



COMMISSION
CEASEFIRE VIOLATION REPORT
KILLING OF
MR ABDUL HALIM ADAM
BY
GOS FORCES
AT
ABUSHOUK IDP CAMP

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AFRICAN UNION الاتحاد الأفريقي		AFRICAN MISSION IN SUDAN CEASEFIRE COMMISSION
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Headquarters
African Union Mission in Sudan
El-Fashir
SUDAN

HQ/CFC/VIO/OPS/1/G

See Distribution

31 January 2005

**CFC CEASEFIRE VIOLATION REPORT NO. 002/05: KILLING OF MR
ABDUL HALIM ADAM BY GOS FORCES AT ABUSHOUK IDP CAMP**

References:

- A. Mr Mohammed Jaffar's Complaint on 16 Jan 05.
- B. HQ/SEC 1/OPS/1/G dated 21 Jan 05.

INTRODUCTION

1. Mr Mohammed Jaffar's lodged a complaint alleging that GoS forces shot a citizen called Abdul Halim Adam at the Abushouk IDP Camp on the 15 Jan 05.
2. Team A was tasked to conduct the investigation.

ASSESSMENT

3. The team established that 20 GoS soldiers in military uniforms shot Mr Abdul Halim Adam at the Abushouk IDP Camp water point at about 152315C Jan 05. Mr Abdul Halim Adam was shot at the back as they were leaving the

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water point after having been ordered to do so by GoS soldiers.

4. The team also found out that the security of the Abushouk IDP Camp is unacceptably inadequate, as the attack took place with the apparent full knowledge of the GoS police deployed in the camp.

5. Allegations of rampant harassment of the IDPs by GoS soldiers were raised during the team investigation.

CONCLUSION

6. GoS violated the Art 2(6) of the N'djamena Agreement and Art 2 of the Abuja Humanitarian Protocol, by killing a civilian in the IDP Camp water point.

7. More allegations of harassment of IDPs by GoS soldiers were raised during the interviews.


RECOMMENDATIONS


8. It is recommended that:

a. GoS should investigate and prosecute the perpetrators of the killing.

FO OKONKWO
Major General
Chairman


G BOUCHAUD
Brigadier General
Vice Chairman

Attached Comments

IBRAHIM EZ-ADEEN
Brigadier General
GOS Rep


MOHAMMED IBRAHIM
Colonel
GOS Rep

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A DARY
Colonel
Chadian Rep



A MUSA
Colonel
Chadian Rep



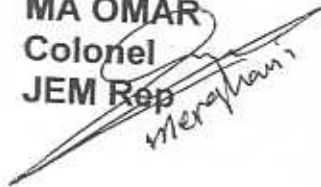
A ABDOU
Colonel
SLA Rep



ALI MUHTAR
Colonel
SLA Rep



MA OMAR
Colonel
JEM Rep



BAHARELDIN BECHIJI
Colonel
JEM Rep



G NIOUKY
Colonel
AU Rep

Enclosure:

1. Report on the Killing of Mr Abdul Halim Adam at Abushouk IDP Camp on the 15 Jan 05.

Distribution:

External:

Action:

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

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SLA
JEM

Information:

Director Peace and Security
Head of CMD

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Best - CFC members

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Headquarter sector i

AMIS

Al-Fashir

Sudan

21 Jan 05

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HQ/SEC1/OPS/1/G

DFC/CMO

INVESTIGATION REPORT ABOUT KILLING A CITIZEN CALLED
ABDUL HALIM ADAM AT ABUSHOCK IDP CAMP.

BACKGROUND

1. On 16 Jan 05, A verbal complaint by a local called Mohamed Jaffar stated that on 15 Jan 05 the GOS forces shot a citizen called Abdul Halim Adam at Abushok IDP camp. Team A was subsequently tasked to carry out the investigations into the complaint at Abushock.

REVIEW

2. Team A conducted an investigation through Abushock on 16/17 Jan 05. The team established that on Sunday 15 Jan 05 at about 2305 an attack took place at Abushock by GOS army using 2 land cruisers vehicles carrying about 20 armed men stormed a water pump and killed a citizen called Abdul Halim Adam with a bullet from his back. In this militant action the GOS violated Article 2 bullet 6 of the N'djamena cease fire Agreement and Article 6 bullet 2 of the security protocol signed in Abuja on 9 Nov 04. The GOS should be held responsible and accountable for the said violations.

