

# justice + conflict

UPDATES FROM SUDAN

REDRESS

Hello,

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

Friday 18 August 2023

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## BIG STORIES FIRST

- [Airstrikes](#), [shelling](#), and armed attacks have continued in Khartoum State amidst ongoing (and [seemingly expanded](#)) battles between the RSF and the SAF. The SAF has [targeted](#) the (RSF-controlled) Republican Palace for the first time in months. Further fighting was reported near the Yarmouk ammunition factory as well as residential areas in Omdurman and Bahri. Meanwhile, both sides are expected to return to the negotiating table. Youssef Ezzat (RSF political advisor) [claims](#) the Jeddah talks will resume in August and Malik Agar recently [acknowledged](#) his belief that “[a]t the end of the day, this war will end at a negotiating table” – seemingly a change in the SAF’s public stance, having previously insisted that the RSF surrender or be defeated. Limited progress towards a long-term ceasefire has been publicly reported in recent weeks. For instance, the Ministerial Mechanism of Sudan’s neighbouring countries [convened](#) for the first time in N’Djamena, Chad. Perhaps unsurprisingly, their resulting [action plan](#) – which lacks detail and adds to a host of similar peace/humanitarian action proposals – has not yet gained traction. The next key event is the expanded dialogue between Sudanese stakeholders, IGAD, and the AU, which is scheduled to take place on 25 August. The dialogue – which was [previously criticised](#) for involving ex-NCP officials – adds to growing concerns that an eventual agreement may pave the way for the return of senior Islamist leaders to political power.
- Deadly clashes also remain ongoing in Darfur between the RSF and the SAF as the RSF pushes to consolidate its regional control, seemingly across all five Darfur States. Some of the worst violence has been seen in [Nyala](#), South Darfur (as well as [Ed El Fursan and Kubum](#)), with regular artillery shelling and heavy gunfire between the two forces [killing, injuring, and displacing](#) civilians. Recent [reports](#) suggest that the [Joint Darfur Forces](#) may be re-deployed to Nyala from Al-Fashir, North Darfur (which is itself facing [ongoing RSF/SAF clashes](#)). Elsewhere, the situation in Zalingei, Central Darfur is thought to be [relatively stable](#). Earlier this month, the RSF [claimed](#) to have taken control of all cities in Zalingei and the surrounding area. Following the latest bout of [clashes](#) between the two forces, the SAF have [reclaimed control](#). Meanwhile, efforts are ongoing to investigate the full extent of atrocities perpetrated by the RSF and allied militias in West Darfur. In one instance, civil leaders have uncovered 30 hidden mass

graves [reportedly](#) containing approximately 1,000 bodies. A representative of the Masalit tribe, El Farsha Saleh Arbab Suleiman, has accused the RSF of seeking to obscure evidence of atrocities committed in El-Geneina by burying bodies in unmarked hidden locations.

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## ACCOUNTABILITY ARREST WARRANTS, LAW REFORM, ICC

### Al-Burhan announces RSF crimes committee

Al-Burhan has announced the [formation](#) of a committee to document/investigate human rights violations and crimes committed by the RSF since 15 April 2023, as well as accessories to these offences. Membership includes representatives of the Ministries of Justice and Foreign Affairs, the SAF, the GIS, and the National Human Rights Commission. The plans have been widely [criticised](#), including for lack of impartiality (e.g., participation of SAF members, restrictive scope of investigation to RSF crimes only). The nature and legal basis of the committee are unclear, including whether it will have prosecutorial powers or act as a commission of inquiry, and what relationship it will have with Public Prosecution/Attorney General's Office and existing investigative procedures provided for in the [RSF Act 2017](#). As of writing, the committee has now [issued a list](#) of 46 suspected perpetrators (including Hemedti and Abdel-Rahim Dagalo) and Sudan's Public Prosecution has [issued arrest warrants](#) against Hemedti and his brothers. Relatedly, the SAF [reportedly](#) intends to submit a dossier on alleged crimes committed by the RSF to the ICC by the end of August. This would be a relative step change in the SAF's cooperation with the ICC (albeit no doubt motivated by self-interest).

