

justice + conflict

UPDATES FROM SUDAN

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Hello,

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

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BIG STORIES FIRST

- High-level representatives from the US, France, Norway, the UK, Germany, and the European Union conducted a joint visit to Khartoum, amidst increasing tensions between various political factions. At the close of the visit, the envoys endorsed the Framework Agreement in a [joint statement](#) as “the best basis on which to form a civilian-led transitional government and establish constitutional arrangements for a transitional period that culminates in elections.” They also “strongly discouraged parallel processes,” presumably a reference to the [parallel dialogue](#) which was held in Cairo and, bizarrely, chaired by Nabil Adib. At the end of the Cairo dialogue, the 85 participants (drawn from various Forces for Freedom and Change – Democratic Bloc representatives, including the Democratic Unionist Party, National Movement Forces and the Living Revolutionary Forces Alliance) announced that they had signed a “Political Accordance Document” setting out the conditions for a fully civilian government. Many view the Egyptian dialogue as an intensification of Egypt’s efforts to undermine the transition by increasing the representation of military-aligned actors in the ongoing negotiations (thus putting pressure on the FFC to make major concessions). At the same time, the Sovereign Council [announced](#) that SLM-Minni Minnawi, JEM, and the DUP will join the political process, even as [al-Burhan](#) and [Shamseddin al-Kabbashi](#) have criticised the Framework Agreement.
- The Eastern Sudan workshop has [concluded](#), apparently reaching consensus around a series of recommendations on issues related to the economy, security, and restorative justice. This [includes](#) re-affirming sovereignty over the disputed Halayeb triangle and deploying additional border forces to combat human trafficking issues. The workshop was [attended](#) by roughly 600 participants, including tribal leaders, political and community groups, resistance communities, and CSOs. The FCC-CC [announced](#) that a final agreement based on the workshop’s outcomes will be signed imminently. The Troika issued a [statement](#) commending the efforts of the organisers and participants in the workshop, and emphasising that “[w]e understand that these dialogues have and will continue to welcome Framework Political Agreement signatories and non-

signatories alike, and that the door remains open for participation in the process.” Similarly, UNITAMS head Volker Perthes said in his [closing remarks](#) that “this workshop succeeded in bringing diverse voices from across the political, professional, ethnic, tribal and social spectrum in Eastern Sudan,” noting that “this may be the first time in many years this broad spectrum of eastern society has gathered in one hall.” The final two workshops – on transitional justice and security sector reform – have not yet been held; the timing for these is not clear.

ACCOUNTABILITY PROTEST, AMPUTATION, WITNESS TESTIMONY

15-year-old boy killed during demonstration in Omdurman

Protests [continued](#) as resistance committees in Khartoum organised another demonstration to coincide with the international envoys’ visit. On 9 February, a 15-year-old boy was [killed](#) during the demonstration after being hit in the head by a tear gas cannister thrown by security forces in Omdurman. As [reported](#) by the Central Committee of Sudanese Doctors, he is the 124th person killed since the October 2021 coup. Khartoum State Police subsequently [announced](#) that his corpse was transferred to the morgue, and that a fact-finding board was formed to investigate the circumstances surrounding his death. [Further](#) demonstrations took place on 14 February in Khartoum demanding that perpetrators of serious human rights violations are prosecuted for crimes against humanity under article 186 of the [Criminal Law Act 1991](#) (see here for the [2009 amendment](#) adding article 186 to the penal code). At least 22 protestors were [injured](#) during these demonstrations.

Sudanese men sentenced to hand amputation

Three Sudanese men in their twenties were convicted of stealing gas cylinders under articles 170 (capital theft) and 182 (criminal mischief) of the Criminal Law Act 1991 and [sentenced](#) by the 15th criminal court in Omdurman to amputation of the right hand and three years’ imprisonment. The men were also fined 2 million Sudanese pounds. It is understood that there were serious procedural irregularities in the proceedings, including the defendants’ lack of legal representation, the failure of the court to explain the gravity and penalty of the offences to the accused, and the court’s reliance on the defendants’ voluntary admissions of guilt as the only evidence to convict. The application of a sentence of amputation 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. Lawyers filed an appeal in the case this week.