Ahmed Fouad

Ahmed Fouad

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A/ sec com

Enclosure:

Detailed investigation report.

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Team A
Sector 1
HQ AMIS
EL-Fashir
SUDAN

HQ/SECT1/G/4

HQ Sect 1

21 Jan 05

INVESTIGATION REPORT ON THE ALLEGED KILLING OF ABDUL HALIM ADAM AT ABUSHOK

Reference:

- A. Humanitarian Ceasefire Agreement of 8 April 2004..
- B. Security and Humanitarian Protocols signed on 9 Nov 2004.
- C. Verbal complain by Mohammed Jafar dated 16 Jan 05.

INTRODUCTION

1. Mohammed Jafar, a resident of IDP camp, Abushok, forwarded a complain on the killing of Abdul Halmin Adam on 16 Jan 05 at Abushok IDP camp. He alleged that on 16 Jan 05 by 1115pm, 2vehs, a white and an army painted land cruisers carrying about 20 armed men stormed a water point at Abushok IDP camp, where he, the deceased and 4 witnesses were drawing water, and questioning their presence at the location. Mohamed Jaffa, claimed that the gunmen opened fire at them from behind when they were trying to flee the scene of the incident, and in the process, the deceased, Abdul Halim Adam was killed. In view of the above, Team A was dispatched immediately to carry out investigation. The team visited the camp, took pictures and interviewed several eyes witnesses at the scene of the crime on 17 Jan 05. Though, not in the term of reference, the team was able to listened to a submission of rape perpetrated by GOS soldiers at the camp by one of the witnesses. .

WITNESSES

2. The following witnesses were interviewed and cross examined at the scene of the crime and HQ AMIS by members of Team A:
 - a. The Police Commander, Nasar Abdulkarim.

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- b. The IDP Camp Manager.
- c. Mohammed Jafar.
- d. Haroun Mohamed.
- e. Abdul Hak.
- f. Margani Hassan.
- g. Jafar Mohammed

TERM OF REFERENCE

- 3. Team A was tasked to determine the followings:
 - a. The motive behind the killing.
 - b. Who actually did the killing?
 - c. Avoidance of future occurrence.

INVESTIGATION

On 17 Jan 05, the team visited the police post and interviewed the police commander, Nasar Abdulkarim on the alleged killing of the above named deceased. During his assertion, he denied knowledge of the killing and not knowing those actually involved. He also stressed that he was also carrying an investigation to that effect. The team also visited the camp manager, who vehemently denied knowledge of the barbaric killing and that the matter is being investigated by the police.

5. At the scene of the crime, 2 witnesses, Mohammed Jafar and Abdul Hak were interviewed and cross examined by the team. They informed the team that 3 other witnesses to the case were taken that morning by the police for interrogation. The team in separate interrogations of the 2 witnesses, was informed that all the witnesses were at the scene of the crime trying to fetch water for their domestic use when 2 Toyota land cruisers coming from the direction of El-fashir, containing about 20 armed soldiers stopped 10metres from the water point. Five of soldiers

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disembarked from the vehicles and advanced to the water point where the 4 witnesses were, while the 5th witnesses, Mohammed Jafar was standing very close to the water point watching the proceedings. It was alleged by the witnesses that the gunmen were in full GOS military regalia.

6. At the water point, the gunmen questioned the legality of the witnesses at the location considering the time. They further asked the witnesses if they were aware of curfew imposed at the camp. Without provocation, they responded that they were only aware of the curfew in El-fashir and not in the camp. They were ordered to immediately leave the premises, and when they were leaving, 2 of the armed gunmen cocked their weapons and started firing at the witnesses from behind, consequently, killing Abdul Hakim Adam. The the gunmen left the scene immediately after the action, returned after 5 minutes to the scene and finally left to the direction of El-fashir. The team was privileged to see some of the bullets marks on the wall, and a blood stained area where the deceased finally fell and died.

