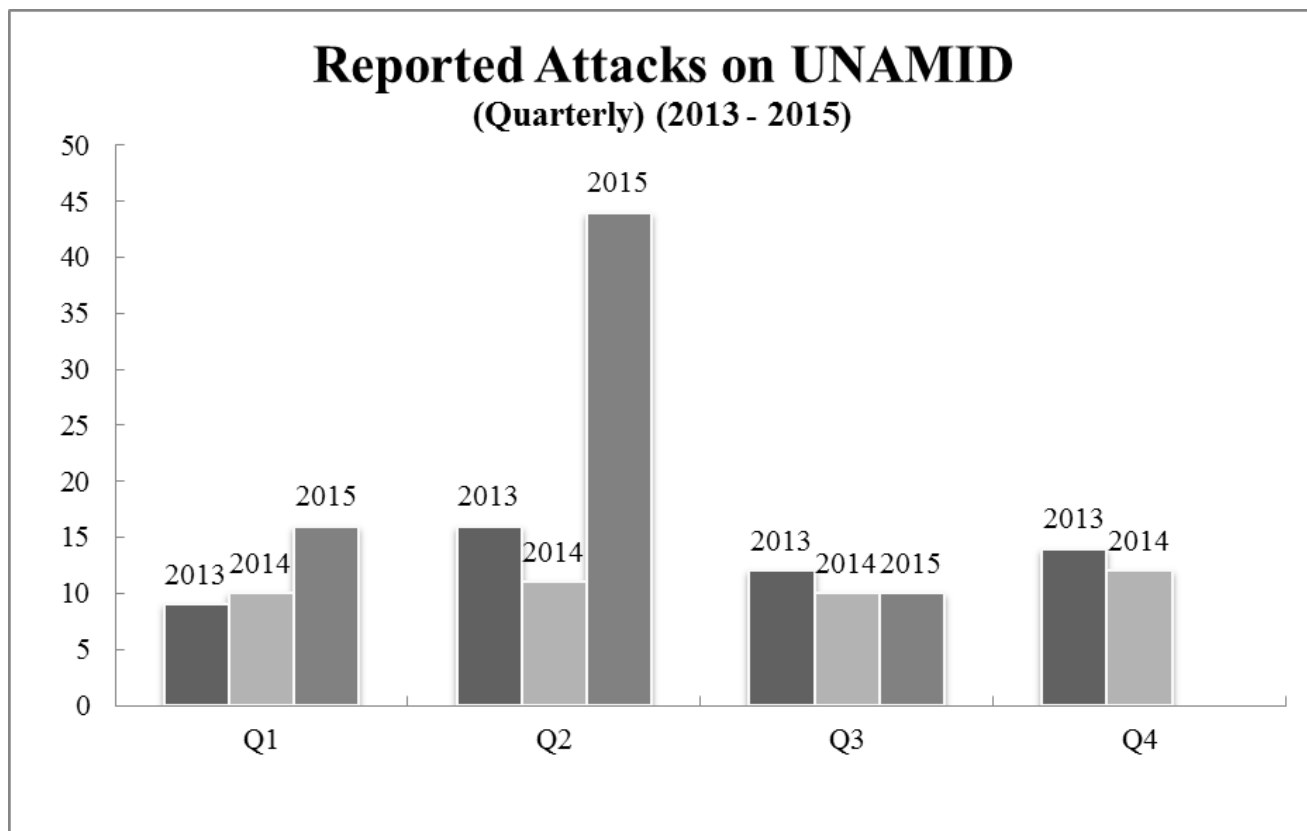
⁴ Aircraft.

Date	Location	Sector	UNAMID Target					Casualties		Remarks	
			Base	TS	Patrol	Residence	Individual(s) A/C ⁴	Perpetrator	Fatal		Injured
20 Mar	Tulus	South		X				Armed NK	0	0	Shots fired from 400m
27 Mar	Tulus	South		X				Armed NK	0	0	Three shots fired
06 Apr	Rowata	Central			X			SAirF	0	0	SAirF bombs landed 200m away from UNAMID Patrol, APC was affected by fragmentation.
09 Apr	Nyala	South			X			Armed NK	0	0	Armed carjacking
22 Apr	El Fasher	North					X	Armed NK	0	0	Armed robbery
23 Apr	El Fasher	North					X	Armed NK	0	0	Armed robbery
23 Apr	El Fasher	North					X	Armed NK	0	0	Armed robbery, second incident
23 Apr	Kass	South			X			Armed NK	0	3	Armed attack, 4 attackers killed.
24 Apr	Kass	South			X			Armed NK	0	4	Armed attack.
25 Apr	El Fasher	North					X	Armed NK	0	0	Armed robbery
26 Apr	El Fasher	North					X	Armed NK	0	0	Armed robbery
26 Apr	El Fasher	North					X	Armed NK	0	0	Armed robbery
28 Apr	El Fasher	North					X	Armed NK	0	0	Armed robbery
29 Apr	El Fasher	North					X	Armed NK	0	0	Armed robbery
01 May	Tulus	South		X				Armed NK	0	0	Shots fired from 300m
06 May	El Fasher	North					X	Armed NK	0	0	Armed robbery 1
06 May	El Fasher	North					X	Armed NK	0	0	Armed robbery 2
07 May	El Fasher	North					X	GoS Diplomatic Police	0	0	Celebratory fire
07 May	El Fasher	North			X			GoS Diplomatic Police	0	0	Physical attack of convoy
09 May	El Fasher	North					X	Armed NK	0	0	Armed robbery
09 May	El Fasher	North			X			Armed NK	0	0	Attempted car-jacking

UNAMID Target								Casualties			
Date	Location	Sector	Base	TS	Patrol	Residence	Individual(s) A/C ⁴	Perpetrator	Fatal	Injured	Remarks
11 May	El Fasher	North					X	Armed NK	0	0	Armed car-jacking
11 May	Tulus	South		X				Armed NK	0	0	5 shots fired from 300m
11 May	Tulus	South			X			Armed NK	0	0	1 shot fired at QRF
12 May	Hillet Hashab	North			X			Armed NK	0	0	Disturbed village arson
13 May	Sharafa	North			X			Armed NK	0	0	Warning shots fired in air
13 May	Muhajeria	East					X	GoS MI	0	0	Warming shots to deter over-flight
25 May	El Fasher	North					X	Armed NK	0	0	Armed car-jacking
26 May	El Geneina	West					X	Armed NK	0	0	Armed car-jacking of water truck
30 May	El Fasher	North			X			Armed NK	0	0	Attempted car-jacking
31 May	El Fasher	North					X	Armed NK	0	0	Armed car-jacking
02 Jun	El Fasher	North					X	Armed NK	0	0	Armed robbery
04 Jun	Gibsra, Kutum	North			X			Armed NK	0	0	Armed car-jacking
05 Jun	El Fasher	North					X	Armed NK	0	0	Armed robbery
15 Jun	El Fasher	North			X			Armed NK	0	0	Attempted car-jacking
16 Jun	Quarin	North			X			Armed NK	0	0	Stray bullet towards UNAMID escorted convoy
19 Jun	El Fasher	North					X	Armed NK	0	0	Armed robbery
22 Jun	El Fasher	North					X	Armed NK	0	0	Attempted armed robbery
24 Jun	El Fasher	North					X	Armed NK	0	0	Armed robbery
27 Jun	El Fasher	North					X	Armed NK	0	0	Armed robbery
28 Jun	El Fasher	North					X	Armed NK	0	0	Armed robbery
28 Jun	Nyala	South			X			Armed NK	0	0	Armed car-jacking
28 Jun	El Fasher	North					X	Armed NK	0	0	Armed robbery
30 Jun	El Fasher	North					X	Armed NK	0	0	Armed robbery
30 Jun	El Fasher	North					X	Armed NK	0	0	Attempted car-jacking
05 Jul	Nyala	South			X			Armed NK	0	1	Attempted car-jacking

<i>Date</i>	<i>Location</i>	<i>Sector</i>	<i>UNAMID Target</i>					<i>Perpetrator</i>	<i>Casualties</i>		<i>Remarks</i>
			<i>Base</i>	<i>TS</i>	<i>Patrol</i>	<i>Residence</i>	<i>Individual(s) A/C</i>		<i>Fatal</i>	<i>Injured</i>	
09 Jul	El Geneina	North	X					SAF	0	0	During live firing training nearby
13 Jul	El Fasher	North					X	Armed NK	0	0	Attempted armed robbery
15 Jul	Bowa - Termes	North			X			Armed NK	0	0	Reason NK
23 Jul	Tulus	South		X				Armed NK	0	0	Reason NK
18 Aug	Aljazera	North			X			Armed NK	0	0	Weapons stolen
05 Sep	El Geneina	West	X					Armed NK	0	0	Stray bullet
06 Sep	Tulus	South		X				Armed NK	0	0	Shots at TS
09 Sep	Nyala	South					X	Armed NK	0	0	Attempted abduction of national staff
27 Sep	Mellitt	North			X			Armed NK	1	4	Five APCs attacked

Figure 10.1

Reported Armed Violence Attacks against UNAMID (Quarterly Analysis 2013-2015)

Annex 11**Summary of reported¹ armed inter-tribal violence (01 January-30 September 2015)^{2 3}**

Date	Attack Location (Town)	Sector	Armed tribes involved																Casualties		Remarks
			Abbala	Beni Halba	Beni Hussein	Fallata	Fur	Habbiniya	Hamar	Maaliya	Massalit	Misseriya	Nwaiba	Rezeigat	Salamat	Tamar	Tarjam	Taisha	Other or NK	Fatal	
13 Jan	Beighit	East							P				X						1	7	
15 Jan	Abu Zabra	East							X				P						4	2	
18 Jan	Baba	South					P X												1	1	
21 Jan	Shearia IDP	East									P						X	1	0		
30 Jan	Al Nadif	South			X									X				19	30		
01 Feb	Forika and Donkey Abiad	South			P				X									7	17		
02 Feb	Dikkar	South			X				P												
05 Feb	Gemesa	South			X									X				3	2		
05 Feb	Korti	West															PX	2	14	Maharia v Awlad Najaa	
22 Feb	Al-Qirfa	East						X	X									3	4		
27 Feb	Sari	North																5	NK	Berti v Zeyadiyah	
28 Feb	Markisi	North																4	3	Zeyadiyah v Berti	
06 Mar	Orokom	Central	X														X	4	4	Borno	
08 Mar	Kreneik	Central														X	P	1	1		
17 Mar	Markisi	North															PX	22	2	Berti v Zeyadiyah	
18 Mar	Kuliet, Mellit	North															PX	0	2	Berti v Zeyadiyah	
19 Mar	Mellit	North															PX	28	10+	Berti v Zeyadiyah	
19 Mar	Kuli	North															PX	7	NK	Berti v Zeyadiyah, Berti in CRP uniform	

¹ These are incidents reported from a range of sources, cross-referenced against UNAMID reporting to establish veracity where possible. The data does not necessarily include un-reported incidents of armed violence, but does indicate the magnitude of the issue. The data is included as it is 'reported' and therefore may not necessarily be totally accurate.

² P = Perpetrator. X = Target. NK = Not Known. TBC = To Be Confirmed.

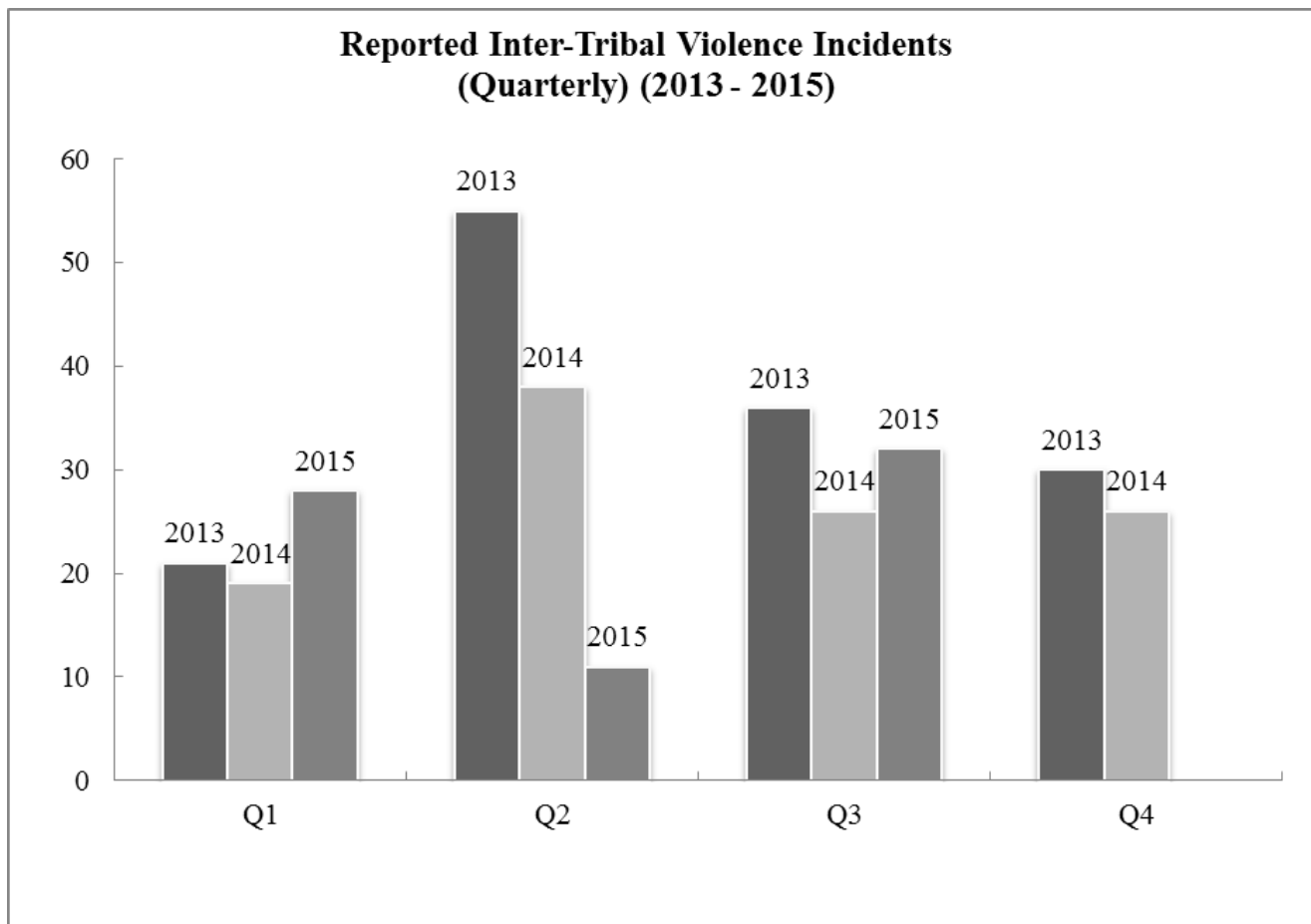
³ The dashed lines on this, and all subsequent, tables indicate the commencement of the mandate period or end of reporting quarters.

Date	Attack Location (Town)	Sector	Armed tribes involved																Casualties		Remarks
			Abbala	Beni Halba	Beni Hussein	Fallata	Fur	Habbiniya	Hamar	Maaliya	Massalit	Misseriya	Nwaiba	Rezeigat	Salamat	Tamar	Tarjam	Taisha	Other or NK	Fatal	
20 Mar	Mellit	North																PX	11	NK	Berti v Zeyadiyah
21 Mar	Buram	North				X								X					40+	60+	
22 Mar	Benama	North																PX	14+	NK	Berti v Zeyadiyah
24 Mar	El Sunta	South						X					X						14	22	
24 Mar	Burum, Nadhif	South				X								X					49	60	
24 Mar	Sukara and Ragtag	South				X								X					25	83	
24 Mar	Um Seleilo, Mellit	North																PX	5	NK	Berti v Zeyadiyah, Zeyadiyah in BG and CRP uniform
27 Mar	Tofai, Mellit	North																XP	1	0	Zeyadiyah x Berti
28 Mar	Mellit	North																	23	11	Berti v Zeyadiyah
01 Apr	Abu Karinka	East								X			P						30	NK	
03 Apr	Masteri	West									X								1	9	Inter Tribal
25 Apr	Abu Dungal	East								P			X						2	0	
26 Apr	Abu Dungal	East								X			P						8	4	
27 Apr	Haraza, Kass			X															1	0	Accidental clash between tribes who were pursuing JEM
28 Apr	Al Fadul	East								X			P						6	5	Cattle rustling
05 May	Kalamasina	Central													X		P		1	0	Reason NK
11 May	Abu Karinka									X			P						107 +	57+	
15 May	Anderi	West																PX	1	0	Mahariya v Najah
09 Jun	Um Shalaiya IDP	West					X											P	1	0	P was Mahadi
11 Jun	Um Shalaiya IDP	West					X											P	1	0	P was Mahadi, retaliation
01 Jul	Yassin	East																PX	5	7	Birgit v Khouzam
02 Jul	Yassin	South																XP	2	0	Birgit v Khouzam

Date	Attack Location (Town)	Sector	Armed tribes involved																Casualties		Remarks	
			Abbala	Beni Halba	Beni Hussein	Fallata	Fur	Habbiniya	Hamar	Maaliya	Massalit	Misseriya	Nwaiba	Rezeigat	Salamat	Tamar	Tarjam	Taisha	Other or NK	Fatal		Injured
02 Jul	Abu Demat	South					X			P				X						2	0	
03 Jul	Geigi	South						X						P						0	0	Cattle rustling
04 Jul	Talha	South						P						X						42	NK	Retaliation
04 Jul	Ingumbail	Central													P					1	5	
05 Jul	Sunta	South						X						P						6	11	More retaliation
05 Jul	Abu Gira	North																		15	4	Berti v Zeyadiyah
08 Jul	Ein El Dess	North																PX		5	4	Berti v Beni Omra
08 Jul	Fado	Central				P												P		1	0	
10 Jul	Hellit Ahmed Shaib	North																PX		0	0	Beni Omra v Berti
10 Jul	Hamada	South																PX		1	0	Birgid v NK
10 Jul	Kasangi	South																P		1	0	P = Umkamalti
13 Jul	El Ferida	East						X						X						1	1	Reason NK
14 Jul	Al Sunta	South					X	P						X						42	NK	Related to cattle rustling
15 Jul	Al Sunta	South		X				X						P						130	40	Retaliation
23 Jul	Adikong	West				X														0	2	Mahiya v Nagaa
27 Jul	Mellit	North	P		X													PX		2	3	Beni Omra v Berti
29 Jul	Beer Madena	West	P		X					X								P		0	2	
13 Aug	Amud el Arden	South													X					62	31	Related to cattle rustling
16 Aug	El Miram	East									X			P						1	0	Related to cattle rustling
17 Aug	Osman Douma	North																X		0	0	Berti Targets
17 Aug	Husban Duma	North																P		10	NK	Berti Revenge
18 Aug	Karoya Laban	North																X		2	2	Berti
31 Aug	Katur	North																P		1	4	Cattle rustling
01 Sep	Uyer	West																X		1	1	Awlad
06 Sep	Shaq El Simea	North																X		1	10	Berti
08 Sep	Gusa	North																		0	2	
08 Sep	Gusa	North																		0	2	Incident 2
13 Sep	Adilla	East								P				X						0	5	

Date	Attack Location (Town)	Sector	Armed tribes involved															Casualties		Remarks	
			Abbala	Beni Halba	Beni Hussein	Fallata	Fur	Habbiniya	Hamar	Maaliya	Massalit	Misseriya	Nwaiba	Rezeigat	Salamat	Tamar	Tarjam	Taisha	Other or NK		Fatal
21 Sep	Sheiria	East	P										X						3	5	In retaliation for rustling
26 Sep	Kabkabiya	North	PX																1	1	Tribesman v GoS Police

Figure 11.1
Reported inter-tribal armed violence (Quarterly Analysis 2013-2015)



Annex 12**Summary of reported¹ ‘Militia’,² ‘Arab Militia’ or ‘Unidentified’ initiated armed violence
(01 January-30 September 2015)^{3 4}**

<i>Date</i>	<i>Location (Town)</i>	<i>Sector</i>	<i>Target</i>					<i>Fatal</i>	<i>Injured</i>	<i>Remarks</i>
			<i>AOG</i>	<i>Civilian</i>	<i>GoS</i>	<i>NGO</i>	<i>TAG</i>			
02 Jan	Biera	North		X				7	2	
03 Jan	Nertiti	Centre		X				0	0	
07 Jan	Kerenek	West		X				0	2	
07 Jan	Birdik	North		X				10	NK	
11 Jan	Umgozeen	North		X				1	2	
11 Jan	Sany Haya	North		X				3	0	
13 Jan	Orchi	North	X					1	0	An SLA/MM Commander killed
17 Jan	Sasusa	North		X				1	10	
18 Jan	Al Salam	West		X				0	2	
19 Jan	Camp Habat	Central		X				0	1	
19 Jan	Taradona	North		X				2	2	
19 Jan	Hamida	West		X				1	0	
22 Jan	Taradona	North		X				2	2	
22 Jan	Um Baru	North		X				2	0	
22 Jan	Girgera	North		X				2	0	
24 Jan	Saraf Umrū	North		X				1	3	Armed robbery
24 Jan	Sirba	West		X				0	2	
29 Jan	Tur	South		X				0	2	Possible Border Guard
30 Jan	Gireida	South		X				1	5	
31 Jan	Saadoun	South		X				0	4	

¹ These are incidents reported from a range of sources, cross-referenced against UNAMID reporting to establish veracity where possible. The data does not necessarily include un-reported incidents of armed violence, but does indicate the magnitude of the issue. The data is included as it is ‘reported’ and therefore may not necessarily be totally accurate.

² These forces are not necessarily the Militia as defined in Annex A. They were reported as such by witnesses and were certainly uniformed and armed.

³ P = Perpetrator. X = Target. NK = Not Known. TBC = To Be Confirmed.

⁴ The dashed lines on this, and all subsequent, tables indicate the commencement of the mandate period or end of reporting quarters.

Date	Location (Town)	Sector	Target					Fatal	Injured	Remarks
			AOG	Civilian	GoS	NGO	TAG			
31 Jan	Malagat Ward	North		X				1	1	
01 Feb	Abuteriza	South		X				1	0	
02 Feb	Kutum	North		X				1	0	At Militia Toll
04 Feb	Mursal	North		X				0	0	Village burnt
05 Feb	Um Siyala	North		X				0	1	Village burnt
05 Feb	Rijil Kubri	West		X				2	5	Domestic
06 Feb	Khor Tawani	South		X				0	1	
07 Feb	Giaybey	North		X				2	0	Rustling
08 Feb	Tabarat	North		X				2	4	Rustling
08 Feb	Marguba	North		X				0	1	Rustling
09 Feb	Mellit	North			X			1	2	Police station
09 Feb	Dhaka	South		X				0	4	
12 Feb	Mellit	North			X			0	1	
12 Feb	Um Haraz	North		X				5	5	Attack at water point
14 Feb	Dabanera	North		X				1	0	
19 Feb	Um Thojak	West		X				0	1	
20 Feb	Zalingei	Central		X				0	1	Armed robbery
21 Feb	Girfa	East		X				3	4	
22 Feb	Umlayouna	South		X				1	0	Possible CRP
22 Feb	Abu Selala	South		X				2	0	Armed robbery
24 Feb	Kabkabiya	North			X			0	1	GoS MI Officer
25 Feb	Kuma	North		X				1	1	
26 Feb	Oyur	Central		X				2	1	
02 Mar	Hamidiya	West		X				0	1	
02 Mar	Abdul Shakur	North		X				NK	NK	Attackers from Guba against Chinese Gold Mining Company
03 Mar	Hamidiya	West		X				1	1	
04 Mar	Kerenek	West			X			0	4	
04 Mar	El Fasher	North		X				1	3	
05 Mar	Omkhair	Central		X	X			4	8	Rescue of one militiaman from police station
09 Mar	Marshang	South		X				2	0	

Date	Location (Town)	Sector	Target					Fatal	Injured	Remarks
			AOG	Civilian	GoS	NGO	TAG			
09 Mar	Zalingei	Central			X			0	1	
10 Mar	Abu Shouk	North		X				1	3	Market place attack
11 Mar	Zalingei	Central		X				0	1	
14 Mar	Ed Daein	Central			X			0	1	Armed robbery of GoS water fees collector
15 Mar	Dankuj	Central		X				1	0	
15 Mar	Duma West IDP	South		X				1	0	
15 Mar	Nyala Kass Road	South		X				2	0	
16 Mar	Zalingei	Central			X			0	1	Attempted carjack of Minister of Education
21 Mar	Tawilla	North		X				2	2	Shooting in market
22 Mar	Kamfa	North		X				0	1	
22 Mar	Kebkabiya	North		X				0	1	
22 Mar	Adarr, El Geneina	West		X				0	2	
24 Mar	Wadi Salih, Koubga	Central			X			0	1	Armed car-jacking from BG
25 Mar	Um Jalpakh	North		X				6	2	
26 Mar	Khazan Tunjar	North		X				1	0	Generator theft
27 Mar	Jebel Kosa	North		X				6	2	
27 Mar	Biljango	North		X				1	0	
28 Mar	El Fasher	North			X			1	0	CRP fatality
30 Mar	Ottash IDP	South		X				1	0	
30 Mar	Abu Sufyan	North		X				0	1	Ambush of vehicle
30 Mar	Allab Bashir	North			X			1	0	CRP fatality
01 Apr	Mellit Locality	North		X				41	7	Began on 30 March involving 4 villages
01 Apr	Abyad, Gireida	South		X	X			0	3	
01 Apr	Sani Efando, Yassin	East		X				1	0	
01 Apr	Yassin	East		X				1	1	
06 Apr	Tofai Jebel	North		X				2	0	
07 Apr	Sheq Jorab	East		X				5	7	
08 Apr	Hillat Ali	East		X				5	9	
09 Apr	Kutum	North		X				1	0	Shot in market
09 Apr	Foro Baranga	West		X				1	0	Armed bike-jacking

