

# **COMPROMISING WITH EVIL**

AN ARCHIVAL HISTORY OF GREATER SUDAN, 2007 – 2012

## **Annex XI: Genocide in the Nuba Mountains 2011**

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## Preface

When I was in the Nuba Mountains of South Kordofan in January 2003, I met with a range of military and civil society leaders. They had endured Khartoum's genocidal *jihād* in the 1990s. If there have been doubts expressed about whether or not genocide has occurred in Darfur there is no credible dissent from such a characterization of the extermination campaign that began in 1992. Deputy Governor Ismael Khamis, then the senior official in the Nuba, told me bluntly why he and his fellow Nuba felt threatened by any peace agreement between Khartoum and Juba that did not include them: "Khartoum doesn't regard us as human beings."

Judging by the nature of the genocide that has developed over the past fourteen months in South Kordofan, there can be little quarreling with Khamis's assessment. Clear patterns emerged from the scores of reports that began to flow almost as soon as Khartoum initiated fighting on June 5, 2011. Human Rights Watch confirmed early on that Khartoum's regular military and militia were undertaking a campaign of [house-to-house roundups of Nuba](#) in Kadugli, the capital of South Kordofan and home to many Nuba. Many people were hauled away in cattle trucks or summarily executed; dead bodies littered the streets of Kadugli. The Nuba were also stopped at checkpoints grimly similar to those in Rwanda, where those suspected of SPLM or southern political sympathies were arrested or shot. The real issue, however, is not political identity but Nuba ethnicity. As one aid worker who recently escaped from South Kordofan [reports](#): "[Nuba] coming in are saying, 'Whenever they see you are a black person, they kill you.'" [Another Nuba aid worker reported that an Arab militia leader had made clear they had received their orders](#): "to just clear."

Soon thereafter the Satellite Sentinel Project established conclusive existence of multiple mass graves in and around Kadugli. The graves were capable of holding many thousands of bodies and many body bags were photographed near gravesites. Eyewitness accounts and further satellite reconnaissance revealed a number of other such graves in and near Kadugli. The most devastating instrument of civilian destruction has been the ongoing aerial campaign against the Nuba Mountains that began fourteen months ago and is directed against agricultural production, villages, water sites, hospitals, cattle, and whatever else might sustain life. Two agricultural cycles have been profoundly disrupted: in most of the Nuba no food remains, and people are starving, eating leaves, grass, and insects.

Again, this is a campaign of extermination from which as many as 300,000 people from the Nuba and Blue Nile have fled, primarily to South Sudan and Ethiopia.

The most recent UN figure for those displaced within or from the Nuba Mountains was over 500,000, though this figure is likely low.<sup>1</sup> Displacement and growing starvation are taking a terrible toll, which will only escalate as Khartoum continues to deny international humanitarian relief efforts to both South Kordofan and Blue Nile.

News agencies, human rights groups, and other witnesses have chronicled these conditions in detail throughout the fighting: this is not a repetition of the *jihad* of 1992, which began invisibly. This is a calculated, well-chronicled, and fully deliberate attempt to destroy the Nuba people. It is genocide, the details of which have been reported in astonishingly replete detail, given the denial of all access by Khartoum. Yet the international community balks at using the word for fear of incurring obligations, moral or legal. Perversely, the example of Darfur should prove that declaring realities to be genocidal has no evident entailments: former Secretary of State Colin Powell, immediately after confirming that evidence collected by the Coalition for International Justice overwhelmingly supported a determination of genocide (September 2004), declared that “nothing new” in the way of U.S. policy followed from this unchallenged research finding.

We have known about genocide in the Nuba Mountains from June 2011 to the present. The pieces below chronicle as fully as possible just what we have known about this continuing destruction of the Nuba people during the first months of its execution.

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## Obama's Second "Rwanda Moment"

June 13, 2011

Recalling President Bill Clinton's massive moral failure in the face of the Rwandan genocide of spring 1994, many spoke of Darfur as President Obama's "Rwanda moment"—the moment in which he was obliged to choose whether or not to commit truly substantial American diplomatic and political resources to halt the ethnically-targeted human destruction that has raged for more than eight years. As I've [recently noted](#), candidate Obama virtually invited such a framing of his actions, declaring: "The government of Sudan has pursued a policy of genocide in Darfur. Hundreds of thousands of men, women, and children have been killed in Darfur, and the killing continues to this very day" (April 2008). But more than three years later the situation has not improved in Darfur; rather, a grim genocide by attrition continues, and Obama's incompetent special envoy, former Air Force General Scott Gration, made no progress on the key issues. He failed to secure a peace agreement (or even the trust of Darfuris), and he produced no improvement in access for humanitarians or freedom of movement for the UN/African Union peacekeeping force. Conditions are if anything worse than when candidate Obama spoke, and his "Rwanda moment" has passed. He has failed.

But the consequences of General Gration's incompetence extend to critical issues that remain unresolved between Khartoum and Juba, the capital of what will be in less than a month the independent Republic of South Sudan. Most pressing is the genocidal violence that has exploded in South Kordofan over the past week and threatens to take all of Sudan back to civil war. There are increasingly ominous reports of mass executions and the ethnic targeting of civilians, especially those with origins in the Nuba Mountains—including women and children. Arab militias armed by and allied with the Khartoum regime are going house-to-house, searching out "SPLM (Southern) sympathizers," who are either summarily executed or detained. The fate of a great many of these people is unknown. Numerous reliable accounts from the ground make clear that Khartoum's military aircraft are again engaged in the [indiscriminate bombing](#) of civilian targets throughout the Nuba. Churches have been burned in Kadugli (the capital of South Kordofan) and church staff murdered. Most terrifyingly, a humanitarian situation that is already desperate is deteriorating rapidly: Khartoum has engineered a security crisis that has produced mass evacuations of humanitarian personnel from South Kordofan, and if this is not very quickly reversed, vulnerable populations that have fled up into the mountains will die from exposure, malnutrition, and dehydration.

General Gration came to his position without significant diplomatic experience or knowledge of Sudan; his conviction, evident from his first pronouncements, was that we should make friends with the men of the National Islamic Front/National Congress Party, and that they in turn would become reasonable and accommodating. His notorious policy of appeasement was most conspicuously on display when during an [early trip to Khartoum](#) he declared diplomatic success was more likely if the U.S. offered the regime's *génocidaires* "cookies," as well as "gold stars" and "smiley faces." Out of such foolishness are genocides sustained.

Gration, having failed in Darfur, was just as ineffective in securing full implementation of the North/South Comprehensive Peace Agreement (2005). Khartoum refuses to negotiate in good faith on border delineation, oil revenue sharing (approximately 75 percent of Sudan's reserves lie in the South), citizenship and civil rights for southerners who remain in the North, and a host of economic issues, most pressing the \$38 billion in external debt that the National Islamic Front/National Congress Party regime has run up. Khartoum is pressing Juba to accept a significant percentage of this debt, even as none of the money borrowed was seen by the people of the South except in the form of military hardware directed against them. This intransigence and unconstrained pursuit of self-interest is the ultimate consequence of ill-informed and expedient diplomacy.

But most critically, Gration failed to deal effectively with the two most obvious flashpoints for renewed civil war—the contested Abyei region and the Nuba Mountains of South Kordofan (immediately to the north of the border with the South). Indeed, many blame Gration for Khartoum's intransigence on Abyei, and [ultimately its decision to seize the region militarily](#). For in mid-May Khartoum responded to Gration's various offers of treats, including yet further compromises on delineation of the contested border area, by taking full military control of Abyei—a move that was foreseen by a number of analysts, and indeed had [taken de facto form by March 2011](#). These military actions violated not only the key Abyei Protocol of the Comprehensive Peace Agreement, but also a "final and binding" ruling by the Permanent Court of Arbitration in The Hague (July 2009). In the immediate wake of Khartoum's military move, more than 100,000 Dinka Ngok have [fled for their lives to the South; this represents the entire estimated Ngok population of Abyei prior to the invasion](#).

An early UN assessment of the aftermath of the regime's brutal military seizure of Abyei—an area a bit smaller than the state of Connecticut—found that the actions by Khartoum's military and militia forces, including killings and ethnically-targeted destruction of property and food stores, were ["tantamount to ethnic cleansing"](#). But shamefully, senior UN officials, in their own effort to accommodate Khartoum's sensibilities, toned this down dramatically, suggesting only that these actions

“could” lead to ethnic cleansing. Ban Ki-moon [declared flatly](#), “It is far too early to claim that ethnic cleansing is taking place.” Ban was evidently not interested in the [mass of satellite and ground photography](#) depicting precisely ethnic cleansing, or the testimony of hundreds of those interviewed once beyond the range of Khartoum’s security forces. Nor did Ban think it important to consider the extraordinary [statements](#) by former U.S. State Department Ambassadors-at-Large for War Crimes, speaking about the evidence of “crimes against humanity.”

Humanitarian conditions are poor for those who fled Abyei and for many [there is no assistance at all](#). Khartoum has thrown up an economic blockade on goods moving from North to South Sudan, including fuel. This has had the effect of leaving many relief organizations without mobility. A large number of the displaced are dehydrated and badly weakened. And in the voice of the survivors we can hear a despair that will only deepen:

life for the [human] bargaining chips [in negotiations over Abyei in the wake of Khartoum’s military seizure of the region], meanwhile, has been miserable. For Mary Achol, it has meant eating leaves. On a recent morning in the border town of Agok, Ms. Achol slumped in the meager shade of a thorn tree, her belly rumbling from the nearly toxic mix of wild plants she ingested, a baby sweating profusely in her arms. During the chaotic exodus out of Abyei, Ms. Achol lost two other children. “Maybe they died of thirst, maybe they were eaten by lions,” she said. “I don’t have a lot of hope.”<sup>2</sup>

All this has predictably set the stage for the much greater violence rapidly unfolding in South Kordofan State, which abuts Abyei and lies immediately north of oil-rich Unity State in the South.<sup>3</sup> For the past week events long warned of have exploded into violent ethnic slaughter and widespread military violence (including [repeated cross-border bombing attacks just south of South Kordofan](#), in South Sudan’s oil-rich Unity State). But it is not at all clear whether the Obama administration appreciates the enormous differences between South Kordofan and Abyei, in particular the potential for large-scale genocidal destruction.

Certainly the administration’s response to the seizure of Abyei was far too muted and lacked a clear articulation of specific consequences if Khartoum failed to abide by a UN Security Council “demand” that the regime withdraw militarily. This only encouraged Khartoum to believe that there would be an even less forceful response to military action in South Kordofan, which is geographically clearly in the north. Gration, who had no diplomatic skills or instincts, has been replaced by Princeton Lyman, a seasoned and widely respected career diplomat, with much

experience in Africa. But Lyman seems out of his depth in dealing with the men in Khartoum, and there are signs that he only now realizes how dangerous the situation in South Kordofan has become in recent months.

The local events that led to the rapid escalation of violence in South Kordofan are not fully clear, but the premeditation that defined Khartoum's seizure of Abyei—and which the Obama team now acknowledges—is again clearly in evidence. Indeed, reports from assessments groups like the Small Arms Survey (Geneva) going back to [October 2010](#) have made clear that the military build-up of regular military forces and particularly ethnic militias has been massive, and was undertaken with brutal ambitions.<sup>4</sup> Tanks had rolled into Kadugli, the capital of South Kordofan, within hours of the first shots. El Obeid, the primary military base outside Khartoum, lies just north of South Kordofan, but connects by road to Kadugli, and puts the regime's advanced military jet aircraft—including MiG-29s—within easy flying distance of the Nuba Mountains, a region the size of Austria in the middle of South Kordofan where fighting will be concentrated. Significantly, the Nuba Mountains are nowhere contiguous with South Sudan.

The ethnically, linguistically, and religiously diverse people of the Nuba sided militarily and politically with the South during the civil war, and feel deeply threatened by Khartoum's ideological Islamism and Arabism. A gathering of Nuba civil society and military leaders made this point emphatically when I traveled to the region in 2003. Commander Ismail Khamis, the senior military officer at the time, declared with both anger and resolve: “Khartoum does not consider us to be human beings.” There is much justification for this view; indeed, immediately before the self-determination in South Sudan (January 9, 2011) President Omar al-Bashir declared:

If south Sudan secedes, we will change the constitution, and at that time there will be no time to speak of diversity of culture and ethnicity ... shari'a and Islam will be the main source for the constitution, Islam the official religion and Arabic the official language.<sup>5</sup>

That leaves little room for the Nuba in the north, even as they were vaguely promised “popular consultations” in the 2005 peace agreement. But these have proved meaningless in the wake of [Khartoum's rigging of the May gubernatorial election](#), which brought to the post an indicted war criminal and a primary executioner of the Darfur genocide, Ahmed Haroun. Haroun, who has been acting governor of South Kordofan, was clearly brought in to undertake some very nasty business, and the reports of the past week are consistently of ethnically-targeted executions, destruction of churches, the killing of church officials, and widespread

bombing in the Nuba Mountains themselves. We have no way of now how many have fled in South Kordofan but the estimates are growing with terrifying speed; the UN estimate for Kadugli now exceeds 50,000, and people continue to flee, desperate to escape the ethnic killings.<sup>6</sup>

Human Rights Watch reports “tens of thousands of people” fleeing toward el-Obeid; the town of Dilling to the north is reportedly completely deserted; virtually all civilians have fled from el-Fayd; and there are almost hourly reports from Nuba on the ground and in the diaspora that the number of women and children fleeing to the bush is growing rapidly. The World Council of Churches, with close ties to the people of the Nuba, reports that as many as 300,000 civilians are besieged and cut off from relief assistance.<sup>7</sup> Humanitarian conditions have deteriorated precipitously, with critical shortages of water and food already reported; these will only grow worse, and more deadly. Khartoum’s forces have permitted the looting of UN World Health Organization warehouses in Kadugli, which contained critical medical and other humanitarian supplies. Roadblocks have been put in place in some areas, “preventing medical and humanitarian access,” according to the UN High Commission for Human Rights.<sup>8</sup>

Ominously, we also know that President al-Bashir and his top advisor, Nafi’e Ali Nafi’e, have given a “free hand” to military forces in South Kordofan, and this is a license for the slaughter of highly distressed civilian populations, overwhelmingly non-Arab and conveniently labeled “SPLA sympathizers.” The nature of the violence is all too familiar from Darfur and from the previous genocide in the Nuba Mountains in the 1990s (very few dissent from this characterization of the ruthless killing and displacement of the time, as well as an accompanying total humanitarian embargo). Human Rights Watch reports receiving “credible reports” that:

[Sudan Armed Forces, or SAF] soldiers and Popular Defense Forces, a militia force, deployed in large numbers in Kadugli and other towns, targeted a number of civilians they suspected to be SPLM members. The forces carried out house-to-house searches and set up checkpoints, where they stopped civilians trying to flee the violence and killed some of them, according to witnesses. Reports from the ground indicate that military personnel arrested people who had sought refuge inside the UN Mission in Sudan (UNMIS) compound, in violation of international humanitarian law. One of those arrested was later found dead.

The echoes of Rwanda become louder, and we are seeing mainly what is occurring in Kadugli, which lies west of the Nuba Mountains, Khartoum’s real target. The highly reliable Sudan Ecumenical Forum has declared in outrage that “[other

civilians] have fled to the Nuba Mountains, where they are being hunted down like animals by helicopter gunships.”<sup>9</sup> Reports of indiscriminate air and artillery attacks are too numerous to catalog, as the ethnically-targeted destruction of non-Arab people in the region gathers pace. There are also a number of reports that Nuba civilians have been collected in cattle trucks (in one instance witnessed by a security office of the UN High Commission for Refugees); that these human round-ups are being conducted by Arab paramilitary and militia forces, including the notorious Popular Defense Forces (PDF), is extremely ominous. Most chilling are the repeated reports, from various quarters, of mass graves in the Kadugli area.

The militia and paramilitary forces are in one sense the Interahamwe of South Kordofan, and once loosed, once blood lust is in the air, violence (including reprisal attacks) will be extremely difficult to restrain. The fact that Sudan People’s Liberation Army (SPLA) forces—and those fighting in the SPLA are themselves nearly all from the Nuba Mountains—are evidently defeating Khartoum’s regular forces on the ground in a number of locations may not prevent Khartoum from achieving its largest goal. For that goal is the same as it was in Abyei and in Darfur: to “change the demography” of South Kordofan. Here we should recall the ominous words of Musa Hilal, the primary Janjaweed leader in Darfur:

The ultimate objective in Darfur is spelled out in an August 2004 directive from [Janjaweed paramount leader Musa] Hilal’s headquarters: “Change the demography of Darfur and empty it of African tribes.” Confirming the control of [Khartoum’s] Military Intelligence over the Darfur file, the directive is addressed to no fewer than three intelligence services—the Intelligence and Security Department, Military Intelligence and National Security, and the ultra-secret “Constructive Security,” or Amn al Ijabi.<sup>10</sup>

The White House issued a belated statement about “Southern Kordofan” on Friday evening (June 10), and it was a first step—but far too tentative and lacking in the force necessary to change the thinking in Khartoum; and it gave no true sense of the scale of atrocity crimes we know to be occurring. One would of course expect the administration to be “deeply concerned by ongoing developments in Southern Kordofan.” But it will take threats made a good deal more forcefully to effect change in the killing fields:

The United States condemns reported acts of violence in Southern Kordofan that target individuals based on their ethnicity and political affiliation. Accounts of security services and military forces detaining,

and summarily executing local authorities, political rivals, medical personnel, and others are reprehensible and could constitute war crimes or crimes against humanity. We call on the UN to fully investigate these incidents, and we demand that the perpetrators immediately halt these actions and be held accountable for their crimes.<sup>11</sup>

But the UN has a terrible record investigating atrocity crimes in Sudan, whether in Darfur, Abyei, or South Kordofan; a “UN investigation” is likely to take many weeks or months, even if access could be secured from Khartoum (a highly unlikely development). Moreover, a UN investigation will be quite incomplete, as the UN force in South Kordofan, UNMIS, has completely lost the trust of the Nuba. Indeed, Egyptian elements of UNMIS in the region have repeatedly been accused of turning away those seeking UN protection, assisting in ethnic round-ups, and of raping Nuba women in the Kadugli area. They should be immediately replaced, although they have already disabled UNMIS as a protective force, now feared and hated by those who were to have assist been assisted.

### **“Rwanda Moment”**

We know what is happening, given the very substantial reporting, including desperate emails and phone calls from the ground, satellite photography, as well as many accounts from those in the region with contacts in South Kordofan. We know what is happening, and waiting is not an option. As Sudanese church groups have declared:

Only urgent international efforts can halt what is threatening to become a repeat of the mass atrocities, war crimes and protracted humanitarian crisis the world witnessed in neighbouring Darfur over the past decade, in Abyei in recent weeks and during the previous war in the Nuba Mountains in the early 1990s. (June 10, 2011)

But instead of promising decisive action to halt Khartoum’s genocidal ambitions, the White House statement of June 10 equates the responsibilities of Khartoum and Juba:

Although the United States has demonstrated a commitment to forging closer ties with Sudan, grave violations of international humanitarian law as have been reported to take place in Southern [sic] Kordofan will negatively impact this process and put Sudan on a path toward

deeper international isolation. We also call upon the leaders of the Sudan People's Liberation Army in South Kordofan to avoid reprisals and other human rights violations, to agree to a cease-fire, to provide full access to the UN and humanitarian agencies and to cooperate in a UN investigation of the reports of such violations.

In this key final paragraph the Obama administration spends as much time admonishing the SPLA as it does warning Khartoum. This “moral equivalency—a perverse legacy of the Gration era—is wholly misplaced in the context of South Kordofan. The ethnic killings, the summary executions, the indiscriminate aerial bombardments (only Khartoum has an air force), the use of heavy artillery against civilian targets, the destruction of churches and murder of church officials—these are singularly the responsibility of the National Islamic Front/National Congress Party regime. As well blame the Tutsi resistance in Rwanda for the actions of the Hutu killing machine.

When I was in the Nuba in 2003 I heard again and again the same simple declaration: “we have no way out.” This meant that lacking geographic contiguity with the South, there was no physical exit and the only choice was to stay and fight for their traditions and lands. Led by Abdel Aziz el Hilu, a formidable military commander, they will fight to the death rather than surrender to al-Bashir's vision of what North Sudan is to become. No one in the Nuba has forgotten the genocide of the 1990s.

But the cost of such defiance, given the overwhelming military force—regular and militia—Khartoum has put in place, will be devastating. The hundreds of thousands now besieged and without humanitarian relief are deeply endangered, as relief organizations are withdrawing rather than deploying. Khartoum has shut down the Kadugli airport for all humanitarian transport, and has deployed instead military aircraft. It is also now the “hunger gap,” the period between fall/winter harvest and the next round of harvests beginning in October. Mortality will swing sharply upward in the coming weeks and months unless humanitarian access is secured and protected.

Ethnically-targeted human destruction, genocide, need not make use of machetes, or even more sophisticated instruments of destruction. As this regime has learned over the past 22 years, the cheapest way to wage war on the African peoples of Sudan is by pitting ethnic groups against one another and then denying humanitarian access. We saw this in the Nuba Mountains in the 1990s, in South Sudan at many points during the civil war, and most recently in Darfur. That it has begun again in the Nuba brings us full circle in the regime's savage history of genocidal counterinsurgency wars. The Nuba were largely invisible during the first genocide,

even as we know now that hundreds of thousands were killed or displaced. But this time it is as clear as April and May of 1994 in Kigali.

President Obama confronts his second “Rwanda Moment,” and how he responds—now—will determine the moral character of his historical legacy for decades.

## In Sudan, Genocide Anew?

First appeared in *The Washington Post*, June 17, 2011

*We are, once again, on the verge of genocidal counterinsurgency in [Sudan](#). History must not be allowed to repeat itself.*

By early 2004, it was clear that the ideologically Arabist and Islamist regime in Khartoum was waging a genocidal counterinsurgency war throughout the western region of Darfur. Yet months passed before a broad range of human rights, government and academic voices said as much, even as the consequences of silence and inaction were conspicuous. In February 2004 I argued on this page that a “credible peace forum must be rapidly created. Immediate plans for humanitarian intervention should begin. The alternative is to allow tens of thousands of civilians to die in the weeks and months ahead in what will be continuing genocidal destruction.”

This prediction was borne out in the months that followed, the most destructive phase of the Darfur genocide, in which African tribal groups were mercilessly targeted by soldiers and militias. Sadly, mortality from war-related causes continues to mount. But now we are debating how many hundreds, not tens, of thousands have perished from war-related causes in Darfur.

Today, another episode of genocidal counterinsurgency is beginning in another part of Sudan. Absent a vigorous international response, there will almost certainly be a reprise of ethnically targeted human destruction in the middle of the country, specifically within the Nuba Mountains region of South Kordofan, which has a rich mixture of African inhabitants.

Sudan was ravaged by a north-south civil war from 1983 to 2005; the war nominally ended with the Comprehensive Peace Agreement, signed by Khartoum and the southern Sudan People’s Liberation Movement. But key terms of the agreement were never fulfilled, among them “popular consultations” that were to give the people of South Kordofan a voice in how they were governed. The armed wing of the liberation movement was especially strong in the Nuba Mountains, and Khartoum saw a threat that it was determined to eliminate.

On June 5 a [military campaign began](#) in South Kordofan. It has rapidly escalated in ferocity, and disturbing accounts have emerged of the African people of the Nuba being rounded up in house searches and road checkpoints, and subjected to indiscriminate aerial bombardment. All signs point to a new genocide.

It will be similar to the 1990s, when Khartoum declared a jihad against the peoples of the Nuba (who practice a range of religions, including Islam). Because

the Nuba Mountains are not geographically contiguous with South Sudan (with which the area is militarily, politically and culturally allied), its people were largely left to fend for themselves.

Then, the regime imposed a total blockade of humanitarian assistance from the south. Many starving Nuba were forced into “peace camps,” where receiving food was conditional upon conversion to Islam. Some who refused were tortured or mutilated. Khartoum’s decade-long campaign killed and displaced hundreds of thousands.

