

# justice + conflict

UPDATES FROM SUDAN

REDRESS

Hello,

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

Friday 14 Oct 2022

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## BIG STORIES FIRST

- Sudan's Emergency Lawyers have accused Sudanese police forces of torturing and killing Mudasir Kamal, who died in [police custody](#) earlier this week. Sudanese authorities said the cause of death was "stomach pain," but in a [statement](#) the Emergency Lawyers said that Kamal was "arrested and killed" inside a police station, "showing signs of violence and torture." Kamal's body has been transferred to Umbada Morgue in Omdurman, where an autopsy has been [completed](#). This comes as security forces continue to use [excessive force](#) against protestors, injuring dozens of people over the past two weeks—including a child who was [run over](#) by a security vehicle yesterday, breaking his front teeth and jaw.
  - Rumours continue to circulate about an imminent [political deal](#). Some reporting [suggests](#) that the deal would provide for a civilian prime minister who would lead a "government of competencies" (with Hamdok's name once again [tossed around](#) as the candidate) and a separate [Security and Defence Council](#). Facing a chorus of resistance from activists and various political parties, the FFC issued a [statement](#) saying that the "news circulated about the existence of any agreement that has been reached is incorrect, and that it will not proceed with any political situation without a broad consensus that involves the forces of revolution and democratic transition." Nonetheless, in the same statement, the FFC said that it saw the Sudanese Bar Association's draft constitution as "a basis for a political solution," a perspective not shared by all. More than 50 resistance committees have now [ratified](#) the "Revolutionary Charter for Establishing People's Power," which provides for the [cancellation](#) of both the Constitutional Document 2019 and the Juba Peace Agreement.
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ACCOUNTABILITY HONOUR KILLINGS, PROSECUTIONS, TORTURE

### **Prominent activist and politician turns himself in to authorities**

Wagdi Salih, the FFC leader and former head of the Empowerment Removal Committee, announced on [social media](#) this week that “I am now heading with a group of national lawyers to a [Khartoum North police station] to turn myself in according to the announcement published this morning in the newspapers.” Salih was referencing the decision taken by Sudan’s Public Prosecution to publicly declare him a fugitive. In a longer [video statement](#), Salih rejected this decision, saying that “I did not run away, and I am present in the streets and public seminars” (and noted that the Public Prosecutor lives in the same neighborhood as him). The specifics of the complaint against Salih remain somewhat unclear, although he has said that the case was registered by the Ministry of Finance under Article 177 of the Criminal Law Act (“criminal breach of trust”). The Khartoum Criminal Court today authorised Salih’s [detention](#) for two weeks while investigations continue, and the Sudanese Bar Association announced its intention to sue the Public Prosecution for publishing the announcement calling Salih a fugitive.

### **Trial against accused protestors begins**

The trial of [8 protestors](#) accused of killing a Military Intelligence sergeant during a protest in March 2022 began on 3 October. Defence lawyers for the young men submitted requests to the court requesting access to the investigation files, the ability to interview the defendants, and the referral of some of the defendants for a [medical examination](#) related to allegations of torture. The court [approved](#) these requests—which are critical to protecting the defendants’ fair trial rights—but also reportedly [authorised](#) a MI officer to “represent the accusation” instead of the Public Prosecution, despite objections from the defence team. As REDRESS has recently [reported](#), Sudan is obligated to investigate any allegations of torture and to permit an independent medical examination. Granting a request for a medical examination and actually permitting it to go forward are two separate issues, however; to-date, no defendants have received such an examination, including in the case of Tupac and three other young men, all of whom were reportedly subjected to torture. Court proceedings in this case are slated to resume this weekend, though the Public Prosecution approved this week a request to [release](#) Dr. Zeinab al-Amin, who was accused of participating in a “criminal cover-up.”

### **Sudan campaigners highlight rise in “honour killings”**

New [reporting](#) in The Guardian shows that 11 women and girls have been murdered in so-called “honour killings” this year, more than double the figure reported to authorities in 2021. Last month, two young women were killed by family members; Aisha Abaker, an unmarried 18-year-old, was killed by family members who thought she was pregnant, while a 21-year-old was killed by her brothers and cousins, who believed she was talking to men on her cellphone. Nahla Yousif, the head of the Future Development Organisation, a women’s rights group in South Darfur, said that the reported cases were the “tip of the iceberg,” and that “I believe there are so many other similar crimes in the villages and towns that are far from the media. We only get to hear about those that are taken to the police.”

### **Atbara court acquits three accused of killing protestor in April 2019**

The Criminal Court in Atbara (River Nile State) [acquitted](#) three people accused of killing 28-year-old Mukhtar Abdallah on 11 April 2019 (when president Omar al-Bashir was ousted from office). Abdallah’s widow, Ataf Mahmoud, [told reporters](#) in December 2019 that “[w]e have video showing the people who shot Mukhtar in front of the National Security and Intelligence

building.” Reacting to the acquittal, emergency lawyer Samir Sheikh Idriss said that “[t]hese acquittals can be seen in the context of restoring the remnants of the former regime to the judiciary and the prosecution through the decisions of the Supreme Court,” and that the decision is part of a “large and well-thought-out scheme aimed at sparing the employees of the former regime from any prosecution of charges of violations and corruption.”

