



COMMISSION
CEASEFIRE VIOLATION REPORT
ALLEGED
ATTACK/OCCUPATION
OF
GRAIDA BY JEM FORCES
ON
19 NOVEMBER 2004

AU RESTRICTED

AFRICAN UNION الاتحاد الأفريقي		AFRICAN MISSION IN SUDAN CEASEFIRE COMMISSION
P. O. Box 12260, Khartoum, SUDAN Tel.: (+249) 731 30334 Fax: (+249) 731 831560 Email: aucfc_elfashir@yahoo.com		

Headquarters
African Union Mission in Sudan
EL-Fashir
SUDAN

HQ/CFC/VIO/OPS/1/G

See Distribution

13 January 2005

**CFC CEASEFIRE VIOLATION REPORT NO. 114/04: ALLEGED
ATTACK/OCCUPATION OF GRAIDA BY JEM FORCES ON 19 NOV 04**

Reference:

- A. HQ/ SEC 2/OPS/G dated 30 Nov 04.

INTRODUCTION

1. On the 20 Nov 04, an NGO reported to the HQ Sector 2 that JEM forces had occupied Graidia.
2. Team C conducted the investigation into the report.

ASSESSMENT

3. Team C established that JEM forces occupied Graidia on the 19 Nov 04 under the pretext of deterring a planned GoS attack on the town. JEM later reinforced their forces occupying Graidia on the 20 and 21 Nov 04.

AU RESTRICTED

4. On their occupation of the town, JEM arrested the tax office personnel and seized their records.
5. During the occupation, JEM forces used the Graidia police building they had taken over, including for recruitment of underage children.
6. The JEM occupation of Graidia created fear and uncertainty among the residents and the native administration.

CONCLUSION

7. JEM violated the N'djamena Agreement and the Abuja Security Protocol by the following:
 - a. Moving their forces and occupying Graidia on the 19 Nov 04.
 - b. Arresting the tax office personnel.
 - c. Recruitment during the Ceasefire, as well as recruitment of underage children.


RECOMMENDATIONS


8. It is recommended that:
 - a. JEM forces should move out of Graidia.
 - b. Joint Commission should implement measures to punish the parties violating the Agreement.

AU RESTRICTED


FO OKONKWO
Major General
Chairman



G BOUCHAUD
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

MA OMAR 
Colonel
JEM Rep

BAHARELDIN BECHIJI 
Colonel
JEM Rep


G NIOUKY
Colonel
AU Rep

3

AU RESTRICTED

AU RESTRICTED

Enclosure:

1. Investigation Report on the Reported JEM Occupation of Graidia on 19 Nov 04.

Distribution:

External:

Action:

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

Information:

Director Peace and Security
Head of CMD

AU CONFIDENTIAL



HQ/SEC 2/OPS/G

HQ SECTOR 2
NYALA

HQ CFC

30 November 2004

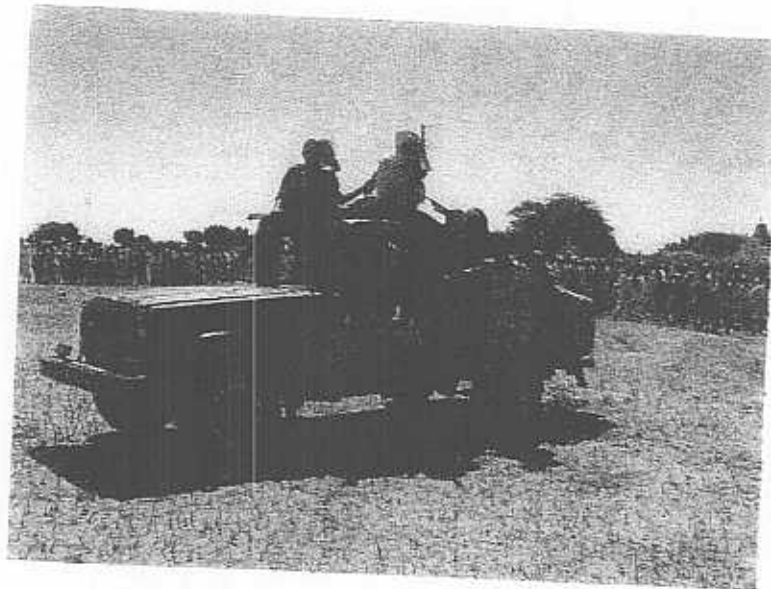
INVESTIGATION REPORT ON ATTACK/OCCUPATION OF GRAIDA BY JEM FORCES ON 19 NOVEMBER 2004.

