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SUDAN

REPUBLIC OF SUDAN

Head of state and government: Omar Hassan Ahmad al-Bashir

Death penalty: retentionist

International Criminal Court: signed

UN Women's Convention and its Optional Protocol: not signed

Overview - Covering events from January - December 2005

Background : Darfur : Arbitrary arrests, torture and use of force : Restrictions on freedom of the press : Displaced people in and around Khartoum : The east : AI country visits

Grave abuses of human rights by government forces, government-allied militias and armed political groups continued in Darfur, western Sudan. Both government-allied forces and, at times, armed political groups attacked humanitarian workers and other civilians. Suspected sympathizers of armed political groups in Darfur were arbitrarily detained, as were human rights activists and members of political groups throughout northern Sudan. The new Government of National Unity, formed in July following a comprehensive peace agreement in January, lifted the state of emergency, in force since 1989, except in eastern Sudan and Darfur. A new Interim Constitution, in effect from July, incorporated many positive human rights provisions but retained the death penalty, including for minors, and failed to remove immunity from prosecution for senior officials responsible for war crimes or crimes against humanity. Hundreds of political prisoners continued to be held arbitrarily in Khartoum. Arbitrary arrests, incommunicado detention, torture and restrictions on freedom of expression persisted, aimed in particular at human rights defenders, student activists and internally displaced people in and around Khartoum.

Background

There was continuing conflict in Darfur. The government agreed a Declaration of Principles to resolve the conflict with two armed political groups in July, but the ceasefire was widely breached and a lasting settlement remained remote. African Union (AU) forces deployed in the region were still not at full strength.

The International Criminal Court (ICC), based on a referral by the UN Security Council, began to investigate the situation in Darfur, but by the end of 2005 had not been granted access to Sudan. Sudan established a national court for conflict-related crimes in Darfur, claiming this would obviate the need for the ICC. However, the authorities failed to investigate or prosecute more than a few of those suspected of crimes against humanity and war crimes in Darfur. The AU did not enter into a co-operation agreement with the ICC, and the Security Council did not take any further action to implement Resolution 1593 (see below).

A Comprehensive Peace Agreement, ending decades of civil war between the north and south, was signed on 9 January. The peace held, although certain southern militias excluded from the peace agreement continued to fight. The presence of the Ugandan armed political group the Lord's Resistance Army increased in south Sudan, as did the number of attacks it mounted against civilians and, occasionally, humanitarian workers. More than three million internally displaced people (IDPs) and half a million refugees were expected to return to the south.

On 24 March the UN Security Council established the UN Mission in Sudan (UNMIS), with the task of supporting the Comprehensive Peace Agreement and providing support to the AU mission in Darfur.

The death in late July of John Garang de Mabior, head of the government of South Sudan and first Vice-President in the new Government of National Unity, resulted in widespread rioting in Khartoum and Juba. He was succeeded by Salva Kiir. As many as 130 people died in the violence and over 1,500 people were arrested in Khartoum.

In the east, where unrest continued to simmer, two armed political groups, the Beja Congress and the Free Lions, merged in February to form the Eastern Front.

Darfur

War crimes and crimes against humanity continued to be committed by the government and government-aligned nomadic militias known as the Janjawid. War crimes were also committed by armed political groups opposed to the government. Civilians were killed and injured by government troops, who sometimes bombed villages from the air, by Janjawid militias and in attacks by armed political groups. Women and girls continued to be sexually assaulted and abducted by government-aligned militias and, occasionally, government forces.

After a major government offensive in January, violence declined until April, then stabilized before rising again in late August. Government human rights violations against human rights activists continued. Abuses by armed political groups increased as their command structures broke down as a result of growing factionalism and in-fighting. Such groups also increasingly harassed humanitarian workers. Peacekeeping troops of the AU Mission in Sudan (AMIS) suffered attacks, including kidnappings, by government-backed militias and some factions of the armed political groups.

- On 7 April more than 350 militiamen attacked and destroyed the village of Khor Abeche in south Darfur. An unknown number of unarmed civilians were killed or injured.
- On 30 May the authorities briefly detained Paul Foreman, head of the international non-governmental organization (NGO) Médecins Sans Frontières-Holland. They charged him with crimes against the state for publishing an allegedly false report on rape in Darfur, and sought to compel him to disclose the names of confidential sources.
- On 29 September, three members of the national NGO, the Sudan Social Development Organization, were abducted from Zam Zam IDP camp, north Darfur, by the Sudan Liberation Army, an armed political group.