### African Commission calls for anti-torture reforms in Sudan

The African Commission on Human and Peoples' Rights has [found](#) Sudan responsible for the arbitrary arrest, detention, and torture by the NISS of two human rights defenders, Dr Amin Mekki Medani and Mr Farouq Abu Eissa. The decision comes more than eight years since REDRESS, in partnership with [FIDH](#), [OMCT](#), and [ACJPS](#), originally filed a complaint with the African Commission on behalf of Dr Medani and Mr Eissa. As reparation, the African Commission called on Sudan to pay material and moral damages, investigate the actors responsible for the violations, and implement a series of legal, institutional, and practical reforms. Sadly, both Dr Medani and Mr Eissa passed away before the African Commission made its decision. See [here](#) for additional information on the case.

### Harun arrest warrant struck off

The Public Prosecution in Kassala has [struck off](#) arrest warrants [previously issued](#) in respect of ICC indictee Ahmed Harun, Ali Osman Taha, and three other members of the former al-Bashir regime – apparently due to a lack of legal basis to open a criminal case against them. Relatedly, the Public Prosecution in Gedaref has [dismissed](#) charges against the State's *wali* (governor) and other officials accused of covering up Islamist activities in the area, ostensibly “for the lack of capacity and failure to obtain the necessary permission”. Recent [reports](#) suggest that al-Bashir era figures are gaining influence in Sudan. Alrakoba recently [reported](#) that al-Bashir himself is now also in Kassala, though this speculation has not been confirmed. Al-Bashir was [previously understood](#) to be located at Alia Military Hospital before the hospital building was [attacked](#), apparently by the RSF. Speculation at the time suggested that al-Bashir – [apparently unharmed](#) – was transferred to a new secure location.

### Further civilian targeting, Tupac arrested again

Reports continue to emerge implicating both the RSF and the SAF in mass civilian targeting,

arbitrary detention, and torture. According to the [Sudan Tribune](#), approximately 1,500 people have been arrested by Sudan's military intelligence, ostensibly for affiliation with the RSF (though [pro-democracy activists](#), [lawyers](#), and prominent political/community figures have been particularly targeted). Reportedly, Mohamed Adam (Tupac) is amongst those continuing to be targeted, having again been [arbitrarily detained](#) by military intelligence. Meanwhile, a human rights defender and advocate were both [killed](#) in Nyala after being abducted from their home by armed men "[dressed in RSF uniforms](#)". The armed men (whom the RSF claim belong to unaffiliated rebel groups) initially demanded a ransom for the two individuals' release. One day later, the bodies of the two men, Ahmed Abdallah and Adam Omer, were found on the Nyala-El-Fasher road. The RSF is [estimated](#) to have detained more than 5,000 people in Khartoum alone, some of whom have reportedly died as a result of their torture.

### Reports on sexual violence

Civil society and professional organisations continue to investigate the nature and scale of ongoing sexual and gender-based violence being perpetrated during the current conflict. In one report, [ACJPS](#) described accounts of sexual slavery, forced prostitution, and human trafficking perpetrated by members of the RSF. In another report, [Human Rights Watch](#) described how the RSF and allied militias had raped several dozen women and girls in El-Geneina between late April and late June 2023, with assailants having seemingly targeted people because of their Massalit ethnicity and, in some cases, because they were known activists.

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## GOVERNMENT UN SECURITY COUNCIL, AID REGULATION, UAE

### Perthes withdrawn from UN Security Council briefing

In a [seemingly last-minute](#) addition to its calendar, the UN Security Council convened on 9 August to discuss the situation in Sudan. The briefing was provided by the [Assistant Secretary-General for Africa](#) and the [Director of Operations and Advocacy at the OCHA](#), as opposed to UNITAMS head Volker Perthes. While Perthes had been [expected](#) to address the Security Council, a [last-minute decision](#) was taken to withdraw his participation, [apparently](#) because the Sudanese authorities threatened to "pull UNITAMS out of Sudan if he briefed the Council". Sudan's Foreign Minister [claimed](#) that as the Sudanese authorities previously (and purportedly) declared Perthes [persona non grata](#), this revoked his status as a representative of the UN Secretary-General. However, the UN [has previously concluded](#) that UN personnel such as Perthes cannot legally be made persona non grata [because](#) the doctrine only applies to diplomatic agents accredited by one State to another in the context of their bilateral relations. Perthes, who is currently operating from Nairobi, is [expected](#) to brief the Security Council as usual next month.