Date	Location (Town)	Sector	Target					Fatal	Injured	Remarks
			AOG	Civilian	GoS	NGO	TAG			
11 Apr	El Geneinia	West			X			0	1	Armed carjacking
11 Apr	Otask IDP, Nyala	South		X				1	0	
11 Apr	El Geneinia	East			X			1	0	Armed robbery
14 Apr	65km East El Geneinia	West		X				0	1	Armed robbery
16 Apr	El Fasher	North		X				0	0	Attempted armed robbery
17 Apr	Karari	South		X				0	1	Attempted car-jacking
20 Apr	El Fasher	North		X				0	1	Armed robbery
21 Apr	Nyala	South			X			1	0	Attempted car-jacking
21 Apr	Nertiti	Central	X					1	0	SLA/AW fatality
22 Apr	Korma IDP	North		X				0	0	Armed assault
22 Apr	Ghaba	North			X			0	2	CRP casualty, Midob tribal based.
26 Apr	Abu Shouk	North		X				0	4	Armed robbery
26 Apr	Mellit	North		X				1	0	
27 Apr	Nertiti	Central		X				1	0	Pregnant women killed for NK reason.
27 Apr	El Fasher	North		X				0	1	Attempted car-jacking
28 Apr	Al Fadul	East			X			2	10	Maliyya attacked CRP
29 Apr	Medan Al Kheil	North		X				1	0	
01 May	Zalingei	Central		X				1	0	
01 May	Al Jeer, Nyala	South		X				1	0	
02 May	Um Labana	North		X				1	2	Armed robbery
02 May	Graida	South			X			1	0	SAF killed for reason NK
02 May	Korma	North		X				4	4	Armed robbery of convoy
04 May	Kassab IDP	North		X				0	1	
04 May	Kalam Basanan, Bindisi	Central		X				1	0	
06 May	Bielel	South		X				1	1	
06 May	Niteaga	South		X				1	0	
07 May	El Geneina	West		X				2	0	Armed robbery
07 May	Dali, Dawa and Masalit	North		X				0	5	Villages pillaged
09 May	El Gasour	North		X				1	0	
10 May	Asarti	West		X				1	0	
13 May	Rahat Tara	North		X				0	1	
18 May	Kass	South		X				0	1	Armed robbery

Date	Location (Town)	Sector	Target					Fatal	Injured	Remarks
			AOG	Civilian	GoS	NGO	TAG			
19 May	Mukjar	Central			X			0	1	Armed robbery of weapon
20 May	Shakshaku	North		X				0	1	
20 May	Abu Shouk	North		X				0	1	
21 May	El Salam	South		X				1	0	Attempted armed robbery
23 May	El Fasher	North			X			1	0	Murder of SAF soldier
24 May	Zalingei	Central		X				1	0	UNAMID local staff
25 May	Kutum	North		X				0	1	Rape
26 May	Zalingei	Central		X				1	0	Armed robbery
27 May	Dorti, El Geneina	West		X				1	0	Attempted armed robbery
28 May	Bileil	South		X				1	7	Rape
28 May	Otash	South		X				1	1	
29 May	Mawashi	North		X	X			1	2	Armed robbery of weapon
30 May	Abata	Central		X				1	0	
30 May	Nyala	South		X				1	0	Armed robbery
01 Jun	Kalma, Bielel	South		X				1	0	
01 Jun	Kampode, Kutum	North			X			0	1	Attempted armed robbery
01 Jun	Kereneke	West		X				0	0	Armed robbery
03 Jun	Kutum	North		X				0	0	Armed abduction
06 Jun	Dereog, Nyala	South		X				1	5	
06 Jun	El Wadi, Nyala	South		X				1	0	
07 Jun	Foro Baranga	West					X	1	0	
07 Jun	Shakshaku, Tawila	North		X				1	0	
08 Jun	Al Mumalla	South		X				1	0	
09 Jun	Omshalan	Central		X				0	1	Armed robbery of motorbike
11 Jun	Zalingei	Central			X			0	1	Armed robbery of weapons
12 Jun	Yassin	East		X				0	1	Armed robbery
14 Jun	Tha Alba	North			X			1	5	
14 Jun	Nyala	South			X			2	0	Attempted armed robbery
16 Jun	Kafod	North				X		0	0	Armed car-jacking ICRC
17 Jun	Orchi	North			X			2	0	
18 Jun	Nyala	South				X		0	0	Armed car-jacking UNHCR
22 Jun	El Geneina	West		X				1	2	

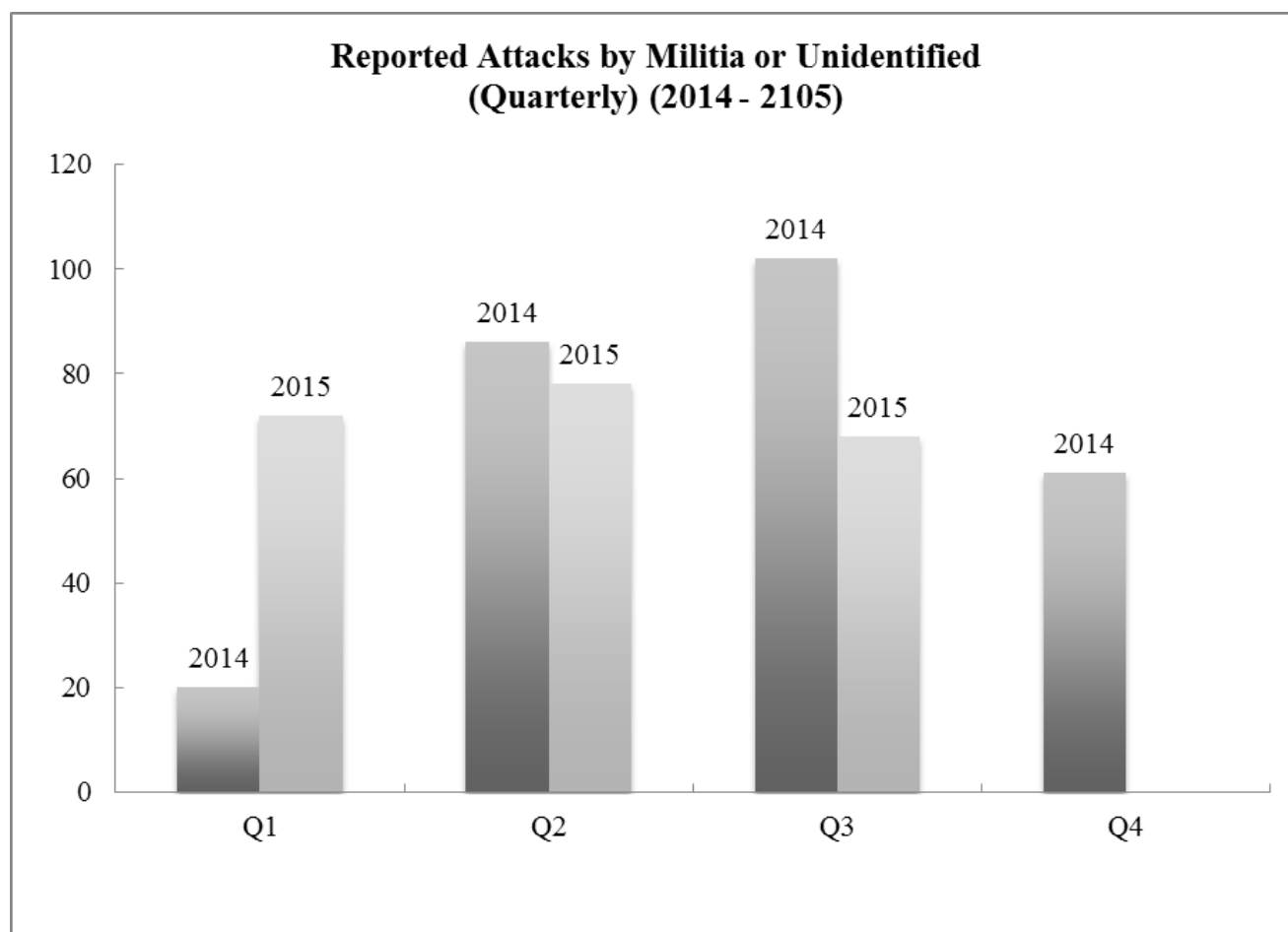
Date	Location (Town)	Sector	Target					Fatal	Injured	Remarks
			AOG	Civilian	GoS	NGO	TAG			
23 Jun	Murai, Kass	South		X				1	0	
23 Jun	Murai, Kass	South		X				0	1	Attempted bike-jacking
25 Jun	Nereig, Nyala	South		X				0	1	
26 Jun	Nierteti	Central		X				1	0	
29 Jun	Rijil Kubri	West		X				0	1	Armed robbery
30 Jun	Nima	North		X				1	0	Armed robbery
02 Jul	Kulu, Dolo, Kortinga, Jebel Tayeb and Tina	North		X				4	5	Armed robbery
02 Jul	Kabkabiya	North		X				0	0	Armed robbery of market
02 Jul	El Geneinia	West		X				0	1	Armed robbery
03 Jul	Martal, Kulu and Fanga	North		X				6	3	Attack over three days
04 Jul	Donkey Abiad	South		X				0	1	
06 Jul	El Daein	East		X				1	1	
08 Jul	Abuleha	North		X				0	1	Abduction
09 Jul	Kasingi	South		X				1	0	Defending women from rape
10 Jul	Gokar	West			X			0	0	Assassination attempt on Head of Masalit Native Administration
12 Jul	Momo	Central		X				1	2	Car-jacking
12 Jul	El Fasher	North				X		0	1	Attempted car-jacking
12 Jul	Kafalo	North		X				1	0	Cattle rustling
13 Jul	Umassal	South		X				1	0	Armed robbery
13 Jul	Al-Dakir	South		X				1	0	Armed robbery
14 Jul	Kafout	North		X				2	1	Mourners at funeral of PDF men
15 Jul	Sisi	West		X				0	1	
16 Jul	Jagomak	West		X				0	1	Armed robbery
18 Jul	Gertobak	South		X				1	0	
19 Jul	Muhajiriye	South		X				1	1	
21 Jul	Shegeg Karo	North		X				0	1	Attempted cattle rustling
22 Jul	Anka	North		X				9	2	Attack on village
23 Jul	Niteaga	South		X				1	5	
23 Jul	Endur	South		X				0	1	Bus ambush
25 Jul	Abu Danga	East		X				0	1	Attempted armed robbery

Date	Location (Town)	Sector	Target					Fatal	Injured	Remarks
			AOG	Civilian	GoS	NGO	TAG			
27 Jul	Kassab	North		X				0	1	
27 Jul	El Neem	East		X				0	1	
28 Jul	Hillat Ali Sanusi	East		X				0	3	
29 Jul	Kassab	North		X				0	1	Armed robbery
29 Jul	Beer Madena	West		X				0	2	Massalit farmers attacked
30 Jul	Um Dukhan	Central			X			0	4	Militia attacked SAF
30 Jul	Near Masteri	West		X				0	1	Armed robbery
31 Jul	Mukjar	Central			X			0	1	CRP injured while robbery target
2 Aug	El Geneina	West		X				0	1	Armed robbery
3 Aug	Mukjar	Central		X				1	0	
5 Aug	Timtim	North		X				1	1	Armed robbery
6 Aug	Kondobe	West		X				0	1	Land dispute
8 Aug	Dembow Kabdy	Central		X				0	2	
10 Aug	Wadi Rimela	South		X				1	0	
12 Aug	Um Baloula	South		X				1	0	Cattle rustling related
13 Aug	Hamidiya	Central		X				0	2	
19 Aug	Donkey El Khair	South		X				3	2	Armed ambush of convoy
28 Aug	Shagarga	North		X				0	0	Attempted armed robbery
29 Aug	Nyala	South		X				1	2	Armed robbery
29 Aug	Otash IDP	South		X				1	0	
31 Aug	Bobay Sigili	North		X				1	0	Cattle rustling
01 Sep	El Fasher	North		X				1	0	Armed robbery
01 Sep	Duma East IDP	South		X				1	0	Armed robbery
07 Sep	Um Marawik	North			X			0	0	
07 Sep	Otash	South		X				0	1	Armed robbery
08 Sep	Kereneek	West			X	X		2	0	Ministry of Health victims
10 Sep	Daba Tuga	North		X				1	2	
10 Sep	Nertiti	Central		X				0	2	Armed robbery
12 Sep	Mukjar	Central			X			0	1	Armed robbery
15 Sep	Otash IDP	South		X				1	2	Armed robbery
15 Sep	Berley	South		X				1	0	Protecting against rape
17 Sep	El Geneina	West			X			0	0	Wali's vehicle was target

<i>Date</i>	<i>Location (Town)</i>	<i>Sector</i>	<i>Target</i>					<i>Fatal</i>	<i>Injured</i>	<i>Remarks</i>
			<i>AOG</i>	<i>Civilian</i>	<i>GoS</i>	<i>NGO</i>	<i>TAG</i>			
18 Sep	Umray	North		X				4	3	Possibly Border Guards
18 Sep	Habad West	Central		X				0	0	
20 Sep	Mornei	West		X				1	0	Attempted robbery of motorcycle
21 Sep	Nemra	North		X				7	10	Suspected GoS Border Guards
22 Sep	Korofsata	Central		X				1	1	Resisting rape
24 Sep	Fata Borno	North		X				1	0	
28 Sep	Sisi IDP	West		X	X			0	2	
30 Sep	Atia	West		X				0	1	Armed robbery of M/C
30 Sep	El Geneina	West		X				0	1	Armed robbery of M/C
30 Sep	Kabkabiya	North		X				1	0	Armed car-jacking

Figure 12.1

**Reported 'Militia', 'Arab Militia' or 'Unidentified' initiated armed violence
(Quarterly Analysis 2014-2015)**



Annex 13**Examples of ‘reported’ criminal acts (armed robbery) (01 January-30 September 2015)^{1 2}**

<i>Date</i>	<i>Location (Town)</i>	<i>Sector</i>	<i>Responsible</i>	<i>Stolen Items</i>						<i>Remarks</i>
				<i>Cash (SDG)</i>	<i>Livestock</i>	<i>Vehicles</i>	<i>Wpns</i>	<i>Food (Bags)</i>	<i>Goods</i>	
01 Jan	Labado	East	Armed NK	NK ³					Fuel and personal effects	OCHA
03 Jan	Abu Zerga	North	Armed NK		300 Sheep			Significant		
07 Jan	Saraf Omra	North	Armed NK							
07 Jan	Tawilla	North	RSF		88 Sheep and Goats					
07 Jan	Golo	North	Armed NK		800 Sheep					
11 Jan	Hayakima Sharif	North	Armed NK		45 Goats				Gold jewellery	
13 Jan	El Fasher	North	Armed NK			1 x 4X4				
14 Jan	Zamzam	North	Armed NK		247 Cattle					
15 Jan	Al Zaiafa	East	Armed NK						Personal belongings	
19 Jan	Nertiti	Central	Armed NK		28 Goats					
20 Jan	Malaga	North	Armed NK		83 Goats and 23 Sheep					
20 Jan	Deley	North	Armed NK			1 x 4X4				Local NGO
22 Jan	Debaneira	North	Armed NK		150 Sheep and Goats					
23 Jan	Tawilla	North	Armed NK			1 x 4X4				
23 Jan	Tukumari	North	Armed NK		85 Cows					
25 Jan	Um Zaifa	East	Armed NK						Personal belongings	

¹ The dashed lines on this, and all subsequent, tables indicate the commencement of the mandate period or end of reporting quarters.

² These are incidents reported from a range of sources, cross-referenced against UNAMID reporting to establish veracity where possible. The data does not necessarily include un-reported incidents of armed violence, but does indicate the magnitude of the issue. The data is included as it is ‘reported’ and therefore may not necessarily be totally accurate.

³ NK means that assets were stolen but the quantity is Not Known.

<i>Date</i>	<i>Location (Town)</i>	<i>Sector</i>	<i>Responsible</i>	<i>Stolen Items</i>						<i>Remarks</i>
				<i>Cash (SDG)</i>	<i>Livestock</i>	<i>Vehicles</i>	<i>Wpns</i>	<i>Food (Bags)</i>	<i>Goods</i>	
26 Jan	Dabanera	North	Armed NK		150 Goats and Sheep					
31 Jan	Malagat Ward	North	Armed NK		25 Cattle					
02 Feb	Keli Keli	East	Armed NK		60 Livestock					
04 Feb	Nyala	South	Armed NK						Market goods	9 stores robbed in market
05 Feb	Hawara	North	Armed NK			1 x Minivan				OCHA
07 Feb	Mashrou Abu Zeid	North	SRF						Personal belongings	
10 Feb	Graida	South	Fallata						57 x Personal belongings	
12 Feb	Um Haraz	North	Armed NK		150 Cattle					
22 Feb	Krinding	West	Armed NK							GoS successfully defended attack
22 Feb	El Fasher	North	Armed NK			1 x 4X4				WFP
23 Feb	Goz Bala Furash	West	Armed NK						Personal belongings	
01 Mar	Korma	North	Armed NK		70 Sheep					
02 Mar	Hamidiya	Central	Armed NK			1 x M/C ⁴				
07 Mar	Habilu	West	Armed NK			1 x 4X4				Recovered later by GoS
07 Mar	Wadi Dileba	South	Armed NK		2 Donkey				Personal belongings	
07 Mar	Kosho	South	Armed NK		1 Donkey				Personal belongings	
07 Mar	Um Kheir	Central	Armed NK			8 x Water Engines				
07 Mar	Kutum	North	Armed NK	SDG 6,000					Cell Phones	
07 Mar	Sawani	East	Armed NK	SDG 15,000					Cell Phones	

⁴ Motorcycle.

Date	Location (Town)	Sector	Responsible	Stolen Items						Remarks
				Cash (SDG)	Livestock	Vehicles	Wpns	Food (Bags)	Goods	
08 Mar	Beja	Central	Armed NK	SDG 213K	11 Goats	1 x Truck				Teacher's salaries stolen UNAMID ODO Contractor
10 Mar	Kebkabiya	North	Armed NK							
13 Mar	Hillabeda	Central	Armed NK			1 x 4X4			Personal belongings	
13 Mar	Mellit	North	Armed NK			1 x Ambulance				
14 Mar	Ed Daein	Central	Armed NK	TBC	11 Goats					GoS Water Fees
15 Mar	Yassin, Labado	Central	Armed NK							
15 Mar	El Fasher	North	Armed NK						130 Sacks Tobacco	
17 Mar	Jurab	North	Armed NK						Personal belongings work SDG50K	
23 Mar	Al Bayd	North	Armed NK	TBC		1 x 4X4			Personal belongings	Bus Hi-jack
24 Mar	Wadi Salih	Central	Armed NK			1 x 4X4				BG Vehicle
24 Mar	Mukjar Bindisi	Central	Armed NK						Radios	
25 Mar	Um Kadada	North	Armed NK						Commercial goods	
25 Mar	Um Kadada	North	Armed NK						Personal belongings	
25 Mar	Kass	South	Armed NK						Personal belongings	Attempted bank robbery
28 Mar	El Genenia	West	Armed NK							
28 Mar	El Fasher	North	Armed NK			1 x M/C				
30 Mar	Aby Sufyan	North	Armed NK						Personal belongings	
03 Apr	Nyala	South	Armed NK	SDG 3,400		1 x 4X4				Local HAC Commissioner
04 Apr	El Madris	West	Criminal			1 x M/C				
06 Apr	Nyala	South	Armed NK			1 x Car				
06 Apr	Nyala	South	Armed NK						Cell phone and personal belongings	

Date	Location (Town)	Sector	Responsible	Stolen Items						Remarks
				Cash (SDG)	Livestock	Vehicles	Wpns	Food (Bags)	Goods	
06 Apr	Wadi Murra	North	Armed NK	NK					Cell phone and personal belongings	Bus robbery
07 Apr	Wali Murra	North	Armed NK						Cell phone and personal belongings	Bus robbery
07 Apr	Mournei	West	Armed NK				1		14 Solar Panels	
07 Apr	Kereinik	West	Armed NK					50 cartons biscuits		
08 Apr	Balisareif	North	Armed NK		NK Livestock					
09 Apr	Ardamata IDP	West	Armed NK						3 cell phones	
09 Apr	Foro Baranga	West	Armed NK			1 x M/C				
16 Apr	Tabit	North	Armed NK			1 x Vehicle			Ballot boxes	
18 Apr	Kebkabiya	North	Criminal						Personal belongings	
20 Apr	El Fasher	North	Criminal						Nothing	
26 Apr	Nina	North	Armed NK						Abduction	
27 Apr	Nertiti	Central	Criminal			1 x M/C				
27 Apr	Birikat Sera	North	Criminal			1 x Fuel Tanker				
29 Apr	Mukjar	Central	Criminal			1 x 4X4			HAC Vehicle	
30 Apr	Khor Abeche	South	Criminal						Copper cable to UNAMID Water Point ⁵	
01 May	Zalingei	Central	Criminal	NK					Personal belongings	
02 May	Labado	South	Armed NK		3 Cattle					
02 May	Ailliet	North	Armed NK	SDG 400K						
03 May	Jaloof	North	Armed NK			1 x 4X4	1		Personal belongings	CRP Weapon stolen
03 May	Beer Kolo,	North	Armed NK		180 Cattle					

⁵ Water Point.

Date	Location (Town)	Sector	Responsible	Stolen Items						Remarks
				Cash (SDG)	Livestock	Vehicles	Wpns	Food (Bags)	Goods	
	Tawila									
04 May	Birkat Seira, Saraf Umra	North	Armed NK		20+ Goats					
05 May	Kullu	North	Armed Nomads		150 Cattle					
08 May	Hillat Hagger	North	Armed NK						Personal belongings	
11 May	El Daein	East	Armed NK			1 x Taxi				
12 May	Um Dukhan	Central	Armed NK			1 x Car				WFP Vehicle
13 May	Tukumare	North	Armed NK		400 Animals					Recovered by SAF
14 May	El Daein	East	Armed NK						3 x Laptops	Local NGO
17 May	Labado	East	Armed NK			4 x 4X4				UNAMID escorted
17 May	Kudmel	East	Armed NK		2 Donkeys					
18 May	Grindling	West	Armed NK						Personal belongings	
19 May	Zalingei	Central	Armed NK			2 x Trucks				ICRC vehicles
23 May	El Fasher	North	Armed NK			1 x Truck				Sudan TV vehicle
23 May	Gogoma Shargiya	Central	Armed NK			2 x Trucks				
24 May	Dembow Kabdy	Central	Armed NK			1 x Truck				
24 May	El Fasher	Central	Armed NK	NK					Cell phone	
25 May	Tawilla	North	Armed NK		200 Sheep and 50 Goats					
26 May	Kafod	North	Armed NK			1 x Truck				
28 May	Anu Karinka	East	Armed NK	NK		1 x Vehicle	NK		Cell Phone	Local NISS Director was victim
31 May	Fajkara, Kereink	West	Armed NK			1 x Generator				
09 Jun	Zalingei	South	Armed NK			1 x Vehicle				GoS vehicle
09 Jun	El Geneina	West	Armed NK			1 x Vehicle				
10 Jun	Debenaira IDP	North	Armed NK		1 x Donkey				Personal belongings	
14 Jun	Amtaheel	North	Armed NK					280 Bags Sorghum		

Date	Location (Town)	Sector	Responsible	Stolen Items						Remarks			
				Cash (SDG)	Livestock	Vehicles	Wpns	Food (Bags)	Goods				
16 Jun	Kafod	North	Armed NK	SDG 2,160	35 x Goats	2 x ICRC Vehicles			Personal belongings	GoS Prosecutor vehicle			
21 Jun	Dali IDP	North	Armed NK										
22 Jun	Mangrasa	West	Armed NK										
24 Jun	El Fasher	North	Armed NK		85 Sheep and Goats	1 x WFP Car							6 x Cell phones
26 Jun	El Sireaf	North	Armed NK										2 x cell phones
27 Jun	El Fasher	North	Armed NK										
27 Jun	Zalingie	Central	Armed NK								1 x Car		
27 Jun	El Geneina	West	Armed NK	NK				Personal belongings					
27 Jan	Hashaba	North	Armed NK	NK	300 x Cattle								
29 Jun	Sandi Koro	West	Armed NK								Personal belongings		
30 Jun	Jabal Kulo	North	Armed NK										
01 Jul	Azum	Central	Armed NK	NK	? x Donkeys 1100 x Sheep	1x 4X4		Rations	IT Equipment				
01 Jul	El Sereif > Saraf Umra	North	Armed NK			2 x Trucks							
02 Jul	El Fasher	North	Armed NK			2x 4X4 1 x Minibus							
03 Jul	Tawila IDP	North	Armed NK										
04 Jul	Goz Leben	North	Armed NK										
04 Jul	Nyala	South	Armed NK			1 x 4X4					Cell phone		
05 Jul	Shakshuka	North	Armed NK			3 x Trucks							
05 Jul	El Daein	East	Armed NK										
05 Jul	Debenaira IDP	North	Armed NK										
								2 x Vehicles					

Date	Location (Town)	Sector	Responsible	Stolen Items						Remarks
				Cash (SDG)	Livestock	Vehicles	Wpns	Food (Bags)	Goods	
07 Jul	Dereige IDP	South	Armed NK	NK	40 x Goats	1 x 4X4				Personal belongings
08 Jul	Nifasha	North	Armed NK	NK						
13 Jul	El Daein	East	Armed NK							
16 Jul	Wata Narr	South	Armed NK							
19 Jul	Mornei	West	Armed NK							
19 Jul	Shanga	South	Armed NK							
19 Jul	Graida	South	Armed NK							
20 Jul	El Genina	West	Armed NK							
24 Jul	Kheir Waji	North	Armed NK							
25 Jul	Hilat Nuga	West	Armed NK							
30 Jul	Labado	East	Armed NK		85 x Livestock NK	1 x Taxi				1 x Cell Phone
31 Jul	Nertiti	Central	SLA/AW							
1 Aug	Hemada	North	Armed NK							
2 Aug	El Ednaback	North	Pro GoS							
5 Aug	Ali Giber	Central	Armed NK							
11 Aug	Deleba Bowa	North	Armed NK							
13 Aug	Ed El Fursan	South	Armed NK							
20 Aug	Thur East	Central	Armed NK							
21 Aug	Zalkingei	Central	Armed NK							
25 Aug	Kutum	North	Armed NK							
29 Aug	Otash IDP	South	Armed NK	200						2 x Cell Phone
06 Sep	Nr Mellit	North	Armed NK							Personal belongings
06 Sep	Nr Mellit	North	Armed NK							Personal belongings

<i>Date</i>	<i>Location (Town)</i>	<i>Sector</i>	<i>Responsible</i>	<i>Stolen Items</i>						<i>Remarks</i>
				<i>Cash (SDG)</i>	<i>Livestock</i>	<i>Vehicles</i>	<i>Wpns</i>	<i>Food (Bags)</i>	<i>Goods</i>	
06 Sep	Nr Mellit	North	Armed NK			1 x Vehicle			Personal belongings	
06 Sep	Fazi	North	Armed NK						Personal belongings	
07 Sep	Um Marawik	North	Armed NK						Personal belongings	
10 Sep	Abu Shouk	North	Armed NK	NK					2 x Cell phones	
10 Sep	Nertiti	Central	Armed NK						Personal belongings	
12 Sep	Kabkabiya	North	Armed NK						Documents	
16 Sep	GarsilA IDP	Central	Armed NK	160						
22 Sep	Kereinik	West	Armed NK			1 x M/C				

Annex 14

Summary of UNAMID weapons losses identified by the Panel (2010-2015)¹

<i>Date</i>	<i>Type</i>	<i>Calibre</i>	<i>Quantity</i>	<i>Location</i>	<i>Lost to</i>
March 2010			66	Darbat	SLA/AW
5 August 2011			2	Dema	NK
21 January 2012	MG ²	7.62mm	3	El Daein	
26 June 2013	MG	7.62mm	2	Khor Abeche ³	
28 June 2013	Karnov MG	12.7mm	1	Khor Abeche	
	Belgium MG	7.62mm	1		
	RPG ⁴ -7	40mm	1		
13 July 2013	Assault Rifles	7.62mm	24	Khor Abeche	
	MG		2		
	RPG		1		
12 August 2013			15	El Daein ⁵	
13 October 2013	M16A2 Assault Rifle	5.56mm	4	El Geneina	
TBC 2013	LMG ⁶	7.62mm	1	Zalingei	
	MG	7.62mm	1		
8 February 2014	R4 Rifles	5.56mm	37	Near Mellit and	Group "Suleiman Murjan"
	LMG	7.62mm	4	Kutum	
	RPG-7	40mm	1		
28 August 2014	R4 Rifle	5.56mm	1	Kutum ⁷	NK
16 November 2014	AK-47 ⁸ variant	7.62mm	2	Korma ¹⁰	
	PKM ⁹ LMG	7.62mm	1		
6 January 2015	AK-47 variant	7.62mm	7	Habila ¹¹	
	LMG	7.62mm	1		
23 April 2015	AK-47 variant	7.62mm	1	Kass	
TOTAL			175		

¹ Data from UNAMID and Under Attack and Above Scrutiny, Arms and Ammunition Diversion from Peacekeepers in Sudan and South Sudan 2002-2014, Small Arms Survey, July 2015. (ISBN 978-2-940548-11-8).