Today, reports from the ground and wire services detail heavy [fighting underway in Kadugli](#), the capital of South Kordofan, and surrounding areas. There are multiple reports (including photos) of military aircraft such as MiG-29s attacking deep in the mountains; on Wednesday these attacks destroyed the key runway at [Kauda](#), critical for transporting humanitarian supplies into the Nuba, a disturbing sign of how Khartoum will carry out the genocide.

Nearly all humanitarian operations in the region have ceased, as Khartoum denies the United Nations air clearances; workers for the [U.N. Mission in Sudan](#) have been evacuated or confined to their base. On June 8 that base was raided by Khartoum’s military intelligence, and the United Nations was effectively disabled.

Khartoum’s actions come just days after regime forces seized Abyei, whose indigenous residents are overwhelmingly Dinka Ngok and see themselves as part of the south. The 2005 peace agreement promised them a referendum for self-determination, which Khartoum has aborted. Last month the regime launched a military attack to seize Abyei; the U.N. High Commission for Refugees reports that some [113,000 civilians have fled south](#)—virtually the entire Ngok population. They are living in extremely difficult conditions, and many will die. A U.N. report found that Khartoum’s actions were “tantamount to ethnic cleansing,” a decisive phrase that senior U.N. officials excised from later versions of the text.

The U.N. Security Council demanded on June 3 that Khartoum immediately withdraw its forces from Abyei, but [the regime scoffed](#)—as it has at previous council demands, including those bearing on Darfur. This is bad news for the people of Abyei and for the prospects of a just and peaceful separation of Sudan’s north and south, which is scheduled for July 9. For the Nuba people, such fecklessness spells catastrophe.

Too often with Sudan, empty demands and threats signal to the regime that the world is not serious about halting atrocities. Either the [international community gets serious](#) about preventing further violence in Abyei and the adjacent region of South Kordofan, or we will again see “tens of thousands of civilians...die in the weeks and months ahead in what will be continuing genocidal destruction.”

## Genocide in Sudan: Is it Happening Again?

First appeared in *The New Republic*, June 20, 2011

Two weeks after Khartoum's tanks, artillery, and military aircraft began moving into South Kordofan, violence—especially against civilians—continues to explode. There are now scores of reliable reports that attacks against the indigenous Nuba people have accelerated, both on the ground and from the air. Humanitarian conditions are deteriorating rapidly, aid workers are fleeing the region, [essential relief supplies have been looted in](#) the regional capital of Kadugli, and the U.N. World Food Programme has indicated that the violence could prevent it from [reaching the 400,000 people](#) it was serving before the recent onslaught. There are no verified estimates of the number of people displaced, but Abdel Aziz El Hilu, former governor of South Kordofan, [has put the number at almost half a million](#). [Dozens have been reported killed](#), but, in the absence of any effective humanitarian monitoring, this surely understates significantly.

For its part, Khartoum has ominously promised to continue fighting. Troops and military vehicles are still pouring into Kadugli; according to U.N. observers, some 280 military vehicles have been spotted, and “[preparations for a major ground offensive](#)” are being made. Understandably, according to a [report by the U.N. Office for the Coordination of Humanitarian Affairs](#), this has created “a growing sense of panic” among the Nuba.

These highly provocative military actions—on top of those occurring in Abyei and parts of southern Sudan—put all of Sudan at risk of renewed civil war. Complicating matters is a weak U.N. peacekeeping mission in South Kordofan that, even before it became subjected to this most recent violence and harassment, was barely able to protect itself, let alone the civilians seeking its refuge. Indeed, it has a poor reputation among the Nuba people. ([Several Egyptian members of the U.N. mission have even been accused of assisting in ethnic roundups.](#))

And, ultimately, the Nuba are at the crux of this conflict. It's the Nuba people, of multiple African ethnicities, and their way of life that seem to be the primary targets of the recent violence. They are being attacked not only by Khartoum's regular military forces but by the notorious Arab militias known as the Popular Defense Forces (PDF). And this fact, inevitably, raises questions about whether what we are witnessing is ethnic cleansing—or, worse, genocide.

There is an extraordinary amount of information being smuggled out of South Kordofan by fleeing aid workers and civilians and conveyed via electronic communication, including digital photographs. And, from the mounting evidence that has

come to me, clear patterns emerge. The signature feature of Khartoum's operation is the [door-to-door roundup of Nuba](#), who are often summarily shot. The Nuba are also stopped at checkpoints grimly similar to those once seen in Rwanda. One aid worker who recently escaped from South Kordofan, told McClatchy, "Those [Nuba] coming in are saying, Whenever they see you are a black person, they kill you." Another Nuba aid worker reports that an Arab militia leader made clear that their [orders were simple](#): to "just clear."

Another Nuba resident of Kadugli told Agence France-Presse that he had been informed by a member of the PDF that his forces had been provided plenty of weapons and ammunition, and a standing order: "He said that they had clear instructions: [just sweep away the rubbish](#). If you see a Nuba, just clean it up....He told me he saw two trucks of people with their hands tied and blindfolded, driving out to where diggers were making holes for graves on the edge of town." There have been several more reports, so far unconfirmed, of mass graves in and around Kadugli.<sup>12</sup>

There also clear indications of how Khartoum means to conduct its campaign going forward. On June 15, military aircraft of the regime completed destruction of the runway in Kauda, a small town in the middle of the Nuba Mountains. The destruction was of no military significance, as the SPLA has no air force. But it was nonetheless of enormous consequence and emblematic of how Khartoum intends to wage war against the Nuba people. Because the Kauda airstrip is critical for humanitarian transport in the region, its destruction works to ensure that the hundreds of thousands already in need will remain cut off from relief. It seems Khartoum intends to starve the Nuba into submission.

How, then to label this sort of violence? The language of "ethnic cleansing," increasingly used in describing what is occurring in South Kordofan, seems not to convey adequately the realities on the ground. (Certainly, this is the view of many Nuba.) "Ethnic cleansing" is a phrase that has no established meaning in international human rights law. It is rather, [as Samantha Power has observed](#), "a euphemistic half-way house between genocide and crimes against humanity." Indeed, the deliberate and widespread destruction of the Nuba people seems more accurately to meet the standards of the 1948 Genocide Convention. The murders, killings, rapes, and destruction of livelihoods that have been reported all appear to comport with the terms of Article 2 of the Convention, which details the qualifying actions undertaken "with intent to destroy, in whole or in part, a national, ethnical, racial or religious group."

To be sure, the allegation of genocide is a strong and for some a controversial one, and I do not claim to have full knowledge of everything that has happened or

will happen in South Kordofan. But, given Khartoum's legacy—its actions during the country's long civil war, including a genocidal assault against the Nuba, and the conflict in Darfur, which resulted in President Omar Al Bashir being indicted by the International Criminal Court for genocide—as well as the horrific evidence we have seen and heard in recent days, it is important to consider seriously whether the situation in Sudan is taking the shape of the worst crime mankind can commit against its own.

The United States and its allies—or the U.S. alone, if necessary—should state that, if Khartoum does not halt its campaign of ethnic destruction in South Kordofan, the aircraft responsible for bombing civilian and humanitarian targets will be destroyed, until the regime yields. And the international community should make this commitment quickly. For, as was the case with Darfur seven years ago, when it comes to South Kordofan, the window of opportunity to change the thinking and actions of Khartoum, before the regime's forces permanently change the demography of the Nuba, is likely to be brief. This campaign is being brought to us live, and the failure to act to stop it would occasion withering historical judgment.

## Genocide in the Nuba Mountains of Sudan

First appeared in *Dissent Magazine*, June 22, 2011

The Kauda valley in the very center of the Nuba Mountains of South Kordofan, Sudan is a beautiful place, one of the most beautiful I've ever encountered. The [hillsides are alive with tukuls](#) (traditional thatched huts) and terraced landscapes that give the impression of always having been there—of belonging there. During my days there I took long walks into the remoter regions of the valley, [taking many pictures and communicating awkwardly with folks I met](#). My camera seemed the perfect translation tool, as most of the people I photographed had never had the experience before, especially the children. And when they saw themselves—typically for the first time in their lives—in my flip-out monitor, the inevitable reaction (once recognition took place—not always an immediate process) was unconstrained laughter. I'm not sure I understood the laughter, or that there was much to understand beyond the fact that seeing themselves was hugely entertaining and out of the ordinary.

I attended a local church service in Kauda town, where I was welcomed graciously, and every word not sung was laboriously (and in places bewilderingly) translated for me. This made the service rather long, but it was a sign of real appreciation. Afterward there was a beautiful interweaving of communicants, walking in opposite directions around the church. All the women and children were in colorful finery, and the men were dressed in their best attire.

[But I also attended a much grimmer gathering](#), in the rocky hillside well above Kauda: a meeting of Nuba military and civil society leaders, led by the deputy governor of the region (the governor was in Nairobi), in a large tent set up for this occasion. They were determined that I should hear their story, and they were deadly serious. Again and again I felt the force of decades of anger and disappointment pushing me back in my seat. I learned firsthand how bitter the people of the Nuba were, having been left out of consideration at the time of independence (1956), and in the Addis Ababa peace agreement (1972) that ended Sudan's first civil war. They would not be left out of the next peace agreement, they insisted with a vehemence that was almost shocking, and clearly meant to be conveyed to those in whose hands their fate rested.

This was in January 2003—shortly after the cessation of hostilities agreement (October 2002), but well before the Comprehensive Peace Agreement (January 2005) was signed by Khartoum and the southern Sudan People's Liberation Movement (SPLM). The Nuba knew that key decisions were going to be made about their

future, and they wanted a voice. Most of all they wanted self-determination, even as they knew that the Nuba Mountains were not only in the North but nowhere contiguous with what will become the Republic of South Sudan on July 9. Their fear was that they would be left alone in a North Sudan dominated by Khartoum's ideological Islam and Arabism (the ethnically diverse African people of the Nuba follow a number of religions, including Islam). Their worst fears have been realized.

Historical memory in this part of Sudan is defined by the terrible experiences of the 1990s, when Khartoum mounted a full-scale genocidal assault on the people of the Nuba, killing and displacing hundreds of thousands. This was *jihad*, and it was based on a *fatwa* issued in Khartoum in January 1992. With this justification, a total humanitarian blockade was imposed on the region, and many starving people were driven into "peace camps," where receiving food was conditional upon conversion to Islam; those refusing were often tortured or mutilated. It is hardly surprising that Deputy Governor Ismael Khamis would tell me bluntly, "Khartoum doesn't regard us as human beings."

And judging by the nature of the genocide that is rapidly developing in South Kordofan, there can be little quarreling with Khamis' assessment. Clear patterns have emerged from the many scores of reports that have come to me from the region over the past two weeks. Human Rights Watch has confirmed that Khartoum's regular military and militia are undertaking a campaign of [house-to-house roundups of Nuba](#) in the capital city of Kadugli. Many of these people are hauled away in cattle trucks or summarily executed; dead bodies reportedly litter the streets of Kadugli. The Nuba are also stopped at checkpoints grimly similar to those in Rwanda; those suspected of SPLM or "southern" political sympathies are arrested or shot. The real issue, however, is not political identity but Nuba ethnicity; one aid worker who recently escaped from South Kordofan [reports militia forces patrolling further from Kadugli](#): "Those [Nuba] coming in are saying, 'Whenever they see you are a black person, they kill you.'" Another Nuba aid worker reports that an Arab militia leader made clear that their [orders were simple](#): "to just clear."

Yet another Nuba resident of Kadugli ("Yusef") told Agence France-Presse that he had been informed by a member of the notorious Popular Defense Forces (PDF) that they had been provided with plenty of weapons and ammunition, and a standing order: "He said that they had clear instructions: [just sweep away the rubbish](#). If you see a Nuba, just clean it up. He told me he saw two trucks of people with their hands tied and blindfolded, driving out to where diggers were making holes for graves on the edge of town." There have been repeated reports, so far unconfirmed, of [mass graves in and around Kadugli](#). We should hardly be surprised that the charges of "ethnic cleansing" and "genocide" are coming ever more insistently from the Nuba people, observers on the ground and in the region, and [church groups with strong](#)

ties to the region.

Just as shocking is Khartoum's renewed blockade of humanitarian assistance to the people of the Nuba, hundreds of thousands of whom have already fled into the hills or mountainsides. [The Kauda airstrip, critical for humanitarian transport, has been relentlessly bombed over the past ten days](#), and the UN now reports that it is no longer serviceable for fixed-wing aircraft. The airstrip has no military value, as the Sudan People's Liberation Army (SPLA) forces have no aircraft. The concerted bombing, with high-explosives producing enormous craters, is simply to deny the Nuba food, medicine, and shelter.

The same assault on humanitarian efforts is underway in Kadugli and other towns under Khartoum's military control. [The UN World Health Organization warehouse and offices in Kadugli have been completely looted](#), as have those of other UN humanitarian agencies. The Kadugli airport has been commandeered by Khartoum's military forces, and all humanitarian flights into South Kordofan have been halted. The World Food Program has announced that it has no way to feed some [400,000 beneficiaries](#) in South Kordofan. As in Darfur, Khartoum intends to wage a genocide by attrition—defeating the Nuba by starving them.

What Khartoum seems not to have fully understood is how determined the Nuba SPLA are. These are not southerners, but true sons of the Nuba; they cannot “return to the South,” because they are from the north. And they are well armed and well led by Abdel Aziz el-Hilu, a former governor of the region and fearsome military commander. They believe they are defending their homeland and their way of life. They have no alternative: as Khamis said to me during our 2003 meeting, “we have no way out.” Given the geography of South Kordofan, there can be little quarreling with this assessment. These people will fight to the death.

Princeton Lyman, the U.S. special envoy, declared on June 16—eleven days after the killing began in Kadugli—that the United States “[doesn't have enough information](#) on the ground to call the campaign ‘ethnic cleansing.’” This is an astonishing claim, given what the UN is saying in its confidential reports on the situation in Kadugli, what Human Rights Watch has reported, what is revealed by satellite photography, what escaping aid workers have told journalists, and what is revealed by [photographs of the bombing of the airstrip at Kauda](#). Again, the airstrip has no military purpose: it is being attacked solely to deny humanitarian access to the Nuba people. And it is working: the World Council of Churches, an organization with close ties to the Nuba, reported on June 10 that as many as [300,000 people were besieged and cut off from humanitarian relief](#).

Yet again the Obama administration is showing a painful lack of clear-eyed assessment and moral courage in addressing the genocidal ambitions of the Khartoum

regime. This is the president's second "Rwanda moment," the second moment in which to decide whether or not halting genocide really matters to this administration. The first "moment" came early in the form of a decision about how to respond to undiminished human suffering and destruction in Darfur, about which Obama now barely speaks, [despite his forceful campaign rhetoric](#): "The government of Sudan has pursued a policy of genocide in Darfur. Hundreds of thousands of men, women, and children have been killed in Darfur, and the killing continues to this very day" (April 2008). Obama's response was to appoint a special envoy to Sudan, General Scott Gration, who failed badly and conspicuously with his policy of accommodating Khartoum's *génocidaires*, men he thought would be impressed by his offer of "cookies, gold stars, and friendly faces." But as I've [repeatedly argued in this forum](#), conditions on the ground in Darfur are if anything worse than when Obama issued his uncompromising words.

This brings us to the present, to this very moment, in which a decision must be made: acquiesce and settle for stern warnings to Khartoum, or act forcefully to compel a change in Khartoum's thinking. A militarily enforced no-fly zone over South Kordofan—however desirable—is impracticable for a number of reasons: there is no easy or obvious solution to the problem of basing the necessary aircraft (including an airborne warning and control system, tanker refueling aircraft, and patrolling combat aircraft); constant mid-flight refueling would present extraordinarily difficult and expensive challenges; and there appears to be no possibility of securing either UN backing or even moral support from the Europeans for such a complex undertaking—let alone domestic support from a war-weary America. There is a much less costly but equally effective alternative, one that could be undertaken unilaterally if necessary: attacking and destroying Khartoum's military aircraft on the ground, if those aircraft have been implicated in bombing civilians and humanitarians. The United States could then demand as a condition for halting these serial attacks an end to hostilities in South Kordofan, and an opening of humanitarian access. For despite Ambassador Lyman's disingenuous claim about our not having enough information to assess the nature of the atrocity crimes in South Kordofan, there can be no reasonable doubt about the reality of widespread, systematic, ethnically targeted destruction of the Nuba people.

When I think back to my time at Kauda, and the beauty of the people and the hillsides—now much of it in flames, and all of it under the most intense assault—there hardly seems to be a choice. But diffidence, over-commitment, and apparent failure to understand what is at stake have made for what appears to be a disastrous decision by Obama in confronting his second "Rwanda moment."

## **Sudan: The Horror Continues— And the World Sits By**

First appeared in *The New Republic*, June 24, 2011

The ethnically targeted human destruction in South Kordofan in Sudan, directed overwhelmingly at the African peoples of the Nuba Mountains, continues to spread and intensify. Many are warning of a “new Darfur,” a reprise of the destruction of the African tribal groups in western Sudan by Khartoum’s forces from 2003 to the present. The number of people displaced is likely in the hundreds of thousands and growing, and the [U.N. reports](#) that “the “security situation continues to deteriorate.” Nearly all World Food Program workers have been evacuated. Many Nuba are now living in caves, without adequate food, water, or medical care.

But what we are seeing might not be most accurately described as another Darfur. Rather, the stage is being set for a reprise of the genocide of the 1990s in the Nuba Mountains, when hundreds of thousands died. Brutally assaulted on the ground and from the air, suffering under a relief aid embargo, forced into “peace camps” where many died, the Nuba faced a campaign of extinction. Today, the fear that this horror might be happening again is palpable. A correspondent for *Time Magazine* in Juba recently [interviewed an aid worker](#) who said, “You can see it in all their eyes. They are scared. They see this as a fight for survival.” [Hunted “like animals” by helicopter gunships](#), bombed by military aircraft, and haunted by their terrible history, the Nuba are right to be fearful. [As one aid worker has predicted](#), “if the ground offensive commences, ‘absolute carnage’ ...could ensue.”

Which demands that we ask the two-fold question: What should the international community, namely the U.S., be doing to stop the violence—and is it doing it? Unfortunately, the answer to the second half of the question continues to be “no.” “This is going to spread like wildfire,” an American official [told \*The New York Times\*](#) earlier this week, adding that, without mediation, “you’re going to have massive destruction and death in central Sudan, and no one seems able to do anything about it.”

The Civil Administration in the part of the Nuba Mountains most heavily attacked has collated figures from all of South Kordofan’s 19 states and said that approximately 425,000 people have been displaced by the conflict. (This number has yet to be confirmed.) Meanwhile, relief access to the region continues to wither, and Khartoum refuses to grant airspace to U.N. relief agencies. The regime has even [gone so far as threaten to shoot down U.N. aircraft refusing to abide by the flight ban](#).

Beyond this obstruction, Khartoum is displaying an attitude of mounting hostility toward the U.N. peacekeeping mission in South Kordofan. The kinds of threats being made are revealed in a grim incident cited in a [recent internal U.N. Report](#):

Sudan's forces detained four United Nations peacekeepers and subjected them to "a mock firing squad," the organization said Monday [June 20, 2011], calling the intimidation part of a strategy to make it nearly impossible for aid agencies and monitors to work in the region.

It seems, again, to be a repeat of the 1990s, when Khartoum shut off humanitarian aid to the Nuba region. Indeed, despite the regime's [massive military buildup in the regional capital of Kadugli](#)—including hundreds of heavy military vehicles—it doesn't appear to have the stomach for confronting the Nuba Sudan People's Liberation Army (SPLA) in the rocky terrain. It's much easier—and devastating to the Nuba people—to cut off aid.

In the midst of the devastation, Khartoum is counting on securing diplomatic credit for signing an agreement over the contested north-south border region of Abyei earlier this week—even though it is a weak compromise and was only made necessary by a Khartoum-led military assault that forced out more than 110,000 indigenous people from Abyei. The regime will likely attempt to trade on this credit in negotiations over South Kordofan, and, if so, we should expect intransigence: The regime has made clear its determination to destroy the people of the Nuba Mountains, [already refusing](#) a proposed one-month "cessation of hostilities agreement."

Worse still, Khartoum's heavy hand might soon extend beyond South Kordofan and Abyei. [President Omar Al Bashir recently warned South Sudan](#), which is set to secede in July, following a self-determination referendum earlier this year, that it may be next: "If they [the Southern leadership] want war ... we will show them, practically like what happened in Abyei and South Kordofan." Repeated bombings and shellings of targets inside the south's borders suggest that this threat must be taken seriously. But Princeton Lyman, the Obama administration's special envoy to Sudan, appears increasingly out of his depth in dealing with Khartoum's *génocidaires*. He has [declared of South Kordofan](#) that the U.S. "doesn't have enough information on the ground to call the campaign ethnic cleansing." Given the hundreds of reports, photographs, and even videography that have now emerged from the region, coming from U.N. personnel, relief workers, religious leaders, Nuba who have escaped to the South, and those who remain to speak to the outside world, this claim is deeply troubling. Andudu Adam Elnail, the bishop of South Kordofan's capital of Kadugli, [could not be more explicit](#): "Once again we

are facing the nightmare of genocide of our people in a final attempt to erase our culture and society from the face of the earth.”

How then to explain Lyman’s skepticism? Is it an expedient effort to keep Khartoum at the bargaining table by refusing to name the crimes that the regime has committed? If so, this augurs poorly for any robust U.S. or international action to halt what all extant evidence suggests is genocide. For Khartoum, which has killed its own people for decades more or less unchecked by the U.S. and the rest of the world, is all too expert in discerning the implications of what we will and won’t say publicly.

The international community should be threatening to destroy the regime’s aircraft targeting civilians in South Kordofan until it stops its campaign against the Nuba. But it’s not, choosing to dither instead. As such, the regime in Khartoum sees only a blinking green light.

## **Abyei and South Kordofan/Nuba Mountains: Under Siege, Deeply at Risk**

July 1, 2011

What are Khartoum's ambitions in South Kordofan and Abyei? What is the significance of the two agreements concerning these key regions signed by representatives of the regime?<sup>13</sup> The agreement on South Kordofan (and Blue Nile) declared that in principle Khartoum was committed to a cessation of hostilities agreement. But Reuters reports today that on his return from China, President Omar al-Bashir made clear that this is yet another agreement signed expediently and one that he has no intention of honoring (one must surmise that the Chinese have done little to pressure al-Bashir and the regime to come to some reasonable diplomatic settlement). In the "Framework Agreement" on South Kordofan and Blue Nile (June 28), Nafi'e Ali Nafi'e—the increasingly powerful senior figure within the National Islamic Front/National Congress Party—officially committed the regime "to work to agree both [sic] immediate and sustainable security arrangements for Southern Kordofan and Blue Nile," specifically an "Agreement on Cessation of Hostilities in Southern Kordofan." But today we heard a rather different commitment:

Sudan's President Omar Hassan al-Bashir said the army would continue its campaign in the flashpoint of South Kordofan, state news agency SUNA said on Friday, dashing hope of a cease-fire ahead of southern secession. In his first comments since returning from a visit to China, Bashir seemed to contradict comments by a northern official this week that north and south had agreed "in principle" on a cease-fire in the northern oil state.

