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Home Office

# **Country Policy and Information Note**

## **Sudan: Opposition to the government**

**Version 3.0**

**April 2021**

# Preface

## Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in the [Introduction](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (1) analysis and assessment of COI and other evidence; and (2) COI. These are explained in more detail below.

## Assessment

This section analyses the evidence relevant to this note – i.e. the COI section; refugee/human rights laws and policies; and applicable caselaw – by describing this and its inter-relationships, and provides an assessment of, in general, whether one or more of the following applies:

- A person is reasonably likely to face a real risk of persecution or serious harm
- The general humanitarian situation is so severe as to breach Article 15(b) of European Council Directive 2004/83/EC (the Qualification Directive) / Article 3 of the European Convention on Human Rights as transposed in paragraph 339C and 339CA(iii) of the Immigration Rules
- The security situation presents a real risk to a civilian's life or person such that it would breach Article 15(c) of the Qualification Directive as transposed in paragraph 339C and 339CA(iv) of the Immigration Rules
- A person is able to obtain protection from the state (or quasi state bodies)
- A person is reasonably able to relocate within a country or territory
- A claim is likely to justify granting asylum, humanitarian protection or other form of leave, and
- If a claim is refused, it is likely or unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

## Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual, 2013](#). Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a [terms of reference](#) which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the 'cut-off' date(s) in the country information section. Any event taking place or report/article published after these date(s) is not included.

All information is publicly accessible or can be made publicly available, and is from generally reliable sources. Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information, and
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate, balanced and corroborated, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a brief footnote; full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

## Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email the [Country Policy and Information Team](#).

## Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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# Assessment

Updated: 7 April 2021

## 1. Introduction

### 1.1 Basis of claim

- 1.1.1 Fear of persecution and/or serious harm by the state because of the person's actual or perceived opposition to the government.

### 1.2 Points to note

- 1.2.1 Opposition to the government has historically been viewed very broadly, and includes persons who may be perceived to oppose the government, members of political parties and armed opposition groups, journalists and media workers, bloggers, civil society activists, human rights lawyers/defenders and students.

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## 2. Consideration of issues

### 2.1 Credibility

- 2.1.1 For guidance on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 Decision makers should consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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### 2.2 Exclusion

- 2.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits
- 2.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).
- 2.2.3 For further guidance on the exclusion clauses and restricted leave see the Asylum Instructions, [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and [Restricted Leave](#).

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### 2.3 Convention reason(s)

- 2.3.1 Actual or imputed political opinion.
- 2.3.2 Establishing a convention reason is not sufficient to be recognised as a refugee. The question is whether the person has a well-founded fear of persecution on account of an actual or imputed Refugee Convention reason.

- 2.3.3 For further guidance on the five Refugee Convention grounds see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

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## 2.4 Risk

### a. Caselaw – History and Context

- 2.4.1 In the country guidance case of [AY \[Political parties – SCP – risk\] Sudan CG \[2008\] UKAIT 00050](#), heard on 18 and 19 February 2008 and promulgated 16 May 2008, the Upper Tribunal (UT) found in its headnote that:

‘Opposition parties are allowed to function within relatively narrow parameters in Sudan

‘The Sudanese authorities do not seek or even attempt to take action which could amount to persecution against all political opponents but in the main they seek to control by the use of fear and intimidation. Depending on the particular circumstances of an individual, they may resort to stronger measures, particularly against those actively engaged in building up grass roots democracy, working in support of human rights and involved in open criticism of the regime’s core ideology and philosophy.

‘In general it will be difficult for ordinary members and supporters of the [Sudan Communist Party] SCP or any other political party to establish a claim for asylum. They will need to show that they have been engaged in specific activities likely to bring them to the attention of the adverse authorities such as active and effective local democratic activity or support for particular human rights activities. Whether any individual political activist is at risk will necessarily depend upon his individual circumstances set within the context of the situation as at the date of decision. This will include an assessment of the nature of the activities carried out and how they will be seen by the authorities.

‘The legal status of an opposition party has no significant bearing in itself on whether an individual is likely to be at risk of persecution. Political activities also take place under the guise of cultural associations.’ (Headnote, paragraphs 1 to 4)

- 2.4.2 The later [European Court of Human Rights \(ECtHR\) case of A.A. v. Switzerland - 58802/12 - Chamber Judgment \[2014\] ECHR 3 \(07 January 2014\)](#), having deliberated in private on 3 December 2013, found that anyone opposing or suspected as opposing the regime would be likely to face a breach of Article 3 of the European Convention of Human Rights (inhuman or degrading treatment or punishment) on return to Sudan. The ECtHR considered the case of a Sudanese national who joined the Sudan Liberation Movement (SLM) – Unity after having left Sudan and engaging in political activities while in Switzerland. It found that the appellant, AA, might as a result of his sur place political activities be suspected of being affiliated with an opposition movement by the Sudanese government (paragraph 43).

- 2.4.3 It further held that:

‘With regard to the situation of political opponents of the Sudanese government, the Court nevertheless holds that the situation is very

precarious. From the Country reports and the relevant case law... it is evident that suspected members of the SPLM-North [Sudan People's Liberation Movement North], members of other opposition parties, civil society leaders and journalists are frequently harassed, arrested, beaten, tortured and prosecuted by the Sudanese authorities. Because of the ongoing war in different states, the SPLM-North has been banned by the Sudanese government and accordingly many people were detained because of their real or perceived links with that organisation. Furthermore, not only leaders of political organisations or other high-profile people are at risk of being detained, ill-treated and tortured in Sudan, but anyone who opposes or is only suspected of opposing the current regime... are at risk of treatment contrary to Article 3 of the Convention in Sudan.' (paragraphs 40 and 43)

- 2.4.4 The ECtHR in the case of [AA](#) considered existing European caselaw and a selection of country information up to June 2013. The Upper Tribunal in the UK country guidance case of [IM and AI \(Risks - membership of Beja Tribe, Beja Congress and JEM\) Sudan CG \[2016\] UKUT 188 \(IAC\)](#), promulgated on 14 April 2016, heard on 28 and 29 July 2015, and 4 November 2015, also considered the risk faced by those involved in activities critical of the regime inside and outside of Sudan. The UT had access to information up to the middle of 2015, including contributions from expert witnesses.
- 2.4.5 The UT in [IM and AI](#) found, in analysis echoing that of the UT in the case of [AY](#), that whether a person would be at risk of persecution or serious harm depended on whether they were considered to pose a potential threat to the regime (see Headnote, paragraphs 1 and 3).
- 2.4.6 The UT also found that it is necessary to distinguish between those who were arrested and detained for a short period of time, designed to intimidate but did not amount to persecution, and those persons the regime considered a threat who may be subject to more severe treatment and, as a result, face persecution or serious harm. Ultimately, in order to determine who is at risk it is necessary to undertake a comprehensive assessment of the person's particular profile and activities (see Headnote, paragraphs 3 and 4).
- 2.4.7 The UT in [IM and AI](#), noting that its determination needed to be read fully, held that:

'In order for a person to be at risk on return to Sudan there must be evidence known to the Sudanese authorities which implicates the claimant in activity which they are likely to perceive as a potential threat to the regime to the extent that, on return to Khartoum there is a risk to the claimant that he will be targeted by the authorities. The task of the decision maker is to identify such a person and this requires as comprehensive an assessment as possible about the individual concerned.

'The evidence draws a clear distinction between those who are arrested, detained for a short period, questioned, probably intimidated, possibly rough handled without having suffered (or being at risk of suffering) serious harm and those who face the much graver risk of serious harm. The distinction does not depend upon the individual being classified, for example, as a teacher or a journalist (relevant as these matters are) but is the result of a

finely balanced fact-finding exercise encompassing all the information that can be gleaned about him.

‘Distinctions must be drawn with those whose political activity is not particularly great or who do not have great influence. Whilst it does not take much for the NISS to open a file, the very fact that so many are identified as potential targets inevitably requires NISS to distinguish between those whom they view as a real threat and those whom they do not.

‘It will not be enough to make out a risk that the authorities’ interest will be limited to the extremely common phenomenon of arrest and detention which though intimidating (and designed to be intimidating) does not cross the threshold into persecution.

‘The purpose of the targeting is likely to be obtaining information about the claimant’s own activities or the activities of his friends and associates.

‘The evidence establishes the targeting is not random but the result of suspicion based upon information in the authorities’ possession, although it may be limited.

‘Caution should be exercised when the claim is based on a single incident. Statistically, a single incident must reduce the likelihood of the Sudanese authorities becoming aware of it or treating the claimant as of significant interest.

‘Where the claim is based on events in Sudan in which the claimant has come to the attention of the authorities, the nature of the claimant’s involvement, the likelihood of this being perceived as in opposition to the government, his treatment in detention, the length of detention and any relevant surrounding circumstances and the likelihood of the event or the detention being made the subject of a record are all likely to be material factors... The decision maker must seek to build up as comprehensive a picture as possible of the claimant taking into account all relevant material including that which may not have been established even to the lower standard of proof.

‘Once a composite assessment of the evidence has been made, it will be for the decision maker to determine whether there is a real risk that the claimant will come to the attention of the authorities on return in such a way as amounts to more than the routine commonplace detention but meets the threshold of a real risk of serious harm.’ (Headnote, paragraphs 1 to 11)

2.4.8 In the country guidance case of [KAM \(Nuba – return\) Sudan CG \[2020\] UKUT 00269 \(IAC\)](#), heard on 5 December 2019 and promulgated on 1 September 2020, the Upper Tribunal (UT), which considered the risk faced by persons of ‘Nuba’ ethnicity and the treatment of failed asylum seekers only, held that:

‘c) Prior to the political developments in 2019, individuals who were at risk on return (whether at the airport or in Greater Khartoum) were those who were perceived by the Sudanese authorities to be a sufficiently serious threat to the Sudanese Government to warrant targeting.

‘d) The assessment of that risk required an evaluation of what was likely to be known to the authorities and a holistic assessment of the individual’s

circumstances including any previous political activity in Sudan or abroad and any past history of detention in Sudan. Factors include whether the individual was a student, a political activist or a journalist; their ethnicity; their religion (in particular Christianity); and whether they came from a former conflict area (such as the Nuba Mountains).

‘e) Whilst the question of perception of political opposition underlying (c) above remains the same since the 2019 political developments, when assessing any risk to an individual now, the effects of the 2019 political developments are relevant and are likely to affect the Sudanese authorities’ view of, and attitude towards, those who might be perceived as political opponents. Further, the 2019 political developments are likely to have greatly reduced the interest of the Sudanese government in suppressing political opposition by violent or military action.’ (paragraph 252).

- 2.4.9 The evidence submitted in [KAM](#) covered the period up to December 2019. The UT, which referred to country evidence extending into early 2020, observed that - considering events in the round including the overthrow of former President al Bashir, the establishment of a transitional government including civilians and members of former opposition parties, the Constitutional Declaration, and the prospect of peace with ongoing talks between the government and rebels (see paragraphs 170 to 174) - up to that point ‘The direction of travel remains firmly pointing in the way of democratic change and the powers of law and order and a move to stability and resolving difficulties politically rather than through force or violence’ (paragraph 175).

#### b. Activities in Sudan post-September 2020

- 2.4.10 Since KAM was promulgated in September 2020, the transitional government in October 2020 signed the Juba Peace Agreement with several rebel groups including the Justice and Equality Movement (JEM), the Sudan Liberation Movement/Transitional Council (SLM-TC) and the Sudan People’s Liberation Movement-North (SPLM-N) Malik Agar. While the 2 most powerful groups have not to date signed – the Sudan Liberation Army-Abdul Wahid al-Nur faction and the SPLM-N Abdelaziz Al-Hilu faction – the al-Hilu faction is in talks with the government. Following on from the peace agreement, former rebel groups returned to Sudan and Khartoum to take part in discussions about allocations of government posts and responsibilities. The government’s new cabinet appointed in February 2021 by Prime Minister Hamdok includes several ministers from former rebel groups, as well as opposition leaders - the deputy chief of the country’s largest Umma Party as foreign minister and a leader of the Sudan Revolutionary Front as finance minister (see [Political system](#) and [Armed opposition groups](#)).
- 2.4.11 While the transitional government now includes former opposition political groups and rebel forces, the security forces – principally the Sudanese Armed Forces and the Rapid Support Forces – continue to have considerable power and influence. The security forces and the security sector more generally, responsible for human rights violations under the former Bashir government, remains largely unreformed, albeit the legal framework for protecting social and civil rights has been strengthened and

liberalised, for example with the repeal of the Public Order Laws and the ratification of the UN Conventions on Torture and Enforced disappearance.

- 2.4.12 Under the transitional government, groups opposing the government – including students, political parties and civil society – generally have more freedom to operate openly, whilst freedom of assembly and association has generally been respected. Ill-treatment of political opponents have largely ceased under the new government, political prisoners have been released and death sentences against opposition group members have been cancelled. NGOs which were banned under the former regime have now resumed operations. Some sources report the arbitrary arrest of a small number of political activists critical of the security forces, however such reports are much fewer than under the Bashir regime (see [Treatment of opposition groups](#)).
- 2.4.13 In general, media freedom has improved under the transitional government, with the Prime Minister stating the country is committed to respecting freedom of expression. Journalists imprisoned under the Bashir regime have been released and foreign journalists who were banned from working in the country are now being able to resume reporting. People expressing views online critical of the government, including opposition activists and journalists, are no longer harassed but may face threats and intimidation. Furthermore, tougher penalties have been put in place for those criticising the military inside and outside of Sudan (see [Treatment of journalists and media workers](#)).
- 2.4.14 Since the protests of December 2018 that led to the ousting of President Al Bashir, Sudan has made considerable progress, from a low base, towards being an open, inclusive democracy which follows the rule of law. However, the rate of progress has been slow and the country is in a severe and deteriorating economic crisis, which has led to protests by a range of actors calling for faster reforms and greater accountability of the government throughout the country.
- 2.4.15 Since the cases of [IM and AI](#) and [AY](#), as set out in [KAM](#), the political landscape and respect of political rights has improved significantly. In general, opponents of the government are not at risk of persecution. Whether someone is at risk of persecution requires a holistic assessment taking into account previous problems with the state, as well as individual factors such as the person's profile, background and activities.
- 2.4.16 Each case must be considered on its facts with the onus on the person to demonstrate that they would be at real risk of serious harm or persecution.
- 2.4.17 For more analysis and information on treatment of returnees, including those considered a threat to the regime, see the country policy and information note on [Sudan: return of unsuccessful asylum seekers](#). See also the country policy and information notes on [Sudan: non-Arab Darfuri](#) and [Sudan: Nuba](#) for more information on the treatment of those particular ethnic groups.
- 2.4.18 For further guidance on assessing state protection see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

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### c. Sur place activity

- 2.4.19 The ECtHR in [AA](#) observed in regard to sur place activities that ‘it has been acknowledged that the Sudanese government monitors activities of political opponents abroad’ (para 40). The court went on to observe that:
- ‘... it is generally very difficult to assess in cases regarding sur place activities whether a person is genuinely interested in the political cause or has only become involved in it in order to create post-flight grounds. In similar cases, the Court has therefore taken into account factors such as whether the applicant was a political activist prior to fleeing his home country, and whether he played an active role in making his asylum case known to the public in the respondent State.’ (para 41)
- 2.4.20 The UT in the case of [IM and AI](#) made specific findings about ‘sur place’ activity in paragraphs 209-215 of its determination. It concluded that even where a foreign mission, including that of Sudan, has the will and the means to monitor its nationals, for example by taking photographs and/or videoing people during demonstrations or through the use of informants within diaspora communities, this does not mean that a person would be at risk simply for taking part. What was required was an individual assessment of the person’s profile.
- 2.4.21 The UT further held that ‘...it is clear that the Sudanese authorities conduct surveillance on its nationals’ outside of Sudan and that:
- ‘...whilst a single reported incident of an embassy official using a camera to video demonstrators in 2006 would hardly be persuasive, it is a reasonable inference that a regime that feels threatened from those abroad as well as those at home will wish to gather such information as is reasonably available as to the level of opposition expressed by those in an expatriate community and, where possible, the identity of the groups and the individuals within them.’ (paragraph 211)
- 2.4.22 The UT noted the ‘formidable difficulties in ascertaining the identity of a person in a photograph unless the person i[s] known to the person who identifies him’ and ‘[a]bsent facial recognition techniques about which we have no evidence, there is no evidence that a person could be identified from banks of photographs taken at demonstrations across the world when he is returned to Khartoum.’ (paragraph 213)
- 2.4.23 The UT also found that ‘there is direct evidence that some returnees have been confronted with photographs taken by covert operations in the United Kingdom conducted on behalf of the security services’ and that ‘It is not, therefore, a fanciful claim that individuals can be identified by embassy or other staff.’ (paragraph 214)
- 2.4.24 The UT went on to find that:
- ‘The obvious cost and effort render it probable (like any other intelligence-gathering organisation) that these resources are targeted at those that pose the most obvious risk. In a crowd of dozens of people, surveillance is unlikely to be carried through in an attempt to identify the rank-and-file participants and is more likely to be focussed on leaders, organisers, those often or regularly seen at such events and those present at events which are likely to

attract the particular sensitivity of the Sudanese officials here, perhaps outside the embassy or perhaps at a significant anniversary or commemoration.’ (para 214).

2.4.25 It further held that:

‘... [there are] obvious difficulties [which] arise in relation to establishing what information finds its way back to the authorities in Sudan about the activities of individuals whilst in the United Kingdom. It is a forlorn hope that an individual will establish - save in the rarest of cases - that an informer has identified him at a particular event on a particular day or that an embassy official has photographed a protest in circumstances that he is then able to identify the participants. We doubt whether the risk can be elevated to a finding that there is a real risk of his doing so. Nevertheless the evidence should not be discarded for that reason alone but falls into the jig-saw of evidence building up the composite picture of the individual. It is at the end of this entire process that the decision maker then reaches his single conclusion on the issue of a real risk.’ (para 215).

2.4.26 In paragraph 235 of IM and AI the UT found that:

‘Where the claim is based on events outside Sudan, the evidence of the claimant having come to the attention of Sudanese intelligence is bound to be more difficult to establish. However it is clear that the Sudanese authorities place reliance upon information-gathering about the activities of members of the diaspora which includes covert surveillance. The nature and extent of the claimant's activities, when and where, will inform the decision maker when he comes to decide whether it is likely those activities will attract the attention of the authorities, bearing in mind the likelihood that the authorities will have to distinguish amongst a potentially large group of individuals between those who merit being targeted and those that do not.’

2.4.27 Since the case of [IM and AI](#), the political situation within Sudan has considerably changed, with the risk of persecution of critics of the government significantly reduced. The evidence indicates the repatriation of Sudanese citizens living abroad for criticising the government has stopped. While it is possible that the security forces continue to monitor opposition groups, it is unclear the extent to which this includes activists in the diaspora, while there appears, in general, to be greater tolerance of online freedom of expression. Furthermore, some Sudanese diaspora organisations operating outside of Sudan worked with the Sudanese Professionals Association (SPA) to organise protests that led to the ousting of Omar al-Bashir. The SPA is a member of the Forces for Freedom and Change (FFC), which formed the current civilian-led government (see [Sur place activity](#) and [Political system](#)).

2.4.28 A person outside of Sudan who is critical of the government is generally unlikely to come to the attention of the government or to be considered a threat and be at risk of persecution. However, each case must be considered on its facts, taking into account their profile, activities in the UK and Sudan, and previous difficulties with the authorities in Sudan.

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## 2.5 Protection

- 2.5.1 Where the person has a well-founded fear of persecution from the state they will not, in general, be able to avail themselves of the protection of the authorities.
- 2.5.2 For further guidance on assessing the availability of state protection, see the instruction on [Assessing Credibility and Refugee Status](#).

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## 2.6 Internal relocation

- 2.6.1 Where the person has a well-founded fear of persecution from the state, they are unlikely to be able to relocate to escape that risk.
- 2.6.2 For further guidance on internal relocation see the instruction on [Assessing Credibility and Refugee Status](#).

