



Security Council

Distr.: General
4 April 2024
English
Original: Arabic

Letter dated 28 March 2024 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

On instructions from my Government, I write concerning the act of aggression carried out by the United Arab Emirates against the people, sovereignty, territorial integrity and political independence of the Sudan. The facts are as follows:

- Since 15 April 2023, the Republic of the Sudan and its people and armed forces have been subjected to a large-scale war of aggression viciously planned and executed by the United Arab Emirates, which has used the Rapid Support Forces and other mutinous militias and mercenary groups from nine different States. As is explained in the annexes, the United Arab Emirates has brought those groups together.
- On 15 April 2023, the Rapid Support Forces militia led by Mohamed Hamdan Dagalo (Hemedti), who was Vice-Chair of the Transitional Sovereignty Council at the time, launched a large-scale attack on political and strategic targets in Khartoum. Its intention was to eliminate the Chair of the Transitional Sovereignty Council, First Lieutenant Abdel-Fattah Al-Burhan Abdelrahman al-Burhan, and the other members of the Council, and then take power to implement a foreign interventionist agenda. When the attack failed, the rebel militia started committing violations and atrocities. In so doing, it counted on the unlimited support of the United Arab Emirates, as is detailed in the annexes to the present letter. Showing complete disregard for international human rights law and international humanitarian law, the militia carried out systematic attacks on the State; sabotaged the infrastructure; killed, robbed, raped and displaced civilians; and took control of civilian sites and public facilities. The Sudan Conflict Observatory, which is associated with Yale University in the United States of America, has used satellites and other highly reliable sources to show that the Rapid Support Forces are the party that started the attacks. The Rapid Support Forces deployed a military unit to Merowe Airport, in the north of the country, two days before launching the attack on the capital. It detained Egyptian officers who were at the Airport under a bilateral agreement with the Government of the Sudan.
- The Rapid Support Forces militia has launched numerous, repeated and horrific attacks on civilians, soldiers, civilian facilities and ethnic groups. Those attacks could not have gone on for so long, or with such devastating effect, without overt backing from the United Arab Emirates, whether in the form of planning, incitement or direct support. The militia has thus been able to continue carrying out criminal operations of a terrorist nature, which have not been limited to



attempting to violently remove the Transitional Sovereignty Council and to assassinate its Chair and members. It has strengthened the Rapid Support Forces' military heft. It has also provided the Forces with financial, diplomatic, media, propaganda and logistical support. It has intervened openly in the war – a war which it played a major part in starting, using the Forces as a proxy. That heinous act of aggression has led to the killing of thousands of innocent civilians and displaced millions more. Millions face an unprecedented food and medicine shortage, lack of health care, and rampant and appalling hardship. The production chain has ground to a halt. The economy has collapsed. There have been human rights violations, war crimes, crimes against humanity, and crimes amounting to genocide; what happened to the Masalit community in West Darfur is a case in point. Infrastructure is being damaged, and the capital and its main parts are being destroyed. The international community must condemn these outrages and extend legal protection.

- While the Rapid Support Forces militia wage war on the Sudanese Armed Forces, the United Arab Emirates continues to extend political, media, diplomatic and financial support, not to mention providing weapons and materiel and recruiting mercenaries from various States. Such a shameful example of the use of force contravenes the Charter of the United Nations and the principles of international law related to friendly relations and cooperation among States in accordance with the Charter. The United Arab Emirates took that abhorrent course of action while acting as a non-permanent member of the Security Council, the organ responsible under the Charter for maintaining international peace and security, which is the pre-eminent purpose of the United Nations. The actions of the United Arab Emirates pose a genuine threat to regional and international peace and security. They are a form of aggression, a horrific breach of the peace, and a flagrant violation of the sovereignty of the Sudan. They amount to one of the most flagrant and alarming forms of illegal intervention, namely, aggressive interventions that harm the sovereignty, territorial integrity and the freedom, independence and prosperity of nations. The conduct of the United Arab Emirates also contravenes Security Council resolution [1591 \(2005\)](#), which destabilizes the military balance of power in Darfur to the benefit of armed rebel groups, including the Rapid Support Forces; and undermines the military capacity of the armed forces, thereby encouraging rebel and cross-border groups to undermine security and stability. The acts of aggression carried out by the United Arab Emirates violate the established norms of customary international law, not to mention article 8 of the Charter of the League of Arab States, which provides that every State member of the League shall respect the system of government of the other States, shall consider that system of government to be within the rights of those States, and shall refrain from any action aimed at changing it.
- International law and established State practice show that it is illegal to use armed force to attack the territory of another State or subject it to occupation or indirect military attack, even temporarily, as the United Arab Emirates is currently doing to the Sudan. It is also illegal to use brute force to violate the Charter of the United Nations. The conduct of the United Arab Emirates thus amounts to a war of aggression. Unless the Government of the Sudan is given support to repel it, it will become a precedent that stands in the way of accountability. Describing the current role of the United Arab Emirates in the Sudan as a clear act of aggression is consistent with the definition adopted by the General Assembly in resolution [3314 \(XXIX\)](#) of 14 December 1974, which provides as follows: "Aggression is the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations".

