

THE DARFUR GENOCIDE AT TEN YEARS: A Reckoning

Eric Reeves, 19 April 2013

There is in Darfur no end in sight for conflict, murder, rape, assaults on displaced persons camps, agricultural and village destruction, brutal extortion schemes, and continuing violent human displacement. The primary targets of this mayhem overseen by the National Islamic Front/National Congress Party regime in Khartoum continue to be primarily civilians from African tribal groups surviving tenuously in an increasingly chaotic Darfur; it is the cruelest of counter-insurgency strategies, since the military opponents of the regime are rebel groups that refuse to accept a peace agreement contrived in Doha (Qatar), not ordinary farmers and landholders. Moreover, for several years an increasing number of Arab tribal groups have been drawn into the fighting, often pitting one Arab group against another; this has produced rapidly growing "collateral damage" as Khartoum seeks to subdue Darfur by means of a war of attrition in which impunity, chaos, and inter-ethnic violence serve the regime's ultimate military and political purposes. The insecurity consequent upon such policies threatens international relief organizations, many of which have already withdrawn or been expelled, and many more are contemplating withdrawal.

International civilian protection—[publicly called for since 2003](#)—has been disastrously inadequate. Since January 1, 2008 the UN/African Union Mission in Darfur (UNAMID) has failed miserably in providing basic civilian protection, even as it began as the most expensive peacekeeping operation in the world (and is now only one of three in greater Sudan). Throughout Darfur, even as humanitarian assistance is increasingly attenuated and severely threatened, neither the UN nor the AU will speak honestly about these realities, or risk any confrontation with Khartoum and its primary supporters: the Arab League, China, Russia, the Organization of Islamic Conference, and sadly many within the AU. On countless occasions public statements by officials from both the AU and UN have been marked by either disingenuousness or outright mendacity, particularly concerning [levels of violence](#), displacement, and [humanitarian conditions and access](#). Of human mortality totals the UN has long ceased to speak for fear of angering Khartoum; in fact, the extant evidence and data, while certainly incomplete, strongly suggest that half a million people have died from violence and its consequences: exposure, dehydration, disease, and starvation. [1]

The international community, long unwilling to act meaningfully, pretends that a raft of ignored UN Security Council resolutions—filled with "Chapter 7 authority" and various "demands" that have gone entirely unmet by Khartoum—is an adequate diplomatic response. Peace negotiations, under myriad auspices, produced first the [disastrously ill-conceived and ill-fated "Darfur Peace Agreement"](#) (2006, Abuja)—an agreement that ensured the fragmentation of Darfur's rebel movement. More recently (July 2011) the "Doha Document for Peace in Darfur" (DDPD) has served as the diplomatic point of departure, and touchstone for all comments about ending violence in Darfur. This is so even as the DDPD has been overwhelmingly rejected by the major rebel groups and Darfuri civil society, and whose terms have been almost entirely ignored by the Khartoum regime since the time the agreement was signed twenty-one months ago.

The "Responsibility to Protect" (unanimously ratified in the UN General Assembly "Outcome Document" of September 2005 and UN Security Council Resolution 1674 [April 2006]) is among the most serious and conspicuous casualties of the Darfur genocide, and for evidence we need look no further than current international failure to halt Khartoum's ongoing campaigns of civilian annihilation in the Nuba Mountains of South Kordofan and in Blue Nile. The impunity that sustains the Khartoum regime in its serial atrocity crimes in these two southern states grows directly out of the impunity that has prevailed from the beginning of major violence in Darfur. The deliberate destruction of agricultural production in the Nuba and Blue Nile should remind us of the systematic destruction of food-stocks and seed-stocks, the poisoning of water sources, and the looting or killing of livestock during the Darfur genocide. These are all actions that continue to be reported in Darfur, along with relentless aerial bombardment that directly violates the UN Security Council "demand" (Resolution 1591, March 2005) that all aerial military assaults in Darfur be halted. [2]

And it is of course indiscriminate bombing of civilians and civilian targets that for almost two years has defined Khartoum's military assault on the Nuba and Blue Nile, where the regime permits no humanitarian

relief efforts to reach civilians in rebel-held territory. The bombing attacks—primarily conducted by highly inaccurate Antonov cargo planes from which crude, shrapnel-loaded barrel bombs are simply rolled out the cargo bay—are *all* war crimes under the [Rome Statute](#) that provides the statutory basis for the International Criminal Court. Collectively the attacks constitute crimes against humanity under the Statute.