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## 2.7 Certification

- 2.7.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 2.7.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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# Country information

Section 3 updated: 7 April 2021

## 3. Political system

### 3.1 President Bashir ouster and transitional government

#### 3.1.1 The United States State Department country report on human rights practices covering events in 2019 (USSD report 2019) stated:

‘Sudan began the year as a republic with power concentrated in the hands of authoritarian President Omar Hassan al-Bashir and the National Congress Party (NCP). The NCP, which ruled for three decades with nearly absolute political authority, remained in power until early April. Protests that began in mid-December 2018 over economic concerns continued during the first few months of the year, growing in size and transforming into demands for regime change under the slogan Freedom, Peace, Justice. On February 22 [2019], President Bashir declared a state of emergency, which the National Assembly endorsed on March 11, for a period of six months. The Bashir regime then issued a series of decrees prohibiting the holding of public gatherings, processions, strikes, and similar activities without permission of the competent authority and gave security forces sweeping powers of arrest, search, and restriction of movement. Emergency courts were established to try arrested protesters. Nonetheless, the protests continued, and on April 6, following the largest demonstration to date, a “sit-in” was established in front of the headquarters of the armed forces.

‘On April 11, Omar al-Bashir was removed from his position as the president. A self-appointed Transitional Military Council (TMC) took over, with Lieutenant General Ahmed Awad Ibn Auf as de facto head of state. The TMC announced the suspension of the country’s constitution, dissolved the cabinet, the national legislature, state governments, and legislative councils and announced a three-month state of emergency, to be followed by a two-year transition period. Ibn Auf, however, was unacceptable to the Sudanese people and, in less than 24 hours, he was replaced by General Abdel al-Fatah Burhan. The Forces for Freedom and Change (FFC), a coalition of opposition parties, and the TMC began negotiations to form a transitional government while the sit-in continued. On June 3, security forces violently dispersed the protesters at the sit-in site, killing and injuring hundreds. After a few tense days, however, the two sides returned to the negotiations.

‘On July 5, the TMC and FFC verbally agreed to form a civilian-led transitional government (CLTG), and on August 17, signed a political agreement and a constitutional declaration formally establishing a new government. The CLTG is composed of a Sovereign Council, a Council of Ministers headed by the prime minister, and a Legislative Council. The 11-person Sovereign Council is composed of six civilians and five military officers. On August 20, Dr. Abdalla Hamdok was sworn in as prime minister, thus dissolving the TMC. On September 5, Prime Minister Hamdok announced 18 of the 20 members of his cabinet. As of year’s end, the Legislative Council had not been formed. Under the constitutional declaration, general elections are to be held in 2022. The

country last held national elections (presidential and National Assembly) in 2015.’<sup>1</sup>

3.1.2 Freedom House (FH) similarly noted in its Freedom of the World 2020 report covering events in 2019, that,

‘[The August 2019 talks between the FFC and the military]... led to the creation of an 11-member Transitional Sovereign Council (TSC), which replaced the Transitional Military Council (TMC) responsible for the June massacre in Khartoum. The TMC’s leader, General Abdel Fattah al-Burhan, was named the TSC’s chair for a 21-month term, after which a civilian will lead the council for 18 months. The deal also allowed the military to name five of its members, while the FFC named five. The eleventh member, a civilian, was named by acclamation by both sides.

‘That same month, civilian members of the TSC nominated prominent economist Abdalla Hamdok to serve as prime minister. Hamdok presides over a cabinet of 20 technocratic ministers, who wield day-to-day executive power under the transitional agreement. The military, however, has maintained control of the defense and interior ministries under the power-sharing deal. The prime minister chose most of his ministers from a list of nominees provided by the FFC. These power-sharing talks also yielded an interim constitution which superseded the 2005 constitution as well as all provincial charters.

‘State-level government remained in flux throughout 2019. Military state governors appointed by President al-Bashir remained in their posts, though the military expressed a desire to recall them during their ongoing talks within the TSC. Ongoing peace talks with rebel groups operating in border regions and with South Sudan also took precedence, and the governors’ replacements have not been named by year’s end.’<sup>2</sup>

3.1.3 The FH report also observed:

‘Sudan’s revolution swept away the old bicameral National Legislature, whose members were last elected in 2015 in polls that did not uphold democratic standards and were largely boycotted by the opposition. Al-Bashir’s political party, the National Congress Party (NCP), held 323 of the lower house’s 426 seats before it was dissolved. The party itself was disbanded on orders of the TSC in November 2019.

‘Parties to the August 2019 talks instead created a Transitional Legislative Council (TLC) with 300 members, with the FFC selecting two-thirds of its members and other political parties choosing the rest in lieu of an election. The TLC’s members, who remained unselected by year’s end, are expected to hold office until elections are held in 2022.’<sup>3</sup>

3.1.4 The same report noted:

‘The National Election Commission (NEC) was loyal to former President al-Bashir, and was headed by an NCP official. The NEC was replaced by a new Elections Commission by the TSC, and the interim constitution

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<sup>1</sup> USSD, ‘[2019 country report: Sudan](#)’ (Executive summary), 11 March 2020

<sup>2</sup> Freedom House, ‘[Freedom in the world 2020 - Sudan](#)’ (Section a2), 4 March 2020

<sup>3</sup> Freedom House, ‘[Freedom in the world 2020 - Sudan](#)’ (Section a2), 4 March 2020

empowered the TSC to appoint its members... No members of the commission were named by year's end.'<sup>4</sup>

3.1.5 The FH report added:

'...the transitional government includes civilians and representatives of opposition groups, it remains unelected... Security forces also play a pivotal role in the TSC, which remains chaired by a military officer, and the defense and interior ministers are selected by the TSC's military members. These security forces are subject to reform based on provisions enshrined in the interim constitution, but civilian opposition leaders have described progress in that effort as hard-fought.'<sup>5</sup>

3.1.6 The UN Secretary General noted in his report covering 3 June to 8 September 2020 that:

'During the reporting period, the transitional Government continued to pursue ambitious political reforms, make progress in the peace process and tackle the rapidly deteriorating economic situation, while faced with rising pressure from the Sudanese population to meet its demands rapidly. The transitional Government largely implemented key transition benchmarks laid out in the August 2019 Constitutional Document, despite competing priorities and the added challenge of responding to the coronavirus disease (COVID-19) pandemic. Its achievements included amendments to the penal code, which will improve the protection of fundamental rights, the appointment of interim civilian governors in all 18 states and reaching a comprehensive peace agreement with some armed groups in Darfur and the Two Areas.'<sup>6</sup>

3.1.7 The US Congressional Research Service (USCRS) in a paper of November 2020 commenting on the removal of Sudan from the US' 'State Sponsors of Terrorism List' observed:

'Hamdok's government has sought to end Sudan's international isolation and internal conflicts, pursuing peace with insurgents and reforms to improve human rights and religious freedom. The transition is fragile; the government, formed out of a power-sharing arrangement between a disparate civilian coalition and security chiefs, faces mounting public frustration over an economic crisis inherited from the former regime. A new peace deal with insurgents may change the country's political dynamics, but whether it will empower civilians or security actors is subject to debate.'<sup>7</sup>

3.1.8 Al Jazeera reported on 8 February 2021:

'Sudan's Prime Minister Abdalla Hamdok appointed Darfur rebel leader Gibril Ibrahim as finance minister in a cabinet reshuffle on Monday.

'Hamdok announced his new cabinet, which includes ministers from the Sudan Revolutionary Front, an alliance of armed groups, in a televised news conference in the capital, Khartoum.

'The new government has several ministers from former rebel groups. Among the appointments were Mariam Sadiq al-Mahdi, a leader of the

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<sup>4</sup> Freedom House, '[Freedom in the world 2020 - Sudan](#)' (Section a3), 4 March 2020

<sup>5</sup> Freedom House, '[Freedom in the world 2020 - Sudan](#)' (Section c1), 4 March 2020

<sup>6</sup> UNSG, '[Report of the Secretary-General on the situation...](#)' (paragraph 2), 17 September 2020

<sup>7</sup> USCRS, '[Sudan's Removal from the State Sponsors of Terrorism List](#)' (page 1), 9 November 2020

popular Umma Party and daughter of a former prime minister and Bashir opponent Sadiq al-Mahdi, who has been named as foreign minister...

'The reshuffle follows a peace deal signed in October [2020] with some rebel groups. It was aimed at ending conflicts in Darfur and southern Sudan, awarded the groups posts in transitional institutions, and reset the clock on a 39-month transition to elections.'<sup>8</sup>

#### 3.1.9 The Independent reported in February 2021:

'Sudan on Wednesday swore in a new Cabinet that includes rebel ministers as part of a power-sharing deal that transitional authorities struck last year with a rebel alliance...

'The new ministers were sworn in in the presidential palace in the capital Khartoum by Gen. Abdel-Fattah Burhan, the head of the ruling Sovereign Council. Prime Minister Abdalla Hamdok attended.

'It was the second Cabinet to be named since the military ousted autocratic President Omar al-Bashir in April 2019 following mass pro-democracy protests.

'The Cabinet includes Mariam al-Mahdi, deputy chief of the country's largest Umma Party, as foreign minister, and Gibril Ibrahim as finance minister. Ibrahim is a leader at the Sudan Revolutionary Front, which struck peace deal with the transitional government in October...

'After the swearing-in Wednesday, Minister of Cabinet Affairs Khalid Omar told a televised news conference that the government would prioritize alleviating the people's economic suffering and achieve peace with other rebel groups that did not join last year's deal.'<sup>9</sup>

#### 3.1.10 International Crisis Group (Crisis Group) observed in a briefing of February 2021:

'Following Sudan's 2018-2019 revolution, the country's civilian and military elites agreed in the August 2019 constitutional accord to seek to redress the imbalance between the periphery and the centre. The FFC and TMC committed to ensuring that Sudan would shift away from the autocratic, highly centralised state that Bashir had presided over to a democratic, pluralistic system benefiting all Sudan's diverse people. Peace talks [with rebel groups] followed shortly thereafter...'<sup>10</sup>

#### 3.1.11 The same source further observed:

'Sudan's October 2020 peace agreement, involving the interim government and rebel movements in Darfur and the Two Areas, among others, is an important step in the country's transition after the ouster of former President Omar al-Bashir. The deal allows for representatives from armed groups in the country's peripheries to take government posts and for significant public money to go to these areas. It is a way to rebalance the Nile Valley elites' decades-long domination of Sudan's political system. But it also creates new problems. Some of the rebel movements that signed on to the pact are

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<sup>8</sup> Al Jazeera, '[Sudan's prime minister names new cabinet](#)' 8 February 2021

<sup>9</sup> The Independent, '[Sudan's new cabinet sworn in amid protests over dire...](#)' 10 February 2021

<sup>10</sup> Crisis Group, '[The Rebels Come to Khartoum...](#)' 23 February 2021

divided; the two strongest remain outside it. Khartoum also lacks the billions of dollars it needs to meet its obligations under the deal... In early February [2021], representatives of armed groups from Darfur and the Two Areas (as South Kordofan and Blue Nile are known) were appointed to the cabinet and Sovereign Council, which oversees the transition. They will also take up seats in the yet-to-be-formed legislative council, which is expected to oversee the executive and craft laws, including those designed to pave the way for elections. Because they have divergent interests and perspectives, the ex-insurgents could, however, jostle with one another as they seek to dominate a limited amount of institutional space allocated to them.’<sup>11</sup>

- 3.1.1 Covering events in 2020, the United States State Department country report on human rights practices stated:

‘Sudan’s civilian-led transitional government, installed in August 2019, is led by Prime Minister Abdalla Hamdok, who heads the Council of Ministers. There is also a Sovereign Council led by Abdel Fatah al-Burhan, who is one of the five military members, as well as six civilians. The Transitional Legislative Council had not been formed as of year’s end [2020]. Under the constitutional declaration signed in August 2019, general elections were scheduled for 2022, but following the signing of the Juba Peace Agreement on October 3, they were postponed to 2024.’<sup>12</sup>

- 3.1.2 For more about the peace agreement, see [Juba Peace Agreement](#) below.

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## 3.2 Government structure

- 3.2.1 A European Parliament briefing of December 2020 observed:

‘The Sovereign Council was designated head of state and Supreme Commander of the SAF, RSF and other uniformed forces. It is composed of 14 members (5 from the TMC, 5 from the FFC, a civilian selected jointly, and 3 representatives from the armed groups -signatories of the peace agreement) who take decisions by consensus or 2/3 majority. It is to be led for 21 months (with a start date redefined as 3 October 2020) by a TMC member (currently A.-F. Burhan, with ‘Hemeti’ as deputy) and then for 18 months by a civilian member. Members of the Sovereign Council and cabinet cannot run in elections to be held at the end of the 39-month transitional period.

‘The Council of Ministers is led by a prime minister selected by the FFC (currently A. Hamdok). The prime minister appoints ministers from an FFC nomination list, except for the ministers of defence and interior, chosen by the TMC. The cabinet takes charge of running the country, including managing the civil service, drawing up the budget and overseeing state agencies outside the security sector.

‘The October 2020 Constitutional revision creates a Council of Transition Partners to help them find common positions.

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<sup>11</sup> Crisis Group, ‘[The Rebels Come to Khartoum...](#)’ 23 February 2021

<sup>12</sup> USSD, ‘[2020 country report: Sudan](#)’ (Executive summary), 30 March 2021

‘A Transitional Legislative Council of at most 300 members was to be formed within 90 days of the establishment of the Sovereign Council. Pending its formation – which has been delayed at least until the end of 2020 – the Sovereign Council and Council of Ministers perform legislative powers in a joint meeting.

‘A High Peace Council is in charge of the peace process, including policies to address the root causes of conflict. It is composed of members of the Sovereign Council and of the government, with three experts.’<sup>13</sup>

### 3.2.2 Freedom House reported in its Freedom on the net 2020 report:

‘The military leaders and civilian protesters who ousted the repressive regime of former president al-Bashir and his National Congress Party (NCP) in April 2019 are uneasy partners in the transitional government that—if successful—will be replaced by an elected government in 2023. Civic space is slowly opening to individuals and opposition parties, but security personnel associated with the abuses of old regime remain influential, and their commitment to political freedoms and civil liberties is unclear.’<sup>14</sup>

### 3.2.3 The USSD report covering events of 2020 stated:

‘Under the civilian-led transitional government, responsibility for internal security resides with the Ministry of Interior, which oversees police agencies as well as the Ministry of Defense and the General Intelligence Service. Ministry of Interior police agencies include the security police, special forces police, traffic police, and the combat-trained Central Reserve Police. There is a police presence throughout the country. The General Intelligence Service’s mandate changed from protecting national security and during the year was limited to gathering, analyzing, and submitting information to other security services. The Ministry of Defense has a mandate to oversee all elements of the Sudanese Armed Forces, including the Rapid Support Forces, Border Guards, and defense and military intelligence units. During the year [2020] the police infrastructure was largely moved under executive authority to assure it would adhere to its mandate to protect individuals and enforce the laws.’<sup>15</sup>

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## 3.3 Forces for Freedom and Change (FFC)

### 3.3.1 Janes reported in September 2019:

‘The [Forces for Freedom and Change] FCC is a wide coalition representing the protesters who, since December 2018, have been denouncing high price of foodstuff and fuel shortages. It is the main political force which has asked for the establishment of a civilian-led government, and called for the end of Omar al-Bashir’s presidency and his administration, achieved in April 2019. The FFC has selected the new prime minister, Abdullah Hamdok, who, in turn, on 5 September announced his cabinet from a list prepared by the

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<sup>13</sup> European Parliament. ‘[Sudan: A transition under pressure](#)’ (Page 4), 18 December 2020

<sup>14</sup> Freedom House, ‘[Freedom on the net 2020](#)’ (Overview), 14 October 2020

<sup>15</sup> USSD, ‘[2020 country report: Sudan](#)’ (Executive summary), 30 March 2021

FFC. The FCC obtained 67% of the seats in the Legislative Council, which acts as Sudan's parliament during the three-year transition period.

'The FCC is asking for the trial of the perpetrators of war crimes during the Sudanese conflicts, as well as the perpetrators of the June 2019 violent crackdown on protesters by the Rapid Support Forces (RSF). It defends the establishment of a democratic system that would follow after a three-year transition period of power sharing between the military and civilians. The FCC includes the National Umma Party (NUP), the Sudanese Professionals Association (SPA), the Sudanese Congress Party (SCP), the Sudanese Communist Party, as well as members from the Sudanese business community, which provides for financial and logistical support. Supporters include the main social groups that had gained in the 2005–11 oil boom and "payroll peace", and which had been the core support for Bashir's party and the NCP in the 2010 election. This group is mainly located in the "near periphery" of towns within a day's drive of Khartoum. This is where the protests began in December 2018 which led to Bashir's removal in April 2019. Protests focused initially on the high price of basic commodities, especially foodstuffs.

'The FCC includes the Sudanese Congress Party (SCP), a secular, centre left, nationalist party made of liberals, students, and professionals. It has been one of the leading parties of the Declaration of Forces for Freedom and Change (DFFC) and was involved in the co-ordination of the protests against Bashir and calling for the TMC's handing over of power to civilians. The SCP's growing influence largely stems from its criticism of Bashir and his government prior to their removal, as well as its capacity to mobilise large numbers of protesters. The SCP's leader, Omar al-Degier, has also both held and brokered talks between the opposition coalition of signatories to the DFFC and the TMC, making it one of the key influencing opposition parties in Sudan.'<sup>16</sup>

- 3.3.2 The United Nations Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 17 September 2020, covering the period June to September 2020 reported:

'Amid continuing tensions between the military and civilian components of the Government, deepening divisions also emerged within the Forces for Freedom and Change (FFC) and the Sudanese Professionals Association (SPA), further fracturing the political landscape. SPA, the trade union umbrella organization prominent throughout the protests and during the country's ongoing transition, split from FFC in June and has itself divided into factions. For FFC, the inability to reach a consensus has affected its influence and ability to make decisions.'<sup>17</sup>

- 3.3.3 A European Parliament briefing based on a range of sources of December 2020 observed:

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<sup>16</sup> Janes, '[Sentinel Security Assessment - North Africa](#)', 13 September 2019, (subscription only)

<sup>17</sup> UN Security Council, '[Report of the Secretary-General...](#)' (paragraph 3), 17 September 2020

‘The debate on FFC structures erupted during the transition. The coalition fractured further in 2020 as a narrow group of party leaders came to dominate the FFC leadership while the influence of civil society waned.

‘The institutional settlement on power-sharing between the civilian FFC and the military TMC addressed only one part of a twin transition away from authoritarianism and armed conflict.’<sup>18</sup>

- 3.3.4 The United Nations Security Council stated in Letter dated 13 January 2021 from the Panel of Experts on the Sudan addressed to the President of the Security Council that ‘Some components of the FFC ruling coalition ‘...publicly rejected the Juba agreement’ because ‘it was brokered primarily by the military component.’<sup>19</sup>

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### 3.4 Reforming national laws

- 3.4.1 An open letter from International Crisis Group to Friends of Sudan, an ‘informal’ group ‘established in June 2019 on a German initiative to coordinate international support for the political and economic transition in the Sudan’<sup>20</sup>, dated 9 December 2019, stated:

‘The new authorities have already implemented a number of changes designed to begin undoing the Bashir regime’s ruinous legacy. Hamdok’s administration has moved to recover assets and funds from figures associated with the old regime. In a sign the new prime minister is serious about reckoning with the previous regime’s misdeeds and bringing change to the economy, his government on 10 November [2019] froze the accounts of 40 individuals and companies associated with Bashir, including members of the deposed strongman’s family. On 29 November [2019], Hamdok also announced the repeal of an unpopular public order law that had given the police far-reaching powers to arrest and flog individuals and that had been widely used for the repression of women, who played a major role in the protest movement.’<sup>21</sup>

- 3.4.2 The United Nations Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 17 September 2020, covering the period June to September 2020 reported:

‘In upholding its commitment to improving the justice system and reforming national laws in compliance with international standards, the Joint Council – the current transitional legislative body in the Sudan – in July adopted several amendments to the penal code of 1991. The adoption constituted significant progress towards achieving the goals of the transition until a new penal code could be adopted as indicated in the Constitutional Declaration. The latest amendments improved the legal protection for the most vulnerable categories of people, including by contributing to the eradication of harmful cultural practices against women and girls by prohibiting female genital

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<sup>18</sup> European Parliament, ‘[Sudan: A transition under pressure](#)’ (Page 3), 18 December 2020

<sup>19</sup> UN Security Council, ‘[Letter dated 13 January 2021...](#)’ (Paragraph 23), 13 January 2021

<sup>20</sup> German Federal Foreign Office, ‘[... International partnership for democratic change](#)’, 25 June 2020

<sup>21</sup> International Crises Group, ‘[Open letter to the Friends of Sudan](#)’, 9 December 2019

mutilation, abolishing the death penalty for children below 18 years of age, combating discrimination and promoting respect for the freedom of religion and belief by decriminalising apostasy... Policies that eased freedom of movement for Sudanese citizens were also enacted by revoking the need for exit permits and eliminating the requirement for women travelling with children to obtain the permission of a guardian.’<sup>22</sup>

3.4.3 A European Parliament briefing of December 2020 observed:

‘In taking office, Prime Minister Hamdok asserted that the transitional government's top priorities were interlinked: economic growth was unattainable without a prior end to the wars in the peripheries, which could reduce the share of the defence budget from 70 % to 20 %. However, the pace of reforms was slowed down because of disagreements between the various stakeholders and the Covid-19 crisis.