"He directed the armed forces to continue their military operations in South Kordofan until a cleansing of the region is over," SUNA quoted Bashir as telling worshippers during Friday prayers.<sup>14</sup>

Celebration of the agreement by the AU's expedient Thabo Mbeki and the UN's feckless Ban Ki-Moon would seem distinctly premature. And in the absence of a cessation of hostilities agreement, we must ask what this war will look like going forward. Despite continuing agnosticism on the part of U.S. special envoy Princeton Lyman about what is occurring in South Kordofan, the images of aerial destruction continue to pour out of the region, as do reports of house-to-house arrests and executions of Nuba civilians; a virtual shutdown of humanitarian access in the region;

a massive build-up of weapons and armor in Kadugli (capital of South Kordofan); and relentless aerial assaults on civilians, humanitarians, churches, and other non-military targets in the Nuba Mountains.<sup>15</sup>

The results of the present campaign have been horrific. I have assembled an album of my own photographs from 2003, a time of relative peace in the Nuba, and photographs from this past month (June 2011), mainly from Nuba sources. The latter are images of the war al-Bashir vows to continue until the Nuba Mountains have been “cleansed.” (Warning: many of the photographs are disturbingly gruesome—<http://goo.gl/5gDpV> and <http://goo.gl/oAhxE>)

I have also assembled a range of photographs, from various sources, that chronicle the displacement from Abyei of the Dinka Ngok to the South, the destruction and looting of Abyei town, as well as the plight of those displaced to Akok, Turelei, Wau, and other Southern towns. As Sudan moves into the heaviest part of the rainy season, water-borne diseases will become increasingly frequent and dangerous. A normally optimistic program director for a Western humanitarian organization, with a long history in this area, informs me that he sees only a very grim future for these people.

A great deal of this has been eminently foreseeable. I argued on March 9, 2011:

[Khartoum’s] military strategy comes ever more clearly into focus: seize Abyei as far south as possible, then negotiate final status of the region from a position of military strength. []

If war resumes in Abyei, it is likely to spread quickly to the Nuba Mountains in South Kordofan and Southern Blue Nile. The entire North/South border could become one long military front, particularly in the oil regions of Unity State and South Kordofan. Unless Khartoum is sent the clearest possible signal that it will gain nothing by such offensive military action, including arming and encouraging Misseriya militias, the fighting in Abyei will increase. The UN peacekeeping mission (UNMIS) is neither willing nor able to intervene—or even report on what lies beyond their bases. At this point, UNMIS patrols are consistently being denied freedom of movement by both the SAF and SPLA. Heavily armed, Khartoum-backed Misseriya units continue marauding throughout much of Abyei.<sup>16</sup>

All this has come to pass because the international community, and especially the U.S. as guided by special envoy Lyman, has refused to see Khartoum’s ambitions for what they are, refused to assess on a realistic basis what would deter the regime from war-making that even in early March was clearly in the offing.

It has also come to pass despite the grim history of the genocidal jihad directed against the Nuba people during the 1990s, a history that should do much more to inform the thinking of special envoy Lyman, who casually declared in response to a question about whether the Nuba Mountains might become a “new Darfur”:

I don't think so for two reasons. One because the Nuba Mountain people are fighting back and I don't think the North is capable of dislodging large numbers of people on an ethnic basis from the Nuba Mountains. That's the reality on the ground. Second, I'm not sure that's the objective of the government though local commanders may have a different point of view.

But of course the Nuba people “fought back” heroically in the 1990s; even so, hundreds of thousands died (mostly from starvation and disease) and hundreds of thousands were displaced from their rich farmlands. History flatly contradicts Lyman's claim. And as to Lyman's surmise about the “objectives” of the Khartoum regime, this seems absurdly complacent, given the history of this regime. The evidence of ethnic targeting of Nuba civilians for execution and aerial attack is overwhelming.

Lyman would do well to read an account by Alex de Waal of the ghastly history of genocide in the Nuba Mountains in the 1990s:

The counterinsurgency fought by the Government of Sudan against the rebels of the Sudan People's Liberation Army (SPLA) in the Nuba Mountains of central Sudan during the early 1990s was not only exceptionally violent, but also aimed at depopulating the area of civilians. Not only did the government aim to defeat the SPLA forces but they also intended a wholesale transformation of Nuba society in such a way that its prior identity was destroyed. The campaign was genocidal in intent and at one point, appeared to be on the brink of success.[]

The war was notable for attacks on civilian targets with forced displacement, rape and killing. The principal instruments of counterinsurgency included locally-recruited militia, the regular army and the air force, under the overall coordination of Military Intelligence.[]

The early period of the war was marked by militia massacres and extrajudicial executions by military intelligence. In a mixture of reprisals and counter-insurgency, some of it pre-emptive, a coalition of military officers and local militia commanders escalated violence against the Nuba. The first step was the arming of local Arab tribes by the government, initially as a panicked response to an SPLA attack in the region

in 1985, and in 1989 they were formalized into the “Popular Defence Forces.” The militias committed the worst massacres of the war, driven not only by orders from their paramilitary command, but also by their own search for cattle, loot and cheap labor.[]

Death squads targeted community leaders in rural areas, while intellectuals in the towns were rounded up by Military Intelligence and “disappeared.” The rationale was explained by Khalid Abdel Karim al Hussein, formerly head of the security in the Office of the Governor of Kordofan (and younger brother of the governor), until he left Sudan and sought asylum in Europe in 1993. He said that the government was “taking the intellectuals, taking the professionals, to ensure that the Nuba were so primitive that they couldn’t speak for themselves.”<sup>17</sup>

All of this—all of it—is again evident in the conduct of counter-insurgency war: the extra-judicial executions; the targeting of intellectuals and indeed all Nuba; the arming of Arab militias and the Popular Defense Forces (PDF), the latter now entirely Arab; the depopulating of the Nuba Mountains; the campaign to deny food and humanitarian assistance. And as the Small Arms Survey makes clear in its report on arms in South Kordofan, the Khartoum-allied militia groups are extremely heavily armed and supplied—this in addition to the growing SAF military presence from Dilling to Kadugli.<sup>18</sup>

Military developments could not be more ominous.

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Below are two collections: one of my own recent writings on the grim military logic that is now playing out; a second that gathers especially important and very recent news reports on the situation in South Kordofan:

**Recent analyses and publications (Reeves, May/June 2011):**

“In Sudan, Genocide Anew?” (We are, once again, on the verge of genocidal counterinsurgency in Sudan. History must not be allowed to repeat itself.) from *The Washington Post*, [June 18, 2011](#)

“Genocide in the Nuba Mountains of Sudan,” from *Dissent Magazine* (on-line) [June 22, 2011](#)

“Abyei and South Kordofan: Why Our Diplomatic ‘Successes’ in Sudan Aren’t,” from *The New Republic*, [June 30, 2011](#)

“International Crimes and Threats to Peace in Sudan are mounting rapidly,”  
[June 28, 2011](#)

“Sudan: The Horror Continues—And the World Sits By,” from *The New Republic*,  
[June 24, 2011](#)

“Genocide in Sudan: Is it Happening Again?” from *The New Republic*,  
[June 20, 2011](#)

“Obama’s Second ‘Rwanda Moment,’” *Sudan Tribune*, [June 14, 2011](#)

“An Abyei Timeline: The Long Road to Khartoum’s Military Invasion,”  
[May 27, 2011](#)

“Khartoum Dramatically Escalates War in Sudan,” [June 9, 2011](#)

“Carter Center Fails to Consider Key Issues in the South Kordofan Gubernatorial Election,” (political incompetence and misprision—and a failure to ask key questions—produce unwarranted ratification of NIF/NCP victory by indicted war criminal Ahmed Haroun), [May 20, 2011](#)

*[It is difficult to overstate the significance of this botched monitoring job by the Carter Center; we will never know how events would have preceded without this perversely encouraging “green light” to Khartoum.]*

“‘They Bombed Everything that Moved’: Aerial military attacks on civilians and humanitarians in Sudan, 1999–2011,” (release of a comprehensive report and database, <http://www.sudanbombing.org>)

*[With the relentless bombing of the Nuba Mountains, as well as other areas in South Kordofan, and Unity State in South Sudan, this twelve-year record of Khartoum’s barbarism has considerable current relevance.]*

### **Some very recent and revealing news stories from the region:**

Jeffrey Gettleman, from *The New York Times* ([Nuba Mountains](#)) Some truly extraordinary reporting.

Agence France-Presse, [July 1, 2011](#) (Washington, DC) quotes Princeton Lyman as saying, “We have every indication that [Beijing’s] message to President Bashir has been, ‘Look, you’ve got to resolve the issues of the CPA,’ Lyman said, referring to the 2005 Comprehensive Peace Agreement which set the stage for southern independence.” “Every indication”? And al-Bashir’s vow today to finishing “cleansing the Nuba Mountains” is an “indication” of what?

In the *Wall Street Journal* ([June 22](#)), Julie Flint, a highly seasoned observer of the Nuba, notes with Mia Farrow: “The US special envoy to Sudan, Princeton Lyman,

has said there is not yet evidence that the new Nuba war amounts to ‘ethnic cleansing.’ But confidential UN reports that we’ve seen speak of ‘wide-scale exactions against unarmed civilians with specific targeting of African tribes,’ and of people targeted ‘along racial/ethnic lines.’”

Associated Press reports that the “UN says Sudan’s army continues attacking civilians” (July 1, 2011). In addition to the attacks on civilians, this story (Juba) reports that: “The UN says Sudan is denying it full access to tens of thousands of civilians near an area between north and south Sudan where violence continues less than 10 days before Southern Sudan becomes the world’s newest nation.”

Reuters reports (June 30, 2011; UN/New York) “All UN agency offices were looted of their stocks and office equipment in Kadugli, with the exception of the UNICEF children’s foundation and another agency, Haq said, citing information from the UN’s Office for the Coordination of Humanitarian Affairs (OCHA).”

BBC News Africa reports (June 23): “We are getting very strong reports that house-to-house executions are going on by internal security forces where *summary executions are taking place based on ethnicity, political affiliation and even how black you are. These are civilians, intellectuals, teachers, community leaders, Muslims and Christians, and often they are killed by their throats being slit. This may be only the beginning and it could well continue for many months and intensify.* There is a complete lack of access—we learnt that the only airstrip that was left had been bombed and we have heard the government of Sudan will shoot down UN flights operating in South Kordofan so humanitarian flights are no longer an option.”

Agence France-Presse reports (June 20; UN/New York): “Sudanese forces have threatened to shoot down UN flights over South Kordofan state where its troops are hunting and killing southern Sudan followers, the US ambassador to the United Nations said Monday.” )

Amnesty International reports (June 24, London): Amnesty International speaks out about “indiscriminate attacks, bombing from high altitudes with imprecise bombs in areas which include civilians.”

Associated Press reports (June 23) on actions taken by Khartoum on June 20: “Sudanese intelligence agents posed as Red Crescent workers and ordered refugees to leave a UN-protected camp in a region where Sudan’s Arab military has been targeting a black ethnic minority, according to an internal UN report obtained Thursday [June 23]. The report said agents from the National Security Service donned Red Crescent aprons at a camp in Kadugli, South Kordofan and told the refugees to go to a stadium for an address by the governor and for humanitarian aid. The refugees were threatened with forced removal from the camp if they did not comply.... The report...does not say what happened to the camp residents after their forced removal

on Monday. The report did not say how many refugees were forced to leave the camp.”

And most ominously, Associated Press reports ([June 29](#); Geneva) on the view of the UN Deputy High Commissioner for Human Rights, just back from Sudan: “‘If this renewed fighting in border areas doesn’t stop and it further spreads to other areas of South Kordofan and Blue Nile, then obviously it’s war again,’ said Kyung-wha Kang, the UN Deputy High Commissioner for Human Rights.”

And this is the great danger: that Khartoum will see the July 9 date for Southern independence as the moment to use military force to extract through negotiations or simply to seize by force disputed border lands, risking all-out war. (In addition to Abyei, 20 percent of the 2,100-kilometer North/South border is still neither delineated nor demarcated). The UN has reported on large troop build-ups by Khartoum’s regular Sudan Armed Forces (SAF) and the Sudan People’s Liberation Army (SPLA) in the region where northern South Kordofan and Blue Nile states converge with southern (and oil-rich) Upper Nile State. Khartoum has exhibited extremely provocative military actions along the border further west, including repeated bombings in Southern territory near Jau. Agok, where so many Ngok Dinka fled from Abyei, has been subject to artillery shelling, and the critical Banton Bridge (across the River Kiir) has been destroyed.

Renewed war now seems more likely than not.

## Hillary Clinton, Sudan, and the Policies of Equivocation

First appeared in *The New Republic*, July 13, 2011

In a recent op-ed in *The Washington Post* about the independence of South Sudan, Secretary of State Hillary Clinton offered a conspicuous example of the Obama administration's policy of equivocation when it comes to the world's newest nation and the country it split from last weekend. Namely, the op-ed disingenuously equated the Khartoum regime with its adversaries in South Sudan, in the embattled regions of South Kordofan and Abyei, and in Darfur.

The evident logic of such false equivalence is that it's necessary to keep Khartoum engaged in negotiations: If "both sides," as Clinton refers to them repeatedly, are equally responsible for violence and for the failure to resolve outstanding issues like the North-Southborder delineation, then diplomacy will be able to exert pressure to compromise. Never mind that compromise—indeed, *many* compromises—have already been made by the South; the real problem here is that President Omar Al Bashir's regime has refused to live up to the agreements.

The disputed region of Abyei is a perfect example. Despite the compromises already embodied in the Abyei Protocol from 2004 and a "final and binding" ruling in 2009 by the Permanent Court of Arbitration, both Clinton and Scott Gration, the former U.S. envoy to Sudan, pushed last fall for South Sudan to "compromise" further on Abyei. This had the effect of convincing Khartoum that there was more to gain from further intransigence in negotiations, and the ultimate consequence was the May 2011 invasion of Abyei by Al Bashir's military. Although the U.N. has said it will deploy Ethiopian peacekeepers to Abyei, Khartoum now exerts *de facto* military control over the region, and the population of indigenous Ngok Dinka has been forced to flee to South Sudan. The prospects for long-term security are bleak.

Clinton's take? "The violence that has flared in Abyei in recent months cannot be allowed to return and jeopardize the larger peace." No assignment of responsibility, even though the violence was clearly instigated by Khartoum and culminated in the seizure of the region in a period of just two days. This only works to encourage Khartoum's conviction that, when the Ethiopian force leaves (assuming it effectively deploys in the first place), it will retain control of the region. President Al Bashir more or less confirmed this in a much-noted interview with the BBC on July 10. He said Abyei will always belong to the North, unless there is a referendum—long-promised to the region's people, but denied because of newly contrived argu-

ments over residency—in which voters choose to be part of the South. Of course, he said this referendum must include migrating Arab tribes who are loyal to the North and would thus almost certainly skew the vote in Khartoum’s favor.

Clinton also erred when she wrote, “One urgent step both sides must take is agreeing to a cessation of hostilities in the northern border state of Southern Kordofan, which started in early June.” This is wildly misleading. The reality is that, after signing a vague framework agreement that had such cessation of hostilities as its key agenda item, Al Bashir disowned the commitment, [saying the “cleansing” of South Kordofan and the Nuba Mountains would continue](#). Those to be “cleansed,” of course, are the African Nuba people. The leaders of South Sudan and the chief negotiator for the Nuba, former deputy governor Abdel Aziz El Hilu, are desperate for a true ceasefire and commitment to resolving underlying issues, but [Khartoum has formally withdrawn from the talks](#).

We’ve seen plenty of previous examples of the Obama administration’s policies and rhetoric of equivocation. For instance, after the devastating assault on Khor Abeche (South Darfur) in December 2010 by Khartoum and its janjaweed allies, National Security Council spokesman Mike Hammer noted the many civilian casualties and thousands of displaced persons, [but then went on to declare](#):

This attack comes at a time that we are also seeing increased evidence of support to militant proxies from the Governments of Sudan and Southern Sudan. All Sudanese leaders have a responsibility to protect civilian populations—to do otherwise is unacceptable.

In other words, Hammer was directly comparing more than eight years of genocidal predations by Khartoum-directed militias to actions that, while troubling, were of relatively little consequence. This is outrageous distortion—and an apparent effort at a soothing even-handedness meant to placate Khartoum. (It’s also not clear that South Sudan has ever supported rebels in Darfur.) Given the U.S. response, it shouldn’t be surprising that the North’s military campaign that began in Khor Abeche continues today.

Clinton and other U.S. diplomats should understand that being an honest broker does not necessitate accommodating genocide or other violence. Yet disingenuousness and diplomatic equivocation continue to be the hallmarks of the Obama administration’s Sudan policy. Tragically, the consequences of this policy are coming into exceedingly grim focus.

## **Mass Graves Identified in Kadugli (South Kordofan): The End of Agnosticism**

First appeared in *Dissent Magazine*, July 14, 2011

A [new report from the Satellite Sentinel Project \(SSP\)](#) concludes that available evidence “corroborate[s] claims that the Sudan Armed Forces troops are systematically hunting and killing civilians” in Kadugli, capital of South Kordofan (North Sudan). Moreover, the evidence demonstrates beyond a reasonable doubt that there are mass graves in Kadugli, as has been reported for weeks by Nuba sources, including eyewitnesses who have escaped to South Sudan. The SSP report combines four independent eyewitness accounts with satellite photography to reveal the existence of three mass gravesites. As the report grimly notes:

DigitalGlobe satellite imagery analyzed by Satellite Sentinel Project shows no discernable activity at the alleged mass gravesite near Tilo School on 17 June. However, as of 4 July, three excavated areas measuring approximately 26 by 5 meters are visible less than 1 kilometer south of the Tilo School.

White bags of irregular size, but consistent with human body dimensions, are conspicuously heaped near these gravesites, according to both satellite imagery and eyewitness accounts; they are almost certainly body bags containing the remains of other victims. Given the dimensions of the three gravesites—each approximately twenty-six meters by five meters (eighty feet by sixteen feet)—they could certainly contain thousands of corpses, perhaps many thousands if the graves are deep enough. SSP does not speculate on this issue, but does note the presence of heavy earth-moving equipment.

The SSP report implicitly provides a timeline, which begins with the June 5 commencement of large-scale military activities in South Kordofan by the northern Sudanese military (SAF) and militia groups like the notorious Popular Defense Forces (PDF). The SSP reports that mass slaughter began almost at the very moment that Khartoum gave the go-ahead to its military and militia forces:

Four eyewitness accounts communicated to SSP allege that SAF and Government of Sudan-aligned forces began as early as 5 or 6 June to search house-to-house for SPLM supporters and others, reportedly killing those that they found. As of 10 July, according to one witness, the house-to-house searches continue to occur.

An eyewitness who has since escaped reports to SSP that on June 8,

SAF killed an unknown number of civilians because of their suspected support for the SPLM in Tilo village, near the Tilo Secondary School, in Kadugli on 8 June. The SAF troops arrived at Tilo in light trucks with machine guns mounted on the back of the vehicles, according to the eyewitness. Five SAF soldiers allegedly held down one civilian while one of the soldiers slit the civilian's throat. The same witness also reports seeing and hearing SAF soldiers seal the doors of houses in Tilo and set the houses afire, burning alive civilians trapped inside.

A second, separate eyewitness reports to SSP that on the same day,

...at least two pits were dug...less than a kilometer south of the Tilo School in Kadugli and approximately 100 meters from a radio tower. The eyewitness reports seeing a yellow-colored earthmover being driven by someone dressed as a civilian. The vehicle had a "bucket with teeth" on the front of the machine. The bucket could move from side to side, and it would lift up earth and deposit it elsewhere. The eyewitness estimated that the apparent size of the pits measured approximately 10 meters long by 5 meters wide, but the individual could not confirm the site dimensions.

This same witness reports that by that evening,

...SAF soldiers, apparent Government of Sudan-aligned militia, men in brown uniforms consistent with those worn by prisoners at the local prison, and individuals dressed in a way consistent with Sudan Red Crescent Society (SRCS) workers were seen driving in large, green trucks in the vicinity of the site. Given allegations that Government of Sudan-aligned intelligence officers had been reportedly posing as SRCS workers near the UN Mission in Sudan compound last month, it is unknown whether or not those individuals in SRCS-consistent dress, including a white apron with a red crescent, were in fact affiliated with the SRCS. Impersonating a Red Cross or Red Crescent worker can constitute a violation of the Geneva Conventions. Large green trucks were moving back and forth from the site. The eyewitness claims that dead bodies had been picked up from the market area of Kadugli and from El Gardud and Tilo villages in Kadugli around that time.

SSP also reports that “a third eyewitness account [received June 12] also alleges the presence of a mass grave at Tilo School.”

These eyewitnesses report further

...that Government of Sudan-aligned forces are putting dead bodies, in some cases, in what appear to be white plastic tarps or other body bags. Another eyewitness alleges that people were taken and killed by SAF troops and police officers in front of their houses near the Episcopal Church of Sudan (ECS) facilities around 6 or 7 June. On approximately 7 or 8 June, the witness saw what he called white “Mitsubishi trucks” picking up bodies south of the ECS guesthouse in Kadugli.

A month later, the horror is continuing:

Dozens of white-colored light vehicles are seen in areas throughout Kadugli on 4 July. Heavy trucks consistent with white-colored transport trucks are visible as well. These vehicles appear consistent with SAF and Government of Sudan-aligned militia vehicles previously observed by SSP at Government of Sudan-aligned encampments and those described by multiple eyewitnesses as being present in Kadugli town. On 4 July, a pile of white bundles is clearly visible in Kadugli town near the ECS facilities, just south of the church and guesthouse. White-colored vehicles consistent with those used by SAF and Government of Sudan-aligned militia are present in that area. Tracking consistent with the presence of heavy vehicles is visible there as well.

There is nothing in the SSP report more recent than July 4, except the compelling report by the Nuba survivor that these “house-to-house searches continue to occur”; we certainly have no idea how many have been imprisoned, killed, or interred, in the past ten days and before.

The implications of these reports are clear: evidence of genocide was clear only three days after Khartoum began its military major military actions in South Kordofan; planning must have occurred well before the date the assault began. These accounts strongly suggest a carefully orchestrated campaign of ethnically targeted destruction, and a follow-up effort to hide the evidence from international witnesses. If men in Kadugli dug these ghastly scenes of atrocity, it was in Khartoum that the digging was ordered, by men who knew full well that the graves would be filled with Nuba people.

Genocidal intent is corroborated by the report of “Yusef,” a Nuba resident of Kadugli who [told Agence France-Presse](#) that he had been informed by a member of the PDF militia that it had been provided with weapons and ammunition, and a standing order:

He said that they had clear instructions: just sweep away the rubbish. If you see a Nuba, just clean it up. He told me he saw two trucks of people with their hands tied and blindfolded, driving out to where diggers were making holes for graves on the edge of town.

Versions of “Yusef’s” account are echoed in countless reports from those Nuba fortunate enough to escape Kadugli and its environs.

But if genocidal intent is clearest in the targeted destruction and burial of the Nuba people in Kadugli, it is most consequential in the regions away from the capital, particularly in the form of systematic denial of humanitarian access to desperately need African populations in the Nuba. [As I have argued previously here](#), indigenous people in the Nuba Mountains have been terrorized into fleeing their homes and their crops for the hillsides, with only the shelter of caves. This comes at the most critical moment in the agricultural cycle for planting and tending. Without a harvest in the fall, and given the total obstruction of the UN World Food Programme and other humanitarian organizations who have distributed food in the Nuba, famine and starvation will again stalk the people of this region, as was so brutally the case in the 1990s genocide.

“Crime Scene: Evidence of Mass Graves in Kadugli” should end all skepticism about the nature of the human destruction in South Kordofan. Such skepticism, [expressed by U.S. special envoy Princeton Lyman](#) and others in the Obama administration, stands revealed as having accommodated Khartoum’s genocidal ambitions. The SSP report contains key eyewitness accounts that confirm, independently of each other, what has been widely reported by many other Nuba and some Western eyewitnesses: the execution of Nuba and others with “Southern sympathies” has obliged the Sudan Armed Forces and its Arab militia allies to engage in the grim and massive task of covering up the evidence of slaughter that has claimed an untold number of lives.

The SSP report suggests a terrible fate for some 7,000 Nuba civilians who had sought refuge with the UN in Kadugli. [On June 23 the Associated Press reported](#):

Sudanese intelligence agents posed as Red Crescent workers and ordered refugees to leave a UN-protected camp in a region where Sudan’s Arab military has been targeting a black ethnic minority, according to

an internal UN report obtained Thursday [June 23]. The report said agents from the National Security Service donned Red Crescent aprons at a camp in Kadugli, South Kordofan and told the refugees to go to a stadium for an address by the governor and for humanitarian aid. The refugees were threatened with forced removal from the camp if they did not comply.