So many and so great are the Khartoum regime's violations of international humanitarian and human rights law in Darfur that a detailed retrospective seems urgently required as violence reaches a new crescendo throughout the region, and the prospects for peace rapidly recede. This brief is the first of several accounts focusing on specific violations of international law—on this occasion analyzing the tactic of ***deliberately disguising of military aircraft so as to be either unidentifiable or appear to be those of the UN or humanitarian organizations.***

[For a recent overview of security conditions in Darfur, see:

"Human Security in Darfur Enters Free-Fall," 20 March 2013 at <http://www.sudanreeves.org/?p=3838>

For a recent overview of humanitarian conditions in Darfur, see:

"Humanitarian Conditions in Darfur: The most recent reports reveal a relentless deterioration," 10 February 2013 at <http://www.sudanreeves.org/?p=3790>]

Disguising Military Aircraft in a Humanitarian Theater

Resolution 1591, in addition to demanding a halt to all aerial assaults in Darfur, created a UN Panel of Experts (on Darfur), both to verify compliance with the demand that aerial military attacks be halted and to monitor the arms embargo placed on the region. The earlier Panels did a commendable job, identifying not only egregious violations of the arms embargo, but confirming a great many aerial military attacks that violated Res. 1591. Of particular note, the earlier Panels also established early on that Khartoum was clearly deploying aircraft disguised as UN aircraft or painted the white color that ensures the humanitarian neutrality of planes and their cargo. Perhaps in response, the regime has more recently settled on the tactic of marking Sudan Armed Forces (SAF) aircraft with military insignia far too small to be identified from the ground.

Such disguising of aircraft is an extremely serious violation of international law. The significance of such violation was very recently highlighted in *The New England Journal of Medicine* (March 21, 2013; 368:12):

"In June 1968, a clearly marked Swedish Red Cross plane that was flying relief supplies into the breakaway state of Biafra was shot down by Nigerian fighters. Before the was over, many relief planes would be shot down and far more would crash because the Nigerian government's shoot-to-kill order forced them to fly at night. The brazen targeting of Red Cross relief flights was hard to imagine. In the minds of some people, however, these attacks were justified by another clear violation humanitarian neutrality: on at least one occasion, a plane painted with the Red Cross insignia was actually carrying weapons. That rare instance of military action masquerading as humanitarian relief completely undermined the neutrality of everyone who operated by the accepted rules of humanitarian assistance, cost the lives of both aid workers and aid recipients, and provided a blanket of impunity for future criminal actions of the Nigerian government." (p. 1073)

Given this ghastly precedent, why have the UN and the international community been so reluctant to call forceful, consequential attention to these violations in Darfur, which continue on a regular basis? For the use of disguised military aircraft continues to this day, as confirmed to me by two highly experienced regional experts with extensive knowledge of the situation on the ground in Darfur (emails received April 17/18/19, 2013). The UN Panel of Experts on Darfur has repeatedly called attention to this violation of international law in its publicly released UN reports, indeed has provided voluminous evidence, both photographic and by means of eyewitness accounts from vast numbers of Darfuris (all report titles, dates, and key findings about disguised aircraft and ground vehicles may be found in **Appendix 1** at <http://www.sudanreeves.org/?p=3868>); links to the all the reports through 2009 can be found at a [Small Arms Survey listing](#)). Here are a few excerpts from the reports:

