

justice + conflict

UPDATES FROM SUDAN

REDRESS

Hello,

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

Friday 28 Oct 2022

BIG STORIES FIRST

- A year since the 25 October 2021 coup, Sudanese security forces have [injured](#) more than 7,000 protestors and killed at least [119 people](#), in addition to arresting well over 1,200 people. In just the past week, Issa Omar, an 18-year-old protestor, was killed after [being shot](#) in the head and chest, and another protestor was [killed](#) on the one-year anniversary itself after being run over by a security force vehicle. On the evening of the 25th, as protests were winding down, the police issued a [statement](#) saying that “[w]e are dealing with trained forces in armed military formations that adopt violence and sabotage . . . the leaders of the groups direct and issue instructions to the groups in a hit-and-run manner, blocking roads and repeatedly attacking military sites . . . this confirms that they are not civilians.” Resistance committees rapidly refuted this claim (which has not been evidenced elsewhere), [saying](#) “[i]t’s a defining mark of authoritarian regimes to turn weapons by the people’s wealth against the people themselves. . . . it’s a habit of the Sudanese Police Forces to fabricate stories about peaceful protests in order to legitimise shameful acts against them; acts such as arbitrary detention, torture, and murder.”
- Armed clashes in Blue Nile State that displaced more than 30,000 people have left at least 230 people killed and another 200 injured. A government worker who fled with his wife and child told [The Guardian](#) that “[w]hen the attackers came with cleavers to kill someone from our village, they cut him into pieces, they cut his leg, then more attackers came with guns to burn down our houses.” [Land grievances](#) are an underlying source of dispute in Blue Nile State, complicated by the security vacuum left following the coup. SPLM-N al-Hilu leader Abdelaziz al-Hilu blamed national authorities for “failing to maintain the peace,” and that “[a]ll the tribes are armed and incited against each other by Khartoum as part of a divide-and-rule policy.” Protestors called for the [removal](#) of the Blue Nile State [governor](#) and [torched](#) the local government headquarters, as a 30-day [state of emergency](#) was imposed. In West Kordofan, nearly two dozen people were [killed](#) and many others injured in other land-related clashes, causing another wave of displacement. Wading into the mix, the SAF and RSF [accused](#)

the SPLM-N of shelling Lagawa, where the clashes occurred; the SPLM-N has denied these claims.

ACCOUNTABILITY HAC, ARRESTS, TORTURE

Arrests continue of human rights defenders, artists and journalists

Masked security forces traveling in a convoy of vehicles raided an [art exhibition](#) in Khartoum and [arrested](#) 9 artists. After spending a night in the Northern Police Station following their transfer from the Federal Police (Criminal Investigations) department, the individuals were [charged](#) with several offences, including “calling for opposition to authority by use of violence,” disturbance of public peace and public nuisance. In Central Darfur, security forces also [arrested](#) a journalist, Hafiza Abdullah Musa, as she was covering a protest organised by Zalingei vegetable traders. Her mobile phone was reportedly confiscated and she was transferred to a police station for questioning. Separately, the Emergency Lawyers said that a lawyer in Wad Madani was [attacked](#) by armed forces and subjected to death threats.

Sudanese politician Wagdi Salih remains in detention

After turning himself in to the [custody](#) of Sudanese authorities in early October, Wagdi Salih (the FFC leader and former head of the Empowerment Removal Committee) remains in detention. The director of the Northern Police Department reportedly [confiscated](#) and handed over Salih’s personal belongings [to the GIS](#), as the Darfur Bar Association announced that it would join Salih’s [defence committee](#). In a statement, the DBA said that “[t]he malicious measures that violate the law against Salih indicate the extent of the deterioration in the Public Prosecution Office.” Lawyers have submitted a [request](#) to the acting [attorney general](#) for a review of the Public Prosecution’s decisions to date, as the “No to Militarisation of the Judiciary” [campaign](#) continues.

Lawyers gain access to investigation records in Tupac case

The defence team for “Tupac” and the three other individuals charged with the killing of a police brigadier general were finally [granted access](#) to the investigation diaries. While this is a positive step, the refusal to grant the defence team access to all available evidence *prior* to the start of the trial is a clear violation of the defendants’ fair trial rights. International law, including the ICCPR (to which Sudan is a party), provides that individuals should have, at a minimum, “adequate time and facilities for the preparation of [their] defence.” This includes the right to review any evidence the prosecution plans to present in court as well as any potentially exculpatory materials in the possession of the prosecution – all before the trial begins. (Sudanese law does not include any such guarantees.) Concerns about [torture-tainted evidence](#) also remain.

