# **UNITED NATIONS INTER - AGENCY**

# FACT FINDING AND RAPID ASSESSMENT MISSION

KAILEK TOWN

**SOUTH DARFUR** 

25 APRIL 2004

LAT N 12 grades 15' 39.64" and LONG E 23 grades 55' 9.30".

# 1. INTRODUCTION

A United Nations Inter – Agency fact-finding and humanitarian needs assessment mission was carried out to the town of Kailek in South Darfur on Sunday 24 April 2004. The mission – team consisted of technical staff from UNICEF, WHO, FAO and OCHA (lead). One member from the HAC in Nyala escorted the mission. UNSECOORD cleared the road to Kailek on 17 April 2004. This is the first United Nations humanitarian assessment mission to the location and surrounding areas.

# **Objectives**

The key objective of the mission was to assess the security and humanitarian conditions in Kailek town, with the intention of soliciting a concrete plan of action from the local authorities to alleviate the situation of the IDPs in that location.

Numerous reports obtained in recent weeks have revealed deplorable humanitarian and security conditions in the location, including a report submitted by CARE International in early April, the findings of which have been continuously contested by the GoS.

# **Background on Kailek**

Kailek town is located some 64 kms South West of Kass town in the Administrative Unit of Shattaya inside the Kass locality. The original population of Kailek was some 5,000 persons. As the campaign to cleanse the entire Kass – Shattaya – Kailek triangle of its mainly Fur population progressed, villagers sought towards Kailek after other locations were destroyed by GoS and Jenjaweed forces, at times backed by GoS aerial bombardment (e.g. Shattaya on 10 February 2004). The 23 Fur villages in the Shattaya Administrative Unit have been completely depopulated, looted and burnt to the ground (the team observed several such sites driving through the area for two days). Meanwhile, dotted alongside these charred locations are unharmed, populated and functioning 'Arab' settlements. In some locations, the distance between a destroyed Fur village and an 'Arab' village is less than 500 meters.

Kailek town itself was attacked and burned with considerable force by Jenjaweed and GoS forces on several occasions between mid-February and 08 March 2004. Today, Kailek is completely destroyed with virtually no complete buildings left in the entire town area. All items of value have been stolen and personal possessions are scattered all over the place, bearing a somber testimony to the swiftness and violence with which people were attacked and dislocated.

## Security

There is a strong and visible presence of the Jenjaweed in the entire region between Kass and Kailek, as well as between Kass and Abruminoa, the last village before Shattaya. Upon entry into Kailek town, a considerable number of armed Jenjaweed fighters approached the mission, accompanying the GoS police formally in charge of security in the town. While the tone between the UN and Jenjaweed/GoS was cordial, there were a number of well-armed young boys displaying a very belligerent attitude towards the IDPs despite the presence of the mission. Observing interactions between

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<sup>&</sup>lt;sup>1</sup> WFP could not participate in the mission.

IDPs and the Jenjaweed fighters / GoS police officers, the IDPs are clearly under physical threat, and not in a benign and trusty relationship with their so-called protectors. The general atmosphere in town was that of aggression, anxiety and insecurity.

# Methodology

Information was obtained using rapid assessment techniques, meeting with keyinformants and several male and female representatives of the IDP community, semistructured interviews and direct observation.

### 2. PROTECTION - OCHA

In its first attempt on 23 April at locating Kailek the IA mission was misguided and ended up, accidentally near Shattaya, having followed the wrong road through the desert. This deviation afforded a closer look at this area which has yet to be cleared by UNSECOORD.

This visit confirmed several reports obtained from IDPs in Kass and Kalma of heavy destruction and depopulation of the Fur villages in the Shattaya area, while the mission also passed through several 'Arab' villages all still standing, conspicuously intact, populated and well functioning. The last village before Shattaya is Abruminoa which, until attacked on 12 February 2004 housed some 6,000 people and is of considerable size, with a large market area. The village is now completely obliterated, with all items of value looted, including doors and metal roofs on all buildings. All farming areas around the destroyed villages have been looted and used as grazing spots for camel and cattle herds. There is nothing left to harvest in case of return and all the destroyed villages inspected need to be wholly rebuilt if they are again to serve as homes.