7. The team visited the police station and collected 3 other witnesses from the police, namely Haroum Mohammed, Margari Hassan and Jaffar Mohammed and took them to AU Camp including the 2 previous witnesses, Mohammed Jafar and Abdul Hak. At AU camp, Mohamed Haroun, Margari Hassan and Jaffar Mohamed were interrogated separately by the team. The statements advanced by the 3 witnesses were virtually the same in relation with the 2 previous witnesses. However, the only difference was the returning of the gunmen to the scene of the crime, recovering the empty cases.

8. During the investigation, cases of rape were highlighted by the witnesses. They claimed that GOS soldiers usually come to the camp and forcefully take away their girls to unknown location and rape them. One of the witnesses, solicited for the AU to provide them with protection against the menace of the GOS soldiers. It is, therefore necessary for the AU to quickly notify the Sudanese Government of the atrocities being committed by GOS soldiers at the camp especially the cases of rape. It is also suggested that the AU should find a way of either stopping or reducing the menace of GOS in the IDP camp at Abushok.

CONCLUSION

9. The team concluded that the GOS soldiers actually carried out the attack at Abushok IDP camp in which Abdul Halim was innocently killed. With this action, the GOS violated Article 6 bullet 2 of N'jemena Cease Fire Agreement of 8 Apr 04 and Humanitarian Protocols signed in Abuja on 9 Nov 04. In view of the above, the GOS is to be held responsible and accountable for the said violations. The investigation was carried with out fear or favour.

FINDINGS AND ASSESSMENTS

10. The followings findings and assessments were made by the team:
- a. That the deceased was killed by 1115pm on 16 Jan 05 at water point in Abushok IDP camp.
 - b. The witnesses reiterated in strong terms that the killers were GOS soldiers with military uniforms.
 - c. That the bullets marks on the wall showed that the shots were aimed at the deceased
 - f. Apparently, the attack took place with the full knowledge of the GOS police deployed at the camp, knowing fully well that the killers must have passed through their own frontage unabated.
 - g. It is indicative and conclusive that the killers took the advantage of the porous nature of the camp and the lack of adequate of security forces in the camp.
 - h. The unaccepted behavior displayed by the GOS soldiers would continue at the camp, except AU police is put there to work hand-in-hand with the GOS police.
 - j. The continued presence of the GOS police alone at the camp would always expose the IDPs to danger.
 - k. That the killers were no other people than the GOS soldiers.

RECOMMENDATIONS

11. Team A made the following recommendations:
 - a. AU should hold the GOS responsible for violations of the cease fire agreements and the killing of Abdul Hakim Adam.
 - b. AU should put pressure on the GOS to identify the killers and bring them to justice.
 - c. The GOS police should carry out their duties professionally to win back the confidence and trust of the IDPs.
 - d. AU should carry out constant patrol to the camp to improve security at the camp and further reoccurrence.
 - e. AU should put pressure on the GOS to check the menace of rape perpetrated by GOS soldiers at the camp with the aim of stopping it.


ENCLOSURES

12. The enclosure on this report includes the followings:
 - a. Picture 1. The deceased body being examined by the team of doctors at the IRS clinic in Abushouk IDP camp.
 - b. Picture 2. The body of the deceased, showing bullet wound.
 - c. Picture 3. The hand of the deceased, showing bullet wound.

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- d. Picture 4. Photograph of part of a wall showing point of impact of some of the bullets.
- e. Picture 5. The point at which the deceased fell and died with blood stains on the ground.
- f. Picture 6. Photograph of vehicle tyre marks at the scene.
- g. Picture 7. Photograph of boots marks at the scene.