Torture was widespread. In particular, suspected supporters of armed political groups and people within IDP camps were arbitrarily detained and tortured.

- On 14 March, military intelligence arrested Bakheet Alhaj from Sanya Afondu IDP camp. He was reportedly held in a hole in the ground for 13 days, flogged and beaten with gun butts. On 7 April he was remanded in custody to await trial.

Internally displaced people

More than 1.8 million people remained forcibly displaced internally, and 220,000 refugees were still in Chad. IDPs travelled from rural areas to settlements around towns and villages in Darfur fleeing attacks. Even within IDP camps, security was jeopardized by Janjawid militias and government forces.

- On 19 May police shot dead three people and injured 10 others in Kalma IDP camp in Nyala, south Darfur. The next day there were violent clashes between police and people living in the camp.
- On 25 May the security forces attacked Zam Zam IDP camp near El Fasher town in north Darfur. They reportedly fired indiscriminately, killing Mohamed Adam Khatir and injuring seven others.
- On 28 September, Janjawid militia forces attacked the IDP camp of Aro Sharow, killing 35 people and wounding 10, which forced over 4,000 to flee.

International initiatives on Darfur

A UN-appointed commission of inquiry reported in January that crimes against humanity and war crimes had been committed in Darfur by government and government-aligned militia, and that the Sudanese justice system was unable and unwilling to address the situation.

On 31 March the UN Security Council passed Resolution 1593, referring the situation in Darfur to the ICC. The resolution required Sudan and all other parties to the conflict to co-operate with the court. However, as a result of US pressure, a provision was inserted in the resolution to exempt nationals of states not party to the Rome Statute of the ICC (other than Sudan) from the jurisdiction of the ICC.

The African Commission on Human and Peoples' Rights did not make public the report of its July 2004 mission to Sudan, apparently because it was waiting for the Sudanese government to respond, despite the government's previous failure to co-operate on this issue.

Arbitrary arrests, torture and use of force

Freedom of expression continued to be repressed, with widespread arbitrary arrests, incommunicado detention and torture. Prominent among the victims were political activists, human rights defenders, student leaders and IDPs in and around Khartoum.

Members of the political opposition

- Following demonstrations in Port Sudan in which more than 20 people were reportedly killed, 17 members of the political wing of the Beja Congress were detained in January and February. They were released without charge in May and June.
- Supporters of the Popular Congress party arrested in September 2004 remained imprisoned. The government did not make public the findings of inquiries promised after the deaths of two Popular Congress student activists in 2004, reportedly as a result of being beaten after arrest.
- The Umma National Party headquarters in Omdurman was raided and temporarily closed in April. On 15 April, three student members of the party – Idriss Mohamed Idriss, Abu Bakr Dafallah Musa and Omar Dafallah Musa – were arrested by the security forces near Al Kalaklah central market, Khartoum, and reportedly badly beaten. They had been putting up posters. They were charged with causing a public disturbance and denied bail.

Human rights defenders

Human rights defenders and their organizations continued to face harassment and repression.

- The government initiated legal proceedings against one of the country's leading human rights groups, the Sudan Organisation Against Torture (SOAT), in an apparent attempt to silence it. The Bureau of Crimes Against the State reportedly began proceedings for spreading false information at the end of August, but did not inform the organization. Its members, charged with disclosing military information, propagating false news and public order offences, could face more than five years' imprisonment.
- Prominent human rights activist Mudawi Ibrahim was arrested on 24 January, went on hunger strike and was detained without charge until 3 March. On 8 May he was again arrested while leaving Sudan to receive a

Front Line Defenders award from the President of Ireland. After considerable international pressure, he was released uncharged on 17 May.

- Adil Abdallah Nasr al-Din, the Director of a branch of the non-governmental Sudan Social Development Organization in Zalingei, west Darfur, was released on 19 April. He had been arrested in September 2004 and detained without charge or trial for four months, first in an unofficial detention centre near Kober prison in Khartoum and then for two months in Debek prison, north of Khartoum. He was reported to have been regularly beaten and tied up during his detention.