The report...does not say what happened to the camp residents after were forced to leave the camp.

This the world must know; there is no turning away. For those watching from afar, there is only the question: “does it matter that the world knows?” Likely answers don’t bear much close moral inspection.

## **U.S., UN Refuse to Speak Honestly About Compelling Evidence of Genocide in South Kordofan**

July 17, 2011

Evidence of mass graves in and around Kadugli, South Kordofan is now overwhelming; it includes definitive satellite photography of three large sites and reports by numerous independently interviewed civilians from the region.<sup>19</sup> Evidence also comes from interviews conducted in June by human rights investigators of the UN Mission in Sudan (UNMIS); these findings appear in an internal UN human rights report whose findings have previously been suppressed by UN/New York. They were leaked to me and others, originally by someone who was evidently quite unhappy with UN silence about the deeply disturbing contents of this report. Given the immensity of the atrocity crimes revealed in this extensively documented but still officially unreleased report (“UNMIS Report on the Human Rights Situation During the Violence in Southern Kordofan”), it is imperative that the UN make clear who knew what, and when.

These terrible incidents and the weak UN response in Kadugli have already been likened, rightly, to the ghastly failure of the UN at Srebrenica, where some 7,000 Bosnian men and boys were rounded up in July 1995 by Serbian army and paramilitary units under the command of (recently captured) Ratko Mladic—and executed while Dutch peacekeepers looked on helplessly. Indeed, two days after Srebrenica was overrun by Mladic’s forces, 4,000–5,000 Bosniak Muslims were expelled by the Dutch from their base—as Mladic had demanded (some 15,000–20,000 additional Bosniak Muslims had sought safety outside the Dutch base). The events of Srebrenica have occasioned much painful self-reflection by the Dutch over the past decade and a half, and a recent decision (July 5, 2011) by a court in The Netherlands ruled that the Dutch government was responsible for several of the deaths.<sup>20</sup> And notably from the standpoint of international law, Major General Radislav Krstic was convicted of the crime of genocide for his role in the Srebrenica massacre. His conviction by the International Tribunal for the Former Yugoslavia was upheld by an Appeals Chamber review of “Prosecutor v. Radislav Krstic,” Case No. IT-98-33-T. This lengthy and superbly argued Appeals Chamber review is a seminal document in international legal interpretation of the 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide, and has particular relevance for the situations in South Kordofan and Darfur.<sup>21</sup>

Given the extremely strong evidence of genocide in South Kordofan, and the Khartoum regime’s long history of genocidal assaults on marginalized populations

in Sudan, the process of assessing awareness of and response to the UNMIS human rights report needs to begin immediately—for the UN, the US and the Europeans, and the African Union.

In particular, we need to know about the credibility of the skepticism expressed by U.S. special envoy Princeton Lyman and UN Undersecretary for Humanitarian Affairs Valerie Amos; we need a clear account of what Ban Ki-moon’s secretariat knew and how it responded to reports that made clear atrocities were being committed in Kadugli and elsewhere in South Kordofan from the very beginning of the conflict that Khartoum instigated on June 5. And we also need to know what was seen by the UN Department of Peacekeeping Operations, particularly its Undersecretary Alain Le Roy. And finally, we need to know what U.S. Secretary of State Hillary Clinton knew when she made her recent remarks about Sudan.<sup>22</sup> We need to know what all these various international actors and parties knew—and when they knew it.

The task is challenging. For example, on June 28, in an interview on the PBS NewsHour, Lyman was asked, “Would you say atrocities are occurring by the North Sudanese forces against civilians there?” Lyman’s evasive and disingenuous answer speaks volumes about his character as a diplomat and the larger U.S. response to events in North Sudan:

We certainly have reports of that. Because we don’t have a presence there, we haven’t been able to investigate it fully. There are certainly reports of targeted killings. There are some reports from the other side also. What we’ve asked for is a full investigation.

And to the follow-up question (“By whom [should the investigation be conducted]?”) Lyman responded:

Well, by the UN would be the best. The UN presence has not been sufficient to get out and stop this or to investigate it.<sup>23</sup>

Lyman certainly knew when he offered this answer that there would be no UN investigation beyond what was being completed by the human rights personnel attached to UNMIS, which had already been confined to its base and ordered out of South Kordofan by Khartoum the day following the independence of South Sudan on July 9. Saying “the UN presence has not been sufficient to get out and stop this or to investigate it” is merely to state the obvious, not to offer any meaningful reply about how the U.S. will actually respond to the now conspicuous human catastrophe

in South Kordofan. I'll return to the question of whether an international investigation of allegations of genocide could be conducted, with or without UN sanction; but we must bear in mind that any Security Council resolution authorizing such a thorough and unfettered UN investigation will be vetoed by China, which would regard such a precedent with horror, as well as deeply threatening to its relationship with Khartoum.

But the first question is whether or not Lyman knew what UNMIS human rights personnel knew. Was the special envoy to Sudan, representing the President of the United States, unaware of what was being compiled and then assembled at the very end of June in the 20-page UNMIS report? Was he not concerned enough by these extant "reports" to request U.S. satellite surveillance of the Kadugli area? It was precisely such surveillance by the [Satellite Sentinel Project](#) that revealed three large mass gravesites on July 14, graves dug between June 17, when the earth on this spot was untouched, and July 4, when SSP revealed three conspicuous, capacious, and nearly identical plots of significantly turned earth. Dug in the midst of heavy military activity and following a vast number of summary executions, these mass gravesites have only one plausible explanation. Certainly if the Obama administration is skeptical it may investigate further: the U.S. has much greater satellite capacity than is available to SSP and faces no restrictions on degree of resolution (as SSP does by virtue of U.S. Law).

Importantly, nearly all the eyewitness accounts in the UNMIS human rights report have been fully corroborated by subsequent accounts: from news organizations (several from the Nuba Mountains), from Nuba sources, from the Satellite Sentinel Project.<sup>24</sup> How could Lyman so blithely profess agnosticism about these extremely alarming accounts, especially given Khartoum's history of genocidal counterinsurgency? SSP reports the presence of irregularly shaped white bags heaped together near the mass gravesites, consistently corresponding to human dimensions. Why hasn't Lyman requested high-resolution satellite confirmation of what these white bags are? Several eyewitnesses, independently of each other, have confirmed that they are being used for the many corpses that litter Kadugli.

What of the more than 7,000 Nuba people who were forcibly removed from UN protective custody at US headquarters in Kadugli on June 20, and who remain unaccounted for? The UNMIS report confirms what an earlier UNMIS internal situation report (sit rep) had detailed of actions by Khartoum's Military Intelligence and security services: impersonating Red Crescent personnel, these brutal men compelled the removal of Nuba civilians from the UN protective perimeter (this was reported by Associated Press on June 23). The UNMIS human rights report declares that its authors had "verifie[d] [the allegation of forcible removal] through multiple interviews of IDPs within the UNMIS Protective Perimeter" (53). We presently have no

knowledge whatsoever of the location of these people. The UNMIS human rights report declares that by 5pm on June 20, “approximately 75 percent of the 11,000 IDPs in the vicinity of the Protective Perimeter had vacated the areas... At the time of this report, there are no IDPs in the UNMIS Protective Perimeter...” (54). Why aren’t these UN reports sufficient to compel Lyman to ask for U.S. satellite surveillance? Can there be any reasonable doubt about the accuracy of either UN account? Is Lyman not worried that there are potentially thousands of Nuba in the large mass graves identified by SSP?

Perhaps Lyman has a plausible alternative explanation for why, between June 17 and July 4—during heavy military operations—Khartoum’s forces would be moving earth at three side-by-side and parallel sites, of nearly identical dimensions (five meters by twenty-five meters), and of a size large enough to hold many thousands of bodies, depending on the depth of the excavation. But in the absence of such an explanation, and in light of an apparent unwillingness to request U.S. satellite confirmation of what is occurring at this site, he and other Obama administration officials appear inert before the strongest evidence to date of massive ethnically targeted human destruction.

The same questions must be asked of Valerie Amos, head of UN humanitarian operations. On July 15 Amos declared in a prepared statement: “We do not know whether there is any truth to the grave allegations of extra-judicial killings, mass graves and other grave violations in South Kordofan.”<sup>25</sup>

“We do not know whether there is *any* truth to the grave allegations...”? This is preposterous skepticism, and betrays a highly defensive attitude in the face of evidence that makes all too clear that Amos has not made any serious effort to come to terms with the evidence of mass graves and the various atrocity crimes reported by the UN itself. For the UN human rights report, again focusing on the early days of military action when UNMIS still had some mobility, is a savage indictment—one that Amos certainly would not want to acknowledge having known of while saying nothing. Certainly the introduction to the report is quite unambiguous about what the UN had witnessed in the several weeks prior to the compiling of the report:

Monitoring has also revealed that the Sudan Armed Forces, paramilitary forces and Government security apparatus have engaged in violent and unlawful acts against UNMIS, in violation of International Conventions and the Status of Forces Agreement (SOFA) including: verified incidents of shelling in close proximity to UN property, resulting in damage; summary execution of a UN national staff member; assaults on physical integrity of UN staff; arbitrary arrest and detention of UN Staff and associated human rights violations including ill treat-

ment amounting to torture; harassment, intimidation, and obstruction of freedom of movement; and intrusion on UN premises including the UNMIS Protective Perimeter established to protect civilians internally displaced as a result of the conflict. The international community must hold the Government of Sudan accountable for this conduct and insist that those responsible be arrested and brought to justice.

The ethnic targeting of Nuba is made explicit in the UNMIS human rights report as well:

Interviews with witnesses and victims reveal that the Sudan Armed Forces (SAF) and security forces have a list of Nubans wanted for being sympathetic to the SPLM/A, which supports the allegation that people in Southern Kordofan were targeted based on ethnicity. Witnesses also mentioned that persons of Nuban descent and “other dark skinned people” were being targeted by SAF and Arab militias. (49)

And those contemplating a possible future UN presence in South Kordofan, including a human rights investigating team, should bear in mind just how UNMIS was treated:

Throughout the conflict in Southern Kordofan, the SAF, Popular Defence Forces, and the Central Reserve Police Forces have treated UNMIS with gross contempt and a total disregard of its status as a UN body with the privileges and immunities set forth and contained in the Status of Forces Agreement (SOFA) with the Government of Sudan, as well as international conventions on the status of the UN, its staff, and assets, to which Sudan is a signatory. In addition to the killing of one UNMIS independent contractor, the SAF and PDF have intimidated UNMIS staff and subjected them to degrading and inhuman treatment, which has left as many as 45 staff held up in forced imprisonment in the UNMIS Kadugli Team Site, physically debilitated and psychologically traumatized. (44)

Examples of this gross mistreatment of a UN-authorized force are many:

On 7 June, an UNMIS truck was stopped at a checkpoint near the UNMIS Sector IV compound. Three of the ten IDPs who had been assisting UNMIS personnel with loading supplies for IDPs were pulled out

of the truck and beaten up by SAF personnel. An UNMIS staff member who attempted to intervene was threatened at gunpoint by one of the soldiers who asked him “do you want to stay or leave.” The UN personnel drove off with the seven remaining IDPs. The fate of the three IDPs remains unknown. (61)

On 16 June, four UNMIS military observers on patrol were detained, interrogated, and subjected to cruel and degrading treatment for two hours. They were intercepted by SAF personnel near the SAF 14th Division Headquarters while en route to Kadugli town to verify reports of mass graves. The military observers were taken to the SAF-JIU 5th Division Headquarters where they were subjected to lengthy interrogation regarding the purpose of their monitoring mission, searched and forced to remove their shirts. *A SAF Captain instructed the UNMOs to line up and be killed. He removed the safety of his AK-47, and just as he was about to point the weapon towards the UNMOs, a SAF Major entered the room and ordered him not to shoot.* Immediately following the intervention the officer with the gun shouted “UNMIS leave Southern Kordofan, if not we will kill you if you come back here.” The team was released and told not to return back to Kadugli town. (62)

On the evening of 22 June, SAF surrounded the UNMIS Team site compound in Kadugli with three heavy artillery gun-mounted vehicles pointed at the compound from three points, including the front gate. This occurred following the arrest and interrogation of six UNMIS national staff early in the day by SAF military intelligence at the Kadugli airport. These developments have left UN national staff, especially those of Nuban descent, in a state of fear, some psychologically traumatized. (65)

There are other powerful observations made by the UN human rights report:

With the reinforcement of SAF, Central Reserve Police and militia elements, the security situation deteriorated on 7 June, with indiscriminate shelling of Kadugli town apparently targeting densely civilian-inhabited areas. This led to the secondary displacement of thousands of IDPs who had taken refuge in churches and hospitals to the UNMIS compound where they were sheltered in an area adjacent to the compound that was set up specifically to receive IDPs and provide them security and humanitarian assistance (Protective Perimeter). The SAF took control of the Kadugli airport, including UN assets located at the

airport, and closed all civilian air traffic. UNMIS Human Rights received confirmation that SAF, together with militia elements of the Popular Defence Forces (PDF), a paramilitary force established in 1989 to assist SAF in “defending the nation,” began going from house to house subjecting residents to identity checks. (9)

Eyewitnesses reported to UNMIS Human Rights looting of civilian homes, UN agencies/offices, and humanitarian warehouses, and destruction of property by PDF elements as they fought alongside the SAF. Meanwhile UN Security began the relocation of staff from UN Agencies, Funds and Programmes and INGOs to the UNMIS compound. By the evening Kadugli town, including hospitals, was emptied, as SAF checkpoints were established throughout the town. (10)

These “checkpoints” have figured prominently in the accounts of many Nuba over the past six weeks; their clear purpose is to capture or execute all Nuba, claiming that they have “Southern sympathies.” The looting and destruction of humanitarian warehouses has been repeatedly confirmed: these actions have as their goal the ending of humanitarian assistance to the Nuba Mountains, which are the ultimate focus of this growing campaign of genocide.

It is important to stress that the international response to the concluding recommendation of this human rights report will define any history of the present moment, particularly given the failure in Darfur to give meaning to the doctrine of a “responsibility to protect,” a “responsibility” that obtains even when there are claims of national sovereignty:

The attacks on UNMIS, its staff and assets are so egregious that condemnation is insufficient. The conduct of the SAF, the PDF, the Central Reserve Police Force, and the Government Police, singularly and collectively, has frustrated and weakened the capacity of the UNMIS to implement in Southern Kordofan a mandate given to it by the UN Security Council. The conduct has also resulted in loss of life and injury of UN staff. *The international community must hold the Government of Sudan accountable for its conduct and insist that it arrests and bring to justice those responsible.*(74)

So, is Amos even remotely credible when she declares, “We do not know whether there is *any* truth to the grave allegations”? This thoroughly implausible skepticism confronts us again with the question: who within the UN system knew what and when? Is it conceivable that with such serious allegations building over more than

three weeks they would not have made their way back to the UN in New York? To the Office of the UN High Commission for Human Rights (UNHCHR)? To Ban Ki-moon's Secretariat? Obviously the findings were far too sensitive to be released from within Sudan, even in Khartoum, where the UNMIS human rights team is based. This would have immediately imperiled the presence of remaining, if highly constrained UNMIS personnel in South Kordofan. But there was nothing from the UN in New York—not from UNHCHR, not from anyone in the Secretariat, not from the weak and uninspired Haile Menkerios, the UN Secretary-General's special representative for Sudan who said anything. Amos's silence has been particularly galling, as Julie Flint reports in *The Observer* today, "causing fury among hard-pressed colleagues on the ground, who have been crying out for much stronger support from the security council, [as Amos] appeared to cast doubt on their reporting" (July 16, 2011).<sup>26</sup>

History is quickly being obscured by those complicit in this cover-up, so let's recall first what was known earlier in June, and look further at the specific findings of the UNMIS human rights report. On June 17 (one month ago), I published in the *Washington Post* a number of very specific accounts that had come to me and many others in the two weeks following the start of military activities (June 5).<sup>27</sup> I prefaced these accounts by invoking my February 2004 warning in the *Post* concerning Darfur, which concluded with a prediction that was borne out with a terrible completeness:

A credible peace forum [for Darfur] must be rapidly created. Immediate plans for humanitarian intervention should begin. The alternative is to allow tens of thousands of civilians to die in the weeks and months ahead in what will be continuing genocidal destruction.<sup>28</sup>

Reports from the ground in South Kordofan were already numerous and in many respects just as compelling as early reports from Darfur: I referred to "disturbing accounts [that] have emerged of the African people of the Nuba being rounded up in house searches and road checkpoints, and subjected to indiscriminate aerial bombardment," and concluded by arguing that "all signs point to a new genocide." I noted out that such genocidal ambition by Khartoum was in fact not without precedent in the Nuba Mountains; in January 1992 a *fatwa* was issued in Khartoum, declaring

jihad against the peoples of the Nuba (who practice a range of religions, including Islam). Because the Nuba Mountains are not geographically contiguous with South Sudan (with which the area is militarily, politically and culturally allied), its people were largely left to

fend for themselves. [The] regime imposed a total blockade of humanitarian assistance from the south. Many starving Nuba were forced into ‘peace camps,’ where receiving food was conditional upon conversion to Islam. Some who refused were tortured or mutilated. Khartoum’s decade-long campaign killed and displaced hundreds of thousands.

I also reported the extensive use of aerial military aircraft against civilian and humanitarian targets, a tactic that has a very long history under this regime—in Darfur, South Sudan, the Nuba Mountains throughout the 1990s, and currently in South Kordofan.<sup>29</sup> It was also clear, I insisted, that humanitarian access was extremely limited by Khartoum’s restrictions, its commandeering of the Kadugli air field, and by its relentless bombing of the Kauda airstrip in the Nuba Mountains. And I also noted that “on June 8 [the UNMIS] base was raided by Khartoum’s military intelligence, and the United Nations was effectively disabled.”

This was clear more than four weeks ago. Despite Khartoum’s best efforts we have known what was going on, and so has the UN, though it has chosen not to speak out. This is beyond disgrace; and to the argument that silence about large-scale atrocity crimes was justified in New York as a means of keeping a UN presence in South Kordofan, with extremely limited reporting ability soon after hostilities began, I can only shake my head in disgust at such ghastly expedience.

Here it seems appropriate to recall that the initial UN investigation of Khartoum’s military seizure of Abyei (May 20-21) found that these actions were “tantamount to ethnic cleansing”; Ban Ki-moon and his office subsequently ensured that this phrase was excised from the final, public version of the report<sup>30</sup>. This was a morally and intellectually corrupt effort to placate Khartoum, a signature feature of U.S. policy as well, even as it is likely that no decision has done more to produce the present catastrophic situation. I concluded my Post essay by noting that the UN Security Council “demanded” on June 3 that Khartoum immediately withdraw its forces from Abyei:

The regime scoffed of course—as it has at previous council “demands,” including those bearing on Darfur. This is bad news for the people of Abyei and for the prospects of a just and peaceful separation of Sudan’s north and south, which is scheduled for July 9. For the Nuba people, such fecklessness spells catastrophe. Too often with Sudan, empty demands and threats signal to the regime that the world is not serious about halting atrocities. Either the international community gets serious about preventing further violence in Abyei and the adjacent region of South Kordofan, or we will again see [as I argued in February 2004

about Darfur] “tens of thousands of civilians ... die in the weeks and months ahead in what will be continuing genocidal destruction.”

A month later, I would change not a word of this. And the UNMIS human rights report bears me out, underscoring as it does that the bombing campaign began in the opening days of the current military and civilian destruction campaign, and has continued throughout:

On 6 June, the Sudan Armed Forces (SAF) commenced aerial bombardments and intensified ground assaults on civilian populated areas in Um Dorein and Talodi localities. Many civilians fled the towns taking up refuge in the Nuba Mountains. Civilians wounded by the bombardments flocked to hospitals in Kadugli. Civilian movement was curtailed further east in Heiban and Kauda localities, as SAF and SPLA roadblocks from the north and south prevented residents from leaving the town. In Kadugli town, residents in the largely SPLM-inhabited Kalimo area were warned by both the SAF and the SPLA to evacuate the area. In the late afternoon, SAF heavily bombarded the west of town in Al Messanie which continued until the early morning of the 7 June. Residents in the Kalimo neighbourhood reported that the SAF was indiscriminately shelling homes where it suspected SPLA elements were hiding. There were also reports that the SAF was conducting house to house searches and systematically burning houses of suspected SPLM/A supporters. (8)

In a section devoted to “Aerial bombardments” the UNMIS human rights report makes clear just how constant, destructive, and terrifying this bombing has been:

*Since the eruption of the conflict, the SAF has carried out daily aerial bombardments into the Nuba Mountains and in several towns and villages populated by Nubans. The consequences of these bombardments on the Nuban people and in particular civilians, including women and children, are devastating. They have resulted in significant loss of life, destruction of properties, and massive displacement. UNMIS Human Rights has received photographs of mangled and mutilated bodies of civilians, some cut into halves, including women and children. (39)*

Starting from 5 June, the SAF has conducted daily aerial bombardments in Kadugli, Kauda, Dilling, Talodi, Um Dorein and other parts of the State populated by Nubans including Heiban, Kauda, Julud, Kudu

and Kurchi. These bombardments often start from early evening at about 18:00 and last until daybreak. The bombardments have also targeted civilian facilities such as airstrips. On 14 June UNMIS personnel from the Kauda Team Site reported that the SAF launched air strikes on the airstrip and areas close to the UNMIS compound causing damage to structures inside the Team Site. The bombing rendered the airstrip unusable and impeded humanitarian organizations from re-supplying their stocks from Kadugli town or relocating/rotating staff in these areas.

On 25 June, SAF air-strike dropped two bombs on Julud airstrip, just 350 metres from a school, and three kilometres from UNMIS Julud Team Site. As of 27 June, according to UNMO reports from Kadugli and other Team Sites, the SAF was intensifying aerial bombardments in Southern Kordofan. On SPLA positions. Following the SAF aerial bombardment of Shivi village, in Dilling locality on 8 June, UNMIS Julud Team Site reported two civilians were killed, one male and one female. Bombs have also been dropped very close to UNMIS Team Sites. On 19 June, UNMIS Kauda Team Site confirmed that seven bombs dropped in Kauda hitting areas south and northwest of the Team Site. (40)

Are Lyman and Amos and other senior UN officials claiming that they did not know of these reports from the ground in Kadugli and Kauda? Are they saying they didn't credit them? Or are they saying that they did not think them important enough to publicize, given Khartoum's anger over such truths being told?

The UNMIS human rights report provides not only compelling eyewitness accounts of mass graves and continuous aerial bombardment of civilians, but establishes that many other war crimes and atrocities have been committed:

On 22 June, an UNMIS independent contractor reported witnessing SAF elements fill a mass grave in Al Gardut Locality in Tillo with dead bodies. *She reported that SAF elements transported the bodies to the site, dumped them in the grave and using a bulldozer to cover the grave.* (SSP also reports the use of heavy earth-moving equipment) (34)

An UNMIS staff member who was detained by SAF at their military facility in Umbattah Locality reported during his detention, that he saw *over an estimated 150 dead bodies of persons of Nuban descent scattered on the grounds of the military compound. Some of the bodies*

*appeared to have bullet wounds and he reported a large quantity of blood on the ground. He reported a SAF soldier told them that they had all been shot dead. (28)*

On 8 June, an UNMIS independent contractor (IC) was pulled out of a vehicle by SAF in front of the UNMIS Kadugli Sector IV Compound in the presence of several witnesses, while UN peacekeepers could not intervene. He was taken around the corner of the compound and gunshots were heard. Later he was discovered dead by UNMIS personnel and IDPs. Several sources confirmed that the victim was an active SPLM member. (29)

Through house to house searches and targeted actions at checkpoints and at the Kadugli Airport, the SAF is believed to have engaged in arbitrary arrests and detentions of persons affiliated with churches or suspected of being supporters and affiliates of the SPLM/A. Thus far most of those arrested are Nubans. On 7 June a Catholic priest reported that SAF and PDF militia were engaged in house-to-house searches mainly in the Banjadid Locality west of Kadugli town causing civilians to panic.... (43)

Several passages speak to the existence of earlier mass graves, dug even before the three very large sites discovered by SSP (which were dug sometime between June 17 and July 4):

On 10 June, UNMIS Human Rights interviewed residents from Murta village, outside of Kadugli Town, who stated that they saw fresh mass graves located in a valley southeast of the Murta bus station near the Kadugli police training centre. (35)

[Two men interviewed by UNMIS] reported that, following their release from SAF custody, they saw fresh mass graves between the SAF 14th Division Headquarters and Kadugli Market. On 16 June, UN military observers, while on their way between the SAF 14th Division Headquarters and Kadugli Market in an attempt to verify the existence of these mass graves, were arrested, stripped of their clothes, and believed that they were about to be executed when a senior SAF officer intervened. (36)

Again, these mass graves are in addition to those dug after June 17, as reported by SSP.

