

PUBLIC REDACTED VERSION
Annex I
[REDACTED] Report

[REDACTED]

- **About This Report**

1. This report by [REDACTED] presents the findings of a survivor-led feminist research exercise conducted with women in [REDACTED] affected by the crimes committed by Ali Muhammad Ali Abd-Al-Rahman ("Ali Kushayb") in Darfur. It documents the ongoing, cumulative, and intergenerational harms experienced by women and girls more than two decades after the attacks, alongside their priorities for reparations.
2. Grounded in the experiences and perspectives of participating women, the report highlights the gendered consequences of violence, displacement, loss, and social disruption, while documenting both immediate and aspirational visions of justice and repair. It identifies participating women's priorities for individual and collective reparations and explores what meaningful recognition, accountability, and healing look like under conditions of continuing displacement and insecurity.
3. This report is read as a qualitative research exercise designed to elevate survivor perspectives rather than as a representative survey of all victims affected by the crimes. Its purpose is to ensure that the voices, priorities, and lived experiences of women survivors inform the design and implementation of gender-responsive, context-sensitive, and survivor-centered reparations measures.

- **Methodology**

4. The findings detailed in this report are based on in-depth, qualitative interviews conducted with women who are currently living in [REDACTED]. The participants in the sample come from [REDACTED], and have all been impacted by Ali Kushayb's crimes. The study centers women's agency, experiences and visions of justice, with the goal of ensuring that women's voices directly inform reparations processes and victim participation mechanisms.
5. In determining the sample group, [REDACTED] relied on a multi-pronged approach to identification, including:
 - a. Membership in a recognized IDP camp was used as a primary gateway for recruitment.
 - b. We conducted event-history screening, using short questions about the time, location, and nature of the events experienced.
 - c. Available documentation such as hospital or NGO records or camp registration data was reviewed when accessible. The ID cards of participants were checked before the interviews.

6. The sample group of interviews included:

Participant	Age (Years)	Year of Displacement / Length of Displacement
P1	Not mentioned	Approximately 22 years of displacement
P2	60	Displaced since 2003
P3	Not mentioned	Displaced since 2003
P4	Not mentioned	Displaced since 2003
P5	31	Displaced since 2003
P6	50	Displaced between 2001–2003
P7	50	Displaced in 2003; arrived at [REDACTED] around 2005
P8	31	Approximately 25 years of displacement
P9	68	Displaced since 2003
P10	26	Displaced since 2003
P11	39	Displaced since 2003
P12	25	Displaced between 2003–2004
P13	Not mentioned	Displaced since 2003
P14	Not mentioned	Displaced since 2003
P15	Not mentioned	Displaced since 2003

7. The broad thematic areas that the interviews addressed were as follows:

- a. How do women (From [REDACTED] who have been affected by the crimes committed by Ali Kushayb) in [REDACTED] describe their experiences of the attacks and associated harms during Ali Kushayb's period?
- b. What are the gendered dimensions of the harms experienced by women and girls in the sample?
- c. How do women prioritize different forms of reparations (individual, collective, rehabilitation, restitution, symbolic, guarantees of non-repetition)?
- d. How do age, displacement status, ethnicity, and disability shape women's experiences of harm and reparations priorities?

- e. How do women define meaningful recognition, justice, and repair under current conflict conditions?
 - f. What barriers do women perceive to achieving reparations?
 - g. How do women envision the role of the community, authorities, and justice institutions in addressing past harms?
 - h. What are the long-term, intergenerational impacts of the crimes on women and their families?
8. Please note that we did not put any temporal limitations on our questions: the women who participated in the study (and [REDACTED]) see Ali Kushayb's crimes as having long-term, intergenerational impacts. Ali Kushayb's crimes contributed to - and in many ways set in motion - the manifold crimes and extreme deprivation that we see in Sudan today. As a result, this report includes impacts from 2003 until the present day.
9. The findings contained in this report are all drawn from the interviews that we conducted, using [REDACTED] researchers on the ground, and translated/ analysed by staff members currently living elsewhere in East Africa. Our participants harboured significant security fears about adducing their evidence directly to the ICC, which is why this report is done by way of summary. [REDACTED] attests to the truth of the matters contained herein, as confirmed in our statement of truth.

● **Introduction**

10. Women in [REDACTED] who survived the violations for which Ali Kushayb was convicted in [REDACTED] do not describe these events as isolated moments of violence that ended once the attacks ceased. Rather, they describe them as an ongoing experience that has reshaped their lives, the lives of their families, and their communities over more than two decades. The attacks were not limited to killings, burning, or direct physical assaults, but extended to the loss of family members through killing and enforced disappearance, separation during displacement, the loss of shelter and livelihoods, and the continued instability even within displacement camps.
11. The testimonies¹ show that many women were forced to flee on foot through open land, valleys, and mountains amid shortages of food and water and the constant fear of pursuit or attack. Some lost children or family members during flight, while others lived for extended periods without stable shelter before reaching the camps. The testimonies further indicate that the effects of violence did not end with the initial displacement, but continued through years of economic vulnerability, dependence on precarious labor or limited humanitarian assistance, deteriorating health and educational conditions, and ongoing security threats within and around the camps.

¹ Testimonies referenced in this report were collected with informed consent under confidentiality protocols administered by [REDACTED] consented to the use of their testimonies and experiences in anonymized form; however, consent to disclose identifying information was not granted beyond the organization. Should the Court express interest in further engagement, [REDACTED] would be able and willing to facilitate contact subject to the agreement of the individuals concerned.

