

# justice + conflict

UPDATES FROM SUDAN

REDRESS

Hello,

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

Friday 30 Sept 2022

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## BIG STORIES FIRST

- Eight detainees have been transferred from Al-Huda Prison to Kober Prison in advance of a first court session, scheduled for 3 October at 11 am. The eight young men have been accused of killing a military intelligence sergeant; four have been detained since March without charge while “investigations” were conducted, while the remaining four were arrested in August (in addition to a few others who were arrested and released on bail and who do not seem to have been charged with a crime at this point). All have raised allegations of torture while in detention, and some have been denied medical treatment according to their families and lawyers. See this recent [REDRESS report](#) on issues related to torture in the context of Sudanese criminal proceedings.
- The Missing Initiative, Families of the Martyrs Organisation, and a number of other human rights groups have launched an [advocacy](#) campaign [calling](#) for the cancellation of the Public Prosecutor’s decision to bury bodies in an effort to empty out Khartoum’s morgues, which have been [described](#) by the Advisory Council for Forensic Medicine as a plague risk. The groups are also [calling](#) for the return of a specialist forensic medicine group from Argentina to Sudan, the use of “advanced technology like satellite to identify mass graves,” and the creation of a neutral committee comprised of lawyers, journalists and civil society advocates to monitor burial processes. Autopsies and burials have now been reportedly been [postponed](#) to allow for further consultations with family members. See [here](#) for a press conference with the Missing Initiative.
- At least 94 people were [injured](#) during protests in Omdurman on 26 September, while in the Red Sea State doctors were reportedly [attacked](#) by a group of soldiers. One doctor sustained a “severe head injury” and required stitches. Separately, this past week Omer Zuhair (a [protestor](#) who was shot in the back in November 2021) [passed away](#) from his injuries; Wajdi Saleh, the FFC leader and former head of the Empowerment Removal Committee, said that an armed group in civilian clothes tried to [break into](#) his house and that no security or police forces had arrived to investigate the incident. Human rights groups in West and North Darfur and Kassala State have also demanded the [release](#) of nearly 300 detainees.

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## ACCOUNTABILITY 3 JUNE, JUDICIAL HARASSMENT, RAIDS

### Former Minister of Justice issues statement on 3 June committee

In a [statement](#) posted on Twitter, former Minister of Justice Nasredeen Abdulbari clarified several issues apparently raised during a discussion of the constitutional proposal put forward by the Sudan Bar Association. In particular, Abdulbari refuted reports that the 3 June 2019 investigative committee was formed under the Commissions of Inquiry Act 1954 (COIA, available in English [here](#)), stating that the primary authority for the committee's creation was the Constitutional Document 2019. At issue in particular was a reference in the September 2019 executive decision creating the committee to Article 9 of the COIA, which sets out the general powers of investigative committees; this seems to have given the – apparently false – impression that the COIA was the basis of the committee's creation. If true, this would have raised a second issue, as described by Abdulbari, because Article 12 of the COIA provides that “[n]o statement made in the course of any inquiry under this Act shall be admissible as evidence in any Court of law, whether civil or criminal.” Abdulbari noted that a second executive decision was passed in December 2019 to clarify this issue and to ensure that the committee could exercise the powers of the Public Prosecution. (In any case, the committee is now functionally inoperative at the moment, though these questions of law are relevant to any future committees created.)

### Journalists and media institutions harassed

The Information Crimes and Digital Investigations Prosecution has directed the Communications and Postal Regulatory Authority to block the *Al Sudani* website following a complaint about an information crime. The editor-in-chief of the newspaper told Radio Dabanga that the “site was suspended without a warning. I was not even summoned concerning the complaint. The prosecution only notified *Al Sudani*'s legal advisor.” The prosecutor responsible for the decision was also behind the [suspension](#) of *Al Sudani* and roughly 30 other online papers last July. Journalist Abdelrahman al-Ajeb was also [arrested](#) this week and detained before being charged with defamation and information crimes. The African Centre for Justice and Peace Studies published a short briefing this week highlighting incidents of media harassment, available [here](#).

### Public Prosecution issues decision to seize Sudan Bar Association headquarters

A Public Prosecutor reviewing the work of the Empowerment Removal Committee has [issued](#) a decision to seize the headquarters of the Sudan Bar Association, apparently on the basis of a [complaint](#) about the group's financial disclosures. The decision has been temporarily suspended pending a request for review by lawyers. The head of the SBA steering committee and its treasurer, Ali Qayloub and Ezzedine Sabr, were also reportedly summoned to the Public Prosecution's offices for investigation (possible charges are unclear).