And there are many other sources for reports of mass slaughter and assaults on humanitarian operations and workers. Flint in *The Observer* (UK) (July 17, 2011) notes:

National staff of international aid organisations have also come under attack. UNMIS cites the case of a young Nuba woman arrested and accused of supporting the SPLM. UNMIS human rights officers saw bruises and scars on her body consistent with her claim to have been beaten with fists, sticks, rubber hoses and electric wires. Underscoring the need for the ‘independent and comprehensive investigation’ UNMIS recommends, the *Observer* has been told—by a hitherto impeccable source not connected to the SPLM/A—that 410 captured SPLM sympathisers were ordered executed on 10 June by Major-General Ahmad Khamis, one of four senior army officers sent to South Kordofan from Khartoum at the start of the war...

Khamis was one of the main implementers of a government jihad in the early 1990s that brought the Nuba people to the brink of destruction... [In 1995] Khamis, then head of military intelligence, was repeatedly named as being responsible for torture and executions—including by his own hand.

*The Independent* (UK) reports from the Nuba Mountains (July 8) “shocking evidence that international peacekeeping mission [in South Kordofan] did nothing to stop ethnic cleansing”:

When fighting erupted in the South Kordofan state capital of Kadugli in early June, tens of thousands of terrified civilians flocked to a ‘safe haven’ directly outside the gates of the UN Missions in Sudan (UNMIS) base. Hawa Mando, a school teacher, reached the camp for internally displaced people on 5 June with her family after fighting in the town forced her to flee her home. She witnessed government agents and irregular troops—notorious from atrocities in Darfur—known as the Popular Defence Force entering the camp hunting for people on a list of government critics.

“They had lists of people they were looking for,” said the mother of seven. “Local spies would point people out and they would shoot them.” She continued: “In front of my eyes I saw six people shot dead. They just dragged the bodies away by their feet like slaughtered sheep. People were crying and screaming and the UN soldiers just stood and watched in their watchtowers.”<sup>31</sup>

Some of the atrocities bespeak complicity on the part of UNMIS in Kadugli, a unit dominated by the Egyptians (the UN human rights investigators were based in Khartoum):

Eyewitnesses described to *The Independent* how they saw peacekeepers standing by while unarmed civilians were shot dead outside the gates of a UN base before being dragged away “like slaughtered sheep.” They also said that local leaders have been handed over to government forces after seeking shelter with UN officials.

(For a highly informed and devastating account of the despicable Egyptian performance in South Kordofan, see Julie Flint’s “Probe UN Neglect in South Kordofan,” *The Daily Star* [Lebanon], July 5, 2011.<sup>32</sup>)

### **Aerial bombardment of civilians, obstruction of humanitarian assistance**

Khartoum continues its virtually daily bombings attacks in the Nuba Mountains and elsewhere in South Kordofan, relentlessly targeting Nuba civilians (this is especially true of Antonov “bombers,” retrofitted Russian cargo planes that have no militarily useful bombing accuracy). The regime also continues to bomb in northern Unity State (Republic of South Sudan), an extremely provocative military action. Confirmed bombing attacks occurred on June 9, June 10, June 11 (two attacks), June 13, and July 2. Bombing has also occurred in the Southern states of Northern and Western Bahr el-Ghazal and Warrab. And in Darfur such attacks are as relentless as they have been for more than eight years.

The consequences of these bombing attacks, especially the shrapnel-loaded barrel bombs dropped by Antonovs, have recently been chronicled—yet again.<sup>33</sup> *The Independent* reports from the Nuba Mountains:

When boys and girls started arriving at his hospital with missing arms and feet, they were the first casualties of war Dr Tom Catena had seen. “The injuries are horrifying,” said the mission doctor who comes from upstate New York, “a girl with her feet blown off, another with her abdomen sliced open.” The victims pouring in from the villages in Sudan’s Nuba mountains were being bombed by their own government, he discovered. Grass thatch villages were being turned to charnel houses as an air force dropped bombs from the back of ageing cargo planes.

The government in Khartoum insists it is targeting armed rebels but the Antonovs it is using are non-military aircraft and are randomly destructive. “The worst injuries are from the Antonovs,” said Dr Catena. “This is my first experience of war and you don’t understand the human toll until you see it. These people are being destroyed for nothing.” The only qualified doctor in an area with hundreds of thousands people, the mission hospital has about 400 patients. The doctor who arrived recently from mission work in Kenya said he was nervous at first about speaking out as hospitals were targets. “Why hold back?” he asked. “We should show what’s happening, this is the reality.”

Yussef Abdullahi Kuwa reached the hospital in the north of the Kauda Valley on Sunday. The 15-year-old was playing when the bomb hit. He was unable to take cover fast enough and now half his face is missing where hot metal sliced through it. He cannot speak. “My boy has done nothing to this government,” said his father, who took three days to get him to a doctor. “We are powerless.” Children with stumps where their hands or feet should be wander around in the hospital. Sixteen-year-old Jakumo lost his left arm after helping his sister with the washing. The children had been told to lie flat when they heard planes but Jakumo forgot. “I tried to hide behind a tree instead,” he said. “But it hit me.”<sup>34</sup>

An equally grim follow-up piece was filed by Howden of *The Independent* on July 15:

Thousands of people are sheltering in the clefts and caves of the granite slopes of the Nuba Mountains, where Sudan’s government claims it is fighting a counter-insurgency campaign against armed rebels. Iqbal al-Nur perches on a wooden cot with a baby pressed to her breast in the shadow of an immense stone. “We took what we could carry and came here to escape the planes,” she says, pointing to the sky where bombers have been launching an aerial assault across the mountains. “As long as the bombing continues, we will stay.”

Ms Nur, who has four children, fled with the rest of her village to the safety of the mountains. She gave birth to Ambu, who is now one week old, under a rock soon after arriving. A friend who had a child three days later had to be taken hundreds of kilometres away to the nearest doctor after the infant fell ill. “I am scared Ambu is going to get sick here with the rain and wind,” says Ms Nur, who admits she is also frightened of snakes. “I hate it here but we have no way out.”

The towns and villages beneath the mountains are deserted. In Tonguli, a thatched roof is splayed on the cratered floor where it was thrown by the blast. A nearby hut has been reduced to a pile of blackened bricks. Others had their walls shredded by shrapnel. One man here was killed when a bomb ripped through his home as he slept last week. The long civil war's end, which brought independence last week for South Sudan, has meant little in the Nuba Mountains....

But in the Tonguli mountains, Hussein al-Amin, the chief of a nearby village, reacts with rage at what was said: "We have no roads, no schools, no hospitals; this government gave us nothing. Now they bomb us and they keep bombing us even as we run away from our homes." He says that refugees from the bombing campaign have come from all over the northern Nuba Mountains and more are arriving every day. Residents from two towns and at least seven villages are living among the rocks. He is concerned about disease and *asks if people outside Sudan can "stop the bombing."*

Like many of the displaced people, Moussa Zeber Ismail comes from the nearest big town, Dalami. The town has witnessed some of the worst fighting since clashes broke out in South Kordofan last month when government forces launched a campaign against Nuban rebels. The town initially fell to the rebels but has since been retaken by forces loyal to Khartoum. "Everything has been destroyed, you can't find a school, a shop, a house, anything," Ismail, who is a farmer, says. "They sent Antonovs [bombers] during the day while the fighting was going on. They just threw bombs everywhere, hitting everything, everyone." The 54-year-old fled into the bush after seeing a friend sliced in half by shrapnel. "We hid for 18 days in the bush and then walked here. Up to now, I still don't know who has been killed and where everyone is," he says.<sup>35</sup>

On July 12 Associated Press reported that "the United Nations says staff in Sudan have reported heavy aerial bombardment in South Kordofan State in recent days." What has gone insufficiently remarked is that these attacks serve as a powerful recruiting tool for the SPLM/A North, which has already more than held its own against SAF forces in ground combat, and this augurs a long war. Agence France-Presse reports from the Nuba Mountains (July 17):

But despite the army's relentless bombing campaign over the past six weeks, the insurgency shows no sign of weakening, with the SPLA

claiming to control much of the ethnically divided state and the new recruits swelling its ranks. Some are young, but many are older, like Abdullah, a middle-aged travel agent from Kadugli who volunteered after fleeing the heavy fighting in the state capital last month, along with 10 friends, four of whom were killed along the way.

“I lost so many in Kadugli. First, one of us was gunned down by a Dushka (anti-aircraft machine gun). Then, when we were carrying him, two more were killed by an aerial bomb. Another was killed on the way here,” he says. Others tell similar stories. Aut Maliga was a farmer in the Nuba town of Kurchi, southeast of Kadugli, where five bombs were dropped on a market on 26 June. “I joined the SPLA because I lost so many friends in the bombing, my best friends,” he says. Numerous local sources have confirmed that the air strikes on Kurchi destroyed the market and killed at least 16 civilians, including eight women and children. Another 32 people were hospitalised.

The extent and sustained nature of the bombing campaign, like so many of the actions reported here, bespeak significant advance planning: it is simply not possible to conclude that what is occurring is anything but a well-organized campaign that has as its animating ambition the destruction of the Nuba people and all support for the SPLM/A, North and South. The fact of such advance planning has critical implications in assessing the legal character of these atrocity crimes.

### **South Kordofan “De-coupled”?**

What, then, are we to make of the tepid and wholly ineffective response by the Obama administration to what all evidence suggests is genocide in South Kordofan? Have senior officials silently decided that in continuing negotiations with Khartoum, Abyei and the Nuba Mountains will be “de-coupled,” as Darfur was “de-coupled” last November in the putative interest of securing peace for South Sudan? Of course there is a deeply false premise implicit in such thinking, to say nothing of its moral obscenity. As most informed observers realize, the broader center-periphery conflicts that are so variously ramified throughout Sudan have too often provided Khartoum with diplomatic leverage: narrow international focus on one problem (whether South Sudan, Darfur, or again South Sudan) gives a green light to Khartoum for abusing and assaulting the marginalized areas not the focus of negotiations. This is the diplomatic complement to the regime’s well-tested policies of dividing and weakening politically (and ultimately militarily) opposition to

its tyranny. Abyei and South Kordofan are fully intelligible only if this dynamic is borne in mind.

But if such “de-coupling” has indeed been decided on, we are not likely to hear it explicitly acknowledged publicly, as a senior administration official did last November in speaking about Darfur. And so far, one must concede this earlier “de-coupling” has been managed deftly, so much so that it has gone unnoticed by even many presumably informed commentators. *The New York Times*, for example, recently concluded its editorial on the new Republic of South Sudan by declaring:

The Obama administration, correctly, is not taking Sudan off its terrorism list and normalizing relations until Khartoum fulfills the peace deal and ends the conflict in Darfur.<sup>36</sup>

But this is simply inaccurate. Last November a senior administration official explicitly and publicly “de-coupled” the genocide in Darfur (Obama’s ongoing characterization) and the issue of Khartoum’s longstanding place on the US State Department list of terrorism-sponsoring nations. This official (identified in the State Department transcript only as “Senior Administration Official Two”) declared:

One [of two new elements in U.S. Sudan policy] was to indicate that the U.S. was prepared to accelerate the removal of Sudan from the state sponsor of terrorism list if the Government of Sudan did two things. One is to fully implement the Comprehensive Peace Agreement, and two, to live up to all of the legal conditions required under law for Sudan to be taken off the state sponsors list. *By doing this, we would also be decoupling the state sponsor of terrorism from Darfur and from the Darfur issue.*<sup>37</sup>

*The New York Times* missed this and ended up by making a key claim that is simply wrong, an error that I pointed out to the *Times* but which they chose not to acknowledge, either by printing my (or another) letter or offering a correction to its readers. To be sure, the *Times* has a long tradition of weak editorials on Sudan, with a strong penchant for dodging difficult questions. But this is outright error, and reflects how badly too much of American journalism has followed Sudan’s complexities and the details of U.S. Policy.

More broadly, the Obama administration seems not to appreciate the scale of ongoing human suffering and ongoing destruction in Darfur, much of it directly consequent upon Khartoum’s construal of just what was meant by the Obama administration decision to “de-couple” Darfur and its people. This occurred even as

the agony of Darfuris continues relentlessly. (Those interested in understanding just how terrible conditions are for civilians, especially the more than 2 million displaced civilians in camps, can do no better than to read the daily accounts that come from [Radio Dabanga](#). A substantial compendium of recent reports from Radio Dabanga can be found [here](#).)

Given the pronounced tendency to expediency that has been evident for more than two years in the Sudan policy of the Obama administration, particularly on the part of former special envoy Scott Gration, it seems more than reasonable to ask whether in celebrating the independence of South Sudan, and engaging only narrowly on outstanding issues between North and South, Obama officials have done and said all they intend to, at least with a seriousness that could change attitudes in Khartoum. Abyei is already lost to the South; even with temporary deployment of an Ethiopian brigade (notably, and unusually, without a human rights mandate), Khartoum retains de facto military control of the region, and there are no prospects for more than 120,000 Dinka Ngok to return to their homeland. Khartoum has already threatened war if South Sudan does anything to reclaim Abyei, or even the self-determination referendum guaranteed by the Comprehensive Peace Agreement, now an agreement the Obama administration is prepared to see selectively implemented.

South Kordofan stands on the precipice, and there seems little to prevent its tipping over. And looming as the next crisis point in Sudan is Blue Nile, also in North Sudan, where war, if it comes, simply won't be contained. It is not clear that anyone in the Obama administration is thinking seriously about the acute threat posed by recent military developments in this remote region, even as SPLM member and governor of Blue Nile Malik Agar has warned that war becomes increasingly likely as fighting in South Kordofan continues.

## **The UN in South Kordofan**

The first recommendation of the UNMIS human rights report is the only one that matters: if it is not followed, the others will be meaningless, given Khartoum's insistence that UNMIS remove all personnel from the North, including South Kordofan (remaining personnel have, UN officials in New York have declared, no continuing mandate—even to protect civilians killed before their very eyes):

[The authors of this UN human rights report recommend] that the UN Security Council mandates the establishment of a commission of inquiry or other appropriate investigative authority, including the Prosecutor of the International Criminal Court, to conduct a comprehensive

investigation into the violence in Southern Kordofan and violations of human rights and humanitarian laws and to identify the perpetrators or those who bear the greatest responsibility, with the view to bringing them to justice. (75.1)

This recommendation that a “commission of inquiry” be established will receive broad international support, largely because it does not have a chance of being authorized by the Security Council, given the certainty of a Chinese veto. Indeed, we should recall Beijing’s recent comment on North Sudan’s place in the world. Reuters reports (July 13):

The world should recognize the efforts made by Sudan in bringing peace to its southern region, now an independent state, and normalize relations with Khartoum, state media on Thursday quoted a senior Chinese diplomat as saying.<sup>38</sup>

This does not sound like a warm-up for authorizing a non-consensual human rights investigation, even if the issue is accelerating genocide, with indisputable evidence of large mass graves capable of holding many thousands of bodies, and a great many thousands of Nuba unaccounted for.

But instead of focusing on the enormously challenging task of how to obtain on-the-ground confirmation of what has been so substantially and variously reported by many authoritative sources, UN officials and other international actors indulge in rhetorical posturing with no real entailments:

Ban Ki-moon [while in Khartoum] urged the Sudanese Government to put place mechanisms to ensure that humanitarian operations can continue in Southern Kordofan and Blue Nile states, and added that UN personnel need unfettered access.<sup>39</sup>

More to the point would have been an urging that Khartoum halt its war on humanitarian operations—in Darfur and South Kordofan. The notion that the regime conducting this terrible war of attrition will “put in place mechanisms to ensure humanitarian operations can continue” is simply a means to avoid speaking about the real nature of the crisis. In fact, the regime has recently threatened to expel all humanitarian workers and operations, from both South Kordofan and Darfur:

[A]n official in Khartoum’s ruling party, Gudbi-Al Mahadi, has accused aid agencies of giving logistical support to the rebels, the pro-government Sudanese Media Centre (SMC) reports. He warned the agencies that they risked “legal penalties” and expulsion, SMC said.<sup>40</sup>

North Sudan's secretary for the political sector threatened Non-Governmental Organisations (NGO) operating in Kordofan and Darfur with penalties or expulsion on Monday. Gudbi-Al Mahadi of Sudan's ruling National Congress Party (NCP) is reported by the pro-Khartoum Sudanese Media Centre as threatening NGOs with "legal penalties" and "halting of activities" as some were "found providing logistical support to insurgents." No evidence was provided to support the allegations against the NGOs. But officials from the ruling party said they do not want a repeat in South Kordofan of the large humanitarian presence and the creation of camps for the displaced civilians, as has happened in Darfur.<sup>41</sup>

The *Observer* also reports today on a second confidential UN human rights report, which I have not seen but which seems to comport with the one more widely leaked. It speaks specifically to the issue of Khartoum's obstruction of relief aid:

A second report details how "active obstruction by state authorities (in South Kordofan) has completely undermined the ability of the peace-keeping force, UN Mission in Sudan (UNMIS), to fulfill the most basic requirements of its mandate" in the Nuba region. The report says the humanitarian assistance and protection provided by UNMIS have become "inconsequential" as it prepares to leave Sudan, at Khartoum's insistence, by 31 July. (July 16, 2011)

Given the terrible precedent of Khartoum's expulsion of thirteen of the world's most distinguished humanitarian organizations in March 2009, it would be foolish not to see the strong possibility of linkage between international action on South Kordofan and the fate of the vast humanitarian operation in Darfur on which more than 3 million people depend. Khartoum is in effect threatening relief efforts in Darfur if the regime is pressed too hard on South Kordofan; the regime counts on the international community accepting such a quid pro quo, as it has on so many other occasions.

Members of the Security Council are equally facile and irrelevant, "call[ing] on the Government of Sudan and the Sudan People's Liberation Movement's northern sector to agree to an *immediate* cessation of hostilities" in South Kordofan. No mention is made in this "call" of the fact that al-Bashir and his security cabal have withdrawn from the "framework agreement" they signed in Addis Ababa on June 28, in which a cessation of hostilities agreement was indeed the primary agenda item:

Al-Bashir's decision yesterday [July 6] to quit negotiations in Addis Ababa, Ethiopia, to end clashes in the north's only oil producing state, Southern Kordofan, dashed chances of a quick cease-fire. The fighting in Southern Kordofan, which borders Southern Sudan, started when Sudanese troops tried to disarm members of the Nuba ethnic group who fought alongside the southern army during the civil war, according to Southern Sudan's ruling party. Al-Bashir and his governor in Southern Kordofan, Ahmed Haroun, are wanted by the International Criminal Court over allegations they were involved in war crimes in Darfur.

Sudanese President Umar al-Bashir quit talks in Ethiopia to end clashes in the northern oil-producing state of Southern Kordofan, two days before South Sudan becomes independent. "There will be no more negotiations outside Sudan," Al-Bashir told a rally today in White Nile state in a speech televised live on the state Sudan TV station.<sup>42</sup>

Bashir warned the north would hold no more foreign talks on solving internal conflicts such as violence in the northern border state of South Kordofan where the army is fighting armed groups allied to the south. Leaders of north and south had agreed on Monday in Ethiopia to continue talks on a series of issues both sides need yet to solve such as ending tensions in South Kordofan. "After the betrayal in South Kordofan [the SPLM/North] come and want to hold talks.... *But we will not hold any talks in Addis Ababa or elsewhere with those who take up arms,*" he said. *North Sudan would not sign any more international agreements after it wrapped up a peace accord later this month with a small group in the western region of Darfur.*<sup>43</sup>

Does anyone at the UN understand the meaning of the word "intransigence"? This seems an important question since it is Khartoum's signature negotiating posture. No one seems willing to speak the truth about why there is nothing happening in Addis, even as nothing is gained by pretending the regime is anything but what it has repeatedly demonstrated itself to be.

### **A last chance for the "responsibility to protect"**

UNMIS has been terribly ineffective over the past six and a half years, as has UN-AMID in Darfur since it officially took up its mandate on January 1, 2008. At a cost of more than \$2 billion per year, the international community has had a right to expect a great deal more from these two operations and from the UN's Department

of Peacekeeping Operations. The humanitarian side of the UN in Sudan is just as bad in its leadership, especially Valerie Amos and the head of UN humanitarian operations in Sudan, Georg Charpentier.<sup>44</sup> Both have contributed significantly to the invisibility of Darfur's ongoing agony. But ultimately the real power to act effectively, or not, lies with the UN Security Council, and herein lies the obvious rub. The U.S. and other member states know that any resolution authorizing an intrusive or nonconsensual human rights investigation will be vetoed by China. The question, then, is what can be done in the face of such an obviously broken mechanism for responding to international crises, including incipient genocide?

First, the U.S. that must decide—with as much help as possible from the Europeans, the Canadians, from Latin American countries, and from any African allies that can be found—that is will bring a resolution authorizing a robust and urgent UN human rights investigation, and thus compel China to veto it (something Beijing much prefers to threaten than actually exercise, for self-serving reasons). And then the resolution should be brought again, modified as necessary to secure a second Security Council debate (Germany is President of the Security Council this month, and we should assume the Germans will strongly support efforts to investigate widespread and compelling evidence of genocide). China will be forced to veto this second resolution, bringing an important clarity to the diplomatic and political situation.

The utter futility of Security Council action would then be the backdrop for a nonconsensual investigation of atrocity crimes in South Kordofan, one without UN auspices. If genocide or crimes against humanity are found, as they quickly will be, the entire world will again face the same question that was before it in April 1994, when Roméo Dallaire made his well-known plea for 5,000 men to give the UN enough leverage to end the Rwandan genocide. But we are not looking at 100 days of slaughter; rather, the real concern must be for how to stop Khartoum's grim extermination by starvation and denial of humanitarian access to the Nuba Mountains, coupled with aerial bombing that is destroying the current agricultural cycle. The killing of Nuba in Kadugli is winding down: people are already dead or have fled to the countryside or to the South.

What will it take to stop this current genocide? What protection can be provided to those now ethnically targeted on a vast scale? There are no simple military answers, though there are some; but since there is no political will in any event, it would seem simply posing the question takes us as far as we can go. U.S. ambassador to the UN Susan Rice has already explicitly and preemptively taken any U.S. military response off the table.

Those nations and organizations that have in the past supported the ideal of a

“responsibility to protect” endangered civilians, unprotected or attacked by their own government, must decide whether this much-touted ideal really means something, and if so, what it entails in circumstances like those presently threatening the Nuba people in South Kordofan. Darfur is a recent and defining example of the failure of the “responsibility to protect”: the conflict and genocidal destruction began well before the UN World Summit Outcome Document was issued in September 2005—and continues 6 years after all member states of the UN declared that they were

...prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the UN Charter, including Chapter VII, on a case by case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing, and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law.<sup>45</sup>

Darfur would seem to have sounded the death knell for any meaningful commitment to the “responsibility to protect,” but South Kordofan offers one last opportunity. Real hope, however, seems entirely unwarranted.

