

**Flygtningenævnets baggrundsmateriale**

<b>Bilagsnr.:</b>	<b>249</b>
Land:	Sudan
Kilde:	Amnesty International
Titel:	Annual Report 2012 – Sudan
Udgivet:	24. maj 2012
Optaget på baggrundsmaterialet:	28. juni 2012

## Amnesty International Annual Report 2012 - Sudan

Head of state and government: **Omar Hassan Ahmed al-Bashir**

Death penalty: **retentionist**

Country data covers South Sudan and Sudan:

Population: **44.6 million**

Life expectancy: **61.5 years**

Under-5 mortality: **108.2 per 1,000**

Adult literacy: **70.2 per cent**

**Major transformations were faced in Sudan as South Sudan seceded on 9 July, following a referendum on its self-determination. Post-independence agreements on the sharing of oil, citizenship and border demarcation continued to be negotiated at the end of the year. Conflict further intensified in Darfur and erupted in Abyei, Southern Kordofan and Blue Nile which led to hundreds of thousands of civilians fleeing those areas. The National Intelligence and Security Service (NISS) and other government agents continued to commit human rights violations against perceived critics of the government for exercising their rights to freedom of expression, association and assembly.**

### Background

A referendum on the self-determination of South Sudan was held on 9 January as part of the 2005 Comprehensive Peace Agreement, signed between Sudan's ruling National Congress Party (NCP) and the former southern armed opposition group, the Sudan People's Liberation Movement (SPLM). Results showed that 98.83 per cent of South Sudanese voted in favour of independence.

A referendum to determine whether Abyei would be part of Sudan or South Sudan, also scheduled for 9 January, was delayed indefinitely due to disagreements on voter eligibility of the two main ethnic groups: the northern semi-nomadic Misseryia, and southern ethnic Dinka Ngok.

Popular consultations were also scheduled in Southern Kordofan and Blue Nile, which could determine a level of autonomy for the two states within Sudan. On 17 May, NCP candidate Ahmed Mohammed Haroun was elected governor in Southern Kordofan, despite allegations by the SPLM of vote-rigging. Ahmed Haroun was wanted by the International Criminal Court (ICC) for war crimes and crimes against humanity in Darfur.

Following the independence of South Sudan, the SPLM in Sudan became known as the SPLM-North (SPLM-N).

No substantive progress had been made with regard to the Darfur peace process by the end of the year. Ongoing insecurity in the region prevented consultations with stakeholders in Darfur.

The mandate of the UN Mission in Sudan (UNMIS) ended on 9 July. On 29 July the mandate of the joint UN/AU Mission in Darfur (UNAMID) was extended for a further year. On 23 September, the UN Human Rights Council adopted the outcome of the Universal Periodic Review on Sudan during its 18th session. The mandate of the Independent Expert on the situation of human rights in Sudan was renewed at the Council for one year on 29 September.

On 7 August, the Justice and Equality Movement (JEM), Sudan Liberation Army-Minni Minawi faction (SLA-M), SLA-Abdul Wahid faction and the Sudan People's Liberation Movement-North (SPLM-N) announced the formation of an alliance against the ruling NCP. On 24 December, JEM leader Khalil Ibrahim was killed by the Sudan Armed Forces (SAF) during an offensive in North Kordofan State.

### **International justice**

The government remained unco-operative with the ICC regarding arrest warrants issued against President al-Bashir in 2009 and 2010, as well as against Ahmed Haroun, governor of Southern Kordofan, and Ali Mohammed Ali Abdelrahman (known as Ali Kushayb), a former Janjaweed militia leader, in 2007. A further arrest warrant was requested on 2 December by the ICC Chief Prosecutor for the Minister of Defence, Abdelrahim Mohamed Hussein.

In January the AU reaffirmed its decision not to co-operate with the ICC in the arrest of President al-Bashir, but it did not obtain sufficient support for its call that the UN Security Council defer the case for 12 months by invoking Article 16 of the Rome Statute. In July the AU reiterated its support for countries that had not arrested President al-Bashir. In December, the Pre-Trial Chamber of the ICC referred the fact that Malawi and Chad did not arrest President al-Bashir to the UN Security Council and the Assembly of States Parties to the Rome Statute.

