

ANNEXE 5.

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**COMMISSION
CEASEFIRE VIOLATION REPORT
ARREST AND DETENTION
OF MILOBs AND
PROTECTION FORCES**

BY

**SLA FORCES AT
UMSAUNA VILAGE**

ON

10 MAY 05

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AFRICAN UNION		UNION AFRICAINE
الاتحاد الأفريقي		UNIAO AFRICANA
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AMIS/CFC/G/VIO/1

See Distribution

Headquarters
Ceasefire Commission
El-Fasher
SUDAN

29 May 2005

CFC REPORT NO. 86/05: ARREST AND DETENTION OF MILOBS AND PROTECTION FORCES BY SLA FORCES AT UMSAUNA VILLAGE ON 10 MAY 05

Reference:

A. AMIS/SECT8/G/06 dated 13 May 05.

INTRODUCTION

1. On 10 May 05, a MILOB team from Muhajeria Group site while on confidence building patrol at Umsauna village were surrounded by SLA forces and subsequently detained for 32 hours after which they were released.

ASSESSMENT

2. The detention of MILOBS and protection forces by the SLA is a clear violation of the Humanitarian Ceasefire Agreement and should be condemned by the AU authorities.

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3. Although, the SLA authorities in Umsauna village was not informed of the MILOB patrol to their area of responsibility, the action of detaining the MILOB was uncalled for. The absence of the SLA representative in the team might have been responsible for their actions, the SLA should have forwarded a written complaint to AMIS.

CONCLUSION

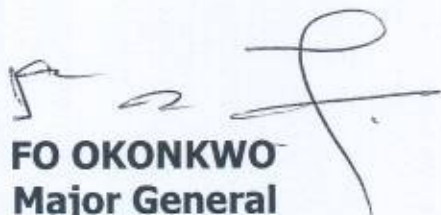
4. A MILOB team and protection force from Sector 8 were disarmed and detained by SLA forces while on confidence building patrol at Umsauna on 10 May 05. The team was subsequently released on 11 May 05 after being detained for about 32 hours. A clear violation of Article 2 (11) of the Humanitarian Ceasefire Agreement signed on 8 April 2004.

RECOMMENDATIONS

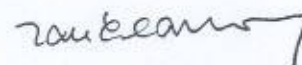
5. It is recommended that:

a. The SLA is reminded to honour the Ceasefire Agreement, specifically to refrain from conducting aggressive action which could endanger the ceasefire agreement.

b. The SLA authorities should educate their soldiers on the repercussion of human right abuses and what constitutes a ceasefire violation.

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FO OKONKWO
Major General
Chairman



M DELAUNAY
Brigadier General
Vice Chairman



IBRAHIM EZ-ADEEN
Brigadier General
GOS Rep



MOHAMMED IBRAHIM
Colonel
GOS Rep

A DARY
Colonel
Chadian Rep



A MUSA
Colonel
Chadian Rep



A ABDOU
Colonel
SLA Rep

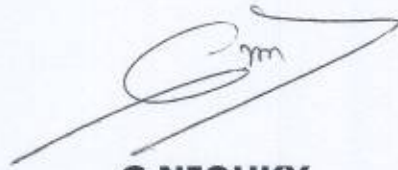


ALI MUHTAR
Colonel
SLA Rep

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MA OMAR
Colonel
JEM Rep

BAHARELDIN BECHIJI
Colonel
JEM Rep



G NIOUKY
Colonel
AU Rep

Enclosure:

1. Investigation Report on Arrest and Detention of MILOBS and Protection Force at Umsauna Village on 10 May 05.

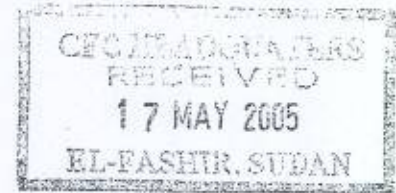
Distribution:**External
Action:**

AU - Commissioner Peace and Security
JC - Chairman Joint Commission
GOS
SLA
JEM

Information:

Director Peace and Security
Head of CMD

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**MEMORANDUM**

TO : VICE CHAIRMAN – CFC FROM : COS

Ref : AMIS/FHQ/COS/G/04

Date : 16 May 05 Tel :

Subject: **REPORT ON ARREST AND DETENTION OF MILOBS
AND PROTECTION FORCE BY SLA FORCES AT
UMSAUNA VILLAGE ON 10 MAY 2005**

1. Attached please find the above-mentioned Report in respect of arrest and detention of MILOBs and Protection Force by SLA Forces at Umsauna Village on 10 May 05.
2. Please accept for your further action.

