

# 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 April 2023

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## BIG STORIES FIRST

- [Civilian](#), [military](#), and [international](#) actors race to diffuse tensions between the army and RSF which threaten to boil over after the RSF deployed troops in Merowe and Khartoum. After [reports](#) that the RSF intended to deploy 60,000 troops in Khartoum, various armoured military vehicles were [spotted](#) travelling to Khartoum, including 14 vehicles that Hemedti transferred from North Darfur, [supposedly](#) 'in anticipation of any emergency'. Around this time, the SAF constructed a [wall](#) in front of its Khartoum HQ. On Wednesday, ~100 RSF vehicles arrived in Merowe, many of which deployed around Merowe Airport (which hosts Egyptian and SAF aircraft). While the RSF [claimed](#) its forces were merely carrying out their responsibilities and acting in 'full coordination' with the SAF, the SAF [suggest](#) that the troops deployed without notice or approval. SAF [reinforcements](#) soon arrived and the RSF [reportedly](#) refused orders to withdraw from Merowe. According to [Al Jazeera Arabic](#), the SAF demanded that the RSF withdraw within 24 hours. In an uncharacteristically direct [statement](#), SAF Spokesman Nabil Abdallah suggested that the RSF's deployment "clearly violates the law" and warned that continued RSF deployment in Merowe and Khartoum would "inevitably cause more divisions and tensions that may lead to the collapse of security". There is various speculation as to the RSF's rationale, including that it intended to [guard](#) against Egyptian military presence in Merowe and that it has apparently [purchased](#) 25 acres of land adjacent to Merowe Airport to establish a military base. Various parties including Saudi Arabia are [reportedly](#) meditating, and EU and Troika envoys have [called](#) for "active steps to reduce tensions.". These events could also be related to (and may have knock-on implications for) the ongoing GERD dispute. Egypt favours, and has a strong relationship with, al-Burhan and the SAF, and [some reports](#) suggest that it is marketing the prospect of Egyptian military intervention in Sudan as part of an ongoing campaign to undermine the ongoing political process, weaken the RSF, and strengthen the Islamists' position in Sudan. Meanwhile, [Hemedti](#) retains strong commercial interests in Ethiopia and is increasingly networking with Ethiopian officials to deepen his political appeal and influence. As of late, the RSF continue to deploy additional forces in both [Merowe](#) and [Khartoum](#).
- The political agreement is still being negotiated – this time with no firm deadline – after the SAF and RSF failed to resolve their differences by the initial 1 April deadline. While

committees are still reviewing the technical aspects of the RSF's integration into the army (the key outstanding issue to both parties), al-Burhan's SAF [continue to insist](#) that agreed-upon schedules and timelines for integration must be included in any political agreement. Recently, the FFC-CC reported an "[important breakthrough](#)" in the discussions. Some sources have [suggested](#) that the military-technical committees now agree on the command structures of the forces but disagree on who will lead it (with the RSF advocating for civilian leadership). The RSF also [reportedly](#) called for the purging of Islamist elements from the army and ensuring that officers are properly trained pre-integration. The FFC-CC now [expects](#) a political agreement to be signed within a week. Relatedly, a transitional constitution drafting committee has [started](#) the process to finalise a transitional constitution based on the [draft](#) prepared by the Sudanese Bar Association, the recommendations of the 'final issue' workshops, and the eventual political agreement. Key players in the international community (including [Antony Blinken](#), US Secretary of State) continue to push for the prompt signing of a political agreement. See [this thread](#) on how the structural inadequacies of the security sector reform negotiations would affect the sustainability of any eventual agreement.