### Teenage girl killed during neighbourhood raid

During a raid by police and other security forces on a neighbourhood in Omdurman, an 18-year-old girl was [killed](#) in front of her family's home. Sudanese organisation Justice Africa Sudan said in a statement that “Ms. Shireen Hassan Abbas” came out of her house looking for her younger brother, after hearing some noise. [T]he police and security forces were using around 30 cars and [used] very heavy-handed tactics such as firing live bullets, beating civilians, looting

properties and confiscating personal belongings.” Abbas was reportedly killed by a direct shot to her chest, and no charges have been brought against possible perpetrators. Justice Africa Sudan also noted that, “according to the locals, this trend of extrajudicial killing, looting and [shooting] of civilians is the normal conduct by the police and security forces during their raid.”

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## GOVERNMENT NEW YORK, UK, NEGOTIATIONS

### Al-Burhan travels to UK, New York

In a much-criticised series of trips, al-Burhan [attended the funeral](#) of Queen Elizabeth II in the UK before traveling to the UN headquarters in New York. (All nations with which the UK has diplomatic relations were invited to pay their respects to the late queen.) Al-Burhan [met](#) with the UN Secretary-General and made a [statement](#) before the UN General Assembly in which he reiterated his commitment to peace and a peaceful transition to establish real democracy, including fair, free and transparent elections at the end of the transitional period to establish a civilian regime. Al-Burhan also [said](#) he welcomed public dialogue during the transition period to foster national unity and understanding, and urged the international community to honour financial commitments made in Paris in 2020 and Berlin in 2021. In an [interview](#) with the AP after his remarks, al-Burhan said that he “didn’t think” he would run in future elections and that he “does not have a desire to put [himself] forward (as a candidate) nor [does he] want to continue in this work.” He also said that five or six police or security forces are under investigation for their role in the deaths of protestors since the coup, and that “no one killed protestors in the way that’s being depicted.” Rather, “protestors clashed with police, and the police dealt with them according to the law to protect public property.” In a second interview, this time with [Reuters](#), al-Burhan stated that “if it was up to us, we would have completed the transitional duties by now, but the civilian forces and regional and international community asked us to stop.”

### Political negotiations progressing, maybe

The status of political negotiations in Sudan remains somewhat ambiguous, as several proposed constitutional charters have either been made public or are reportedly being finalised, including a unified charter signed by 55 resistance committees this past week. Members of the Sudan Bar Association are [coordinating](#) with the FFC and other organisations on their proposed [constitutional charter](#), while the SPA, resistance committees, Communist Party and others continue to reject any negotiations with the military. Separately, women from various civil society groups and political parties participated in a two-week series of workshops to [produce](#) a “joint gender-responsive constitutional vision.” Against this backdrop, UNITAMS head Volker Perthes published today an [op-ed](#) on the “inevitable need for political dialogue,” in which he noted that “[w]hile political polarization continues to intensify, there are many signs of hope in reaching a solution. The multiplicity of national initiatives – with many points of convergence between them – evidence this.” Perthes also reiterated that “[t]his transitional path requires clear agreement on the tasks of the transition . . . and a clear plan for healing the wounds of the past,” noting that “accountability and transitional justice are key for the future of stability in Sudan.” See [this report](#), written jointly by REDRESS and the SOAS Centre for Human Rights Law, for suggestions on what any plan for transitional justice should include.

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## HUMANITARIAN SITUATION UNEXPLODED ORDNANCE, HUNGER

### Three children killed by an unexploded ordnance in North Darfur

Four children, all siblings, “found a strange object and began playing with it” while tending to livestock in North Darfur. Two of the children reportedly died immediately when the unexploded ordnance detonated, while another died shortly after while receiving treatment in El Fasher Hospital. This incident is just one of several over the past year – other children were also killed in [April](#) and [July](#). Also in North Darfur, at least eight minors were [killed](#) and another 12 were missing after a mine shaft collapsed in the Jebel Amer gold mining area, and two women were [raped](#) by three men; in South Darfur, gunmen killed a 13-year-old girl [herding sheep](#).

### UN agencies release dire warning about humanitarian situation in Sudan

In a [statement](#) on 23 September, UN agencies said that “[t]he situation for Sudan’s most vulnerable children is so desperate that half of the most severely malnourished youngsters are expected to die without urgent humanitarian interventions.” According to UNICEF, 650,000 children are suffering from severe acute malnutrition. The UN also said that “[s]piralling recent problems have their roots in a military coup in October 2021 that prompted a freeze in international funding for aid operations and which has forced UN relief teams to cut rations in half, in some cases.”

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## weekend read

Setting the [record straight](#) on the GERD; Hemedti [celebrating](#) with children; analysing the power [struggle](#) between al-Burhan and [Hemedti](#); Sudanese head to [Egypt](#) for a brighter future; and a UN report on [cooperation](#) with the UN and human rights mechanisms.

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

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