

**United Nations Mission in Sudan (UNMIS) - Human Rights Section****UPDATE ON THE ATTACK AND OCCUPATION OF ABYEI BY SAF*****NOT FOR PUBLIC CITATION OR DISTRIBUTION***

1, On 19 May, a Sudanese Armed Forces (SAF) Joint Integrated Units (JIU) convoy escorted by the UN came under attack in the area of Dokura allegedly by the SPLA, killing two SAF soldiers. One of the UNMIS trucks was hit and it later exploded. Following the incident, the SAF started bombing and shelling SPLA positions in Todach, Tajalei, Noong, Leu, Makir Abior, Awolnom and Marial Achack, as well as attempts to blow up the Banton Bridge on River Kiir. UNMIS Human Rights has not received reports of civilian casualties from these aerial bombardments as these areas are alleged to have been deserted since the PDF attack on 02 March 2011.

2. On May 21, when news began to spread that an attack on Abyei was imminent the Ngok Dinkas residents began to move out of Abyei en masse. Information gathered indicates that armed youths remained in the town and took positions in strategic areas. The number of civilians who also remained in is not clear. A UNMIS civilian team that drove round the town 45 minutes before the tank shell landed found a lot of unarmed civilians including women and children close to the UNMIS camp. The attack might have taken them by surprise. UNMIS Human Rights interviewed eleven of the 22 civilians who sought refuge in the UNMIS camp during the attack and they confirm that a number of civilians did remain in Abyei, some in their tokuls and others in the Abyei Market. Information gathered also indicates that some residents did not take the rumors very seriously.¹ Hence there is reason to believe that there may have been a significant number of armed Ngok Dinka youths and civilian residents in Abyei town at the time of the SAF attacks.

3. On the night of 21 May 2011, SAF attacked and took control of Abyei, amidst artillery shelling, armored tank firing, mortar shelling, and machine gun fire.² There was heavy fighting, especially around UNMIS compound, presumably between the SAF and South Sudan Police Services (SSPS) and possibly armed Ngok youths. UNMIS was accidentally shelled five times. Four of the shells exploded resulting in minor injuries to 2 Egyptian TCC soldiers and the destruction of one UNWFP vehicle. It took a direct hit and burned.

¹ A student interviewed stated that she heard from neighbors on Saturday that Arabs were coming south. Some people were already leaving. She wanted to leave too but her grandfather told her she would be safe. At about 5 PM she left to the neighborhood. She returned around 8PM to her home having heard intense firing only to find that her compound was deserted. She rushed to pick clothes in the house and to run. As she came out she was arrested by uniformed personnel together with another girl who was also left behind. As the uniformed personnel looked for more people, the duo attempted to run and escape. She was shot in the right ankle.”

² See the report of the FC on his visit to Abyei, May 22.

4. On the morning of May 22, northern aligned armed PDF and Misseriya militia elements from Goli, Alal and surrounding Abyei areas moved into Abyei and according to information gathered, they began moving from tukul to tukul, and allegedly killed residents trapped therein, mostly Ngok Dinkas. An elderly woman who took refuge in the UN camp, in an interview, stated that her 37 year son old was murdered in her presence. She also said that she saw some disabled persons being killed. Another woman also sheltered at UNMIS claimed that she was raped. (Confidential medical reports from the doctors who treated her are available) UNMIS staff interviewed, confirmed that heavy machine and small arms shooting were heard during the morning hours of May 22.

5. For nearly 4 days after the attack and occupation by SAF, UNMIS personnel were not allowed to enter Abyei town to assess what transpired. On 22 May, the FC attempted to patrol the town. The SAF commander raised strong security concerns stating that he could not guarantee the safety of the FC and his team as SAF was yet to take full control of the area. Therefore, after a short drive, the movement was aborted³ and the patrol turned back just outside the camp. It was 23 May when the UNMIS DFC and his team accompanied the SAF Commander of the Abyei operations, Brig Gen Azdeen Osman SAF to patrol the town to see the actual situation on the ground.

6. Following this joint patrol on 23 May, a number of patrols have now taken place, all of which have been limited, however, either to staff embedded in armored vehicles (APC) patrolling the main streets of Abyei (with no permission to stop or to get out into the town and inspect the community); or to aerial patrols using UN Helicopters. Human Rights staffs have participated in both the ground armored patrols and aerial patrols.

7. From the aerial and ground patrols, interviews conducted, review of reports from other sources in the UN and Humanitarian Agencies, UNMIS Human Rights finds that

7.1 **Abyei is virtually empty and deserted.** All the humanitarian organizations have pulled out of Abyei. Over 30,000 residents, mostly Ngok Dinkas fled Abyei towards Agok through the Banton Bridge. Owing to increased presence of the SAF along the bridge, these IDPS have moved further South through the Warrab and Aweil States corridors.

7.2 **A number of the Abyei residents were killed** during the attack as evidenced by dead bodies that were seen lying around in Abyei by UNMIS.

7.3 **Large numbers of armed Misseriya Militia entered Abyei** following the SAF attack and occupation. They are still in Abyei ostensibly with the consent of SAF.