‘Formed on 5 September 2019, the transitional government has taken steps to honour the demands of the protesters for improved accountability and observance of the civil and political rights of the Sudanese. The government established a national investigation committee to probe the bloody attack by the security forces on pro-democracy protesters on 3 June 2020 [sic, 2019], albeit with representatives sympathetic to those forces. A milestone agreement with the UN allowed it to open a Human Rights Office to support transitional reforms. The government repealed the public order law, a visible component of legislation oppressive to women, and outlawed the practice of female genital mutilation. Conditions have improved for minorities to exercise religious freedom, and the harassment and arbitrary detention of ordinary citizens by intelligence officers have largely ended.

‘In December 2019, Burhan, the head of the Sovereign Council, ordered the formation of a “committee to remove empowerment, fight corruption and recover looted funds” from the Bashir era. Assets of the dissolved National Congress Party (NCP) and assets valued at US\$4 billion from Bashir and his associates were seized. Bashir himself was sentenced to two years in prison for corruption. The committee also fired civil servants belonging to the old regime, such as diplomats and the board members of the Central Bank.’<sup>23</sup>

3.4.4 Human Rights Watch (HRW) in its report covering events in 2020 observed that Sudan had repealed its Public Order Law<sup>24</sup>. In its report covering events in 2020 it observed:

‘Authorities repealed an abusive public order law, outlawed female genital mutilation, removed the death penalty and lashing as punishments for consensual same-sex conduct and many other offenses, and abolished apostasy as a crime. However, many of the other reforms envisioned in the 2019 Constitutional Charter were not implemented.

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<sup>22</sup> UN Security Council, ‘[Report of the Secretary-General...](#)’, (paragraph 18), 17 September 2020

<sup>23</sup> European Parliament. ‘[Sudan: A transition under pressure](#)’ (Page 5), 18 December 2020

<sup>24</sup> Human Rights Watch, ‘[World Report 2021, Sudan – events of 2020](#)’, January 2021

'The government has yet to set up a legislative council and key transitional commissions. It has not embarked on security sector reform...' <sup>25</sup>

- 3.4.5 In February 2021, Radio Dabanga reported: 'A joint meeting of Sudan's Sovereign Council and Council of Ministers has approved two draft laws to join the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) of 2006, and the Convention against Torture and Cruel Punishment (UNCAT) of 1984.' <sup>26</sup>

- 3.4.6 The UN Secretary General noted in his latest report covering 24 November 2020 to 15 February 2021:

'The transitional Government continued to make efforts to establish the justice and accountability mechanisms enshrined in the Constitutional Document and the Juba Agreement. ...

'The Ministry of Justice also finalized the first draft of the law on the National Human Rights Commission, which would be subject to consultations with civil society and other relevant stakeholders, including regarding the process for selecting the Commission's members, in order to bring it into line with the principles relating to the status of national institutions for the promotion and protection of human rights. The draft law on the National Anti-Corruption Commission has been submitted to the Joint Council for adoption, following public consultations led by the Ministry of Justice and with the support of UNDP. ...

'The transitional Government also took steps to review the Personal Status Law for Muslims of 1991, in compliance with the Constitutional Document and the international obligations of the Sudan.' <sup>27</sup>

- 3.4.7 Reuters reported on 28 March 2021:

'The Sudanese government and a major rebel group from its southern Nuba Mountains on Sunday signed a document which paves the way for a final peace agreement by guaranteeing freedom of worship to all while separating religion and the state.

'The signing is viewed as a crucial step in efforts by the power-sharing government headed by General Abdel Fattah al-Burhan to reach accords with rebel groups across the country and end decades of conflicts that left millions displaced and hundreds of thousands dead.

'Last year Sudan signed a peace agreement with many groups, including from the Western region of Darfur.

'But a key faction of the Sudan People's Liberation Movement-North (SPLM-N) led by Abdelaziz al-Hilu, did not join in last year's agreement because it stuck to its demand that Sudan dispenses with sharia law and becomes a secular, democratic state.

'Sharia law was first imposed in Sudan in 1983, and maintained by the now deposed president Omar al-Bashir for the duration of his 30-year-long Islamist rule.

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<sup>25</sup> Human Rights Watch, '[World Report 2021, Sudan – events of 2020](#)', January 2021

<sup>26</sup> Radio Dabanga, '["Historic step" as Sudan ratifies conventions on torture...](#)', 24 February 2021

<sup>27</sup> UNSG, '[Report of the Secretary-General on the situation...](#)' (paragraphs 23 and 24), 1 March 2021

‘The so-called ‘Declaration of Principles’ signed on Sunday in South Sudan’s capital Juba between Sudan and the rebel faction means talks on a final accord can now begin.

‘The declaration stated that both sides agreed to “the establishment of a civil, democratic federal state in Sudan, wherein, the freedom of religion, the freedom of belief and religious practices and worship shall be guaranteed to all Sudanese people by separating the identities of culture, religion, ethnicity and religion from the state.”

“No religion shall be imposed on anyone and the state shall not adopt official religion,” it said, without specifying that Sudan would become a secular state, a controversial issue in the country’s transition.’<sup>28</sup>

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### 3.5 Juba Peace Agreement

#### 3.5.1 The United Nations Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 1 December 2020, reported:

‘Over the past months, the Sudan continued to make progress in its democratic transition, despite considerable challenges. A key achievement was the signing of the Juba Peace Agreement on 3 October after a year of negotiations...

‘The reporting period saw the signing of the Juba Agreement for Peace in the Sudan [on 3 October 2020], which was the formalization of the peace agreement reached in Juba at the end of August between the transitional Government, the Sudanese Revolutionary Front (SRF) and the Sudan Liberation Army (SLA)-Minni Minawi. The Agreement is a crucial step forward in the implementation of the political benchmarks of the transitional period as outlined in the Constitutional Document. It includes several region-specific protocols and one protocol on national issues. The national protocol notably stipulates that the 39-month-long transition envisaged in the Constitutional Document is to start from the signing of the Agreement. It also stipulates how positions in the transitional institutions are to be allocated to the signatories. After being endorsed by the High Peace Council on 14 September, the parties formalized the Agreement in Juba on 3 October by posing their signatures...

‘Following the signing of the Juba Peace Agreement, the Sovereign Council and the Council of Ministers amended the Constitutional Document in a joint meeting held on 18 October, thereby incorporating the Agreement into the Constitutional Document as an integral part. This prompted discussion among political forces about how such amendments needed to be made and, in particular, whether they needed to be approved by the Transitional Legislative Council. The most controversial amendment was the addition of article 80 to the Constitutional Document, which provides for the establishment of the Council of Partners for the Transitional Period. The Council, which consists of the Forces for Freedom and Change (FFC), the

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<sup>28</sup> Reuters, ‘[Sudan and rebel group sign agreement on separation of religion...](#)’, 28 March 2021

military and the signatories to the Juba Peace Agreement, is mandated to discuss major political issues that arise during the transition. The addition of article 80 was criticized by some members of FFC, who denounced it as an attempt to supplant the group's role as a "political incubator" for the transitional period. They maintained that only the Transitional Legislative Council had the right to amend the Constitutional Document and called for the rescission of the new article. The amendment to article 20 also gave rise to controversy, as it allows representatives of the signatories to the Juba Peace Agreement who are members of the transitional Government, to run in the elections following the transitional period.

'...On 12 November, the Chair of the Sovereign Council, Lieutenant General Abdel Fattah al-Burhan, granted a general amnesty to all people who fought in Sudan's armed conflicts, in line with the Juba Peace Agreement, with the exclusion of those for whom arrest warrants had been issued by the International Criminal Court or who were wanted for genocide and crimes against humanity, or for war crimes falling under the jurisdiction of the Special Court for Crimes Committed in Darfur whose establishment is part of the Juba Peace Agreement. ..

'The transitional Government continued its efforts to achieve gender equality and women's empowerment. In the Juba Peace Agreement, the signatories reiterate their commitment to promoting gender equality in line with the Constitutional Document, in particular the provisions stipulating that women are to make up at least 40 per cent of the Transitional Legislative Council. All groups represented in the legislative body should therefore be required to secure women's representation in proportion to their membership allocation...

'...On 5 November, a grouping of nine resistance committees, and a splinter faction of the Sudanese Professionals Association (SPA) allied with the Sudanese Communist Party, issued separate statements criticizing FFC. While the committees rejected the distribution of parliamentary seats among the signatories of the Juba Peace Agreement that FFC was proposing, the SPA faction took issue with the composition of the FFC central council, among other issues. On 7 November, the Sudanese Communist Party announced its withdrawal from FFC, the National Consensus Forces and all their affiliated bodies.'<sup>29</sup>

### 3.5.2 On 24 September 2020, Chatham House reported:

'... the agreement is comprehensive in scope and addresses the fundamental issues of Sudan's crises in Darfur, the Two Areas and other marginalized regions, albeit in a mixture of regional and national protocols. It goes a long way to realizing the vision of a democratic 'New Sudan' based on respect for the diversity of the Sudanese people and equal citizenship without religious, ethnic, cultural or gender discrimination.

'There is a focus on the concerns of historically marginalized populations in Sudan's conflict zones and disadvantaged areas, and it addresses root causes of conflict, such as issues of identity, marginalization, the relationship

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<sup>29</sup> UN Security Council, '[Report of the Secretary-General...](#)' (paras 2 - 8), 1 December 2020

between religion and state, governance, resource-sharing, land issues, social justice, and equality at the national level.’<sup>30</sup>

- 3.5.3 The United Nations Security Council stated in a Letter dated 13 January 2021 from the Panel of Experts on the Sudan addressed to the President of the Security Council:

‘Limited financial resources, as well as divisions between various actors of the political transition in the Sudan, will pose a challenge to the implementation of the Agreement. Other major challenges remain, in particular the rejection of the Agreement by the Sudan Liberation Army/Abdul Wahid (SLA/AW), the only armed movement with a substantial area of control in Darfur, as well as by key constituencies, such as leading internally displaced persons bodies. The implementation of the security arrangements will be a sensitive matter also, posing a threat to the future of the agreement and stability in Darfur if not addressed adequately.’<sup>31</sup>

- 3.5.4 The United Nations Security Council stated in its February 2021 Resolution that The Juba Peace Agreement ‘...represents a significant opportunity for comprehensive and sustainable peace in Sudan and an important milestone of the transition period towards a peaceful, stable, democratic and prosperous future for Sudan.’<sup>32</sup>

- 3.5.5 International Crisis Group reported in February 2021:

‘Sudan’s October 2020 peace agreement, involving the interim government and rebel movements in Darfur and the Two Areas, among others, is an important step in the country’s transition after the ouster of former President Omar al-Bashir. The deal allows for representatives from armed groups in the country’s peripheries to take government posts and for significant public money to go to these areas. It is a way to rebalance the Nile Valley elites’ decades-long domination of Sudan’s political system. But it also creates new problems. Some of the rebel movements that signed on to the pact are divided; the two strongest remain outside it. Khartoum also lacks the billions of dollars it needs to meet its obligations under the deal...

‘...The Juba Peace Agreement seeks to redress the historical imbalance between the country’s centre and periphery by devolving power and wealth away from Khartoum. In early February, representatives of armed groups from Darfur and the Two Areas (as South Kordofan and Blue Nile are known) were appointed to the cabinet and Sovereign Council, which oversees the transition...

‘The Juba Peace Agreement is actually a collection of accords setting out principles covering power and wealth sharing, land reform, transitional justice, security arrangements and the return of displaced persons. It also sets to zero the clock on the country’s post-Bashir transitional period that had initially been fixed in the August 2019 accord, extending it by 39 months to early 2024, when elections are now due to be held. Authorities have put the cost of carrying out the Juba deal at some \$13 billion over ten years, with

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<sup>30</sup> Chatham House, ‘[Is the Juba Peace Agreement a turning point for Sudan?](#)’, 14 September 2020

<sup>31</sup> UN Security Council, ‘[Letter dated 13 January 2021...](#)’ (summary), 13 January 2021

<sup>32</sup> UNSC, ‘[Resolution 2562 \(2021\)](#)’, 11 February 2021

Khartoum responsible for \$7.5 billion of that sum for the agreement's implementation in Darfur...

'According to the deal, signatory armed groups will also receive three seats in a newly expanded fourteen-member Sovereign Council, which under the August 2019 agreement acts as government's executive organ, and one quarter of the cabinet seats. The deal also sets out a change in power sharing between centre and periphery, suggesting that Sudan adopt a federal system of governance. As steps in that direction, it provides for restoring Darfur's former status as a single region, improving national representation for Darfuri tribes and increasing control over natural resources and Darfuris' national political sway while also granting greater autonomy to the Two Areas.

'One challenge is the divergence of interests among the armed groups under the umbrella of the Sudanese Revolutionary Front (SRF), the rebel coalition from Darfur and the Two Areas, which signed the October agreement. Malik Agar's Sudan People's Liberation Army/Movement-North (SPLA/M-N) faction has little in common with Darfuri groups and a more overtly national agenda. As for the Darfuri groups, the Sudan Liberation Army/Movement of Minni Minnawi (SLA/M-MM) broke away from the SRF in May, though it nevertheless signed the agreement alongside the other groups. Jibril Ibrahim of the Justice and Equality Movement (JEM), newly appointed as finance minister, has restored ties with Islamists in Khartoum as well as traditional backers from western Sudan's Zaghawa ethnic group. Signatory groups have also fought as mercenaries on different sides of Libya's conflict. The SRF is thus divided in general outlook and over how its constituent groups will share seats in the transitional government.

'The agreement excludes Sudan's two most powerful and politically relevant armed movements: an SPLA/M-N faction led by Abdel Aziz al-Hilu, which operates in the Two Areas, and an SLA/M faction led by Abdel Wahid al-Nur, which maintains bases in central Darfur...' <sup>33</sup>

3.5.6 The United Nations Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 1 March 2021, stated:

'Negotiations and consultations were held on the formation of an expanded transitional Government incorporating the signatories of the Juba Agreement. On 4 February 2021, the Sovereign Council issued a constitutional decree expanding its membership to 14 members through the addition of three signatories to the Agreement: Chair of the Sudanese Revolutionary Front (SRF) and head of the SLA/TC faction, El Hadi Idris; head of the SPLM-N Malik Agar faction, Malik Agar; and leader of the Sudan Liberation Force Alliance, Al-Taher Abu Bakr Hagar...' <sup>34</sup>

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<sup>33</sup> International Crisis Group, '[The rebels come to Khartoum: How to implement...](#)' 23 February 2021

<sup>34</sup> UN Security Council, '[Situation in the Sudan and the activities...](#)' (Paragraph 3), 1 March 2021

### 3.6 Removal from the state sponsor of terrorism

3.6.1 Human Rights Watch reported in its annual report covering 2020, with regards to Sudan, that ‘...US President Donald Trump announced that the US would lift the state-sponsor of terrorism designation...’<sup>35</sup>

3.6.2 US Congressional Research Service (CRS) paper of 9 November 2020 noted:

‘Twenty-seven years after the Clinton Administration designated the government of Sudan a state sponsor of international terrorism (SST), the White House on October 23 [2020] announced President Trump’s intent to rescind the designation, describing it as a “momentous step forward” in the bilateral relationship and “a pivotal turning point for Sudan.” This followed a statement from the President on Twitter, referencing an agreement by Sudan’s transitional government to pay compensation to victims of terrorist attacks in which the previous government was implicated.

“The decision comes amidst a political transition following the April 2019 military ouster of Sudan’s longruling leader, Omar al Bashir, who took power in a 1989 coup. Removal from the SST list has been a top priority for Sudan’s new prime minister, Abdalla Hamdok, who has described Bashir’s Islamist regime as “one of the most brutal and repressive regimes in human history” in a 2019 U.N. address. “The Sudanese people have never sponsored, nor were supportive of terrorism,” he asserted, “those were the acts of the former regime which has been continuously resisted by the Sudanese people until its final ouster,” referencing nationwide protests that spurred Bashir’s overthrow. Hamdok’s government has sought to end Sudan’s international isolation and internal conflicts, pursuing peace with insurgents and reforms to improve human rights and religious freedom. The transition is fragile; the government, formed out of a power-sharing arrangement between a disparate civilian coalition and security chiefs, faces mounting public frustration over an economic crisis inherited from the former regime. A new peace deal with insurgents may change the country’s political dynamics, but whether it will empower civilians or security actors is subject to debate.’<sup>36</sup>

3.6.3 The United Nations Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 1 March 2021, stated:

‘On 14 December 2020, the United States of America rescinded the designation of the Sudan as a State sponsor of terrorism. The decision is a major achievement for the transitional Government as it stands to gain access to much-needed financial and economic assistance at an important juncture in the political transition of the Sudan. On the same day, in a press conference to welcome the decision, the Prime Minister expressed optimism that the removal of the country from the list of State sponsors of terrorism would improve its socioeconomic conditions. On 21 December, United States lawmakers approved an act on the resolution of claims in the Sudan,

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<sup>35</sup> Human Rights Watch, ‘[World Report 2021, Sudan – events of 2020](#)’, January 2021

<sup>36</sup> US CRS ‘[Sudan’s Removal from the State Sponsors of Terrorism List](#)’ (Page 1) 9 November 2020

which restores the country's sovereign immunity with regard to the United States, with the exception of legal claims related to the terrorist attacks of 11 September 2001.'<sup>37</sup>

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Section 4 updated: 7 April 2021

## 4. Political parties and groups

### 4.1 Overview

4.1.1 The 2020 USSD report stated: 'Under the Political Agreement and the constitutional declaration signed in August 2019, elections were expected to be held in 2022, but the October signing of the Juba Peace Agreement and amendment to the constitutional framework postponed elections until 39 months after the October 3 signing, delaying planned elections until early 2024.'<sup>38</sup>

4.1.2 The United Nations Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 1 March 2021, stated that 'Political alignments continued to shift throughout the reporting period. On 25 December 2020, the SPLM-N Abdelaziz Al-Hilu faction joined 11 Sudanese political parties, women's groups and movements in a new alliance...

'On 12 January 2021, SRF and the National Umma Party also announced the formation of an alliance.'<sup>39</sup>

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### 4.2 Popular Congress Party (PCP)

4.2.1 Reuters reported in November 2019:

'PCP was founded by the late Islamist leader Hassan al-Turabi, who was one of Sudan's most influential political figures, after a dispute with the former ruling National Congress Party (NCP) led by Bashir. The party later became an ally of the NCP.