COL/COS

AK AMEDOH

.....
Rank/Appt.....
Name in block letters

.....
Signature

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AFRICAIN UNION		AFRICAN MISSION IN SUDAN
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Headquarters
Sector 8
African Mission in Sudan
El-Daein

AMIS /SECT 8 / G/06

FHQ AMIS

13 May 05

**REPORT ON ARREST AND DETENTION OF MILOBS
AND PROTECTION FORCE BY SLA FORCES
AT UMSAUNA VILLAGE ON 10 MAY 2005**

INTRODUCTION

1. Accompanied herewith is the detailed report in respect of the detention of a MILOB Team from this Sector on a routine confidence building patrol to UMSAUNA community on 10 May 05. The incident was unprecedented, dangerous and humiliating to the Mission, but the circumstances leading to the occurrence need proper diagnoses and craftsmanship conclusions.

ASSESSMENT

2. The MILOBS Team's visit to the location unannounced most be faulted even in the absence of an SLA member in the MILOB Group Site, since the Movement's Headquarters is just a stone throw to the MILOBS' Base Camp. However, on the issue of well-constituted team, that was a non-issue due to the already existing understanding with regards to investigations and routine

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confidence building patrols. It is disheartening to note that, the SLA higher echelons, the Secretary General, Comds Generals and other SLA Field Comds did not know the essence of our patrols. This was one of the questions raised by the SLA team during our meeting on the 11 May 05, which shows that their representatives at the various Sectors and probably the CFC are not educating them on our activities.

3. On the detention of the MILOBS along with their protectors, I would rather suggest that the SLA was suspicious of AMIS, on the account that their rally was under surveillance, which was not the case. They presented the incident, as the MILOBS were there to spy for the GOS, instead of stating it directly the AMIS was there to spy on the activity. It is also very obvious that, what was thought to be the cause of this detention was not to be, since throughout the negotiations on the resolution of the problem no one member of the SLA high command mentioned anything close to that. However, even when I took them up on the Umdas meeting at Nyala, they did not see anything wrong with that, so far it was an AMIS initiative.

CONCLUSION

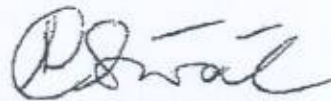
4. During the course of our meeting with the SLA team, it was very indicative that, apart from the immediate cause of the unprecedented detention of AMIS personnel; the Movement had been bugged down by a multitude of frustrations, which constitute the remote cause. This was evident in the questions raised by the Team, which included non publicly condemnation of the genocide in DARFUR by the AU, non withdrawal of GOS from certain areas previously under the control of the Movement, disarmament in

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LABADO, MARLA and other towns without their involvement in the process, and a host of other complaints. They also needed some attention; hence they demanded to meet with the Head of Mission.

5. In final analysis therefore, it is suggestive that AMIS should condemn this unprecedented act, even though it is one of the challenges of any peacekeeping effort anywhere in the world. On their questions on certain high level political issues the AMIS Headquarters and the AU are capable of addressing them.

6. For your urgent action, please.



AU MOHAMMED

Col

Sector Comd

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AMIS /SECT 8 / G/06

Headquarters
Sector 8
African Mission in Sudan
El-Daein

13 May 05

**REPORT ON ARREST AND DETENTION OF MILOBS
AND PROTECTION FORCE BY SLA FORCES
AT UMSAUNA VILLAGE ON 10 MAY 2005**

INTRODUCTION

1. A MILOB Team from Muhajeria Group Site was tasked to conduct Confidence Building Patrol to Umsauna village (N: 12° 00' 22" E: 26° 12' 49") about 75 Km SE of Muhajeria. On arrival at Umsauna village, the Team observed that there was a big rally organized by the SLA. The Team was surrounded by SLA fighters and wanted to know their mission and why they were not informed before the visit to the area and the absence of their rep. The Team was detained from 101220C May 05 until 111930C May 05 when they were released.

AIM

2. The aim of this report is to update FHQ on the detention of MILOBs at Umsauna village and the out come of the meeting with SLA Commanders in Muhajeria.

SCOPE

3. The following will be covered:

- a. Events on 10 May 05
- b. Events on 11 May 05
- c. Events on 12 May 05

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- d. Conclusion
- e. Recommendations.