INTRODUCTION

1. On 20 November 2004, information was received at the Sector HQ from an NGO that JEM Forces had moved its forces and occupied GRAIDA, N11° 17' 02.72" E25° 08' 52.46" located between DONKEY DIRESSA and BURAM, both located south of NYALA. It is one of the Administrative Units under BURAM Locality, and has a large IDP population.
2. Team C was tasked to conduct the investigation to confirm and verify the allegation. The team conducted an air patrol to GRAIDA, and later to BURAM on 21 November 2004.

INVESTIGATION

3. The team arrived at GRAIDA at 0940 hours, and was received by the Military Command of the JEM Forces who came with a Land Cruiser Jeep mounted with a machine gun.



JEM VEHICLE AT GRAIDA

AU CONFIDENTIAL

4. Interview with Mr. ABAHIR HAROUN ROBI – Commander, JEM Forces, Southern Sector. After stating the team's mission to him, to confirm the JEM Forces attack, occupation/presence in the town, the commander said:

- a. That GRAIDA is one of the liberated areas since year 2003 and that everyone knows that it belongs to JEM Forces. They had a political office in the town, and that their movement was not anything new, as they were a mobile force moving in the area under its control.
- b. That all the area around, including JOGHANA, ZALGA and up to BURAM.
- c. That their main military force was earlier located outside the town at MALWI, 6 kilometers away, and that only a small police force had moved into GRAIDA. He said they had forces at MALWI, JOGHANA, UMBALULA, EDAN, DONKEY ABIST, AMALGADID, RIJERA, SANAM ANAGA, DARES SALAM, DONKEY SOFIA AND JEJE – all of which are villages in the surrounding area.
- d. He stated that while they still respected the Ceasefire Agreement, many complaints about the GOS occupation of areas such as DONKEY DERASA, SANI AFONDO, SULEIA, YASSIN had not been responded to by the African Union (AU).
- e. That they do not consider their occupation of GRAIDA as a Ceasefire violation, and they had already accepted the new protocols signed at ABUJA on 12 November 2004.
- f. That they have not interfered with the working of the Administrative Unit, or the NGOs, or even the movement of commercial/civilian vehicles on the NYALA – GRAIDA - BURAM road.

5. Interview with Mr. ABDUL KARIM AHMED – Chairman of JEM Forces – South Darfur. He stated the following:

- a. The JEM Forces used to stay outside the town but they had moved into the town because of the information they received that the GOS planned to send their forces to occupy GRAIDA.
- b. That GOS had already sent intelligence forces in the town and had already interfered with their political office inside the town. That the deployment of GOS security/intelligence personnel was preliminary for deployment of military forces at GRAIDA.
- c. That when they moved into GRAIDA on Friday, 19 November 2004, they had found no resistance or any hostilities.

AU CONFIDENTIAL

d. He further reiterated that the force that had moved into GRAIDA was only a small police force.

e. That just before the holiday of IDD IL FITR, they had noted the movement of GOS Forces in 4-6 Land Cruiser vehicles through GRAIDA to NYALA and back. This had made them to be suspicious of the GOS intentions, since they had received no prior notification of the GOS movement through their area.

6. Interview with Mr. ISMAIL BUSHIN ISMAIL – Member of Political Office and one of delegates to ABUJA talks. He stated that:

a. That the rebellion in South Darfur had vision because of the welfare of civilian population. Therefore he assured AU and everyone else that they would not harm the citizens or IDPs in GRAIDA.

b. That they would co-operate and facilitate the working of the NGOs in GRAIDA.

c. That they would not interfere with the native administration of GRAIDA to include the civil court and other departments.

d. That their movement into GRAIDA should not be seen as an extension of territory, but a movement within their controlled area.

e. That they would keep the NYALA – GRAIDA – BURAM road open for communications of both commercial vehicles and GOS Forces, so long as they were given notification of such administrative movement by the AU.

f. That their main force would stay outside the town and only maintain the police force inside GRAIDA.