12. The testimonies also reveal the profound impact of conflict-related sexual violence, not only on women and girls who were directly subjected to it, but also on families, communities, and children born as a result of such violence. In several testimonies, the impact of rape persisted for many years through social stigma, health complications, loss of educational and stability opportunities, and the absence of official documentation for children, particularly those born as a result of sexual violence. Women further described how fear, loss, and insecurity became part of an ongoing daily reality rather than a temporary consequence of war.
13. These testimonies demonstrate that the prolonged impact of the violations cannot be understood solely through the number of victims or the nature of the crimes committed, but also through the long-term transformations they produced within family, social, and economic structures. Women in [REDACTED] who were displaced from [REDACTED] and [REDACTED] since 2003 continue to live in unstable conditions and face difficulties accessing food, healthcare, education, and work, while some families continue searching for relatives who disappeared many years ago without knowing their fate.
14. In this context, women articulated different understandings of justice and reparations, often closely tied to basic daily needs as much as to legal accountability. For many of them, discussions of justice and reparations cannot be separated from discussions of food, healthcare, education, housing, safety, and the ability to live with dignity after years of displacement and ongoing violence.

● **Patterns of Violations and Harm Experienced by Women in the Sample**

15. The testimonies of women participating in this sample reveal a widespread and recurring pattern of armed attacks targeting civilian villages and communities in Darfur since 2003, the effects of which continue to the present day. Women described how attacks often occurred at dawn or in the early morning hours while people were engaged in ordinary daily activities or asleep, before villages rapidly transformed into spaces of chaos, killing, and mass flight.
16. One witness recounted that their area [REDACTED] was subjected to a violent attack during which five members of her family were killed directly in front of the house, including her sister's children and her maternal cousins, while two others were abducted and their fate remains unknown to this day. The witness was pregnant during the attack and sustained injuries that caused her to fall and fracture bones, leading to the loss of her pregnancy. She remained for several days without adequate medical care. She also spoke about a young girl from her relatives, approximately nine years old, who was subjected to sexual violence that caused severe health complications and sexually transmitted diseases, which later remained untreated.
17. In another testimony, a woman described how their village in [REDACTED] was attacked in the early morning hours by forces supported by armed elements using horses and vehicles, while aircraft circled overhead and participated in the

bombardment. During the attack, civilians were beaten and shot at; her father was killed, while her brother disappeared along with his two children, and her husband also disappeared without any knowledge of his fate to this day.

18. Accounts of villages being surrounded and civilians attacked collectively appear repeatedly. One woman described an attack that occurred around 4:00 a.m. in 2003, during which the area was completely encircled before civilians were violently assaulted, resulting in the killing of approximately 130 people in the area according to her account, including members of her family. Following the attack, survivors lived for an entire week without food or water, while families searched daily for anything that could help them survive. During these events, one of her relatives was raped, while her uncle disappeared from that time onward.
19. Several testimonies describe displacement as an ongoing experience of violence rather than merely a movement from one place to another. One woman stated that they were forced - in 2003 attacks - to leave their homes without being allowed to take any belongings, saying:

“There was nothing. We left everything behind. You only take your children and leave. There was no time. Even the children, you carry them in your hands and leave. We thank God that at that time the sorghum crops were tall, so we hid among them. Otherwise, they would not have left anyone alive.”²

During flight, families became separated on the roads and civilians were subjected to scattered attacks involving killing, beatings, and detention. Other women described fleeing toward mountains, valleys, and open terrain, moving for days or months under conditions of fear, hunger, and instability.

20. One witness described how their areas were repeatedly attacked in 2003 using motorcycles and aircraft, forcing them into repeated displacement in search of safety. She spoke of an entire life shaped around escape and movement, and the loss of family members through killing and enforced disappearance. Describing this experience, she stated:

“Some people died, and others were taken away and we never found them.”³

21. Women also described how the attacks directly affected family bonds. One witness spoke about her mother dying during the displacement journey after being unable to endure the conditions of flight and the lack of water and food. The witness later spent several months living in the streets before reaching [REDACTED], after which she became responsible for supporting children from her relatives amid poverty and limited resources.

² 68-year-old woman who fled²[REDACTED] during the 2003 attacks. Confidential; see Footnote1.

³ 50-year-old woman with family members who have been missing due to the attacks since 2003. Confidential; see Footnote1.

22. Some testimonies reveal severe levels of physical violence and torture. One woman described being whipped - in 2003 attacks - while attempting to save her husband after he had been tied with ropes. She also described the abduction of her daughter, who was later found after having been raped. She further described how her brother was hung from a tree until he died, while her uncle disappeared from that time onward. During displacement, she said they were forced to dig into ant burrows searching for food in order to survive, stating:

“We used to dig into ant burrows to find food.”⁴

23. Sexual violence appears repeatedly in women’s testimonies, whether through direct experiences or accounts involving family and community members. Some women spoke about relatives being raped during flight or after detention, while others described girls who were raped inside the camps themselves years after displacement. One witness recounted that her daughter was raped inside the camp at the age of thirteen while she was away working, resulting in pregnancy and infection with HIV before her eventual death.
24. Women also described the continuation of suffering after reaching the camps, where fear, violence, and deprivation did not end. Testimonies describe shortages of food, water, and medicine; ongoing threats and attacks during movement or work; and the absence of employment opportunities and adequate humanitarian assistance. One woman stated speaking of the present time:

“Currently, we own nothing. Even the aid is not given to us. Sometimes we find work opportunities and sometimes we do not. The people registering beneficiaries for aid register only those they know. Right now, I depend only on domestic labor and I own nothing. Our current needs are food and water, and we need medicine, because now my relative is very sick and depends on medication. She is currently in the hospital because of childbirth complications that caused her to develop obstetric fistula since Ramadan. Our conditions are extremely difficult. There are no work opportunities. I have sick children, and when we go to work we are attacked on the road. We have no food and no shelter, and the rainy season is approaching.”⁵

25. Some women spoke about being forced to work washing clothes and performing domestic labor in towns in order to provide food for their families, while others described continuing theft and fear within the displacement environment itself.
26. Other testimonies point to the long-term effects of violence, including physical and intellectual disabilities resulting from beatings, displacement, or torture. One of the witnesses said that her father is still struggling with a mental disability that was caused by beatings to his head during the 2003-2004 attacks; she said he still recalls the

⁴ A woman displaced from [REDACTED] in 2003. Confidential; see Footnote 1.