### **Armed conflict – Darfur**

Human rights abuses remained widespread during the year throughout Darfur. Attacks including aerial bombardments were carried out by government forces, including the

Central Reserve Police and Popular Defense Force (PDF) and government allied militia, as well as ground attacks by armed opposition groups in and around towns and villages including camps for internally displaced people (IDPs). There were civilian deaths and injuries, and looting and destruction of property. On 27 May the UN Humanitarian Coordinator announced that over 70,000 people been displaced by the fighting since December 2010.

Between December 2010 and June 2011, fighting between government and armed opposition groups erupted in North Darfur, including in areas between Khor Abeche, Abu Zerega and Tabit. More than eight villages were reportedly destroyed and tens of thousands of people fled the fighting.

The government severely restricted access to UNAMID and humanitarian organizations, preventing them from carrying out monitoring and from providing essential services to civilians.

In February, the government suspended the relief organization Catholic Relief Services from operating in west Darfur for one month. Also in February, the medical humanitarian organization Médecins du Monde was expelled from South Darfur, reportedly accused of "spying". National and international staff of humanitarian organizations and UNAMID were arrested and detained.

Security forces conducted cordon and search operations in IDP camps in areas populated by members of the Zaghawa ethnic group, who were perceived to be supporters of the SLA-M. On 23 January, government forces raided Zamzam IDP camp where they arrested over 80 people, including three women, and looted property from homes. No prior notice was given to UNAMID, in violation of the Status of Forces Agreement stipulating consultation between the government and UNAMID on actions regarding IDP camps.

Rape and other sexual violence by government forces and allied militia against displaced women and girls continued. On 13 January, six internally displaced girls and women were raped near Tawilla, North Darfur, by two men believed to be government-allied militia. On 22 March, armed police abducted four women from their home near Shangil Tobaya, raping one of them and beating all four. On 1 October, in separate incidents, government-allied militia abducted and repeatedly raped two girls, aged 12 and 14, in the Kabkabiya region of North Darfur.

- Three UNAMID staff were arrested by NISS agents. On 27 April, civil affairs officer Idris Yousef Abdelrahman was arrested in Nyala, South Darfur. He was released on 20 July and all charges against him were dropped. On 6 May, Hawa Abdallah Mohamed, a community activist and translator for UNAMID, was arrested in Abu

Shouk IDP camp in North Darfur, accused of "Christianizing" children in the camp and having links to an armed opposition group. She was released on 13 July. On 3 September a staff member was arrested in El Fasher, North Darfur, and released without charge on 8 October.

### **Armed conflict – transitional areas**

On 21 May, the SAF overran Abyei town. Attacks by SAF, PDF and SAF-backed militia forcibly displaced the entire population of the town and surrounding villages, over 100,000 people, to South Sudan. The attack followed a series of armed clashes between the SAF and the Sudan People's Liberation Army (SPLA) between January and May. Homes and NGO premises were looted and burned by the SAF-allied militia. UNMIS was denied access to Abyei town by the SAF for several days and took limited action to protect the civilian population. On 27 June, a UN Interim Security Force for Abyei (UNISFA), under UN Security Council resolution 1990, was established following an agreement reached between the NCP and SPLM in Ethiopia, to demilitarize Abyei and allow up to 4,200 Ethiopian troops to monitor the area. At the end of the year, the SAF and the SPLA had not fully withdrawn their troops and the populations of Abyei town and most surrounding villages remained displaced in South Sudan with inadequate access to shelter, food and other essential services. The mandate for UNISFA was extended on 27 December.

Conflict erupted in Southern Kordofan on 5 June between the SAF and the armed opposition group SPLM-N. The Sudanese government repeatedly carried out indiscriminate aerial bombardments, killing and wounding civilians. A report published in August by the Office of the High Commissioner for Human Rights detailed unlawful killings, mass destruction and looting of civilian property, and other allegations which could amount to war crimes and crimes against humanity.

On 1 September conflict spread to Blue Nile State. President al-Bashir declared a state of emergency the following day, replacing SPLM-N governor Malik Aggar with a military governor.