- Since the outbreak of war in the Sudan, on 15 April 2023, the United Arab Emirates has actively supported the Rapid Support Forces. In so doing, it has flagrantly violated the Charter. That much is, in itself, sufficient evidence of an act of aggression against the Sudan. Article 3, item (g) of the annex to the aforementioned resolution provides that the following acts qualify as an act of aggression: “the sending by or on behalf of a State of armed bands, groups, irregulars or mercenaries, which carry out acts of armed force against another State of such gravity as to amount to the acts listed above, or its substantial involvement therein”. Similarly, article 5, paragraph 2 of the annex to the resolution provides as follows: “a war of aggression is a crime against international peace. Aggression gives rise to international responsibility”. It follows that the United Arab Emirates has committed an indirect act of aggression by sending armed bands or mercenaries from States in the region to the Sudan. It has thus committed a crime against international peace that falls under the jurisdiction of the competent international courts. Wars of aggression are criminalized under the following international instruments, among others: the Treaty of Versailles (1919); the preamble to the Draft Treaty of Mutual Assistance (1923); the Kellogg-Briand Pact (1928); the Charter of the United Nations (1945), in Article 1, Article 4, Article 34, and Article 51 under Chapter VII; General Assembly resolution [3314 \(XXIX\)](#) concerning the definition of aggression; and article 8 of the Rome Statute of the International Criminal Court.
- The parties to the aggression against the Sudan are the United Arab Emirates, which incited, supported and funded it; the Rapid Support Forces militias, which carried it out; and Chad, which acts as a transit zone for weapons and mercenaries. Chad has been swayed by the financial and military support which it receives from the United Arab Emirates. It allows its territory, particularly the airports of Am Djarass and Abéché, to be used to transport weapons and materiel and to evacuate injured Rapid Support Forces militiamen to the Zayed Military Hospital in Abu Dhabi. The airports receive regular air traffic that has been monitored by the Sudanese agencies, the United Nations panel of experts on Darfur, and prominent global and American media outlets. Moreover, the Sudan has information showing that weapons and fighters have flowed from the Central African Republic to the Sudan, further inflaming the war of aggression. The militia has taken advantage of the border area between Chad and the Central African Republic, where the Séléka group is active, and Chad has allowed its territory to be used for the aggression on the Sudan. That situation is inconsistent with the principles of good neighbourliness and the objectives of the African Union, which are set out in its Constitutive Act. In particular, article 3(b) of the Constitutive Act provides that the objectives of the Union shall be to “defend the sovereignty, territorial integrity and independence of its Member States”, and article 4 enshrines the principle of “non-interference by any Member State in the internal affairs of another”.
- Since April 2023, the United Arab Emirates has taken an aggressive approach to the war in the Sudan by recruiting mercenaries and providing them with weapons, armoured military vehicles, drones, provisions, food, ammunition and other forms of military support. This approach demonstrates that:
 - when the United Arab Emirates chose that course of action as a non-permanent member of the Security Council, it was well aware that:
 - It was planning an act of armed aggression and, by implementing that plan, it was supporting an armed military group opposed to the State and Government of the Sudan.