#### **Four detainees released after months of imprisonment**

The Darfur Bar Association announced that [four people were released](#) after being detained for several months. The four were reportedly arrested shortly after a meeting with Abdelrahim Hamdan Dagalo (Hemedti’s brother and deputy RSF commander), during which they blamed Arab groups for violations in North Darfur State. The released men were among the 282 people transferred to al-Huda in Omdurman or two other prisons in Port Sudan and West Darfur. The DBA continues to call for the release of the other detainees, and hinted at the possibility of a case before the African Commission on Human and Peoples’ Rights if delays continue.

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### **GOVERNMENT HUMAN RIGHTS COUNCIL, DEMOBILISATION**

#### **Sudan re-elected to Human Rights Council**

Despite advocacy by Sudanese and international organisations, which said in a [joint letter](#) that “voting for Sudan would undermine the Council’s credibility and institutional integrity,” Sudan was re-elected to the UN Human Rights Council. Sudan [received 157 votes](#) (as compared to 182 for South Africa and 178 for both Algeria and Morocco). Each Council member will serve for a term of three years; Sudan will not be eligible for a third consecutive term. See here for a piece [outlining objections](#) to Sudan’s election and highlighting the African Union’s failure to withdraw its endorsement of Sudan. Prior to the election, Sudan submitted a note verbale outlining its voluntary pledges and commitments to the UN General Assembly, available for [download here](#).

#### **Minni Minnawi criticizes Volker Perthes**

Following UNITAMS head Volker Perthes’ comments that political leaders should not have private armies, SLM-MM leader Minni Minnawi reportedly [said](#) that “Volker should know that these armies came as a result of a structural defect resulting from the political, social and economic crisis that brought the UNAMID mission and then UNITAMS.” Earlier this month, Reuters reported that pro-democracy groups will formally ask UNITAMS to [help them](#) integrate the RSF and other rebel groups into a single unified army, noting that this task falls within “one of the core competencies of the UN Security Council.” Relatedly, a Sudanese paper reported this week that the Sudanese Armed Forces plan to [reintegrate](#) the Border Guard forces into the army; formed from the *Janjaweed* and several other militias in 2003, the Border Guard was later transformed into the RSF, with Border Guard senior field commander Hemedti at its helm.

#### **Former prime minister under al-Bashir returns to Sudan**

Mohamed Tahir Ela [returned](#) to Sudan after a three-year self-imposed exile in Cairo. Appointed on 24 February 2019, Ela was the final prime minister under al-Bashir and a leader in the National Congress Party as well as a former governor of the Red Sea State. Ela traveled to his hometown of Port Sudan, where he was reportedly warmly received by crowds of supporters.

Lawyers in al-Gezira registered a [complaint](#) against Ela with the Public Funds and Anti-Corruption Prosecution in 2019 in relation to his connections to state construction projects and public contracts, but no action seems to have been taken on the complaint.

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## HUMANITARIAN SITUATION EDUCATION, HUNGER

### Disruptions to education deemed a “generational catastrophe”

Aid organisations have warned that nearly every school-age child in Sudan is missing out on education, either entirely or with serious disruptions. According to UNICEF and Save the Children, [nearly 7 million children](#) between six and 18 (one-third of school-age children) are not in school at all, including 63% of children in central Darfur and 58% of children in West Darfur. 12 million other children face “heavy interruptions” to their education. Poverty, flooding, armed conflict, a lack of qualified teachers and ongoing strikes by teachers, the pandemic, and low vaccination rates have all been fingered as contributing factors. Owen Watkins, communications chief at UNICEF Sudan, told [The Guardian](#) that “[i]t’s a generational catastrophe. Children are always the future of a country.”

### Several children fall ill after eating from a South Darfur landfill

A 10-year-old boy died and three other girls were taken to the hospital in critical condition after eating from a landfill in South Darfur. All four children live in the Otash IDP camp. Sheikh Abdelrazeg Jales [told](#) Radio Dabanga that the “children were forced to eat from the waste areas due to the failure to distribute food to the deserved displaced in the camp . . . leading to malnutrition.” Farmers in South Darfur have [appealed](#) to the state government and security authorities for protection to ensure a productive harvest season.

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## weekend read

On a [transformative constitution](#) in Sudan; can [international mediation](#) break Sudan’s political deadlock?; inside Sudan’s journalists [syndicate](#); analysing Sudan’s democracy [movement](#) and Sudan’s [economic performance](#); and the Argentinian Egyptologist who saved [Nubian treasures](#).

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

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