² Machine Gun.

³ Latitude 12°38' 49"N, Longitude 25°16' 13"E.

⁴ Ruchnoy Protivotankovyy Granatomyot. (Rocket Propelled Grenade).

⁵ Latitude 11°25' 35"N, Longitude 26°08' 58"E.

⁶ Light Machine Gun.

⁷ Latitude 14°12' 59"N, Longitude 24°39' 42"E.

⁸ Avtomatik Kalishnikov (Assault Rifle)

⁹ Pulemyot Kalashnikova (Modernised). (Light Machine Gun).

¹⁰ Latitude 13°51' 08"N, Longitude 24°45' 17"E.

¹¹ Latitude 12°40' 49"N, Longitude 22°33' 43"E.

Annex 15
Streit TYPHOON supply documentation

Documentation relating to the supply of TYPHOON armoured vehicles from Streit Armoured Cars FZE, through the broker Ramaz International Trading FZE, to the Sudanese Police follows in appendices 1 to 7.

Appendix 1 to Annex 15

Streit/Kamaz Sales Agreement (Extract) (2 July 2012)

9/15/2014 12:15 PM FROM: FAX TO: 0012129631300 PAGE: 007 OF 016

APC/12/280601

ARMORED PROTECTION CARS FZE Armored Vehicles Manufacturer

SALES AGREEMENT REFERENCE NO. APC/12/280601

Date: July 2nd

ARMORED PROTECTION CARS FZE, P.O. Box 54513, Technology Park FTZ, Ras Al Khaimah, UAE (hereinafter referred to as APC/or a Seller) and KAMAZ INT'L TRADING FZE, P.O.Box:54609, Technology Park FTZ, Ras Al Khaimah, UAE (hereinafter referred to as a Buyer) have concluded the present Contract whereby the Seller has sold and the Buyer has bought the Products on the following terms and conditions, agreed and signed by the parties:

PRODUCTS DESCRIPTION

Kamaz Typhoon GS 300

1. Vehicle Specification

Model	2012, 4x4
Engine	KAMAZ V8 four stroke turbo charged intercooled diesel 740,55-300
Displacement	10,76L
Horsepower	300 hp @ 2200 rpm
Torque	1177 Nm @ 1400 rpm
Transmission	9S gearbox with 9 stages forward and one reverse
Steering	power-assisted
Overall length	6,823 mm
Overall width	2,434 mm
Overall height (unladen)	3,258 mm (laden)
Curb weight	13,000 kg
Payload	2,000 kg
GWW	15,000 kg
Wheel base	3,775 mm
Turning radius	9,100 mm
Ground clearance	774 mm under transfer case (unladen)
Suspension	Semi-elliptical leaf springs, sway bars FR and RR
Tire Size	390/95 R20 with central tire inflation system controlled from the cabin
Brakes	400 mm drums, pneumatically operated main, parking, reserve and auxiliary systems
Climbing gradient	60%
Tire/Slope	30%
Fording depth	1,500 mm
Max speed	100 km/h
Operating range	1,000 km
Occupancy	9 passengers + 1 driver



1

7/11/2012

Received Time Sep. 15, 2014 4:15AM No. 9962

9/15/2014 12:15 PM FROM: FAX TO: 0012129631300 PAGE: 010 OF 016

APC/12/280801

- The cost of miscellaneous materials that are used during factory Acceptance shall be borne by SELLER.

12. Payment and delivery terms

VEHICLE ORDER	Production LOCATION	Production START DATE	COMPLETION DATE
30	UAE	Upon 100% payment	By SELLER

- The Buyer shall make the payments by check (UAE only) or Electronic Funds Transfer. Cash payments shall not be accepted.
- 100% advance payment to be paid by the Buyer after signing of this Contract to place the order.
- APC will issue and submit to the Buyer the bank Advanced Payment Guarantee for a full amount of the deposit paid. This Guarantee to be irrevocable and payable to the Buyer on first demand, if the Seller fails to supply the Products to the Buyer, on the terms of this contract, completely or partially. The Guarantee should be returned to the Seller after the Products Acceptance Certificate signing by the parties.
- The product shipping from the factory shall commence within 5 working days from receipt of the final payment.
- The End-User Statement is required from the Buyer for the export clearance of the vehicle. The format for the End-User Statement will be supplied by Kamaz Int and agreed by APC.
- The End User is Kamaz International Trading FZE as the sole usage.
- UAE will be the final destination for Kamaz International trading FZE as the end user.
- The destination and delivery terms are Ex Factory RAK Free Zone, Technology Park, Ras Al Khaimah, UAE. Transfer of ownership in Free Zone.
- From transferring the units ownership date the buyer will be sole legally responsible for addresses sold units' destinations and end users if any without any liability and obligations over APC FZE as a manufacturer inside or outside UAE.
- Kamaz International Trading FZE will comply with all UAE Law and will held responsible for any illegal act after transfer of ownership to Kamaz Int. Trading FZE name.
- IF the buyer undertakes to export the vehicle (FCA delivery, Incoterms 2000), a refundable Customs Export Deposit in the amount of 5% of the total contract value is payable to APC before the shipment. The Buyer is responsible to provide APC with the Export Documentation properly filled out and stamped. APC shall apply for the refund of the 5% deposit, and will return the funds to the Buyer upon receipt of the funds back from the Customs.
- If APC, for reasons other than Force Majeure, fails to deliver the Products according to the delivery schedule given in this Contract, a penalty for late delivery shall be applied to APC after a grace period of 1 (one) week at a rate of 0.1% of the non-delivered items cost per day but no more than 5% of the total Contract value.

13. Products price and total contract cost

Quantity	Armored Vehicle Description	Unit Price, USD	Total Amount, USD
30	Armored Personnel Carrier, APC, EX Factory Ras Al Khaimah	200,000.00	6,000,000.00
	Optional Equipment		
	Not Applicable		
Total Contract Value, EX Factory RAK, UAE USD			6,000,000.00

14. Settlement of disputes

- The parties agree to settle amicably any dispute, which may arise during the performance and in connection with this Contract. However, should the Parties fail to settle amicably such a dispute



7/11/2012

Received Time Sep. 15. 2014 4:15AM No. 9962

9/15/2014 12:15 PM FROM: FAX TO: 0012129631300 PAGE: 011 OF 016

APC/12/280601

within a 30 (thirty) days period of time from the date of the written claim of one Party to the other one, they agree to have it finally settled under the rules of the courts of Dubai. The court decision shall be final, binding and enforceable upon the Parties herein.

- This Contract shall be governed by and construed in accordance with the substantive laws of the UAE.

15. Other conditions

This Contract is executed in English language, in two original copies.

- This Contract shall become effective after the signature of both of the PARTIES and is valid until the full implementation.

Any amendments, conditions or responses to this Contract shall be considered valid only as the integral parts of this Contract, if duly signed and stamped by the authorized representatives of the parties.

- The copies of the Contract transmitted by the fax or e-mail to be considered valid until the presentation of the originals.

16. Acknowledgement / Acceptance

By mutually signing this agreement both parties consider the present contract supersedes any other verbal or written mails, faxes and agreements. Both parties have read and understood the terms and conditions contained herein, and accept this contract terms and conditions.

Seller:
ARMORED PROTECTION CARS FZE
PO Box: 54513
Technology Park FTZ
Ras Al Khaimah, UAE

Buyer:
KAMAZ INT'L TRADING FZE
PO Box: 54609
Technology Park FTZ
Ras Al Khaimah, UAE

Per:



02.07.12
(Authorized Signature)
Bulat Gilmutdinov, APC Director

Per:




(Authorized Signature)

A. Hachemy
Manager

Witness

Date: July 11, 2012

Date: 11/07/12


Ahmed Raza
Chief Financial Officer



5

7/11/2012

Received Time Sep. 15, 2014 4:15AM No. 9962

9/15/2014 12:15 PM FROM: FAX TO: 0012129631300 PAGE: 012 OF 016

APC/12/280601

Appendix A:**DELIVERABLE ITEMS LIST**

Vehicles to be delivered:

No	Unit No	Chassis No	Year	Make/Model	Color	Eng./Trans	Engine
1	A026	RDTK30324CR020027	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636713
2	A027	RDTK30324CR020028	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636714
3	A028	RDTK30324CR020029	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636720
4	A029	RDTK30324CR020030	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636721
5	A030	RDTK30325CR020031	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636901
6	A031	RDTK30327CR020032	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636730
7	A032	RDTK30329CR020033	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636725
8	A033	RDTK30325CR020034	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82830723
9	A034	RDTK30327CR020035	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636133
10	A035	RDTK30329CR020036	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636878
11	A036	RDTK30326CR020037	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636716
12	A037	RDTK30328CR020038	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636739
13	A038	RDTK30325CR020039	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636650
14	A039	RDTK30327CR020040	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636737
15	A040	RDTK30325CR020041	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636734
16	A041	RDTK30325CR020042	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636709
17	A042	RDTK30327CR020043	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636717
18	A043	RDTK30325CR020044	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636861
19	A044	RDTK30325CR020045	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636710
20	A045	RDTK30327CR020046	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636736
21	A046	RDTK30324CR020047	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636902
22	A047	RDTK30326CR020048	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636742
23	A048	RDTK30328CR020049	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636735
24	A049	RDTK30326CR020050	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636741
25	A050	RDTK30322CR020051	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636738
26	A051	RDTK30324CR020052	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636740
27	A052	RDTK30325CR020053	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636724
28	A053	RDTK30325CR020054	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636738
29	A054	RDTK30323CR020055	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636898
30		RDTK30325CR020056	2012	Kamaz Typhoon GS300	Beige	11.8L D/M	82636714



7/11/2012

Received Time Sep. 15. 2014 4:15AM No. 9962

Appendix 3 to Annex 15 Kamaz sales invoice (4 July 2012) to Sudan Police

24/07/2014 13:53 +072330233

CUSTOMS RAK

PAGE 04/07



KAMAZ INTERNATIONAL TRADING

FREE ZONE ESTABLISHMENT

P.O.Box:54608, Ras Al Khaymah, UAE
GENERAL DISTRIBUTOR OF KAMAZ INC.
FOR MIDDLE EAST & NORTH AFRICA

Commercial Invoice

Date: 4th July 2012

Invoice No. SG08042012-2

Customer:
Sudan Police
Ministry of Interior
Sudan

Ship to:
Sudan Police
Ministry of Interior
Port Sudan

Model	Year	VIN No.	Engine /Transmission	Colour	Engine No.	Price (USD)
Typhoon GS 300	2012	RDTK3D3Z8CR020023	11.8L DIM	Beige	B2636713	\$200,000
Typhoon GS 300	2012	RDTK3D3ZXCR020024	11.8L DIM	Beige	B2636876	\$200,000
Typhoon GS 300	2012	RDTK3D3Z1CR020025	11.8L DIM	Beige	B2636728	\$200,000
Typhoon GS 300	2012	RDTK3D3Z3CR020026	11.8L DIM	Beige	B2636726	\$200,000
Typhoon GS 300	2012	RDTK3D3Z5CR020027	11.8L DIM	Beige	B2636901	\$200,000
Typhoon GS 300	2012	RDTK3D3Z7CR020028	11.8L DIM	Beige	B2636739	\$200,000
Typhoon GS 300	2012	RDTK3D3Z9CR020029	11.8L DIM	Beige	B2636725	\$200,000
Typhoon GS 300	2012	RDTK3D3Z5CR020030	11.8L DIM	Beige	B2636723	\$200,000
Typhoon GS 300	2012	RDTK3D3Z7CR020031	11.8L DIM	Beige	B2636133	\$200,000
Typhoon GS 300	2012	RDTK3D3Z9CR020032	11.8L DIM	Beige	B2636878	\$200,000
Typhoon GS 300	2012	RDTK3D3Z8CR030033	11.8L DIM	Beige	B2636716	\$200,000
Typhoon GS 300	2012	RDTK3D3Z8CR030034	11.8L DIM	Beige	B2636719	\$200,000
Typhoon GS 300	2012	RDTK3D3ZXCR030035	11.8L DIM	Beige	B2636660	\$200,000
Typhoon GS 300	2012	RDTK3D3Z1CR030036	11.8L DIM	Beige	B2636737	\$200,000
Typhoon GS 300	2012	RDTK3D3Z3CR030037	11.8L DIM	Beige	B2636734	\$200,000
Typhoon GS 300	2012	RDTK3D3Z5CR030038	11.8L DIM	Beige	B2636709	\$200,000
Typhoon GS 300	2012	RDTK3D3Z7CR030039	11.8L DIM	Beige	B2636717	\$200,000
Typhoon GS 300	2012	RDTK3D3Z3CR030040	11.8L DIM	Beige	B2636661	\$200,000
Typhoon GS 300	2012	RDTK3D3Z5CR030041	11.8L DIM	Beige	B2636710	\$200,000
Typhoon GS 300	2012	RDTK3D3Z7CR030042	11.8L DIM	Beige	B2636736	\$200,000
Typhoon GS 300	2012	RDTK3D3Z4CR040043	11.8L DIM	Beige	B2636902	\$200,000
Typhoon GS 300	2012	RDTK3D3Z6CR040044	11.8L DIM	Beige	B2636742	\$200,000
Typhoon GS 300	2012	RDTK3D3Z8CR040045	11.8L DIM	Beige	B2636735	\$200,000
Typhoon GS 300	2012	RDTK3D3ZXCR040046	11.8L DIM	Beige	B2636741	\$200,000
Typhoon GS 300	2012	RDTK3D3Z1CR040047	11.8L DIM	Beige	B2636708	\$200,000
Typhoon GS 300	2012	RDTK3D3Z3CR040048	11.8L DIM	Beige	B2636740	\$200,000
Typhoon GS 300	2012	RDTK3D3Z5CR040049	11.8L DIM	Beige	B2636724	\$200,000
Typhoon GS 300	2012	RDTK3D3Z1CR040050	11.8L DIM	Beige	B2636738	\$200,000
Typhoon GS 300	2012	RDTK3D3Z3CR040051	11.8L DIM	Beige	B2636899	\$200,000
Typhoon GS 300	2012	RDTK3D3Z5CR040052	11.8L DIM	Beige	B2636714	\$200,000
Exit point: HAMRIYA FZE						
Destination: Port Sudan		Value for customs purposes only				\$6,000,000
Total weight 360,000 KGS						
Country of origin United Arab Emirates						



Appendix 4 to Annex 15 UAE Export Certificate (8 April 2012)



United Arab Emirates
 COMMITTEE FOR GOODS & MATERIALS
 SUBJECT TO IMPORT & EXPORT
 CONTROL/ EXECUTIVE OFFICE

الإمارات العربية المتحدة
 لجانة السلع و المواد
 الخاضعة لرقابة الاستيراد و التصدير
 المكتب التنفيذي

تصريح استيراد / تصدير
 Date: 08-Apr-2012 التاريخ: Schedule () الجدول (198) استمارة رقم:

Material's Name	30 Armored Typhoon	اسم المادة
Quantity/KG	30 Armored Typhoon	الكمية / الكيلوجرام
Chemical Structure	N/A	الصيغة الجزيئية
Specification	Armored Truck Stanag 4569 Level 2	مواصفات المادة
Used for	Safe transport	استعمال المادة
HS Code	87033300	رقم النظام المنسق
CAS No.	N/A	رقم التسجيل الكيميائي
Item life span	10 Years	العمر الافتراضي
Manufacturer Name	Streit Security Vehicles	الشركة المصنعة
End User	Sudan Police	المستخدم النهائي
Importing company	Sudan Police	الشركة المستوردة
Carriers	Streit Security Vehicles	الشركات الناقلة
Invoice No.	SG08042012-2	رقم الفاتورة
Shipping route	Rak to Sudan	خط سير الشحنة من - الى
Country of origin	Japan	بلد المنشأ
Arrival date	N/A	تاريخ وصول المادة
Exporting company	Streit Security Vehicles	الشركة المصدرة

** EXECUTIVE OFFICE should be notified about the real quantity of the chemical substance imported, exported or terminated according to amount maintained in permit given
 ** يجب لمطابق المكتب التنفيذي في حالة إلغاء أو تغيير الكمية المستوردة أو المصدرة المذكورة بالطلب أو تجزئتها على دفعات


 EXECUTIVE OFFICE Stamp / ختم المكتب التنفيذي
 Signature / التوقيع


 Company Stamp / ختم الشركة
 Signature / التوقيع

Company's Person in charge
 Name: _____
 Tel Number: _____

الشخص المسؤول في الشركة
 الاسم: _____
 رقم الهاتف: _____


 150 OH
 59037176
 1302350546

من باب: 3785 دبي الإمارات العربية المتحدة * هاتف: +97144040040 * فاكس: +97143574499 * بريد إلكتروني: info@uaelec.gov.ae
 P.O. Box: 3785 Dubai, United Arab Emirates * Tel: +97144040040 * Fax: +97143574499 * Email: info@uaelec.gov.ae

Appendix 5 to Annex 15
UAE Export Certificate (3 July 2012)

United Arab Emirates
COMMITTEE FOR GOODS & MATERIALS
SUBJECTED TO IMPORT & EXPORT
CONTROL EXECUTIVE OFFICE



الإمارات العربية المتحدة
لجنة البضائع والمواد
الخاضعة لرقابة الاستيراد والتصدير
المكتب التنفيذي

تصريح استيراد / تصدير

Date: 03-Jul-2012 التاريخ: 03/07/2012 Schedule () الجدول (198) استمارة رقم:

Material's Name	30 Armored Typhoon	اسم المادة
Quantity/KG	30 Armored Typhoon	الكمية / الكيلوجرام
Chemical Structure	N/A	الصيغة الجزيئية
Specification	Armored Truck Stanag 4569 Level 2	مواصفات المادة
Used for	Safe transport	استعمال المادة
HS Code	87033300	رقم النظام المنسق
CAS No.	N/A	رقم التسجيل الكيميائي
Item life span	10 Years	العمر الافتراضي
Manufacturer Name	Streit Security Vehicles	الشركة المصنعة
End User	Sudan Police	المستخدم النهائي
Importing company	Sudan Police	الشركة المستوردة
Carriers	Wadi Alneel Clearing& Forwrding LLC	الشركات الناقلة
Invoice No.	SG08042012-2	رقم الفاتورة
Shipping route	Rak FZE to Hamriya FZE to Port Sudan	خط سير الشحنة من - إلى
Country of origin	United Arab Emirates	بلد المنشأ
Arrival date	N/A	تاريخ وصول المادة
Exporting company	Kamaz Int'l Trading FZE	الشركة المصدرة

** EXECUTIVE OFFICE should be notified about the real quantity of the chemical substance imported, exported or terminated according to amount maintained in permit given
 ** يجب إخطار المكتب التنفيذي في حالة إلغاء أو تغيير الكمية المستوردة أو المصدرة المذكورة بالطلب أو تجهيزتها على دفعات

EXECUTIVE OFFICE Stamp / ختم المكتب التنفيذي

Company Stamp / ختم الشركة

Signature / التوقيع

Company's Person in charge / الشخص المسؤول في الشركة

Name: / الاسم:

Tel Number: / رقم الهاتف:

Info@uaelexec.gov.ae جريدة إلكترونية * +97143574499 * فاكس * +97144040040 * هاتف: 3785 نس: الإمارات العربية المتحدة

**Appendix 6 to Annex 15
Kamaz Letter to Panel (16 October 2014)**



KAMAZ INT'L TRADING FZE

Ras Al Khaymah, UAE
GENERAL DISTRIBUTOR OF KAMAZ INC.
FOR MIDDLE EAST&AFRICA
Office: +971 505960080

Email: info@kamazexport.com www.kamazexport.com

Date: 15/10/2014

To: UNITED NATIONS

Attn: [REDACTED]
Secretary
Tel: (212) 963-[REDACTED] E-mail: [REDACTED]@un.org
Fax : 212-963-[REDACTED]

[REDACTED]
Tel: (917) 367-[REDACTED]
E-mail: [REDACTED]@un.org

Referring to your letter ref.no S/AC.47/2014/PE/OC.142 dd. 15 September 2014

Dear Sir,

It's a honor to write to you, and after compliments, I would like to confirm that only one time we have been involved into the supply of 30 Typhoon vehicles, as a commercial agent.

I would like to draw your attention to the fact that there is quite big number of Typhoon armored vehicles supplied to Sudan, without any relation to us, and not necessary that 30 units has attracted your attention, it could be others.

Meanwhile in 2012 we have been involved to the supply of 30 armored personal carriers Typhoon from STREIT plant to the Sudan Police. We got a chance to be involved to this commercial deal because we proposed to credit manufacturer for the auto components till receiving the money from the buyer, and because we are professional enough to find a cost effective shipment.

The End User from Sudan was a Sudan Police, which is a legal organization of the official Sudan Government.

The supplied cars were police version, B6 cars, with no run-flats, which are used for military, with no any arms or weapons of course.

As per request of the manufacturer and local export regulations, the Buyer has provided the approval of the UAE export control body, approved as well by the Ministry of the Foreign Affairs of the UAE.

We, being UAE legal entity, has strictly followed UAE Law and regulations in that supply.

We have never supplied these vehicles to any forbidden organizations and destinations. It was delivered to Port Sudan, to official government police.

By the way, we have never claimed that we will use these vehicles ourselves and never issued such End User Certificate.

We are small trading company, professional in the automobiles and spare parts supplies. Our main clients are construction, transport and oil field services companies. And it will be very illogical if we issue such certificate.

The payment to us for the vehicles on behalf of the End User was made by the cash cheques from the UAE company. The cheques were in UAE dirhams.

The shipment was done when I was on summer vacations out of country, and now no one of my previous staff, who was working that time is in my company anymore. Our few personal, consisting of commercial manager, finance manager and logistics manager has been changed few times already since 2012. Therefore I'm ready to show you any related documents which I can find since that time, and please excuse if any details are missing.

I will enclose here the copies of the permits which we received from the buyer, there you can see name of Sudan Police. We didn't receive Receipt copies from Sudan, as it was not required by any of parties.

I hope that our response will be helpful.

Best regards,

Timur Khayrutdinov
General Director
KAMAZ INT'L TRADING FZE



Appendix 7 to Annex 15
Kamaz End User Certificate to Streit (10 July 2012)

9/15/2014 12:15 PM FROM: FAX TO: 0012129631300 PAGE: 004 OF 016



KAMAZ INTERNATIONAL TRADING

FREE ZONE ESTABLISHMENT

P.O. Box 54509, Ras Al Khaimah, UAE
 GENERAL DISTRIBUTOR OF KAMAZ INC.
 FOR MIDDLE EAST & NORTH AFRICA
 END - USER CERTIFICATE

1. In accordance with the regulations of United Arab Emirates, which state that granting of an invoice and certificate of origin is the prerogative of the competent authorities, I hereby declare that the goods supply by:

a. Name of Vendor: ARMORED PROTECTION CARS FZE
 b. Address of Vendor: PO Box 54513, RAK Free Trade Zone, RAK, UAE
 c. Country of Production/Manufacturer: UNITED ARAB EMIRATES
 d. Description of the goods (as Attached): AS PER ATTACHED
 e. Quantity and Weight (According to attached list)
 Words: AS PER ATTACHED Figure: _____
 f. Value, \$(AS PER ATTACHED) or £(_____)
 or €(_____)

2. The goods are intended for use in United Arab Emirates, the country of final destination

3. The items are intended for:

a. Purpose: FOR SOLE USAGE
 b. By (organization): KAMAZ INTERNATIONAL TRADING FZE

4. I certify that, the vehicles as per attached (Kamaz Typhoon GS300) are being purchased from Armored Protection Cars FZE for the sole usage of Kamaz International Trading FZE ONLY following the Rules and Regulations of United Arab Emirates (UAE) with no obligations and liabilities over Armored Protection Cars FZE if any inside or outside UAE.