On return to Kass the OCHA team identified a group of elders in one of the IDP settings from the village of Abruminoa who had witnessed the attack on 12 February:

The attack on Abruminoa occurred two days after GoS planes and Jenjawed ground forces attacked the village of Shattaya and lasted for three days. It was a joint attack conducted by the GoS and Jenjaweed, allegedly involving some 400 Jenjaweed with an unknown number of GoS soldiers. The level of destruction observed in the village reveals that the attack was indeed executed with considerable force and perseverance by those involved, e.g. the severe burning of most brick houses indicates this. It was reported that some 19 persons were killed in the attack with an unknown number of wounded. Some 17 persons are still missing. Allegedly some 40 girls (age 15 – 17 years) were abducted in the attack, some of whom have subsequently joined their relatives in the Kass IDP locations.

### Kailek

Upon arrival in Kailiek town the mission was met by a motley group of well-armed men and boys, many of whom were wearing the characteristic civil uniform of the Jenjaweed while others, in full green army fatigues, claimed to represent the police. There seems to be no distinction in terms of affiliation between representatives of the two outfits (e.g. the Police Commander identified himself as 'Fursan' – hero – the self-applied description of the Jenjaweed), and they all appeared to be equally involved in "protecting" the

remaining IDPs in town (the presence of Jenjaweed inside town among the IDPs is recent, as Jenjaweed used to stay in the hills around town). The main 'hang-out' spot for this group is located some 50 - 100 meters from the IDP confinement. Recently, the Commissioner of Kass installed a small contingent of police officers in the town to protect the IDPs. The OCHA team was informed that this contingent consisted of both Furs and Arabs, but that the Fur officers have left the location due to intimidation from their Arab colleagues and the Jenjaweed fighters in town.

Supposedly, there are some 1,700 IDPs in the area inside town, although it is difficult to verify this. The major influx started around 04 February 2004, and continued steadily from the villages of Shattaya, Serger, Tarobidu, Shenga, Ferfer, Gumia, Magora, Korkulai, Togoro, Korot and Mersai. Reportedly, at some point there were some 17,000 IDPs within the destroyed Kailek town perimeter although most managed to escape the area for Kass and Nyala before the Kass Commissioner issued a decree prohibiting by force all IDP movement out of Kailek.<sup>2</sup> The current IDP population has either arrived after the issuing of the decree, or did not have the means to cover the journey to Kass or Nyala.

IDPs interviewed claimed that most of the remaining men were out of town at the time of the visit, "escorted" by the Jenjaweed to find fruits, firewood and other essentials in the surrounding hills. Consequently, the ratio of women and children to men at the time of the visit was very high.

The team found IDPs living under appalling conditions within a small square in the center of town. The visible presence of Jenjaweed around the site means that the IDPs are virtually confined in their homes, unless they pay the obligatory fee to leave the area. All basic services are located away from the site, including water, firewood and basic foods. Furthermore, the destruction of all houses in the town means that no sanitation facilities are currently operational and that IDPs, as they are not allowed to move out of their site, are therefore forced to openly defecate within their living space. As IDPs have been living in this area for more than two months, large amounts of excrement have accumulated here.

OCHA interviewed several persons, including a group of women who stated that most of the IDPs currently in town are from Shattaya and other surrounding villages and not from Kailek itself.

The women unequivocally stated their great fear of living in this location due to the daily and nightly harassment and sexual abuse of the Jenjaweed in town. They expressed how they feel 'imprisoned', and how the women and girls have been raped and sexually abused when leaving the IDP setting, while the men are being harassed and frequently beaten by the security forces. When asked, the women identified several of the rapists and abusers among the present group of armed elements. They explained how the perpetrators use to come to the setting during the night to abduct girls, bringing them to the nearby wadi where they would be raped.