§45. The Panel has evidence that the Government of the Sudan leased at least one Mi-8 helicopter from a local leasing company of foreign origin. This "white" helicopter has been at the centre of controversy, as it was reported to be ***previously leased by AMIS and was later leased to the Government of the Sudan with the AMIS sign still affixed (as shown in fig. 2). The continued use of unmarked and/or white helicopters for military use indicates reluctance on the part of the Government to seriously consider the threat this action poses for the United Nations and AMIS.***

§46. On several occasions SLA and NMRD [rebel] operatives have threatened to shoot down any white helicopters, including United Nations and AMIS [African Union Mission in Sudan] helicopters, that fly over certain areas in Darfur. They claim this is in response to the ***Government's practice of using white helicopters similar to those used by the United Nations and AMIS. This situation has led to at least one incident where United Nations pilots had to take evasive action to avoid bullets fired from the ground, reportedly by members of SLA.*** (April 2006 report; AMIS was the exceedingly small and weak predecessor to UNAMID)

Offensive military overflight

§201. On 30 June 2006, Panel members travelling by UNMIS helicopter visited Umm Sidr, a position in Northern Darfur held by the G19 ["Group of 19" rebel force]. During discussions with some of the rebel leaders, soldiers and villagers, at about 1200 hours they observed an unmarked white Antonov aircraft circling the area for approximately 45 minutes. ***The villagers and rebel leaders told the Panel that it was a Government of the Sudan military aircraft, painted white to camouflage as a United Nations or AMIS aircraft, that such intimidating overflights were a regular occurrence in their area, and that they felt threatened as the aircraft often came close to the ground.*** The Panel members noted the location of the place on the GPS monitor at 25° 09' 15" East and 14° 25' 23" North. (Panel report to the Security Council, October 2006)

The reports offer a great many other highly detailed examples:

(Figure 9, Unmarked white Antonov aircraft at El-Fasher airport 7 August 2006)

§207. Contrary to the claim of the Government of the Sudan, on 7 August, the Panel saw one white Antonov aircraft stationed at the El-Fasher airport bearing two numbers: one on its tail (7705) and another on its body (26563) (***see fig. 9). The aircraft did not bear any emblem or logo. Since the aircraft was guarded by the Sudanese Armed Forces, it is believed to be a Government of the Sudan aircraft.*** (August 2007 report)

The October 2008 report by the Panel of Experts gives the broadest sense of their collective findings:

SAF white aircraft:

§89. In all of its reports to date the Panel has recorded the ongoing use of white aircraft in Darfur by SAF [the Sudan Armed Forces]. The Panel continued to observe such activities, involving both rotary and fixed-wing aircraft, during the present mandate.

Human Rights Watch drew all the appropriate conclusions in their important report of September 2007 ("[Chaos by Design](#)"):

"Government forces have used military aircraft painted white—the color used by UN and AMIS forces—for reconnaissance, supply operations, and attacks. At a distance, the aircraft resemble United Nations and AMIS planes and Mi-8 helicopters; **sometimes they even have UN markings**. Use of these white aircraft for military purposes is a violation of international humanitarian law, specifically the improper use of the United Nations emblem, and, when simulating the protected status of peacekeeping forces and humanitarian operations to conduct attacks, the prohibition against perfidy. **Use of these planes puts genuine UN, humanitarian, and AMIS flights at risk because rebels might mistake them for legitimate military targets. People in desperate need of aid may flee from humanitarian flights if they cannot distinguish them from government military aircraft.** [36]

[36] UN Panel of Experts, "Interim report of the Panel of Experts established pursuant to resolution 1591 (2005) concerning the Sudan, submitted pursuant to resolution 1713 (2006)," **unpublished, paras. 93-98 and 136.**

The Human Rights Watch report continued:

"The United Nations has in the past urged the Sudanese government not to use white aircraft that resemble its own, saying it endangers the peacekeepers. The UN Panel of Experts' 2007 report described multiple sightings of white helicopters in Darfur during 2007. The report described two white Mi-171 helicopters painted with military registrations, neither of which displayed a Sudanese flag painted on the aircraft." The Panel believes this is a method to further conceal their identity so that from a moderate distance they resemble United Nations or AMIS Mi-8 helicopters used in Darfur."