'The Islamist party has complained of being sidelined in Sudan's transitional political process following Bashir's departure.'<sup>40</sup>

4.2.2 Radio Dabanga reported in November 2019 that 'The PCP was part of the National Islamic Front, architect of the 1989 coup, which then split in 1999 into the Popular Congress Party led by Hasan El Turabi, and the National Congress Party led by ousted President Al Bashir.'<sup>41</sup>

4.2.3 Janes reported in September 2019:

'The Popular Congress Party (PCP) was a member of Omar al-Bashir's government. The party is one of the few groups asking the TMC to maintain sharia (Islamic law) in Sudan. The opposition has accused the NCP of

<sup>37</sup> UN Security Council, '[Situation in the Sudan and the activities...](#)' (Paragraph 8), 1 March 2021

<sup>38</sup> USSD, '[2020 country report: Sudan](#)' (Section 3), 30 March 2021

<sup>39</sup> UN Security Council, '[Situation in the Sudan and the activities...](#)' (Paragraph 6), 1 March 2021

<sup>40</sup> Reuters, '[Sudan's top Islamist politician sent to prison holding Bashir](#)', 20 November 2019

<sup>41</sup> Radio Dabanga, '[Popular Congress Party...](#)', 12 November 2019

seeking to regain power through elections sponsored by the TMC. This is because the PCP was the other half of the Sudanese Islamists Movement (SIM), which founded the ruling NCP party.

‘Following the death of former leader Hassan el-Turabi in March 2016, Ali al-Haj was elected on 25 March 2017 as secretary-general of the PCP. Ibrahim al-Sanoussi was appointed interim secretary general until the general conference of the PCP of March 2017 that elected Haj. Turabi featured as the principal interlocutor for negotiations between the government and opposition groups comprising the ‘Sudan Call’. As a member of the National Dialogue’s steering committee, Turabi proved crucial for gaining concessions from opposition groups, such as the National Umma Party (NUP), and added credibility to negotiations that are perceived as paying lip service to opposition demands.

‘Previously called the Popular National Congress (PNC), the PCP was originally formed in July 2000 by former National Congress leader Turabi. In February 2001, government forces launched a clampdown on the PNC, arresting a number of key figures, including Turabi. As a sign of goodwill at a critical juncture in the peace process, the government freed Turabi and fellow detainees in October 2003, also lifting restrictions on the activity of the PCP. However, Turabi has been detained on a number of occasions since then, including in January 2011, shortly after stating that Sudan risked facing a populist uprising. The PCP had meanwhile participated in the April 2010 national elections, but its presidential candidate, Abdullah Deng Nhial, took only 3.92% of the vote. The PCP gained four seats in the April 2010 National Assembly elections. The PCP boycotted the 2015 general election, which it declared was not free and fair.’<sup>42</sup>

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### 4.3 National Umma Party (NUP)

#### 4.3.1 Janes reported in September 2019:

‘...The NUP participated in the protests calling for the removal of former president Omar al-Bashir. The NUP is a member of the opposition umbrella, the “Sudan Call”, which is a signatory of the opposition and civil society-led Declaration of Forces for Freedom and Change (DFFC), which was formed in January 2019 to topple Bashir. The NUP has stated it has no intention of being part of the transitional period. This is most likely because Mahdi intends to run in the presidential election, which is scheduled in the next three years. Splits within the NUP and with the DFFC partners are likely as Mahdi is perceived to have attempted to develop a close relationship with the Transitional Military Council (TMC), which ruled until August 2019 and which has named five of the 11 members of the currently ruling Sovereign Council. This was last indicated when other NUP leaders, especially the youth wing of the NUP, participated in protests against the TMC despite Mahdi’s orders to refrain from joining the protests.’<sup>43</sup>

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<sup>42</sup> Janes, ‘[Sentinel Security Assessment - North Africa](#)’ 13 September 2019, (subscription only)

<sup>43</sup> Janes, ‘[Sentinel Security Assessment - North Africa](#)’, 13 September 2019, (subscription only)

- 4.3.2 Reuters, Al Jazeera and France24 reported the death of the National Umma Party leader, Sadiq al Mahdi, in November 2019<sup>444546</sup>. Asharq Al-Aswat, a pan Arab daily newspaper<sup>47</sup>, reported, 'Fadlallah Burma Nasser has been chosen as interim leader of the National Umma Party (NUP) until the general conference to elect a new leader is held.'<sup>48</sup> Sudan Tribune also reported 'Fadlallah Burma Nasser has been chosen as interim leader of the National Umma Party (NUP) until the general conference which will elect a new leader.'<sup>49</sup>
- 4.3.3 The United Nations Security Council stated in Letter dated 13 January 2021 from the Panel of Experts on the Sudan addressed to the President of the Security Council that the National Umma Party 'publicly rejected the Juba agreement' and that '[t]hey opposed it because it was brokered primarily by the military component.'<sup>50</sup>
- 4.3.4 BBC Monitoring reported in January 2021 that the NUP confirmed participation in the transitional government. The party stated: 'The NUP supports firmly, strongly, and without reservations the Prime Minister and his Transitional Government...'<sup>51</sup>
- 4.3.5 The United Nations Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 1 March 2021, stated that '...On 12 January 2021, SRF [Sudan Revolutionary Front] and the National Umma Party... announced the formation of an alliance.'<sup>52</sup>

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#### 4.4 Sudanese Communist Party (SCP)

- 4.4.1 Freedom House reported, 'The Sudanese Communist Party (SCP), which played a significant role in the protest movement, refused to sign the power-sharing deal, objecting to the military's presence on the TSC. In November 2019, the RSF [Rapid Support Forces] filed a complaint against Communist Party leader Siddig Yousef over his criticism of the paramilitary group's involvement in the June massacre in Khartoum.'<sup>53</sup>
- 4.4.2 Sudan Tribune reported in November 2020:  
'The Sudanese Communist Party (SCP) announced its withdrawal from the ruling Forces for Freedom and Change, accusing its leadership of plotting against the revolution.'

<sup>44</sup> Reuters, '[Sudan's former PM Sadiq al-Mahdi dies from coronavirus](#)', 26 November 2020

<sup>45</sup> Al Jazeera, '[Sudan's former prime minister Sadiq al-Mahdi dies of Covid-19](#)', 26 November 2020

<sup>46</sup> France24, '[Sudanese former PM and opposition leader Sadiq al-Mahdi dies...](#)', 26 November 2020

<sup>47</sup> Asharq Al-Aswat, '[About us](#)', undated

<sup>48</sup> Asharq Al-Aswat, '[Sudan's NUP names Nasser as Interim leader](#)', 29 November 2020

<sup>49</sup> Sudan Tribune, '[Nasser chosen interim leader of National Umma Party](#)', 27 November 2020

<sup>50</sup> UN Security Council, '[Letter dated 13 January 2021...](#)' (Paragraph 23), 13 January 2021

<sup>51</sup> BBC Monitoring, '[Sudanese party confirms participation...](#)', 25 January 2021, subscription only

<sup>52</sup> UN Security Council, '[Situation in the Sudan and the activities...](#)' (Paragraph 6), 1 March 2021

<sup>53</sup> Freedom House, '[Freedom in the world 2020 - Sudan](#)' (Section b1), 4 March 2020

The withdrawal was decided in a two-day meeting on Friday and Saturday held by the SCP Central Committee to discuss the party's strategy during the transitional period which should pave the way for general elections.

"We decided to withdraw from the National Consensus Forces (NCF) and the FFC. We will work with the forces of revolution and change interested in the causes of the masses and the goals and programs of the revolution," reads a statement released after the meeting on Saturday.<sup>54</sup>

- 4.4.3 The UN Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 1 December 2020, reported 'On 7 November, the Sudanese Communist Party announced its withdrawal from FFC, the National Consensus Forces and all their affiliated bodies...'<sup>55</sup>
- 4.4.4 The United Nations Security Council stated in Letter dated 13 January 2021 from the Panel of Experts on the Sudan addressed to the President of the Security Council that the Communist Party 'publicly rejected the Juba agreement' and that '[t]hey opposed it because it was brokered primarily by the military component.'<sup>56</sup>
- 4.4.5 The UN Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the UN Integrated Transition Assistance Mission in the Sudan, published on 1 March 2021, stated: '...The Sudanese Communist Party...denounced the performance of the Sovereign Council and the transitional Government, the formation of CPTP [Council of Partners of the Transitional Period] and the deteriorating socioeconomic conditions...'<sup>57</sup>

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## 4.5 Democratic Unionist Party (DUP)

- 4.5.1 The 2019 USSD report stated that '...the Democratic Unionist Party have never registered with the [former] government.'<sup>58</sup>
- 4.5.2 Global Security stated:

'The Democratic Unionist Party is Sudan's oldest party... In the 1986 parliamentary elections, the DUP won the second largest number of seats and agreed to participate in Sadiq al Mahdi's coalition government... Five factions now carry the name Democratic Unionist Party moniker: the original DUP led by El-Sayed Mohamad Othman Al-Mirghani, DUP Hindi Faction, DUP Haj Mudawi Faction, DUP Mohamed Al-Azhari Faction, and the DUP Mirghani Abdel-Rahman Faction. Each group claimed to legitimately carry the DUP name...'<sup>59</sup>
- 4.5.3 In September 2020 the Sudan News Agency (SNA) reported that 'The Democratic Unionist Party- Origin has welcomed the peace agreement that

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<sup>54</sup> Sudan Tribune, '[Communists quit Sudan's FFC ruling alliance](#)', 7 November 2020

<sup>55</sup> UN Security Council, '[Report of the Secretary-General...](#)' (Paragraph 8), 1 December 2020

<sup>56</sup> UN Security Council, '[Letter dated 13 January 2021...](#)' (Paragraph 23), 13 January 2021

<sup>57</sup> UN Security Council, '[Situation in the Sudan and the activities...](#)' (Paragraph 5), 1 March 2021

<sup>58</sup> USSD, '[2019 country report: Sudan](#)' (Section 3), 11 March 2020

<sup>59</sup> Global Security, '[Democratic Unionist Party \[DUP\]](#)', 15 April 2019

was signed between the Transitional Government of the Sudan and the Sudanese Revolutionary Front in Juba, capital of South Sudan.’<sup>60</sup>

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#### 4.6 National Congress Party (NCP)

4.6.1 The 2019 USSD report stated that ‘As of November the CLTG and Council of Ministers had passed bills to dismantle the National Congress Party (NCP)...’<sup>61</sup>

4.6.2 Janes reported in September 2019:

‘The National Congress Party (NCP) was Sudan’s ruling party until its dissolution after the removal of Omar al-Bashir as president in April 2019. In an attempt to appease the anti-government protests which started in December 2018, Bashir appointed Ahmed Haroun, the former governor of North Kordofan, as acting chairman of the NCP. The Transitional Military Council (TMC), which ruled until August 2019, when the Sovereign Council was established, stated that the NCP will not be allowed to participate in any transitional government. This was formalised in the Constitutional Declaration of August 2019. According to several Sudanese sources and media outlets, the party’s main leaders were arrested, including Haroun, Nafie Ali Nafie, the former vice-chairman, and Ali Osman Taha and Bakri Hassan Salah, both former vice-presidents, Abdel Rahim Hussein, the former governor of Khartoum, and Mohamed Ibrahim Aylya, the last prime minister under Bashir. IHS Markit assesses that members of the NCP are, however, highly likely to remain influential in Sudan through their support to presidential candidates and parties in the next government, including Sadiq al-Mahdi’s National Umma Party (NUP), the PCP, and other parties with similar ideologies.’<sup>62</sup>

4.6.3 Freedom House reported that the former ruling party, the National Congress Party, ‘was disbanded on orders of the TSC [Transitional Security Council] in November 2019.’<sup>63</sup>

4.6.4 The report also stated ‘The transitional government also established a committee tasked with dissolving institutions linked to the NCP. This included the SWTUF [Sudan Workers’ Trade Unions Federation], which was dissolved in December 2019 along with the Sudan Journalists Union (SJU). The International Trade Union Confederation’s African arm criticized the decision, however, saying it violated their members’ right to assemble.’<sup>64</sup>

4.6.5 The July 2020 United Nations General Assembly Report of the Independent Expert on the situation of human rights in the Sudan observed:

‘The Joint Council adopted the law for dismantling the former regime, taking note that the constitutional document does not provide for the establishment of such a committee, but that it provides for the anti-corruption independent commission. The law establishes the Dismantling Committee responsible for dismantling the former regime, including the dissolution of the former ruling

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<sup>60</sup> Sudan News Agency (SNA), ‘[\[DUP\] - Origin Welcomes Peace Agreement](#)’, 2 September 2020

<sup>61</sup> USSD, ‘[2019 country report: Sudan](#)’ (Section 1e), 11 March 2020

<sup>62</sup> Janes, ‘[Sentinel Security Assessment - North Africa](#)’, 13 September 2019, (subscription only)

<sup>63</sup> Freedom House, ‘[Freedom in the world 2020 - Sudan](#)’ (Section a2), 4 March 2020

<sup>64</sup> Freedom House, ‘[Freedom in the world 2020 - Sudan](#)’ (Section e3), 4 March 2020

National Congress Party, the confiscation of its property and assets, and the recovery of looted resources. The Dismantling Committee's decisions are subject to appeal before a Special Appeal Committee, which is chaired by a member of the Sovereign Council, who represents the military component of the transitional authority...

'The National Congress Party was dissolved on 7 January 2020...' <sup>65</sup>

4.6.6 For more information, see [Treatment of the former regime](#).

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## 4.7 Resistance Committees

4.7.1 In May 2019, Al Jazeera reported:

'...the Sudanese resistance committee is an organised body with an elected leadership council and branches in many towns across the country. It has a Facebook page with 60,000 likes, while individual towns also have their own pages.

'The group is one of the signatories of the Declaration of Freedom and Change, which expresses the vision of the SPA [Sudanese Professional Association], civil society groups and opposition political parties for the country.

'The committee began working on the ground in 2017 with a graffiti campaign. It distributed tens of thousands of pamphlets that reflected issues faced by their communities, such as water access and government land seizures.

'By December 2018, there were over 30 active resistance groups in Khartoum, but as the protests began, dormant groups began to rise and contacted the larger, established committee.' <sup>66</sup>

4.7.2 Radio Dabanga reported in August 2020:

'In a press conference in El Gezira capital Wad Madani yesterday, the Resistance Committees announced that they have formed a Coordination office.

'Leading member of the Resistance Committees Coordination, Asad bdelgadir said they are ready to develop relations with their counterparts in other states with the newly appointed civilian governors, to work on the democratic transition.' <sup>67</sup>

4.7.3 The United Nations Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 17 September 2020, reported that 'resistance committees [are] grass-roots level neighbourhood groups linked through a national network, which have come to the fore as a new brand of political organization beyond traditional political parties.' <sup>68</sup>

<sup>65</sup> UN General Assembly, '[Report of the independent expert...](#)' (Paragraph 49 and 50), July 2020

<sup>66</sup> Al Jazeera, '[In Sudan, neighbourhoods mobilised against al-Bashir](#)', 7 May 2019

<sup>67</sup> Radio Dabanga, '[Sudan's resistance committees show unity against corruption](#)', 25 August 2020

<sup>68</sup> UN Security Council, '[Report of the Secretary-General...](#)' (Paragraph 5), 17 September 2020

- 4.7.4 The United Nations Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 1 December 2020 reported: 'Despite attempts by the transitional Government to engage him in the formal peace process, the leader of the SLA-Abdul Wahid faction, Abdul Wahid al-Nur, continued to abstain from participating in formal negotiations.'<sup>69</sup>
- 4.7.5 The United Nations Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 1 March 2021, stated: '...Khartoum-based Resistance Committees denounced the performance of the Sovereign Council and the transitional Government, the formation of CPTP [Council of Partners of the Transitional Period] and the deteriorating socioeconomic conditions...'<sup>70</sup>

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Section 5 updated: 7 April 2021

## 5. Rebel groups

### 5.1 Sudanese Liberation Movement/Army – Minni Minawi (SLM/A-MM)

#### 5.1.1 Radio Dabanga reported in June 2020:

'In 2006, Minni Minawi split from the Sudan Liberation Movement, co-founded by Abdelwahid El Nur (SLM-AW), to form his own faction. Both factions joined the RSF since its establishment in 2011.

'Recently, the SLM-MM withdrew from the SRF alliance. After the breakaway, in mid-May [2020], Minawi formed a new rebel alliance under the same name 'Sudan Revolutionary Front'. He claimed that the mainstream SRF ignored his constant demands for structural reform within the group. The Justice and Equality Movement faction led by Bakheet Abdelkarim (aka Dabajo) has joined Minnawi's new alliance.'<sup>71</sup>

#### 5.1.2 Reuters reported in August 2020:

'Minni Minawi's SLA faction is the second Darfuri group to sign the deal in Juba.

'His group evolved out of a tribal split in the SLA, and was associated more with fighting the "Janjaweed" militias accused of atrocities in Darfur than political opposition to the government in Khartoum.

'Minawi signed a peace deal with Bashir's government in 2006 and was given a high ranking official title, but had declared himself in rebellion again by 2010.

'The SLA-MM has recently been most active in Libya, where analysts say it has fought alongside anti-GNA [Government of National Accord] forces loyal to eastern-based commander Khalifa Haftar.'<sup>72</sup>

<sup>69</sup> UN Security Council, '[Situation in the Sudan and the activities...](#)' (Paragraph 8), 1 December 2020

<sup>70</sup> UN Security Council, '[Situation in the Sudan and the activities...](#)' (Paragraph 5), 1 March 2021

<sup>71</sup> Radio Dabanga, '[Darfur rebel group not party to peace negotiations](#)', 3 June 2020

<sup>72</sup> Reuters, '[Factbox: Sudan's rebel groups](#)', 31 August 2020

## 5.2 Sudanese Liberation Movement/Army – Abdul Wahid Al-Nur (SLM/A-AW)

5.2.1 The Independent observed in February 2021: ‘...the Sudan Liberation Movement-Army, which is led by Abdel-Wahid Nour, rejects the transitional government and has not taken part in the talks.’<sup>73</sup>

5.2.2 Reuters reported in August 2020:

‘An SLA faction led by Abdel Wahed el-Nur, the most active group on the ground in Darfur, did not sign the Juba deal.

‘The SLA-AW is seen as the only significant rebel fighting force remaining inside Darfur, where Nur draws on support among his Fur tribe, especially in camps for Darfuri displaced.

‘However, its power in its Jabal Marra stronghold has declined and its membership fractured during Nur’s long, self-imposed exile in France. Like SLA-MM, its fighters have also reportedly fought in Libya with pro-Haftar forces.

‘Analysts say Nur, who has a reputation for shunning negotiations, objects to the predominance of the military in Sudan’s transitional power sharing arrangements.’<sup>74</sup>

5.2.3 The United Nations Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 1 December 2020 reported: ‘Despite attempts by the transitional Government to engage him in the formal peace process, the leader of the SLA-Abdul Wahid faction, Abdul Wahid al-Nur, continued to abstain from participating in formal negotiations.’<sup>75</sup>

5.2.4 The United Nations Security Council ‘Letter dated 13 January 2021 from the Panel of Experts on the Sudan addressed to the President of the Security Council’ reported:

‘Although SLA/AW did not join the Agreement talks, Abdul Wahid Muhammad al-Nur kept in regular unofficial communication with the Government of the Sudan. After the conclusion of the Agreement, he travelled from France to Uganda on 13 November. From Kampala, Abdul Wahid announced that his movement would launch a new initiative aimed at the achievement of comprehensive peace in the Sudan (although he provided no details). He is expected to meet the South Sudanese authorities in Juba, then in the Sudan, to present his initiative...’<sup>76</sup>

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<sup>73</sup> The Independent, ‘[Sudan’s new cabinet sworn in amid protests over dire...](#)’, 10 February 2021

<sup>74</sup> Reuters, ‘[Factbox: Sudan’s rebel groups](#)’, 31 August 2020

<sup>75</sup> UN Security Council, ‘[Situation in the Sudan and the activities...](#)’ (Paragraph 13), 1 December 2020

<sup>76</sup> UN, ‘[Letter dated 13 January 2021 from the Panel of Experts...](#)’ (Summary), 13 January 2021

### 5.3 Justice Equality Movement (JEM)

5.3.1 Janes reported in January 2020 'The ... anti-government forces in the Darfur region, such as ... the Justice and Equality Movement (JEM) declared the unilateral cessation of hostilities since February 2019. In September the Alliance of Sudan Liberation Forces, the JEM, the SLM-MM, the SLM-Transitional Council, have entered into peace negotiations brokered by South Sudan with the incoming Sudanese government...' <sup>77</sup>

5.3.2 Reuters reported in August 2020:

'The JEM, led by Jibril Ibrahim, is one of two significant groups from the western region of Darfur to sign the peace deal.