⁵ 68-year-old woman who fled⁵[REDACTED] during the 2003 attacks. Confidential; see Footnote 1.

violations and suddenly screams, ***“The Janjaweed are coming”***⁶ while running around the house. Another participant said that her sister suffered a mental disability ***“lost her mind”***⁷ due to the war in 2003 and still needs care to this day, and her brother and his two sons are missing from 2003 up to this day. In addition to chronic illnesses and complex health conditions within families, some women spoke about children born as a result of sexual violence and the social stigma and verbal abuse faced by both the children and their mothers within the community.

Main Patterns of Violence

27. Killing emerged as one of the most recurring patterns of violations in the testimonies, whether through direct killing during attacks, as a consequence of torture, or as a result of the harsh conditions faced during displacement. The testimonies further indicate that killings were not merely indiscriminate, but at times occurred in front of family members, deepening the psychological and social impact on survivors.
28. Sexual violence also emerges as a recurring and prolonged pattern linked to armed attacks, periods of displacement, and even life inside the camps. The testimonies indicate that the effects of rape were not limited to the immediate moment of violence, but extended to long-term health complications, children born as a result of sexual violence, and continuing social stigma affecting both women and children.
29. Cases of enforced disappearance also appear prominently across the testimonies gathered, with families continuing since 2003 to search for missing relatives without knowing their fate. For example, one woman said that her uncle has been missing since 2003:

‘As of today, we don’t know whether he is alive or dead, whether he was killed or injured, or if he actually died or not, we were never able to bring him justice’.⁸

This prolonged nature of disappearance created an ongoing condition of uncertainty and loss within families. The testimonies further reveal the prevalence of torture and physical violence, including beatings, whipping, suspension, and injuries resulting in permanent disabilities or chronic illnesses.

● **Continuation of Violations After Displacement**

30. The testimonies reveal that arrival at [REDACTED] did not bring an end to the violations. Rather, multiple forms of violence and vulnerability continued within the displacement environment itself. This continuation included insecurity, attacks during movement and work, ongoing sexual violence, shortages of food and medicine, and the absence of basic services. The testimonies also demonstrate that women carried

⁶ 25-year-old woman who was displaced as a child describing what her father says. Confidential; see Footnote 1.

⁷ A woman from [REDACTED] who fled the 2003 attacks. Confidential; see Footnote 1.

⁸ A woman from [REDACTED] who fled the 2003 attacks. Confidential; see Footnote 1.

additional burdens within the camps, including supporting families, engaging in precarious labor, and caring for the sick and children amid limited resources.

31. The violations resulted in widespread disintegration of family and social structures through killing, enforced disappearance, separation during displacement, loss of breadwinners, and the death of family members during prolonged journeys. The testimonies further indicate the intergenerational transmission of violence through children raised in conditions of displacement and ongoing violence, as well as children born as a result of sexual violence and the stigma and marginalization associated with it. The accounts also show how war transformed women's daily lives into an extended struggle of crisis management and survival, where securing food, healthcare, and safety became part of a continuous daily battle lasting many years.

● **Intersections Shaping Different Experiences of Violence**

32. The testimonies reveal that experiences of violence were not uniform, but were shaped through multiple intersecting factors including gender, age, disability, poverty, displacement, and social stigma. Together, these factors rendered certain groups more vulnerable and exposed to prolonged violence and harm than others.

Category	Analysis
Gender	The testimonies indicate that women were subjected to multiple and intersecting forms of violence, including physical assaults, sexual violence, the loss of family members, and the burden of caregiving and providing for families after displacement. Women also frequently became responsible for managing daily life within the camps in the absence, killing, or disappearance of husbands. Sexual violence emerges as one of the most impactful and enduring forms of gender-based violence. Its effects did not remain limited to the survivors themselves but extended to children born as a result of sexual violence and to broader social relationships within the community, where women and their children faced stigma, isolation, and bullying.
Children	The testimonies demonstrate that children were not merely witnesses to violence, but were directly affected through killing, rape, displacement, family separation and loss, and living in unsafe environments. The accounts further reveal the long-term impact of displacement on an entire generation of children who grew up inside camps under conditions marked by the absence of education, healthcare, and stability. Children born as a result of sexual violence faced additional forms of vulnerability, including social stigma, lack of community acceptance, and, in some cases, the absence of official documentation or full familial protection.
Persons with Disabilities and Older Persons	The testimonies reveal that persons with disabilities were among the most vulnerable groups during attacks and displacement due to their dependence on others for mobility, care, and access to basic needs. The accounts further indicate that disability itself was at times a direct consequence of violence, including beatings, torture, displacement-related injuries, and lack of healthcare. The testimonies also demonstrate the absence of any specific protection for persons with disabilities during attacks, with some directly targeted by combatants or left behind by fleeing families because of mobility difficulties. One witness described how her relative, who had a mobility impairment affecting his leg, hid among the trees during the attacks and