Perpetrator sentenced to the death penalty

The Wad Madani Criminal Court [sentenced](#) Nabil Abdul Sabiq to death for his role in the torture and killing of Abdel Moneim Rahma in 1994. Rahma was a Sudanese writer and activist who led Sudana (an organisation that promoted the work of artists and writers in Sudan); he died while in the custody of security forces after being subjected to torture. The case was initially closed but re-opened after the December 2018 revolution, and has seen widespread participation from lawyers, resistance committees, and CSOs. Arrest warrants were previously issued in respect of six other alleged perpetrators, who are understood to remain at large.

Further witness testimony in ongoing MI killing case

During the ongoing [trial](#) against eight young men accused of killing a Military Intelligence sergeant, two further witnesses testified that they were not present at the crime scene and did not witness the alleged crimes. Meanwhile, the family of the sergeant has [waived](#) their private

right to initiate proceedings against the accused on the basis of a lack of evidence. This has implications for the sentencing process should the accused be found guilty, as they can now no longer be sentenced to the death penalty (although imprisonment is still permissible). In an unexpected development, a hearing scheduled for 12 February in the ongoing case against Mohamed Adam (“Tupac”) and three other young men was [postponed](#) and defence counsel was notified that the presiding judge had stepped down and a new judge had been appointed.

Memorandum filed on behalf of detainees

The Blue Nile Detainees’ Defence Committee [filed](#) a memorandum with the Public Prosecutor and the Sudan National Human Rights Commission calling for the immediate release of six detainees in Sinja prison in Sennar State and seven detainees in Ed-Damazin prison, who have been unlawfully detained since October and December 2022 respectively. The committee [shared](#) copies of the memorandum with UNITAMS head Volker Perthes and the UN joint human rights office in Khartoum. The committee also reportedly intends to share copies with others, including the African Union, the European Union, and the Troika countries. Relatedly, the African Center for Justice and Peace Studies has [called](#) on Sudanese authorities to investigate the death of two Sudanese men: Abdul Raziq Ibrahim, who died after not receiving proper medical care in Zalingei Prison, and Dr Adam Tyrab, who was killed in an armed attack by unknown gunmen in Blue Nile state.

Abdel Rahim Mohammed Hussein denies 1989 coup involvement

General Abdel Rahim Mohammed Hussein [testified](#) in the 1989 coup case, denying any involvement in the coup and claiming that, with the exception of Bakri Hassan Saleh (with whom he had previously studied), he had not met any of the defendants before the coup. Rather, he testified that he was at his home on the night in question. Trial sessions will resume on 21 February to hear statements from the remaining defendants. Key al-Bashir allies have recently testified, including Ali Osman Taha. The ICC issued a [warrant](#) for Hussein’s arrest on 1 March 2012 (charging him with 20 counts of crimes against humanity and 21 counts of war crimes). Prosecutor Karim Khan recently [rebuked](#) the Sudanese authorities for their lack of cooperation with ongoing investigations in relation to the Darfur situation, including Hussein’s case.

GOVERNMENT SANCTIONS, AFRICAN UNION, GUINEA

Sudan calls for lifting of UN sanctions, as Russians intensify outreach in Sudan

Major General Ibrahim Gabir chaired a [meeting](#) to discuss extending the mandate of the Panel of Experts related to the UN Security Council, which is charged with overseeing sanctions against Sudan. Sudanese representatives called for the lifting of UN sanctions and the [termination](#) of the Panel’s mandate. At present, only three people are subjected to UN sanctions, which include an asset freeze and travel ban): Musa Hilal, Gabril Abdul Kareem Badri (National Movement for Reform and Development leader), and Gaffar Mohamed El Hassan (SAF commander). Sudanese authorities previously (and unsuccessfully) [requested](#) the removal of these sanctions in March 2021. The UN Security Council is expected to renew the mandate of the Panel this month. Discussions [may](#) also continue around the creation of benchmarks to assist the Security Council in reviewing the continued suitability of the sanctions. This has previously been a contentious issue for Council members, who have been unable to agree on suitable benchmarks since the Secretary-General provided a [report](#) in July 2021 recommending four benchmarks. Foreign Minister Ali Sadiq subsequently held a [separate meeting](#) with ambassadors of the UN Security Council member states on lifting the arms embargo on Darfur.

Russian Foreign Minister Sergey Lavrov, who recently visited Khartoum, [has stated](#) that Russia “stands with the Sudanese side in its efforts to lift the sanctions”. Lavrov’s visit, during which he met with both al-Burhan and Hemedti, reflects [growing ties](#) between Russia and Sudan in recent years. Russia [continues](#) to seek approval for a planned naval base on the Red Sea. The proposal, which has historically been supported by Hemedti but not by al-Burhan, was recently [approved](#) by military authorities but still requires ratification by a (yet-to-be-formed) Sudanese legislative body.