Human rights groups launch campaign against death by stoning

A coalition of Sudanese and international organisations have launched a [global campaign](#) to prevent the execution of a 20-year-old woman by stoning in Sudan; an online petition has garnered more than 1 million signatures so far. The woman, publicly referred to as “M,” was [sentenced to death for adultery](#) (*zina*), a *hudd* crime which carries a fixed punishment under Sudanese law. The application of the death penalty by stoning would constitute a grave violation of international law, including the prohibition against torture, and the threat of such a

penalty may also itself constitute torture. In an interview with the BBC, M.'s lawyer [said](#) after a visit with M. that she "is in alright physical health but she is understandably very anxious . . . we are awaiting a judgment from the court of appeal but nobody can tell when that will come. Waiting is our only option." Separately, another young girl was reportedly [killed](#) by family members this week in another "honour killing" after using a [smartphone](#) to talk to an unknown person. A representative from the Ministry of Social Affairs [said](#) that the General Department for Women and Family had submitted a recommendation to the state government to direct the Public Prosecution not to permit customary settlements in this and other "honour killing" cases.

Authorities cancel the registration of Sudanese consumer protection group

The Humanitarian Aid Commission (the governmental body responsible for regulating the activities of NGOs and other groups in Sudan) has [cancelled](#) the registration of the Consumer Protection Association, the group which filed multiple lawsuits seeking the [restoration](#) of Sudan's telecommunications services immediately after last year's coup. The group's head said he would [oppose this decision](#) "through all legal means." The withdrawal of HAC registration (preventing organisations from legally conducting activities or fundraising) was a common tactic under al-Bashir.

Hearings continue in 1989 coup case

The SAF deputy chief of staff for operations (prior to the 1989 coup) was the latest to [testify](#) in the case against al-Bashir and others charged with undermining the constitutional order and violating the Armed Forces Act. Lt. Gen. Abdulrahman Saied Abdulrahman Salih described the "boredom" within the armed forces "due to a lack of weapons and ammunition" and poor leadership. Hearings were also held the week prior, with [testimony](#) concerning the coup leaders' efforts to impose a curfew under a declared state of emergency.

GOVERNMENT POLITICAL DEALMAKING, BUDGET

FFC releases vision for a political solution

On 17 October, the Forces of Freedom and Change [presented its vision](#) for a transitional authority which [would include](#) the participation of JPA signatory groups, political parties outside of the FFC, and union and protest groups. (Some anti-coup groups, including the many resistance committees, have rejected the participation of JPA signatory groups in any future transitional government.) The FFC's proposal would also provide for the creation of a civilian-led "Security and Defence Council" headed by the prime minister with some representatives from the army and security forces. [Reporting](#) just before the one-year anniversary of the coup indicated (again) that a deal is nearing, with the Sudanese Bar Association [proposal](#) forming the backbone of the agreement; read here for [our reaction](#) at REDRESS to suggestions that amnesties may be a feature of such an agreement. (In short: the extension of immunities would run contrary to the international prohibition on amnesties in respect of international crimes subject to a treaty-based obligation to prosecute, including crimes against humanity, torture, and enforced disappearance—all of which have featured in the year since 25 October 2021.) See also the [first edition](#) of the UNITAMS newsletter.

Biden administration “hesitation” on sanctions spotlighted

A new Foreign Policy report said that the “Biden administration is sitting on dozens of potential sanctions for human rights violators and coup-plotters in countries in Africa, refusing to pull the trigger despite mounting pressure from U.S. lawmakers and human rights advocates.”

Democratic senator Bob Menendez last month questioned the State Department’s top sanctions official on the case of Sudan, saying “[t]here is a gnawing question for those of us who are big advocates for human rights and democracy: the lack of our sanctions policy, when it is so clear and obvious that there are parties here that clearly have blood on their hands.” See the full [story here](#), which describes REDRESS’s [sanctions submission](#) from February 2022.

Finance minister announced new plans to fund budget

Gibril Ibrahim, the current finance minister, [announced](#) that the government will sell Sudan’s “Special Drawing Rights” to the IMF, because Sudan does not have sufficient funds to cover its planned budget. Sudan has the equivalent of roughly 1 billion dollars in “SDRs.” It is not immediately clear whether this proposal has been agreed to by the IMF.

HUMANITARIAN SITUATION COMMODITIES, POVERTY

Sudanese group says military refused to secure oil fields

Drawing from Ministry of Energy documents, a group of Sudanese analysts said in a [report](#) that during the transitional period from Jan. 2020 – Oct. 2021 civilian leaders were unable to increase oil production as planned because of continuous attacks on Sudan’s oil production facilities. These are described as “mainly sabotage and disruption operations,” including the cutting of cables or critical pipes, stealing of oil production equipment, and the kidnapping or intimidation of oil field workers. The report states that local grievances leading to these attacks (eg, lack of jobs or failure to pay compensation for negative health impacts of oil exploration) were known to civilians but that military leaders intentionally took no action to increase security or appease affected communities. See also Al Jazeera on the [impact of the coup](#) on Sudan’s economy, including a 135% increase in the costs of gasoline and diesel.

**weekend
read**

A big picture view of [conflicts](#) in the Horn of Africa; [climate-related](#) peace and security risks in Sudan; a remarkable Nubiology [archive](#); building [democratic institutions](#) in Sudan; more on the [Wagner Group](#) in Sudan; and a cartoon [illustrating](#) “power building from below.”

Thanks for reading, and see you in two weeks.

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