## Are U.S. and U.N. Officials Ignoring New Evidence of Atrocities in Sudan?

First appeared in *The New Republic*, July 23, 2011

Sudan seems to bring out a perverse diffidence in both the Obama administration and the international community. This is especially clear in their response to a growing body of evidence that atrocities are being committed in South Kordofan, a border state in what is now Northern Sudan. Indeed, the more proof that accumulates about the [targeted destruction](#) of the African Nuba people, the less the White House and the U.N. seem inclined either to speak out forcefully or to announce a course of action.

U.S. special envoy for Sudan [Princeton Lyman](#) offered only a passing reference to the violence in South Kordofan during his Senate testimony on July 14 and, this week, said he could not confirm whether [evidence](#) has revealed mass graves in the vicinity of Kadugli, the capital of South Kordofan. The U.S., meanwhile, has preemptively [taken a military response off the table](#). U.N. [Secretary General Ban Ki-moon](#) continues to indulge in vague exhortations, and the head of U.N. humanitarian operations has said the world can't really be sure of what's happening in South Kordofan.

This, however, is simply not true: We *do* know what's happening, by virtue of a [now-leaked report from U.N. human rights investigators](#) working in Kadugli in June. The report contains 19 pages of accounts of mass graves and brutal actions—from air assaults to arrests to beatings—taken against the Nuba. There is also information from a variety of other sources that corroborates the report. Why isn't this evidence being taken seriously?

The U.N. Report contains numerous eyewitness accounts of mass graves, gathered independently by U.N. investigators in June. A few examples:

On 10 June, UNMIS [U.N. Mission in Sudan] Human Rights interviewed residents from Murta village, outside of Kadugli Town [the capital of South Kordofan], who stated that they saw fresh mass graves located in a valley southeast of the Murta bus station near the Kadugli police training centre.

[Two men interviewed by UNMIS] reported that, following their release from SAF [Sudan Armed Forces] custody, they saw fresh mass graves between the SAF 14th Division Headquarters and Kadugli Market. On 16 June, UN military observers, while on their way between

the SAF 14th Division Headquarters and Kadugli Market in an attempt to verify the existence of these mass graves, were arrested, stripped of their clothes, and believed that they were about to be executed when a senior SAF officer intervened.

On 22 June, an UNMIS independent contractor reported witnessing SAF elements fill a mass grave in Al Gardut Locality in Tillo with dead bodies. She reported that SAF elements transported the bodies to the site, dumped them in the grave and used a bulldozer to cover the grave.

Bolstering these reports, the Satellite Sentinel Project (SSP) recently [published dramatic photography taken July 4 that shows three parallel mass gravesites](#), each approximately 16 feet by 80 feet. It also captured images of heavy earth-moving equipment and many white bags piled up near the gravesites, all consistent with human proportions.

Of course, we can't say for sure who or what is in either the bags or what seem clearly to be graves—but, given the violence committed against them, it's reasonable to guess it's the bodies of Nuba. Consider that, on June 20, some [7,000 Nuba who had sought U.N. protection were forcibly removed from international custody by government security agents](#) disguised as Red Crescent workers. The U.N. still [doesn't](#) know where these people are. Then, there are the victims of Khartoum's ongoing aerial assault throughout the Nuba Mountains, which the U.N. report from June details:

Since the eruption of the conflict, the SAF has carried out daily aerial bombardments into the Nuba Mountains and in several towns and villages populated by Nubans. The consequences of these bombardments on the Nuban people and in particular civilians, including women and children, are devastating. They have resulted in significant loss of life, destruction of properties, and massive displacement. UNMIS Human Rights has received photographs of mangled and mutilated bodies of civilians, some cut into halves, including women and children.

The consequences of such bombings were also described in a July 13 dispatch in England's *The Independent*:

“The injuries are horrifying,” said the mission doctor who comes from upstate New York, “a girl with her feet blown off, another with her

abdomen sliced open.” The victims pouring in from the villages in Sudan’s Nuba mountains were being bombed by their own government, he discovered. Grass thatch villages were being turned to charnel houses as an air force dropped bombs from the back of ageing cargo planes. The government in Khartoum insists it is targeting armed rebels but the Antonovs it is using are non-military aircraft and are randomly destructive.

John Ashworth of the Sudan Ecumenical Forum and a close observer of Sudan for more than 25 years—he is based in Juba, the capital of the newly independent South—also reports that recent conversations with the Nuba have a frightening congruence:

The conflict in South Kordofan continues, even if it is not so much in the news these days. I have just this minute talked to three Nuba, including one very old friend, who found their way separately to Juba with firsthand news of Kauda, Kadugli and Dilling. All confirm that the targeting of Nuba and suspected SPLM sympathisers is continuing. These days it is Arab militia rather than government forces which are searching vehicles and removing people on the road between the Nuba Mountains and El Obeid. Security forces in El Obeid continue to search for “SPLM sympathisers” and anyone who has come from the conflict area, and Nuba report that they don’t even feel safe in Khartoum. There is still a feeling that educated people are being singled out.<sup>46</sup>

Yet U.S. and U.N. officials continue to speak ambiguously or insufficiently about South Kordofan. Citing unspecified U.S. intelligence assets, Princeton Lyman has said of the SSP photos, “We can’t confirm the conclusion in the Sentinel project that there are mass graves in Kadugli.” This claim could mean that U.S. surveillance has not been directed at the particular site captured on film, but Lyman also said of the white bags also visible in the surveillance, “[W]e see those same items in those same places before the fighting started” in early June—which would seem to imply that U.S. surveillance has been ongoing. Problem being, [SSP has photographic evidence](#) from June 7 and June 17 indicating that the white bags were *not* there. (Putting aside the question of why the accounts from Lyman and SSP are so different, one has to ask what the excavated sites might be, if not graves. Lyman, however, offered no alternative explanation.) Also, in more than [3,000 words of Senate testimony](#) last week, Lyman said, “We are extremely concerned by credible allegations of targeted and ethnic-based killings and other gross human

rights abuses [in South Kordofan]. These abuses must end, an investigation must be conducted.” That’s just 27 words on the matter.

Moreover, Valerie Amos, the head of humanitarian operations for the U.N., claimed on July 15 that “[w]e do not know whether there is any truth to the grave allegations of extra-judicial killings, mass graves and other grave violations in South Kordofan”—despite her own organization’s new report on those very allegations. Then, there’s Hillary Clinton, who, in early July, according to [Agence France-Presse](#), “expressed concern over a recent flare-up of violence in the [South Kordofan] region, which she said ‘cannot be allowed to return and jeopardise the larger peace.’” Clinton made no mention of the evidence of atrocities, and her language suggests that the governing U.S. priority is not the immediate fate of the Nuba people.

To be sure, the “concern” expressed by the U.S. and U.N. is warranted, but it’s far from a satisfactory response. That response should entail putting considerable pressure—pressure [that I’ve outlined before](#)—on Khartoum to stop what it is doing in South Kordofan. Somehow, though, both current evidence and the echoes of mass atrocities in the not-too-distant past aren’t finding an audience in Washington, New York, or Europe. Or, worse, they are being ignored. Why can’t the world find its voice—or its conscience? We have seen this play before, and we know that it will end terribly.

## Darfur...and now more genocide in Sudan?

First appeared in the *Christian Science Monitor*, August 4, 2011

*Yet again, [Sudan](#) shows all the signs of accelerating genocide, this time on its southern border.*

The question is whether the world will now respond more quickly—and effectively—than it has to the [years-long atrocities in Darfur, in western Sudan](#). Over four years ago the [International Criminal Court](#) indicted a senior [Khartoum](#) official for crimes against humanity (2007); most recently it has indicted [President Omar al-Bashir](#) for genocide (2010). But to date Khartoum has continued to express only contempt for the ICC and human rights reporting generally.

Another test of the world's resolve to halt ethnically targeted human destruction now presents itself in a border state known as South Kordofan (like Darfur, in Sudan). Al-Bashir has unleashed a [campaign against many tens of thousands of Nuba people](#), a grouping of indigenous African tribes. The Nuba have long made common cause with the people and former rebel fighters of the newly created country of [South Sudan](#).

The catastrophe in South Kordofan is daily becoming more conspicuous, both in scale and in the ethnic animus defining Khartoum's military and security operations in the region.

Beginning with events of June 5, strong evidence is growing of house-to-house searches for Nuba people and those sympathizing with the northern wing of the Sudan People's Liberation Army. Also, compelling evidence points to roadblocks that have similarly targeted Nuba. Most Nuba found were arrested or summarily executed. This has occurred primarily in the Kadugli area, capital of South Kordofan.

Most disturbingly, a great many eyewitness accounts of mass gravesites are being reported; a number of these accounts are collected in a [leaked UN human rights report from late June](#).

The extraordinary indictment rendered in this report is confirmed by [definitive satellite photography from the Satellite Sentinel Project](#), based at [Harvard University](#); these photographs clearly indicate large, parallel mass gravesites capable of holding many thousands of bodies. Evidence from the UN report, as well as eyewitness accounts from many Nuba who have escaped Kadugli, confirm the findings of the satellite project.

[The Associated Press](#) has reported on an even earlier leaked UN "situation report" indicating that some 11,000 people, virtually all Nuba, sought protective cus-

tody with the UN Mission in Kadugli, capital of South Kordofan; 7,000 of these people, including women and children, were forced on June 20 to leave the UN protective perimeter and move to an unspecified location. Those moving them were reportedly members of Khartoum's security services, disguised as [Red Crescent](#) workers. Today, the UN has no idea where these refugees are.

Bombing in the Nuba Mountains of central South Kordofan is relentless, threatening the lives and livelihoods of the African people who make up the Nuba. Fields have been abandoned at the height of planting season, when the need for crop-tending is greatest. Many tens of thousands of people have fled to the hillsides and caves, desperate to escape continuing aerial attacks. Next fall's harvest will be a disaster, and Khartoum has blocked virtually all humanitarian aid to the Nuba Mountains, including the UN's [World Food Program](#).

Why, with so much evidence of ethnically targeted human destruction, and so many acute risks to human life and welfare, has there been no rapid or forceful international action?

The [universally agreed upon UN "responsibility to protect" civilians from ethnic cleansing and genocide](#)—not to mention attack by their own government—should be in force in South Kordofan if anywhere. Yet there is nothing of consequence coming from anyone in the UN, the [European Union](#), the [African Union](#), or the [Obama administration](#)—except [Susan Rice](#), American ambassador to the UN, declaring there will be no [US military](#) commitment to the Nuba people.

This virtual policy silence on South Kordofan seems to be based on a peculiar, indeed incomprehensible skepticism about the evidence available, including the satellite photography as well as eyewitness accounts provided by the UN report and other sources.

The Obama administration spokesperson for this skepticism is [Princeton Lyman](#), special envoy for Sudan, as [The Washington Post](#) recently reported. But his account does not square with the facts; for example, he asserts that the piles of irregular white bags near the mass gravesites, all of human anatomical dimension, have always been at the sites focused on by the satellite project; but sequential, dated satellite photographs unambiguously demonstrate otherwise.

There are in South Kordofan too many harrowing echoes of not only Darfur, but [Rwanda](#) and [Srebrenica](#). In all these cases there was a UN military presence; in each instance this presence was completely intimidated or rendered ineffective by *génocidaires* bent on their task; many world leaders refused to recognize the reality of genocide; and in each case unspeakable shame followed.

Are these echoes not being heard in [Washington](#), [New York](#), European capitals,

and African Union headquarters in [Addis Ababa](#)?

Despite Mr. Lyman's skepticism, the urgency and scale of potential human destruction demand an immediate and robust international response—and not simply moralizing pronouncements, whether from UN officials or international actors of consequence, or in the predictable and formulaic prescriptions of human rights groups. At the very least Khartoum should be warned that if its military aircraft continue to be implicated in attacks on Nuba civilians or humanitarians, they will be destroyed on the ground by cruise missiles or other means. Impunity for such atrocity crimes cannot continue.

If the world refuses to see what is occurring in South Kordofan, and refuses to respond to evidence that the destruction of the Nuba people, as such, is a primary goal of present military and security actions by Sudan, then this moment will represent definitive failure of the “responsibility to protect.”

## Yet More Compelling Evidence of Atrocity Crimes in South Kordofan

August 25, 2011

The most recent report on atrocity crimes in South Kordofan was [published on Tuesday, August 23, by the Satellite Sentinel Project](#) (“Special report: evidence of burial of human remains in Kadugli”). It provides compelling evidence—satellite photography and eyewitness accounts—of three additional mass gravesites in and around Kadugli, capital of South Kordofan, and scene of well-documented attacks on the Nuba ethnic group. The UN High Commission for Human Rights has released its own report, which also presents compelling evidence of war crimes and crimes against humanity.<sup>47</sup> The weak head of UNHCHR, Navi Pillay, [has declared](#) that it is “essential [that] there is an independent, thorough and objective inquiry with the aim of holding perpetrators to account”; she has been echoed in this insistence by other senior UN officials and diplomats from member states. [But as I’ve recently argued](#), this will be adamantly refused by Khartoum; and—protected by China on the UN Security Council—the National Islamic Front/National Congress Party regime will be in a position to reject any non-consensual investigation. This will be an extraordinary moment of political and moral clarity for the world body, and for whatever remains of the ideal of a “responsibility to protect.” There will simply be no way in which to finesse international failure to investigate at this moment, with such compelling evidence.

To be sure, Khartoum has now offered the UN the opportunity for a brief “assessment mission” in South Kordofan, which will be strictly controlled by the Sudan Armed Forces and Military Intelligence; it will be a thoroughly sanitized view. At the same time the regime has [created a new “committee” charged with monitoring the situation in South Kordofan](#). This will be the ongoing reply to any further insistence on the need for an independent human rights investigation. Accepting this “assessment mission” and Khartoum’s factitious monitoring committee in place of the demanded independent and thorough investigation will be to admit the most abject failure.

What gives special importance to this new report from the Satellite Sentinel Project (SSP), in addition to the evidence it provides, is the editorial comment that accompanies it. This “Note from the Editor” makes clear just [how perversely unwilling the Obama administration has been to accept the overwhelming evidence](#) of mass gravesites and extensive atrocity crimes in Kadugli, including widespread, ethnically-targeted human destruction. This has entailed what is finally no more

than a feckless and disingenuous skepticism, deployed for reasons of diplomatic expediency rather than any reasoned concern about pre-judging the situation on the ground. The “Note from the Editor” provides a brief, perspicuous survey of all the evidence now available, and thus provides a devastating account of how untenable the Obama administration’s continuing skepticism and counter-claims have become. It also provides clear evidence that the Khartoum regime had prepared in advance for the mass killings that began on June 5:

Statements and press releases by the International Federation of Red Cross and Red Crescent Societies (IFRC), the SRCS, and the International Committee of the Red Cross (ICRC) have also confirmed that mass body recovery and disposal operations have been occurring in Kadugli. A 1 July report released by IFRC verifies the SRCS, reportedly acting on instructions from the Government of South Kordofan, has been actively collecting dead bodies in Kadugli town, *and had at least 415 body bags and 2,000 plastic tarps recently transferred to it from the IFRC prior to the fighting in June. By the end of June, the SRCS was publicly saying it needed more body bags.*

In this context, the conclusion to this “Note from the Editor” has an inescapable authority:

It is now two months since reports of the systematic killing of civilians in Kadugli by Government of Sudan-aligned forces first emerged. The debate continues about what further steps the US and the international community should take in response to the gross violations of human rights that have been reported. What should no longer be debated, however, is that these alleged crimes, including mass killing and subsequent mass burial of the dead, have happened and continue to occur.

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### **Editor’s Note**

Satellite Sentinel Project, August 23, 2011

[“Special report: evidence of burial of human remains in Kadugli”](#)

The Satellite Sentinel Project’s (SSP) identification on 14 July 2011 of a cluster of white bundles in Kadugli as consistent with human remains wrapped in white

plastic tarps or body bags was controversial at the time. Although publicly questioned by a U.S. government official, it has now been established by SSP through the collection of additional imagery and eyewitness reports. This report presents more visual evidence and new information by eyewitnesses who spoke directly to SSP of the collection and burial of human remains wrapped in tarps and/or body bags by the Sudanese Red Crescent Society (SRCS). The bundles were buried at an additional two new apparent mass graves in and around Kadugli.

To date, SSP has identified a total of eight mass graves in and around Kadugli, as well as evidence of corpses wrapped in what appear to be body bags and/or tarps at four sites. Also, SSP's imagery of apparent mass graves has been reviewed by Stefan Schmitt, International Forensic Program Director for Physicians for Human Rights, who has concluded that the images "provide enough credible evidence to suggest the presence of mass graves."

Despite the visual evidence corroborating the eyewitness accounts, as well as images of three mounds consistent with reported mass graves nearby, the US government claimed that SSP's satellite imagery provided "no clear evidence of mass graves." In a 20 July 2011 *Washington Post* article, "US Government Cannot Confirm Mass Graves in Sudan," a US government official stated that, "What they (SSP) identify as body bags, we see those same items in those same places before the fighting started." The US government has released no eyewitness report or imagery in support of its assertion.

SSP has determined, though, that these same items were not present in those same places on 7 June or 17 June or 20 July. Since the 14 July report, SSP has published reports from additional eyewitnesses who have seen corpses wrapped in what appear to be white body bags or white plastic tarps. And satellite imagery shows the dumping and subsequent burials of what appear to be white bundles of human dimensions, wrapped in some sort of tarps, and bent in the shapes of the letters "C" or "J," consistent with human bodies bent at the waist or knees, on a remote, wooded mountainside.

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This, paired with a 7 July statement by the ICRC stating that it “provided Sudanese Red Crescent emergency action teams with technical advice on the management of dead bodies, and with the body bags they needed to recover the dead,” corroborates SSP’s assertion that the white or light-colored objects are consistent with body bags. Eyewitnesses have described to SSP seeing a yellow front-end loader with a backhoe digging mass graves in and around Kadugli at sites in which an SRCS Land Cruiser and SRCS workers were also present. One eyewitness described a yellow excavator digging two pits at a site where men dressed in a manner consistent with SRCS workers subsequently threw bodies into the pits.

These eyewitness reports, obtained by SSP, are consistent with a statement to the press by the executive director of the South Kordofan branch of SCRS that the locality of Kadugli provided the SRCS corpse management team with “a loader for excavation.”

It is now two months since reports of the systematic killing of civilians in Kadugli by Government of Sudan-aligned forces first emerged. The debate continues about what further steps the US and the international community should take in response to the gross violations of human rights that have been reported. What should no longer be debated, however, is that these alleged crimes, including mass killing and subsequent mass burial of the dead, have happened and continue to occur.

[footnotes in PDF at <http://www.satsentinel.org/reports>]

## Acquiescence Before Mass Human Destruction in Sudan's Border Regions

October 24, 2011

For two months now the world has watched as the brutal regime in Khartoum continues to deny all relief access to large populations of acutely vulnerable civilians in Blue Nile State, which lies immediately north of the border dividing what are now North and South Sudan. The same embargo, extending even to independent humanitarian assessment missions, has been in place in neighboring South Kordofan State for five months. This scandalous fact bears repeating, since it has been so poorly reported: the National Islamic Front/National Congress Party regime in Khartoum has barred *all* international relief organizations from responding to what substantial evidence makes clear are major humanitarian crises in Blue Nile and South Kordofan—and both crises are on the verge of becoming overwhelming catastrophes, involving many hundreds of thousands of civilians.

There is an eerie familiarity to all this, for what we are seeing is an accelerated reprise of Khartoum's strategy of obstructing relief efforts in Darfur, a strategy the regime committed to aggressively once it recognized its "error" in allowing an international humanitarian presence in Darfur. Regime officials now repeatedly make clear that they won't allow "another Darfur" to emerge in either South Kordofan or Blue Nile—there won't be any witnesses to the massive suffering and destruction that are well underway. And of course, in addition to banning all relief efforts, the regime allows no journalists or human rights monitors into either of these states.

We should remember that this regime has a decades-long history of obstructing humanitarian aid in Sudan, including the total embargo on relief efforts imposed by Khartoum on the Nuba Mountains throughout the 1990s—part of [a jihad that is widely acknowledged to have been genocidal in ambition](#). Throughout the bloody civil war, which claimed well over 2 million lives in the South and border states—mainly from disease and malnutrition related to violence—Khartoum frequently cut off all humanitarian aid to the South for long periods of time. Because virtually all of Sudan was and remains inaccessible except by air—there are almost no roads, and in the long rainy season these are mainly impassible—airlift capacity and access are what's critical. So all that Khartoum had to do to shut down humanitarian relief was deny air access to the large international humanitarian organizations based in Lokichokio, northern Kenya. In early July 2002, for example, [the UN estimate for those being denied humanitarian assistance](#) in the South was *1.7 million human beings*.

So how has the U.S. responded to this most recent chapter in the regime's deployment of its crude "weapon of mass destruction"? Officials of the Obama administration continue to go through the motions of demanding humanitarian access as well as an independent investigation of the well-documented, large-scale atrocity crimes in Kadugli, capital of South Kordofan; but it does so without either conviction or determination (the U.S. special envoy for Sudan, Princeton Lyman, first called for such a independent human rights investigation over two months ago, and can point to no progress whatsoever). There is very strong evidence that similar atrocity crimes are being committed in Blue Nile, certainly in the form of continuous, indiscriminate aerial attacks on civilians throughout much of the state.<sup>48</sup> And yet condemnation by the U.S. has been tepid at best.

Instead, the U.S., the UN, and other international actors of consequence have for months indulged in offering muted condemnations and making facile "demands" with no expectation of compliance. Since Khartoum's military invasion of Abyei more than five months ago (May 20), the regime has not budged an inch from any of its categorical refusals. It will not withdraw militarily from Abyei, as it has promised; it will not engage in any discussions of access for humanitarians or human rights investigators; and it will not negotiate a political settlement to the conflict in South Kordofan, as it committed to doing in late June. The only change of note is that the propaganda organs of the regime have dramatically increased their activities and are now offering hideously distorting accounts of civilian life in the two states, and [at the same time boasting that](#) "regional and international changes [are] working in Sudan's favour."

As I [argued in August](#), shortly before Khartoum's military assault on Blue Nile, the international community and the UN in particular were setting themselves up for failure by demanding what would clearly not be granted, or even supported in the Security Council. The [UN High Commission for Human Rights had declared very publicly](#) that there should be in South Kordofan an "independent, thorough, and objective inquiry with the aim of holding perpetrators to account." But it was obvious then and now that Khartoum would never accede to this demand; and it was equally clear that a Security Council resolution authorizing any form of non-consensual investigation—even for ethnically-targeted mass executions—would never survive China's (or Russia's) veto. The failure I spoke of is now conspicuous: despite the demand for an independent UN human rights investigation, no serious effort was ever made by the U.S. or any other member of the Security Council to seek authorization for such an investigation. And yet in characteristic fashion this failure has been passed over without remark or self-criticism. The evident thinking is that if the diplomatic mumbling continues long enough, then no definitive failure will be registered.

No matter that following Khartoum’s invasion of Abyei, a UN human rights team found strong evidence of actions “tantamount to ethnic cleansing” (the [UN Secretariat would later disingenuously weaken this report](#)); no matter that the military assault on South Kordofan began shortly thereafter, and we have received since June overwhelming evidence of widespread, ethnically-targeted civilian destruction, including extraordinarily revealing [satellite photographs of mass gravesites](#); no matter that we have numerous eyewitness accounts of house-to-house searches and roadblocks targeting the African tribal grouping known as the Nuba. But there can be no doubt about the authority of a [confidential UN human rights report](#), prepared by UN investigators who were on the ground for several weeks in June as part of the UN peacekeeping mission stationed in Kadugli. Their report was promptly leaked and its central conclusion made clear the urgency of a human rights investigation:

Instead of distinguishing between civilians and combatants and accordingly directing their military operations only against military targets, the Sudan Armed Forces and allied paramilitary forces have targeted members and supporters of the SPLM/A, most of whom are Nubans and other dark skinned people.