"Photos from the report, all dated from 2007, show a white Fantan A-5 helicopter at Nyala airport, a white Mi-24 at Khartoum International Airport, a white Antonov (An-12) plane at El-Geneina, **a white Antonov (An-26) with UN markings at El Fasher**, and another white Antonov (An-26) at Khartoum airport.

"The UN Panel of Experts said, 'the extensive use of white aircraft by the Government of the Sudan, including the use of white Antonov aircraft in some of the 66 aerial attacks catalogued by the Panel between September 2006 and July 2007, constitutes a serious obstruction to the work of AMIS and the United Nations. In one instance the Panel found that the **Government of the Sudan had used a white Antonov aircraft with "UN" markings in offensive military overflights'** A Security Council resolution prohibits Sudan from conducting offensive military flights in and over the Darfur region."

The highly authoritative Small Arms Survey (Geneva) provided a detailed account of the aircraft in question:

"Russian Mi-17 and Mi-32 helicopter gunships, Sukhoi and MiG-29 fighter jets, and Chinese-made A-5 'Fantan' jets have all been sighted in Darfur, as well as white Antonov 26 transport aircraft used as crude bombers. The UN Panel has provided evidence that Antonovs have been painted white—the colour of many UN and relief agency planes flying in Darfur. **One had 'UN' painted on a wing in a clear attempt to disguise its identity.**" ([November 2010](#))

The follow year (2008) *Sudan Tribune* reported on another highly consequential violation, one of many that could have been reported:

"A white helicopter not marked with the UN emblem or any identifiable markings was seen Monday flying over a southern area of North Darfur state, where the majority of villages are controlled by the rebel Sudan Liberation Army (SLA) faction led by Abdel Wahid Al-Nur.

"White government aircraft have previously attacked civilians in both the current conflict in Darfur and during Sudan's 1983-2005 civil war. A September 2007 report to the UN Security Council by a five-person panel of experts revealed that white-painted government military planes were used for aerial surveillance, arms shipments and attacks on villages. Consistent use of white aircraft for military operations could make them a more likely target for rebel fighters, thus raising the danger for UN aircrews. Rebels from both SLA and Justice and Equality Movement (JEM) have already demonstrated their ability to down helicopters in multiple confirmed instances." (*Sudan Tribune*, September 23, 2008)

The danger to peacekeepers was underscored in the same *Sudan Tribune* dispatch:

"A helicopter of the hybrid peacekeeping force was shot at in western Darfur on [Monday] August 11, [2008] and another was damaged by gunfire on September 14, [2008] as it was on its way to Shangil Tobaya from Tawila town, about 37 km before Shangil Tobaya UNAMID base camp. In this instance [of a SAF disguised aerial military flight], the helicopter appears to have been scouting an area southeast of Kabkabiya."

Again, the Panel of Experts was explicit in its findings about not only disguised white SAF aircraft, but the actual use on the UN emblem on aircraft:

"The panel noted with concern that the [SAF] plane had a UN logo painted on the top of its left wing."

The dangers created by such disguise are made all too explicit by the Panel in its October 2008 report:

"§92. The Panel gained first-hand knowledge of this threat on 11 August 2008, when a white United Nations Mi-8 helicopter transporting the Panel to the Jebel Moon area of Darfur for a verification mission was targeted and fired upon by JEM combatants. Subsequent communications with JEM on the issue revealed that the combatants on the ground had mistaken the United Nations aircraft for a Government white helicopter and as such perceived it to be a viable military target."