Students

Many student activists were arrested and beaten by police and other security forces. At least one was shot dead by police.

- On 11 April, Nagmeldin Gafar Adam Eisa, a student activist at Dilling University in Kordofan, died after being shot by the police on university premises during a protest against the conduct of student union elections. Police fired tear gas and live ammunition at the demonstrating students.
- On 19 April students demonstrating at El Fasher University in favour of UN Security Council Resolution 1593, were attacked by police and other security forces using tear gas and stun grenades and firing shots in the air. Four students were arrested, charged with public order offences, tried and acquitted. Another demonstration at the university, on 21 April, culminated in two students being injured, one seriously, as a result of police firing gunshots to disperse the crowd. Police reportedly refused to allow the seriously injured student, who was accompanied by AU personnel, passage to a hospital.

Restrictions on freedom of the press

Newspapers continued to be heavily censored, particularly in relation to Darfur. The news media were instructed not to comment on UN Security Council Resolution 1593. Several newspapers were suspended temporarily or permanently after publishing articles considered critical of the authorities. Journalists were harassed.

- In June the *Khartoum Monitor* was notified that its licence had been revoked by the High Court in 2003. The newspaper had successfully appealed against the closure at the time, but the National Security Services had appealed to have that decision overturned on four separate occasions without informing the newspaper.
- On 9 May the authorities briefly suspended *al-Wifaq* daily newspaper and fined the publication 8 million Sudanese pounds (about US\$3,500) for publishing articles deemed blasphemous. The capital charge of blasphemy was brought against the editor, Mohamed Taha Mohamed Ahmed, but withdrawn soon afterwards.

Displaced people in and around Khartoum

The government forcibly relocated large numbers of IDPs living in and around Khartoum. Many had fled conflict and extreme deprivation in the south and Darfur; others were from marginalized communities throughout Sudan. The involuntary relocations sometimes led to violent clashes and mass arrests. Despite promises in July by the Governor of Khartoum State to consult with donors and UN agencies before relocating camps, settlements and groups of people, forcible relocation without warning continued.

- On 18 May fighting broke out between IDPs and police over the proposed relocation of the Soba Aradi IDP camp. Fourteen police officers and up to 30 IDPs were killed. On 24 May police arrested large numbers of IDPs. Mohammed Daw al Beit and three others arrested reportedly died in police custody.
- On 17 August armed police surrounded the Shikan IDP camp located in Omdurman, Khartoum. They arrived with lorries and emptied the entire camp of its residents. The majority of residents were moved to Fatah III camp, where basic services were lacking. Those relocated reported abuses by security forces during the relocation.

The east

Civilians were killed by the security forces following protests in eastern Sudan about underdevelopment and marginalization of the region.

- On 26 January peaceful demonstrators from the Beja ethnic community in Port Sudan presented a list of demands to the Red Sea State Governor. On 29 January the security forces reportedly used live ammunition against demonstrators allegedly armed with sticks and stones, attacked houses in nearby areas, and wounded residents, including children, by throwing grenades inside homes. At least 20 people were killed. A similar protest in Kassala town reportedly resulted in arrests and the beating of two students by the security forces. Two investigations were set up, but their findings were not made public.
- The Eastern Front, an armed political group, abducted three ruling party politicians on 24 May. They were released in early September.

AI country visits

AI delegates visited southern Sudan in October.

Sudan
Archive information

Sudan: Who will answer for the crimes?

(AI Index: AFR 54/006/2005)

Open letter to the President of Nigeria as Chairman of the African Union regarding Sudan referral to the ICC
(AI Index: IOR 63/001/2005)

Open letter to the members of the United Nations Security Council: The situation in the Sudan
(AI Index: AFR 54/024/2005)

Sudan: Amnesty International's recommendations on the deployment of a United Nations peace support operation
(AI Index: AFR 54/025/2005)

Sudan: Recommendations to donors funding Sudan
(AI Index: AFR 54/036/2005)

Sudan: Political repression in Eastern Sudan
(AI Index: AFR 54/051/2005)

Sudan: Memorandum to the National Constitutional Review Commission
(AI Index: AFR 54/049/2005)

Sudan: List of political detainees
(AI Index: AFR 54/062/2005)

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