- The perpetrators of the Emirati aggression and intervention in Sudanese internal affairs were officials in a position effectively to exercise control over or to direct the political or military action of a State.
- It was using armed force against the sovereignty, territorial integrity or political independence of the State of the Sudan, or in any other manner to commit an act of aggression which, by its character, gravity and scale, constituted a manifest violation of the Charter of the United Nations.
- The gravity, scale and repercussions of the acts of aggression and illegal use of force; the ensuing appalling destruction of lives, infrastructure, civilian sites, markets, Government facilities, buildings, places of worship, churches and shrines, service interruptions, work stoppage, looting of cars and banks, destruction of factories and workshops; and the attendant crimes against humanity, war crimes, genocide, sexual violence, rape and unprecedented food shortage; all offer ample evidence of deliberate violations of the Charter of the United Nations and of international peace and security. That much is clear from the character, gravity and scale of the armed aggression.
- In view of the foregoing, the Security Council must take the necessary action to compel the United Arab Emirates to refrain immediately from sponsoring and supporting the criminal Rapid Support Forces. The United Arab Emirates took those actions while it was a member of the Security Council. In so doing, it undermined the international community's confidence in that important international organ and instilled a form of anarchy in the international order. The Sudan fully reserves the right to defend itself and resort to international litigation with a view to gaining compensation and reparations for the losses caused by the Emirati aggression, and to ensure that those responsible are held to account at the international level. The Charter of the United Nations, particularly Article 2, paragraph 4 thereof, constitutes an international agreement setting out a constitutional and political framework that guarantees the right of individual and collective self-defence to maintain the territorial integrity and political independence of States. The Charter provides that the United Nations should encourage the establishment of regional arrangements aimed at defending State territory against foreign aggression and strengthen the cooperation between the regional and international levels, as is reflected in Article 51 of the Charter. In the light of its explicit provisions, the writings of prominent scholars of international law and the intentions of the Organization's founders, the Charter provides that a State facing aggression has the right to defend itself in a sustained and uninterrupted manner until the aggression is repelled, particularly when the international community declines to assist the targeted State, as the State is thereby restoring the balance of international peace and security. That State also has the right to appeal for the assistance of any other State that agrees to extend it. Such an appeal need not necessarily take place within the context of the collective security order enshrined in the Charter, provided that an armed attack has taken place and that the targeted State's appeal for assistance is made in exercise of the right of self-defence, to put a stop to an act of aggression that breaches the peace and undermines regional and international security.
- The Security Council can therefore take the following measures:
 - Expressly denounce the act of aggression perpetrated by the United Arab Emirates against the Sudan and its people; clearly describe the act of aggression as such; and categorically demand that the United Arab Emirates refrain from interfering in the internal affairs of the Sudan, put an immediate stop to the recruitment of mercenaries, and stop providing supplies, provisions

and military and logistical support to the Rapid Support Forces and allied militias;

- Request that the United Arab Emirates, in accordance with the principles of international law related to the responsibility of States for internationally wrongful acts, provide reparations and compensation for the losses caused by the Rapid Support Forces militia which it supports.
- Chad continues to play an active part in the aggressive scheme. It turns a blind eye while young fighters are recruited on its territory to strengthen the Rapid Support Forces militia's war effort. It allows its territory to be used for the transit of mercenaries, to host fighters, to shelter the wounded, and for the transfer of weapons, supplies and military materiel to the Rapid Support Forces in Darfur and elsewhere. The Security Council can request that Chad immediately refrain from those actions and strengthen the joint forces to protect the border between the two countries. It can make the same request of the Central African Republic.
- The Security Council can also use the other means at its disposal to curb the Emirati aggression against the Sudan, in accordance with Articles 41 and 42 of the Charter.

I should be grateful if you would have the present letter and its annexes¹ circulated to the members of the Security Council and have them issued as a document of the Council.

(Signed) Al-Harith Idriss Al-Harith **Mohamed**

Ambassador

Permanent Representative of the Sudan to the United Nations

¹ The annexes are on file with the Secretariat.