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## ACCOUNTABILITY POLICE, WITNESS TESTIMONY, DETENTION

### Police officer cases referred to courts

The Public Prosecution has [referred](#) four cases to the courts in which police officers are accused of having killing demonstrators. This includes the cases of Muhammed Ahmed al-Sabunabi (killed on 21 June 2020), [Mujtaba Abdel Salam](#) (killed on 5 May 2022), Alaa al-Din Adel (killed on 28 May 2022), and [Ibrahim Majzoub](#) (killed on 28 February 2023). It is unclear whether these proceedings will be overseen by ordinary or special courts, whether the trials will be public, and whether the courts will try the accused for crimes against humanity under [article 186](#) of the penal code.

### Tupac proceedings continue

Hearings continue to take place in the criminal proceedings brought against Tupac and the three other young men accused of killing a brigadier general. On [2 April](#), the author of the communication confirmed during the trial that he did not see any of the defendants kill the general. On [9 April](#), the court heard testimony from the late general's son. The prosecution also submitted a list of 19 witnesses, four of which will be heard in the next court session – [scheduled for 16 April](#).

### Detained Sudanese activist's deteriorating health

The brother of Hisham Abbas (the Sudanese political activist and blogger sentenced to six months in prison in Saudi Arabia for posting anti-coup material on social media) has [explained](#) that Hisham was imprisoned two days after undergoing surgery and that his health is deteriorating while in detention. Hisham's brother also [expressed](#) his fear that Hisham will be deported to Sudan soon after serving his sentence.

### Women charged after spousal murder attempt post

Four women have been [charged](#) with defamation and invasion of privacy after one of the women posted details on Facebook of how her husband and brother had attempted to kill her and that she had suffered serious injuries as a result (including being put in a coma and facial

mutilation). The other three women 'shared' her post. The first trial hearing took place on 10 April, with a hearing now set for 3 May to hear the prosecution's witnesses.

### **Court still to hear further defence witnesses in NISS agent case**

The court [heard](#) another defence witness in the case against the former NISS agents alleged to have killed Mahjoub El Taj Mahjoub in January 2019. The witness testified regarding his relationship with one of the accused agents, noting in particular that he did not recall the time that they were together on the relevant day. The court has adjourned the trial until 8 May when it proposes to hear two defence witnesses who [previously refused](#) to testify due to fears that they would face criminal charges themselves.

### **US court dismisses Sudan class action**

The US District Court for the District of Columbia has [dismissed](#) a class action brought on behalf of victims of terrorist attacks carried out by Hamas in Israel and Palestine. The plaintiffs had asked the court to hold Sudan liable under the Foreign Sovereign Immunities Act for materially supporting Hamas in carrying out the attacks. However, as the US had since passed legislation restoring Sudan's sovereign immunity in US courts and the plaintiffs failed to demonstrate that such legislation is unconstitutional, the court decided that it lacked jurisdiction and dismissed the case.

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## **GOVERNMENT SOVEREIGN COUNCIL, FATWA, ABYEI**

### **Details of transitional government further refined**

According to the [Sudan Tribune's sources](#), the committee drafting the final political agreement has proposed the formation of a nine person body similar to the pre-coup Sovereign Council (which would include the leaders of the armed movements), a legislative council of 300 members, and a cabinet of 26 ministers. Relatedly, the FFC-DB reportedly announced its preliminary approval of a supposed proposal from the Trilateral Mechanism to grant the non-signatory coalition 47% of seats in a future government. While conflicting reports suggest that FFC-DB instead petition for 38% or 50%, the FFC-CC [denied](#) knowledge of (and agreement to) any proposal made by the Trilateral Mechanism. Al-Burhan has now [suggested](#) that the various parties all "[want] to get the biggest share" and alluded to the prospect of elections should a consensus fail to be reached.