	asked the family to flee and leave him behind, before the perpetrators found and shot him among the trees. Older persons experienced compounded forms of vulnerability due to difficulties moving during displacement, continuous care needs, and reduced ability to endure hunger, fear, and prolonged movement. Some testimonies indicate that older persons died during displacement journeys or from illnesses associated with psychological pressure and wartime conditions.
Poverty, Displacement, and Care Burdens	The testimonies demonstrate that prolonged displacement and persistent poverty were not merely secondary consequences of the attacks but formed part of the enduring impact of violence on women and families. After many years of displacement, numerous women found themselves almost entirely responsible for supporting large families and caring for children, older persons, persons with disabilities, and sick relatives amid the absence of adequate support and basic services. The testimonies indicate that women carried the daily responsibility of securing food, water, and work, while also providing physical and psychological care for family members affected by war. The accounts further reveal that this burden was not temporary, but persisted for decades within fragile displacement settings suffering from inadequate healthcare and educational services, as well as economic and security instability. This deepened the impact of violence across generations within families, particularly in cases where sick children, persons with disabilities, or survivors of sexual violence required ongoing care that families lacked sufficient resources to provide. In this context, women disproportionately bore the daily consequences of war, such that the effects of violations did not end with the attack or arrival at the camps, but continued through caregiving responsibilities, poverty, fear, and ongoing instability.
Social Stigma	The testimonies reveal the existence of social stigma associated with sexual violence, disability, and displacement. Women survivors of rape and their children faced marginalization and bullying, while some displaced persons and persons with disabilities lived under conditions of social exclusion and feelings of lost value and belonging within the community. Most witnesses stated that the displaced community experiences discrimination from host communities on the basis of their status as displaced persons, in ways that seek to undermine their sense of belonging and legitimacy in the area.

● **Long-Term and Intergenerational Impacts**

33. Women's testimonies reveal that the effects of the attacks and violations did not end at the moment of killing or displacement but extended over decades and continuously reshaped the daily lives of families. More than twenty years after the events of 2003, many women still live in displacement camps under unstable conditions, experiencing poverty, lack of basic services, and ongoing fear of violence and renewed attacks. The testimonies show that the war not only destroyed homes and livelihoods but also affected the ability of entire generations to access education, healthcare, and safe living environments.
34. Women spoke about how access to education became extremely limited and, during certain periods, was restricted to **khalwas** only (religious schools where children are taught reading, writing, and Islamic religious teachings). Many children were forced to remain outside the formal education system due to poverty, insecurity, or inability to pay registration fees and school-related expenses. Some mothers described children

who dropped out of education following the initial attacks and were never able to return, while others referred to behavioral problems and violent behavioral patterns among children resulting from spending prolonged periods inside camps without education or stability. For example, one woman said describing the present time:

‘The children who aren’t going to school, who are just staying at home, face many problems. They fight among each other, hurt each other, and it holds them back’.⁹

35. Further, women identified high educational fees as an exacerbating factor of conflict and insecurity. One woman said, describing the present time: ***‘There is education, but the fees are high, so it’s inaccessible to enroll, the fees are too high. If you go outside the camp to Nyala, for example, they threaten you’.***¹⁰ Women interviewed also linked protracted displacement to the loss of entire future opportunities for their children, who remain forced to endure environments that failed to provide protection or basic services.

36. At the health level, women described prolonged conditions of illness, medical neglect, and lack of medication. Some spoke about suffering from high blood pressure, diabetes, and chronic illnesses without the ability to access regular treatment, while others referred to children living with epilepsy, disabilities, or the consequences of rape without adequate healthcare. The effects of malnutrition and hunger also appeared repeatedly in the testimonies, with women linking the lack of food to deteriorating physical and mental health. One woman summarized this by stating that:

“Health cannot improve if a person and their children have nothing to eat.”¹¹

37. Another woman implored, “just let us eat.”¹² The testimonies further reveal that insecurity persisted even after displacement. Women spoke about constant fear while moving and working, as well as ongoing threats of sexual violence and attacks within the camps and on the roads. Some stated that the violations committed in 2003 continued in different forms afterward, including cases of rape against women and girls during the years of displacement themselves. Women also described how the sounds of weapons, attacks, and threats became part of everyday life, alongside a persistent sense of instability and a desire to return to their places of origin despite the destruction and fear.

38. In several testimonies, the intergenerational impact of sexual violence became particularly evident. Women spoke about girls who became pregnant as a result of rape and about children born within contexts of sexual violence who continue to face social stigma and discrimination within their communities. Some testimonies indicated that these children are subjected to verbal abuse and that their social belonging is questioned, while their mothers continue to experience lasting stigma associated with

⁹ 31-year-old woman who was displaced as a child in 2003 attacks from Bindisi. Confidential; see Footnote 1.

¹⁰ 31-year-old woman who was displaced as a child in 2003 attacks from Bindisi. Confidential; see Footnote 1.

¹¹ A 31-year-old mother of 3 children who was displaced from [REDACTED] as a child, who is also a caregiver for an elderly relative and a relative with disability. Confidential; see Footnote 1.

¹² 60-years-old woman from [REDACTED]. Confidential; see Footnote 1.

rape. Other testimonies further indicated that many of these children do not possess official documentation or birth certificates, creating additional barriers related to movement, education, and access to essential services.

39. In addition, women described how the loss of land, livestock, water sources, and employment opportunities led to the long-term collapse of livelihoods. Some women explained that they were forced to engage in precarious domestic labor or daily searches for any source of income in order to feed their families, while many families remained dependent on irregular humanitarian assistance insufficient to meet basic needs. Under these conditions, life inside the camps became closely associated with a continuous sense of loss, insecurity, and prolonged poverty extending across years.
40. The testimonies reveal that the effects of the violations did not end with the attack or displacement but evolved into a prolonged condition of structural vulnerability that affected subsequent generations and undermined families' ability to restore social and economic stability. The accounts demonstrate that decades of continued displacement, in the absence of protection, services, and effective reparations, contributed to transforming the effects of war into a permanent daily reality within the camps.