Place: RAK, UAE
 Date: 10th July, 2012

Signature _____

State/Official Seal _____



PAGE 1

Received Time: Sep. 15. 2014 4:15AM No. 9962

9/15/2014 12:15 PM FROM: FAX TO: 0012129631300 PAGE: 005 OF 016

End User Certificate

UNIT #	VIN #	ENGINE #	YEAR	MAKE/MODEL	COLOR	Interior	ENG/TRANS
A027	RDYK3D329CR00027	B2636723	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A028	RDYK3D3271CR020025	B2636728	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A029	RDYK3D3273CR020026	B2636726	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A030	RDYK3D325CR020027	B2636901	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A031	RDYK3D327CR020028	B2636739	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A032	RDYK3D329CR020029	B2636725	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A033	RDYK3D325CR020030	B2636723	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A034	RDYK3D327CR020031	B2636733	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A035	RDYK3D329CR020032	B2636878	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A036	RDYK3D326CR030033	B2636716	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A037	RDYK3D328CR030034	B2636719	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A038	RDYK3D32XCR030035	B2636660	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A039	RDYK3D321CR030036	B2636727	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A040	RDYK3D323CR030037	B2636734	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A041	RDYK3D325CR030038	B2636709	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A042	RDYK3D327CR030039	B2636717	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A043	RDYK3D323CR030040	B2636661	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A044	RDYK3D325CR030041	B2636710	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A045	RDYK3D327CR030042	B2636736	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A046	RDYK3D324CR040043	B2636902	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A047	RDYK3D326CR040044	B2636742	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A048	RDYK3D328CR040045	B2636735	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A049	RDYK3D32XCR040046	B2636741	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A050	RDYK3D321CR040047	B2636708	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A051	RDYK3D323CR040048	B2636740	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A052	RDYK3D325CR040049	B2636724	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A053	RDYK3D321CR040050	B2636738	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A054	RDYK3D323CR040051	B2636899	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual
A055	RDYK3D325CR040052	B2636714	2012	Kamaz Typhoon GS300	Beige	Grey & Black Rubber	11.8L Diesel/Manual

Vehicle Type: Armored Personnel CarrierDestination: United Arab Emirates

PAGE 2

Received Time Sep. 15, 2014 4:15AM No. 9962

9/15/2014 12:15 PM FROM: FAX TO: 0012129631300 PAGE: 003 OF 016


الأوائل للترجمة القانونية
AL AWAIL LEGAL TRANSLATION

ترجمة شهادة مستخدم باللغة الإنجليزية
 Arabic translation of End-User Cert. issued in English

كمار انترناشيونال ترينينغ م.م
 كمار انترناشيونال ترينينغ م.م

1. طبقاً للوائح المعمول بها في دولة الإمارات العربية المتحدة والتي تنص على أن منح رخصة
 تصدير قودية خاصة تتوقف على تقديم شهادة المستخدم النهائي، بموجب هذا نشهد بأن
 البضاعة موزدة من قبل:

أ. اسم البائع : إرمود بروكتشن كارين م.م ج
 ب. عنوان البائع : ص.ب. 54513 المنطقة الحرة رأس الخيمة - ا.ع.م.
 ج. بلد الإنتاج / الصناعة : الإمارات العربية المتحدة.
 د. وصف البضاعة : حسب المرفق.
 هـ. الكمية والوزن : حسب المرفق.
 و. القياس : حسب المرفق.

2. من المقرر أن البضاعة يتم استخدامها بدولة الإمارات العربية المتحدة.

3. من المعروف أن:
 أ. يتم استخدام الأصناف بصفة حصرية
 ب. من قبل كمار انترناشيونال ترينينغ م.م ج

4. بهذا أئذيت بأن المركبات المشمولة بالبيان المرفق (كمار شيفرون جي إس 300) يتم شرائها من
 إرمود بروكتشن كارين م.م ج للاستخدام الحصري من قبل كمار انترناشيونال ترينينغ
 عملاً بالوائح والأنظمة المعمول بها في دولة الإمارات العربية المتحدة دون مسؤولية أو التزام
 على إرمود بروكتشن كارين م.م ج. إن وجدت سواء داخل أو خارج دولة الإمارات.

2012/9986
 11-7-2012
 المكان : رأس الخيمة - ا.ع.م.
 التاريخ : 2012/07/10

(بوجد توقيع وختم كمار انترناشيونال ترينينغ م.م ج)
 الكاتبة العدل: لولاء حامد المهراوي
 Notary Public / Laila Hamad Al-Meharawi




2. The legal translation duly provided was made by the Ministry of Justice, as hereby certified that, the recorded translation is correct to the best of my knowledge and belief.
 أشهد أن الترجمة القانونية المقدمة من قبل وزارة العدل بأن الترجمة صحيحة حسبما حسب المصنف ما أؤيدت من علم واستعداد

Tel: 07-2332168 - Fax: 07-2332160 - Mob: 050-3721160 - P.O.Box: 31757 - Ras Al Khaimah - U.A.E.
 Received Time: Sep. 15, 2014 4:15AM No. 9962
 Al-Awail - trans@hotmail.com

Annex 16

Case study - Hacking Team S.r.l.

Summary of communication process between the Panel and Hacking Team S.r.l.

The Panel made initial requests to Hacking Team S.r.l. for information¹ about the supply of this intrusion software to the Government of Sudan, but the company ignored these requests. The Panel then requested the cooperation of the Permanent Mission of Italy in obtaining information from the company.² The Hacking Team S.r.l. initial response to this Panel enquiry, contained within a letter from the Permanent Mission of Italy,³ was that the company did not consider the RCS system to be a weapon, and that there were no dual use regulations for the supply of such a system in place until the entry into force of EU Regulation 1382/2014⁴ on 31 December 2014. Their rationale being that the RCS system only then fell under the category of “intrusion software” within the new Regulation.⁵ Hacking Team S.r.l. also categorically stated “*that there are currently no business relationships or agreements of any kind that would allow the Sudan or any other entity within its territory to use the Remote Control System software*”.

Notwithstanding the position of Hacking Team S.r.l. that it was the entry into force of EU Regulation 1382/2014 that placed their RCS software into the category of dual-use controlled items, the Panel notes that Article 2 (1) to the predecessor EU Regulation 428/2009⁶ also clearly states that “*dual-use items shall mean, items, including software and technology, which can be used for both civil and military purposes ...*”.

Hacking Team S.r.l. were almost certainly aware of the extant EU legislation surrounding the export of, and support to, the RCS software to Sudan between 2012 and 2014.

The Panel requested further clarification⁷ from Hacking Team S.r.l., through the auspices of the Permanent Mission of Italy, as to “*any previous business relationships or agreements in terms of the use of this technology in the Sudan that may have elapsed or expired*”. The response of Hacking Team S.r.l.⁸ was disingenuous in that it ignored the specific Panel question about business

¹ Panel letters to Hacking Team S.r.l of 4 June 2014 and 5 August 2014.

² Panel letters to the Permanent Mission of Italy to the United Nations of 16 September 2014 and 23 December 2014.

³ Permanent Mission of Italy letter to the Panel of 16 January 2015.

⁴ EU Council Regulation 1382/2014 of 22 October 2014 amending Council Regulation (EC) 428/2009 setting up a Community regime for the control of exports, transfers, brokering and transit of dual-use goods. Entered into force on 31 December 2014.

⁵ Category 4.D.004. “Software” specially designed or modified for the generation, operation or delivery of, or communication with, “intrusion software”.

⁶ EU Council Regulation 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfers, brokering and transit of dual-use goods.

⁷ Panel letter to the Permanent Mission of Italy to the United Nations of 23 January 2015.

⁸ Permanent Mission of Italy letter to the Panel of 13 March 2015.

arrangements prior to 31 December 2014 and repeated its position that *“it does not have any business relations with the Sudan”*. The Panel therefore twice⁹ repeated its request for this specific information, but received no response.

During the weekend of 4/5 July 2015 the Hacking Team S.r.l. computer system was itself hacked, and information relating to the sale of the RCS software to Sudan, and maintenance support for the system, became available in the public domain.¹⁰ This included:

(a) An invoice (116/12) dated 5 September 2012 from Hacking Team S.r.l. to NISS for the second payment of US\$ 480,000 for the RCS software;¹¹

(b) An extract from a client list that stated that as at 31 December 2014 the NISS RCS software *“was not officially supported”*;¹²

(c) An EXCEL spreadsheet¹³ listing all clients, contract values and maintenance costs as at 31 December 2014. For Sudan this showed client revenue from NISS for US\$ 960,000 and a 2014 maintenance contract for US\$ 76,000. It also contained the number “240” under a column labelled *“Total#Targets”*;

(d) An EXCEL spreadsheet¹⁴ listing all clients, contract values and maintenance costs as at 03 June 2015. For Sudan this showed the 2014 data, and the word “YES” under a column labelled *“Exploit”*; and

(e) A number of internal company E Mails discussing the Panel’s investigation and how they should respond.

The Panel sent a further request¹⁵ for confirmation of elements of the information that had been placed in the public domain and received a response¹⁶ on 14 August 2015. This stated: 1) that *“business relations before 31 December 2014 were conducted according to regular free trade”*; 2) *“the goods produced and marketed by HT were, in effect, not found to fall in the category of “weapons”, nor were they considered to be subject to the sanctions regime imposed by the United Nations on the Sudan under UNSCR 1591 (2005)”*; and 3) *“on the basis of the technical data received, no exact answer can be given to the questions asked by the Panel of Experts regarding possible business relations between HT and the national Intelligence Service of Sudan (NISS), or on the authenticity of the company’s recently published invoices”*. This response again failed to provide the specific information that the Panel had requested.

⁹ Panel letters to the Permanent Mission of Italy to the United Nations of 18 March and 14 May 2015.

¹⁰ <https://www.wikileaks.org/hackingteam/emails/>. Note that the information relating to Sudan was just one small piece of the overall data released.

¹¹ Appendix 1.

¹² Appendix 2.

¹³ Available for inspection from the Panel archives.

¹⁴ Available for inspection from the Panel archives.

¹⁵ Panel letter to the Permanent Mission of Italy to the United Nations of 15 July 2015.

¹⁶ Permanent Mission of Italy letter to the Panel of 14 August 2015.

The Panel notes that the use of intrusion software systems such as the Galileo RCS system for intelligence gathering is not prohibited under international humanitarian law. Although there is, as yet, no international treaty covering cyber operations, best guidance is contained within the ‘Tallinn Manual on the International Law Applicable to Cyber Warfare’,¹⁷ which was developed by a group of independent experts acting in their personal capacity. Rule 66(a) of the Tallinn Manual states that “*Cyber espionage and other forms of information gathering directed at an adversary during an armed conflict do not violate the law of armed conflict*”. The system has no cyber attack capability.¹⁸

¹⁷ <https://ccdcoe.org/research.html>.

¹⁸ Defined as “any action taken to undermine the functions of a computer network for a political or national security purpose” in The Law of Cyber Attack, Hathaway O.A et al, California Law Review 2012. <http://www.law.yale.edu/documents/pdf/cglc/LawOfCyberAttack.pdf>.

Appendix 1 to Annex 16

Hacking Team S.r.l. Invoice to NISS

HT S.r.l.

Sede legale e operativa: Via della Moscova, 13 – 20121 Milano – Tel: +39.02.29.06.06.03
 e-mail: info@hackingteam.it – web: <http://www.hackingteam.it> – Fax: +39.02.63118946
 P.IVA: 03924730967 – Capitale Sociale: € 223.572,00 i.v.
 N° Reg. Imprese / CF 03924730967 – N° R.E.A. 1712545

NISS - National Intelligence and Security Services
 Arkweet 61/354
 Abaed Khatim St.
 Kartoum
 Sudan

Registration number 352/07

Milan, September 5th, 2012

Invoice no. 116/2012
 Ref. Our Offer no. 20120601.088-1.MM
 Ref. Contract signed on June 29th, 2012

Remote Control System - Second payment 50%	480,000.00
--	------------

Total Amount	480,000.00
---------------------	-------------------

VAT does not apply in accordance with Italian Presidential Decree 633/72, art. 7

Terms of payment:
 15 days invoice date

By wire bank transfer to:
 HT S.r.l. - Deutsche Bank via S. Prospero 2, 20121 Milan, Italy IBAN IT50P0310401600000000825132 BIC/
 SWIFT Code: DEUTITMM

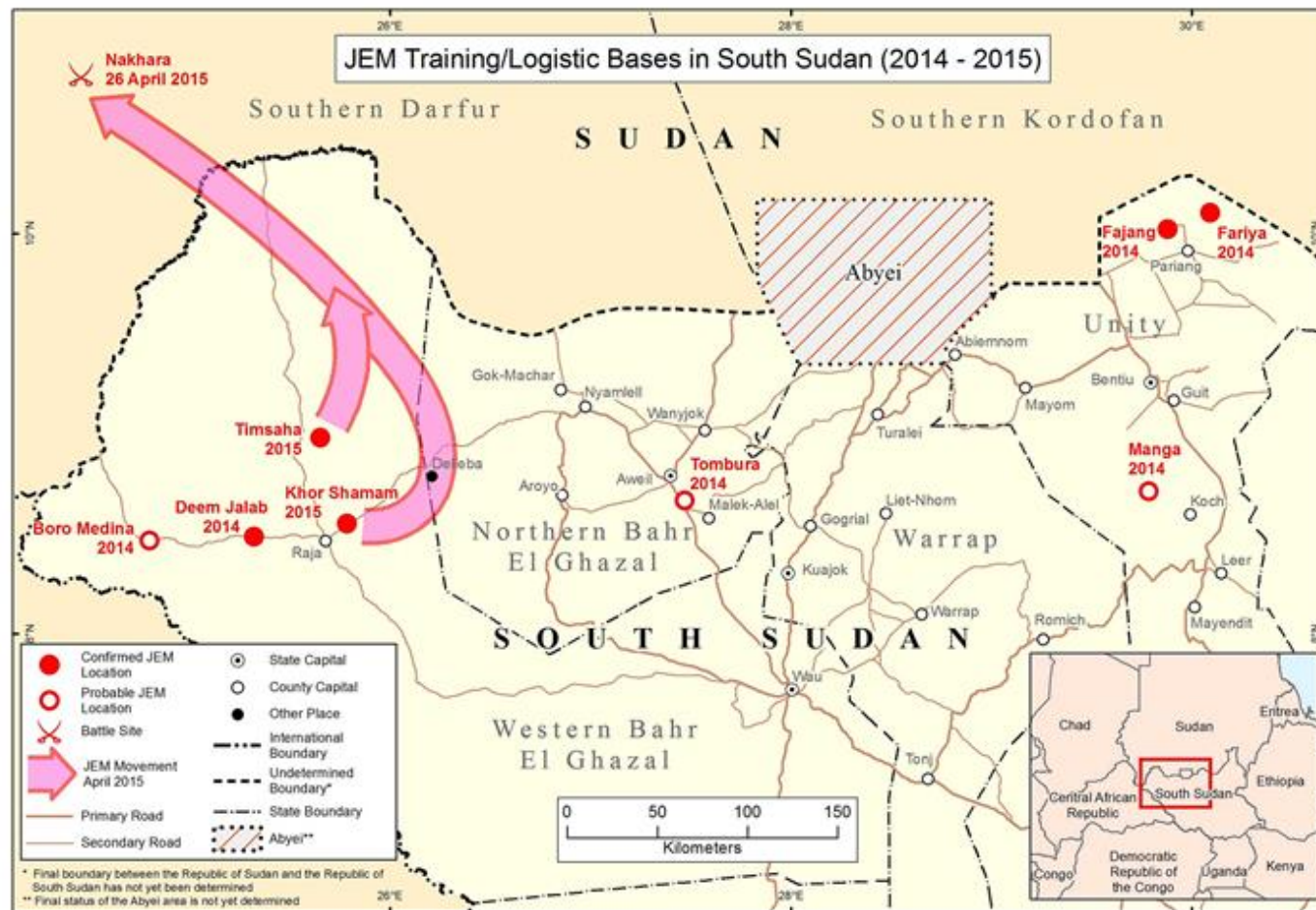
Appendix 2 to Annex 16

Hacking Team S.r.l. Invoice Client List Extract

ID	Client	Country	Organization	Start Date	Status
1.	KVANT	Russia	Intelligence Kvant Research	11/30/2014	Not officially supported
2.	GIP	Saudi Arabia	General Intelligence Presidency	12/31/2015	Active
3.	MOD	Saudi Arabia	Minister of Defence	7/15/2015	Active
4.	TCC-GID	Saudi Arabia	General Intelligence Directorate	6/1/2015	Active
5.	IDA-PROD	Singapore	Infocomm Development Agency	2/28/2015	Active
6.	SKA	South Korea	The Army South Korea	12/31/2014	Active
7.	NISS-01	Sudan	National Intelligence Security Service	12/31/2014	Not officially supported
8.	THDOC	Thailand	Thai Police - Dep. Of Correction	7/31/2014	Expired
9.	ATI	Tunisia	Tunisia (demo)	7/3/2011	Expired

Annex 17

Map of JEM training or logistic bases in South Sudan (2014-2015)



Annex 18

Summary of reported¹ air attacks in Darfur (01 January-30 September 2015)^{2 3}

<i>Date</i>	<i>Location</i>	<i>Sector</i>	<i>Attack Type</i>				<i>Aircraft Type</i>				<i>Ordnance Type</i>	<i>"Target"</i>	<i>Casualties</i>	
			<i>A/C Bomb</i>	<i>AGM⁴</i>	<i>IM⁵</i>	<i>NK⁶</i>	<i>Mi-24</i>	<i>Su-25</i>	<i>Antonov</i>	<i>NK</i>			<i>Fatal</i>	<i>Injured</i>
07 Jan	Abu Leha	North				6				X		Village ⁷	NK	NK
22 Jan	Katur	North				X				X		Village	NK	NK
22 Jan	Dubo El Madrasa	North				X				X		Village	NK	NK
22 Jan	Barara	North				X				X		Village	NK	NK
22 Jan	Wadi Lei Gina	North				X				X		Village	NK	NK
22 Jan	Usajanga	North				X				X		Village	NK	NK
24 Jan	Golo	Central				X			X			Village	NK	NK
24 Jan	Fanga	North				X			X			Village	NK	NK
26 Jan	Arra	Central				X				X		Village	NK	NK
26 Jan	Kirro	Central				X				X		Village	NK	NK
26 Jan	Koron	Central				X				X		Village	NK	NK
26 Jan	Bar Arie	Central				X				X		Village	NK	NK

¹ These are incidents reported from a range of sources, cross-referenced against UNAMID reporting to establish veracity. The data does not necessarily include un-reported incidents of armed violence, but does indicate the magnitude of the issue.

² P = Perpetrator. X = Target. NK = Not Known. TBC = To Be Confirmed.

³ The dashed lines on this, and all subsequent, tables indicate the commencement of the mandate period or end of reporting quarters.

⁴ Air to Ground Missile or Rocket. (e.g. S-8).

⁵ Improvised Munition.

⁶ Not Known.

⁷ The term "village" does not necessarily preclude the fact that a non-signatory armed group may have been present in the village.

Date	Location	Sector	Attack Type				Aircraft Type				Ordnance Type	"Target"	Casualties	
			A/C Bomb	AGM ⁴	IM ⁵	NK ⁶	Mi-24	Su-25	Antonov	NK			Fatal	Injured
26 Jan	Tala	Central				X				X		Village	NK	NK
26 Jan	Noni	Central				X				X		Village	NK	NK
26 Jan	Dorsa	Central				X				X		Village	NK	NK
01 Feb	Sarrong	Central				X				X		Village	1	0
01 Feb	Killing	Central				X				X		Village	0	0
04 Feb	Tima	North				X				X		Village	NK	NK
15 Feb	Sorenq	Central				9			X			Village	1	0
19 Feb	Sorenq	Central				X			X			Village	2	0
21 Feb	Tora	Central				X				X		Village	2	0
02 Mar	Abu Zerega	North				X			X			Village	0	0
22 Mar	Debbat Naira	Central				4			X			Village	0	0
01 Apr	Rowata, Saraf Omra	North				10				X		Village	14	18
02 Apr	Rofita, Rokoro	Central				19				X		Village	5	0
06 Apr	Near Rofita, Rokoro	Central				5				X		Village	NK	NK
15 Apr	Fanga	North				NK			X			Village	0	0
25 Apr	El Tomat	South				2				X		Village	17	18
06 May	North of Fanga	North				8				X		Village	2	0
07 May	Kaguro	North				3				X		Village	0	0
13 May	Um Sidir	North				13				X		Village	1	0
21 May	Arshin and Menyo	North				NK				X		Village	16	90
24 May	North of Fanga	North				NK				X		Village	3	0
26 May	Near Kakego	North				12			X			Village	7	NK
28 May	North of Fanga	North				NK				X		Village	2	0
07 Jun	Burgo and Targe	North				NK				X		Village	NK	NK
08 Jun	Savanga	North				X				X		SLA/AW	NK	NK
09 Jun	Tabra	North			7				X			Villages	0	0
11 Jun	Solo and Dalo	North			16				X			Villages	3	0
17 Jun	Dar el Aman,	North				X				X		Villages	NK	NK

<i>Date</i>	<i>Location</i>	<i>Sector</i>	<i>Attack Type</i>				<i>Aircraft Type</i>				<i>Ordnance Type</i>	<i>“Target”</i>	<i>Casualties</i>	
			<i>A/C Bomb</i>	<i>AGM⁴</i>	<i>IM⁵</i>	<i>NK⁶</i>	<i>Mi-24</i>	<i>Su-25</i>	<i>Antonov</i>	<i>NK</i>			<i>Fatal</i>	<i>Injured</i>
	Kara and Solo													
20 Jun	Ruvata	North				X				X		SLA/AW	1	4
23 Jun	Ruvata	North			9				X			Villages	1	0
27 Jun	Fanga	North			7				X			Village	0	0
17 Sep	Fanga	North				12			X			Village	2	0

Annex 19

Summary of SAirF military aviation assets (historical and new violations in Darfur) (01 January-30 September 2015)

Aircraft Type	Tactical Number	Delivered to SAirF ¹	Positively Identified in Khartoum	Positively Identified in Darfur	Panel Violation Reference	Operational in Darfur 2015	Remarks
A-5 <i>Fantan</i> ²	402	Before 2005		March 2007	2007 Report		▪ Based at Nyala FOB.
	403	Before 2005		March 2007	2007 Report		▪ Based at Nyala FOB.
	407	Before 2005		2008	2008 Report		▪ Based at Nyala FOB.
	410	Before 2005		March 2007	2007 Report		▪ Based at Nyala FOB.
	482	Before 2005		2008	2008 Report		▪ Based at Nyala FOB.
Su-25 ³	201	2008		2010	2010 Report		▪ Returned to El Fasher in Dec2013.
	203	2008		2009	2009 Report		▪
	204	2008		2009	2009 Report		▪ Certainly written-off; being cannibalized at El Fahser
	205 ⁴	2008		December 2011	2014 Report		▪ Observed in 2011, but never reported.
							▪ In El Fasher in May 2014.
	206	2008		2009	2009 Report		▪
	207	2008		2010	2010 Report		▪ In El Fasher in May, Sep and Oct 2014.
	208	2008		2013	2010 Report		▪ Most likely misreported as TN 209 by the Panel in 2010; In El Fasher in May, Sep and Oct 2014.
	(209)	-		2010	2010 Report		▪ Not delivered by Member State.

¹ For Su-25. Data from ae Permanent Mission of Belarus to the United Nations Letter to the Panel of Experts dated 13 August 2010.

² Official name: Nanchang Q-5; *Fantan* is a reporting name.

³ Su-25 Fighter Ground Attack (FGA) Aircraft; Aircraft marked with Tactical Numbers 201 – 214 are of the first generation single seat version; NATO reporting name *Frogfoot-A*. All Sukhoi Su-25 aircraft in service with the SAirF are marked with a Tactical Number in the 200-series. The last known TN delivered to Sudan is 217.

⁴ Use of bold type indicates aircraft seen by the Panel in 2014.

Aircraft Type	Tactical Number	Delivered to SAirF	Positively Identified in Khartoum	Positively Identified in Darfur	Panel Violation Reference	Operational in Darfur 2015	Remarks
	210	2008		2010	2010 Report		▪ In El Fasher in Oct 2014.
	211	2009		2010	2010 Report		▪ El Fasher (May 2013), Nyala (Jun 2013). ▪ Still in Darfur in Sep2013.
	212	2009		2010	2010 Report		▪ Certainly written-off; being cannibalized at El Fasher.
	214	2009		December 2011	2013 Report		▪ Almost certainly in El Fasher until May 2014.
Su-25UB ⁵	215	2008		2012	2012 Report		▪ Probably based at Wadi Sayyidna
Mi-17/Mi-171Sh ⁶	525			July 2009	2009 Report		▪ Mi-17; No further details available.
	527			July 2009	2009 Report		▪ No further details available.
	528			2007	2007 Report		▪ Mi-171Sh; Two-tone colour scheme (c/s) (light olive/dark green).
	529			2008	2008 Report		▪ Mi-17V-5.
	533			2007	2007 Report		▪ Mi-17V-5; Two-tone c/s (light olive/dark green).
	534			2007	2007 Report		▪ Mi-17; Two-tone c/s (khaki/dark olive); observed with external hard points mounted.
	537			2010	2010 Report	YES	▪ Mi-17; Also at Nyala in Jun 2015 with new two-tone c/s (sand/dark green); observed without external hard points mounted.

⁵ Training version of Su-25 Ground Attack Aircraft, able to carry armament; Aircraft marked with TN 215 – 217 are of the first generation dual seat version; NATO reporting name *Frogfoot-B*.

⁶ Transport Helicopter of which Attack Helicopter versions exist with 2x2 or 2x3 external hard points and a machine gun attached in the nose; All Mi-17 and Mi-171 types are derivatives of the Mil Mi-8 helicopter; Many versions are around, and SAirF has various types in service; A more recent development includes: a little nose, large loading ramp in the back and enlarged sliding doors on either sides of the fuselage. NATO reporting name is *Hip*, followed by a suffix letter to indicate the exact subversion (like *Hip-A* or *Hip-H*). All Mi-8/Mi-17/Mi-171Sh helicopters in SAirF service are marked with a TN in the 500-series.

Aircraft Type	Tactical Number	Delivered to SAirF	Positively Identified in Khartoum	Positively Identified in Darfur	Panel Violation Reference	Operational in Darfur 2015	Remarks
	543			2014	TBC		<ul style="list-style-type: none"> ▪ Mi-171Sh; three tone c/s (sand/dark olive/brown); in Nyala in May 2014.
	544			2014	TBC		<ul style="list-style-type: none"> ▪ Mi-171Sh; three tone c/s (sand/dark olive/brown); in El Fasher in Sep 2014
	546			2013	TBC		<ul style="list-style-type: none"> ▪ Mi-171Sh; three tone c/s (sand/dark olive/brown); in Nyala in May 2014 and in El Fasher in Oct 2014
Mi-24P/Mi-24V ⁷	913			2006	2006 Report		<ul style="list-style-type: none"> ▪ Mi-24P; Two-tone c/s (light olive/dark green). ▪ No details available.
	916			July 2009	2009 Report		
	918			2006	2006 Report		<ul style="list-style-type: none"> ▪ Mi-24V; Light olive/dark green c/s.
	922			2006	2006 Report		<ul style="list-style-type: none"> ▪ Mi-24V; No details available.
	923			August 2009	2009 Report		<ul style="list-style-type: none"> ▪ Mi-24P; Light olive/dark green c/s.
	925			August 2009	2009 Report		<ul style="list-style-type: none"> ▪ Mi-24V; Light olive/dark green c/s.
	926			August 2009	2009 Report		<ul style="list-style-type: none"> ▪ Mi-24V; No further details available.
	928			2010	2010 Report		<ul style="list-style-type: none"> ▪ Mi-24V; Light olive/dark green c/s.
	929			July 2009	2009 Report		<ul style="list-style-type: none"> ▪ Mi-24P; Light olive/dark green c/s.
	933			2010	2010 Report	YES	<ul style="list-style-type: none"> ▪ Mi-24V; Light olive/dark green c/s; in Nyala in Oct 2015.
	937			July 2009	2009 Report		<ul style="list-style-type: none"> ▪ Mi-24P; Light olive/dark green c/s.