Maj NS Wantana
Team Leader



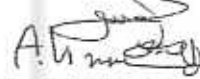
Flt Lt SA Okae-Yeboah
AU




Capt Moamen Sadek
AU




SP Eric Kjaergaard
EU




Col A Hashim
JEM



Col Sallah Mahade
GOS



Capt M Hubert
AU



Capt Ishak A Brahim
CHAD



Capt D Doumbia
AU



Maj K El-Deen
SLA

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PHOTO 2



BODY OF THE DECEASED SHOWING BULLET WOUND

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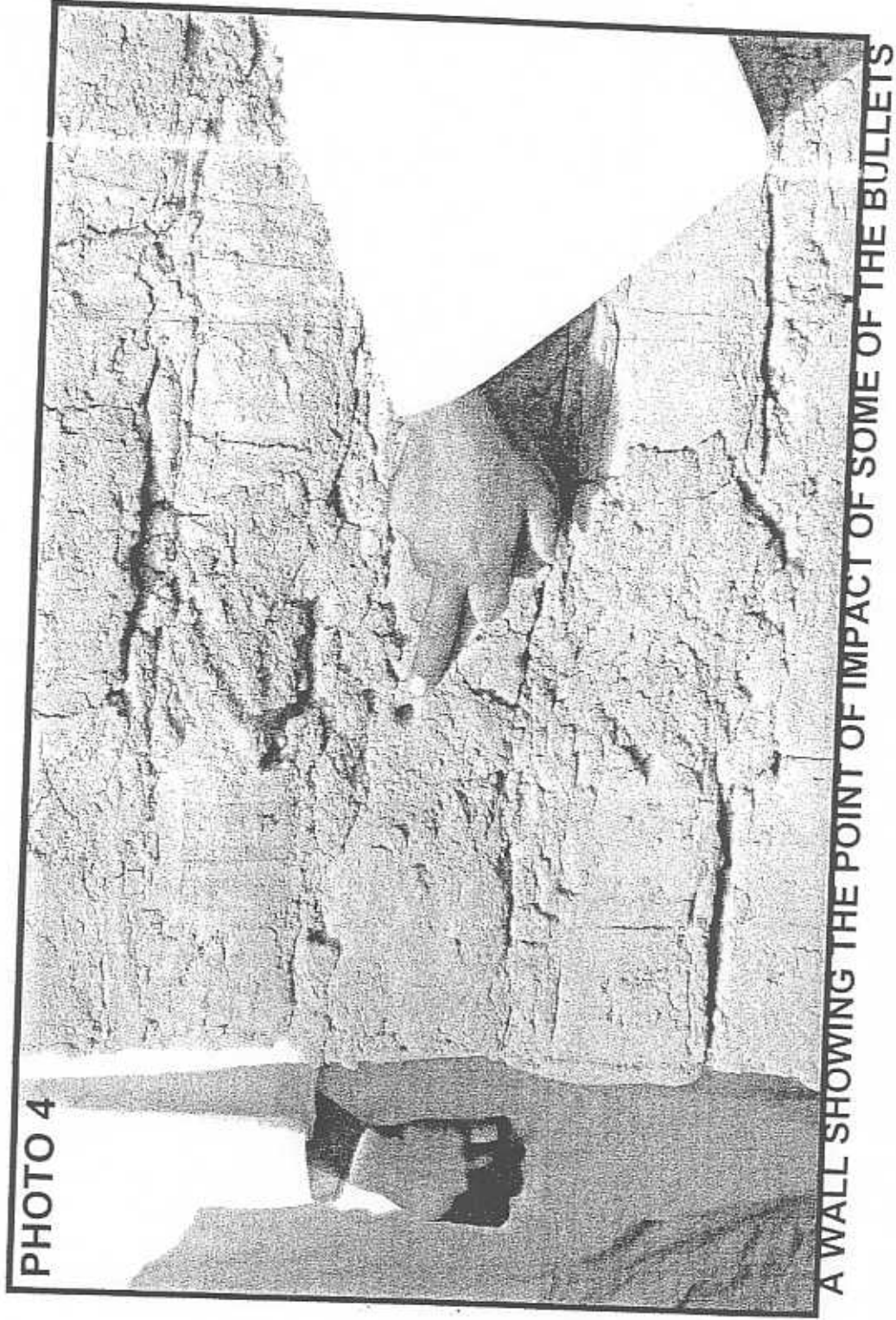
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THE POINT AT WHICH THE DECEASED FELL AND DIED SHOWING BLOOD STAINS ON THE GROUND

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BODY OF THE DECEASED SHOWING BULLET WOUND