Sudanese officials lobby African Union Commission officials

Sudanese authorities, including [al-Burhan](#) and [Ambassador Daffalla al-Haj Ali](#) (alternate Minister of Foreign Affairs), met with the chairperson of the AU Commission, H.E. Moussa Faki Mahamat, during his official visit to Sudan. It is [understood](#) that the Sudanese authorities discussed the prospect of lifting AU sanctions and reinstating Sudan’s AU membership. The week prior, representatives from Sudan’s Ministry of Foreign Affairs also conducted a series of [meetings](#) with member states of the AU Peace and Security Council, ostensibly to “inform them of the latest positive developments in Sudan.” The MFA undersecretary [reportedly](#) “pointed out that the imposition of sanctions and coercive measures is not consistent with the principle of African unity and solidarity enshrined in the constitutive law of the African Union.” In June 2019, the AU Peace and Security Council [suspended](#) Sudan’s participation in all AU activities until the effective establishment of a civilian-led government. The membership suspension was briefly [lifted](#) in 2021 but quickly reinstated following the 25 October 2021 coup.

Hemedti conducts Guinea-Bissau visit

Hemedti [conducted](#) a two-day visit to Guinea-Bissau to discuss opportunities for collaboration between Guinea-Bissau and Sudan. In a [joint statement](#) concluding the visit, Guinea-Bissau was said to be supportive of the Framework Agreement and accompanying political process in Sudan. The parties also agreed to establish various cooperation mechanisms, including a political consultation committee. Meanwhile, al-Burhan conducted a [visit](#) to the UAE. Both Hemedti and al-Burhan show no signs of putting a pause on their—separate—regional diplomatic missions.

HUMANITARIAN SITUATION CONFLICT, ASSASSINATION ATTEMPT, SUDAN SHIELD

Violence in parts of Darfur

A spate of violence has been reported in parts of Darfur. In an incident that could lead to renewed conflict, two soldiers of the Darfur Joint Security Forces were [killed](#) and three others wounded in Kereinik, West Darfur by unknown armed men on motorcycles. Several weeks prior, a displaced community leader in Tawila camp had warned that attacks were [‘imminent’](#) after more than 1,000 gunmen on motorcycles gathered in Kabkabiya locality. Elsewhere, the Governor of Central Sudan was the subject of a failed assassination attempt at Geldo (east of Zalingei) in an armed [clash](#) that lasted more than an hour and injured three people. The attempt was condemned by many, including the [Darfur Bar Association](#). There has also been an increase in isolated violence throughout Darfur. For example, three girls were raped by armed men, [two](#) in North Darfur and [one](#) in West Darfur. Two of the perpetrators in the North Darfur incident were arrested, while the third fled. A series of armed attacks were also reported over the past two weeks, including in Katur village (south of Tawila), [killing](#) one person and wounding four others, and [in](#) and [near](#) Nertiti (where two people were killed in separate shootings). In response to these and other events, additional security forces have been deployed across the state, including reinforcements to the [Sudan-Chad joint forces](#) and a

new [force](#) of about 30 vehicles in West Darfur. Additional ground troops are also expected on the border with [South Sudan](#) and in [South Darfur](#).

Military movements by the Sudan Shield Forces

Resistance committees in Rifaa [warned](#) of military movements by the Sudan Shield Forces (SSF), a new militia group in Central Sudan believe to be endorsed by al-Burhan. Calls were launched on 16 February via loudspeakers for citizens in Rifaa to greet the SSF leader, former SAF officer Abu Aklah Mohamed Ahmed Kikel. [Analysts](#) continue to warn against the establishment of new militias such as the SSF, which all too often follow the same pattern where “they arise in support of the army, but [...] quickly turn against it and develop their own agenda.”

weekend read

[Loss-making](#) refineries in Sudan; Wagner Group [deepens influence in Africa](#) (and how to [beat](#) it); why [justice](#) needs to be prioritised in Darfur; Sudan’s water crisis and the women [fighting back](#); how the international community can [support](#) Sudan’s democratic transition; [game of \(diplomatic\) thrones](#); and [assault](#) on the arts.

Thanks for reading, and see you in two weeks.

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