Arab militias have been widely reported to be doing much of the fighting for Khartoum, both in South Kordofan and Blue Nile. On October 22, SPLM-N Secretary General Yasir Arman asserted that Khartoum was in fact deploying mercenaries:

The National Congress Party military has been, of late, actively engaged in recruiting Janjaweed militias—mostly non-Sudanese—from North and West Africa, particularly Niger. The airports of Al-Geneina and Nyala, Darfur, recently witnessed a flurry of flights transporting mercenaries to Damazin.<sup>49</sup>

The large-scale use of mercenaries would mark a new stage in the Khartoum regime’s ruthless survivalism, and yet another crushing military expense for a budget and economy that are already in a shambles.

## **Obama administration skepticism**

That an attack on South Kordofan was imminent was clear in the first days of June, primarily from evidence of a rapidly accelerating movement of men, arms and armor toward South Kordofan from the main forward military base at el-Obeid and

other northern bases. Soon after the invasion, [Satellite Sentinel Project photography revealed unambiguously that there were mass gravesites in and around Kadugli](#). The policy of the Obama administration in the face of such massive evidence, supported by numerous eyewitness accounts from the ground, was at once dismissive and skeptical; this peculiar skepticism extended even to a highly tendentious claim that the administration possessed (unspecified) intelligence that called into question the validity of the Satellite Sentinel Project findings. That skepticism, particularly on the part special envoy Lyman, has had the effect—presumably designed—of diminishing the urgency of the crises in the region. Lyman’s comments during an [interview of June 28](#) (just as the UN human rights investigators were completing their powerfully damning report) suggest an almost casual concern for the unmistakable commission of atrocity crimes, and a specious moral equivalence as well:

Because we don’t have a presence there [in South Kordofan], we haven’t been able to investigate [the many reports of atrocity crimes] fully. There are certainly reports of targeted killings. There are some reports from the other side also. What we’ve asked for is a full investigation.

And to the follow-up question (“By whom [should the investigation be conducted]?”) Lyman responded baldly:

Well, by the UN would be the best. The UN presence has not been sufficient to get out and stop this or to investigate it.

Given this facile, finally disingenuous answer—Lyman certainly knew that no such UN investigation would be authorized—we must inevitably wonder about motives. Why these perfunctory answers to such pressing questions? What lay behind the [contrived skepticism about findings from the Satellite Sentinel Project](#)?

I [have argued at length](#) that there are strong indications, past and present, that U.S. policy toward Sudan is and has been unduly influenced by a lust for counterterrorism intelligence from Khartoum’s ruthless security services, something reported in chillingly compelling fashion by the *Los Angeles Times* (June 17, 2005) and the *Washington Post* (August 30, 2010). The larger point here was made emphatically by former Senator Russ Feingold, who spoke with unrivalled authority, sitting on the Senate Intelligence Committee and chairing the Africa subcommittee of the Senate Foreign Relations Committee:

I take serious issue with the way the report [on international terrorism by the U.S. State Department] overstates the level of cooperation in

our counterterrorism relationship with Sudan, a nation which the U.S. classifies as a state sponsor of terrorism. A more accurate assessment is important not only for effectively countering terrorism in the region, but as part of a review of our overall policy toward Sudan, including U.S. pressure to address the ongoing crisis in Darfur and maintain the fragile peace between the North and the South.<sup>50</sup>

No other Senator joined former Senator Feingold in demanding that there be a response to this serious concern. As a consequence, the Obama administration has felt no serious Congressional pressure to acknowledge either the authority or significance of Feingold's damning assertions.

But of course none of this matters to those who are already victims of a regime that sees the U.S. as obsessed with the prize of Khartoum-generated counter-terrorism intelligence. None of this matters to people who are uprooted, unprotected, and without humanitarian resources. Precisely because the regime allows no journalists, human rights monitors, or humanitarians into these highly threatened areas, we are left only with only broadly informed estimates, or evidence that is based on news accounts or accounts that come anecdotally from embedded or fleeing Sudanese civilians. But there are a number of credible estimates and a great deal of such reportage, some from intrepid journalists who have made it to the Kauda area of the Nuba Mountains and to Kurmuk, which is the southern Blue Nile stronghold of the northern indigenous rebel force (formerly allied with the rebel movement that secured Southern independence): the Sudan People's Liberation Army/Movement-North (SPLA/M-N). There are even a [few courageous humanitarians who have refused to withdraw from these regions](#), and have reported in excruciating detail on what they have seen.

## **Consequences of Inaction**

The possibility and immense danger of a military response by Khartoum in South Kordofan and Blue Nile had been conspicuous for quite some time before the assaults actually occurred, as had the invasion of Abyei. And yet no international actor of consequence spoke out in meaningful fashion; here the U.S. has plenty of company in failing miserably to anticipate the present violence, and the entirely predictable humanitarian crises that have come in its wake. Khartoum was not warned seriously against initiating the clearly impending assaults on South Kordofan (June 5) and Blue Nile (September 1); rather, the regime took its cue from the muted diplomacy of perfunctory exhortations and glib "expectations." Following the brutal military seizure of the disputed Abyei region (May 20), the regime in Khartoum

understood there was no serious commitment to halt their military endeavors. The Obama administration, as represented by special envoy Lyman, seemed clearly willing to let Khartoum have its way in the North, so long as some terms of the CPA continue to be observed as South Sudan struggled into nationhood.

Just as a senior administration official declared that genocide in [Darfur had been “de-coupled”](#) from the key issue in bilateral relations between Khartoum and Washington (i.e., Khartoum’s continuing presence on the U.S. State Department list of terrorism-sponsoring nations), so atrocity crimes and even extermination in northern states, on whatever scale, are apparently insufficient to compel any robust U.S. response or change in policy. Given such decisions, to pretend that we don’t really know what is going on, as Lyman has repeatedly tried to do, is a nasty bit of political expediency.

Dispatches with datelines in the Nuba Mountains and Blue Nile have come from a wide range of news organizations. UN investigators, part of the UN peacekeeping mission (UNMIS) with a base in Kadugli, produced their [searing human rights report in late June/early July](#), and it included the following:

Instead of distinguishing between civilians and combatants and accordingly directing their military operations only against military targets, the Sudan Armed Forces and allied paramilitary forces have targeted members and supporters of the SPLM/A, most of whom are Nubans and other dark skinned people.

[This campaign included] aerial bombardments resulting in destruction of property, forced displacement, significant loss of civilian lives, including of women, children and the elderly; abductions; house-to-house searches; arbitrary arrests and detentions; targeted killings; summary executions; reports of mass graves; systematic destruction of dwellings and attacks on churches.

With the reinforcement of Sudan Armed Forces, Central Reserve Police and militia elements, the security situation deteriorated on 7 June, with indiscriminate shelling of Kadugli town apparently targeting densely civilian-inhabited areas.

On 22 June, an UNMIS independent contractor reported witnessing SAF elements fill a mass grave in Al Gardut Locality in Tillo with dead bodies. She reported that SAF elements transported the bodies to the site, dumped them in the grave and using a bulldozer to cover the grave. On 10 June, UNMIS Human Rights interviewed residents from Murta village, outside of Kadugli Town, who stated that they saw fresh

mass graves located in a valley southeast of the Murta bus station near the Kadugli police training centre.

And UNMIS was not the only source for reports of egregious violations of human rights. Many Nuba have reported bombing attacks on civilians since June 5, as well mass slaughter and assaults on humanitarian operations and workers. [Julie Flint in \*The Observer\* \(UK\) \(July 17, 2011\)](#) draws on many years of experience and unimpeachable sources in reporting that:

National staff of international aid organisations have also come under attack. UNMIS cites the case of a young Nuba woman arrested and accused of supporting the SPLM. UNMIS human rights officers saw bruises and scars on her body consistent with her claim to have been beaten with fists, sticks, rubber hoses and electric wires.

Underscoring the need for the “independent and comprehensive investigation” UNMIS recommends, the *Observer* has been told—by a hitherto impeccable source not connected to the SPLM/A—that 410 captured SPLM sympathisers were ordered executed on 10 June by Major-General Ahmad Khamis, one of four senior army officers sent to South Kordofan from Khartoum at the start of the war ....

These are the reports, along with unambiguous [satellite imagery from the Satellite Sentinel Project](#), about which Lyman has continued to express skepticism. Also ignored were [dispatches from a number of journalists who made it to Kauda](#) in July, in the center of the Nuba Mountains. There they reported—often with [accompanying photography](#)—on the horrific human toll taken by relentless aerial attacks on civilian targets. At a crucial time in the agricultural cycle, when the planting and tending of crops was critical, there was instead massive displacement. The people of the Nuba are facing starvation in the near term.

And from Blue Nile we also have many dispatches with a Kurmuk dateline (the town actually straddles the Sudan/Ethiopia border), reporting again on relentless aerial attacks directed against civilian targets.<sup>51</sup> Within days of the September 1 assault, the [African Center for Justice and Peace Studies \(UK\)](#), with excellent sources throughout Sudan, was reporting that, “On 3 September, aircraft continued to bomb SPLM areas. The main water reservoir in Al Damazein was destroyed in the bombardment, possibly in a deliberate attempt to deprive the population of this essential resource. About 75 bodies have been confirmed to be present in the Al Damazein morgue. The hospital has declared an emergency.”

The UN's Integrated Regional Information Networks ([October 17, Kurmuk](#)) makes clear the relationship between the lack of food and aerial bombardment by Antonovs:

Khidir Abusita, the chief of Maiyas village, in Sudan's crisis-hit Blue Nile state, points to a bomb and the shrapnel that ripped through two "tukuls" (conical mud and thatch huts) on 2 October. That day, the Sudan Armed Forces' Antonov bomber planes literally broke apart two families and left the village terrorized by their almost daily appearance. Abusita spoke to IRIN about the damage caused to his village: "The Antonov came here at around midday [on 2 October]; it bombed the place, killing six people, including one child. Among the people who died were two pregnant women."

In one of the affected families, three people died and three are remaining, so we took these three behind the mountain to hide. In this other family, two died and three are remaining. "Another man who was just passing by to visit his neighbours was killed too. They were just farmers. His leg was cut and we tried to take him to hospital but he died." "The other injured man is lying at Kurmuk hospital after the [bomb] cut his feet and stomach." "Yesterday [1 October] there were two Antonovs around the area. They just circled overhead for one hour, so we are very scared." "Most of the people have stayed here, but behind the mountains. We sleep near the river during the day and come back to the village at night." "We just eat from these small, small farms; *we just [grow food] near our houses because this year we haven't been able to go to our farms in the valley to cultivate.*"

"We don't have sugar, we don't have tea, we don't have coffee. Also there is no medicine, people are just depending on the traditional medicine. There are 3,475 people in the village and no one has enough food. We don't know what to do," [said chief Abusita].

Towards the end of September the [UN declared that it was urgent to get food to the people of Blue Nile and South Kordofan](#), even as estimates of numbers of displaced persons and food needs was already inadequate to the realities of human need now apparent. Malik Agar, the elected governor of Blue Nile—and deposed by Khartoum—has [estimated that half Blue Nile's population of 1.2 million is "on the move."](#) And they are on the move at a time that should be given over entirely to harvesting crops planted during the past rainy season. There is no way to verify Malik's estimate, but it would be foolish to ignore the clear indications that hundreds

of thousands of people are now displaced. More than 30,000 have already fled to Ethiopia; many others to neighboring Sennar State. As in South Kordofan, the very rough humanitarian assessments of food availability suggest that massive human starvation may be imminent if access is not granted by the regime. Valerie Amos, the head of UN humanitarian operations—and who in mid-July early [declared that “we do not know whether these is any truth to the grave allegations of human rights abuses”](#) in South Kordofan—found herself obliged to [declare \(August 30\) that](#):

[M]ore than 200,000 people affected by the fighting in South Kordofan faced “potentially catastrophic levels of malnutrition and mortality” because of Khartoum denying access to aid agencies. Also this week, two leading human rights groups said that deadly air raids on civilians in rebel-held areas of the Nuba Mountains may amount to war crimes.

More recently the UN Food and Agricultural Organization (FAO) put the matter more bluntly, if still almost certainly understating, significantly, the scale of human need:

The UN Food and Agriculture Organisation has also launched a \$3.5-million appeal to help *235,000 people on the brink of starvation in Sudan’s embattled southern border region*, because of fighting in Blue Nile and South Kordofan.

The FAO has also indicated in its [October 5 news release](#) that the forecast for food security is exceedingly grim, and that “*next month’s harvest is expected to generally fail.*” “*Next month’s harvest is expected to generally fail ...*” —and there is no international humanitarian presence or access.

What will it take to stop the continuing slide toward catastrophe in South Kordofan and Blue Nile? And what about Darfur, which is no longer mentioned by the U.S. and the Europeans except parenthetically? To make matters worse, both the UN and the African Union are, for different reasons, committed to a representation of Darfur that minimizes ongoing suffering and destruction, and highlights an essentially meaningless (and [potentially counter-productive](#)) agreement that finally emerged in July from the stumbling and increasingly politicized Doha (Qatar) peace talks.

Certainly much was revealed about the future of marginalized regions in northern Sudan with the breakdown of the important framework agreement signed on June 28 by Malik Agar, representing the Sudan People’s Liberation Army/Movement-North, and by presidential advisor Nafi’e Ali Nafi’e of the National Islamic Front/National Congress Party regime. The agreement committed the signatories to seek a

political resolution of the conflict and to begin immediate negotiations for a ceasefire. But the agreement was promptly disowned by President al-Bashir on his return from China (July 1, 2011). More than disowning the agreement, [al-Bashir declared at Friday prayers](#):

“[Al-Bashir] directed the armed forces to continue their military operations in South Kordofan *until a cleansing of the region is over*,” SUNA quoted Bashir as telling worshippers during Friday prayers.

In al-Bashir’s abrupt reneging we saw for the first time the full power of the generals who now dominate the political and security cabal that rules in Khartoum. These military figures, several of them senior cabinet officials, have slowly moved Sudan into what one well-informed source in Khartoum calls the “hour of the soldiers.” In short, there has been a [“creeping military coup,”](#) and some of the generals who are now so powerful appear on a range of lists assembled by UN and other bodies for the prosecution of atrocity crimes by the International Criminal Court (Abdel Rahmin Mohamed Hussein, the current Defense Minister and former Minister of the Interior, is one of 17 named on a confidential annex to a report by the former UN Panel of Experts on Darfur; February 2006). They know their future depends on surviving at all costs, or they will spend the rest of their lives in The Hague.

But there is no apparent recognition of this new political reality in Khartoum by the Obama administration, and special envoy Lyman [simply repeats his glib assessment](#): “there is no military solution to the conflict,” and all the U.S. can do is “promote negotiations.” But it is precisely a military solution to its “new southern problem” that Khartoum is seeking, as al-Bashir’s comments make perfectly clear. And as for negotiations, [the regime is equally blunt](#): “Sudan will never again negotiate ‘under UN supervision’”:

“There will be no negotiation with the SPLM-N because it was the one that started the war” [President al-Bashir] said, adding that ending the state of war in the two states is contingent on the SPLM-N’s acceptance of the elections results in South Kordofan and surrendering its arms to the Sudanese army. “There are no more negotiations or protocols, this is our position,” Al-Bashir declared.<sup>52</sup>

Lyman has made no comment on such intransigence by one of the “negotiating” partners he would have us believe can be accommodated diplomatically. And he no longer pushes for the independent, UN-led human rights investigation he thought

worth proposing in June; now there is a hideously belated focus on humanitarian access, [as the desperate plight of many hundreds of thousands of civilians no longer permits any skepticism](#):

United Special envoy to Sudan Princeton Lyman urged Khartoum to allow “credible” international organizations to reach the border states of South Kordofan and Blue Nile in order to assess the humanitarian situation.

But this plea will be met with the same aggressiveness and truculent defiance that has increasingly become the hallmark of the Khartoum regime. And having pleaded so feebly previously, there is precious little reason to believe that Lyman’s voice will carry any weight now.

It is happening, before our very eyes, if we would only see. Yes, of course there is much that we don’t know; but there is too much that we *do* know for any further delay to be justified: even exceedingly conservative UN estimates for displacement and humanitarian need are more than enough. And do we have any doubt about the authenticity of these narratives from Kurmuk? or the significance of deliberate, continuous aerial attacks on civilians and agricultural livelihoods?

In another hospital bed, 65-year-old Altom Osman is recovering from a deep shrapnel wound in his back and one in his arm after a bomb hit the village of Sali an hour north of Kurmuk. “I was taking some sorghum flour to my wife. We were passing our farm and then the Antonov came immediately and bombed,” Osman whispered. Two hours further north, in Maiyas, village chief Khidir Abusita points to a hole a bomb from an Antonov made that he said killed six people, including 55-year-old Hakuma Yousif and her 20-year-old daughter Soura in their hut. “Yesterday there were two Antonovs and they were circling for an hour. We are very scared...”<sup>53</sup>

[Following Southern] independence in July this year, Maza Soya led her nine children out of a squalid camp in Ethiopia dreaming of a new life back home in Sudan. Last month, however, fighting erupted in Blue Nile state between the northern Sudanese army and fighters allied to the Sudan People’s Liberation Movement (SPLM), the dominant force in the newly independent South Sudan. “Our homes were burnt down to the ground. There were daily air raids on our town,” Soya told Reuters two weeks after fleeing back to Ethiopia’s frontier town of Kurmuk.<sup>54</sup>

Satdam Anima's eyes flicker and weep as the doctor sews up the stump of his left arm, before he rolls back on the hospital bed, one of the latest victims in Sudan's relentless bombing campaign in Blue Nile state. Dr Evan Atar says he has done seven amputations since war broke out between the Sudanese Armed Forces (SAF) and fighters loyal to the SPLM-North in Blue Nile state last month. He has treated more than 600 others for shrapnel wounds. "We are really now running out of supplies. We have been running here and there and crying... But now where to get it from is really an issue," he said.

President Omar al-Bashir has blocked foreign aid agencies from entering Blue Nile and nearby South Kordofan state, where a separate conflict between the army and SPLM-North rebels has raged since June. Kurmuk's is the only hospital between neighbouring Ethiopia and Damazin, the state capital of Blue Nile, which remains under SAF control, and Dr Atar is the only doctor. He says the hospital will run out of vital supplies such as saline solution, cotton and gauze this week if no aid arrives, after using up six months' supplies in one.

A man on the operating table cries out in pain, but Atar says the hospital has no more anaesthetics to give him. Cotton, gauze and saline solution will run out this week if aid does not arrive, he says, adding that six months of supplies have been used up in the past six weeks. "We are running short of everything—drugs, dressings." He feared the hospital would have to buy salt, boil it, and use it to sterilize wounds. "The problem is that there is no way we can get the drugs in here now because of the Antonovs bombing the area, making it very dangerous to fly supplies in from Kenya." Sudan's President Omar al-Bashir will not allow foreign aid agencies inside Blue Nile or the neighbouring state of South Kordofan, where the government has been fighting SPLM-N forces for months.<sup>55</sup>

Atar is the only doctor in Kurmuk, which has the only hospital between state capital Damazin, and neighbouring Ethiopia. Nurse Walid Solomon says 20-year-old soldier Satdam Anima is the seventh amputee victim the hospital has dealt with. He was hit by "the big bullet of the Antonov." Atar, with Solomon's assistance, sews up the stump near the left shoulder, and Satdam's eyes roll in pain. The lack of blood donors mean that the hospital's 24 nurses donate blood to keep patients alive. The aerial bombardment in and around Kurmuk is evident and audible. "In the first war, there was peace in the villages; now they [Antonovs] bomb even the villages—that's the problem; and the in-

creasing accuracy of the bombing is leading to rising patient numbers as the weeks go by,” Atar said.<sup>56</sup>

At the beginning of October, locals say a bomb killed half a dozen people in Maiyes, a village near Ethiopia’s border. Holding a piece of twisted iron shrapnel next to the churned earth around the crater, neighbour Mahmoud Abdanafi Jundi says the village buried the victims’ bodies in one grave. “When the bomb hit, the people in the house over there, three of them were killed. The people who were living here also died. A child over there was also killed,” he said, gesturing to thatched huts that now lie empty.<sup>57</sup>

They fled their village of Sally after a bombing raid. But even in this temporary camp she has not found safety. “I don’t know why the Antonov came and bombed us, but we left our village and came here,” she said. “And after we came here, we found that the Antonov is coming also to this place.” Earlier that day, she narrowly escaped being hit by shrapnel from a bomb dropped in a river bed where villagers were searching for scraps of gold to sell for food. When the bombs hit their target, the results are deadly. A crater in the ground was all that was left of one family’s hut in Maiyes village, about 20 kilometres from the front line. Household possessions, including a child’s shoe, were scattered around. Relatives and neighbours held up twisted pieces of shrapnel, which they said had ripped apart the family of six.

“One of them was pregnant and it cut her stomach,” said Heder Abusita, the village chief. “Rueana Murdis also was killed here with her small kid. And also there is Bushara. He died here in this house. His feet were cut, and his stomach also was cut.”<sup>58</sup>

Huwa Gundi, 21, sits on a sheet outside two makeshift tents near her home village of Sali, where her extended family of eight now live off one meal a day. Cradling her four-month-old baby, Fatma, she says her three other children have died since the start of the conflict in Sudan’s Blue Nile State in early September. “They were sick, and they died; there was no medicine,” Gundi said, adding that Fatma now has diarrhoea and a fever at night. “We heard the voice of the Antonov [plane used by the Sudanese Armed Forces (SAF) for dropping bombs]. We know it well,” she said, referring to the bombing of her village, Sali, which she and her family were forced to abandon. “We don’t have anything to eat; we just go into the bush and then in the old farms we find

some “dura” [sorghum] that is growing and we just make porridge,” she said.<sup>59</sup>

Either the world very soon finds the political will to make clear to Khartoum that there will be intolerable consequences if they proceed with their policies of extermination, or history will record that the U.S and a great many others were willing to accommodate what it knew to be mass human destruction, defined by widespread and systematic atrocity crimes, and do nothing but weakly exhort those responsible to behave better. It will be one of the ugliest chapters in the grim history of the past century.

## The History of Sudan's Third Civil War

First appeared in the *Sudan Tribune*, December 10, 2011

When the history of Sudan's third civil is written, most will judge that the precipitating event was the Khartoum regime's May 21 military seizure of the contested border area of Abyei. And it will be a *terminus a quo* in some ways similar to [the Bor Mutiny of May 1983](#) that began twenty-two years of unfathomably destructive civil war, and which came to an end only with the 2005 "Comprehensive Peace Agreement" (CPA). Abyei is as deeply embedded in the history of South Sudan as the Bor Mutiny was twenty-eight years ago—an uprising in the Jonglei State town that ironically Colonel John Garang was sent to quell by then-President Jaafer Nimeiri (Garang had, in fact, done much to prepare the groundwork for the mutiny).

The largest significance of the mutiny lay in the fact that it marked Garang's emergence as the rebellion's charismatic and visionary leader for more than two decades. Eventually he would see his military and diplomatic efforts crowned with a peace agreement that, if upheld, offered as much as any negotiations with the Khartoum regime could reasonably yield. Indeed, many of the most ruthlessly brutal figures in the National Islamic Front/National Congress Party regime and its military establishment felt that too much had been offered. And many observers, including this one, felt that only with the most robust of efforts to see the agreement implemented could future war be avoided. This included implementation of the CPA's critical Abyei Protocol.

The Bush administration, which can rightly claim the CPA as a signature foreign policy achievement, squandered its diplomatic triumph with an unforgiveable failure to follow through with a vigorous commitment to implementation. During a six-year "interim period" the evident conviction was that either the people of the South would vote to stay unified with the North—an absurd delusion, even at the time—or that some sort of vaguely satisfactory resolution of "outstanding issues" could be fashioned, including resolution of the festering Abyei crisis. None of this casual optimism proved warranted, and when the Obama administration finally became engaged on Sudan in early 2009, time was running exceedingly short: national elections were scheduled for the following year—and would prove a predictable electoral travesty—and the Southern self-determination referendum was scheduled for January 9, 2011, with an inevitable vote for secession determining that July 9, 2011 would be the date for independence.