All this should be borne in mind not only for Darfur, but for South Sudan, where Khartoum also uses disguised white or UN-marked aircraft to deliver military supplies to the increasingly violent rebel force of David Yau Yau in Jonglei State, as well as other renegade rebel groups. The Sudan People's Liberation Army (SPLA) mistakenly shot down a Russian helicopter from the very area in Jonglei where this aerial re-supply has occurred; and yet it was not Khartoum that was the focus of international outrage but Juba. Coming so quickly in the wake of the shoot-down, and in the absence of an investigation, such condemnation was entirely premature (see <http://www.sudanreeves.org/?p=3669>). That Khartoum has not been held accountable—either for its disguised military aircraft in Darfur or its similar tactics in supplying Yau Yau—does much to explain the regime's diplomatic intransigence.

[Reports from the ground in South Sudan also indicate that at on at least one occasion crude "UN" lettering was painted on an SAF aircraft, with the two letters disproportionate in size.]

In Darfur, reports of disguised military aircraft have continued to pour in from a range of sources—including various reports from the UN Panel of Experts on Darfur—and it is clear that the practice continues. As a token gesture Khartoum sometimes now puts on its military aircraft very small SAF roundels or and a tactical (military) SAF registration on the tail or body (usually a four-digit number). But these are both far too small to be seen or identified from the ground, especially on an Antonov, which frequently flies as high as 5,000 meters so as to avoid ground fire. This is an obvious and highly consequential violation of Preambular Paragraph 7, Resolution 1841 (2008), which "[demands] that there should be no aerial bombings nor the use in Darfur, by any party of the conflict, of white aircraft or aircraft with markings resembling those on United Nations aircraft."

Much of this was detailed in an extraordinary report by former members of the UN Panel of Experts (on Darfur) that first appeared in early in 2012. There they observe that:

"As during previous mandates, the Members of the Panel have on numerous occasions (detailed below) observed white Antonov-26 and Antonov-32 aircraft on the military aprons at both El Fasher and Nyala airports, marked with small military (numerical) registrations, operated by military personnel, and in El Fasher surrounded by visible aircraft bombs."

It is also reliably reported from the region that SAF Antonovs sometimes carry Sudanese civilian registrations alongside their military registrations. An eyewitness reports that one SAF aircraft often seen in Darfur is all-white, with no markings except very small SAF roundels. This is an Ilyushin-76, formerly ST-AZZ of Azza Transport. It is reportedly used for military transport rather than aerial assaults, but still constitutes a significant violation of international law and the relevant UN Security Council resolutions.

Why has nothing been done in response to this outrageous endangerment of humanitarians and peacekeepers traveling by air? To be sure, the U.S., the UN Secretariat, and the EU on occasion register their disapproval:

"The European Union condemned on Tuesday the Sudanese military's use of white aircraft in strife-torn Darfur, calling it a deliberate attempt to create confusion with UN planes. 'The European Union calls on the Sudanese authorities to put an immediate end to the military operations which started a few days ago in Darfur,' the bloc's French presidency said in a statement. 'It condemns the use of white aircraft in these operations, which is deliberately intended to create confusion with United Nations aircraft,' it said, calling on all parties to abide by international law." (Agence France-Presse [Brussels], September 23, 2008)

But of course such condemnations are completely ignored by Khartoum; it is likely that the EU issued a similar statement the preceding year, and subsequently—to no effect, with not credible threat of sanctions. Indeed, in the end it was the regime's own blustering anger that seems to have forestalled sanctions by the UN Security Council, which actually has a committee tasked with monitoring Darfur sanctions issues. In 2007, in response to the leaked UN Panel of Experts report, Khartoum's representative to the UN fulminated mindlessly, but with clearly implicit threats:

"Sudan lashed out on Thursday at a leak of a UN report that accused Khartoum of violating an arms embargo by flying military aircraft in Darfur and painting planes to make them look like UN aircraft. Khartoum's UN ambassador, Abdalmahmood Abdalhaleem, in a letter to the head of the Security Council's sanctions committee on Sudan, said the 'enemies of peace and stability in Sudan' leaked the report to overshadow recent positive peacekeeping developments for turbulent Darfur, where 2 million people have been made homeless. The report was compiled by outside experts for the council's committee, which includes all 15 member nations, and was published by *The New York Times* on its Web site on Tuesday." (Reuters [UN/New York], April 19, 2007)

Those who leaked this report, compiled by distinguished experts in their respective fields, are "enemies of peace and stability in Sudan"—and faced with such "enemies," Khartoum will take the opportunity to expel any who might be among their number. Of course the first major expulsions were to be of humanitarian relief organizations: thirteen were expelled in March 2009, representing roughly the total humanitarian capacity in Darfur at the time (there had been previous expulsions and many subsequently). The "expulsion" of the UN Panel of Experts, authorized by a UN Security Council Resolution, proved to be more difficult and required different tactics. Putting immense pressure on the feckless UN Secretariat—and assisted by arms suppliers China and Russia (China has repeatedly objected to reports that name Beijing as a violator of the Darfur arms embargo)—Khartoum demanded in effect that newly mandated Panel members be to their liking. And over time they have got their way. This acquiescence comes at considerable cost to the effectiveness of the international presence in Darfur.

The Panel made clear in its October 2007 report that its work was already seriously compromised by Khartoum's actions:

"the use of white Antonov aircraft in some of the 66 aerial attacks catalogued by the Panel between September 2006 and July 2007, constitutes a serious obstruction to the work of AMIS and the United Nations."

Undoubtedly there were a great many more such attacks that went un-cataloged—perhaps many times as many. The refusal to take such concerns seriously, the refusal of the UN Security Council to support its own Panel of Experts, was one reason that three of the most capable former members of the Panel circulated to the Security Council last year an unofficial report on the situation in Darfur, one that contrasted sharply with the inept and slovenly report by the "official" Panel covering the same period of time (see <http://www.sudanreeves.org/?p=3058>). The current nominations for the Panel are indeed much more to Khartoum's liking; several are of Arab descent or from Arab countries or are known to have pro-Khartoum sympathies—hardly appropriate choices given Arab/non-Arab tensions in Darfur—and their qualifications and neutrality have been sharply questioned by those who know their work best. All three former experts resigned from the Panel in disgust at the politicization of the work in Darfur, and the carelessness with which this critical research is destined to be conducted for the foreseeable future.

Conclusion

What is perhaps most striking about the reports is the precipitous fall-off in accounts by the Panel of disguised or white-painted aircraft and ground vehicles. The report of November 2008 runs to many pages on the subject; the report of October 2009 has no references to white or disguised aircraft—none. Intervening of course is the March 2009 expulsion of thirteen humanitarian organizations, together constituting roughly half the relief capacity in the region. News and human rights organizations had been barred from Darfur for some time, and the intimidation of UNAMID increased dramatically during this period. Denials of access and aggressively hostile accusations become standard burdens for the Mission. In 2008, the first year of UNAMID's official deployment, Khartoum mounted two extremely serious military attacks on UNAMID—one with SAF forces, another deadly assault by means of militia proxies (see <http://www.sudanreeves.org/?p=2200> and <http://www.sudanreeves.org/?p=2219>). More recently, the October 2012 attack on a large, well-armed UNAMID convoy attempting to investigate atrocity crimes at Hashaba (North Darfur) was also the work of regime-allied militias. In this attack one peacekeeper was killed and several seriously wounded (see <http://www.sudanreeves.org/?p=3525>).