³ Ibid

- 7.4 **Many houses and tukuls have been razed.** Some houses are still burning. It is estimated that between 15-20 % of house in Abyei town have been completely burned including government buildings. The Abyei market and all the shops have been razed. This is said to be more now.
- 7.5 **Massive looting has taken place by the SAF and the Misseriya.** All the tukuls and houses have been completely looted. The Abyei market and all the shops have been looted and burned. The WFP and UNICEF warehouse, which were fully stocked before the SAF attack, as well as the MSF, AECOM and Humanitarian Affairs compounds have also been completely plundered. The looting in Abyei town is continuing. Five days after the occupation, hundreds of young Misseriya armed with AK 47 rifles in civilian clothes were still observed taking every thing they could lay hands on including furniture, cooking sets, sorghum bags, and beds from Abyei. UNMIS Human Rights saw women with their infants and teenagers among the looters and gathering the loot along the roads. Piles of looted items and sacks of WFP bags on the sides of the road were also noted awaiting transportation. Trucks were seen loading the looted goods and moving around the town to carry more. Some of the SAF elements wearing green military uniform were seen looting side by side with the Misseriya armed militia. The latest report we have is that SAF have distributed WFP food stocks among the Misseriya clan leaders. The commander had initially agreed that UNMIS will transport the remaining stock to UNMIS compound.
- 7.6 **On May 26, the SAF blew up the Banton Bridge** on River Kiir, thus effectively cutting road linkage between Abyei and Agok. The SAF commander confirmed to UNMIS that he had destroyed the Banton Bridge on 27 May.
- 7.7 **The UNMIS Safe Haven,** established as part of the strategy for the protection of civilians to provide protection for up to 1500 persons, was not activated and hence was not used by the residents of Abyei, especially the sick, elderly, and women when the town was under threat of imminent attack. The residents, including the sick and elderly, left Abyei and embarked upon the 42 mile journey towards toward Agok. The residents fled, perhaps fearing that UNMIS did not have enough troops to protect them from the Misseriya and PDF elements.
- 7.8 **Twenty two civilians took refuge in the UNMIS Abyei compound.** On May 27, eighteen of them were relocated by air to Tularei and handed over to MSF. Four others are still in UNMIS compound, two of whom are undergoing medical treatment. Three of the remaining four, including a woman who

was admitted and treated at the UNMIS clinic were airlifted to Turalei on 29 May. The remaining woman has requested to be transported to Khartoum to link up with family members in Port Sudan.

- 7.9 As at May 27, six days after the incident, no food distribution has been done since tracking is still ongoing. Thus far, 29,000 IDPs have been tracked and food distribution commenced on 28 May. The 22 IDPs from Abyei who were taken to Tularei by UNMIS were received by OCHA, WFP, UNHCR, IOM and MSF (France)

Observations:

1. *The SAF attack and occupation of Abyei and the resultant displacement of over 30,000 Ngok Dinkas from Abyei is tantamount to **ethnic cleansing**⁴. By destroying their homes, looting their properties and inspiring fear and terror, over 30,000 Ngok Dinkas have been forcefully displaced from their ancestral homes, leaving the Abyei area now more or less homogenously occupied by the Misseriya. With their homes destroyed, properties looted, and the military posture by the SAF, the likelihood of all the Ngok Dinkas returning to Abyei is limited. Such a massive movement will therefore have an impact on the future resolution of the Abyei issue, including the referendum. The Government of Sudan must be held accountable for this plan.*
2. *The SAF must withdraw from Abyei. The Government of Sudan must facilitate the return of the Ngok Dinkas to their ancestral homeland immediately, compensate them for the loss of their properties and assets as well as reconstruct their homes.*
3. *The Abyei attack, from all indications is not a retaliatory and offensive action occasioned the attack on the SAF convoy by the SSPS on May 19. Rather, the attack and occupation of Abyei by SAF was part of a deliberate plan by the North conceived long before the Dokura incident as evidenced by the SAF troop build up in the area before the attack. The SSPS attack may only have precipitated the timing.*
4. *The massive plundering, pillaging, and razing of homes, shops and humanitarian facilities in Abyei by SAF and Misseriya militia is a gross violation of international humanitarian law. SAF as the occupying force must be held accountable for the deliberate destruction that has taken place in Abyei.*
5. *The shelling of UNMIS facilities, whether deliberate or unintended is also a violation of International humanitarian law.*
6. *The presence of dead bodies lying on the streets of Abyei indicate that a number of people, including civilians, may have been killed during the attack and*

⁴ **Ethnic cleansing** "is a purposeful policy designed by one ethnic or religious group to remove by violent and terror-inspiring means the civilian population of another ethnic or religious group from certain geographic areas. (Commission of Experts Established Pursuant to [United Nations Security Council Resolution 780](#))

occupation by SAF and this allegation is supported by the interviews conducted of those who took refuge in the UNMIS compound. It is incumbent upon the Government of Sudan to disclose the number of people killed in Abyei during the SAF attack, especially civilian casualties including women and children. SAF must disclose the following:

- *How many SPLA, SSPS, and or Ngok Dinka fighters were killed?*
- *How many civilians were killed?*
- *Where are the bodies of those killed kept so that their families can claim them; and*
- *If those killed have been buried, where were they buried?.*

Answers to the aforesaid questions are necessary for the Government to discharge its sovereign responsibility to protect all its citizens, and to comply with obligations under national and international law.

1. *Since the incident on May 21, UNMIS has been limited to ground patrols in armored personnel carriers on the streets of Abyei without stopping and entering the communities to ascertain the level of the destruction and casualties. UNMIS must request and insist that it conducts a comprehensive assessment of the town with the view to ascertain violations of human rights and international humanitarian law that may have taken place. SAF as the occupying force must provide access to UNMIS in this regard.*

Actions taken

2. *With the flow of IDPs from Abyei to the South, UNMIS Human Rights has strengthened its presence in Wau and Warrab to interview as many IDPs as possible so as to obtain information on the events leading up to and during the attack on Abyei. UNMIS Human rights will remain seized of the matter in Abyei through its Abyei Human Rights Office.*

3. *Meanwhile, UNMIS Human Rights will convey the aforesaid developments in Abyei to the Independent Expert on the situation of Human Rights in the Sudan, who is due to arrive in the Country on May 30, 2011, with the view to conduct an assessment of the situation and to make further recommendations as to actions to be taken.*

*UNMIS Human Rights
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