⁷ Attack Helicopter, which can carry up to 8 troops. More recent versions are designated as 'Mi-25' et 'Mi-35'; The SAirF employs two versions: Mi-24P with a fixed double barrel machine gun at the starboard side of the cockpit and the Mi-24V with a flexible four-barrel gun attached under the nose; the Mi-24V in Sudanese service is also designated as 'Mi-35'; NATO reporting name is *Hind*; The Mi-24P is indicated as *Hind-F* and the Mi-24V (Mi-35) as *Hind-E*. All Mi-24 helicopters in SAirF service are marked with a TN in the 900-series; the last known TN delivered is 960.

Aircraft Type	Tactical Number	Delivered to SAirF	Positively Identified in Khartoum	Positively Identified in Darfur	Panel Violation Reference	Operational in Darfur 2015	Remarks
An-26 ^{8 9}	938	NK		2010	2010 Report		▪ Mi-24V; Light olive/dark green c/s.
	939			July 2009	2009 Report		▪ Mi-24V; Light olive/dark green c/s.
	941			July 2009	2009 Report		▪ Mi-24P; Light olive/dark green c/s.
	942			July 2009	2009 Report		▪ Light olive/dark green c/s. ▪ Crashed in April 2011.
	943			July 2009	2009 Report		▪ Mi-35; Light olive/dark green c/s.
	945			July 2009	2009 Report		▪ Mi-35; Khaki/dark green c/s.
	946			July 2009	2009 Report		▪ Mi-35; Khaki/dark green c/s.
	947			July 2009	2009 Report		▪ Mi-24P; No details available.
	948			2010	2010 Report		▪ Mi-35; Light olive/dark green c/s.
	950			2012	2012 Report		▪ Mi-35; Khaki/dark green c/s.
	951			2012	2012 Report		▪ Mi-24P; Khaki/dark green c/s.
	952			2012	2012 Report		▪ Mi-35; Khaki/dark green c/s.
	955			May 2013	2013 Report		▪ Mi-35; Khaki/dark green c/s.
	956			August 2013	2013 Report		▪ Mi-24P; Khaki/dark green c/s.
	965			Sep, Oct 2015	2015 Report	YES	▪ Mi-24P; Sand/olive c/s; based at Nyala FOB.
	966			Sep, Oct 2015	2015 Report	YES	▪ Mi-24P; Sand/olive c/s; based at Nyala FOB.
	7705			August 2006	2006 Report		▪ Marked (UN-) 26563. All white colour scheme, no further markings; also observed in 2007 and 2008 by the Panel.

⁸ Transport Aircraft, with the SAirF also in use as Reconnaissance/Observation Aircraft; NATO reporting name *Curl*; All An-26 and related An-30 and An-32 aircraft in SAirF service are normally marked with a TN in the 7700-series.

Aircraft Type	Tactical Number	Delivered to SAirF	Positively Identified in Khartoum	Positively Identified in Darfur	Panel Violation Reference	Operational in Darfur 2015	Remarks
	7706	Under Investigation		August 2013	2013 Report		<ul style="list-style-type: none"> Initially 'registered' ST-ZZZ (2) (2006-2007); MSN 10404; white fuselage with red/white/red line along fuselage; In El Fasher in Sep 2014.
	7715	Nov 2009		May 2014	2014 Report	YES	<ul style="list-style-type: none"> White fuselage with red/white/red line along fuselage; observed in Darfur in 2011; also in El Fasher in May, Oct 2014 and Sep, Oct 2015.
	7717	Jan 2010		July 2013	2013 Report		<ul style="list-style-type: none"> White/grey colour scheme; in Darfur in 2014 on supply flights.
	7718			September 2013	2013 Report		<ul style="list-style-type: none"> All white colour scheme, no nationality markings except TN; only supply flights
	7719	Under Investigation		June 2015	2013 Report	YES	<ul style="list-style-type: none"> All white colour scheme, no nationality markings; in Darfur in 2013, 2014 on supply flights; based at El Fasher FOB in Jun 2015.
	7777			2008	2008 Report		<ul style="list-style-type: none"> All white colour scheme, no markings except TN.
	ST-ZZZ (1)			August 2006	2006 Report		<ul style="list-style-type: none"> All white colour scheme, no markings except (fake) registration; MSN 10407; crash-landed at El Fasher on 07 Aug 2006. Hull seen until May 2014, but in Jun or Jul 2014 removed.

⁹ The use of these aircraft is only a violation of the arms embargo if used in an offensive aerial bombing role. The Panel is investigating.

Aircraft Type	Tactical Number	Delivered to SAirF	Positively Identified in Khartoum	Positively Identified in Darfur	Panel Violation Reference	Operational in Darfur 2015	Remarks
	ST-ZZZ (2)			2007	2007 Report		<ul style="list-style-type: none"> ▪ All white colour scheme, no markings except (fake) registration; MSN 10404; Became 7706 during 2007 or 2008.
	ST-ZZZ (3)		2007		2007 Report		<ul style="list-style-type: none"> ▪ No markings, no further details available.
An-32 ¹⁰	7710/ ST-ALM			September 2014	TBC	YES	<ul style="list-style-type: none"> ▪ Double marked with military TN and civil registration.
	7720			May 2014	2014 Report	YES	<ul style="list-style-type: none"> ▪ Observed in Darfur by the Panel in May 2014 fitted with BDZ-34 external hard-points.¹¹
	7721			May 2014	TBC	YES	<ul style="list-style-type: none"> ▪ White fuselage with blue port engine cowlings.
MiG-29SEh	6** TBC			April 2015	2015 Report	YES	<ul style="list-style-type: none"> ▪ Present in Nyala throughout Apr 2015.
	6** TBC			April 2015	2015 Report	YES	<ul style="list-style-type: none"> ▪ Present in Nyala throughout Apr 2015.

¹⁰ The use of these aircraft is only a violation of the arms embargo if used in an offensive aerial bombing role. The Panel continues its investigation.

¹¹ Refer to S/2014/87, para. 116.

Annex 20

Images of Sudanese military and military-ruled aircraft (source: Panel of Experts)

Figure 1

Antonov An-26 with tactical number 7715 observed in Darfur in 2015 in the light bomber role



Figure 2

Antonov An-26 with tactical number 7719 observed in Darfur in 2015 in the light bomber role



Figure 3

Antonov An-12 ST-KNT and tactical number 9988, used for SAF supply flights to El Geniena in October 2015



Figure 4

Ilyushin Il-76TD with markings removed (top) and the same Il-76TD with registration ST-APS and logo and titles of Kush Aviation

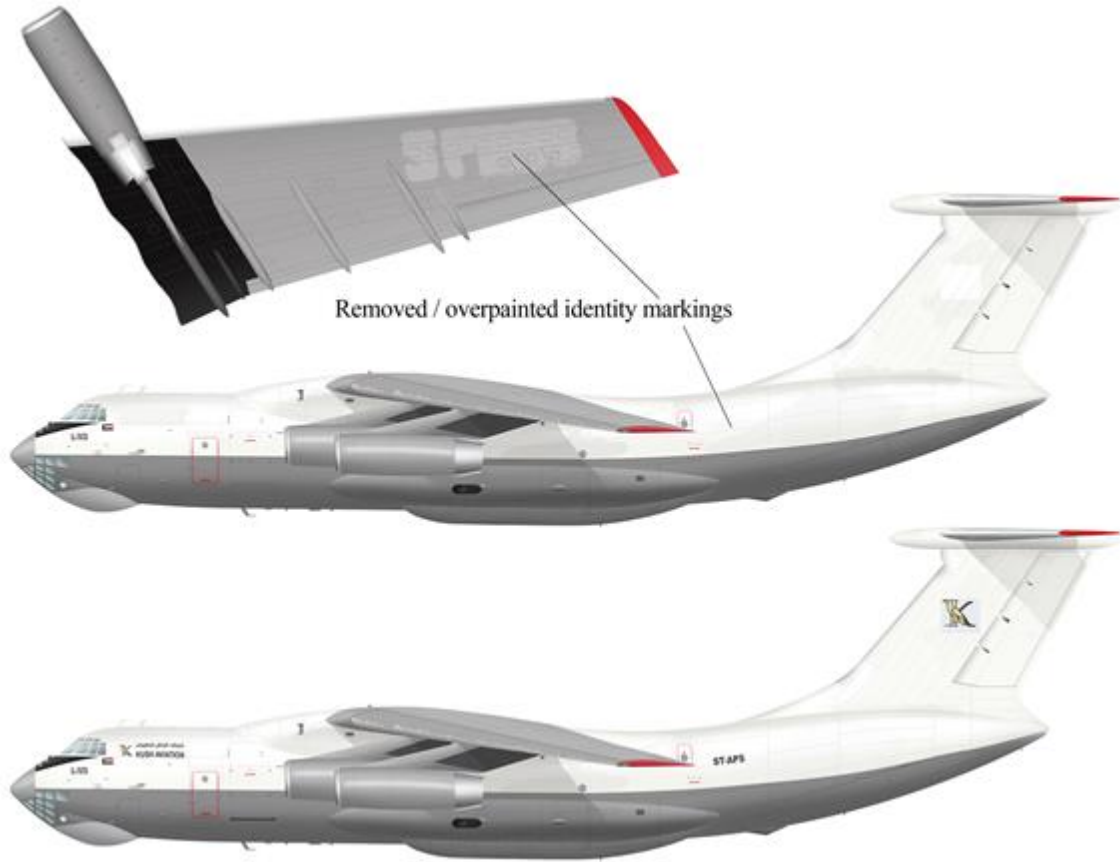
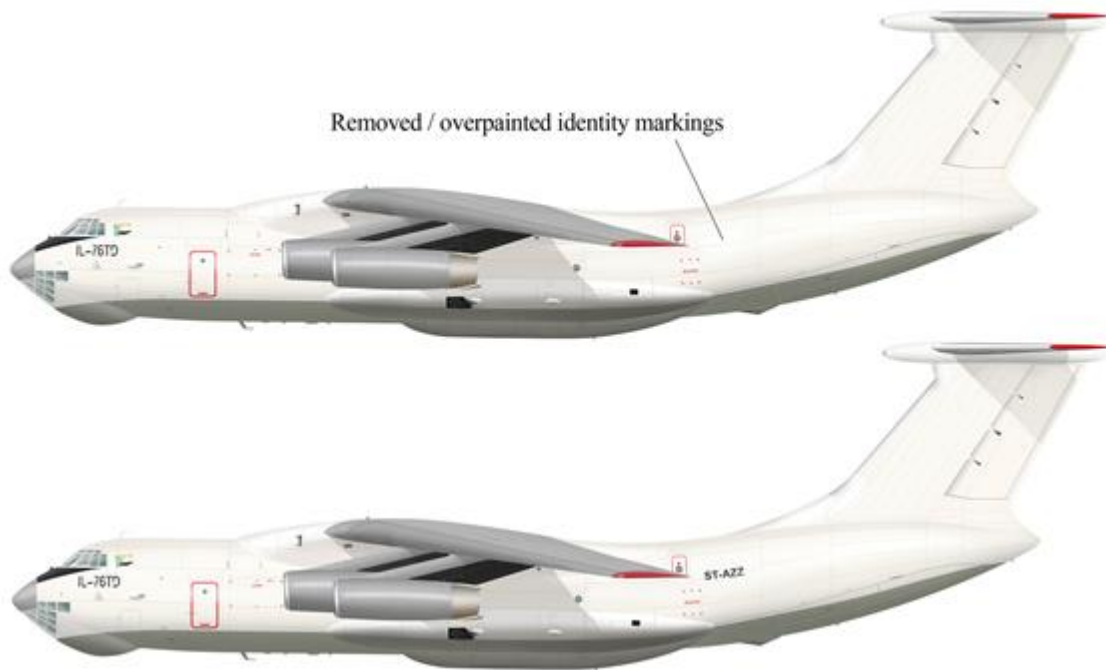


Figure 5



Ilyushin Il-76TD with markings removed (top) and the same Il-76TD with registration ST-AZZ

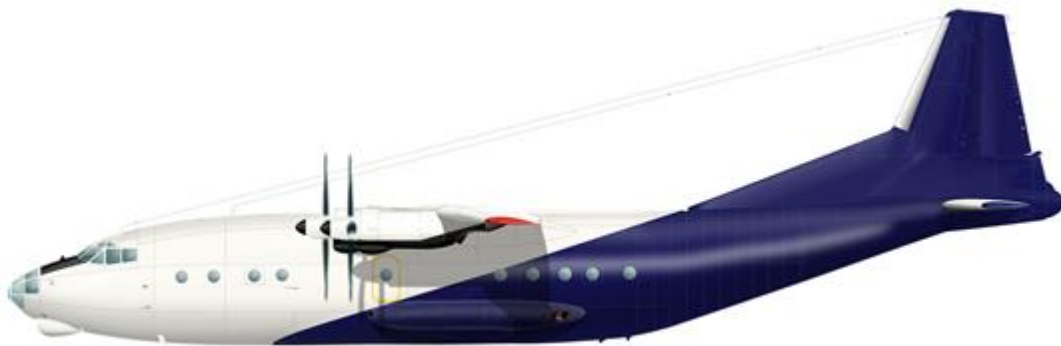


Figure 6

Unmarked Antonov An-12 that flew to Nyala in the first half of 2015

Figure 7
Antonov An-74 with registration ST-BDT that flew to Darfur throughout 2015



Figure 8
Antonov An-74 with registration ST-GFF that flew to Darfur throughout 2015



Figure 9
Ilyushin Il-76TD with registration ST-EWX that flew to Darfur throughout 2015



Figure 10

MiG-29 aircraft and air delivered ordnance at Nyala FOB (4, 12, 16, 23 and 26 April 2015)^{1,2}



Figure 11

Mi-24P with tactical number 965 as observed at Nyala FOB in October 2015



Figure 12

Mi-24P with tactical number 966 as observed at Nyala FOB in October 2015



¹ In the white squares, from left to right: two MiG-29 combat aircraft at Nyala FOB on 4, 12, 16, 23 and 26 April 2015. In the white ellipses: crates containing air delivered ordnance, photographed on 16, 23 and 26 April 2015.

² Google Earth.

Figure 13

Mikoyan MiG-29SEh with similar camouflage pattern as present in Darfur in December 2011



Figure 14

Mi-17 multi-role helicopter with tactical number 537 sighted at Nyala FOB



Annex 21
Antonov aircraft life extension documentation

Documentation relating to the life extension and delivery of Antonov aircraft from Asterias Commercial S.A to Marble Engineering (Sudan) is contained in appendices 1 to 2.

Appendix 1 to Annex 21
Invoice 101004/S-01 from Asterias Commercial S.A. to Marble Engineering

**ASTERIAS
COMMERCIAL S.A.**

Ref.# 101004/S-01

Date 04 October 2010

INVOICE

To: Marble Engineering
Khartoum, Sudan.

For: Payment according to the Agreement for the prolongation
calendar life four aircraft An-26 # 14405.

40 000,00 usd

Total amount

40 000,00 USD

Forty thousand USD

Beneficiary: Asterias Commercial S.A.
Athens, Greece.

Commercial Director
ASTERIAS COMMERCIAL S.A.
Panama

Appendix 2 to Annex 21
Invoice 090427/S-01 from Asterias Commercial S.A. to Marble Engineering

**ASTERIAS
COMMERCIAL S.A.**

Ref.# **090427/S-01** Date **27 April 2009**

INVOICE

To: Marble Engineering
Khartum, Sudan.

For: Payment according to the Agreement #AST-081205/S-01
dd 05/12/2008. For the aircraft An-12BK factory # 8345702.

1 400 000,00 \$

Total amount

1 400 000,00 USD

One million four hundred thousand USD-----

Beneficiary: Asterias Commercial S.A.
Athens, Greece.

Commercial Director
ASTERIAS COMMERCIAL S.A.
Panama

Annex 22
Antonov An-26 supply documentation

Documentation relating to the supply of Antonov An-26 aircraft from Asterias Commercial S.A to Sudan Master Technology is contained in appendices 1 to 2.

Appendix 1 to Annex 22
Contract documentation to contract 080218/S-01 - Asterias
Commercial S.A. and SMT for An-26 with MSN 13307

к Договору №AST-080218/S-01 от 18 февраля 2008 г.		to the Agreement №AST-080218/S-01 from February 18, 2008	
Transmission-reception Act Премо-сдаточный акт			
10 11 2009		city (Airport) город (аэропорт)	Kiev Киев
Transmitting party Сдающая сторона	Commercial Director, [REDACTED] (position, name and surname/должность, имя и фамилия)		
Receiving party Принимающая сторона	General Director, [REDACTED] (position, name and surname/должность, имя и фамилия)		
Have concluded the present Act to confirm that based on составили настоящий акт посредством которого подтверждается, что на основании Agreement №AST-080218/S-01 (decree, order of the sales contract or other document / приказа, распоряжения, договора о передаче или продажи, или другого документа)			
dated " 18 " 02 2008	"Sudan Master Technology"	Has received, приняла	
от	(receiving party / принимающая сторона)		
And	«Asterias Commercial S.A.»	Has transmitted передала	
в	(transmitting party / передающая сторона)		
aircraft воздушное судно	An-26B		
Serial nr. серийный №	13307		
National and registration sign Национальный и регистрационный знак	UR-CFZ		
Built изготовленное	12.12.1983		
Flight hours: Налет часов	From the beginning of operation: С момента начала эксплуатации	4041 hours 17 min ч. мин.	
	After last Overhaul: после последнего ремонта	0 hours 0 min ч. мин.	
Overhaul: Ремонт	Number of Overhaul: количество ремонтов	3	
	Date of last Overhaul: дата последнего ремонта	29.05.2009	

Appendix 2 to Annex 22
Contract documentation to contract 080218/S-02 — Asterias
Commercial S.A. and SMT for An-26 with MSN 13405

« Договору №AST-080218/S-02 or 18 февраля 2008 г.		to the Agreement №AST-080218/S-02 from February 18, 2008	
Transmission-reception Act Пріємo-сбiтoчний акт			
"29" 12 2009		city (Airport) город (аэропорт)	Kiev Киев
Transmitting party Сбiтoвa сторона		Commercial Director, [REDACTED] (position, name and surname/должность, имя и фамилия)	
Receiving party Приймoвa сторона		General Director, [REDACTED] (position, name and surname/должность, имя и фамилия)	
Have concluded the present Act to confirm that based on составили настоящий акт посредством которого подтверждается, что на основании Agreement №AST-080218/S-02 (decree, order of the sales contract or other document / приказа, распоряжения, договора о покупке или продаже, или другого документа)			
dated " 18 " 02 2008	"Sudan Master Technology"	Has received, принято,	
and	"Asterias Commercial S.A."	Has transmitted передано	
aircraft воздушное судно	An-26B		
Serial nr. серийный №	13405		
National and registration sign Национальный и регистрационный знак	UR-CGA		
Built изготовлено	20.01.1984		
Flight hours: Налет часов	From the beginning of operation: С момента начала эксплуатации	3400 hours 42 min	млн
	After last Overhaul: после последнего ремонта	0 hours 0 min	млн
Overhaul: Ремонт	Number of Overhaul: количество ремонтов	2	
	Date of last Overhaul: дата последнего ремонта	28.12.2009	

Annex 23

Golo case study

Between 24 to 27 January 2015, IHL violations were committed in Golo town and surrounding areas, including Bardani, both in Central Darfur. The perpetrators were almost certainly the RSF, armed groups of the region including those originating from Nertiti, Central Darfur, and highly probably Border Guards. (Hereinafter all three groups are called 'Combined Forces' to separate them from the regular SAF forces based in Golo).

On or around 23 January 2014, the SAF ground commander and intelligence personnel, based in Golo, gave advance warning to the civilians of Golo of impending Government operations against SLA/AW in the vicinity of Golo town. They requested that the civilians congregate in Golo town for their protection. Some civilians in the surrounding areas, including Bardani, moved into Golo town with their belongings, but others fled the area. Sources state that the Government request was made with the aim to either: (a) protect civilians; (b) use civilians as a human shield to protect the SAF base in the area from counter attack by SLA/AW; or (3) to ensure that all belongings are gathered in one place to assist in the looting.

In the morning of 24 January 2015, armed men on camels and horses, described as 'Arab militias', entered Golo followed by personnel and vehicles belonging to the RSF and Border Guards. Some sources stated that the men on animals immediately dispersed around the village, collected livestock and pillaged, while the armed personnel in vehicles drove towards the SAF military base and then moved towards Koron to engage in hostilities with SLA/AW elements. The armed personnel returned to Golo town at approximately 10.00 hours. Sources state that RSF suffered heavy losses in the battle.

There was almost certainly continuous pillage, harassments, assaults and sexual violence, committed by the combined forces during the day. At approximately 15.00 hours the SAF instructed that the civilians move towards Golo hospital for their own protection. The SAF cordoned off the hospital, and one military base close to the entrance of Golo town. Civilians, with their belongings, had sheltered in these locations in an attempt to safeguard themselves from the atrocities being committed by the combined forces. Yet, civilian belongings in these areas were also pillaged and people inside the hospital were allegedly subjected to sexual violence and assaults by the combined forces.

Towards the evening of 24 January 2015, one SAF soldier was certainly killed during a clash between himself and elements of the combined forces. Sources report that the SAF soldier was attempting to protect the civilian population when he was killed. Subsequently, the SAF at the military checkpoint requested that all civilians leave the checkpoint, citing the inability of SAF to protect them. It is highly probable that SAF escorted the civilians until they had left Golo town.

Of these, some fled to Bardani, where the next day (25 January 2015) about four men suffered sexual violence, highly probably committed by RSF elements. The men were gathered in a mosque when the RSF attacked the mosque. Some escaped, RSF captured others. Of those captured four men were taken to a nearby house and sexually violated. All were subsequently released.

Also, on or around 25 January 2015, SAF informed civilians still present inside the Golo hospital that they should only leave the hospital, under SAF protection. The SAF then escorted civilians to their homes to salvage whatever belongings they had left in their houses, yet despite this SAF protection, members of the combined forces still attacked them en route and pillaged their belongings. Others, who went without any SAF protection were also assaulted.

Over the next days, men from the combined forces entered the hospital and continued to pillage, assault, harass and sexually assault and rape women inside the hospital. Medical sources confirm that at least 8 rapes of women and girls occurred during those three days. It is not possible to quantify the total number of rapes, which is possibly higher.

On or around the 27 January 2015, SAF informed civilians inside the hospital that the SAF was no longer able to provide protection and that all civilians should leave Golo town for their own protection.

Committing pillage of civilian property, assaults and sexual violence against civilians violate the principles of IHL, as elaborated in annex 40. In the absence of effective measures to prevent these violations or, in the aftermath of the incident, failure to discipline those who violated IHL, may result in a command responsibility for those violations for the ground commanders of the RSF and Border Guards.

The Panel finds that:

- (a) It is almost certain that SLA/AW members in the region had close family links with the civilians in Golo, and it is highly probable that these families provided these groups with supplies;
- (b) It is almost certain that the SAF attempted to ensure the physical protection of civilians in Golo by: (i) congregating them in hospitals and providing protection at the Government military base; and (ii) providing escorts to their houses; and later (iii) highly probably by escorting them out of town;
- (c) It is almost certain that the RSF and armed groups, and highly probable that Border Guards, engaged in IHL violations both in Golo and Bardani, including sexual violence against women and men respectively;
- (d) It is almost certain that the armed groups and the RSF co-operated during the initial attack and that these armed groups operated with the consent, knowledge and authorisation of local RSF commanders in respect of this operation and effectively acted as auxiliary forces;
- (e) The Panel has no information on the Government's funding methods for these armed groups. Further information has been requested from the Government on the roles and responsibilities of these armed groups and the method of compensation; and
- (f) The Panel is almost certain that sexual violence occurred both in Golo and Bardani, including sexual violence against women and men respectively. The Panel is concerned that almost all victims have not received appropriate medical or psychosocial treatment following the sexual violence. In addition, for those displaced, there is actual or perceived intimidation on the victims and their communities against disclosure. This adversely impacts their ability to seek medical and psychosocial treatment. The social stigma surrounding the violations of men are

particularly high and thus act as an impediment for the affected men to seek, at minimum, community and peer support. Those displaced inside the Jebel Marra mountains following this attack reportedly do not have access to any medical treatment.

Annex 24

Massala, Sambal and Hiller Hager case study

On 01 January 2015 armed men in military and civilian attire, described as ‘Arabs’, entered Massala from the direction of Sambal. Armed men were in thirteen vehicles with others riding camels and horses. The armed men and vehicles surrounded the village and dispersed within the village. As they entered the village, one man leading his livestock, who crossed the path of the armed men, was called by name. When he refused to stop, approximately five armed men followed him to his house to allegedly assault him and to commit pillage. Meanwhile, other armed men also pillaged the property of residents, while the residents fled to nearby mountains. The men shortly commenced shooting in the air, in a manner that caused the straw roofs of residences to catch fire and the remaining residents to disperse. This pattern of pillage and burning was also reported in Sambal and Hillar Hager. The armed men allegedly rustled livestock, and pillaged or destroyed civilian food items and household property in these three villages. The armed men shot at and killed one person in Sambal. In Massala, an 80-year old man was burnt to death in his residence due to his inability to escape.

Some victims in Massala and Hillar Hager reported the presence of an identified ‘Arab’ ‘militia’ leader, Badr Abu Kinesh, in an identifiable vehicle and attired in military uniform. In Sambal, sources reported the same vehicle, but could not identify individuals. Abu Kinesh is highly probably a senior officer of the Border Guards, and was also certainly the North Darfur Commissioner for Peace and Security at the time of the incident. This was a civilian appointment made by Osman Kibir, the then Wali of North Darfur.¹

It is certain that the General Prosecutor for Darfur Crimes and the El Fasher Police were made aware of the involvement of at least three individuals, (Badr Abu Kinesh, Musa Neina and Hadu), in these incidents. Musa Neina and Hadu are often associated with Badr Abu Kinesh, although it is unclear if they too hold official ranks within the Sudanese military. Badr Abu Kinesh has bases in Kutum, Korma and Tawilla localities.

The Panel continues to investigate.

¹ It is possible that, despite the change of the Wali in North Darfur, Badr Abu Kinesh held the aforementioned post as recently as August 2015.