EVENTS ON 10 MAY 2005

4. On 10 May 2005, a MILOB Team from Muhajeria Group Site comprising of 3 MILOBs, 1 JEM Rep, 1 Interpreter and 12 Protection Force (PF) soldiers were tasked to conduct a Confidence Building Patrol to Umsuana village. On arrival at Umsuana about 1220 hours, it was observed that a big rally was in progress and there were about 400 SLA fighters at the rally. The team was surrounded by the SLA fighters and one of the commanders demanded to know the Teams mission. He was informed that the Team was on Confidence Building Patrol to check on the general security situation within the area. The SLA commander asked why were they not informed and why the absence of their rep. The Team apologized for their inability to inform them before the visit and that their SLA rep was sick and currently at Nyala under-going treatment. The SLA commander informed the Team that he was not convinced with their explanation and subsequently informed them that they were under arrest. The PF soldiers were disarmed, 2 x Thuraya, 2 x Motorola sets, fragmentation jackets and helmets were collected from the MILOBs and PF. At about 1930 hours, the Sector HQ heard about the detention of the MILOBs and subsequently sent an INCREP to FHQ. Efforts were made for their release but the SLA proved difficult and the MILOBs and PF spent the night at a school compound. (Attached as Annex A is a report by one of the detained MILOBs, the JEM rep and the Interpreter).

EVENTS ON 11 MAY 2005

5. At about 110730C May 05, the Sector HQ called Muhajeria Group Site Commander to find out whether the MILOBs had been released. He responded no. He was tasked to get in touch with the SLA commander in Muhajeria to assist in releasing the MILOBs. At about 1145 hours, the weather in El-Daien was very windy and dusty. The Sector Commander then left by road to Muhajeria. On arrival, the Sector Commander met the Commander-General of SLA in control of Muhajeria Abdul Maajid Al-Nur who said we should wait for the Secretary General of the SLA who was on his way coming. At about 1530 hrs, the Secretary General arrived and he informed us that the MILOBs have been released and will be arriving in 2 hours time. He said, he does not know why the MILOBs were detained and that he was waiting for his commanders to brief him on arrival. At about

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1830 hrs, the Sector Commander drove to the SLA office and requested to know whether the MILOBs have actually left Umsauna. The Commander General called Umsuana to find out. The Sector Commander requested to speak to one of the MILOBs. It was then that the MILOBs informed the Sector Commander that they were still in Umsauna. The Sector Commander then requested the Commander General to give him some guides to go with him to Umsauna. The Comd Gen detailed 3 men and at about 1905 hours, the Sector Commander with 3 escort vehicles departed Muhajeria for Umsauna. The Sector Commander's entourage met the MILOBs being escorted by SLA fighters at Angabon (N:11° 50' 09" E: 26° 01' 58") about 50 Km SE of Muhajeria at about 2045 hrs. We finally returned to Muhajeria at about 2240 hrs. Since it was late, we agreed to meet the following day.

EVENTS ON 12 MAY 2005

6. At about 0940 hours, the Commander General of the SLA responsible for Muhajeria came to inform us that the Secretary General and his entourage were on their way to the camp to hold a meeting with the Sector Commander. The meeting commenced at 1025 hours and the following were present.

- a. SLA Secretary General
- b. Spokesman to SLA General Commander
- c. Military Adviser
- d. Commander Artillery
- e. Commander General Muhajeria
- f. Commander Logistics
- g. Political Adviser
- h. 23 Field Commanders.

7. The Sector Commander welcomed them to the meeting. He explained the mandate of AU to the commanders and hope that this message will be passed down. He re-assured them that the detention of the MILOBs will not stray the good relationship between the SLA and the AU. He added that these are some of the challenges that happen in any operation. He then requested to know why the MILOBs were detained.

8. The Secretary General responded by first of all apologizing for the unfortunate incident and he said he believes that the incident will rather bring the SLA and AU closer for both sides to understand each other better.

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He said, he signed the Humanitarian Ceasefire Agreement on behalf of the SLA and that AU has no excuse for not informing his commanders before going to Umsauna. He said, the Commander General of Muhajeria's office is not far from the camp and that he should have been contacted. He added that the incident was an unfortunate one and they suspected that the AU deliberately did not inform them and wanted to get information about their rally to relay it to GOS. He said, his field commanders are not happy with the way the AU respond to their complaints. However, AU quickly and promptly responds to all complaints by GOS. He said, even with the presence of the AU, the GOS are still committing genocide in Darfur and the AU has failed to report, condemned or issue any statement against the GOS violations. The only one reported by AU was the GOS brutality on Khor village in Abeche. AU reports on incidents mostly indicated UNKNOWN FORCES. He said there is nothing like unknown forces in the Darfur crisis. The forces in the conflict are GOS,SLA, JEM and GOS assisted Janjaweed armed militias. Any of these forces should be held for any violation. He requested the AU to be sincere with the rebels in solving the conflict. The AU is to observe and report on violations and not to take sides.