1. Education and the Disruption of the Future

41. The testimonies reflect how prolonged displacement structurally weakened educational opportunities, such that educational deprivation became not merely a temporary consequence of war, but part of an extended cycle of poverty and instability. The testimonies highlight how limited access to schools, high costs, and insecurity intersected to produce generations raised in environments lacking stable educational opportunities, which later affected access to employment and economic independence and reinforced long-term dependence on humanitarian assistance and precarious labor.

2. Health, Illness, and Disability

42. The testimonies indicate that the health impact of war extended beyond direct injuries and took the form of chronic health deterioration associated with displacement, poverty, malnutrition, and the absence of continuous medical care. The accounts further reveal that disabilities and chronic illnesses affect not only the individuals concerned, but also reshape the roles of entire families, particularly in the absence of healthcare services and social support, where daily care becomes an ongoing burden disproportionately carried by women within displaced households.

3. Mental Health and Persistent Fear

43. The testimonies demonstrate that continued insecurity contributed to the constant reproduction of psychological trauma, such that fear became not only associated with memories of the past, but part of everyday life within camps and displacement settings. The accounts reveal that continuous exposure to threats, violence, and fear associated

with movement and work created long-term conditions of anxiety and psychological instability, particularly among women and children who spent years living in unsafe environments.

4. Poverty and Loss of Livelihoods

44. The testimonies reveal a profound connection between displacement, poverty, and the deterioration of other fundamental rights. Most women in the sample had previously worked as farmers on their own land or rented agricultural land in their areas of origin. The loss of means of production and employment due to displacement not only reduced income, but directly affected the ability to access healthcare, education, food, and care within families. The testimonies indicate that this ongoing economic deterioration left many families trapped in fragile conditions that are difficult to escape, particularly in the absence of reparations and sustainable support.

5. Children Born as a Result of Sexual Violence and Social Stigma

45. The testimonies demonstrate that the effects of sexual violence did not end with the survivors themselves, but extended socially to children born as a result of these violations. The accounts reveal that social stigma and discrimination associated with sexual violence reproduced exclusion within communities, including through bullying directed at children and their mothers. Most women in the sample agreed that children born as a result of sexual violence are not accepted by society. One woman stated that both the children and their mothers are verbally abused. For example, mothers are told:

“You have no value; you were raped by an Arab.”¹³

Children are insulted and told that they are illegitimate, which, according to one testimony, has led some women - affected by prolonged sexual violence - to abandon their children immediately after birth by leaving them in remote open areas.

46. From a legal perspective, Sudanese law does not provide a specific and comprehensive protection framework for children born as a result of conflict-related sexual violence. However, the Sudanese Child Act of 2010¹⁴ recognizes the child’s right to birth registration, including children born outside marriage, whether through acknowledgment by one of the parents or through registration under a chosen name where parental acknowledgment is absent.
47. Despite this legal provision, significant challenges remain in practice. Issues related to lineage, civil registration procedures, social stigma, fear of reporting sexual violence, and the broader legal and administrative environment often place these children in legally and socially precarious situations. In many conflict-related sexual violence cases, mothers may be unable or unwilling to pursue formal procedures related to

¹³ 68-year-old woman who fled¹³[REDACTED] during the 2003 attacks. Confidential; see Footnote 1.

¹⁴ [Sudan Child Act 2010](#), Chapter II, Article 2(z).

registration or lineage due to fear of stigmatization, insecurity, or lack of institutional support.

48. This gap between legal recognition and implementation leads to serious consequences, particularly difficulties in obtaining official documentation such as birth certificates or national identification numbers. This subsequently affects children's access to education, healthcare, freedom of movement, and recognition within the administrative system. Women referred to this issue in their testimonies, with some indicating that these children and their mothers were unable to leave the country for safer locations despite having the financial means to do so because the children lacked official identity documents. In this context, the absence of documentation becomes not merely an administrative issue, but a form of indirect legal exclusion.
49. At the social level, this group faces high levels of stigma. Several testimonies reveal that these children are often perceived as an "extension" of the violence inflicted upon their mothers, rather than as independent individuals. This social perception results in discrimination within local communities, including at school and in daily social interactions, and may extend to verbal abuse and exclusion. Mothers themselves are also frequently stigmatized, which directly affects their children and intensifies their social isolation.
50. From a protection perspective, children born as a result of sexual violence exist at the intersection of multiple vulnerabilities: legal vulnerability (absence of documentation or difficulties establishing lineage), social vulnerability (stigma and discrimination), economic vulnerability (poverty and displacement), and psychological vulnerability (living within ongoing narratives of violence). This intersection makes them particularly vulnerable to exploitation and neglect and reduces their ability to access education and healthcare services on an equal basis.
51. The broader Sudanese context, shaped by protracted conflict and mass displacement, further deepens these challenges because civil registration systems and basic services themselves are weak or unstable within displacement settings and camps. This means that the problem is not individual or limited to the circumstances of each child separately, but structural in nature and linked to the weakness of the overall protection system in contexts of conflict.
52. Ultimately, this group can be understood as facing a compounded form of injustice: legal injustice reflected in fragile recognition and documentation, social injustice reflected in stigma and discrimination, and structural injustice reflected in poverty, weak services, and the continued effects of conflict. This intersection renders them among the groups most vulnerable to inheriting the consequences of violence across generations in the absence of sustained protection measures, reparations, and responses sensitive to their specific circumstances.