Annex 25

Imagery of Rowata air attack on 1 April 2015

Figure 1
Mass grave of victims at Rowata (1 April 2015)¹



Figure 2
Injuries to women and children at Rowata (1 April 2015)²



¹ Confidential source.

² Ibid.

Figure 3
Crater at Rowata (1 April 2015)³



Figure 4
Fragmentation from IADM used at Rowata (1 April 2015)⁴



³ Confidential source.

⁴ Ibid.

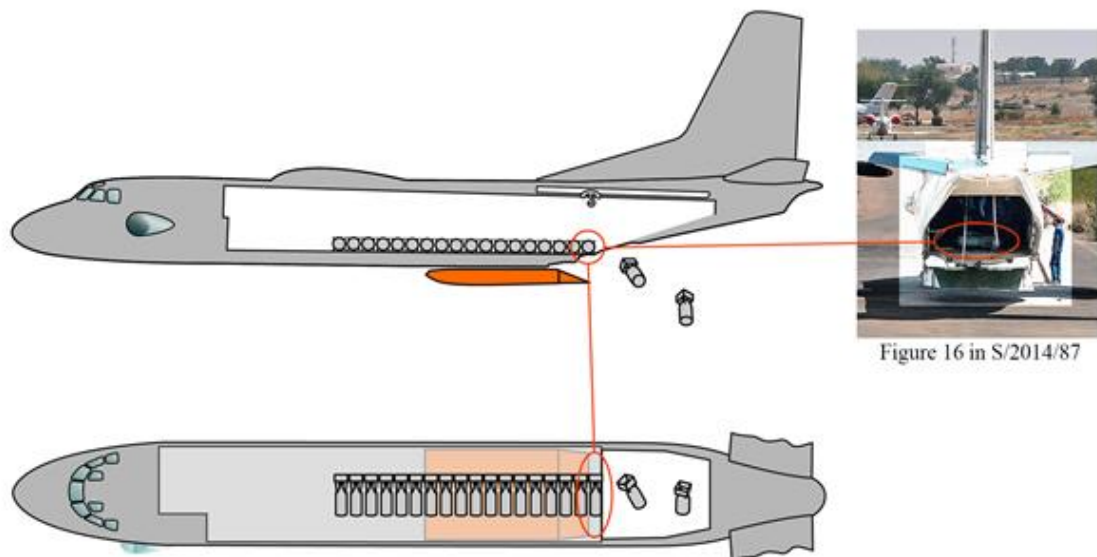
Annex 26

Analysis of Antonov An-26/IADM bombing technique

The Antonov An-26 is designed as a light tactical military transport aircraft that features a fuselage-wide ramp/door at the fuselage's aft that allows for loading and unloading of objects up to the size of a small jeep.

The aircraft is able to pivot the aft ramp around an axis, as a large door is connected to hinges. But the door also offers a second option to open the door: a sliding movement whereby the entire ramp/door is 'parked' underneath the fuselage of the aircraft. While using this second method, the whole aft of the aircraft is cleared and creates a large opening, almost as large as the aircraft's section.

Figure 1
Image of An-26 in IADM bombing role



The second option allows the aircraft to drop paratroopers, food rations, military supplies, and in the case of Sudan for the last 10 years, improvised air delivered munitions (IADM).

The An-26 also features a Perspex half-sphere on the port side just behind the flight deck and close to the navigator. This half-sphere allows for omni-directional views from the left hand side of the fuselage.

It is highly probable that the bomb aimer uses this half-sphere in the Antonovs as a means of target identification in support of ordnance delivery.

Yet, despite a good profile of the world beneath the aircraft, the entire bombing 'technique' applied by the Antonov bombers lacks any precision as:

(a) The bombs are of an IADM type, locally produced using rather simple production methods and almost certainly never properly ballistically or aerodynamically tested for accurate delivery from altitude;

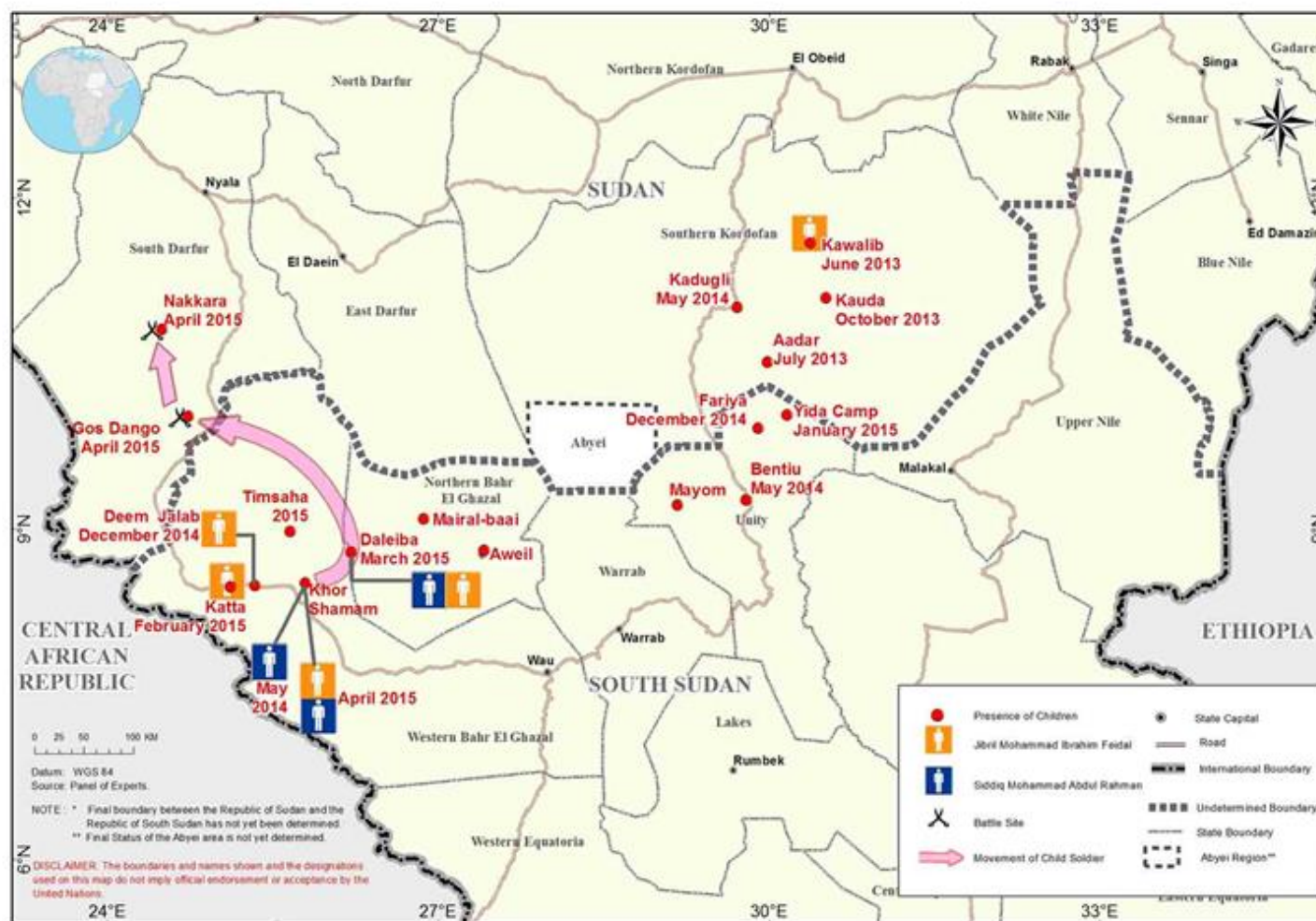
(b) The IADM are loaded and released in a transverse orientation in the hold of the aircraft. This means that they will initially be ballistically unstable during their initial flight due to the vortices created by the aircraft's fuselage and ramp. It will take time for them to achieve ballistic stability during their free fall, hence adding to the inaccuracy;

(c) For non-terminally guided ordnance it is best practice to release into a headwind to reduce errors. In the case of the Antonov, with the ordnance being released from the back of the aircraft, the ordnance is initially affected by tailwind, hence further adding to inaccurate trajectories;

(d) The aircraft in Sudanese service were not primarily manufactured for the light bomber role and it is **possible** that it lacks the instruments and infrastructure necessary for precision bombing. This means that the release point for the ordnance is determined by the technical judgement of the bomb aimer, with the inherent potential for human error to impact on target accuracy.

Annex 27

Map showing locations of child soldiers and children associated with JEM



Annex 28

Sexual and Gender Based Violence

1. The Panel is aware of allegations of sexual violence committed in Tabit. Yet the environment in Sudan is not conducive to investigate sexual violations against women, particularly in Tabit, due to actual or perceived: (a) threats to and intimidation of women; (b) increased surveillance of women from Tabit; (c) restrictions their freedom of movement; (d) actual lack or limitations of psychosocial services; and (e) lack of witness and victim protections mechanisms on the ground. With this background, and given that the protection of sources is a priority for the Panel, the Panel is not in a position to confirm or deny these allegations. Based on preliminary investigations the Panel concludes there is a credible threat to the safety and security of victims, witnesses and the community.
2. The Panel concludes that sexual violence almost certainly occurred in Golo and Bardani. The perpetrators were identified as belonging to the RSF, Border Guards and their auxiliary forces. In the Golo case study at annex 23, the Panel also highlights specific obstacles encountered by persons who suffered sexual violence in Golo and Bardani.
3. The Panel concludes that there are serious allegations of sexual violence committed by RSF, their auxiliary forces and other armed groups both in the context of military operations and by members acting alone.¹ Yet, effective investigations and prosecutions into these individual violations are almost impossible, due to inter-alia, prevailing power disparities between the victims and perpetrators, and a lack of effective rule of law that contributes to the maintenance of impunity. The Panel finds that the proliferation of small arms and light weapons into Darfur directly contributes to sexual violence on the ground. Local law enforcement authorities are often unable to arrest perpetrators, even if identified, because the perpetrators are more heavily armed than local law enforcement.
4. While the Panel is not able to independently identify perpetrators, the Panel notes that it is the responsibility of the Government to investigate allegations, to bring perpetrators to justice and to take measures to avoid an environment conducive to committing sexual violence with impunity.
5. The Government's public response to allegations of sexual violence have been one of denial and intimidation. On 24 May 2015, the Special Rapporteur on Violence against Women issued a statement after her 12-day visit to Sudan. On 25 May 2015, NISS confiscated ten newspapers and suspended four others indefinitely, due to publication of articles covering sexual harassment and rape on buses used by students.² The Government also arrested the activist, who raised the issue of child sexual violence at a forum and the organizer of the forum.³ The

¹ Sources include victims, witnesses and communities, published UN documents and confidential sources.

² Sudanese security confiscates print runs of 10 newspapers at <http://www.sudantribune.com/spip.php?article55093>, Sudanese security confiscates newspaper over child abuse issue at <http://www.sudantribune.com/spip.php?article55315>.

³ Ibid. It appears that some, if not all, of these the publications carried the statement of the Special Rapporteur in full.

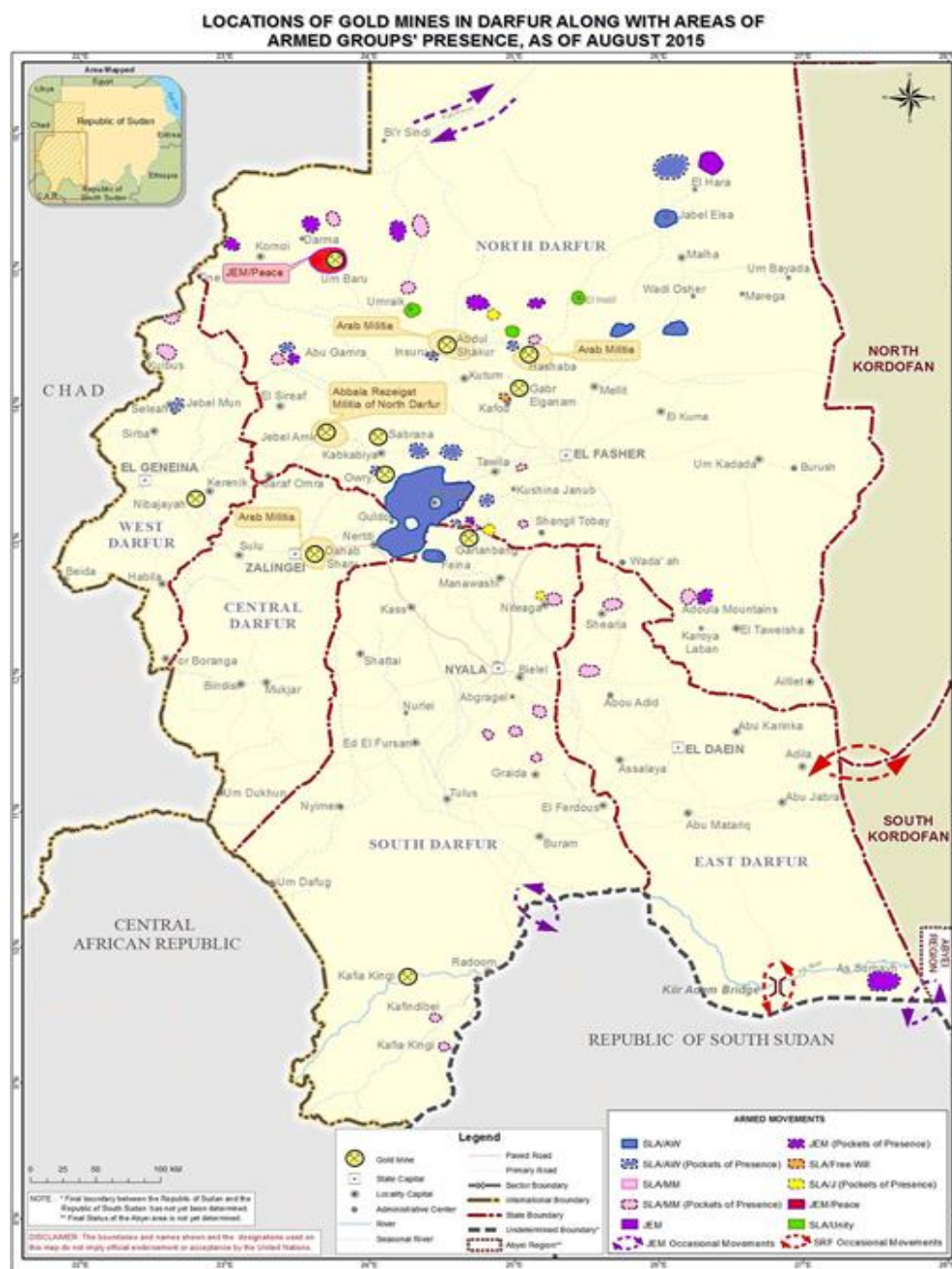
activist later apologized saying that these newspapers truncated her remarks and that she does not have statistics on sexual harassment cases directed at students.⁴ On 11 June 2015, NISS allowed four papers to resume publication after obtaining a written apology for “*publishing what was described as stories that are harmful to the society’s security and values*”.⁵ On 12 June 2015, NISS confiscated *Al-Youm Al-Tali* newspaper, allegedly due to the publication of an article in which police acknowledged exposure of children to sexual abuse.⁶

⁴ Sudanese security reinstates four suspended newspapers after ‘apology’, <http://www.sudantribune.com/spip.php?article55312>.

⁵ Sudanese security reinstates four suspended newspapers after ‘apology’ at <http://www.sudantribune.com/spip.php?article55312>.

⁶ Sudanese security confiscates newspaper over child abuse issue at <http://www.sudantribune.com/spip.php?article55315>.

Map of artisanal gold and areas of influence of armed groups, Darfur, August 2015¹



¹ Source data from Panel.

Annex 30

Information on Jebel Amir gold mine management

1. On 14 June 2015, the Panel visited the local administration office in El Sireaf to inform that the Panel would be undertaking a visit to the Jebel Amir gold mines the next day. An official called Sheikh Musa Hilal who then approved the visit of the Panel to the Jebel Amir Mines.

2. The Jebel Amir mines area is a valley surrounded by mountains. Before entering the valley, the Panel convoy had to pass through a checkpoint, controlled by an armed person in a military style uniform with no insignia¹. After driving one km from the checkpoint, the Panel reached the meeting place, where the Jebel Amir Gold Mines Management Council (JAGMMC) members had gathered. After the customary exchange of greetings with the council members, the Panel explained the purpose of the visit to the Deputy Chairman of the JAGMMC. The council members were disinclined to engage in any discussion, and asked the Panel to leave, expressing their attitude by saying that they do not allow any government personnel or UNAMID officials in the valley, unless they receive the agreement of Sheikh Musa Hilal, Chairman of JAGMMC. Council members were informed that Musa Hilal had agreed to the visit.

3. Council members informed the Panel that the council was formed after a peace agreement was brokered between Sheikh Musa Hilal and the Nazir of the Beni Hussein tribe in September 2014. This included participation from many tribes, though the majority of representatives were from Beni Hussein and Rezeigat tribes. A number of sub-committees, support the work of council.

4. The Panel established that the following are the main sub-committees operating in the Jebel Amir mining area:

(a) Administrative Sub-committee: Responsibilities include investigating all complaints and disputes in the area;

(b) Mines² Sub-committee: Responsibilities include the distribution of mines to prospectors;

(c) Planning Sub-committee: Responsibilities include the allocation of shops to gold merchants, who purchase the gold mined by miners;

(d) Security Sub-committee: Responsibilities include ensuring safety and security of people and their property; and

(e) Health Sub-Committee: Responsibilities include maintenance of health and hygiene.

5. The Panel established that the Jebel Amir area is a multicultural and multiethnic environment, where people from various nationalities, including Chad, Niger, Egypt and CAR, work. The administrative sub-committee does not differentiate on the basis of nationality, which has led to an influx of people from neighbouring countries, who work harmoniously in the gold mines. Around 70,000

¹ A member of Security sub-committee of Jebel Amir Gold Mines Management Council.

² Mines are in the shape of rectangular well of 4m by 4 m size.

workers³ used to mine for gold in the area, but after a measles epidemic many miners had left (temporarily) and approximately 45,000 remained who were working. The gold was discovered in April 2012 in Jebel Amir Mines, and that in 2012 more than 125,000 miners were working as it was easier to find gold at lesser depths then.

6. The Panel established that a court functions under the ambit of the council, and that this court resolves all legal and administrative issues. Individuals have a right of appeal to Sheikh Musa Hilal.

7. On being asked about the total number of mines in the area, both dormant and active, the mines sub-committee stated that the total must be around 20,000 but expressed their inability to give an estimate for active mines. After persistent questioning, they estimated the number of active mines to be 4,000-5,000. They also informed the Panel that there are a number of people, mainly Rezeigat, belonging to the Abbala militia, who do not approach the mines sub-committee and start mining without permission or payment of prescribed fees. Thus the mines sub-committee is unable to estimate active mines.⁴ Such persons also pay no heed to the council rules and regulations. The reasons for not being in a position to make such people compliant, were not forthcoming. Mine sub-committee members were asked as to why the security sub-committee persons are not called for assistance in controlling the recalcitrants. Apparently there is a strong bond between the security sub-committee members and such persons as they are from the same clan.

8. The main task of the Security Sub-committee is to ensure the safety and security of people and their property. It has 256 members and the Jebel Amir area has been divided into eight sub-areas. The security sub-committee reports to Sheikh Musa Hilal directly.

9. The Panel also established that:

(a) A small piece of land is taken on lease/concession for exploration by a prospector from the tribal management council owning the land, for a one-time fee of 500 SDG;

(b) The prospector arranges for 12-16 mine workers to prospect the leased site;

(c) Many of the mine workers from foreign countries have prior experience in gold mining in other countries. These miners do not face any problems in crossing the extremely porous borders;

(d) Usually, 50% of the profit is retained by the mine prospector, and the remainder is distributed among the other mine workers;

(e) The workers dig wells (mines) until the gold-bearing stratum is reached;

(f) They carve horizontally so as to follow the gold veins; and rocks (hopefully bearing gold) are removed;

(g) The rocks are packed into sacks and manually hoisted to the surface;

³ This figure of 70,000 was also confirmed by a very highly placed source in the Government.

⁴ On being asked about such mines, being operated by Abbala Militia, without following the norms of council, a rough estimate of 400 - 600 mines was provided by well sub-committee members.

(h) Fourteen workers can extract 10 x 50kg sacks of valuable rocks from a mine per day;

(i) On an average, each sack yields 1-2g of gold, worth 300 to 320 SDG per g in the local gold market at Jebel Amir;

(j) There are also approximately 2,000 vendors, 2,200 shelters and 200 gold merchants in the area;

(k) Approximately 45,000 mine workers were reportedly working in the Jebel Amir gold mining area at the time of visit of Panel in June 2015;

(l) Around 350 crushing machines were present in the area, and that for each crushing machine, an area of 5m by 7m was allocated;

(m) An area of 2.5 m by 2.5 m was allocated for washing.

10. The Panel visited the mines, crushing machine and washing area to understand the various mining processes.

11. The Panel established that there is no requirement for the reporting of the gold produced by a prospector, or for a gold merchant to report on the quantity of gold purchased. JAGMMC members indicated that the gold yield from a mine is a private matter for the prospector.

12. The central Government has some local purchase agents, who are gold merchants in the Jebel Amir area, and they attempt to provide a rough estimate of the gold sold every day. Only this feedback is available to the Government, which uses it to develop a rough estimate of production. No Government officials were present in the Jebel Amir area.

13. The council members indicated their strong preference for the concept that industrial gold mining companies enter Jebel Amir to extract the gold in a safe, secure and efficient manner. They believe that industrialization of mining processes would minimize health hazards, result in a fuller realization of the gold, leading to better revenues for the tribes, and also lesser chances of the plundering of natural resources by unscrupulous elements, who ignore council regulations.

A short note on exploitation history of Jebel Amir Mines

14. It was April 2012, when gold was discovered in Jebel Amir. In late 2012, more than 125,000 miners were reported to be working in Jebel Amir, which was being administered by the Beni Hussein tribe, to whom the land had traditionally belonged to. They used to administer the mines in an organized manner.⁵

15. On 4 January 2013, fighting broke out between militia drawn from the Aballa, a collection of camel herding nomadic tribes, and the Beni Hussein, following a dispute over access to an artisanal gold mine in Jebel Amir. Two bouts of heavy inter-communal fighting between the Aballa and Beni Hussein militias in the Jebel Amir region, in early January and towards the end of February, resulted in hundreds of deaths and the displacement of an estimated 100,000 people⁶. Due to these

⁵ Panel interviews with prospectors, miners, gold merchants, members from previous management council and Beni Hussein community.

⁶ S/2013/225. Para 21-26.

clashes, persons displaced from more than ninety Beni Hussein villages are currently living in IDP camps in El Sireaf⁷.

16. After these clashes, Abbala militias mounted pressure on the Beni Hussein tribe to sign an agreement for shared exploitation of Jebel Amir Mines by closing down vital roads that supplied basic amenities and food items to El Sireaf, the main locality of the Beni Hussein. This caused severe food scarcity and prices of commodities like sugar went up by 3-4 times. The paramount chief of Beni Hussein succumbed to the pressure and signed the peace agreement with Northern Rezeigat Abbala tribes (working together under the aegis of Sheikh Musa Hilal), under duress, as he could not bear the suffering of his people anymore.⁸ The current council, namely JAGMMC, came into existence after the signing of the said peace agreement.

⁷ Panel interviews with Beni Hussein community, including its paramount chief.

⁸ Ibid.

Annex 31

Gold mining financial models data

1. In order to build a financial model, and thus arrive at an annual estimate of the potential revenues, the Panel has assigned values to the following variables, using the most pessimistic estimates obtained during the testimonies. The Panel is almost certain¹ of the accuracy of this data:

(a) Approximately 40,000 mine workers² were working in the Jebel Amir gold mining area at the time of the visit of the Panel in June 2015;

(b) On average, a group of 12 to 16 workers work in each mine, in shifts. The Panel has assumed 14 workers per mine for the model;

(c) At this staff level, 10 sacks of rocks are normally extracted from a mine in one day;

(d) On average each sack, weighing around 50 kg, yields 1-2 gram of gold. The Panel has assumed a conservative yield of 1 gram of gold per sack for the model;

(e) There are approximately 2,200 shelters and 200 gold merchants functioning in the Jebel Amir gold mining area;

(f) There are approximately 150 butchers in the mining area, and each butcher slaughters 2 or 3 sheep per day. The Panel has assumed 2 sheep per day for the model; and

(g) The gold merchants present in the area pay 300 to 320 SDG for one gram of mined gold. The Panel assumed 300 SDG per gram;

(h) As on 15 October 2015, the UAE gold price for 22 carat was US\$ 34.93 per gram, and local market price in Jebel Amir area was 29.70 US\$ per gram (300 SDG per gram, converted into US\$, at real exchange rate on the ground, i.e. 1 US\$ = 10.1 SDG). Thus, the margin per gram between UAE price and local price was US\$ 5.22 per gram, or US\$ 5,222 per kg.

2. Based on this data, tables 1, 2 and 3 estimate:

(a) Approximate gold output from Jebel Amir artisanal gold mines;

(b) Annual expenses for a mine prospector; and

(c) Net annual income for a mine prospector and a mine-worker.

¹ These figures were collected during Panel interviews with JAGMMC members, the mine prospectors, mine workers, gold merchants, and other persons, connected to the Jebel Amir gold mines.

² A highly placed Government source estimates the number to be 60,000, but the Panel opted for a conservative estimate.

Table 1
Annual estimate of gold output from Jebel Amir artisanal gold mines

<i>Approximate # workers</i>	<i>Operating mines³</i>	<i>Sacks mined per day per mines⁴</i>	<i>Total sacks mined/day</i>	<i>Total sacks⁵ mined/year</i>	<i>Average gold yield/sack⁶</i> (g)	<i>Total annual gold yield</i> (kg)
(a)	(b)	(c)	(d)	(e)	(f)	(g)
40,000	2,857	10	28,570	857,1,000	1.0	8,571

3. The Panel collected estimates of gold production from Jebel Amir Mines from interviews with prospectors, merchants, and JAGMMC members. They estimated production at around 14,000 kg to 16,000 kg in 2012 in Jebel Amir. From this model, the gold production figure for 2012, when 125,000 persons worked for seven months⁷, equates to 15,624 kg. This is how the model was validated.

Table 2
Quantitative summary of annual expenses for a mine prospector

<i>Currency</i>	<i>Crushing and washing⁸</i>	<i>Labour⁹</i>	<i>Levy of SDG 5 per sack¹⁰</i>	<i>Surrender of one sack every alternate day¹¹</i>	<i>Sundry expenses¹²</i>	<i>7% royalty¹³</i>	<i>Total annual expenses</i>
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
SDG	180,000	52,000	15,000	45,000	150,000	63,000	505,000
US\$ ¹⁴	29,557	8,539	2,463	7,389	24,631	10,345	82,923

³ Assuming 14 workers per well [40,000 divided by 14 = 2857].