'The group was among mostly non-Arab rebels who took up arms against the government of former leader Omar al-Bashir in 2003, complaining that Darfur was being marginalised. This triggered a brutal repression by the army and mostly-Arab militias.

'Once a formidable force with links to Chad, the JEM's ranks have dwindled in recent years and have not been active inside Darfur. Some fighters have operated in Libya alongside forces aligned with Tripoli's Government of National Accord (GNA), according to analysts and U.N. investigators.' <sup>78</sup>

5.3.3 In March 2021 the Borneo Bulletin reported:

'Sudan's new finance minister, Gibril Ibrahim, is a veteran rebel leader who fought against marginalisation under ousted president Omar al-Bashir...

'Ibrahim, 66, has for nearly a decade led the Justice and Equality Movement (JEM)...

'In October, Sudan's transitional government signed a peace deal with key rebel groups including JEM which stipulated giving rebels top positions in the government and in a Parliament that is yet to be formed...

'Ibrahim officially joined JEM in 2002 as an economic adviser to the movement which was founded by his brother, Khalil...

'Ibrahim however expanded JEM's presence across Sudan, establishing several bases outside of Darfur. The movement also took part in several political coalitions including Nidaa al-Sudan and the Sudanese Revolutionary Front, both opposed to Bashir's rule.

'Under the October [2020] peace deal, JEM completely laid down their guns, turning from an armed rebel group into a political movement.' <sup>79</sup>

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### 5.4 Sudan People's Liberation Movement-North (SPLM-N)

5.4.1 Janes reported in September 2019:

'The Sudanese People's Liberation Movement-North (SPLM-N) is divided into two competing factions: the SPLM-Agar faction led by General Malik Agar, which is based in Blue Nile state, and the SPLM-Hilu faction led by

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<sup>77</sup> Janes, '[Sentinel Security Assessment - North Africa](#)', 21 January 2020, (subscription only)

<sup>78</sup> Reuters, '[Factbox: Sudan's rebel groups](#)', 31 August 2020

<sup>79</sup> Borneo Bulletin, '[Japan-trained Darfur rebel chief turned Sudan finance minister](#)', 16 March 2021

General Abdel Aziz Al-Hilu, which is based in Kordofan state (Nuba Mountains). In June 2017, the SPLM-N suffered a split into the two current factions because of disagreements, in which Hilu, who was the SPLM-N's deputy chairman, wanted to pursue the political objective of achieving self-determination, while Malik Agar by contrast rejected that objective and called for the formation of a national coalition government under the umbrella of the SRF that aims for broader constitutional and democratic reforms in Sudan. Both factions have voiced their support of the anti-government protests which led to the removal of Omar al-Bashir as president in April 2019...

'Both the SPLM-Agar and the SPLM-Al Hilu factions have their origins in the political movement of the Sudanese People's Liberation Movement/Army (SPLM/A). The SPLM/A was formed by South Sudanese rebel officer John Garang in 1983 when he led a mutiny against the Khartoum government, which led to South Sudan secession in 2011. Following the secession, the SPLM/A was in conflict with Bashir's government. In 2011, it helped found the Sudanese Revolutionary Forces (SRF), which is an umbrella of armed groups.'<sup>80</sup>

#### 5.4.2 Reuters reported in August 2020:

'The SPLM is made up of fighters who sided with the south in the civil war before South Sudan seceded in 2011. The SPLM-N, formed that same year with a presence in the southern Sudanese states of South Kordofan and Blue Nile, later split into two factions.

'One faction, led by Malik Agar and Yasir Arman, signed the peace deal in Juba.

'Agar has sought wide autonomy for the southern states, where communities complain of marginalisation by authorities in Khartoum.'<sup>81</sup>

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## 5.5 SPLM-N – Agar faction

5.5.1 Janes reported in September 2019: 'The SPLM-Agar faction is a member of the Sudan Call, which is part of the DFCF [Declaration of Forces for Freedom and Change] which calls for the establishment of a civilian-led government. The SPLM-Agar faction confirmed its firm opposition to the TMC after the faction's deputy head, Yasir Arman, was imprisoned and forcibly deported to South Sudan.'<sup>82</sup>

5.5.2 The United Nations Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 1 March 2021, stated that on 4 February 2021, the head of the SPLM-N Malik Agar faction, Malik Agar signed the Juba Peace Agreement, becoming a member of the Sovereign Council<sup>83</sup>.

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<sup>80</sup> Janes, '[Sentinel Security Assessment - North Africa](#)', 21 January 2020, (subscription only)

<sup>81</sup> Reuters, '[Factbox: Sudan's rebel groups](#)', 31 August 2020

<sup>82</sup> Janes, '[Sentinel Security Assessment - North Africa](#)', 21 January 2020, (subscription only)

<sup>83</sup> UN Security Council, '[Situation in the Sudan and the activities...](#)' (Paragraph 3), 1 March 2021

## 5.6 SPLM-N – Hilu faction

- 5.6.1 Janes reported in September 2019: ‘...In September 2019, the SPLM-Hilu faction has entered into negotiations to discuss on a peace agreement with the joint military- civilian government. This indicates likely de-escalation between the two the SPLM-N and the government.’<sup>84</sup>
- 5.6.2 The Independent observed in February 2021: ‘Sudan’s largest single rebel group, the Sudan Liberation Movement-North led by Abdel-Aziz al-Hilu, has been in talks with the transitional government but has yet to reach a deal with the government.’<sup>85</sup>
- 5.6.3 Sudan Tribune reported in February 2021 that ‘Negotiations between the transitional government and the SPLM-N al-Hilu are stalled over the separation between the state and religion.’<sup>86</sup>
- 5.6.4 The United Nations Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 1 March 2021, stated:  
‘...On 25 December 2020, the SPLM-N Abdelaziz Al-Hilu faction joined 11 Sudanese political parties, women’s groups and movements in a new alliance. The group condemned the encroachment of the Sovereign Council on the prerogatives and mandate of the civilian authorities and reiterated its support for the civilian-led government; the Prime Minister’s prerogative to lead the peace process; the joint agreement on principles signed by Abdelaziz Al-Hilu and the Prime Minister in Addis Ababa on 3 September 2020; the swift formation of the Transitional Legislative Council; and the separation of religion and State...’<sup>87</sup>
- 5.6.5 The 2020 USSD report noted: ‘On September 3 [2020], Prime Minister Hamdok and Sudan People’s Liberation Movement-North (SPLM-N) leader, Abdul Aziz al-Hilu, signed a declaration of principles agreement to begin peace talks on the basis that separation of religion and state would be protected in the constitution to be developed during the transitional period, a key demand of the SPLM-N.’<sup>88</sup>
- 5.6.6 Al Jazeera reported that on 28 March 2021, the Sudanese government and the SPLM-N Hilu faction signed an agreement to pave the way for peace negotiations<sup>89</sup>.
- 5.6.7 The New Arab, a current affairs website<sup>90</sup>, stated in an article:  
‘The leader of Sudan’s largest rebel group has agreed with the country’s military ruler to establish a secular state...’

<sup>84</sup> Janes, ‘[Sentinel Security Assessment - North Africa](#)’, 21 January 2020, (subscription only)

<sup>85</sup> The Independent, ‘[Sudan’s new cabinet sworn in amid protests over dire...](#)’, 10 February 2021

<sup>86</sup> Sudan Tribune, ‘[SPLM-N al-Hilu extends unilateral ceasefire for five months](#)’, 8 February 2021

<sup>87</sup> UN Security Council, ‘[Situation in the Sudan and the activities...](#)’ (Paragraph 6), 1 March 2021

<sup>88</sup> USSD, ‘[2020 country report: Sudan](#)’ (Section 1e), 30 March 2021

<sup>89</sup> Al Jazeera, ‘[Sudan gov’t and SPLM-N sign agreement to pave way for peace talks](#)’, 28 March 2021

<sup>90</sup> The New Arab, ‘[About us](#)’, undated

'They agreed to the formation of a "civil, democratic, federal state in Sudan" after the end of the transitional period, "wherein, the freedom of religion, the freedom of belief and religious practices and worship shall be guaranteed to all Sudanese people by separating the identities of culture region, ethnicity and religion from the State"...

"No religion shall be imposed on anyone and the State shall not adopt any official religion," the declaration states.

'The two leaders also agreed to the establishment of a united national army following the transitional period, meaning rebel fighters will be incorporated into the Sudanese military...'<sup>91</sup>

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## 5.7 Sudan Revolutionary Front (SRF)

- 5.7.1 The Arab Reform Initiative stated in an April 2019 report: 'Established in 2011, the SRF joined the main Darfur armed movements, the Sudan Liberation Army/Movement led by Abd alWahid Mohamed Nur, the Sudan Liberation Army/Movement led by Minni Minawi and the Justice and Equality Movement and the Sudan People's Liberation.'<sup>92</sup>
- 5.7.2 The United Nations Security Council stated in a letter dated 14 January 2020 from the Panel of Experts on the Sudan addressed to the President of the Security Council: '...the Sudanese Revolutionary Front (SRF)...[compromises], inter alia, the Justice and Equality Movement (JEM), the Sudan Liberation Army/Minni Minawi (SLA/MM) and the Sudan Liberation Army/Transitional Council (SLA/TC)...'<sup>93</sup>
- 5.7.3 Africa News reported in September 2020: 'The SFR is an umbrella organisation of rebel groups from the regions of Darfur, South Kordofan and the Blue Nile.'<sup>94</sup>

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Section 6 updated: 7 April 2021

## 6. Security

### 6.1 General Intelligence Service (GIS)

- 6.1.1 The USSD report covering events of 2019 stated: 'Under the Bashir regime, the law allowed NISS to detain individuals for up to 45 days before bringing charges... The TMC reduced the detention time to 24 hours. After the August signing of the constitutional declaration that limited the mandate of GIS (formerly NISS), the organization lost the ability to detain individuals.'<sup>95</sup>
- 6.1.2 The report further stated:

"...Under the CLTG, [the Ministry of Interior] structure changed. NISS [National Intelligence and Security Services] was renamed the General Intelligence Service (GIS), and its mandate was narrowed to protecting

<sup>91</sup> The New Arab, '[Sudan, rebel leader agree to form secular state](#)', 28 March 2021

<sup>92</sup> Arab Reform Initiative, '[The fall of al-Bashir: Mapping contestation forces in Sudan](#)', 12 April 2019.

<sup>93</sup> UN Security Council, '[Letter dated 14 January 2020 from the Panel...](#)', (Para 12), 14 January 2020

<sup>94</sup> Africa News, '[Sudan takes first step in the roadmap to peace](#)', 22 September 2020

<sup>95</sup> USSD, '[2019 country report: Sudan](#)' (Section 1d), 11 March 2020

national security, limiting its duties to gathering and analyzing information and submitting information and analysis to concerned authorities, whose functions and duties are prescribed by law... The Ministry of Defense oversees all elements of the Sudanese Armed Forces (SAF), including the Rapid Support Forces, Border Guards, and Defense and Military Intelligence (DMI) units.’<sup>96</sup>

6.1.3 Carnegie, a global think tank, reported in February 2020,

‘On January 14, heavy gunfire broke out at Sudan’s Directorate of National Intelligence in Khartoum. Sudanese officials accused former employees of the National Intelligence and Security Service (NISS), a dissolved security organ of former President Omar al-Bashir’s government, of instigating the clashes to increase their severance compensation. The Sudan Armed Forces (SAF) swiftly quelled the NISS-led rebellion, but the revolt led to the resignation of Sudan’s intelligence chief General Abu Bakr Mustafa on January 16 [2020].’<sup>97</sup>

6.1.4 Sudan Tribune reported in May 2020:

‘Sudan’s General Intelligence Service (GIS) Tuesday confirmed that its powers of search, arrest and interrogation were still in effect and had not been abolished.

‘After the removal of al-Bashir, the Transitional Military Council dissolved the repressive National Intelligence and Security Services (NISS) and replaced it by the GIS which has limited powers to information gathering, and analysis.

‘Also, the 2010 National Security Act was amended and the GIS can no longer arrest and detain people for up to four and a half months without judicial oversight.

‘Also, the 29 July 2019 reform dissolved the Operations Corps which was involved in the killing of protesters and human rights violations.

‘In a statement released on Tuesday, the GIS dismissed media reports saying that the Operations Corps had been re-established and the new apparatus also was given again the power to arrest and detain people.

‘GIS spokesman further stressed that the powers of search, arrest and interrogation are "the core duties of the agency".

‘"We confirm the Agency’s keenness to carry out its duties by powers vested in it to preserve national security, in full coordination with all components of the security system in the state.

‘The new reform limits the detention of any individual to 24 hours after what he should be released or indicted.

‘The Operations Corps which included some 13,000 members was dissolved in August 2019. Some of its members were integrated into other services but the majority was disbanded.’<sup>98</sup>

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<sup>96</sup> USSD, ‘[2019 country report: Sudan](#)’ (Executive summary), 11 March 2020

<sup>97</sup> Carnegie, ‘[The ongoing turf war in Sudan](#)’, 20 February 2020

<sup>98</sup> Sudan Tribune, ‘[Sudan Intelligence Agency still can detain and interrogate...](#)’, 19 May 2020

- 6.1.5 Human Rights Watch noted in its report on events in 2020 that the government ‘has not yet embarked on security sector reform beyond renaming the National Intelligence and Security Service (NISS) as the General Intelligence Service (GIS) and removing its arrest and detention powers.’<sup>99</sup>
- 6.1.6 The USSD report covering events of 2020 stated:
- ‘Under the civilian-led transitional government, responsibility for internal security resides with the Ministry of Interior, which oversees police agencies as well as the Ministry of Defense and the General Intelligence Service. ...
- ‘The General Intelligence Service’s mandate changed from protecting national security and during the year was limited to gathering, analyzing, and submitting information to other security services...
- ‘The General Intelligence Service is not allowed to detain individuals.’<sup>100</sup>

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## 6.2 Rapid Support Forces (RSF)

- 6.2.1 Radio Dabanga reported in July 2020:
- ‘A report by the African Centre for Justice and Peace Studies (ACJPS) between March and May indicated that members of the Sudanese army and the RSF militia continue to violate human rights in the country...
- ‘The RSF militia... was officially integrated into the Sudan Armed Forces in August last year. At the same time however, the militia stays a force unto itself, commanded by ‘Hemeti’, who also is Deputy President of Sudan’s Sovereign Council.
- ‘The RSF, which grew out of the Janjaweed militiamen who fought for the [former] Sudanese government in Darfur since the war broke out in 2003, is widely believed to be responsible for atrocities in Sudan in the past six-seven years. The RSF are also held accountable by many for the violent break-up of the Khartoum sit-in in June 3 last year.’<sup>101</sup>
- 6.2.2 Based on various sources, the Armed Conflict Location and Event Data Project (ACLED), a data collection, analysis, and crisis mapping project<sup>102</sup>, reported in July 2019:
- ‘On June 3 [2019], the Rapid Support Forces (RSF), opened fire on a peaceful sit-in in Khartoum. This event, in which more than 100 people were reportedly killed, followed weeks of gradually increasing levels of RSF activity. Since the protests began on December 19, 2018, the RSF has been responsible for more reported fatalities and more instances of violence against civilians than the military and police combined. Increasing reliance

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<sup>99</sup> Human Rights Watch, ‘[World Report 2021, Sudan – events of 2020](#)’, January 2021

<sup>100</sup> USSD, ‘[2020 country report: Sudan](#)’ (Executive summary), 30 March 2021

<sup>101</sup> Radio Dabanga, ‘[Sudan’s Rapid Support Forces occupy school in South Kordofan](#)’, 12 July 2020

<sup>102</sup> ACLED, ‘[About ACLED](#)’, undated

on the RSF to respond to the largely peaceful protests presents a serious threat to civilians in Sudan...'<sup>103</sup>

- 6.2.3 Associated Press News, an independent global news organisation<sup>104</sup>, reported in August 2019:

“The protestors blame the RSF for the clearing of their main sit-in outside the military headquarters in Khartoum on June 3 [2019], when security forces killed scores of people. Sudanese prosecutors have charged eight RSF officers, including a major general, with crimes against humanity but say the ruling generals did not order the crackdown.

‘Some protest leaders have called for the RSF to be disbanded, and both the Sudanese Professionals’ Association, which spearheaded the protests against al-Bashir, and the Communist Party have said Hemedti should be tried for alleged crimes in Darfur.’<sup>105</sup>

- 6.2.4 Carnegie, a global think tank, reported in February 2020 that the RSF ‘massacred 128 protestors in Khartoum on June 3 [2019].’<sup>106</sup>

- 6.2.5 In May 2020, Middle East Eye reported:

‘The army and the RSF have been deployed throughout the country, including in Kassala, South Darfur and other states to stop the increase in tribal clashes, which has been fuelled by the absence of state authorities, poverty and competition over scarce resources...

‘Deployed throughout Sudan along with the national army to resolve the violence, the RSF’s ethnic and political loyalties have been continuously called into question. “The participation of the RSF in the handling of the tribal clashes is a problem in itself, because the discipline and tribal affiliation of these forces is questioned,” said Darfur-based analyst Adama Mahdi.’<sup>107</sup>

- 6.2.6 The Africa Report, an African news organisation<sup>108</sup>, stated in an October 2020 article:

‘... Brigadier General Mohammed Hamdan Dagolo, referred to as ‘Hemeti’, who started off as a border guard and later became a Janjaweed militia leader.

‘Today, Hemeti is making life difficult for the civilian Prime Minister of Sudan, Abdalla Hamdok, as the military seek to continue their hold on state machinery...

‘The RSF claim they are enforcing the rule of law by cracking down on illegal immigration and trafficking explosives, or protecting borders. Activists, however, denounce the use of brute force against unarmed civilians and displacing thousands...’<sup>109</sup>

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<sup>103</sup> ACLED, ‘[The Rapid Support Forces and the escalation of violence in Sudan](#)’, 2 July 2019

<sup>104</sup> AP News, ‘[About Us](#)’, undated

<sup>105</sup> Associated Press News, ‘[A new strongman in Sudan? Experts aren’t so sure](#)’, 6 August 2019

<sup>106</sup> Carnegie, ‘[The ongoing turf war in Sudan](#)’, 20 February 2020

<sup>107</sup> MEE, ‘[Renegade Sudan army faction accused of killing RSF troops in clashes](#)’, 14 May 2020

<sup>108</sup> The Africa Report, ‘[About us](#)’, updated 1 April 2020

<sup>109</sup> The Africa Report, ‘[Sudan’s transition overlord Hemeti still wreaking havoc in...](#)’, 6 October 2020

- 6.2.7 The United Nations Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 1 March 2021, stated:

‘Popular protests calling on the transitional Government to expedite investigations into gross violations and to hold alleged perpetrators accountable intensified following the alleged torture and killing of Sudanese activist Bahaa el-Din Nouri in a detention centre of the Rapid Support Forces on 21 December 2020. Mr. Nouri’s death prompted calls for protests by the Sudanese Professionals Association and other civil society groups on 11 January 2021, coupled with demands for the restructuring of security institutions, the integration of eligible members of the Rapid Support Forces into the Sudanese Armed Forces and the closure of detention centres of the Rapid Support Forces.’<sup>110</sup>

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### 6.3 Enforced disappearances

- 6.3.1 The 2019 USSD report noted that ‘Since September [2019], under the CLTG, there were no reports of arbitrary arrests or disappearances.’<sup>111</sup>

- 6.3.2 Radio Dabanga reported in November 2020:

‘The Council of Ministers has ratified the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) yesterday. The decision still needs to be approved by the Sovereign Council, the Forces for Freedom and Change and the rebel movements that signed the Juba agreement...