6. Continuation of Violence Inside the Camps

53. The testimonies reflect that the camps did not represent an end to violence so much as an extension of environments characterized by fear and vulnerability. The absence of security within displacement areas, along with continuing threats, sexual violence, and attacks during movement and work, left many women living in a constant condition of insecurity. According to the testimonies, women within communities affected by Ali Kushayb's crimes and the violations of 2003–2004 continue to experience the same forms of violations they suffered more than twenty years ago during the attacks, exacerbated by renewed conflict and ongoing instability and insecurity inside the camps. Women described leaving the camps to meet daily needs or search for work as activities filled with danger, particularly the constant risk of rape every time women and girls leave the camps. One of the participants spoke about the pattern of blaming sexual violence survivors, who are raped when leaving the camp to take care of their daily needs, and how they are accused of **“enjoying it”**¹⁵ because they repeatedly have to go out to attend to their necessities. The testimonies demonstrate that this reality undermined families' ability to recover and kept the effects of conflict present within the details of daily life even many years after the initial attacks.

● Priorities for Reparations

54. Women's testimonies reveal that priorities related to reparations are not understood as distant or symbolic demands, but as daily needs directly linked to survival. For them, reparations begin with the ability to access food and water and secure a basic livelihood that preserves the dignity of families who have lived for decades in conditions of prolonged displacement. Some women stated explicitly that:

“The priority of reparations is food and daily livelihood,”¹⁶

reflecting how hunger and lack of income remain central to ongoing suffering.

55. Other women linked reparations to the rebuilding of life as a whole, beginning with housing, extending to education, and including healthcare. In this context, repeated demands emerged concerning the establishment of effective schools and the provision of genuine educational opportunities for children, after education in some cases became limited to **khalwas** or inaccessible due to poverty and insecurity. Some mothers emphasized that the continued absence of education represents not merely the loss of a present opportunity, but the disruption of the future of an entire generation raised inside camps without stability.

56. The testimonies also include clear demands related to housing, land, and restoration of livelihoods. Women who lost homes, land, and livestock stated that reparations should include:

¹⁵ 31-years-old woman who was displaced as a child in 2003 attacks from [REDACTED]. Confidential; see Footnote 1.

¹⁶ A woman displaced from [REDACTED] in 2003. Confidential; see Footnote 1.

“Rebuilding the house, restoring land, and providing basic means of production such as livestock or transportation,”¹⁷

as these elements are understood as essential for returning to stable lives. At the same time, others emphasized the need for **direct financial support** or employment opportunities enabling them to support their children, particularly in the absence of stable income.

57. At the health level, women linked reparations to the right to treatment and continuous medical care, including access to medication for chronic illnesses and disabilities resulting from violence or displacement. Some testimonies refer to women requiring urgent medical support, while others described caring for children living with epilepsy, disabilities, or the consequences of sexual violence in the absence of regular healthcare services. Here, reparations are understood as inseparable from the right to health as a basic condition for life itself.
58. Women’s demands further expanded to include psychosocial support, with some describing the difficulty of continuing life without addressing the ongoing trauma associated with loss, violence, and prolonged displacement. At the same time, security emerged as a fundamental condition for any meaningful form of reparations, as women emphasized that reparations are meaningless without guarantees against the recurrence of violence and without ending ongoing threats inside and outside the camps.
59. Children born as a result of sexual violence featured prominently within women’s reparations priorities; at least 10 women of the interviewees agreed on that. Testimonies emphasized the need to protect these children from stigma and guarantee their rights to education, care, and legal identity. Women linked reparations to addressing the conditions of these children, who live without social acceptance and, in many cases, without official documentation, which hinders access to essential services and deepens their vulnerability. Similarly, testimonies highlighted the crisis of missing official documentation, noting that many children, particularly those born as a result of sexual violence, do not possess birth certificates or identity documents. This absence is not viewed merely as an administrative issue, but as a direct barrier to education, movement, and healthcare access, effectively excluding them from legal and social protection frameworks.
60. According to the testimonies, reparations are understood as a process of re-empowerment (*Restitution + Rehabilitation + Satisfaction + Guarantees of Non-Repetition*), rather than merely symbolic compensation for a separate historical incident.

1. Reparations as a Right to Survival: Food, Housing, and Livelihoods

61. The testimonies demonstrate that the right to food and housing is not merely a social need, but a fundamental condition for material and livelihood-related reparations.

¹⁷A 31-year-old mother of 3 children who was displaced from [REDACTED] as a child, and a caregiver for an elderly relative and a relative with disability. Confidential; see Footnote 1.

Women interviewed directly link reparations to the restoration of livelihoods, including land, livestock, and means of production. This reflects the fact that the harm was not a momentary event but the destruction of an entire economic structure, making the requested reparations structural and collective in nature rather than solely individual.

2. Health as Part of Reparations and Redress

62. The testimonies reveal that health-related harm is prolonged and interconnected across physical and psychological dimensions, including chronic illnesses, disabilities, and long-term consequences of violence. This falls within the concept of “rehabilitation” as a component of reparations and includes the provision of continuous healthcare, medication, and psychosocial support services. The absence of these services means that harm does not end but is reproduced daily.

3. Education as Reparations for a Disrupted Future

63. The testimonies indicate that disruption of education is understood not as temporary deprivation, but as a disruption of the course of life itself. The absence of education reproduces poverty and prevents breaking intergenerational cycles of vulnerability, making education a form of long-term preventive reparations.

4. The Gendered Dimension: Women as Bearers of Invisible Reparative Burdens

64. The testimonies demonstrate that women bear the unequal burden of repairing harm within families. They find themselves - in the current conditions - responsible for the daily care of children, older persons, the sick, and persons with disabilities - which is culturally perceived as a gendered role - without institutional support. Reparations for women therefore represent not only an individual right, but also a redistribution of the care burden through economic support and social services.