⁴ On an average, from a mine with 14 workers, 10 sacks (potentially containing valuable gold bearing rocks) are taken out from the mine every day.

⁵ Number of sacks mined per day from all operating mines = number of operating mines, multiplied by 10 sacks per mine = 2,857 x 10 = 28,570. Assuming 300 working days in a year, total number of sacks per year = 28,570 x 300 = 8,571,000 g = 8,571 kg.

⁶ One sack normally weighs 50 kg. Thus the yield of gold is 0.002 %.

⁷ Gold was discovered around April 2012 in Jebel Amir. Effectively prospectors worked w.e.f. June 2015, for seven months.

⁸ Crushing expense per sack is 40 SDG, and washing expense per sack is 20 SDG; Daily expenses = 10 x (40+20) = 600 SDG. Annual expenses = 600 SDG x 300 = 180,000 SDG.

⁹ Weekly labour expenses for 14 mine-workers is 1,000 SDG; Annual labour expenses would be equal to 52 x 1,000 SDG = 52,000 SDG.

¹⁰ Daily levy = 5 SDG x 10 sack per day = 50 SDG; Annual Levy = 50SDG x 300 days a year = 15,000 SDG.

¹¹ Assuming the Monetary value of one sack equates to 300 SDG, which corresponds to 1g gold, average yield is 1 g per sack. Daily Levy = value of gold in half sack = 150 SDG; Annual Levy = 150SDG x 300 = 45,000 SDG.

¹² Panel interviews with gold prospectors.

¹³ Total sacks mined by a prospector in one day is 10, and thus in one year 3000, assuming 300 days a year. 3000 sacks would give 3,000 g of gold after processing, valued at 3,000 g x 300 SDG/g = 900,000 SDG → 7 % of this is 63,000 SDG.

¹⁴ I US\$ = 6.09 SDG (www.xe.com); 15 October 2015.

Table 3
Estimate of net annual income for a mine prospector and a mine worker

<i>Currency</i>	<i>Gross annual income¹⁵</i>	<i>Annual expenses¹⁶</i>	<i>Net Income from operations</i>	<i>Net annual income (Prospector)</i>	<i>Net annual income (Worker)</i>	<i>Net daily income (Worker)</i>
<i>(a)</i>	<i>(b)</i>	<i>(c)</i>	<i>(d)=(b)-(c)</i>	<i>(e)=(d)/2</i>	<i>(f)=(e)/14</i>	<i>(g)=(f)/300</i>
SDG	900,000	505,000	395,000	197,500	9,306	31
US\$	147,783	82,923	64,860	32,430	1,528	5.1

¹⁵ See footnote 333.

¹⁶ See column (h) above in table 2.

¹⁷ Income from operations is shared 50-50 between the prospector and the group of mine-workers.

¹⁸ Divide Column (e) figure by 14, as the group of workers has 14 workers.

Annex 32

Income streams of AAG

Table 1
AAG income from direct prospecting of 400 mines (Jebel Amir)

<i>Ser</i>	<i>Net Operating Income</i>	<i>Annually¹</i> <i>(SDG)</i>	<i>Annually</i> <i>(US\$)</i>
1	Income from one well	257,500	42,280
2	Income from 400 wells	103,000,000	16,912,970

Table 2
Smuggling expenses (US\$) (2 carriers with 15 kg of gold)

<i>Travel</i>	<i>Accommodation (2N/3D)</i>	<i>Sundry expenses</i> <i>[20% of gross margin²]</i>	<i>Pay of carriers</i>	<i>5% Loss to seizures³</i>	<i>Total smuggling expenses per trip</i>	<i>Gold (kg) Smuggled per annum⁴</i>	<i>Total smuggling expenses per annum⁵</i>
700	400	15,670	1,000	22,280	40,050	3,630 ⁶	9,692,100

Table 3
AAG income from smuggling of gold (22 carat purity) out of Sudan

<i>Site price/g</i>	<i>UAE sale price/g</i>	<i>Gross margin/g</i>	<i>Gross margin/15 kg</i>	<i>Gold smuggled⁷ per annum</i>	<i>Trips required⁸</i>	<i>Gross income per annum</i>	<i>Net income per annum (Gross – Expenses)</i>
<i>(US\$)</i>	<i>(US\$)</i>	<i>(US\$)</i>	<i>(US\$)</i>	<i>(kg)</i>		<i>(US\$)</i>	<i>(US\$)</i>
29.703 ⁹	34.925 ¹⁰	5.222	78,330	3,630	242	18,955,860	9,263,760

¹ Assuming 300 working days. This income is higher than that of prospector (refer table 3, annex 31), due to the fact that these persons, being part of AAG, do not have to pay levies to AAG (i.e. 5 SDG per sack and surrender of one sack every alternate day).

² Margin for one kg gold is 5,222 US\$, and thus for 15 kg = 78,330 US\$. 20% of this is 15,670 US\$.

³ On average, one in every 20 consignments gets caught and confiscated, while being smuggled, either at the destination country or departing country. This risk has been monetized and made part of expenses for smuggling. Value of 15 kg gold at local market is 29.7 US\$ per gm x 15,000 gm = 445,544 US\$. 5% of this is 22,800 US\$.

⁴ It is assumed that gold from the 400 wells being prospected by AAG members (1,200 kg), and 33% of the rest (0.33 x 8,571 -1,200) = 2,432 kg] gets smuggled out of Jebel Amir. The figure of 33% corresponds to the actual ratio of smuggled quantity to total quantity of gold exported (licit +illicit), over a five year period, i.e. 2010 - 2014.

⁵ = (3630/15) x 40,050 = 9,692,100

⁶ Ibid

⁷ Ibid.

⁸ = 3630/15 =242.

⁹ Local on-site price of mined gold paid to prospector by the gold merchants, located in Jebel Amir mining area [300 SDG].

¹⁰ International market price of gold in Dubai for 22 carat gold.[www.goldprice.org], as on 15 October 2015.

Annex 33

Analysis of gold trade data

Table 1

Comparison of gold export data reported by Sudan; and gold import data from Sudan, reported by the UAE

<i>Year</i>	<i>Exports from Sudan¹</i>	<i>Imports into UAE from Sudan²</i>	<i>Difference (b)-(c)</i>	<i>Approx value of differential quantity in column (d)</i>	<i>Notional loss of export duty (@4%)</i>	<i>Notional loss of royalty (@7%)</i>
	<i>(kg)</i>	<i>(kg)</i>	<i>(kg)</i>	<i>US\$ M</i>	<i>US\$ M</i>	<i>US\$ M</i>
<i>(a)</i>	<i>(b)</i>	<i>(c)</i>	<i>(d)</i>	<i>(e)</i>	<i>(f)</i>	<i>(g)</i>
2010	26,317	42,122	15,805	626	25	44
2011	23,739	45,855	22,116	1121	45	78
2012	46,133	65,000 ³	18,867	1018	41	71
2013	24,813	45,000 ⁴	20,187	999	40	70
2014	30,455	50,365	19,910	814	33	57
Total	80,511	138,342	96,885	4579	183	321

Note: The figures in Column (d) represent apparent quantity of gold smuggled out of Sudan to the UAE.

¹ As per Foreign Trade Statistical Digest of Central Bank of Sudan (CBoS). <http://www.cbos.gov.sd/en/node/478>.

² For commodity selection, HS code 7108 was selected.

³ UN Comtrade data was not available for 2012 and 2013. This figure is an estimate derived by WTO Secretariat, based on, *inter alia*, the average difference of reported exports of gold by Sudan to the UAE with reported gold imports of the UAE from Sudan from 2010 - 2011, as well as taking into account behaviour of international gold prices from 2012 - 2013.

⁴ Ibid.

Annex 34¹

Lusaka Declaration, Regional Control Mechanism, and ICGLR response

1. The term “*resource curse thesis*” was first used by Richard Auty in 1993 to describe how countries rich in natural resources were witnessing lower economic growth than countries without an abundance of natural resources. The countries situated in Africa’s Great Lakes Region vindicate the resource curse hypothesis. Their abundance of natural resources has not translated into an inclusive socio-economic development. One of the reasons for this is the random and illegal exploitation of natural resources. The gains from natural resources are unequally distributed and often finance armed groups engaged in such exploitation. These armed groups further destroy the stability of region by committing violations of human rights and international humanitarian law, while accessing the natural resources and usurping the assets owned by, or allocated to fellow citizens and communities.

2. The “*Protocol on the Fight against the Illegal Exploitation of Natural Resources*”², which was ratified by eleven Heads of States in the Great Lakes Region in Nairobi on 15 December 2006, was the beginning of regional efforts to counter illicit exploitation. On 15 December 2010, the “*Lusaka Declaration of the ICGLR Special Summit to fight illegal exploitation of Natural Resources in the Great Lakes Region*”³ was signed by eleven Heads of Governments of ICGLR Member States or their duly authorized representatives, including the President of the Republic of the Sudan.

3. The Lusaka Declaration commits Member States of the ICGLR to advance six tools of the Regional Initiative on Natural Resources (RINR). The ICGLR Regional Initiative against the Illegal Exploitation of Natural Resources (RINR) is a welcome step that would go a long way in curbing the finances flowing to armed groups, stemming from exploitation of natural resources. One of these tools, the Regional Certification Mechanism (RCM) has witnessed considerable progress towards implementation, particularly in the DRC and the Republic of Rwanda.

4. Salient excerpts from the Lusaka declaration⁴ are reproduced below for ease of reference:

“Fully aware of the endemic conflicts and persistent insecurity caused by armed groups in the Great Lakes Region financed through the illegal exploitation of natural resources and trade in minerals, in particular Gold,.....; and further concerned about the negative impact these armed groups have had on our

¹ The majority of the text in this annex has been directly reproduced from relevant websites and documents under consideration. The idea is to provide a bird’s eye view to the readers, without them going through hundreds of pages.

² <https://www.lse.ac.uk/collections/law/projects/greatlakes/2.%20Democracy%20and%20Good%20Governance/2c.%20Protocols/Protocol.IENR.30.11.%2006%20-%20En,%20final%20revised.pdf>.

³ <http://www.oecd.org/corporate/mne/47143500.pdf>.

⁴ <http://www.oecd.org/corporate/mne/47143500.pdf>

population in the region including, crimes against humanity, and massive violations of human rights such as, Sexual and Gender Based Violence (SGBV);

Reaffirming our commitment to put in place a Regional Certification Mechanism with the view to fulfilling the regional and international market requirements on transparent mineral trade; Considering our commitment to jointly fight illegal exploitation of natural resources in the Great Lakes Region in line with the Pact on Security, Stability and Development in the Great Lakes Region, in particular the Protocol on the Fight against Illegal Exploitation of Natural Resources;

Approve the six tools developed to curb illegal exploitation of natural resources, namely: (1) Regional Certification Mechanism; (2) Harmonization of National Legislation; (3) Regional Database on Mineral Flows; (4) Formalization of the Artisanal Mining Sector; (5) Promotion of the Extractive Industry Transparency Initiative (EITI) and (6) Whistle Blowing Mechanism;

Direct the relevant institutions in Member States to implement the above six tools, particularly the Regional Certification Mechanism, which has been developed for the monitoring and control of the exploitation and trade of natural resources in the Great Lakes Region;

Commit ourselves to domesticating in our respective countries the Protocol on the Illegal Exploitation of Natural Resources in the Great Lakes Region;

Endorse the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict Affected and High Risk areas as crosscutting to the Regional Initiative on the Fight against Illegal Exploitation of Natural Resources and Call upon companies sourcing minerals from the Great Lakes Region to comply with the six tools and the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas;”

5. The main tool of RINR, envisaged to break the link between armed conflict and revenues of natural resources, is the regional certification system for gold and 3Ts⁵. A manual⁶ for the Regional Certification Mechanism (RCM) has been developed and approved by the eleven Heads of State, including Sudan. It provides a practical guide for the implementation of the regional certification mechanism. The RCM Manual has been drafted to ensure that neither the mine site nor trade channels within a country or in the region are in the control of armed groups or criminal networks. The mechanism also contemplates monitoring by an independent mineral chain auditor.

6 As per the Para 4.9 of ICGLR RCM manual, a “*conflict free*” mineral chain is defined to be one that is free from non-state armed groups or public or private security forces who: (a) “*illegally control mine sites or otherwise control transportation routes, points where minerals are traded and upstream actors in the supply chain*”; (b) “*illegally tax or extort money or minerals at points of access to mine sites, along*

⁵ Tantalum, Tin and Tungsten. Actual minerals are: coltan (from which tantalum is derived); cassiterite (tin); and wolframite (tungsten).

⁶ <http://www.oecd.org/investment/mne/49111368.pdf>.

*transportation routes or at points where minerals are traded”; and/or (c) “illegally tax or extort intermediaries, export companies or international traders”.*⁷

7. For the export of any consignment of gold, the RCM contemplates issuing an ICGLR Certificate, similar to that of the Kimberley Process Certificate for diamonds. This certificate would only be issued to those consignments that can demonstrate ‘conflict free’ origin, transport and processing. Although the ICGLR certification became obligatory for all gold exports after 15 December 2012, the Government of Sudan has yet to implement it.

8. A Member State seeking to delay the implementation of this provision for the issuance of ICGLR certification was required to ensure that all export shipments mandatorily carry with them an export permit or other government-issued export document, thus indicating the licit nature of export.

9. The RCM further contemplates that Governments shall ensure an annual inspection of all mine sites and classification of the mines in one of three categories; red, green or yellow. The ICGLR Mine Site Inspection and Certification Standards are designed to ensure that designated minerals are sourced only from mine sites that are conflict free and meet minimum social standards. This classification is in line with the procedures and standards of the OECD Due Diligence Guidance. The standards for evaluating mine sites and the steps outlined to foster improvement or else disengage from unacceptable mine sites are in compliance with the procedures and standards found in the OECD Due Diligence Guidance (especially Annex II - Model Supply Chain Policy For A Responsible Global Supply Chain of Minerals from Conflict-Affected and High-Risk Areas and Annex III - Suggested Measures For Risk Mitigation and Indicators for Measuring Improvement).

10. The ICGLR Chain of Custody Tracking Standards are designed to ensure that designated minerals are fully traceable and conflict-free from the mine site to the point of export. Member State governments are responsible for implementing and supervising the chain of custody tracking system within their own borders. The integrity of Member States’ chain of custody systems are verified annually via ICGLR Third Party Audits. Mineral flows are tracked and analysed via an ICGLR Regional Database, using the data on individual shipments collected and transmitted to the ICGLR by each Member States’ Chain of Custody system.

11. The Independent Third Party Audit system assures independent verification that the entire mineral chain from mine site to exporter remains in compliance with ICGLR regional standards. The focus is on mineral exporters. The ‘Third Party Audit’ system complies with the OECD Due Diligence guidelines on independent verification and on-going risk assessment. The scope of the audit runs from the exporter all the way back up the mineral chain to the mine site. Non-compliance by any of the upstream traders or suppliers (up to but not necessarily including mine sites, which are covered by mine site inspections) automatically results in a corresponding level of non-compliance being assessed in relation to the exporter; that is, if the auditor finds that a trader supplying to an exporter is in major non-compliance (Red Flagged) then the exporter itself is also found to be non-compliant (Red-Flagged).

⁷ Based upon OECD Due Diligence Guide for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, Annex II, paragraph 3.

12. Furthermore, a draft model legislation has been developed to facilitate ICGLR Member States to incorporate the provisions of the “*Protocol on the Illegal Exploitation of Natural Resources in the Great Lakes Region*”, into their respective national legislation.

13. Inputs received from the ICGLR Secretariat indicate that Sudan attended the 8th OECD-ICGLR Forum, held in Kinshasa in November 2014, and indicated its willingness to be an active member of the international responsible mineral trade, and its commitment to formalize the artisanal mining activities, to prevent illegal exploitation.

14. In order to assess the progress of Government of Sudan on the implementation of RCM and other RINR tools, a number of queries were raised to the Government of Sudan. No response to these questions was provided, citing that the request went beyond the mandate of the Panel. The linkage of the relevance of Sudan’s implementation of the RINR tools of the Lusaka Declaration to the Panel’s mandate is clear. See paragraphs 128 and 149 of the main report.

15. Queries on implementation status of Sudan, raised to ICGLR Secretariat, have been replied to. Relevant facts concerning the status of implementation are:

(a) Sudan is one of the 5 ICGLR member states that have recently made commitment to implement the Regional Certification Mechanism (RCM);

(b) The ICGLR Secretariat is facilitating a peer-learning visit for Sudanese officials to another country in the region to enable them to learn from that country’s experience on the implementation process of the ICGLR Mineral certification mechanism;

(c) The ICGLR Secretariat held a Ministers of Justice meeting in August 2015 that came up with an 18-month roadmap for the domestication of ICGLR priority protocols, including the Protocol on the fight against the illegal exploitation of natural resources. Sudan is one of the ICGLR states to domesticate the protocol and harmonize their national legislations; and

(d) The eighth meeting of the Regional Audit Committee of the International Conference on the Great Lakes Region (ICGLR) on the fight against illegal exploitation of natural resources was held in Khartoum, Sudan from 10-13 November, 2015. The meeting included a training workshop for the Audit Committee members to assist buildig their capacities to review third party audit reports.

16. The Government of Sudan is thus gearing towards embracing the RCM and other RINR tools. Once mine site inspection commence, all such mines, under the control of armed groups, would be flagged red and there could be no legal export from these mine sites, which would act as a disincentive for mining at such sites.

Annex 35

Examination of UAE systemic checks to prevent import of conflict gold

1. The main body of this report clearly indicates that most of gold mined in Darfur (Sudan), which gets exported illegally, ends up in Dubai. It is mostly hand-carried by air. At UAE international airports, X-ray machines at the arrival area mandatorily screen all hand baggage of an incoming passenger, and thus even the smallest quantity of gold can be easily detected as a dark black patch on the X-ray image. Due to this, and as there is no import duty on gold in the UAE, there is no incentive for not declaring the gold to UAE Customs on arrival. Therefore, the carriers (passengers carrying gold) invariably declare the gold to UAE Customs, though they may not declare it while leaving Sudan to avoid the export duty and export restrictions.

2. The Panel sought specific information from the Government of the UAE in June 2015 concerning:

(a) The procedure for the declaration of gold, when imported into the UAE, as part of unaccompanied baggage;

(b) The reporting requirements for international passengers bringing gold in their accompanied baggage through an international port/airport; and

(c) The identification document, provided by customs authority to a company/person importing gold, which is required at Gold Souk, Dubai, for selling such gold.

3. The Panel received no response to these queries, and no information on these issues was provided during the Panel meeting with officials from various Ministries of the UAE, including from Federal Customs and Dubai Customs, on 6 October 2015. The UAE officials stated that a written response would follow shortly, yet no response has been received by the Panel as of 3 December 2015. There is no open source information available on the Dubai Customs website on the procedures to be followed for hand-carried gold.

4. The Panel visited Dubai during August 2015 and October 2015, and met a number of individuals and entities associated with the gold trade, and established that:

(a) The provenance of hand-carried gold by a passenger is verified by Dubai Customs, by checking the name of the departure country against the Boarding Pass. Thus transit through a third, non-gold producing country, could be used to reduce the risk profile utilised by UAE customs;

(b) Dubai Customs officials do not require a ICGLR certificate in those cases where the departure country is an ICGLR country;

(c) Dubai Customs officials do not seek any document to support the legal import of gold, e.g. export permit or any other government document from the country of origin, to ensure that the gold is not smuggled;

(d) Dubai Customs takes custody of the gold at the Airport, and issues a receipt to that effect to the passenger;

(e) The passenger goes to the gold souk and/or refineries to negotiate a price. Once the passenger finds a buyer, his gold is sent by the UAE authorities to the buyer's place, or to a place decided by the passenger;

(f) If the quantity of gold is relatively low, for example 1 to 2 kg, the carriers sell it to a shop in the gold souk. If the quantity of gold is high, then the gold is normally sold to the refineries;

(g) After the sale is negotiated, the gold is then sent to a test laboratory, where it is melted to check the actual purity, and the final sale price is determined;

(h) Normally, only a passport copy, together with the customs receipt is sufficient documentation for the sale of the gold; and

(i) At the time of sale, most of the artisanal mined Darfur (Sudan) gold is declared as "*scrap or old jewelery scrap gold*", and not as virgin mined gold, to avoid any attention. The mined gold is melted prior to export at small refineries in Khartoum (mostly) to convert it into *dore* bars, ready for smuggling.

Annex 36¹

Information on strengthening border management capacity

1. This annex is designed to provide information on strengthening the capacity of border management agencies and for enhancing the efficacy of border controls, thus enhancing the implementation of sanctions.
2. Ineffective border controls encourage the smuggling of arms and natural mineral resources, which has the potential of violating the sanctions regime.
3. Borders are typically managed by more than one government agency. The transit of people from one country to another is usually monitored by immigration and police departments. The flow of goods and conveyances across the border are normally overseen by customs departments. For maritime borders, coastguards and marine police are also required to guard the country against the unauthorized infiltration of both goods and people. Similarly, for long land borders, a border security force may be used to protect the borders. The respective border functional responsibilities depend on the organisational structure of the border management system of a country. Very long coastlines and long land borders are often characterized by high levels of porosity, primarily on account of lack of adequate manpower and the absence of appropriate surveillance equipment and scanners. To further compound the problem, border agencies lack coordination between, and among, themselves; often working in isolation.
4. Long land borders are highly vulnerable to threats such as the trafficking of people, drugs, strategic control goods, valuable commodities, natural resources, small arms and light weapons and currency. Smuggling routes, which are normally used to transport restricted and/or high value commodities attracting high rate of customs duty, are always a cause of concern as these very clandestine routes/channels could equally be used to transport any illicit materiel or finance subverting activities. The capacity of most governments in the African continent to control weapons, and to monitor and secure its borders, is perceived to be low.
5. There are at least four international organizations that offer capacity building programmes on cross cutting issues relevant to border management, namely the WCO, INTERPOL, UNODC, and UNODA. Other non-governmental international organizations such as the Geneva Centre for Security Policy (GCSP) and the Geneva Democratization and Control of the Armed Forces (DCAF) centre also conduct security sector reform work of relevance in this area. Examples of the type of capacity for some of these organizations follows.

World Customs Organization (WCO)

6. Terrorism, proliferation of weapons and materials of mass destruction, trafficking of small arms and explosives, and illicit diversion of dual-use goods pose a serious threat not only to security and safety of people, but also to economic development, political stability and social cohesion of countries across the globe.

¹ The majority of the text in this annex has been directly reproduced from the relevant websites. The idea is to provide a bird's eye view to the reader, without them going through hundreds of pages.

7. Customs administrations play a critical role at the international border crossings in government efforts to mitigate these threats. Customs manage the cross-border flows of goods, people and means of transport to ensure they comply with law. They detect and prevent trafficking of dangerous, restricted and prohibited goods.

8. The WCO Security Programme² concentrates on strengthening customs administrations' capacity to deal with security related issues at the national level and aims at facilitating the global customs community's ability to deal with these threats at the international level. The programme activities are aimed at reaching border security outcomes in five strategic areas. These include: (a) policy setting and foresight; (b) providing guidance and good practices on customs controls in relation to security; (c) coordination of security related customs law enforcement programmes and operations; (d) international cooperation; (e) technology; and (f) technical assistance and capacity-building.

9. At the operational level, the programme has three commodity-based sub-programmes or projects. These include existing initiatives: Global Shield and the STCE Project³, and new initiatives: small arms and light weapons, and terrorist financing (currency smuggling). It has also developed a comprehensive passenger control strategy by utilization of API/PNR⁴ to identify and curb movements of individuals sanctioned by law including Foreign Terrorist Fighters (FTFs).

10. Additionally, the WCO cooperates on a regular basis with appropriate United Nations (UN) agencies and other international organizations to help its members to better cope with their international obligations stipulated by various UN Security Council resolutions etc.

UNODC - WCO Container Control Programme (CCP)

11. The United Nations Office on Drugs and Crime and WCO have co-operated in the development and implementation of the UNODC-WCO Container Control Programme⁵ (CCP). The CCP has a global reach and aims to fortify the structures and processes which allow for the application of sustainable laws for States and selected ports, so as to minimize the exploitation of maritime containers for the illicit trafficking of drugs, and other transnational organized crime activities.

Global firearms programme of UNODC

12. The international community has repeatedly expressed its concern with the negative impact of the proliferation of illicit firearms in societies whether at peace or in times of war. The Commission on Crime Prevention and Criminal Justice and the Conference of the Parties to the United Nations Convention Against Transnational Organized Crime (COP) urged Member States to ratify and fully

²

<http://www.wcoomd.org/en/topics/enforcement-and-compliance/activities-and-programmes/security-programme.aspx>.

³ Strategic Trade Control Enforcement (STCE) Project.

⁴ Advance Passenger Information/Passenger Name Record.

⁵ <https://www.unodc.org/ropan/en/BorderControl/container-control/ccp.html>.

implement the Convention and its Protocols, and requested UNODC to assist Member States in this endeavour, inter alia through the provision of legislative advice and legal drafting support, technical assistance, training and capacity building activities aimed at strengthening the capacities of States to respond to the challenges and threats posed by transnational organized crime, as well as through the development of specialized legal and operational tools. By its decision 4/6 and resolutions 5/4 and 6/2, the COP further urged States Parties to the Protocol to strengthen their national legislation in a manner consistent with the Protocol, and requested UNODC to support States and facilitate technical assistance for the implementation of the Protocol.

13. To this end, the Implementation Support Section (ISS) of the Organized Crime and Trafficking Branch (OCB), created the *Global Firearms Programme*⁶ (GFP) in 2011.

INTERPOL

14. INTERPOL's capacity building programme⁷ assists member countries in improving border security procedures and skills, primarily focused on fighting terrorism and transnational crimes. Training courses on basic security measures and crime-specific skills are consolidated through real-time operations designed to put those skills into practice.

UNODA

15. The General Assembly established the UNODA Regional Centres for Peace and Disarmament in Africa, in Latin America and the Caribbean, and in Asia and the Pacific with a mandate to provide substantive support for initiatives and other efforts of Member States in their respective regions for the implementation of measures of peace and disarmament, including on security sector reform as a contribution to peace and security.

16. UNODA assists Member States in the implementation of the "*UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects*" (2002), which includes specific provisions to build the capacity of law enforcement agencies to control small arms and light weapons and generally to improve the delivery of security to populations.⁸ UNLIREC⁹ has a wide range of training courses and generic SOPs to enhance the capability of border agencies.