<sup>3</sup> The recent arrival of a few police officers did not seem to have changed this state of affairs, and as stated above, OCHA observed how there was no separation between the official and non-official armed elements as they were closely interacting and sharing 'tasks' during the visit.

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<sup>&</sup>lt;sup>2</sup> IDPs in Kass, Kalma and Kailek have in separate and independent interviews confirmed the existence of this order preventing, by force, all freedom of movement from Kailek. In addition, the UN is in possession of an official document making explicit reference to this decree and its content.

The group relayed that in order to leave the site to collect water and firewood, a 'fee' must be paid to the Jenjaweed / GoS police guarding the village. This 'fee' can be either monetary in the form of SP 1,000, or in kind, where a share of the items collected is taken upon re-entry into the village. The Jenjaweed will 'escort' the men into the forest to collect food-items, again taking either in-kind or monetary charge. The issue of 'slavery' was raised in connection with this.

Since the issuing by the Kass Commissioner of a decree explicitly prohibiting the movement of IDPs from Kailek to any outside location, persons wishing to leave the area have had to pay an 'exit-fee' of SD 10,000 to pass through the Jenjaweed / security positions surrounding the town. Anyone caught in the attempt of leaving the location without paying this 'fee' would be fined the sum and receive lashes as punishment (the Police commander in charge was carrying a large whip at all times during the visit).

It was informed that a lorry rented by the authorities arrive every week to transport sick persons to a nearby village, Umm Labas, for basic treatment. However, of all the persons interviewed, of which many had different illnesses and wounds, no one had ever been permitted on to the lorry. The mission team observed a very large number of severely malnourished children, neither of whom had been permitted onto the lorry despite the fact that their progressive state of malnutrition was causing the possibility of imminent expiration.<sup>4</sup>

All IDPs interviewed clearly stated that they are in Kailek against their will and feel extremely insecure and vulnerable. When asked, they resolutely pleaded that they want to be moved to either Kass or Nyala as quickly as possible to join more secure settings with their relatives, and <u>do not</u> want to receive any food-rations or other types of 'hard' assistance, as this in turn will only subject them to further assault by the Jenjaweed and security forces in town. This statement was made despite the fact that IDPs are currently forced to eat, amongst other items, charred sorghum from the burned food stocks of the surrounding villages, and in general have very limited access to any proper food.<sup>5</sup>

#### Recommendations

 In accordance with its responsibilities under IHL and Human Rights Law, the Government must immediately put in place mechanisms which ensure the uncompromised safety and protection of all IDPs currently in Kailek town;

 Resulting from the GoS failure to guarantee protection and the freedom of movement for the IDPs currently in Kailek, IDPs are living in appalling conditions unsuited for any human habitation. Therefore, the caseload must be moved immediately by the GoS to a location where these basic rights are guaranteed;

The current conditions under which the IDPs live in contradiction to their personal chioce, mainly the absence of security and inability to move freely, are clear violations of the ceasefire agreement and must be redressed immediately. In

<sup>4</sup> OCHA visited one family only minutes after their daughter of five years had expired due to severe malnutrition and dehydration.

<sup>&</sup>lt;sup>5</sup> HAC Nyala confirms that it has distributed some food to the IDPs on three occasions. However, the IDPs claim never to have received the food. Inside the building currently used by the Police (the single semi-intact edifice left in town) there are large stacks of sacks of sorghum and millet.

accordance with the wish of the IDPs themselves, it is recommended that the UN does not provide any humanitarian assistance, which does not aim directly at stabilizing the high number of severely malnourished children to safeguard their survival during transport a safe location;

- Only once the issue of protection has been resolved, in clear agreement with the IDPs themselves, should other forms of humanitarian assistance be provided. It is imperative to ensure their protection from human rights violations and to closely monitor the provision of assistance;
- The Government must design a coherent strategy, plan of action and timeline for the urgent relocation and protection of the IDPs currently in Kailek town.