5. Children Born as a Result of Sexual Violence: Gaps in Legal and Social Protection

(Resulting from the crimes of 2003 and subsequent violations during years of displacement)

65. The testimonies show that this group faces the dual cruelties of both social stigma and lack of legal recognition, which sharply intersect. This reflects the state’s failure to guarantee the rights to identity, name, nationality, and protection from discrimination. The absence of official documentation casts these children outside the legal system, creating a condition of “legal precarity” that obstructs access to education, healthcare, and movement. The social stigma directed toward both these children and their mothers represents a continuation of violence in social form and may be understood

within the framework of “extended compounded violence,” which does not end with the criminal act itself but persists through systematic social exclusion.

6. Disability and Age as Factors Intensifying Harm

66. The testimonies reveal that persons with disabilities and older persons experienced compounded harm due to limited ability to flee, lack of care, or total dependence on others. This places them within the category of “persons in situations of heightened vulnerability,” requiring specific reparative measures tailored to their needs rather than uniform approaches. (We note that naturally, given the time that has elapsed, victims who were older at the time of the commission of the offence, would likely now be deceased).

7. Reparations as Guarantees of Non-Repetition, Not Merely Financial Compensation

67. Women’s testimonies align with the understanding that reparations in contexts of grave crimes must include guarantees of non-repetition, including security, ending impunity, institutional reform, and protection of civilians. Women link reparations directly to daily safety, reflecting a practical understanding of justice as future protection rather than solely compensation for past harm.

8. Poverty as a Mechanism for the Continuation of Harm

68. The testimonies reveal that poverty is not merely a secondary consequence, but a central mechanism sustaining harm. The absence of income, services, and documentation reproduces the same conditions of vulnerability when reparations remain incomplete. From a feminist legal perspective, this means that justice cannot be achieved without addressing the economic structures produced by violence.

● To consider When Designing Reparations

1. The need to adopt an expansive definition of victimhood

69. Based on the nature of prolonged, intense, and ongoing harms reflected in the testimonies, this report recommends adopting an expansive definition of ‘victims’ in the context of reparations, in accordance with the Rome Statute. An expansive interpretation will avoid limiting the provision of reparations solely to persons immediately subjected to the crimes of Ali Kushayb committed during the 2003–2004 period.

70. As recognised by the relevant provisions of the Rome Statute and the Rules of Procedure and Evidence, the Chamber is empowered to classify as ‘victims’ all those natural persons and protected institutions who have suffered harm as a result of the commission of any crime within the jurisdiction of the Court. From the research conducted, [REDACTED] respectfully suggests that the interests of fairness and

proper repair require a reparations process that properly acknowledges and includes as 'victims':

- Persons directly subjected to violations during that period (rape, torture, forced displacement, enforced disappearance, and other grave violations);
- Survivors who continue to live with permanent physical or psychological consequences;
- Children born as a result of sexual violence and children affected by it through stigma or lack of legal recognition;
- Families who lost relatives, livelihoods, or experienced social and economic disintegration due to the violations;
- Communities subjected to long-term harm due to displacement and the collapse of social structures and services;
- Persons, especially children, who were not directly attacked in 2003-2004 but continue to experience the consequences today, including poverty, prolonged displacement, lack of education, and insecurity. Especially in collective reparations.

In this sense, [REDACTED] suggests that the term "victim" should be understood not merely as a condition tied to a historical event in the past, but as an ongoing condition resulting from continued harm and the absence of effective redress, placing all these groups within the scope of eligibility for collective reparations.

2. Why Is Financial Compensation Alone Insufficient Despite Its Importance?

71. The testimonies gathered for this purpose demonstrate that the loss of property and livelihoods cannot be restored or compensated through e.g. cash transfers alone because the broader structures enabling the use of money remain unstable. The absence of security, healthcare, education, and stable markets renders financial compensation insufficient without an enabling environment. In addition, the presence of disabilities, chronic illnesses, and children requiring long-term care creates continuous rather than temporary needs that cannot be addressed solely through financial compensation. At the same time, many urgent needs identified by the women interviewed could be partially addressed through direct financial reparations.

3. Fragility of the Security Situation and Continuation of Conflict

72. The testimonies emphasise that the security situation in Darfur and across Sudan remains fragile and volatile, with continued forms of violence and daily threats related to movement and survival, making access to services and reparations an ongoing challenge. In this context, insecurity should not be understood as a justification for delaying or suspending reparations, but rather as a factor requiring the redesign of delivery mechanisms in more flexible and adaptable ways. This includes coordination with organizations operating in camp settings and implementing reparations processes with a high level of security sensitivity appropriate to the Sudanese context and to victims inside Sudan or in refugee settings experiencing unstable or dangerous security conditions.

73. Accordingly, the research conducted highlights the importance of developing reparations delivery methods that do not depend on complete stability but instead take existing realities into account through flexible and accessible solutions designed and implemented in direct consultation with victims themselves. This includes considering forced mobility, security conditions, different places of residence, and difficulties accessing formal services, ensuring that reparations are not obstructed by insecurity but adapted to it without undermining beneficiaries' rights.

4. Importance of Psychosocial Support

74. The testimonies point to ongoing psychological effects linked to loss, violence, and repeated displacement, in addition to trauma associated with witnessing killings or losing family members. This form of harm cannot be addressed solely through material reparations, but requires long-term psychosocial interventions integrated into essential services, especially as continuing fear and instability reproduce trauma on a daily basis.

5. Necessity of Disability Inclusion

75. Those persons interviewed who have been left with disabilities as a consequence of the crimes of 2003 do not appear as a marginal category, but among those most affected by violations. Mobility limitations, continuous care needs, and difficulties accessing food and healthcare mean that reparations not specifically designed with accessibility in mind would be practically ineffective. Interventions therefore need to be grounded in the principle of accessibility rather than merely service provision.