I have written frequently and at length about the [incompetence of Obama administration policies in Sudan](#) during past two and a half years, and in particular

about the manifest foolishness and ignorance of [Obama's special envoy for Sudan, retired Air Force Major-General Scott Gration](#). Of the many administration failures, however, none will prove as consequential as the crude attempt to side-step the Abyei issue, which was also scheduled, per the terms of the CPA, to hold a self-determination referendum in January 2011. Beginning in fall 2010 a series of *ad hoc* and expedient measures were taken by the administration to ensure that the Southern self-determination referendum took place as scheduled, since it was obvious even to the Obama people that a failure of this referendum would ensure renewed North/South war. This expediency included ["de-coupling" Darfur](#) from the central negotiating issues defining U.S. engagement with Khartoum.

In the process, the Obama administration abandoned any meaningful commitment to the Abyei Protocol in the CPA, a key provision that was perhaps the most contentious of all issues resolved during final negotiations in Naivasha, Kenya in 2004. The Protocol represented a compromise for both sides, but it guaranteed the "residents" of Abyei a self-determination referendum, based on an Abyei geographically defined by the Abyei Boundaries Commission (ABC) stipulated in the Protocol. In July 2005 the ABC—distinguished students of Sudan, chosen by both sides—submitted its report to regime president Omar al-Bashir, who promptly declared he would not accept it, despite the commitment embodied in the CPA. After the regime's regular and militia forces largely destroyed Abyei town in May 2008, the Government of South Sudan agreed to "final and binding" arbitration by the Permanent Court of Arbitration in The Hague; for it was clear to the southern leadership that the international community would offer no other help in resolving the issue. The findings of the PCA, more favorable in several respects to Khartoum than to the South, were released in July 2009. Even so, it was not long before Khartoum would yet again renege, even on this "final and binding" resolution of the Abyei dispute.

In fall 2010 Obama administration officials, as well as Senator John Kerry, finally grasped the urgency of the looming Abyei crisis, given Khartoum's avowed refusal to permit a self-determination referendum that did not include the migratory Misseriya Arabs, who grazed their cattle seasonally in Abyei. This was the first and only time that Misseriya "residency" in Abyei had been raised as an issue. Khartoum's factitious commitment to this enlarged "enfranchisement" was clearly a ploy, but one the Obama administration fell for. Senior officials, including Hillary Clinton as well as special envoy Gration, pressured both sides to "compromise" further on the terms of a "final" Abyei settlement, as if there had been no compromise in the original Protocol or in the finding of the PCA. Kerry, in a moment of unforgiveable ignorance—on many counts—declared that the North/South peace agreement [shouldn't be held hostage to a "few hundred square miles" of territory](#)

(in fact, Abyei is only slightly smaller than the state of Connecticut). U.S. expediency, and the failure to understand the historic significance of Abyei to the South, was being broadcast in ways that made it impossible for Khartoum to miss. (Sudan historian Douglas Johnson has offered an [incisive critique of American diplomatic malfeasance](#) in responding to the Abyei crisis.)

[Beginning in January 2011](#) military activities by Khartoum's regular Sudan Armed Forces (SAF) and its Misseriya militia allies increased in and around Abyei, and tensions built steadily, despite two nominal agreements about grazing rights for Misseriya herders. From February through March, the regime's regular forces deployed with increasing strategic purpose in the Abyei region, and by late March the military seizure of Abyei itself was simply a matter of deciding when to use these forces. This was all established beyond any reasonable doubt by [satellite photography from the Satellite Sentinel Project](#), which had been following these deployments for many weeks. Even more ominously, during roughly the same interval, a "[creeping military coup](#)" was occurring in Khartoum, a political assessment now almost universally shared. This fundamentally changed the risk/reward calculus governing decisions about war and peace. And guided by this calculus, the regime hardliners and military strongmen made a decision to use an accidental fire-fight between the southern Sudan People's Liberation Army (SPLA) and Khartoum's SAF (May 19) as pretext for invasion; and given the deployments of the preceding two months, it was hardly surprising that it took only two days to seize all of Abyei and in the process drive more than 100,000 indigenous Dinka Ngok into South Sudan, where they remain today with vastly inadequate humanitarian resources.

The new U.S. special envoy for Sudan, Princeton Lyman, had quickly accepted the UN assessment of responsibility for the incident that would trigger Khartoum's military seizure; this assessment had been almost immediately [rendered by UN special representative for Sudan Haile Menkerios solely on the basis of interviews with two senior SAF officers](#). It is difficult to imagine a more irresponsible decision under the circumstances, and strongly suggests that the UN was more intent on appeasing Khartoum than accurately assigning responsibility. But once the U.S. had accepted Menkerios' assessment, Khartoum's generals had their *casus belli* and the military seizure of Abyei was ordered.

Menkerios seemed to ignore the fact that much violence instigated and supported by Khartoum had preceded this military seizure, including the destruction of Maker Abior, Todach, and Tajalei villages; and certainly the memories of the razing of Abyei town in 2008 were still strong. The Dinka Ngok were poised for flight. Carrying what little they could, they fled to Agok in South Sudan (where they were again attacked by the SAF) and some as far as Turelei. By May 29 it was clear that Khartoum had destroyed the key Banton Bridge, linking Abyei to the South. Most

of Abyei had again been razed, and a [UN investigation concluded that there was evidence of “ethnic cleansing.”](#) Some human rights experts went so far as to say Khartoum’s actions were [evidence of crimes against humanity](#). Fear continued to sweep through Agok, the closest town in South Sudan to Abyei, and thousands fled even further south and west. These people have no intention of returning until their security can be guaranteed, a highly unlikely prospect. Regime president al-Bashir has [unambiguously declared](#) Abyei to be part of the North, and that his military will not withdraw.

A UN peacekeeping force of Ethiopian troops has belatedly, and only partially, deployed to the region; but in renegeing on yet another agreement, Khartoum has all too predictably declared—in violation of the letter and spirit of the peacekeeping agreement—that it will not withdraw its forces until the entire Ethiopian brigade has deployed—in other words, no time soon, if ever. The Abyei issue has been settled; Khartoum has created, militarily, a *fait accompli* and the international community seems unprepared to insist on any withdrawal or surrender of *de facto* military control. [Indeed, Khartoum has declared as much](#), and the lesson of international irresolution on Abyei that has not been lost on the increasingly militarized regime.

Initially, some observers saw in Khartoum’s military seizure of Abyei an effort to grab easy leverage in negotiations with the South on other issues, including the 20 percent of the North/South border that remains undelineated, oil revenue-sharing (now at the center of rapidly intensifying economic warfare), the status of southerners in the North, as well as security arrangements and other issues. [But as I argued at the time](#), given the evidence that was coming from South Kordofan, the concern was not how Khartoum would bargain with Abyei, but how it would extend its military aggression. In the event, on June 5—two weeks after the seizure of Abyei and more than a month before southern independence (July 9)—Khartoum’s SAF and Arab militia allies began a large, well-prepared military campaign in South Kordofan, again using a contrived military event as pretext. But the extent of the planning and the purpose of the military actions were clear from the beginning—including a pre-positioning of body bags and tarps for use in the mass gravesites that would soon appear. The targets were members of the SPLA-North, and more generally the Nuba people, African tribal groups who are the predominant population in South Kordofan. Large-scale ethnically-targeted human destruction was established by numerous eyewitness reports, including many in a [confidential \(though leaked\) UN human rights report](#) (July 3, 2011).

Like Blue Nile—which would be militarily attacked on a broad basis beginning September 1—South Kordofan is a border state that colonial borders have placed in the North. But much of the last civil war was fought in the Nuba Mountains, as well as in southern Blue Nile; some 30,000-40,000 of the best SPLA troops are

from South Kordofan and Blue Nile, and are determined to protect their families and homelands. The need for such protection became especially clear with the engineered election of Ahmed Haroun as governor of South Kordofan in May 2011, [results irresponsibly and foolishly ratified by the Carter Center \(Atlanta\)](#). Khartoum wanted Haroun as governor so that he could continue with the activities that he had energetically engaged in during the early years of the Darfur genocide—activities for which he has been indicted by the International Criminal Court on dozens of counts of crimes against humanity and war crimes. Khartoum would not let Haroun lose, and he in turn would not let down his bosses.

[I have described extensively the genocidal onslaught](#) that quickly gathered pace in Kadugli and the Nuba Mountains of South Kordofan, where hundreds of thousands of Nuba people have been forced to flee their homes in the face of constant aerial bombardment and who are denied *all* international humanitarian assistance. To date there has been no meaningful international discussion of the need to create, on an urgent basis, cross-border humanitarian corridors into South Kordofan and Blue Nile, and to do so by all means necessary. We have no idea of the death toll, but it will soon be staggering, given the massive disruption of the planting season caused by Khartoum's relentless bombing campaign and the absence of any food supplies from any aid organizations. People, already severely malnourished, will starve in large numbers in two to three months according to the assessment of one seasoned humanitarian worker who very recently made the dangerous journey into South Kordofan. Moreover, news from the ground in recent days makes clear that Khartoum's dry season offensive has begun: the SAF can make use of its tracked vehicles, including tanks and heavy artillery carriers, and is doing so on several fronts.

Although the regime of course permits no journalists or human rights monitors into any of the three contested regions, we now have reports from intrepid journalists who have made it into the Nuba Mountains, into Kurmuk in southern Blue Nile, as well as the testimony of the many tens of thousands who have fled to the South and to Ethiopia. [Amnesty International has very recently issued a terrifying account](#) of the bombing of civilians in Blue Nile. The effects of such bombing are inevitable: the UN estimates that the number of refugees from South Kordofan and Blue Nile [will reach 100,000 by the end of the year](#). But given the [violent pace of displacement, this seems far too optimistic](#), and in any event it will be a figure that must be added to the more than 100,000 Dinka Ngok civilians who cannot return to Abyei because of a continuing SAF presence.

When all too predictably war extended into Blue Nile—with a repeat of widespread, indiscriminate bombing—the fall harvest (late October through November) was almost completely disrupted. The [UN Food and Agriculture Organization](#)

(FAO) is now predicting that the harvest will “fail.” And still there is no planning for or even discussion of cross-border humanitarian corridors that are—*now*—desperately needed. The town of Kurmuk, the last significant bastion of the SPLA-North in Blue Nile, was captured on November 3, sending tens of thousands of additional civilians into Ethiopia; a much greater number have been displaced since September 1, almost certainly numbering in the hundreds of thousands; [a great many of these people are already severely malnourished and vulnerable to disease](#). And further violence in the area seems inevitable: the Satellite Sentinel Project has revealed [photographic evidence of Khartoum’s immediate military extension of the airfield near Kurmuk](#), as well as the construction of helipads for military helicopters, both gunships and troop-carrying aircraft. Kurmuk lies only 40 miles from the border with South Sudan, and its Antonov bombers can now reach the capital of South Sudan, Juba.

It would be difficult to overstate the scale and number of policy failures represented by the present situation, which is defined by conflict that rages on three fronts (including Darfur), and which may spread to a fourth, as the [eastern region of Sudan is also poised to explode in discontent](#). The assaults on civilians in Blue Nile, South Kordofan, and the displacement of the virtually the entire Dinka Ngok population from Abyei have together come perilously close to compelling action by the military forces of the South. And yet despite this growing danger, threatening millions of people in the bordering countries as well as in the two Sudans, Khartoum faces no consequences for its most egregious acts of violence and most vicious atrocities. On November 10, for example, the [refugee camp at Yida was bombed](#); Yida is well inside southern Unity State, and has been home to more than 20,000 refugees from neighboring South Kordofan. Four bombs were dropped, and three exploded, though with no casualties; but the fourth landed immediately outside a school where some 200 students were gathered. Casualties would have been horrific if the bomb had detonated. All humanitarian personnel have now been evacuated, and a population that made the desperate trek from South Kordofan to Yida is utterly bereft. Only the strongest will make it to new locations further inside South Sudan.

What was Khartoum’s response to the Yida bombing, witnessed by personnel from the humanitarian organization Samaritan’s Purse, by reporters from the BBC and Reuters, and others? The regime’s ambassador to the UN denies the bombing ever took place, [calling all accusations of such an event “fabrications.”](#) Meanwhile, war-time propaganda aggressively spews from the regime’s variously controlled media in unprecedented quantity.

There have been [numerous other bombing attacks on territory of the now sovereign nation of South Sudan](#), going back over a year, and they show no sign of

abating; there have also been numerous cross-border ground incursions by the SAF and its militia allies. [Very recent fighting in the Jau region](#), on a contested section of the border between South Kordofan and oil-rich Unity State, has been intense and may well prove to be the tipping point, as a major military clash appears to be imminent. Speaking of the fighting near Jau, Nhial Deng Nhial, the foreign minister of South Sudan, declared on December 8 that [the North and South were on the “brink of war”](#) because of Khartoum’s assault on this Dinka region. Khartoum is also clearly supporting—with arms and logistics—the worst of the renegade militia forces operating in South Sudan, encouraging them to attack civilians, to destabilize the region, and to tie down SPLA forces. The Small Arms Survey (Geneva) [has provided compelling evidence](#) of extensive arms shipments—overwhelmingly of Chinese manufacture—that can only have originated in Khartoum. These same renegade militias are actively engaged in laying anti-tank mines designed to restrict or paralyze humanitarian operations and to control civilian movement. It is the most brutally indiscriminate form of warfare.

Given these actions and provocations, it becomes increasingly difficult for the leadership in Juba to watch as their former brothers-in-arms, and their families, are hunted like animals, bombed indiscriminately, and denied *all* international humanitarian relief. Given the failures of the international community—including the UN, the AU, and actors such as the EU and the U.S.—Juba will inevitably conclude that the South is on its own in this newest round of war, as it has long known it would likely be, despite the support at the time for the Security Protocol of the CPA.

### **Continuities**

Journalism is supposedly the first draft of history; but in the border regions of Sudan we have more than a first draft: we have a ghastly reprise of the conduct of war that has defined Khartoum’s brutal military control of its restless peripheries for decades. We have as well a reprise of the shameless mendacity with which this regime speaks to the international community, a mendacity that goes almost entirely unchallenged. And as in Darfur—and the Nuba Mountains in the 1990s—we have the supremely callous denial of international humanitarian assistance to many hundreds of thousands of desperately vulnerable civilians—children, women, the elderly, and the infirm. Moreover, just as the regime has turned Darfur into a “black box,” from which exceedingly few honest accounts emerge, including from the UN, so Blue Nile, South Kordofan, and Abyei are becoming steadily less visible.

The mutiny in Bor in 1983 of course had many antecedents and causes (including a previous civil war, 1955-1972); the military seizure of Abyei in May 2011 is also an event with a highly complex historical context. But if we wish to trace

the trajectory of growing civil war in Sudan, Abyei marks the point at which an apparently irreversible move to greater and greater conflict was reached. In turn, the failure to address the issues that made Abyei such a conspicuous flashpoint will define the Obama administration's "losing of the peace" in Sudan; and it will be a failure that may well prove even more destructive of human life than the misguided U.S. intervention in Iraq under former President Bush.

Despite protestations, remembrances, and various declarations of resolve, Rwanda continues to stand as a grim reminder of the degree to which inaction and merely standing by can be as immoral as the unreasonable and illegitimate exercise of military power. In Sudan, Darfur marked the failure of President Bush during his "Rwanda moment"; and now the border regions of Sudan appear to be marking the failure of President Obama during his own "Rwanda moment." And absent a firm commitment to securing humanitarian corridors into Blue Nile and South Kordofan, by all means necessary, his administration will preside over civilian deaths from disease and starvation that may well number in the hundreds of thousands.

## Notes

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PHOTOGRAPHS FROM THE NUBA MOUNTAINS, 2003

A people and a way of life that is deeply endangered by Khartoum's ongoing campaign of agricultural destruction and civilian extermination



*Eric Reeves, Water bore-hole in Kwere, Nuba Mountains, 2003*



*Kauda Valley, Nuba Mountains, 2003*



*Woman and child, Kauda Valley, Nuba Mountains, 2003*



*Women, Kauda Valley, Nuba Mountains, 2003*



*Tukuls on hillside, Kauda Valley, Nuba Mountains, 2003*



*Woman, Kauda Valley, Nuba Mountains, 2003*



*Boy in Kauda Valley, 2003*



*Happy children, Kauda Valley, Nuba Mountains, 2003*

THERE ARE NO SUCH HAPPY SCENES TO BE PHOTOGRAPHED TODAY



*Photography credit: Enough Project*

UM BARTUMBU GRINDING MILL IN THE NUBA MOUNTAINS (JUNE 16, 2012)  
Um Bartumbu, South Kordofan was the site of one of the most destructive of recent military actions against civilian life in the Nuba Mountains.



*Photography credit: Enough Project*

### SATELLITE SENTINEL PROJECT (I6 FIG. 1): POTENTIAL MASS GRAVES AT TILO

Images taken 6/17/11 and 7/4/11, shown side-by-side for comparison. (DigitalGlobe)  
The three excavated areas positively identified by imagery analysis, independent of eyewitness reports, corroborate allegations by two eyewitnesses of potential mass graves south of the Tilo School in Kadugli.

Eyewitness account confirmed the existence of numerous mass gravesite in and around Kadugli (capital of South Kordofan) after Khartoum launched its broad military offensive on June 5, 2011. Despite skepticism from U.S. and UN officials about the reality of atrocity crimes in South Kordofan, and the Nuba Mountains in particular, all evidence available—including a leaked UN human rights report developed on the ground in June 2011—makes clear that these crimes did occur, including mass destruction of Nuba civilians—ER



*Photography credit: Eyes and Ears of the Nuba*

LIFE AS IT IS LIVED IN THE NUBA MOUNTAINS (SUMMER 2011)  
RELENTLESS AERIAL BOMBARDMENT....



*Photography credit: Eyes and Ears of the Nuba*

### LIVING IN CAVES IN THE NUBA MOUNTAINS, SUMMER 2011

To venture out in the fields, to gather water or possessions, or to engage in any activity away from the cave is to risk being caught out in the open during a bombing attack.



*Photography credit: unknown*

LIFE IN CAVES — HOW CHILDREN ARE COMING  
TO KNOW THE WORLD IN THE NUBA



*Photography credit: Eyes and Ears of the Nuba*

LIFE IN THE NUBA MOUNTAINS AS ANTONOV BOMBERS FLY OVERHEAD,  
SUMMER 2011



*Photography credit: unknown*

LIFE IN CAVES IS AN APPALLING WAY FOR NUBA TO LIVE, AND THEY HATE SUCH AN EXISTENCE; IT DOES PROVIDE SECURITY FROM AERIAL ATTACKS.



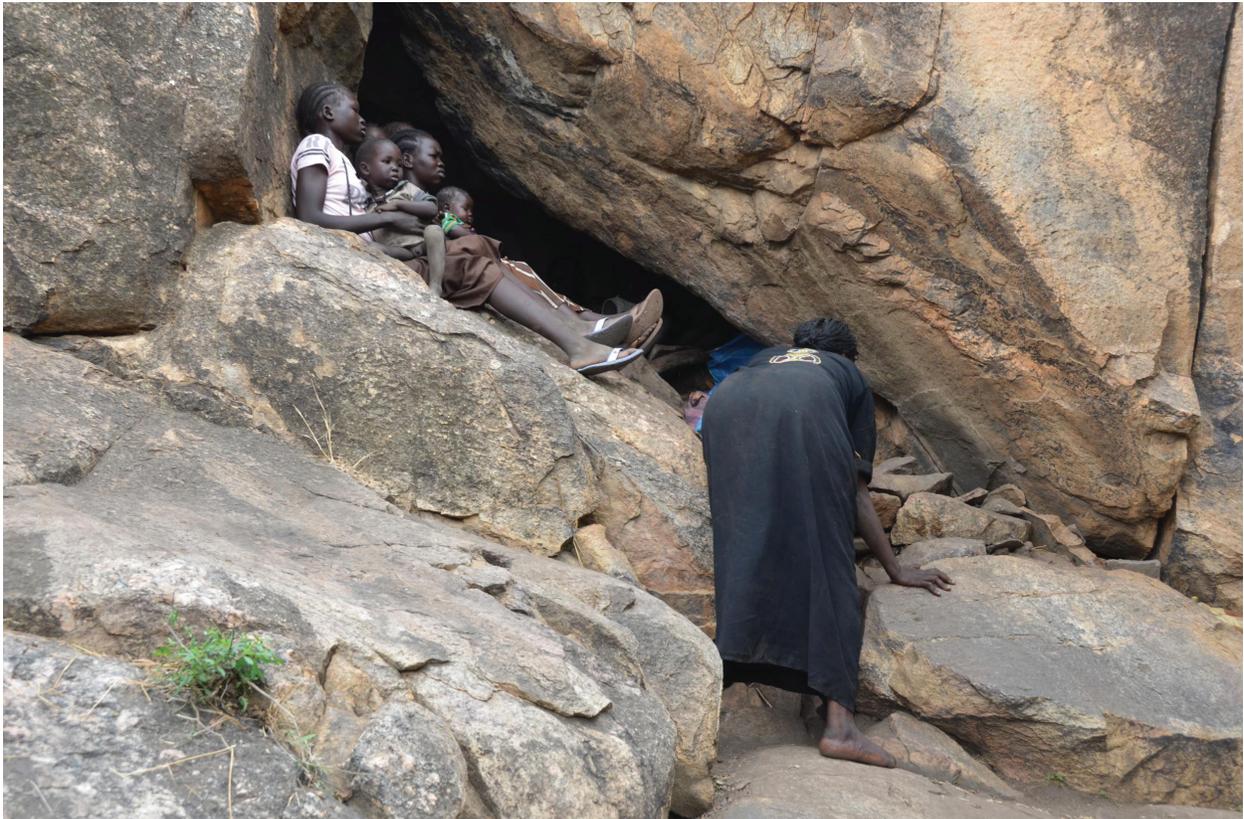
*Photography credit: unknown*

Many are dying and being maimed by relentless attacks by Khartoum’s military aircraft, including the notorious Antonov “bombers”



*Photography credit: Eyes and Ears of the Nuba*

Many more, such as these Nuba children, are slowly starving to death (August 2011)



*Photography credit: confidential source, Nuba Mountains*

The threat of aerial attack, which began in June 2011, continues to the present



*Photography credit: Eyes and Ears of the Nuba*

### BIBLE SCHOOL IN HEIBAN, SOUTH KORDOFAN BOMBED BY SUDAN ARMED FORCES

While Antonov “bombers” are not nearly accurate enough to be militarily threatening, they are immensely destructive of civilian structures, including schools, hospitals, refugee camps—and churches. Many bombs miss even these targets, but only one hit is necessary for these “soft” targets.



*Photography credit: Eyes and Ears of the Nuba*

Former students at the destroyed Heiban Bible school



*Photography and copy credit: Eyes and Ears of the Nuba*

### “MATCH BATTALION” MEMBER TORCHES VILLAGE (MARCH 2012)

A member of the “Match Battalion” carries a torch through Um Bartumbu village. This “screen-grab” was captured from a video reportedly found on the body of a Popular Defense Force militia member in the Jebel Toma area on March 2012 and released to the public on NubaReports.org, June 12, 2012.

This is part of a concerted campaign to destroy remaining foodstocks and agricultural means of survival in the Nuba Mountains—ER



*Photography credit: Eyes and Ears of the Nuba*

**THE PEOPLE OF THE NUBA WILL NOT ALLOW THEMSELVES TO BE EXTERMINATED BY KHARTOUM.**

These people faced a horrific campaign of genocidal destruction in the 1990s and barely survived. They feel that they are fighting for their lands and their way of life now; they will not be defeated militarily.