‘The convention defines “enforced disappearance” as “the arrest, detention, abduction or any other form of deprivation of liberty by agents of the state or by persons or groups of persons acting with an authorization, support or acquiescence of the state, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law.’<sup>112</sup>

- 6.3.3 Radio Dabanga reported in December 2020:

‘An investigation report of the Sudanese Archive and the Human Rights Center Investigation Lab UC Berkeley, states that the Rapid Support Forces (RSF) and other security forces are responsible for the violent dispersal of sit-ins across Khartoum in June last year, where more than 100 people went missing.

‘The investigating committee has been criticised by activists and relatives of protestors killed during the massacre for not publishing a final report sooner. Adib, who blames the delay on COVID-19, explained that the committee

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<sup>110</sup> UN Security Council, ‘[Situation in the Sudan and the activities...](#)’ (Paragraph 25), 1 March 2021

<sup>111</sup> USSD, ‘[2019 country report: Sudan](#)’ (Section 1b), 11 March 2020

<sup>112</sup> Radio Dabanga, ‘[Sudan govt ratifies UN Convention against enforced...](#)’, 25 November 2020

“insists on accuracy and the submission of an integrated criminal case to the court”.<sup>113</sup>

- 6.3.4 Covering events in 2020, the USSD report stated that ‘There were no reports of disappearances by or on behalf of government authorities.’<sup>114</sup>

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## 6.4 Arbitrary arrest and detention

- 6.4.1 The July 2020 United Nations General Assembly Report of the Independent Expert on the situation of human rights in the Sudan observed that the government amended ‘...the Criminal Act of 1991, in order to bring the definition of torture into line with article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment’.<sup>115</sup>

- 6.4.2 The same report noted that the government also amended ‘...the Criminal Procedure Act of 1991 to enshrine the prohibition of torture and other inhuman and degrading treatment during investigation...’ and repealed ‘articles 50, 51 and 52 of the National Security Act, which provided national security agents with the power to arrest and detain people...’<sup>116</sup>

- 6.4.3 The Human Rights Watch World Report 2021 noted:

‘Security officials continued to arbitrarily detain civilians...

‘On June 29, the former military governor of West Darfur ordered the imprisonment of 72 men and boys for six months under the emergency law, which allows authorities to detain people without judicial oversight. They were among a group of 122 arrested by the RSF in the preceding weeks during counter migration operations in Darfur.

‘Authorities charged them with crimes including looting, illegal migration, and illegal possession of firearms. They were never brought to trial.

‘Government security forces arrested and detained civilians in Kutum, North Darfur, and Kass, South Darfur, following protests in both locations. At least one of the released detainees from Kutum held by military officials told Human Rights Watch he was subjected to ill-treatment that could amount to torture while in detention.’<sup>117</sup>

- 6.4.4 The United Nations Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 1 March 2021, stated that during the reporting period from 24 November 2020 to 15 February 2021, ‘the Sudanese Professionals Association launched a campaign to raise awareness about torture and illegal detention and called for the lifting of the immunity of alleged perpetrators and for transparency in the investigation which is currently under way.’<sup>118</sup>

- 6.4.5 The 2020 USSD report noted:

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<sup>113</sup> Radio Dabanga, ‘[Sudan Sovereign Council ‘must ratify’ UN Convention...](#)’, 4 December 2020

<sup>114</sup> USSD, ‘[2020 country report: Sudan](#)’ (Section 1b), 30 March 2021

<sup>115</sup> UN General Assembly, ‘[Report of the independent expert...](#)’ (Paragraph 30), July 2020

<sup>116</sup> UN General Assembly, ‘[Report of the independent expert...](#)’ (Paragraph 30), July 2020

<sup>117</sup> Human Rights Watch, ‘[World Report 2021, Sudan – events of 2020](#)’, January 2021

<sup>118</sup> UN Security Council, ‘[Situation in the Sudan and the activities...](#)’ (Paragraph 25), 1 March 2021

“The 2019 constitutional declaration prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. In contrast to the previous regime, during the year the CLTG generally observed these requirements. The period of arrest without a warrant is 24 hours....

‘The 2019 constitutional declaration prohibits such practices of torture or inhuman treatment of punishment, and reports of such behavior largely ceased under the civilian-led transitional government (CLTG)... Prison conditions throughout the country remained harsh and life threatening; overcrowding was a major problem, as was inadequate health care.’<sup>119</sup>

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## 6.5 Areas of conflict - Darfur

6.5.1 Janes reported in January 2020 ‘In February 2019, violence between the government of Sudan and the SLA Abdul Wahid, included retaliatory attacks on civilians, the destruction of property and the displacement numerous civilians...’<sup>120</sup>

6.5.2 The United Nations African Union Mission in Darfur (UNAMID) reported in June 2020:

‘For the past few days, the people of Darfur have been subjected to a great deal of suffering and unwarranted displacement due to renewed eruption of fighting between two factions of the Sudan Liberation Army, Abdul Wahid Al-Nur Wing (SLA-AW) which resulted in killings, rape and the displacement of thousands of people from their villages and hamlets...

‘Since the fighting between the two factions broke out on 11 June in Wegi village, 10 km north-east of UNAMID’s Golo temporary operating base, Central Darfur, it is reported that thousands of people have been displaced from Wegi, Ila, Fara, Katiro and Daya villages. Both sides reportedly suffered an unknown number of casualties.

‘On 12 June, a UNAMID team conducted a verification mission to Wegi village and confirmed the incident. Witnesses also informed UNAMID that on 12 June, elements from one rival faction allegedly raped a woman and her four daughters in Tairo village during the fighting.

‘UNAMID’s Joint special representative (JSR) Jeremiah Mamabolo deeply regrets that these clashes are happening at a time when the Transitional Government, the armed movements, the political parties and all Sudanese are engaged in negotiations in Juba; in order to bring such unjustified suffering to an end.’<sup>121</sup>

6.5.3 Middle East Monitor reported in September 2020:

‘The Sudanese army said its troops repelled an attack by the Sudan Liberation Army – Abdul Wahid Mohamed Al-Nur (SLA-AW) in South Darfur which did not sign the peace agreement concluded in August between Khartoum and a majority of the rebel groups in the area.

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<sup>119</sup> USSD, ‘[2020 country report: Sudan](#)’ (Sections 1c and 1d), 30 March 2021

<sup>120</sup> Janes, ‘[Sentinel Security Assessment - North Africa](#)’, 21 January 2020, (subscription only)

<sup>121</sup> UNAMID, ‘[UNAMID deplores recent clashes between SLA – Abdul Wahid...](#)’, 24 June 2020

"In light of the ceasefire and the armed forces' commitment to the [peace agreement], forces affiliated with the Sudan Liberation Army Movement, Abdul Wahid Muhammad Nur's wing have attacked our forces in the Baldong area in Jebel Marra," the Sudanese army said in a statement, adding that its forces stationed in the area confronted the rebels and forced them to flee.<sup>122</sup>

6.5.4 The Africa Report stated in an October 2020 article:

'On the evening of 29 December 2019, one of the Masalit tribes killed a herdsman from an Arab tribe called 'Maaliya'. In revenge, the victim's family attacked the assailant's family, killing two, injuring others and burning down a market in Kerending, a camp for IDPs in El-Geneina, the capital of West Darfur state.

'According to the International Federation for Human Rights (FIDH), the following morning over 30 men from the Arab Rezeigat tribe – wearing RSF uniforms and carrying machine guns and knives – attacked the camp indiscriminately. A witness told FIDH that the attackers stormed into the camp in Land Cruisers which are usually used by RSF...

'Sheikh further added that the attackers were stealing and destroying phones so there would not be visual evidence of what happened. "Security forces, including RSF, only showed up on the third day to stop the killing," stated Sheikh.

'According to the High-level Crisis Management Committee for the Events in El Geneina, the attack resulted in over 80 in deaths, 190 in injuries and robbed millions of Sudanese pounds in cash, livestock and goods.

'The United Nations High Commissioner for Refugees announced that the attack had forced 11,000 to seek refuge in Chad and internally displaced 46,000 in Sudan who are living in makeshift camps.

'An investigation was supposedly launched and 32 out of 69 suspects were arrested but not much was concluded since then or reported on that since March...

'Another alleged attack took place in Fataburno, a town near Kutum in North Darfur where armed militia reportedly attacked a sit-in, killing 12 and injuring 14 others. The sit-in had been in place since Fataburno citizens protested against persistent attacks and lack of security on lands due to systemic attacks by armed militia.

'A woman told The Africa Report, on condition of anonymity, that she spotted men in beige fatigue like that of the RSF... saying that the trucks looked like those used by the RSF.

'While other sources insist the attackers are armed Arab tribesmen backed by the RSF, there does not appear to be consensus on who is the main culprit...

'... Mutasim Ali, legal consultant at Project Expedite Justice (PEJ) attributes the RSF's immunity to the support from the Sovereign Council's head, Abdel Fattah al-Burhan. "RSF are not just Sudanese, others join from neighbouring

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<sup>122</sup> MEMO, '[Sudan army repels attack by rebel group in Darfur](#)', 30 September 2020

countries such as Chad, Central African Republic and Niger, with zero accountability.”

“Unfortunately, none of the investigations resulted in anything thus far. I had a conversation with some government officials, and they seem to fear upsetting Hemeti as he is being viewed as ‘the guardian’ of democratic transition in Sudan. Investigation committees are established to captivate the public’s outrage and to armour the perpetrators,” adds Ali.<sup>123</sup>

6.5.5 The United Nations Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 1 December 2020 reported:

‘...the situation remained fragile, with civil unrest in parts of the country, pockets of violence in Darfur and tribal frictions generating clashes in Eastern Sudan...

‘...In Darfur, during the reporting period, there were incidents between nomadic and farmer communities, and intercommunal fighting broke out in various localities...

‘...communal clashes and violence continued in Eastern Sudan and Darfur, including conflict-related sexual violence, particularly against women and girls... the persistent intercommunal clashes in Darfur highlighted the need to intensify efforts to strengthen protection and build trust between communities and law enforcement, while also improving rule of law institutions and systems under the national plan for the protection of civilians... to match the strong commitment of national and local authorities to ensure basic security and protection across the Sudan. In that regard, the appointment of new judges and prosecutors following the termination from service of 151 judges and 21 prosecutors on 23 August by the national committee on the dismantling of the former regime remained pending.’<sup>124</sup>

6.5.6 Human Rights Watch reported:

‘In Darfur and eastern Sudan, inter-communal violence surged. The United Nations/ African Union Darfur peacekeeping mission (UNAMID) continued to draw down, while a new nationwide political mission began to deploy...

‘Inter-communal violence intensified, exacerbated by the involvement of government security forces.

‘In Al Geneina, West Darfur, fighting between Arab and Masalit communities flared in December 2019, six months after UNAMID forces had withdrawn from their base there. Armed militia groups, including members of the RSF, attacked a camp for displaced people and killed dozens of people, including children, raped women, and girls, destroyed schools, and burdened homes, causing tens of thousands to flee.

‘On July 25, armed Arab militia attacked the town of Misteri, West Darfur. The attackers targeted ethnic Masalit, according to media. The UN said at least 60 were killed in the attack.

<sup>123</sup> The Africa Report, [‘Sudan’s transition overlord Hemeti still wreaking havoc in...’](#), 6 October 2020

<sup>124</sup> UN Security Council, [‘Situation in the Sudan and the activities...’](#) (Para 2, 13, 26), 1 Dec 2020

'In eastern Sudan, at least 25 were killed after violent clashes between the Beni Amer and Nuba ethnic groups in Port Sudan. Scores were also killed after violent clashes in the city of Kassala in August, between tribal groups of Hadendawa and Beni Amer.'<sup>125</sup>

6.5.7 Sudan Tribune reported in February 2021:

'On January 31, the SLM-AW reported an attack by "government militias" on the Toa Shallal area in eastern Jebel Marra. On 25 January, the holdout group had accused the government forces several areas under their control including Debbat Naira, Kibi, Rugula, Mirra, and Fallujah.

"The government militias based in the Tanguli area, today, Thursday, launched an attack on Rukona area east of Jebel Marra," said the Movement's military spokesman Walid Mohamed Abaker "Tongo" in a statement extended to the Sudan Tribune, on Thursday.

'He pointed out that the SLM's forces ambushed the attacking forces, and killed 24 members of the attacking forces and captured a 24-year-old soldier...

'He accused the Sudanese army's Military Intelligence of planning and supporting the attacks carried out by militias, considering this "an explicit declaration of war."...

'The spokesman warned the Transitional Government, with its military and civilian components, against the consequences of these attacks by militias affiliated with the government.'<sup>126</sup>

6.5.8 The UN Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 1 March 2021, stated:

'The security situation was characterized by major armed clashes in some areas of Darfur. In the Jebel Marra area, armed clashes were recorded between factions of the Sudan Liberation Army-Abdul Wahid (SLA/AW) elements, which had resulted in the deaths of several fighters and civilians in the area. The leaders of the two factions, Saleh Borsa and Mubarak Aldouk, reportedly have divergent positions on the peace process. The former is opposed to the peace process and remains a proponent of the mainstream SLA/AW position on negotiations, while the latter supports the peace process. The infighting also triggered the displacement of over 13,000 people across 30 villages in the Golo locality. Villages were attacked at night, with civilians apprehended, beaten or killed on suspicion of belonging to the other faction. At least 4 of the 30 villages (Nimra, Koma, Sabi and Dowo) were reported to have been completely destroyed. In the Jebel Marra area, two attacks were reported to have been carried out by the Sudanese Armed Forces on SLA/AW positions at Sabanga on 24 and 31 January 2021. The attacks resulted in 14 people being killed, 10 wounded and the displacement of an estimated 22,000 people. The incidents did not, however, result in a further escalation of violence or in reprisal attacks.

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<sup>125</sup> Human Rights Watch, '[World Report 2021, Sudan – events of 2020](#)', January 2021

<sup>126</sup> Sudan Tribune, '[SLM -AW repulsed fresh attack by Sudanese forces in...](#)', 4 February 2021

‘On 6 February 2021, the SPLM-N Al-Hilu faction announced a five-month extension, until 30 June, of the unilateral cessation of hostilities in areas under its control, reportedly as a gesture of goodwill for a peaceful resolution of the Sudanese conflict and to give peace an opportunity for success.

‘As the mandate of UNAMID ended on 31 December 2020, institutional and security sector reforms, including the establishment of a force for the protection of civilians in Darfur, are a major challenge faced by the transitional Government. Evidence of critical gaps in the protection of civilians is the increased tensions and violence in many parts of the Sudan, including in the Darfur region. Intercommunal violence continues to threaten the lives of civilians, with a rise in the number of incidents in January 2021 leading to the death or injury of hundreds of civilians, including a humanitarian worker.’<sup>127</sup>

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## 6.6 Areas of conflict – the Two Areas

### 6.6.1 In May 2020, Middle East Eye reported:

‘Nine members of Sudan’s government-aligned Rapid Support Forces (RSF) have been killed in clashes with a renegade faction of the army, an RSF spokesperson told Middle East Eye, as a fresh wave of ethnic violence erupted in the country’s south...

‘However, eyewitnesses in the South Kordofan region where the attacks took place have accused the RSF of driving the violence by taking the side of an Arab tribe it has historic ties to.

‘At least 19 people were killed between Tuesday and Wednesday when a dispute over cattle between Arab Bagara and African Nuba spilled over into violence in the city of Kadugli in the South Kordofan region, which borders South Sudan...

‘Brigadier Gamal Gumaa, a spokesperson for the RSF, said 10 civilians had died in the incident along with nine RSF soldiers, but claimed that his troops had not been involved in the fighting...

‘Speaking to reporters on Wednesday, Gumaa blamed the attack on former members of the Sudan Liberation Movement/North Sector (SPLM-N), who had previously been integrated into the army...

‘Another source from the local government of South Kordofan also said that the renegade soldiers had broken away to side with their own tribe in the clashes.

‘He further said that the situation was calm but still tense and the central government was expected to send military reinforcements to the state to fully control the situation...

‘On Monday, Prime Minister Abdalla Hamdok described the clashes as “regrettable” and called for a radical approach to establish peace amongst tribes across the country...’<sup>128</sup>

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<sup>127</sup> UN Security Council, ‘[Situation in the Sudan and the activities...](#)’ (Paras 11, 12, 13), 1 March 2021

<sup>128</sup> MEE, ‘[Renegade Sudan army faction accused of killing RSF troops in clashes](#)’, 14 May 2020

## 7. Treatment of protestors

- 7.1.1 The USSD report commenting on events in 2019 stated that ‘lethal excessive force against civilians, demonstrators and detainees’<sup>129</sup>, used by security forces, ‘significantly decreased under the CLTG.’<sup>130</sup>
- 7.1.2 The USSD report further stated ‘The law provides for the freedoms of peaceful assembly and association... These rights... were generally respected by the CLTG.’<sup>131</sup>
- 7.1.3 Furthermore, the same report stated:
- ‘Following Bashir’s fall, the TMC initially refrained from attacks on peaceful protestors. On June 3 [2019], however, security forces believed to have been led by the Rapid Support Forces (RSF) dispersed the two-month-long sit-in of tens of thousands of peaceful demonstrators in front of SAF headquarters in Khartoum. In addition to excessive use of force, there were reports of widespread rapes during the June 3 [2019] sit-in as well as reports of numerous protestors being thrown into the Nile River alive and left to drown. The TMC reported 87 dead and 168 wounded, while most civilian groups tallied almost 130 dead and 700 wounded. The constitutional declaration mandated the establishment of an independent national committee of inquiry to carry out an accurate and transparent investigation of violations committed on June 3 [2019]. In September the CLTG formed an investigative committee to look into these incidents; its report remained pending at year’s end.
- ‘Four teenagers were killed under the TMC after security forces disbanded protests in El-Obeid on July 29 [2019]. Nine RSF members were dismissed and referred for prosecution on August 2; the case continued at year’s end.’<sup>132</sup>
- 7.1.4 The same report observed that, ‘Demonstrations during the CLTG were reportedly peaceful; police used nonviolent measures to maintain order.’<sup>133</sup>
- 7.1.5 The October 2020 Joint written statement submitted by African Centre for Democracy and Human Rights Studies; Centre du Commerce International pour le Développement; and Rencontre Africaine pour la defense des droits de l’homme (non-governmental organizations in special consultative status to the United Nations General Assembly) reported:
- ‘...there are reports about intimidation and arrests and detention as well as illtreatment of protestors, including members of the Resistance Committees, mainly in Darfur and other peripheries. On 17 August 2020, thousands of demonstrators went onto the streets of Khartoum to mark the first anniversary of the signing of the Constitutional Document and to remind the TA about the deteriorating living conditions and the unfulfilled promises of the December 2019 Revolution. Authentic reports indicated that during

<sup>129</sup> USSD, [‘2019 country report: Sudan’](#) (Section 1a), 11 March 2020

<sup>130</sup> USSD, [‘2019 country report: Sudan’](#) (Section 1a), 11 March 2020

<sup>131</sup> USSD, [‘2019 country report: Sudan’](#) (Section 2b), 11 March 2020

<sup>132</sup> USSD, [‘2019 country report: Sudan’](#) (Section 1a), 11 March 2020

<sup>133</sup> USSD, [‘2019 country report: Sudan’](#) (Section 1c), 11 March 2020

confrontation between the demonstrators and the police, several individuals were injured or asphyxiated by teargas used by police, while a number of others were violently arrested by plainclothes security agents. The Resistance Committees, which are composed of thousands of pro-democracy activists and youngsters, played an instrumental role in overthrowing the former authorities...'<sup>134</sup>

- 7.1.6 The Foreign Office and Commonwealth Office report covering events of 2019, 'Human Rights and Democracy', noted that 'Serious human rights violations accompanied the period of protest in the first half of the year, including the violent dispersal of peaceful protesters on 3 June. After the appointment of the transitional government in August, some positive initial steps were taken...'<sup>135</sup>
- 7.1.7 The same report also stated: '[One of] the most notable changes in the Government of Sudan's approach [was]...the establishment of a commission of inquiry into violence against protestors...'<sup>136</sup>
- 7.1.8 The United Nations Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 1 December 2020 reported:  

'In response to the removal of the interim Governor, the Bani Amir community called for a protest to denounce the decision. Although initially peaceful, the protest, which took place on 15 October, turned violent after demonstrators proceeded towards the premises of the state government of Kassala to hand over a petition. The police reportedly opened fire, killing seven demonstrators. One member of the Rapid Support Forces was also killed, while 19 people were injured.'<sup>137</sup>
- 7.1.9 Freedom House reported:  

'...demonstrations took place with minimal obstruction from the authorities. Thousands of people gathered outside the presidential palace in Khartoum in September 2019, demanding the appointment of judicial officials and the prosecution of security officers accused of killing protesters earlier in the year. Security forces used tear gas to disperse the crowd, but refrained from engaging in the more violent tactics seen earlier in 2019 [under the TMC]. October protests held in Khartoum, North Darfur, and Northern State took place peacefully.'<sup>138</sup>
- 7.1.10 Regarding the attacks on protestors on 3 June 2019 in Khartoum, Freedom House reported that, 'To date, almost none of the perpetrators of these attacks have been held to account, though eight RSF [Rapid Support Forces] members were arrested in August 2019 for their involvement in the June massacre in Khartoum. In September, Prime Minister Hamdok announced the creation of an independent committee to investigate the

<sup>134</sup> UN General Assembly, '[Joint written statement submitted...](#)' (Page 3 and 4), 1 October 2020

<sup>135</sup> FCO, '[Human Rights and Democracy](#)' (Page 58 and 59), July 2020

<sup>136</sup> FCO, '[Human Rights and Democracy](#)' (Page 59), July 2020

<sup>137</sup> UN Security Council, '[Situation in the Sudan and the activities...](#)' (Para. 11), 1 December 2020

<sup>138</sup> Freedom House, '[Freedom in the world 2020 - Sudan](#)' (Section e1), 4 March 2020

incident...The committee was due to release its initial findings at the end of 2019.’<sup>139</sup>

7.1.11 Covering events in 2020, Human Rights Watch reported:

‘Protesters continued calling for faster reforms and accountability. In some instances, government security forces dispersed them violently.

