

# justice + conflict

UPDATES FROM SUDAN

REDRESS

Hello,

Welcome to this fortnightly roundup of news on justice and conflict in Sudan. Hyperlinks are underlined.

Friday 3 Sept 2021

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## BIG STORIES FIRST

- 67 Sudanese, regional, and international civil society organisations [called upon](#) Sudan's transitional government to [finalise the handover](#) of Omar al-Bashir, Ahmed Haroun, and Abdel Raheem Muhammed Hussein to the International Criminal Court. Despite an announcement in June that the Council of Ministers unanimously [approved](#) the transfer of the three men to The Hague, the [Sovereign Council](#) has yet to take any action. Sudan remains [obligated to cooperate](#) with the ICC under the terms of UN Security Resolution 1593.
  - One student (identified as Ezzaldin Omar Mousa) was killed, and at least a dozen others were injured, after government security forces [opened fire](#) on protestors at the University of Zalingei in Central Darfur. Students had gathered to protest the government's reported refusal to hand over a former UNAMID building which was slated for conversion into student housing. The university has been [indefinitely closed](#), and some students have reportedly been evicted from their housing. The acting attorney general announced the [creation](#) of a committee to investigate the events.
  - Controversy concerning the autopsying of bodies held in morgues in Khartoum has re-emerged, as members of the Forensic Medicine Authority (within the Ministry of Health in Khartoum) accused the missing persons investigative committee of tampering with bodies, and improperly burying others. Several forensic examiners have [resigned](#), while the Public Prosecution has said their [allegations](#) of interference are unfounded. This news shortly preceded the International Day of the Disappeared (30 August), when Sudanese organisations called for the [exhumation of mass graves](#) throughout the country, and as REDRESS [published a report](#) on the practice of enforced disappearance in Sudan and other countries.
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## ACCOUNTABILITY NISS, JOURNALISTS, ICC

### Journalist attacked by Military Intelligence personnel in Khartoum

Journalist Ali el-Dali was reportedly assaulted until he lost consciousness by Military Intelligence personnel in Khartoum. The Sudanese Journalists Network [said](#) that this "bullying . . . reminds us of the practices of al-Bashir's military gangs," and the National Human Rights Commission issued a [statement](#) emphasising the importance of the [freedoms of expression and press](#). A second journalist, Mohamed el-Mustafa, was reportedly [attacked](#) by government forces a week later, and journalist Saadia

el-Siddiq was [arrested](#) for a story published in the el-Tayyer newspaper. At the same time, the Public Prosecution [announced](#) the planned establishment of internet crime prosecutorial units in all Sudanese states, to combat hate crimes and the use of the internet to stir up “sedition.”

### **ICC appeals chamber confirms ongoing pre-trial detention of Ali Kushayb**

Despite finding that the Pre-Trial Chamber II erred in law by finding that a Rule 118(3) hearing is solely for the evaluation of conditions of detention, rather than on the issue of continued detention or release, the Appeals Chamber [confirmed](#) the continued pre-trial detention of Ali Kushayb. Separately, Sudanese papers [reported](#) that former Central Darfur governor Jaafar Abdel Hakam appeared in a video hearing before the ICC; Hakam was arrested in June 2021 on the basis of his alleged involvement in crimes against humanity in Darfur.

### **Women subjected to assault, harassment by police**

Women’s rights group SIHA [published a statement](#) detailing the physical assault and sexual harassment of 30 men and women by 13 policemen from the Khartoum Sharq al-Nile “Community Security” division (formerly known as the Public Order law division). Sudanese artist Fatim Ibrahim Hassan (also known as “Marwa al-Dowaliya”) said that, following a police raid on a wedding ceremony, she and other women were physically beaten and sexually harassed, and that their dresses were lifted up while they were forced at gunpoint to lie down on the ground. Marwa and the 29 other individuals were reportedly subjected to a summary trial under the 1991 Criminal Act and fined.

### **Head of 3 June investigative committee in the news**

A letter [appearing to withdraw](#) “authentication authority” from Nabil Adib, the lawyer leading the committee investigating the events of 3 June 2019, has circulated on [social media](#) in recent weeks. Adib [said](#) that he not received the letter, and that the news is politically motivated. Around the same time, the committee announced that it had [completed its questioning](#) of all relevant parties.

### **Public Prosecution publishes phone numbers to receive information**

In line with the recently-published circular on the protection of witnesses, victims, and whistleblowers, the Public Prosecution has established 3 phone numbers for receiving information confidentially (on WhatsApp: 0120010091 or 120010092, and a landline: 0183498268). The Ministry of Justice also recently organised a roundtable on the establishment of a comprehensive [legal aid system](#) in Sudan.

### **Salah Gosh (possibly) subject to Interpol Red Notice**

Sources are again reporting that Sudan’s government has requested the activation of an Interpol [red notice](#) concerning former NISS head Salah Gosh, who is thought to be in Egypt. It was also [reported](#) that Interpol sent notices to its UAE and Turkey offices seeking the arrest of Omar al-Bashir’s brother, al-Abbas Hassan Ahmed al-Bashir, and former Finance Minister Bader Eldin Mahmoud Abbas.