## 3. HEALTH

# **General Conditions**

Kailiek is a village situated 64 km South West of Kass Town. The UN Team Mission passed many villages before arriving in Kailiek. All of them completely destroyed, burned, looted and deserted. In between there are some Arab villages completely intact. The destroyed villages are Milla, Owda, Kamba, Bronga, Madani, Tadari, Aibo Shimal, AiboJanoub and finally Kailiek. Kailiek was burned twice, and the remaining IDPs are living in the rest of the pieces of burned houses. There are 1,700 IDPs at the present. They are living in catastrophic conditions without enough food, proper shelter, without safe water and without any sanitary conditions together with donkeys. They are with lack of freedom because the existent of armed militia in the area included restriction of movement for collecting firewood, some fruits and water. The IDPs in Kailiek are from Shataya, Shanga, Forfur, Gumi, Tiri and others places. Because many men escaped, or pre-payment to the armed militia, leaved Kailiek, the majority of the populations are children, women and elders.

#### **Health Situation**

There is not any health facility functioning at the moment in Kailiek and not health workers in the area. There is only one person trained by SRC on first aid, but he has not any elementary drugs to use. No EPI routine services and no any kind of services in health promotion and protection.

During the rapid health assessment WHO estimated that from the total population (1,700) 40 % are women, 40 % are children under 15 years and 20 % are men. The most common diseases found are malnutrition, acute watery diarrhea diseases with moderate and severe dehydration, bloody diarrheas, acute respiratory infections, malaria, scabies, skin infections and eye infections, mainly in children under 5. There are approximately 300 children under 5 and around 80 % of them have some type of malnutrition. But the severe cases within this population are approximately 30 % of them. During the last month there are 7 to 9 death per day (5 to 7 of them are children under 5 and the rest elders' ones). The main cause of the death is complication of malnutrition amongst children under 5, and the main complications are severe dehydration produced by acute watery diseases, malaria and acute respiratory infections. To have an idea of the critical health emergency situation during the last

month, the estimation of the <u>CMR: 41 per 10,000 populations per day</u> (on the base of 7 deaths per day in 30 days amongst 1,700 populations) and the <u>U5MR: 147 per 10,000 populations under 5 per day</u> (on the base of 5 deaths per day in 30 days amongst 340 U5 populations).

## Recommendations

- The entire IDP caseload should be moved urgently from the present location in Kailiek to a location of their choosing primarily Kass Town and Nyala because many relatives of the IDPs are reported to be living in these locations.
- They can't receive any supplies in the camp because security conditions, they receive constant and repeated harassment from the armed militia and because the sanitary and living conditions within the camp are very poor.
- The most vulnerable populations need to receive urgent assistance in order to save lives before any transfer, and after that they need to be referral to the next health center to be treated properly. The most vulnerable populations are children under 5 and elders suffering mainly from acute severe malnutrition, dehydration caused by acute watery diarrheas, acute respiratory infections and malaria.

#### Measures taken

- The entire UN mission informed to the HAC about the humanitarian situation in Kailiek and the responsible in Nyala will talk immediately with the Wally to proceeds and he will communicate to the UN Agencies.
- During the main time OCHA and WHO have contacted MSF H to provide health services to the most vulnerable population amongst the IDPs in Kailiek, WHO and UNICEF will provide all the supplies necessary for that operation.

# **4.** FOOD SECURITY – FAO

The IDPs residing inside the perimeter of Kailek town are susbsisting on extremely limited food rations, highly inadequate to meet even the minimum standards. The group is suffering from long-standing food shortage, mirrored by the high level of severely malnourished children under five within the settlement.

IDPs are eating mainly sorghum. The food shortage is so critical that IDPs are paying Jenjaweed to allow them to go to the destroyed food-stocks in neighbouring villages where they collect the remains of the burnt sorghum for feeding. As there is no nutritional value in these charred cereals the general nutritional intake of the IDPs over the past months is expected to have been extremely low.