‘In Khartoum, on June 30, the one-year anniversary of a major protest following al-Bashir’s ouster, police responded with violence, killing one protester and injuring several. On August 17, on the anniversary of the power-sharing deal, police used tear gas and whips against protesters gathered in front of the prime minister’s office, arresting and injuring many.

‘... [on July 12] government forces dispersed a protest in Kutum, arresting, beating and detaining dozens suspected of organizing the protests, witnesses told Human Rights Watch.

‘On October 15, security forces killed at least eight and injuring others in the eastern state of Kassala. Protests were called for by tribal leaders of Beni Amir after the dismissal of the state governor by the prime minister. A protester was also killed by security forces in Khartoum on October 21...

‘Government security forces arrested and detained civilians in Kutum, North Darfur, and Kass, South Darfur, following protests in both locations. At least one of the released detainees from Kutum held by military officials told Human Rights Watch he was subjected to ill-treatment that could amount to torture while in detention.’<sup>140</sup>

7.1.12 The report also noted that ‘In September, 11 artists were sentenced to two months in prison for being a “public nuisance” and “disturbing public peace,” in part because of pro-democracy chants they shouted while in the police station.’<sup>141</sup>

7.1.13 The UN Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 1 March 2021, stated:

‘From 8 to 10 February 2021, there were reports of violent protests, including riots, vandalism, arson and looting, in Western Kordofan, Northern Kordofan, South Darfur, North Darfur and East Darfur. The violent protests led Governors to declare a state of emergency and impose curfews in the affected states. While it was reported that the civil unrest may have been fuelled by increasing economic hardships, a number of Sudanese officials have accused elements of the former regime of instigating the violence, given the coordinated timing of the violent outbursts and the traditionally peaceful nature of the Sudanese protest movement.’<sup>142</sup>

7.1.14 The same report noted:

‘Although few cases relating to the killing of protesters have reached the courts, broad immunity from prosecution for the security forces continues to

<sup>139</sup> Freedom House, ‘[Freedom in the world 2020 - Sudan](#)’ (Section f3), 4 March 2020

<sup>140</sup> Human Rights Watch, ‘[World Report 2021, Sudan – events of 2020](#)’, January 2021

<sup>141</sup> Human Rights Watch, ‘[World Report 2021, Sudan – events of 2020](#)’, January 2021

<sup>142</sup> UN Security Council, ‘[Situation in the Sudan and the activities...](#)’ (Paragraph 16), 1 March 2021

hamper the expeditious and effective investigation of serious crimes and violations. The investigation of the independent national commission of inquiry, established by the Prime Minister in September 2019 to examine the killing of more than 100 demonstrators during the violent dispersal of peaceful sit-in protests in Khartoum on 3 June 2019, continued to advance, including the collection of testimonies of witnesses and the questioning of high-ranking government officials, including military members of the Sovereign Council. The investigation by the Office of the Attorney General into the illegal burial and the mass graves of alleged victims of the violent dispersal of protesters is also ongoing.’<sup>143</sup>

7.1.15 The 2020 USSD report stated that:

‘During the year the use of lethal excessive force against civilians and demonstrators significantly decreased. There were reports of lethal excessive force against protesters in Darfur...

‘In August several artists were arrested while rehearsing a prodemocracy theater piece...

‘There were few reports of reprisals against individuals who criticized the government, with the primary exception of criticism of the security services.’<sup>144</sup>

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Section 8 updated: 7 April 2021

## 8. Treatment of political opponents

8.1.1 The New Arab reported in November 2019 that ‘The secretary general of Sudan’s opposition Popular Congress Party (PCP) was arrested... as part of a criminal probe into the 1989 coup that brought ousted President Omar al-Bashir to power... Arrest warrants were issued against Secretary General Dr. Ali Al-Hajj and fellow party leader Ibrahim El-Sanousi last week, Dabanga Sudan reported.’<sup>145</sup>

8.1.2 Reuters reported in November 2019 that ‘The investigation into Ali al-Haj, secretary general of the Islamist Popular Congress Party (PCP), is a significant step against the Islamist political networks that supported Bashir, who was overthrown in April.’<sup>146</sup>

8.1.3 Both Middle East Monitor and Radio Dabanga reported that Ali Al-Hajj is being held in Kober Prison in Khartoum North<sup>147 148</sup>.

8.1.4 The 2019 USSD report stated:

‘The 2005 Interim National Constitution and the 2019 constitutional declaration prohibit torture and cruel, inhuman, and degrading treatment. Under the Bashir regime, and continuing under the TMC, security forces reportedly tortured, beat,

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<sup>143</sup> UN Security Council, ‘[Situation in the Sudan and the activities...](#)’ (Paragraph 26), 1 March 2021

<sup>144</sup> USSD, ‘[2020 country report: Sudan](#)’ (Sections 1c, 1d, and 2a), 30 March 2021

<sup>145</sup> The New Arab, ‘[Sudanese authorities arrested Secretary General...](#)’, 20 November 2019

<sup>146</sup> Reuters, ‘[Sudan’s top Islamist politician sent to prison holding Bashir](#)’, 20 November 2019

<sup>147</sup> MEMO, ‘[Sudan arrests Popular Congress Party leader](#)’, 21 November 2019

<sup>148</sup> Radio Dabanga, ‘[Sudan’s Popular Congress Party denounces arrest of El Hajj](#)’, 22 November 2019

and harassed suspected political opponents, rebel supporters, and others. Reports of such behavior largely ceased under the CLTG, although there were isolated reports of intimidation by some potentially rogue elements of the security apparatus, particularly the RSF...<sup>149</sup>

8.1.5 The report added that ‘There were no reported political prisoners [or political detainees] under the CLTG.’<sup>150</sup>

8.1.6 The USSD report 2019 also observed:

‘On April 11, the TMC head announced the arrest of former president Bashir and the release of all political prisoners.

‘On August 8, former TMC president General Abdel al-Fatah Burhan issued a decision cancelling the death sentences issued in absentia against 17 SPLM-N leaders, including Malik Agar and Yassir Arman. In 2014 a special court in Sinja, Sennar State, had issued a death-by-hanging sentence in absentia against SPLM-N chairperson General Agareral Agar, secretary general Arman, and 17 others following the outbreak of violence in South Kordofan and Blue Nile in June and September 2011, respectively.’<sup>151</sup>

8.1.7 Freedom House in its report covering events in 2019 stated:

‘Hundreds of antigovernment protesters were detained in the months leading to al-Bashir’s removal, including members of political parties, the SPA, ... The majority were either held without charge or sentenced by emergency courts, and were released when the al-Bashir government fell. The short-lived TMC also engaged in arbitrary arrests; detainees included three leaders of the Sudan People’s Liberation Movement–North (SPLM-N), who were deported to South Sudan after meeting Ethiopian prime minister Abiy Ahmed during his effort to mediate the ongoing crisis. Most of these detainees were released by the end of June [2019]....

‘...opposition groups saw early success during the protest movement that displaced al-Bashir, and have maintained influence as the transitional government took shape in August 2019. The interim constitution has also enshrined the right to form political parties, though they will not be able to contest an election until 2022, when the transitional period is scheduled to end.’<sup>152</sup>

8.1.8 On 1 March 2021, Human Rights Watch reported in its article ‘Sudan: Unlawful detentions by Rapid Support Forces’:

‘Sudan’s Rapid Support Forces (RSF), acting without lawful authority, arbitrarily detained dozens of civilians, including political activists, in the capital, Khartoum during 2020...

‘In 2020, RSF detained people associated with Musa Hilal, the Darfuri militia leader and former Janjaweed leader implicated in serious crimes in Darfur between 2002 and 2005, who has been in detention since 2017. He is facing charges before a military court related to the Darfur armed conflict.

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<sup>149</sup> USSD, [‘2019 country report: Sudan’](#) (Section 1c), 11 March 2020

<sup>150</sup> USSD, [‘2019 country report: Sudan’](#) (Section 1c), 11 March 2020

<sup>151</sup> USSD, [‘2019 country report: Sudan’](#) (Section 1e), 11 March 2020

<sup>152</sup> Freedom House, [‘Freedom in the world 2020 - Sudan’](#) (Section b2), 4 March 2020

'The RSF detained Abdulmalik Musa Salih, 27, a relative of Hilal's, twice in 2020. In March, the RSF detained and held him for 33 days in a basement in al-Manshiya. He said that on the day of his release he was moved to al-Riyadh compound, where he was beaten and kicked by several RSF soldiers for about 30 minutes...

'The RSF detained him again in July and held him in a basement for 14 days in al-Riyadh. He has not been charged with any offense...' <sup>153</sup>

8.1.9 Human Rights Watch World Report noted:

'...Throughout the year Rapid Support Forces (RSF) reportedly detained several members of the Mahamid Arab tribe due to their links to Musa Hilal, the former pro-government militia leader who is subject to UN sanctions for his role in Darfur atrocities.

'RSF officials detained Abdulmalik Musa Saleh, a political activist and a relative of Hilal, several times during the year in Khartoum, and Osama Mohamed al-Hassan, 40, also an activist, from July 5 until September 17. At time of writing, while neither man is in custody, neither have they been charged with any offence and were never brought to court throughout their detention...' <sup>154</sup>

8.1.10 The 2020 USSD report observed: 'There were no reports of political prisoners or detainees.' <sup>155</sup>

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Section 9 updated: 7 April 2021

## 9. Treatment of journalists, media workers and bloggers

9.1.1 Radio Dabanga observed in a September 2019 article: '...the Sudanese government signed the International Undertaking for Media Freedom during a session of the 74<sup>th</sup> UN General Assembly in New York.' <sup>156</sup>

9.1.2 The 2019 USSD report stated that 'The CLTG generally respected internet freedom.' <sup>157</sup>

9.1.3 The report added that 'The CLTG reportedly respected press and media freedoms' <sup>158</sup> and that 90 journalists arrested between late December 2018 and mid-march 2019 under the Bashir regime have been released <sup>159</sup>.

9.1.4 Furthermore, the report observed that under the CLTG there have been no reports of violence and harassment towards journalists and no reports of government censorship or print confiscations <sup>160</sup>.

9.1.5 In addition, the report stated:

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<sup>153</sup> HRW, '[Sudan: Unlawful detentions by Rapid Support Forces](#)', 1 March 2021

<sup>154</sup> Human Rights Watch, '[World Report 2021, Sudan – events of 2020](#)', January 2021

<sup>155</sup> USSD, '[2020 country report: Sudan](#)' (Section 1c), 30 March 2021

<sup>156</sup> Radio Dabanga, '[Sudan signs international undertaking for media freedom](#)', 26 September 2019

<sup>157</sup> USSD, '[2019 country report: Sudan](#)' (Section 1a), 11 March 2020

<sup>158</sup> USSD, '[2019 country report: Sudan](#)' (Section 2a), 11 March 2020

<sup>159</sup> USSD, '[2019 country report: Sudan](#)' (Section 2a), 11 March 2020

<sup>160</sup> USSD, '[2019 country report: Sudan](#)' (Section 2a), 11 March 2020

'The 2019 constitutional declaration provides for freedom of expression and the media, and the CLTG took measures to respect these rights.

'At the UN General Assembly on September 25, Prime Minister Hamdok underscored, "Never again in the new Sudan will a journalist be repressed or jailed." He also declared, "A free press is an important pillar in promoting democracy, good governance, and human rights."

'The CLTG extended entry to foreign journalists, including the return of al-Jazeera, which had been banned earlier in the year. Foreign journalists from al-Jazeera, BBC News, and Monte Carlo have returned to the country.'<sup>161</sup>

9.1.6 The United Nations Educational, Scientific, and Cultural Organisation (UNESCO) stated in a June 2020 report:

'Following the 2019 Sudanese revolution...

Substantial commitments in favour of media freedom and safety of journalists were made, and UNESCO Office in Khartoum has upscaled work in the Communication and Information field, initiating an assessment based on UNESCO's Media Development Indicators as a contribution to developing a Roadmap for Media Reform, as well as an assessment based on UNESCO's Internet Universality Indicators (IUI).'<sup>162</sup>

9.1.7 Freedom House reported in its Freedom on the net 2020 report:

'Systemic state harassment of online activists subsided during the coverage period, though internet users faced continued intimidation and harassment from security forces and other ordinary users...

'Many journalists writing for online platforms also publish anonymously to avoid prosecution...

'With the transitional government's formation, journalists and commentators who were blocked from appearing on television or in newspapers by the al-Bashir regime, and who were exclusively working online since, have returned to other forms of media...

'...in May 2020, security forces threatened and intimidated journalists Lana Awad and Aida Abel Qader...The journalists published reports, including on Facebook, about high death rates among elderly people in North Darfur hospitals as the COVID-19 pandemic took hold. The General Intelligence Service (GIS) and individuals affiliated with the government harassed and intimidated users to delete content they objected to from Facebook groups...

'In February 2020, the government appointed Lukman Ahmed, a former BBC journalist, as director of the Sudanese General Corporation for Radio and Television Transmission. The corporation primarily regulates broadcast media, which are also an important source of news in the online media space. Ahmed and other officials indicated that they would seek to liberalize the media environment and reduce state control of broadcasters...

'In January 2020, the TSC closed two newspapers, Al-Sudani and Al-Rai al-Am, and two satellite channels, Al-Shorouk and Taiba TV, citing a need to

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<sup>161</sup> USSD, '[2019 country report: Sudan](#)' (Section 1a), 11 March 2020

<sup>162</sup> UNESCO, '[Media reform in Sudan: The beginning of a new era for freedom...](#)', 2 June 2020

recover state funds and alleging corruption. The four outlets purportedly received funding from the al-Bashir regime. Al-Shorouk began broadcasting again in April 2020. Al-Sudani and Al-Shorouk had popular digital media platforms; Al-Shorouk in particular served as an archive of decisions by the government and extensively covered digital media and cybercrimes.<sup>163</sup>

- 9.1.8 Sudan ranked 159 out of 180 countries in the 2020 World Press Freedom Index<sup>164</sup>, compared to 175 in the 2019<sup>165</sup> and 174 in the 2018 World Press Freedom Index<sup>166</sup> under the Omar al-Bashir regime. Reporters Without Borders noted in its report covering events in 2019:

‘RSF registered more than 100 arrests of journalists at the height of the witch-hunt against the media in the regime’s final days [prior to April 2019]...

‘[However] The NISS no longer plays such a visible role in harassing the media but its predatory policies have not completely disappeared. According to RSF’s information, the Cyber Jihadist Unit, which was created to spy on the Internet and monitor journalists’ activities online, continues to operate and is spreading false information on social media with the aim of undermining the transitional government and protecting the interests of certain old regime figures who still control most of the media.

‘Launching new media outlets is difficult because the conditions are very restrictive and are limited in practice to the government, political parties and existing media companies. Women journalists occupy few media management positions and are often the targets of harassment and violence. Although the provisional constitution adopted for the transition guarantees press freedom and Internet access, the draconian laws that the old regime used against the media are still in effect. A free and independent press culture needs support, protection and training if it is to take hold after 30 years of oppression that entrenched self-censorship in most newsrooms.’<sup>167</sup>

- 9.1.9 The Committee to Protect Journalists (CPJ), an independent, non-profit organisation<sup>168</sup>, reported in November 2020:

‘Mohamad Nyala, a member of the secretariat of the local press freedom group Sudanese Journalists Network, told CPJ that eight journalists have reported receiving threatening calls from people claiming to be military officers since May. All described being told to delete online articles and social media posts that criticized the army, or else they would be hurt or sued, he said.

‘Prison sentences for numerous offenses in the 2018 Law on Combating Cybercrimes were increased in a July 13 amendment, according to a memo on the Ministry of Justice website. The maximum prison term under Article 23, which analysts say includes vague prohibitions on “spreading fake news” to threaten public safety, was raised to four years instead of one.

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<sup>163</sup> Freedom House, ‘[Freedom on the net 2020](#)’ (Section B4, B6), 14 October 2020

<sup>164</sup> RSF, ‘[2020 World Press Freedom Index](#)’, undated

<sup>165</sup> RSF, ‘[2019 World Press Freedom Index](#)’, undated

<sup>166</sup> RSF, ‘[2018 World Press Freedom Index](#)’, undated

<sup>167</sup> RSF, ‘[Media in need of rebuilding](#)’, undated

<sup>168</sup> CPJ, ‘[What we do](#)’, undated

'In an interview with CPJ, Abdel Rahman, an advisor to the Ministry of Justice, said that the ministry proposed the amendments to the government and maintained that they do not undermine free speech. He insisted that anyone can criticize the security services as long as they're not intentionally spreading disinformation.

"If you spread fake news or rumors about the military with the intention of harming the organization, then yes, there could be a problem and legal repercussions," he said...'<sup>169</sup>

- 9.1.10 In November 2020, the International Federation of Journalists (IFJ), the world's largest organisation of journalists<sup>170</sup> noted:

'Prominent columnist Ishaq Ahmed Fadlallah was arrested on 12 November after writing an article criticizing the practices of a member of the Empowerment Removal and Anti Corruption Committee...

'The police force which implements decisions by the Empowerment Removal and Anti Corruption Committee arrested Fadlallah. He was charged with "work to undermine the regime" and placed in a detention center in Khartoum.

'The arrest of Fadlallah is an extension of the Empowerment Removal and Anti Corruption Committee's repression of journalistic activity that criticizes the committee's illegal practices, according to the SJU [Sudanese Journalists Union]. The Empowerment Removal and Anti Corruption Committee was originally tasked with deconstructing political and economic powers after the change of regime in Sudan but now interferes with freedom of expression and press freedom.

'The clapping down on the media in Sudan has been intensifying, especially after the government introduced new legal provisions to heavily punish critical journalism during the Covid-19 pandemic. Media outlets face closures and journalists are arrested, harassed or have their press accreditations removed.'<sup>171</sup>

- 9.1.11 The July 2020 United Nations General Assembly Report of the Independent Expert on the situation of human rights in the Sudan observed:

'...in September 2019, the Prime Minister pledged at the General Assembly: "Never again in the new Sudan will a journalist be repressed or jailed." The Government of the Sudan also signed the Global Pledge to Defend Media Freedom, an initiative of Canada and the United Kingdom of Great Britain and Northern Ireland, and it has improved its ranking on the 2020 World Press Freedom Index by 16 points, now ranking 159th out of 180. In addition, on 16 October 2019, the Minister of Culture and Information pledged to end censorship of political books. The Independent Expert also welcomes the authorization of new licenses for 15 television and radio stations by the Broadcast Licensing Committee of the Ministry of Culture and

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<sup>169</sup> CPJ, '[Sudan tightens cybercrime law as army pursues "fake news"](#)', 23 November 2020

<sup>170</sup> IFJ, '[About IFJ](#)', undated

<sup>171</sup> IFJ, '[Sudan: Media crackdown escalates amid Covid-19 pandemic](#)', 10 June 2020

Information, as announced on 16 July 2020. Such a step is vital for the promotion of media pluralism.’<sup>172</sup>

- 9.1.12 The Foreign Office and Commonwealth Office report covering events in 2019 noted :

‘...long-standing human rights issues and concerns remained, including restrictions on the media, freedom...