### RSF to form aid regulation body

Hemedti has [announced](#) that the RSF will establish a new body – the Sudan Agency for Relief and Humanitarian Operations (SARHO)– to "enhance and coordinate relief and humanitarian operations"; a move that seemingly formalises its role as an (illegitimate) aid regulating body. The SARHO is expected to emulate the SAF-aligned Humanitarian Aid Commission – which regulates licences for humanitarian organisations to operate and has been long accused of "[obfuscating and streamlining corruption](#)", as well as impeding civil society initiatives. Meanwhile, amidst the RSF's consistent social media endeavours attempting to publicly present itself as a responsible law-abiding organisation fighting against an Islamist insurgency, the RSF Facebook page and Hemedti's own page were recently [removed](#) for violating Facebook's Dangerous Organisations and Individuals policy.

### UAE accused of arming the RSF

The Wall Street Journal (WSJ) has published a report implicating the UAE in supplying weapons to the RSF – seemingly a clear violation of the [UN arms embargo](#). According to the WSJ, a cargo plane was sent by the UAE to Uganda under the guise of delivering food and medical aid to refugees in Chad who had fled the conflict in Sudan. Instead, the plane carried assault weapons and ammunition which were ultimately delivered to Chad’s Amdjarass International Airport (despite Ugandan officials discovering the cargo). The UAE (which [denies](#) the claims) has opened a [field hospital](#) and [aid coordination office](#) in Amdjarass. This presence may have been intended to obscure weapons deliveries to the RSF – which many believe re-supplies into Darfur and elsewhere via Chad and the Central African Republic. The UAE is understood to have a [close relationship](#) with Hemedti and the RSF, including as the primary buyer of the RSF’s gold exports.

### JEM officials fired after Dagalo meeting

Gibril Ibrahim has [fired](#) four JEM officials – including Suleiman Sandal (political secretary) and Ahmed Tugud (chief negotiator) – following their [unauthorised](#) participation in covert discussions with the RSF’s Abdel-Rahim Dagalo while in N’Djamena. Following rumours of meetings between Dagalo and various Sudanese actors (including Ibrahim himself, which he [denied](#)), a senior JEM official told the [Sudan Tribune](#) that several JEM members had met “clandestinely met Daglo in N’Djamena” and that Ibrahim “plan[ned] to impose severe penalties” on them. Days prior to his dismissal, Sandal issued a [statement](#) adopting a [neutral anti-war stance](#). Ibrahim distanced himself from the statement, claiming it does not represent the movement. It is unclear whether the former JEM officials will align with another existing organisation or form their own splinter group.

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## HUMANITARIAN SITUATION SPLM-N AL-HILU, BLOCKADE, KILLINGS

### Update on Kordofan States

The situation in the Kordofan States remains unstable. In South Kordofan, the SPLM-N al-Hilu continue to launch [attacks](#) on the SAF. While the two forces had previously exchanged mainly long-distance mortar fire, recent attacks have involved the use of [machine guns and rocket launchers](#). The SPLM-N al-Hilu’s [blockade](#) of the Kadugli-Dilling road has also reportedly exacerbated shortages of vital supplies in the region. In West Kordofan, the RSF attacked Kanja, [reportedly](#) burning the village and killing 32 women. Violence has also been [reported](#) in Al-Fula after a SAF officer apparently killed three suspected RSF members, resulting in armed civilians attacking a police station and killing a police officer, as well as looting local buildings.

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# weekend read

Recount of [El-Geneina violence](#); [CRSV](#) in Darfur (and [rape as a weapon](#)); a [personal account](#) by a human rights monitor in Darfur; Darfur killings raise the demon of [genocide](#) again; Sudan needs [justice](#) more than ever; why Sudan's conflict [defies diplomacy and de-escalation](#); the [fallout](#) in Chad from Darfur violence; and the [dilemma](#) of political transition in Sudan.

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

*If this was forwarded to you, please email [caitlan@redress.org](mailto:caitlan@redress.org) to sign up.*

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