### **More evidence in Mahjoub al-Taj Mahjoub case revealed**

As the trial of 11 NISS agents allegedly responsible for the torture and killing of medical student Mahjoub al-Taj Mahjoub continues, the Public Prosecution detailed [evidence](#) demonstrating that the deceased was repeatedly beaten with sticks and electric batons, and that no police force was present at the time of the events. Further proceedings were temporarily postponed due to [power outages](#).

### **New judge presides over ongoing 1989 coup case**

Sessions in the ongoing case concerning former president Omar al-Bashir and the other individuals accused of orchestrating the 1989 coup continue under a [third judge](#). Former First Vice President Ali

Othman Mohammed Taha, one of the accused in the coup case, has also been [indicted](#) for money laundering and financing terrorism, along with other financial violations.

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## GOVERNMENT SANCTIONS, MERCENARIES, ETHIOPIA

### Armed conflict erupts in Khartoum

Two people were [reportedly killed](#), and others injured, after gunfire broke out between a group of former rebel fighters and the Sudanese joint forces. Sudan's Minister of the Interior [said in a statement](#) that the conflict originated after the joint forces attempted to remove members of several signatory groups to the Juba Peace Agreement from the Rahaf residential complex in Soba, Khartoum; the groups had been temporarily hosted by the police as part of the peace process, but refused to leave when required.

### Libya's neighbours call for the withdrawal of foreign fighters, mercenaries

The foreign ministers of Egypt, Tunisia, Sudan, Chad and Niger met in Algeria to discuss the ongoing Libyan conflict. At the close of the two-day meeting, Algerian Foreign Minister [said](#) "the question of the withdrawal of mercenaries, terrorists, and irregular forces is a fundamental question that conditions the success of the elections" (planned for December). More than 20,000 foreign fighters are thought to be currently in Libya.

### Sudan launches national plan to combat human trafficking

Sudan's National Committee for Combating Human Trafficking has [launched](#) the 2021-2023 National Action Plan to Combat Human Trafficking. The plan was drafted with the support of UNHCR and IOM. Sudan is a major source, transition and destination country for human traffickers; UNHCR noted in a [statement](#) that "over the past decade, thousands of migrants, refugees, and asylum seekers have been transited to and through Sudan," and that displaced persons within Sudan are at increased risk of abuses, including trafficking.

### Juba Peace Agreement participants object to implementation

Women in Darfur who took part in the Darfur track negotiations have criticised authorities for [failing to ensure adequate representation](#) in the committees formed to implement the JPA. These committees include the Peace Parties Committee, Security Arrangements Implementation Committee, the Higher Committee for the Implementation of the Darfur Process, and the Supervisory Committee for Choosing a *Wali* for Central Darfur. At least 40% of these bodies should be women. Prime Minister's new Road Forward Initiative (which met for the [first time](#)) similarly has been criticised for not including adequate numbers of women. See OHCHR's [latest report](#) for more information on the peace process and the human rights situation in Sudan.

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## HUMANITARIAN SITUATION FLOODING, CONFLICT, BORDER SECURITY

### Flooding and heavy rains continue across country

Heavy rains and flash flooding have been reported in 12 of 18 states. UNOCHA [reported](#) that over 61,800 people were affected as of 22 August 2021; at least 3,840 homes have been destroyed and another 8,160 damaged. Despite fears to the contrary, Sudanese official stated that the GERD has [made no impact](#) on flooding in Sudan this year.

### Fighting, armed conflict ongoing in North Darfur

Witnesses reported that dozens of [armed men on camels](#) surrounded villages in the Tawila locality in North Darfur, and stated that the police and/or armed forces failed to respond to requests for assistance.

Large swathes of agricultural land were reportedly destroyed in the same area, and a young girl was raped by men wearing military uniforms in the same area. The IOM's Displacement Tracking Matrix (DTM) continues to publish updated reports about the security situation and related displacement – see [here](#) for an example from 2 September.

### **Ethiopian peacekeepers reportedly to be withdrawn from disputed Abyei**

Foreign minister Mariam al-Sidiq al-Mahdi [announced](#) that the UN has agreed to withdraw Ethiopian peacekeepers from the UN Interim Security Force in Abyei within three months, after repeated requests from Sudan. The vast majority of the nearly 4,200 peacekeepers are Ethiopian; at last count, more than 3,158 of these forces were Ethiopian. Prime Minister Hamdok recently visited South Sudan, where it was [decided](#) that four border crossings are to be reopened, and the governments of Sudan and South Sudan have agreed to meet soon to discuss the [final status](#) of Abyei. Bilateral border security talks between [Sudan and Chad](#) were also recently held.

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## weekend read

Examining [spaces for art](#) in post-revolution Sudan; the [winners and losers](#) of Red Sea politics in Sudan; Sudanese refugees in [Lebanon](#); Sudan and compensation for [September 11<sup>th</sup>](#); and an analysis of [neoliberalism](#) at work in Sudan.

*Thanks for reading, and see you in two weeks.*

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