9. The spokesman for the General Commander of the SLA also apologized for the unfortunate incident between the movement and AU. He said, they as signatory to the HCFA are disappointed in the AU because many violations have been committed by the GOS and the AU has done nothing. He cited example of the barbaric acts being committed by Janjaweed armed militias with the support of GOS on innocent citizens. The intimidation of the citizens by GOS Army flying their heli gunship at their controlled areas at low altitude.

10. On the detention of the MILOBs, he said, the AU has to inform the SLA before conducting any patrols to their controlled areas. The MILOBs failed to inform the SLA about the patrol and they suspect that the patrol was to get information to the GOS. He said, they are aware of the collaboration between AU and the GOS and that the GOS rep at FHQ in El-Fasher has access to all reports carried out by MILOBs. Through these reports, the GOS has information about their strength and weapons at their locations. He then made the following observations about the AU and requested answers from the Sector Commander.

a. No statement by AU on genocide by GOS.

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- b. Conducting patrols in SLA controlled areas without informing them.
- c. Escorting of GOS vehicle convoy without informing them.
- d. Prompt reaction to GOS complaints and not the same with SLA complaints.
- e. AU fought along side Janjaweed armed militias against SLA at Al-Hijer village in April 2005.
- f. Reasons for disarming areas like Labado, Ishma, Marla, Yassin etc.

11. In response, the Sector Commander said, he cannot comment on his first observation. He assured the Commanders that henceforth, they will be informed before conducting any patrols in their areas. On escort of GOS convoy, he said all parties are to inform the AU on all movements and the AU only monitors but not to escort. This is to ensure that it is not a military movement. He said equal attention is given to all complaints but lack of SLA reps is hampering investigations. On fighting along side Janjaweed armed militia against SLA, he said it is not possible since the AU is neutral and he has no information about this observation. He said he has no idea about reasons for disarming areas like Labado, Ishma etc.

12. The adviser to the General Commander came out with the following recommendations:

- a. Request to hold meeting with the Head of Mission as soon as possible.
- b. SLA should be informed about all movements by AU into their controlled areas.
- c. SLA Comds should first be contacted on arrival at their areas and not Umdas.
- d. Quick response to SLA complaints.
- e. Deployment of SLA in Labado.

13. The Sector Comd said his recommendations will be forwarded to FHQ AMIS.

14. The meeting ended at about 1305hrs with a recommendation to visit Umsauna village.

15. The Sector Comd with 3 SLA Comds visited Umsauna village. The Sector Comd met the SLA Comds, Umdas, Sheikhs and opinion leaders.

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He reassured them of AU's commitment to the peace process in Darfur and that the detention of the MILOBS will not deter the AU from carrying out its mandate. The team returned to Muhajeria at about 1400hrs.

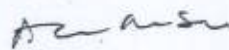
CONCLUSION

16. In conclusion, the MILOBS and the Protection Force soldiers have been counseled. All equipment collected from them were returned. Although, they were not manhandled, their lives were threatened. The meeting with the SLA Commanders was fruitful and it gave them the opportunity to air out their views. The visit of the Sector Comd to Umsauna village diffused the tension and fear in the villagers as observed by the number of people who came to listen to the Sector Comd.

RECOMMENDATIONS

17. The following recommendations are made:

- a. SLA Commanders should be reminded of the neutrality of AU.
- b. The detention of the MILOBS and the Protection Forces should be condemned and an official apology be rendered by the top hierarchy of the SLA.
- c. Post paid Thuraya phones should be issued to patrol teams.
- d. Compo rations be indented and only be issued for patrols.
- e. Arrangements be made for the Head of Mission to meet with the SLA Commanders.