On March 04 2004 there was a documented delivery of limited HAC food supplies, intended for the IDPs, but appropriated by the Jenjaweed fighters in and around town who used it for feeding themselves and their camels.

It is obvious that the armed persons 'guarding' the IDPs have generally prevented the influx of food to the IDPs, including initiatives by the IDPs themselves to go into the forest to fetch basic food necessities. It was reported that the Jenjaweed do 'escort' groups of IDP men into the forest to obtain basic foods, a part of which is taken by the Jenjaweed as compensation for their 'services'.

Despite these critical conditions, IDPs stressed that they do not want to receive any food rations before being moved to a safer location. They expressed clear awareness of the consequences of this plea, but preferred the current level of subsistence to that of being further attacked and abused by Jenjaweed and GoS police for having received assistance.

### Recommendations

Under the current circumstances of complete lack of protection provided by the GoS, despite its explicit and indisputable responsibility to do so, and thus to avoid further subjection of the IDPs to abuses by the present Jenjaweed elements, it is recommended that:

- No food rations, in accordance with the explicit wish of the IDPs themselves, are being distributed to the group;
- The group is being immediately relocated to a safe place of their choosing (Kass or Nyala in the first instance) and;
- An emergency 'stabilization' exercise is being urgently carried out to stabilize as many of the severely malnourished children as possible to render them fit survivable for the imminent transport to Kass or Nyala.

# 5. CHILD PROTECTION – UNICEF

No child separation was been reported from the IDPs. Although the history of family separation among the IDPs in Kielek has some features that make it different from the ones in other areas in greater Darfur. Separation here can be seen as somehow organised. In short, although members of one family could be separated, they knew the location of each other. A few families in Kielek town are housing children other than their own, i.e. those separated from their biological parents. They consider this as part of their duties, and the team noted that the definitions of separated and un-accompanied children used by child protection professionals do not necessarily apply to those among IDPs.

# 6. NFI / SHELTER - OCHA

The shelter situation for the IDPs living inside Kailek town is deplorable. Highly vulnerable persons are generally living in inhumane conditions, largely under the trees and in the burnt out ruins of what was once resident houses. They live with a minimum of items, supposedly what they were capable of bringing along in a rush when fleeing attacks. Cooking and eating items are scarce, and the general availability of NFIs is insignificant.

Some traditional materials have been acquired to provide a minimum of shelter. Some IDPs have settled down inside the ruins of burnt buildings. In general, shelters do not have roofing and thus do not provide any protection from neither the sun nor, shortly, the rain. There is no space for privacy or division of space according to gender, and there is no physical protection from the outside.

#### 7. WATER AND SANITATION - UNICEF

Water is obtainable only at two Wadis located some 4-500 metres from the IDP location. There is one hand dug well closer to the IDP setting but it provides insufficient levels. The need for fetching water away from the setting forces IDPs to pass Jenjaweed and GoS police, who continue to harass and abuse the IDPs when performing their chores. There are no water resources inside the IDP setting itself.

The sanitary situation is exceptionally poor, with no latrines inside the area where the IDPs are settled. Due to the security risk of venturing away from the site, months of open defecation have taken place within the area of residence, amassing great amounts of feces in the areas where IDPs live, eat and sleep, with the predictable array of health hazards, as well as a constant strong smell of excrement. Once the rains start, this area will become highly susceptible to diseases.

With less than minimum water supplies available, the hygienic conditions of both the location itself, as well as its inhabitants are outrageous. Children suffering from malnutrition, diarrhea, dehydration and other symptoms of the conditions under which they are being held live in filth, directly exposed to the sun.

# Recommendations

Recommendations for these two sectors stand in agreement with the overall recommendations of the team:

The the GoS must immediately relocate this group and that no assistance, reconstruction nor emergency, should be provided to the location due to the failure of the GoS to provide any security to the IDP caseload confined in the location.