6. Children Born as a Result of Sexual Violence

76. The testimonies highlight that children born as a result of sexual violence face social stigma, exclusion, and at times lack legal recognition or official documentation. This creates a cycle of marginalization beginning at birth and continuing through the preclusion of access to education, freedom of movement, and services. Any reparations framework that fails to address this reality risks reproducing rather than remedying harm.

7. Differentiated Needs Across Groups

77. The testimonies demonstrate that women, children, older persons, and persons with disabilities experience the same context through different impacts. Children are affected by disrupted education, women bear the burdens of caregiving, livelihood provision, and continuing sexual violence, older persons face deteriorating health without support, and persons with disabilities experience compounded vulnerability. This means that reparations must be detailed and differentiated rather than based on a single uniform model.

8. Necessity of Women's Participation in Design

78. The testimonies make clear that women possess the greatest knowledge of daily needs because they carry the burden of managing survival within displacement settings. Excluding them from reparations design leads to measures detached from practical realities, while their participation helps ensure that reparations reflect actual needs

9. Reparations Should Not Be Limited to Official Documentation

79. The absence of official documentation proving exposure to violations was repeatedly mentioned in the testimonies, as all women in the sample stated that they lacked documentation proving the violations they experienced due to the crimes having occurred more than twenty years ago and the repeated displacement that followed. Linking reparations to formal proof of violations risks ignoring the reality that many victims lost documentation or were unable to document what happened because of displacement and violence. Such requirements, if imposed, may transform reparations into a mechanism of exclusion rather than redress.

● **Conclusion: How Do the Women in the Sample Define Justice?**

80. In this section of the research, women were asked a direct question about “how justice is defined,” not as a theoretical inquiry, but as an entry point for understanding how justice is translated into daily life after years of ongoing violence, displacement, and instability. What emerged from the responses was not a legal or academic definition, but rather a reflection of prolonged lived experience that redefines justice from within the realities of need, survival, and memory.
81. For some women, justice begins with the most basic conditions necessary for life. One woman summarized it by stating that the priority is *food and daily livelihood*. Another directly linked justice to keeping children in school, housing, and food, stating that: **“Children’s education (as the first priority), housing/building, and food”**¹⁸ constitute the meaning of reparations for her, emphasizing that education comes before anything else because it is a condition for sustaining life rather than merely a social service. Another stated **“For the children who were unable to go to school, reparation could be provided through education. They can open schools for us, provide books, and make sure the children can continue their education.”**¹⁹ Here, justice is not understood as a separate judicial procedure, but as the daily ability to continue living without fear of hunger, homelessness, or the collapse of the future.
82. In other testimonies, justice expands to encompass an entire system of otherwise unavailable rights. One woman redefined it as an interconnected package:

¹⁸ A mother of six children, with some family members missing since 2003, who also cares for elderly relatives in the family. Confidential; see Footnote 1.

¹⁹ 31-years-old woman who was displaced as a child in 2003 attacks from [REDACTED]. Confidential; see Footnote 1.

“Food, water, education, treatment, employment opportunities, housing, psychological support... and building a house and agricultural land,”²⁰

reflecting an understanding that justice is not merely compensation for a past event, but the reconstruction of the very conditions of life itself. In this sense, reparations become inseparable from essential services and effectively another name for restoring life.

83. However, these understandings cannot be separated from women’s awareness of the absence of protection and enforcement. When some women were asked about justice in its legal or criminal sense, a clear gap emerged in access even to the concept itself. One testimony responded simply: ***“I do not know about these things,”***²¹ reflecting how the language of institutional justice often does not reach those living within contexts of legal and security collapse. At the same time, other understandings linked justice to direct accountability, such as the view that perpetrators should: ***“Be prosecuted for their actions,”***²² including imprisonment or any other type of punishment, alongside broader demands such as: ***“Recognition of the crime, reconciliation, and ending the war.”***²³ Here, justice as an idea intersects between punishment, acknowledgment, and ending ongoing violence.
84. What emerges clearly from the testimonies is that justice cannot be separated from security. The absence of protection renders any notion of justice fragile or deferred. Women linked ongoing daily threats to the impossibility of feeling that any real redress had been achieved, particularly within circumstances where survival is reduced to hiding or fleeing. The testimonies further reveal differences among women in how they conceptualize justice, not in principle, but in their points of departure. Some begin from immediate survival needs such as food and income; others focus on land, housing, and restoration of property; while others prioritize health, education, and psychosocial support, particularly in situations involving disability, illness, or loss of breadwinners. In all cases, justice does not emerge as a single definition, but as layered needs shaped by each woman’s position within the experience: a mother supporting children, a survivor of sexual violence, a woman with disabilities, or a person living with compounded loss.
85. The testimonies further reveal that, for women, justice is not only about ***“what happens after war,”*** but also about what prevents its continuation. Demands for: ***“Ending the war”*** and ***“Guarantees that violations will not recur”***²⁴ appear as essential components of reparations, alongside recognition of harm and the rebuilding of services and infrastructure. In this context, justice becomes directly connected to

²⁰ A mother whose daughter died following sexual violence-related HIV infection, with family members killed, missing, and affected during the 2003 attacks. Confidential; see Footnote 1.

²¹ A 50-year-old woman who lost her elderly mother during displacement following the 2003 attacks due to harsh displacement conditions. Confidential; see Footnote 1.

²² A young woman who was displaced as a child and whose father sustained a mental disability as a result of the 2003 attacks. Confidential; see Footnote 1.

²³ 31-years-old woman who was displaced as a child in 2003 attacks from [REDACTED]. Confidential; see Footnote 1.

²⁴ Multiple testimonies. Confidential; see Footnote 1.

daily stability: the ability to move without fear, access healthcare without interruption, and send children to school without security or financial barriers.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

[REDACTED]

Signature:

[REDACTED]

Date: 4th June 2026