There can be little doubt that both the UN and AU have been thoroughly intimidated, and despite the Status of Forces Agreement (January 2008)—guaranteeing UNAMID freedom of access—such access has not and will not be granted, not without international pressure of a sort not seen in the more than five years of UNAMID's existence. Most consequentially, UNAMID has proved itself—as a UN/AU "hybrid"—incapable of halting Khartoum's continuing use of disguised military aircraft, inviting precisely the sort of disaster that occurred in Nigeria in summer 1968. There are few better measures of the Khartoum regime's callousness than such conspicuous violation of international law.

NOTES:

[1] The last professional epidemiological study of mortality in Darfur was conducted by the Center for Research on the Epidemiology of Violence (CRED) (Olivier Degomme and Debarati Guha-Sapir in "Patterns of mortality rates in Darfur conflict," *The Lancet*, January 23, 2010 (pages 294-300, <http://www.thelancet.com/journals/lancet/article/PIIS0140-6736%2809%2961967-X/abstract>). Although likely accurate in its estimate of those who had perished from the consequences of violence—primarily displacement without the resources necessary for survival—the report bewilderingly uses a fully discredited UN State Department estimate for violent mortality in the first year of conflict—perhaps the most violent and destructive year of all. This leads to a gross understatement of overall violent mortality. The document is also very poorly informed in its understanding of the dynamics and history of the conflict in Darfur, and Sudanese political history generally. The report was also unable to take advantage of [important data promulgated in summer 2010 by "Darfurian Voices"](#); it was on the basis of these data that I calculated approximately 300,000 had died directly from violence (or its immediate

aftermath), and approximately 200,000 from the effects of that violence (this is the figure that accords with the CRED finding). There have been no mortality studies of any sort since my effort of August 2010, more than two and a half years ago (<http://www.sudanreeves.org/?p=2269>).

[2] The actual language of Resolution 1591 is important: "[The UN Security Council] *Demands* that the Government of Sudan, in accordance with its commitments under the 8 April 2004 N'djamena Ceasefire Agreement and the 9 November 2004 Abuja Security Protocol, immediately cease conducting offensive military flights in and over the Darfur region." This includes *all* military flights, since the Darfur theater does not provide occasion for "defensive" military flights. All military flights are thus *ipso facto* violations of this "demand."

The rebel groups have no military aircraft, so they cannot be used as a justification for aerial military responses by Khartoum. Military aircraft might conceivably be used to defend threatened military positions, but such a joint ground/air operation seems exceedingly unlikely and almost certainly beyond the ability of the SAF air force. The blunt truth now is the same as it was more than eight years ago when Resolution 1591 was passed by the Security Council: the overwhelming number of aerial attacks are directed not against military targets, but civilians and civilian resources—mainly by Antonov cargo planes, which have no militarily useful bombing accuracy. The violations of the arms embargo on Darfur, which has never meant anything to the regime, are also conducted by military aircraft.

As the UN Panel of Experts put the matter in its **October 2008 report**:

Offensive military overflights

§95. In line with past practice the Panel continues to define as offensive military overflights acts falling within the following categories:

- (a) Disproportionate use of aircraft beyond that which is required to neutralize a clear and imminent threat;
- (b) Unprovoked attack with aircraft, such as strafing or indiscriminate bombardment of civilian targets;
- (c) Use of aircraft in support of ground operations preparing for or engaging in an attack;
- (d) Retaliatory attack, i.e. action in response to a prior attack;
- (e) Flights that deposit troops for participation in an attack;
- (f) Operation of aircraft in such a manner to intimidate, frighten or harass;

For example, flying mock attack runs, circling over an area for a considerable period of time, destroying buildings with rotor wash, generating sonic booms, etc.

Since the passage of Resolution 1591, **more than 500 confirmed offensive bombing attacks against civilians** in Darfur have been recorded (see www.sudanbombing.org/data spreadsheet).

APPENDIX—This **Appendix** includes all references to disguised white aircraft (as well as to SAF use of the UN logo) as well as to disguised white ground vehicles—from all Panel reports through 2009 (**Appendix** available at <http://www.sudanreeves.org/?p=3868>).