### 8. EDUCATION – UNICEF

There is one six classrooms mixed school in the village. Five to seven teachers used to manage the school but they all fled the village when it was attacked. Zinc sheet roofing, widows and doors have all been looted from the building. The team observed two men dismantling the remaining of the zinc sheets. IDPs reported that they have not even thought of establishing a Khalwa for their children. No body registered the number of the remaining children who used to go to school, as this is not a priority under their current circumstances.

# **9.** CONCLUSION

The team members, all of whom are experienced experts in humanitarian affairs were visibly shaken by the humanitarian state and conditions in which we found the caseload of IDPs in Kailek.

The clear presence of the Jenjaweed, and the inability to distinguish between them and the GoS police officers when carrying out their 'duties' in town call for the circumstances of the IDPs in Kailek to be described as imprisonment. With a under five child mortality rate of 8 – 9 children per day due to malnutrition, and with the GoS security representatives permanently located in the town without having reported this phenomena to the UN despite it having taken place for several weeks also indicate a local policy of forced starvation.

The team unilaterally recommends the immediate relocation of the IDP caseload to a location of their choosing, primarily Nayla or Kass, for the instant release from their current ordeal.

Furthermore, and in accordance with the explicit and informed advice of the IDPs themselves, the team recommends that <u>neither food nor any other hard assistance are provided</u> to the caseload in their current circumstances due to the complete lack of protection mechanisms.

The team does recommend that an emergency team of health/nutrition experts is being dispatched to the location for the urgent stabilization of the group of severely malnourished children, thereby ensuring their survival during the transport away from Kailek.

In addition to this, the UN team wishes to raise its concern regarding the following:

The numerous testimonies collected by the team, substantiated by the actual observations on the ground, particularly the longstanding prevention of access to food, alludes to a strategy of systematic and deliberate starvation being enforced by the GoS and its security forces on the ground.

Information and findings obtained from Kailek IDPs in Kass and Kalma, as well a CARE International assessment report from early April 2004 all contain information which confirms the findings in the present report have been persistently refuted by the GoS when presented by the UN NYala team for clarification.

Following the CARE report, the UN continued to press the GoS for clearance to visit Kailek town and to follow up on the findings from the CARE erport but to no avail. UNSECOORD was only allowed access on 17 April after having been 'advised' not to visit the area after the ceasefire, while the GoS has consistently informed that there was no problems of security and assistance in Kailek and that the IDPs in the location were free to go.

Therefore, in light of this, a first conclusion by the mission team is that the GoS has deliberately deceived the United Nations by repeatedly refuting claims to the

seriousness of the situation in Kailek as well as having actively resisted the need for intervention by preventing the UN access to the area. The fact that GoS' own security forces have monitored the deteriorating humanitarian situation in Kailek due to their constant presence on the ground only helps to underscore this fact.

Secondly, numerous, independent references have been made by both IDPs and security forces to a decree issued by the Commissioner of Kass which explicitly instructs GoS security forces to prohibit, by any means necessary, any civilian movement out of Kailek town.

If this is the case, the GoS has willfully breached its responsibilities as signatory to the Geneva Convention and additional protocols, International Humanitarian Law and Human Rights Law, by, amongst other things, deliberately preventing human beings their right to life, liberty and security of person and the freedom of movement, directly resulting in the preventable deaths and suffering of highly vulnerable persons in need of explicit protection under these legal instruments.

As this report is being prepared, the United Nations in Nyala is working with the GoS to secure the immediate relocation of the IDPs in Kailek. However, despite having been directly informed of the grave findings made by the UN mission in Kailek, the GoS continues to stall any concrete actions related to this urgent relocation. Thus, the UN continues to await confirmation that the rapid relocation of the IDPs will commence, having in the meantime dispatched a joint WHO/MSF-H team to Kailek to commence the emergency stabilization of the severely malnourished children in the location.

It is a grave concern to the Unite Nations team in Nyala that Kailek is but one of several locations where civilians are living under similar conditions without having been able to communicate their ordeal to the humanitarian community.