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PHOTO1

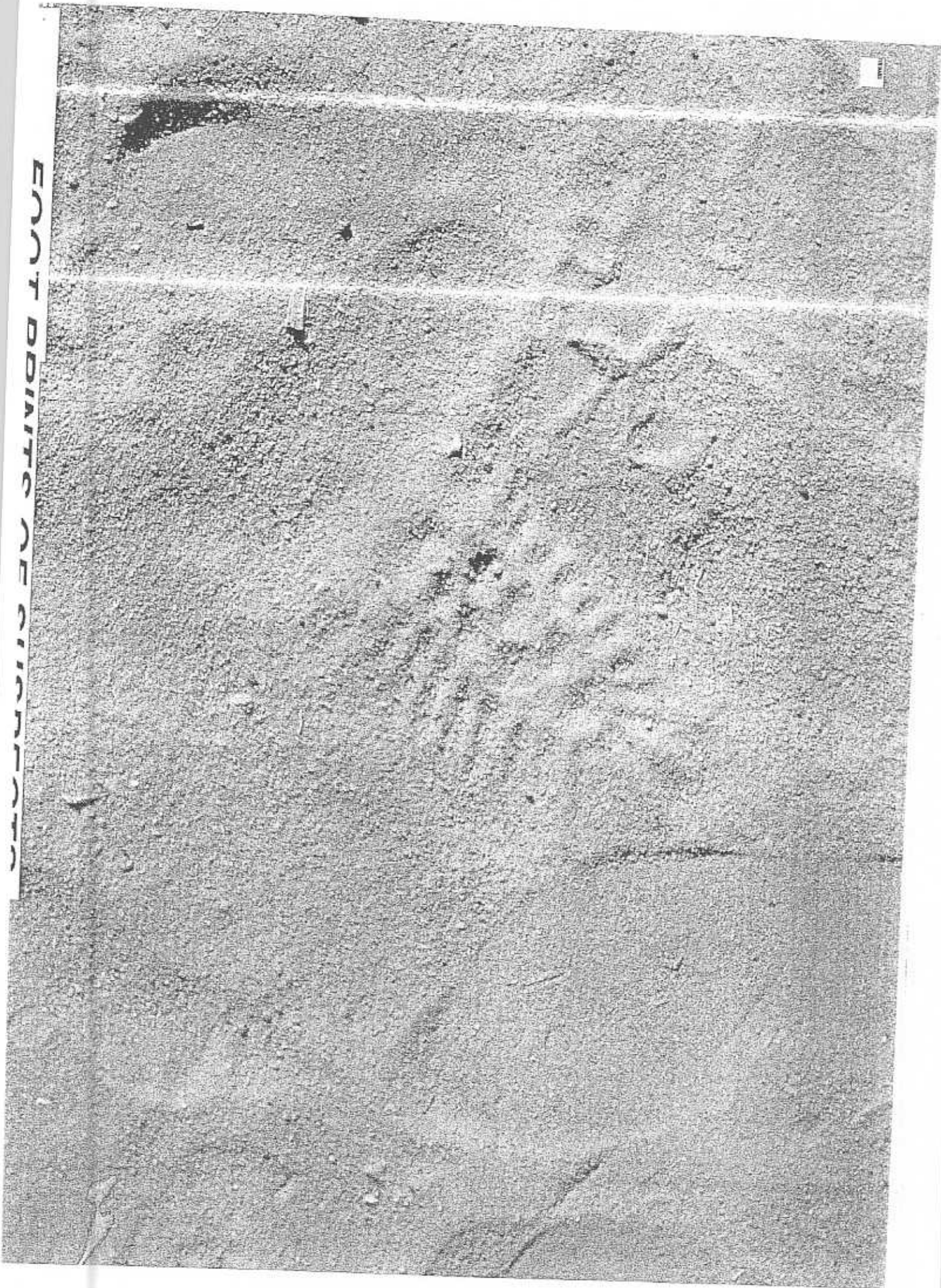


THE DECEASED BODY BEING EXAMINED BY A TEAM OF DOCTORS AT THE IRS CLINIC IN ABU SHOUK IDP CAMP

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