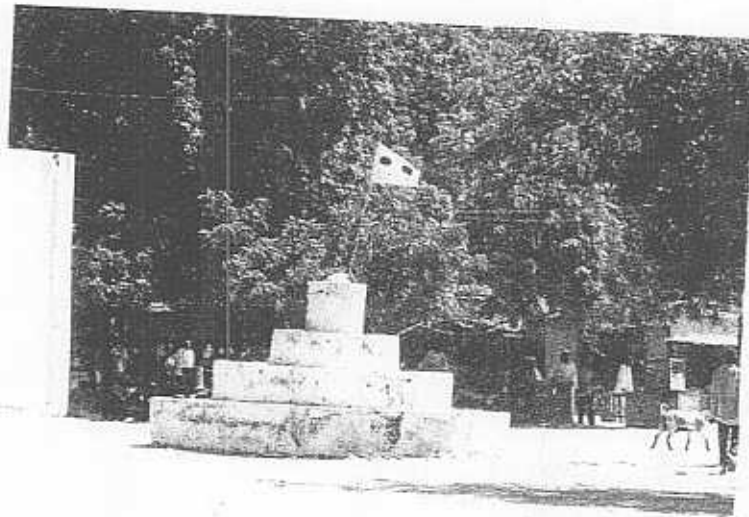
7. The team went to the office of the “King of GRAIDA” or the overall Chief, Mr. YAKOUB MOHAMMED YAKOUB who stated the following:

a. GRAIDA is an Administrative Unit under BURAM Locality. There are 11 Chiefs under him. Most Government Departments, including the Civil Court, Educational, Health, and Water were still functional.

b. In March 2004, rebel forces had attacked GRAIDA, and the police force withdrew, leaving a small force who carried out their duties in civilian clothes. Most members of the Administrative Unit had departed as a result of fear and a feeling of insecurity.

AU CONFIDENTIAL

- c. There was approximately 70,000 civilians and IDPs population at GRAIDA. That he had been coordinating the work of the NGOs working there (ICRC, OXFAM and ZOA).
- d. That on the morning of 19 November 2004, they woke up to find heavy presence of JEM Rebel Forces in the town, with their heavy weapons and vehicles. They took over the former police buildings, arrested people in the Tax Office and interfered with the Civil Administration. There was now a big problem in the town.
- e. The JEM Forces never came to GRAIDA Town before in their vehicles or their uniform, but only in civilian clothes. They had some personnel working security in GRAIDA, but it was only after the arrival of the JEM Military Forces that they showed themselves openly. The JEM Military Forces came from MALWI, about 6 kilometers away.
- f. There was no fighting when the JEM Forces arrived as nobody could face them.
- g. That GOS forces at BURAM did not use the BURAM – DONKEY DIRESSA Road, but used the BURAM – TULUS Road. However, they had recently escorted the Commissioner and overall Chief of BURAM through GRAIDA.
- 8. During a tour of the town, the team noted the raised JEM flag, the occupied police building and JEM Military Forces around. Inside the police building the team also noted recruitment of young boys into JEM forces taking place. The team reminded the JEM forces that recruitment into their forces constitute a violation of the Ceasefire Agreement.

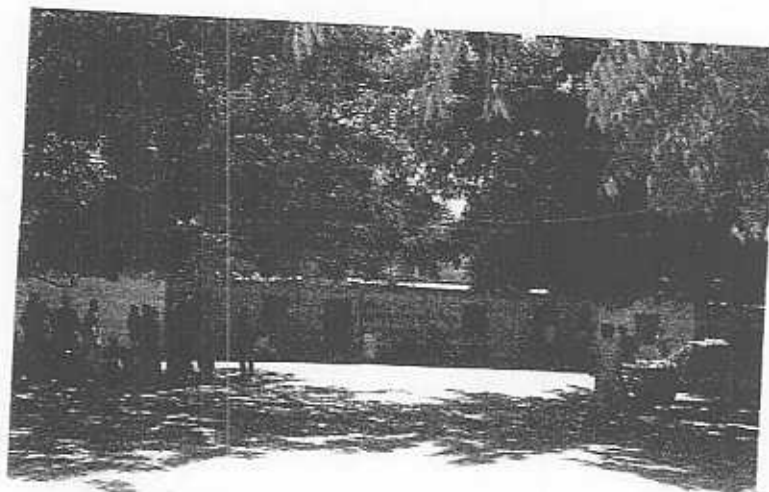


AU CONFIDENTIAL

**JEM FLAG RAISED IN THE
CENTER OF GRAIDA MARKET PLACE**



**JEM SETTING UP IN GRAIDA
AT POLICE BUILDING**



**JEM OCCUPATION AT GRAIDA
POLICE BUILDING**

9. The JEM Leadership at GRAIDA were informed of the gross and grievous violation of the Ceasefire Agreement by their recent activities and were strongly advised to reverse their action by withdrawing back to wherever their forces might have come from.