People displaced by the fighting – over 300,000 from Southern Kordofan and over 55,000 from Blue Nile – were forced to seek refuge in other areas, including western Ethiopia, Yida in South Sudan's Unity State, and Upper Nile State. On 8 and 10 November, SAF forces bombed Upper Nile and Yida areas.

The Sudanese government denied access to international human rights and humanitarian organizations throughout the year.

## **Armed conflict – southern Sudan**

Inter-communal violence continued in southern Sudan. The high prevalence of small arms exacerbated clashes and human rights abuses against civilians by armed opposition groups and government forces.

- On 9 and 10 February, fighting erupted between the SPLA and forces loyal to the armed opposition leader General George Athor Deng in Fangak County, Jonglei State. At least 154 civilians were killed and 20,000 people displaced. Further clashes occurred on 12 March in Malakal, Upper Nile.
- On 23 April, the SPLA and forces loyal to armed opposition leader Gabriel Tanginye clashed in Kaldak village in Jonglei State. The destruction of homes forced some 15,000 people to seek relocation.

## **Refugees and migrants**

Over 300 Eritrean asylum-seekers and refugees were forcibly returned on 17 October, despite an agreement between UNHCR, the UN refugee agency, and the Sudanese authorities that they would be allowed to lodge asylum claims in Sudan and that some had refugee status.

- On 25 July, one asylum-seeker, aged 23, died and another, aged 17, was seriously injured after jumping from a truck forcibly returning them to the border with Eritrea.

## **Freedom of association and assembly**

Between January and April and in October, thousands of people throughout north Sudan demonstrated against the high cost of living and for democracy. The police and the NISS arrested hundreds of activists and opposition party members and supporters. Some were held in incommunicado detention and subjected to torture or other forms of ill-treatment. In September, the SPLM-N was banned, its offices closed and over 200 of its members reportedly arrested.

- Over 70 people were arrested on 30 January in Khartoum to prevent them from joining protests. Mohamed Abdelrahman was reportedly ill-treated while in police custody and unconfirmed reports were received that he died in hospital the following day. No investigation was carried out.
- Around 100 people were arrested on 20 April following protests at Nyala University in South Darfur. All had been released by September.

- On 25 June, Bushra Gamar Hussein Rahma, a human rights activist and member of the SPLM-N, was arrested in Omdurman. A judge ordered his release on 14 August but he was immediately re-arrested by the NISS. At the end of the year he remained in detention without charge or access to a lawyer.
- On 2 September, Abdelmoniem Rahama, an activist, poet and member of the SPLM-N, was arrested in Ed Damazin. At the end of the year he remained in detention without charge or access to a lawyer.

## Freedom of expression

Newspapers continued to be subjected to closure and censorship, and journalists were harassed and in some cases arrested, where they were at risk of torture or other ill-treatment.

- On 31 January, the opposition newspaper *Ajrass al-Hurriya* was banned by the NISS, and the newspapers *Al Sahafa* and *Al Midan* were prevented from distributing all or some of their editions. Similar media clampdowns occurred in August and September.
- The bi-weekly newspaper *Juba Post* was temporarily shut down by security agents in southern Sudan on 30 March following an article stating that forces loyal to armed opposition group leader George Athor would attack Juba before July. The newspaper's distribution officer was briefly detained at Juba airport on 31 March.
- On 9 July, the National Council for Press and Publications withdrew the licences of six newspapers partly owned by south Sudanese.
- Ten journalists faced charges for reporting on the case of Safia Ishag Mohamed, a woman who was sexually assaulted by NISS officers in January. On 5 July, Fatima Ghazali was sentenced to one month's detention and her editor, Saad-al Din Ibrahim, to a fine. On 25 July, Amal Habani was sentenced to one month's imprisonment.
- Abuzar Al Ameen, deputy editor of the newspaper *Rai al Shaab*, was released on bail on 22 August. He had been arrested by NISS agents on 15 May 2010 and sentenced to five years' imprisonment for "undermining the Constitution" and "publishing false news", in relation to articles published about the April 2010 presidential and parliamentary elections and allegations of an Iranian weapons factory being built in Sudan.

## Death penalty

Death sentences continued to be passed in north and southern Sudan, including against juveniles, and at least seven executions were carried out.