AG DISU
Maj
Team leader

REPORT OF ARREST AND DETENTION OF MILOBS AND PROTECTION FORCE BY SLA FORCES AT UMSAUNA

VILLAGE ON 10 MAY 2005

1. Team 8C II comprising of 3 MILOBS, One JEM rep, One interpreter and 12 Protection Force (PF) soldiers left Muhajeria Group Site on a routine Confidence Building Patrol (CBP) to Umsauna village on above mentioned date.
2. The Team left the base at about 0950hrs and arrived at Umsauna village at about 1222hrs. The Team met a large gathering of civilians and heavily armed SLA forces numbering up to 400 assumed to be holding a rally.
3. As the Team and the PF came down from their vehicles and were just about to find out where the village leaders were, they were immediately surrounded by a large crowd of SLA forces. They asked the Team for the reason of its visit to the village and why they were not informed of the visit earlier.
4. ~~Consequently the Team replied that it had visited~~
the village as part of the AU routine CBP to meet with the village leaders and the leaders of the warring

faction that would be found in the village with a view to assess the general security situation and humanitarian situation of the area. The Team apologized for its inability to inform them of the visit earlier and that it was because the Group Site had no air time in its prepaid Thuraya set. They told the Team that it was a lie as such big organisation like AU would have sufficient air time in their Thuraya. The Team explained that it was due to some admin and logistic constraints.

5. As the Team was explaining further, they told the Team that it was under arrest. The MILDBs were immediately searched and communication equipment (2 x Thuraya sets and 2 x Motorola sets) collected. Simultaneously, the 3 vehicles belonging to the Team and the PF soldiers were surrounded by armed SLA forces of overwhelming strength of about 100. They were taken to an unknown area.

6. The Team was then marched to a shed

~~where they were kept under armed guards while~~

~~the location of the vehicles and the PF soldiers~~
was still unknown. 3 men came later and told

the Team leader, the JEM rep and the translator to follow them to go and count the PF soldiers weapons and other equipment that had been seized from the Team. And when they got to where the soldiers were, they ordered them to submit their weapons, helmets and fragmentation jackets. The soldiers showed some reluctance but because of the overwhelming strength of the SLA forces, the Team leader told the soldiers to calm down as the Team was already under arrest. The weapons and other equipments were collected and the JEM rep was made to document them.

7. After this, the Team leader, JEM rep and translator were brought back to join the rest of the Team. The Team was later taken to another shed, kept under armed guards and was told to wait for their leaders while the soldiers were kept in a different place.

~~and the other in civil dress met the Team and asked why they were not informed before the visit.~~

They also stated that 16 complains had been sent to the AU at Eldien at different times within the last 2 months and AU had not carried out these investigations. They complained that while some other complains were investigated, the outcome or actions taken on those complains were never sent back to them implying that the impact of the AU was not being felt by their people. They told the Team that it was lucky they took control of the situation thus preventing the angry populace from beating the Team members.

9. At about 1600hrs, some other group came armed with rifles, big sticks and ropes. They told the Team to confess to them that it had a fore knowledge of their rally and had visited their area to spy and gather information for the GoS. They asked the Team if it came with GoS rep and other MILDBs from Egypt, Algeria and Morocco. The Team replied that it

he was the one who led the Team to the village. They later told the Team that they would

tie them up with the ropes they had brought and kill them.

10. Consequently, the Team replied that it was neutral to the Darfur conflict and had no fore knowledge of their rally and that it had not come to spy for GOS but had come for the normal AU routine CBP. This group left and told the Team that they would come and kill them in the night.

11. The Team was left under the armed guards, while the soldiers were still in their own place. Around 2000hrs they brought the soldiers and the vehicles' keys. They told the Team that they had contacted the CFC since around 1500hrs to "come to the village before they could release the Team. But that the CFC called them back that they had no aviation fuel as such they would not be able to come until the following day.

12. They took the PF drivers to where they kept the vehicles and when they brought the vehicles, the Team and the PF soldiers were driven to a

[REDACTED]

armed guards. Then the Team was told that it was free as they had contacted the CFC.

13. The following morning, 11 May 2005 at about 0800hrs they came again for the Team leader and the JEM rep to write statement of the Team's mission to the village. They came back at about 1830hrs and told the Team that it was free to go. All seized weapons and equipments were handed over back to the Team. They said they were going to escort the Team back to Muhajeria. The Team left Umsaruna village at about 1930hrs.

14. At about 2050 hrs, the Sector Comd's search party met the Team and the SLA escort party at Angarabou village. The Team, the PF soldiers and the Sector Comd's search party got back to camp by 112245 C May 2005.

12 MAY 05

W. A. Bakare
WA BAKARE
Capt
MILDB