AU CONFIDENTIAL

Teams visit to BURAM

10. The team which was accompanied by the Sector Commander proceeded to BURAM and made a courtesy call on the Commissioner of BURAM Locality and a group of Chiefs and Senior Police and Military personalities at BURAM. The Commissioner stated the following:

a. All the people of BURAM and surrounding areas greatly respected the AU, and their work in DARFUR, the Ceasefire Agreement and the 2 new Protocols signed at ABUJA.

b. However, there was a very serious breach of peace and the ceasefire in general committed by the JEM Forces in their attack and occupation of GRAIDA. They condemned the whole incident and considered it as a big provocation to the GOS. The GOS now was giving the JEM Forces 48 hours to move out of GRAIDA or the GOS would attack them there and force them out.

c. He recalled a similar attack at BURAM last year where many people were killed. The people of BURAM were still angry and resentful of this attack.

d. He asked African Union to mediate in order to avoid a big catastrophe if the GOS Forces attacked the JEM Forces at GRAIDA. He gave a list of names of people abducted by the JEM Forces at GRAIDA. The list is attached as Annex A

11. In his response, the Sector Commander assured the Commissioner that AU had already taken appropriate action on the JEM Forces and had already notified the Ceasefire Commission at EL FASHIR. It was hoped that the situation would be solved as soon as possible. He further informed the Commissioner of the expanded AU program which the Commissioner warmly acknowledged.

12. A few Chiefs namely Mr. ALMIN and Mr. MOHAMMED KHAWAF reiterated the Commissioners sentiments about the actions by JEM Forces at GRAIDA, and hoped the AU would intervene.

ASSESSMENT

13. The team makes the following assessment:

a. The movement and occupation of GRAIDA by JEM Forces on 19 November 2004, and reinforcements on 20 and 21 November 2004 was confirmed.

AU CONFIDENTIAL

- b. As at the time of this occupation, GRAIDA Administration Unit was under the governance and administration of BURAM Locality. Many government departments were still functioning though there was only a few policemen in civilian clothes.
- c. The JEM Forces had occupied the former police building in the town and were conducting their activities from there. This included recruitment of under age children.
- d. The JEM Forces had interfered with the running of the native administration by arresting the tax office personnel and taking away their records.
- e. The JEM Forces presence in the town had created fear and uncertainty among the residents and native administration.
- f. The activities of the JEM Forces were a gross and serious violation of the Ceasefire Agreement of 8 April 2004 signed in N'DJAMENA and also the Peace and Security Protocols signed in ABUJA on 9 November 2004.
- g. The action by the JEM Forces is likely to provoke reprisals by the GOS and other Pro-GOS Militias in the area, thus setting the stage for a serious conflict.

CONCLUSION

14. The team concludes that the movement, occupation of GRAIDA by JEM Forces on 19 November 2004 was confirmed. This activity is a serious violation of both the Ceasefire Agreement and the new Protocol on Peace and Security signed in ABUJA.

RECOMMENDATIONS

15. The team recommends the following:
 - a. That the JEM Forces move out of GRAIDA immediately to avert any further conflict and endangering of the peace and security of the civilians and IDPs at GRAIDA.

AU CONFIDENTIAL

- b. That the JEM Forces be advised on the dangers of any new violations to the Ceasefire Agreement and the New Protocols.
- c. The JEM forces should be reminded that, recruitment into their forces constitutes a breach of the 8 April 2004 Ceasefire Agreement and should stop it forthwith.

May Pm ridungu *[Signature]*
TEAM LEADER 30/11/2004

Col Helmed *[Signature]* 30/11/2004
GOS REPRESENTATIVE

Mohammed Adam 2-12-2004
SLA REPRESENTATIVE

FF See the objection
attached.

Let. com. Ibrahim Hassan A. *[Signature]*
JEM REPRESENTATIVE 2.12.2004

Major *[Signature]* Ramadan
2-12-04
CHAD MEDIATOR

Date .11.04 Nyala

The Justice & Equality Movement
Representative of (JEM) AE CFC
Sector ② Nyala office

Article : Objection.

By referring to above mentioned article; and since I'm a member of CFC - team (C) Chareli, I object the idea of considering rising of JEM'S Flag at their political office and deployment of JEM police forces inside Giradha as a violation to the agreement.

As we know that Giradha is liberated since March 2004 and we controlled the whole area. And we have our political office inside Giradha, and the negotiation to Abuja peace talks are all stay inside Giradha, while our forces per present in nearby, at Butat ~~Bagrat~~ Bagratain, Malwei and Mashroe, which it's proved by the King of Masaliat speech, above all any activity from within our area doesn't regard violation to the agreement.

Thank you

~~Magid~~
Let con. Magid JEM

11.04