General

17. The focus of capacity building is different for all these organizations, and all of the focus areas are relevant for enhancing the efficacy of border control and thus implementation of sanctions.

⁶ <https://www.unodc.org/unodc/en/firearms-protocol/gfp.html>.

⁷ <http://www.interpol.int/INTERPOL-expertise/Training-and-capacity-building>.

⁸ <http://unssr.unlb.org/TaskForceMembers/UNODA.aspx>.

⁹ UN Lima Regional Centre of the Office for Disarmament Affairs.

18. In order to ensure effective implementation of the sanctions regime, it is imperative to strengthen the capacity of Member States on border control, especially Sudan and the neighbouring States that share challenging borders with Sudan. Border control includes the management of borders associated with seaports and airports. WCO, INTERPOL, UNODC and UNODA would be appropriate organizations to facilitate cooperation and develop a comprehensive capacity building programme on effective border management that could be then used to strengthen capacity of the relevant border management government agencies in the region. Donors need to come forward to support such programmes, with financial resources, as a priority.

Annex 37

Information on 2015 travel ban violation by Sheikh Musa Hilal Abdallah Alnsiem

1. The Panel met with Sheikh Musa Hilal Abdallah Alnsiem, a designated individual (ref: SDi.002), on 25 June 2015 in Khartoum. This was the first occasion that a Panel had met Musa Hilal since he was designated in 2006. He was given copies of all relevant Security Council resolutions in the Arabic language and a copy of the narrative summary in English only.

2. When asked about his previous foreign visits since his designation, Mr Hilal stated that:

(a) His trip to Cairo in 2009 was at the invitation of Mr. Suleiman, the then Head of the Egyptian Intelligence Service (Mukhabarat),¹ to advance the cause of peace. He stated that the Egyptian Government was aware of the visit and that he had also met the late JEM Chairman, Khalil Ibrahim, in Cairo;

(b) His visit to Chad in 2011, as a member of the Sudanese delegation, was undertaken to present President Deby his condolences on the demise of his mother, and he had to go there because he enjoys a very good personal relationship with the President of Chad;

(c) In 2013, he visited Dubai for personal and family reasons;

(d) His visit to Chad in 2014 was to attend a peace conference with the knowledge of the Government of Chad; and

(e) He had made no foreign trips in 2015 (as at 25 June 2015).

3. On being asked as to why he had not sought prior permissions for his foreign visits, Mr Hilal stated that although he had heard some rumours, and read in the Sudanese media about a ban on his travel abroad, he had never received any official notice to this effect from either the Government or the United Nations. He further stated that he became aware of the ban only two years ago from officials of UNAMID, with whom he used to interact to discuss local peace issues. He also said that he was unaware of the procedure for seeking prior permission before undertaking foreign visits.

4. The Panel informed him of the exemption provisions in relation to foreign travel, contained in paragraph 3(f) of resolution 1591(2005), read with section 9 of the 1591 Committee Guidelines, and the process of applying for permission to travel abroad. The Panel advised him to seek permission for future foreign trips from the Committee. He reiterated that had he known about the exemption procedure in the past, he would have availed himself of it. He further indicated that in the future he would be willing to apply for permission before travelling abroad.

5. Upon his request, the Panel explained the procedure for seeking delisting. He said that lately he had been playing a very important role as a peacemaker by mediating in various inter-tribal conflicts, and that UNAMID was aware of his role. He further mentioned that he intended to file a request for delisting, as his designation status now interfered with his participation in peace processes; and that

¹ Also known as the General Intelligence Directorate (GID) or General Intelligence Service (GIS).

he would like to present his case to the UN, in person, as part of the delisting process.

6. In spite of these recent efforts made to sensitize the designated individual of his obligations, the Panel is almost certain that Sheikh Musa Hilal travelled to Cairo by air on 15 July 2015; and returned on 27 July 2015.²

² (a) <http://www.sudantribune.com/spip.php?article55768>. Accessed on 21 July 2015; (b) <https://twitter.com/wasilalitaha>. Accessed on 21 July 2015; and (c) Confidential sources.

Annex 38

Note on improvement of assets freeze measures

Background

1. Resolution 1672 (2006) designated four individuals who met the listing criteria stated in paragraph 3 (c) of resolution 1591 (2005), as being subject to travel ban and assets freeze measures.
2. The Panel is aware that, based on the information provided by the Government of Sudan, one of the four designated individuals, namely Major General Gaffar Mohammed Elhassan, has retired and receives a pension from the Government of Sudan. In addition, the Panel had previously found that another designated individual, Sheikh Musa Hilal, used to receive a salary from the Government of Sudan subsequent to his designation in 2006.¹
3. The Panel had requested information from the Government of Sudan on the status of funds, financial assets and economic resources of all individuals, designated under resolution 1672 (2006).² In its response to a Panel request in 2014, the Government set out certain legal challenges it faced in implementing the assets freeze³, but did not provide any information on the status of the assets of the individuals.

Sudan's Obligations under Security Council Resolutions 1591 (2005) and 1672 (2006)

4. Paragraph 1 of resolution 1672 (2006) states "*all States shall implement the measures specified in paragraph 3 of resolution 1591 (2005)*" with respect to the aforementioned four individuals. Paragraph 3 (e) of resolution 1591 (2005) states "*all States shall freeze all funds, financial assets and economic resources that are on their territories... for the benefit of such persons or entities... and shall ensure that no funds, financial assets or economic resources are made available... within their territories to or for the benefit of such persons or entities;*"
5. The term 'all States' in paragraph 3 (e) includes Sudan. Therefore, Sudan must not only freeze all funds, financial assets and economic resources that are on its territory, owned or controlled by designated persons, but it must also take steps to ensure that no funds, financial assets or economic resources are made available to the designated persons.

Status of Implementation of Assets Freeze Measures by Sudan

6. To date, the Government of Sudan has not subjected the said individuals to any assets freeze measures in respect of their funds, financial assets and economic resources within Sudanese jurisdiction. The Panel is almost certain that no administrative, legislative or judicial measures have been taken as yet to identify and freeze the assets of designated individuals.

¹ S/2013/79, para. 155.

² S/2013/79, paras. 152 and 156.

³ S/2015/31, para. 28.

7. The assets freeze obligation is subject to three exceptions set out in paragraph 3 (g) of resolution 1591 (2005). ‘Relevant states’, including Sudan, can authorize designated individuals to have access to funds, other financial assets and economic resources to cover specific situations mentioned in paragraph 3 (g), if a relevant State deems it necessary, but only after prior notification of the State’s intention to the Committee, and in some instances, after receiving the explicit approval of the Committee.

8. It is possible that the pension and monthly salary, in general, may fall within these exemptions, in particular exemptions provided to meet the basic needs of the designated individuals in paragraph 3(g) (i) of resolution 1591 (2005). The Government of Sudan has not notified the Committee regarding any exemptions, in respect of any of the four designated individuals since 2006⁴.

International law obligations of the Government of Sudan, in respect of decisions taken by the Security Council

9. Resolution 1591 (2005), which sets out the designation criteria and the assets freeze measures, and resolution 1672 (2006) which designates four individuals, are both adopted under Chapter VII of the UN Charter. Thus, the Government of Sudan is bound by resolutions 1591 (2005) and 1672 (2006), and it is obliged to comply with asset freeze obligations set forth in paragraph 3 (e) of resolution 1591 (2005)⁵.

Panel’s observations

10. The Panel notes that certain Member States have implemented the assets freeze measures by adopting a range of legislative and administrative measures that are consistent with their respective constitutions. Some Member States have enacted such legislation, which enables freezing of assets linked to a sanctions regime, purely on the basis of the designation of individuals/entities by the Security Council, without any prerequisite, e.g. need for a domestic judicial order. The Government of Sudan may like to consider identifying and addressing any technical and legal capacity building requirements that it may have in drafting such legislation for implementing the assets freeze measures.

11. The Government of Sudan was urged to provide an implementation report, in accordance with the paragraph 13 of resolution 2200 (2015), within a specified time period, outlining the measures taken to implement its obligations under the relevant Security Council resolutions relating to the assets freeze on individuals designated under resolution 1672 (2006). The Panel considers that the Government of Sudan could at least consider taking measures to identify the funds, financial assets and economic resources of the individuals designated under resolution 1672 (2006), and submit an implementation report.

⁴ S/2013/788, para. 26.

⁵ Article 25 of the UN Charter states that ‘The member States of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.’

Annex 39
Map of tribal conflict areas 2015



Annex 40

Summary of violations of resolutions and international humanitarian law

1. A summary of violations of resolutions and international humanitarian law identified by the Panel during 2015 to date is set out in the below table for ease of reference.

Table 1
Summary of violations

Serial	Area	Violation summary	Perpetrator		SC resolution reference/IHL violation
			Responsible	Level of certainty	
1	General	Obstructing the work of the Panel by access to three separate locations.	Government of Sudan	Certain	2200 (2015), para. 21.
2	General	Obstructing the work of the Panel by consistently and deliberately failing to provide the specific information at their disposal on a range of issues, and by denying access to one individual.	Government of Sudan	Certain	2200 (2015), para. 22.
3	Arms	Import of small arms ammunition into Darfur on unknown dates since 29 March 2015.	Not known	Almost certain	1591 (2005), para. 7.
4	Arms	Import of Typhoon armoured personnel carrier (APC) into Darfur on an unknown date since 29 March 2005.	Sudanese Police	Certain	1591 (2005), para. 7.
5	Arms	Failure to ensure appropriate end use certification was in place for the supply of Typhoon APC to Sudan.	Government of UAE	Highly probable	1945 (2010), para. 10.
6	Arms	Obstructing the work of the Panel by consistently and deliberately failing to provide the specific information at their disposal on the supply of Typhoon APC to Sudan.	Government of UAE	Certain	2200 (2015), para. 22.
7	Arms	Obstructing the work of the Panel by consistently and deliberately failing to provide the specific information at their disposal on the supply of Typhoon APC to Sudan.	Kamaz International Trading FZE, UAE	Certain	2200 (2015), para. 22.

Serial	Area	Violation summary	Perpetrator		SC resolution reference/IHL violation
			Responsible	Level of certainty	
8	Arms	Obstructing the work of the Panel by consistently and deliberately failing to provide the specific information at their disposal on the supply of Typhoon APC to Sudan.	Wadi Al Neel Shipping Company, UAE	Certain	2200 (2015) para. 22.
9	Arms	Obstructing the work of the Panel by consistently and deliberately failing to provide the specific information at their disposal on the supply of dual use software to Sudan.	Hacking Team S.r.l, Italy	Certain	2200 (2015), para. 22.
10	Arms	Failure to prevent technical training on, and provision of weapons to, JEM in South Sudan on or about 2014 to 21 April 2015.	Government of South Sudan	Certain	1556 (2004), para. 8; and 1591 (2005), para. 7.
11	Arms	Import of weapons and ammunition into Darfur on or about 23 April 2015.	JEM	Certain	1591 (2005), para. 7.
12	Arms	Failure to prevent supply of weapons and ammunition into Darfur on or about 21 April 2015.	Government of South Sudan	Certain	1556 (2004), para. 7; and 1591 (2005), para. 7.
13	Arms	Import of AM-A Type Fuzes (fitted to improvised air-delivered munitions) into Darfur that were used in aerial attack on Dursa on 9 February 2015, and Rowata on 1 and 6 April 2015.	SAF	Almost certain	1591 (2005), paras. 6-7.
14	Aviation	Deployment of MiG-29 multi-role aircraft (TN NK) into Darfur during April 2015.	SAirF	Certain	1591 (2005), para. 7.
15	Aviation	Deployment of An-26 (TN 7715 and 7719) into Darfur in the improvised bomber role.	SAirF	Certain	1591 (2005), para. 6-7.
16	Aviation	Deployment of 1 x Mil Mi-17 (TN 537) into Darfur for potential use in the multirole helicopter role.	SAirF	Certain	1591 (2005), para. 7.
17	Aviation	Deployment of 1 x Mil Mi-24V	SAirF	Certain	1591 (2005),

Serial	Area	Violation summary	Perpetrator		SC resolution reference/IHL violation
			Responsible	Level of certainty	
		(TN 933) into Darfur.			para. 7.
18	Aviation	Deployment of 2 x Mil Mi-24P (TN 965 and 966) into Darfur.	SAirF	Certain	1591 (2005), para. 7.
19	Aviation	Deployment of An-12 (TN 9955, 9966 and 9988) into Darfur on SAF resupply flights.	SAirF	Almost certain	1591 (2005), para. 7.
20	Aviation	Deployment of An-32 (TN 7710, 7720 and 7721) into Darfur on SAF resupply flights.	SAirF	Almost certain	1591 (2005), para. 7.
21	Aviation	Deployment of IL-76TD (2 x Unmarked) into Darfur on covert SAF resupply flights.	SAirF	Almost certain	1591 (2005), para. 7.
22	Aviation	Obstructing the work of the Panel by consistently and deliberately failing to provide the specific information at their disposal in reference to a Panel investigation into the supply of An-26 aircraft.	Asterias Commercial S.A., Panama	Certain	2200 (2015), para. 22.
23	Aviation	Obstructing the work of the Panel by consistently and deliberately failing to provide the specific information at their disposal in reference to a Panel investigation into the supply of An-26 aircraft.	Government of Sudan	Certain	2200 (2015), para. 22.
24	Aviation	Deployment of An-12 (Unmarked) into Darfur on RSF resupply flights from Khartoum.	Government of Sudan	Almost certain	1591 (2005), para. 7.
25	Aviation	Deployment of An-74 (ST-BDT and ST-GFF) into Darfur on RSF resupply flights.	Government of Sudan	Almost certain	1591 (2005), para. 7.
26	Aviation	Deployment of IL-76TD (ST-EWX) into Darfur on RSF resupply flights.	Government of Sudan	Almost certain	1591 (2005), para. 7.
27	Aviation	Dursa, 9 February 2015, air attack using An-26 and IADM.	SAirF	Certain	1591 (2005), para. 6.
28	Aviation	Rowata, 1 and 6 April 2015, air attack by An-26 and IADM.	SAirF	Certain	1591 (2005), para. 6.

<i>Serial</i>	<i>Area</i>	<i>Violation summary</i>	<i>Perpetrator</i>		<i>SC resolution reference/IHL violation</i>
			<i>Responsible</i>	<i>Level of certainty</i>	
29	IHL	Massala, 1 January 2015, attacks on civilian population and objects.	Border Guards Unknown armed groups	Almost certain	Common Article 3 of the Geneva Conventions; Protocol II, art. 13 (1), (protection of civilians from dangers arising out of conflict); Protocol II, art. 13 (2), (prohibition on targeting of civilians and committing acts aimed at spreading of terror amongst civilians); Protocol II, art. 14, (prohibition of objects indispensable to the civilian population); Protocol II, art. 17 (2), (prohibition on forced displacement of civilians); CIHL Rule 2, (spreading terror among the civilian population); CIHL Rule 6, (protection of civilians); CIHL Rule 10, (protections of civilians objects); CIHL Rule 52, (prohibition of pillage);

Serial	Area	Violation summary	Perpetrator		SC resolution reference/IHL violation
			Responsible	Level of certainty	
					CIHL Rule 54, (attacks against objects indispensable to the civilian population); CIHL Rule 89, (prohibition on violations to life); and CIHL Rule 103, (collective violations).
30	IHL	Sambal, 1 January 2015, attacks on civilian population and objects.	Border Guards Unknown armed groups	Almost certain	Common Article 3 of the Geneva Conventions; Protocol II, art. 13 (1) and (2), 14 and 17 (2); and CIHL Rules, 2, 6, 10, 52, 54, 89 and 103.
31	IHL	Hiller Hager, 1 January 2015, attacks on civilian population and objects.	Border Guards Unknown armed groups	Almost certain	Common Article 3 of the Geneva Conventions; Protocol II, art. 13 (1) and (2), 14 and 17 (2); and CIHL Rules, 2, 6, 10, 52, 54 and 103.
32	IHL	Funga Suk, 1 January 2015, attacks on civilian population and objects.	RSF Unknown armed groups	Almost certain	Common Article 3 of the Geneva Conventions; Protocol II, art. 13 (1) and (2), 14 and 17 (2); and CIHL Rules, 2, 6, 10, 52, 54 and 103.

Serial	Area	Violation summary	Perpetrator		SC resolution reference/IHL violation
			Responsible	Level of certainty	
33	IHL	Golo, 24-27 January 2015, attacks on civilian population and objects.	RSF, Border Guards, Unknown armed groups	Almost certain	Common Article 3 of the Geneva Conventions; Protocol II, art. 13 (1) and (2), 14 and 17 (2); CIHL Rules, 2, 6, 10, 52, 54 and 103; CIHL Rule, 87, (civilians must be treated humanely); CIHL Rule 93, (prohibition on rape and sexual violence); and CIHL Rule 148, (countermeasures against civilians are prohibited).
34	IHL	Bardani, 25 January 2015, sexual violence against civilians.	RSF	Almost certain	Common Article 3 of the Geneva Conventions; Protocol II, art. 13 (2); and CIHL Rules, 2, 87 and 93.
35	IHL	Rowata, 1 April 2015, air attack by An-26 and IADM resulting in death and injury to civilian population and damage to civilian property.	SAirF	Certain	Protocol II, art. 13 (1) and (2); CIHL Rule 1 (principle of distinction between civilians and fighters); CIHL Rules 2, 6, 10 and 103; CIHL Rule 7, (distinction between civilian objects and military objectives); CIHL Rule 11, (indiscriminate attacks against civilians); and

Serial	Area	Violation summary	Perpetrator		SC resolution reference/IHL violation
			Responsible	Level of certainty	
36	IHL	Rowata, 6 April 2015, air attack by An-26 and IADM resulting in minor damage to UNAMID vehicle.	SAirF	Certain	<p>CIHL Rules 14-21, (principles of proportionality, targeting and precautionary measures).</p> <p>CIHL Rule 71, (weapons that are indiscriminate)</p> <p>Protocol II, art. 13 (1) and (2);</p> <p>CIHL Rules 1, 6, 7, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 71; and</p> <p>CIHL Rule 33 (protection of peacekeepers).</p>
37	IHL	Recruitment and use of children in hostilities	JEM	Certain	<p>CIHL Rule 22, (precautions against effects of conflict of civilians under the control of the party):</p> <p>CIHL Rule 135, (special protection afforded to children); and</p> <p>CIHL Rule 136, (prohibition on the recruitment of child soldiers); and</p> <p>CIHL Rule 137. (prohibition on the use of children in hostilities).</p>
38	Travel ban	Failure to comply with the travel ban measure in connection with the travel of Musa Hilal to Egypt in July 2015.	Government of Egypt	Almost certain	1591 (2005), para. 3 (d).

<i>Serial</i>	<i>Area</i>	<i>Violation summary</i>	<i>Perpetrator</i>		<i>SC resolution reference/IHL violation</i>
			<i>Responsible</i>	<i>Level of certainty</i>	
39	Travel ban	Failure to share the departure information with Egypt for the travel of Musa Hilal in July 2015.	Government of Sudan	Almost certain	1591 (2005), para. 3 (d) and 2200 (2015), para. 12.
40	Travel ban	Failure to seek exemption for his travel to Egypt in July 2015, through an appropriate entity.	Musa Hilal	Almost certain	1591 (2005), para. 3 (d)
41	Assets Freeze	Failure to identify assets of all designated individuals, in order to implement assets freeze measures on designated individuals.	Government of Sudan	Certain	1591 (2005), para. 3 (e)
42	Assets Freeze	Failure to freeze new assets being created by an entity, being directly controlled by a designated individual, namely Sheikh Musa Hilal.	Government of Sudan	Certain	1591 (2005), para. 3 (e)

Annex 41
Abbreviations

3T	Tantulum, Titanium and Tungsten
AAG	Abbala Armed Group(s)
A/C	Aircraft
ACRWC	African Charter on the Rights and Welfare of the Child
AGM	Air to Ground Missile
AIG	Alshagara Industrial Complex
a.k.a	Also Known As
AK	<i>Avtomatik Kalishnikov</i> (Assault Rifle)
AOG	Armed Opposition Groups
APC	Armoured Personnel Carriers
API	Advanced Passenger Information
AU	African Union
AUHIP	AU High Level Panel
AUPSC	AU Peace and Security Committee
BG	Border Guards
CAAC	Children and Armed Conflict
CAR	Central African Republic
CAS	Close Air Support (Aviation)
CBoS	Central Bank of Sudan
CCP	Container Control Programme
CEP	Circular Error Probability
CEN	Customs Enforcement Network
CIHL	Customary International Humanitarian Law
CMC	Cluster Munition Convention
CRC	Convention on the Rights of Children
CRP	Central Reserve Police
c/s	Colour Scheme (Camouflage)
DCAF	Democraticization and Control of the Armed Forces (Geneva)
DDPD	Doha Document for Peace in Darfur
DDR	Disarmament, Demobilization and Reintegration.
DDS	Darfur Development Strategy
DIDC	Darfur Internal Dialogue and Consultation

DMCC	Dubai Multi Commodities Centre
DRA	Darfur Regional Authority
DRC	Democratic Republic of Congo
DShK	<i>Degtyaryova-Shpagina Krupnokaliberny</i> (Medium Machine Gun)
EITI	Extractive Industry Transparency Initiative
ELINT	Electronic Intelligence
EC	European Commission
EU	European Union
FAB/OFAB	<i>Fugasnaya Aviatsionnaya Bomba</i> (High Explosive Aircraft Bomb)
FaST	Foundational and Short-Term Activities
FGA	Fighter Ground Attack
FOB	Forward Operating Base
FTF	Former Terrorist Fighters
FZE	Free Zone Enterprise
g	Gramme
GCSP	Geneva Centre for Security Policy
GFP	Global Firearms Programme
GID	General Intelligence Directorate (Egypt)
GIS	General Intelligence Service (Egypt)
GPS	Global Positioning System
HMG	Heavy Machine Gun
IADM	Improvised Air Delivered Munition(s)
ICAO	International Civil Aviation Organization
ICC	International Criminal Court
ICCPR	International Covenant on Civil and Political Rights
ICGLR	International Conference on the Great Lakes Region
ICMPD	International Centre for Migration Policy Development
ICRC	International Committee of the Red Cross
IDEX	International Defence Exhibition (Abu Dhabi)
IDP	Internally Displaced Person(s)
IFC	International Follow-up Commission
IHL	International Humanitarian Law
IM	Improvised Munitions
IMF	International Monetary Fund

ISIL	Islamic State of Iraq and the Levant (Daesh)
ISTAR	Intelligence, Surveillance, Targeting and Reconnaissance
JAGMMC	Jebel Amir Gold Mines Management Council
JCM	Joint Chief Mediator
JEM	Justice and Equality Movement
kg	Kilogramme
km	Kilometre(s)
KPV	<i>Krupnokaliberniy Pulemyot Vladimirova</i> (Heavy Machine Gun)
LBMA	London Bullion Market Association
LFM	Liberation and Freedom Movement
LJM	Liberation and Justice Movement
LMG	Light Machine Gun
MBRL	Multi Barrel Rocket Launcher
MI	Military Intelligence
MIC	Military Industrial Corporation
MIEUX	Migration EU Expertise programme
mm	Millimetre(s)
MG	Machine Gun
MMG	Medium Machine Gun
MoU	Memorandum of Understanding
MSN	Manufacturer's Serial Number
NATO	North Atlantic Treaty Organisation
NCC	National Coordination Committee (Sudan)
NCP	National Congress Party
NDC	National Dialogue Committee
NEC (Q)	Net Explosive Content (Quantity)
NFP	National Focal Point (Sudan)
NGO	Non-governmental organization
NIBATT44	Nigerian Battalion 44, UNAMID
NISS	National Intelligence and Security Service (Sudan)
NK	Not Known
OCB	Organised Crime and Trafficking Branch (INTERPOL)
OCHA	Office for Coordination of Humanitarian Affairs (UN)
ODO	Ordnance Disposal Office (UNAMID)

OECD	Organization for Economic Cooperation and Development
OPICAC	Optional Protocol on the Involvement of Children in Armed Conflict
OFAB/FAB	<i>Fugasnaya Aviatsionnaya Bomba</i> (High Explosive Aircraft Bomb)
PDF	Popular Defence Forces
PKM	<i>Pulemyot Kalashnikova</i> (Modernised). (Light Machine Gun)
PNR	Passenger Name Record
RBK	<i>Razovaya Bombovaya Kasseta</i> (Cluster Bomb)
RCL	Recoilless Rifle
RCM	Regional Certification Mechanism
RCS	Remote Control Software
RINR	Regional Initiative on Natural Resources
RPG	<i>Ruchnoy Protivotankovyy Granatomyot</i> (Shoulder Launched Anti Tank Grenade)
RSF	Rapid Support Force(s)
SAF	Sudanese Armed Forces
SAirF	Sudanese Air Force
SARC	Sudanese Revolutionary Awakening Council
SDG	Sudanese Pounds
SFSCCL	Sudan Financial Services Company Limited
SGBV	Sexual and Gender-Based Violence
SLA/AK	Sudan Liberation Army/Ali Karbino
SLA/AW	Sudan Liberation Army/Abdul Wahed Mohamed Nour
SLA/MM	Sudan Liberation Army/Arkou Minni Minnawi
SLF	Sudan Liberation Forces
SLMJ	Sudan Liberation Movement for Justice
SLM/AW	Sudan Liberation Movement/Abdul Wahed Mohamed Nour
SLM/MM	Sudan Liberation Army/Arkou Minni Minnawi
SLM/SR	Sudan Liberation Movement/Second Revolution
SLM/U	Sudan Liberation Movement/Unity
SOP	Standing Operating Procedures
SPLA	Sudan Peoples Liberation Army (South Sudanese Army)
SPLM/N	Sudan People's Liberation Movement/North
SRCAC	Special Representative for Children in Armed Conflict (UN)

SRF	Sudanese Revolutionary Front
SMSG	Special Representative of the Secretary General
STCE	Strategic Trade Control Enforcement project (WCO)
TAG	Tribal Armed Groups
TBC	To Be Confirmed
TN	Tactical Number
TS	Team Site (UNAMID)
UAE	United Arab Emirates
UDHR	Universal Declaration on Human Rights
UK	United Kingdom
UN	United Nations
UNAMID	African Union-United Nations Hybrid Operation in Darfur
UNICEF	United Nations Children's Fund
UNLIREC	United Nations Lima Regional Centre (UNODA)
UNODA	United Nations Office for Disarmament Affairs
UNODC	United Nations Office for Drugs and Crime
US\$	United States Dollars
WCO	World Customs Organization
WFP	World Food Programme
WTO	World Trade Organization
ZPU	<i>Zenitnaya Pulemetnaya Ustanovka</i> (Anti Aircraft Gun)
ZU	<i>Zenitnaya Ustanovka</i> (Anti Aircraft Gun)