### **Arrest after fatwa call to assassinate Volker Perthes**

An individual identified as Abdelmoneim Dafallah has been [arrested](#) after a [video circulated on social media](#) of him asking for a fatwa allowing the assassination of UNITAMS head, Volker Perthes. Dafallah was speaking at a symposium held by the Sudan's People Call – a pro-coup Islamist coalition that includes Bashir loyalists. UNITAMS has [condemned](#) the statement and called on the Sudanese authorities to "initiate legal measures and ensure a proper investigation". Relatedly, the FFC-CC recently released a [statement](#) accusing remnants of the former al-Bashir regime of inciting armed conflict in an attempt to reclaim power. While Islamist groups are increasingly denouncing and attempting to sabotage the political process, there are [clear internal divisions](#) between different sub-factions, including the recently [re-emerged](#) Ali Karti (who has ties to al-Burhan and has "historically prioritised the broader interest of the Sudan Islamic Movement" over the NCP) and the so-called Kober Prison Group (which includes key actors from the NCP's historic political apparatus, including al-Bashir). Ali Karti [reportedly](#) seeks to undermine the democratic transition through prolonging the ongoing negotiations or forcing civilian forces to accept a watered-down deal, with a view to him and his

Islamist allies returning under a new guise via elections. See [this recent Ayin report](#) for a breakdown of some of these internal divisions.

### **Abyei commitment made**

Sudan and South Sudan have [signed](#) a document committing themselves to adhere to Abyei Protocols and peacefully resolve the outstanding issues. The parties (Sudan led in discussions by Hemedti) held joint meetings in Khartoum, discussing the need to deliver social services, provide security, and promote community dialogue. The parties reportedly agreed to prioritise humanitarian assistance and development projects and [resolved](#) to discuss the final status issue in the next round of talks.

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## **HUMANITARIAN SITUATION** RETALIATORY VIOLENCE, EMERGENCY SITUATION

### **Stark increase in armed attacks in Darfur**

Human rights monitoring organisations have documented a stark increase in violence across Darfur (particularly retaliatory attacks and armed robberies). At least [24](#) people (and as many as [31](#)) have been killed and ~20,000 people displaced in Foro Baranga town, West Darfur, after a spate of violence between members of Masalit and Arab tribes. The Governor of West Darfur State has declared a one-month state of emergency across the state and imposed a daily 7am - 7pm curfew in Foro Baranga for an initial period of two weeks. Since then, five people were also [killed](#) in the Sarba locality after an armed attack on a local police station. Al-Burhan and Hemedti held an [emergency meeting](#) with the Governor and Deputy Governor of West Darfur to discuss the current situation. Elsewhere, in Central Darfur – [nine people](#) and [four police officers](#) were killed in separate ambushes by armed gangs and a [senior SAF officer](#) was killed by unidentified gunmen; in South Darfur – a [SAF colonel](#) was killed in a botched armed robbery; in North Darfur – a [police officer](#), [four individuals](#), and a [young farmer](#) were killed in different armed attacks; and in East Darfur – an [RSF lieutenant](#) was killed in an armed clash.

### **Armed attacks in different parts of Sudan**

At least 10 people have been [killed](#) in El Kharasana, West Kordofan during armed attacks carried out by Misseriya tribesmen aimed at the Nuba Angola clan. It is understood these retaliatory attacks took place after the body of a Misseriya tribesman was found in the area. The Deputy Governor of West Kordofan has [stressed](#) the need to implement a three-month state of emergency throughout the state. Three people have also been [shot dead](#) in El Tadamon, South Kordofan. In Blue Nile, five people were [killed](#) in a market dispute that reportedly involved the use of bladed weapons. Finally, two SAF majors recently [survived](#) an ambush in Kassala, shortly after two SAF officers were killed in separate attacks in Darfur (on which, see above).

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# weekend read

The [unlikely](#) prospect of civilian rule (and a political process [besieged](#)); will al-Burhan and Hemedti deliver [democracy or war](#); Egypt playing [divide-and-rule](#) in Sudan; [Lundin Energy](#); [climate change](#) and Nile fishermen; [responding](#) to the Wagner Group; in search of [African Arabic](#); and medieval Christian paintings [discovered](#) in Sudan.

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

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