‘There was greater media freedom after the removal of Bashir, and it was clear that media reform would be vital in order to support and foster Sudan’s democratic transition. The UK welcomed the agreement to restore the BBC’s broadcasting licence and Prime Minister Hamdok’s commitments during the UK-hosted Media Freedom event in the margins of the UN General Assembly in September. However, long-standing issues remained. The UK funded a project to build capacity for journalists and to develop a media reform roadmap to feed into the National Action Plan.’<sup>173</sup>

- 9.1.13 The UN Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 17 September 2020, reported ‘...Although amendments were made to the cybercrime prevention act, including the abolition of corporal punishment, the Joint Council doubled the custodial penalties for certain online activities by journalists and media workers, thereby impinging on the civic space and the protections of the freedom of expression, the right to access information, the right to privacy, and due process, all of which are crucial to a democratic transition...’<sup>174</sup>

- 9.1.14 Human Rights Watch noted in its report on events in 2020:

‘In July, the transitional government amended the 2007 Cybercrimes Act, increasing its penalties rather than repealing vaguely worded offenses criminalizing the “spread of false news” and publication of “indecent materials.” On July 18, the Sudanese army appointed a special commissioner to bring lawsuits against individuals who “insult” the military online, both inside and outside the country.

‘On January 7, the “dismantling committee,” set up to tackle corruption and repossess stolen assets and properties by the former ruling party, suspended Al-ray al-am and Al-Sudani newspapers and two private TV channels for alleged financial links to al-Bashir’s regime. The committee lacks judicial oversight and has faced criticism for being a political tool.’<sup>175</sup>

- 9.1.15 The 2020 USSD report observed, ‘...The 2019 constitutional declaration provides for the unrestricted right of freedom of expression and for freedom of the press as regulated by law, and the CLTG reportedly respected these rights. The CLTG allowed foreign journalists, including those previously banned by the Bashir regime.’<sup>176</sup>

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<sup>172</sup> UN General Assembly, ‘[Report of the independent expert...](#)’ (Paragraph 40), July 2020

<sup>173</sup> FCO, ‘[Human Rights and Democracy](#)’ (Page 59), July 2020

<sup>174</sup> UN Security Council, ‘[Report of the Secretary-General...](#)’ (Paragraph 18), 17 September 2020

<sup>175</sup> Human Rights Watch, ‘[World Report 2021, Sudan – events of 2020](#)’, January 2021

<sup>176</sup> USSD, ‘[2020 country report: Sudan](#)’ (Section 1c), 30 March 2021

## 10. Treatment of students

- 10.1.1 The USSD report covering events in 2019 stated, 'On February 19 [2019], the Bashir regime closed all public and private universities in the country to suppress political criticism. In April the TMC ordered universities to reopen, but not all did. After the CLTG was established, however, all major universities reopened.'<sup>177</sup>
- 10.1.2 Freedom House in its report covering events in 2019 noted:  
'Since the TSC's [Transitional Sovereign Council] creation, university students have maintained pressure, demanding the dismantling of student groups loyal to al-Bashir, the withdrawal of police forces on campuses, and the departure of administrators tied to the former government. In response, the TSC moved to disband NCP [National Congress Party] groups in higher education, ahead of the reopening of campuses in October 2019. The prime minister also dismissed 28 university chancellors and 35 vice chancellors, many of whom were affiliated with the NCP.'<sup>178</sup>
- 10.1.3 The 2020 USSD report observed 'Unlike in the previous regime, there were no government restrictions on academic freedom, but in one case a cultural event was restricted. The CLTG started drafting a curriculum for public schools that would respect diversity and freedom of religion or belief. The CLTG appointed university leadership after dismissing those appointed by the Bashir regime. All major universities returned to operation after the 2019 revolution.'<sup>179</sup>
- 10.1.4 CPIT could not find further information about the treatment of students in the sources consulted (see [Bibliography](#)).

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## 11. Treatment of civil society

- 11.1.1 Regarding action taken against human rights defenders, the 2019 USSD report noted that practices such as intimidation and forcible return to Sudan to face torture 'largely ceased under the CLTG, although there were some reports of continuing intimidation of Sudanese activists overseas, in particular in Egypt.'<sup>180</sup>
- 11.1.2 Freedom House in its report covering events in 2019 noted:  
'...Upon taking office, the new government signaled a loosening of restrictions on civil society. In September 2019, the Office of the UN High Commission on Human Rights (OHCHR) signed an agreement with the foreign minister to open offices in Sudan.  
'That same month, the TSC [Transitional Sovereign Council] announced as part of an agreement with armed opposition forces that will allow NGOs

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<sup>177</sup> USSD, '[2019 country report: Sudan](#)' (Section 2a), 11 March 2020

<sup>178</sup> Freedom House, '[Freedom in the world 2020 - Sudan](#)' (Section d3), 4 March 2020

<sup>179</sup> USSD, '[2020 country report: Sudan](#)' (Section 2a), 30 March 2021

<sup>180</sup> USSD, '[2019 country report: Sudan](#)' (Section 1e), 11 March 2020

expelled by al-Bashir to resume humanitarian operations in conflict-affected areas. By December, the World Food Program (WFP) was delivering assistance to parts of Blue Nile State, to which it had been denied access since 2011.<sup>181</sup>

11.1.3 The July 2020 United Nations General Assembly Report of the Independent Expert on the situation of human rights in the Sudan observed:

‘The Independent Expert received credible information that since 29 May 2020, Lana Awad, a female human rights defender and journalist working with the Ministry of Health in El Fasher, North Darfur, had been harassed and threatened with arrest by officers of the Military Intelligence. The actions of the Military Intelligence were in response to an investigative report published on 26 May by Ms. Awad, together with human rights defender and journalist Aida Abdelgader, in which they exposed the dire health situation in El Fasher owing to the COVID-19 pandemic. On 27 March, the Ministry of Health of North Darfur, for which Ms. Awad works, published a statement describing the information in the report as disinformation and established an investigative committee. The decision was later overturned when the Ministry filed a complaint against Ms. Awad to the Informatics Offences Prosecution Office in El Fasher. As of the time of writing, the case was still before the Office and a decision was yet to be made. Ms. Awad and Ms. Abdelgader continue to fear for their lives, given the ongoing threats and intimidation from unknown individuals, who are suspected to be affiliated with the Military Intelligence. The Minister of Culture and Information made a public statement on 31 May on the Ministry’s Facebook page, reporting that he had contacted the two defenders to show support. He also noted that he had called the Governor of North Darfur to follow up on the news regarding the alleged harassment of the journalists by security forces for publishing media articles on the health situation in North Darfur. He also advised against the involvement of security forces in cases regarding allegations of the spread of false information, a matter that should be dealt through legal means.’<sup>182</sup>

11.1.4 The 2020 USSD report stated:

‘Unlike under the Bashir regime, a number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials often were cooperative and responsive to their views, although some restrictions on NGOs remained, especially in conflict zones.

‘...Access for UN agencies to Darfur, the Two Areas and other conflict-affected regions vastly improved under the leadership of the CLTG; however, challenges remained. In the greater Jebel Marra region of Darfur, the government sporadically denied access to UNAMID in areas where conflict continued. The CLTG also continued to restrict the number of visas issued for UN police for the UN Interim Security Force for Abyei. Sudan is a party to the African Charter on Human and Peoples’ Rights.

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<sup>181</sup> Freedom House, ‘[Freedom in the world 2020 - Sudan](#)’ (Section e2), 4 March 2020

<sup>182</sup> UN General Assembly, ‘[Report of the independent expert...](#)’ (Paragraph 42), July 2020

'In September 2019 the CLTG signed an agreement to open a UN Office of the High Commissioner for Human Rights in Khartoum, with field offices in Darfur, the Two Areas, and East Sudan, and the CLTG cooperated with these offices.

'In April the CLTG authorized the UN independent expert on human rights in Sudan to visit the country, but due to the COVID 19 pandemic, the visit was cancelled.

'The CLTG also allowed the UN Integrated Transition Assistance Mission in Sudan to conduct an assessment in August, including on human rights.

'...Human rights defenders were allowed to file complaints with the National Human Rights Commission regarding perceived human rights abuses. The commission typically referred complaints back to the accused institution.'<sup>183</sup>

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Section 12 updated: 7 April 2021

## **12. Treatment of the former regime**

### **12.1.1 The July 2020 United Nations General Assembly Report of the Independent Expert on the situation of human rights in the Sudan observed:**

'The Independent Expert notes that three out of the five Sudanese nationals indicted by the International Criminal Court from among the leaders of the former regime, including the ousted President, have been detained in Kober Central Prison in Khartoum since April 2019 and are under investigation for several serious crimes. The Independent Expert also welcomes the news that Darfur militia leader Ali Muhammad Ali Abd-al-Rahman, also known as Ali Kushayb, who is one of the five Sudanese nationals indicted by the International Criminal Court, surrendered himself to the authorities in the Central African Republic and was transferred to the custody of the Court on 9 June 2020.'<sup>184</sup>

### **12.1.2 The same report noted:**

'The Dismantling Committee also issued a series of decisions aimed at dissolving boards of directors of several banks and large companies because they were owned or managed by leaders of the former Party or their family members, or because of a perceived affiliation to the Party. Approximately 47 bank accounts reportedly belonging to leaders of the former regime were frozen. The Independent Expert notes that more than 100 diplomats and employees of the Ministry of Foreign Affairs and a few thousand civil servants from other ministries and government institutions were dismissed. On 9 May 2020, the Dismantling Committee seized assets located in the Sudan that belonged to the family of the ousted President and that were reportedly valued at approximately \$4 billion. The Committee also terminated contracts with several companies that were owned by the ousted President's affiliates and that were operating businesses at Khartoum International Airport.'<sup>185</sup>

### **12.1.3 Furthermore, the report stated:**

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<sup>183</sup> USSD, '[2020 country report: Sudan](#)' (Section 5), 30 March 2021

<sup>184</sup> UN General Assembly, '[Report of the independent expert...](#)' (Paragraph 12), July 2020

<sup>185</sup> UN General Assembly, '[Report of the independent expert...](#)' (Paragraph 50), July 2020

‘Following the fall of the former regime, in April 2019, the new authorities issued warrants of arrest against 23 leaders of the former regime, in accordance with the Emergency and Protection of the Public Safety Act of 1997. Those leaders include ousted President Al-Bashir and two of his high-ranking assistants, who account for three of the five Sudanese nationals indicted by the International Criminal Court for war crimes and crimes against humanity in Darfur. The Independent Expert received information that leaders of the former regime had been detained in Kober Central Prison in Khartoum and that their files had been referred in November 2019 to the Attorney General. Since then, investigations have been initiated against them with regard to several cases, and monthly renewals of their pretrial detentions have been taken by the Criminal Court of Khartoum on the basis of requests from the prosecutors, in accordance with the Criminal Procedures Act of 1991. As of the time of writing, 4 of the 23 detainees had been released on bail.

‘Available information suggests that most of the 19 current detainees are facing charges relating to unjust enrichment and use of public resources for private benefit. Some are facing other charges, including murder and torture of opponents. It is not clear if those charges include crimes committed in Darfur.

‘On 14 December, the ousted President was convicted of money-laundering and corruption and was sentenced to two years in a State-run reform centre; however, he remains detained in Kober Central Prison in Khartoum.

‘The Independent Expert received information that the Attorney General, in his capacity as the Head of the investigation committee on the coup d’état of 1989 issued on 31 March warrants of arrests against 36 other suspects, among them, 16 out of the 19 detained leaders of the former regime. Overall, 30 suspects have been arrested and 6 remain at large. Later on, the Attorney General released 11 out of 30 on bail after the finalization of the investigation. As of the time of this report, 19 suspects are under arrest for the case of the coup d’état of 1989.

‘At a press conference held on 15 June, the Attorney General stated that investigations were concluded and formal charges were made in five cases against the leaders of the former regime including the case of the coup d’état of 1989, corruption cases, and a case against an officer from the Rapid Support Forces accused of killing protestors during the December 2018 Revolution. The Attorney General added that appointments of public trials will be announced soon...

‘According to a public statement made by the Office of the Attorney General on 27 May 2020, three detainees among the leaders of the former regime had tested positive for the coronavirus,<sup>186</sup> including two of those indicted by the International Criminal Court... The Attorney General also confirmed that the necessary treatment in these cases was being provided in specialized medical facilities, and that isolation measures were being taken.’<sup>186</sup>

#### 12.1.4 The European Parliament briefing of December 2020 observed:

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<sup>186</sup> UN General Assembly, ‘[Report of the independent expert...](#)’ (Paragraphs 67 - 72), July 2020

'In December 2019, Burhan, the head of the Sovereign Council, ordered the formation of a 'committee to remove empowerment, fight corruption and recover looted funds' from the Bashir era. Assets of the dissolved National Congress Party (NCP) and assets valued at US\$4 billion from Bashir and his associates were seized. Bashir himself was sentenced to two years in prison for corruption. The committee also fired civil servants belonging to the old regime, such as diplomats and the board members of the Central Bank.'<sup>187</sup>

12.1.5 The United Nations Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 1 March 2021, stated, 'The recruitment and appointment of a new cadre of justice sector professionals is pending, following the termination of 209 advisers of the Ministry of Justice by the national committee on the dismantling of the former regime.'<sup>188</sup>

12.1.6 The United Nations Security Council Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, published on 1 December 2020 observed:

'On 12 November, the Chair of the Sovereign Council, Lieutenant General Abdel Fattah al-Burhan, granted a general amnesty to all people who fought in Sudan's armed conflicts, in line with the Juba Peace Agreement, with the exclusion of those for whom arrest warrants had been issued by the International Criminal Court or who were wanted for genocide and crimes against humanity, or for war crimes falling under the jurisdiction of the Special Court for Crimes Committed in Darfur whose establishment is part of the Juba Peace Agreement.'<sup>189</sup>

12.1.7 The 2020 USSD report noted: 'The CLTG took strong steps towards reckoning with the crimes perpetrated by the Bashir regime, including opening up investigations into past abuses and working to address legal immunities that would otherwise bar prosecutions for serious crimes.'<sup>190</sup>

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Section 13 updated: 7 April 2021

## 13. Sur place activity

### 13.1 Criticising the Sudanese government online

13.1.1 The 2019 USSD report noted that 'The Bashir regime sometimes sought the repatriation of Sudanese citizens living abroad who criticized the government online. This practice reportedly ended under the CLTG.'<sup>191</sup>

<sup>187</sup> European Parliament. '[Sudan: A transition under pressure](#)' (Page 5), 18 December 2020

<sup>188</sup> UN Security Council, '[Situation in the Sudan and the activities...](#)' (Paragraph 22), 1 March 2021

<sup>189</sup> UN Security Council, '[Report of the Secretary-General...](#)' (Paragraph 6), 1 December 2020

<sup>190</sup> USSD, '[2020 country report: Sudan](#)' (Section 1c), 30 March 2021

<sup>191</sup> USSD, '[2019 country report: Sudan](#)' (Section 1d), 11 March 2020

13.1.2 The 2020 USSD report noted that, regarding politically motivated reprisal against individuals located outside the country, ‘Unlike under the Bashir regime, there were no reported cases of such practices.’<sup>192</sup>

13.1.3 CPIT could not find further information about criticising the Sudanese government online in the sources consulted (see [Bibliography](#)).

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## 13.2 Sudanese activities abroad

13.2.1 The Guardian reported in April 2019:

“The diaspora played a very significant role in the downfall of Bashir,” said Professor Munzoul Assal, director of the Peace Research Institute at the University of Khartoum. “They were very active in social media, lobbied governments in their new homes, and organised themselves politically by staging demonstrations across Europe, the US and Australia.”

‘They have played key roles in the Sudanese Professionals Association, which has been leading the protests and has branches around the world. And many of those forced to leave, through political or economic pressure, say Bashir’s oppression has made them more determined to reclaim their country...

‘The diaspora stayed deeply connected to its home country, even as years of exile stretched into decades, according to British-Sudanese author Jamal Mahjoub, whose family was among the earliest to leave after authorities shut down his father’s newspaper...

‘The internet has made it easier for Sudanese living abroad to turn their own mix of patriotism and anger, longing and political frustration, into practical support for those pushing for change on the ground in Khartoum...

‘Not all the diaspora has been politically vocal. There are also communities hundreds of thousands strong in the Arabian Gulf, particularly Saudi Arabia, where the UN says more than 400,000 exiles are based. Authoritarian governments there make activism far more risky for Sudanese communities, but many of them are hoping to return.

‘In Chad too, there are more than 300,000 Sudanese people, the majority desperately poor refugees from violence in the Darfur region, living in camps and with limited access to the internet that has have helped drive activism elsewhere.’<sup>193</sup>

13.2.2 Regarding the protests that led to the ousting of Omar al-Bashir, Africa News, a pan-African news media<sup>194</sup>, stated in March 2019 that ‘The Sudanese Professionals Association, SPA, disclosed on social media that plans were afoot for protests in the diaspora. Among others across cities in the United States and Europe – Germany and the United Kingdom’.<sup>195</sup> These protests took place between 14 and 17 March 2019<sup>196</sup>.

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<sup>192</sup> USSD, ‘[2020 country report: Sudan](#)’ (Section 1e), 30 March 2021

<sup>193</sup> The Guardian, ‘[Sudan’s displaced citizens stir revolt from the sidelines](#)’, 21 April 2019

<sup>194</sup> Africanews, ‘[About](#)’, undated

<sup>195</sup> Africanews, ‘[Sudan activists announce anti-gov protests in diaspora](#)’, 15 March 2019

<sup>196</sup> Africanews, ‘[Sudan activists announce anti-gov protests in diaspora](#)’, 15 March 2019

## 14. Sudanese diaspora

14.1.1 According to data from the Office for National Statistics, between June 2019 and July 2020 there were an estimated 34,000 overseas-born Sudanese resident in the United Kingdom (excluding residents in communal establishments)<sup>197</sup>.

14.1.2 The following is a list of Sudanese organisations within the UK, some of which may be involved in political activities:

- Sudanese Community and Information Centre - London<sup>198</sup>
- Sudanese in Bolton<sup>199</sup>
- Manchester Sudanese Tree Development Community<sup>200</sup>
- Manchester Sudanese Community<sup>201</sup>
- The Sudanese Community Association of Bristol<sup>202</sup>
- Sudanese Community in Cardiff<sup>203</sup>
- Darfur Union in the United Kingdom<sup>204</sup>
- Green Kordofan<sup>205</sup>
- Beja Congress UK<sup>206</sup>
- Alliance of Sudanese Political Forces – UK and Ireland (ASPF)<sup>207</sup>
- Sudan Change Now<sup>208</sup>
- Human Rights and Development Organisation (HUDO)<sup>209</sup>
- National Sudanese Women's Alliance (NSWA)<sup>210</sup>
- Sudan Doctors Union UK<sup>211</sup>
- Sudanese Engineering Society UK and Ireland<sup>212</sup>

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<sup>197</sup> ONS, '[Population of the UK by country of birth and nationality](#)', July 2019 to June 2020

<sup>198</sup> Sudan Community London, '[About](#)', undated

<sup>199</sup> Bolton CVS, '[Sudanese community in Bolton](#)', undated

<sup>200</sup> MSTDC, '[About us](#)', undated

<sup>201</sup> Facebook, '[Manchester Sudanese Community](#)', undated

<sup>202</sup> Divide, '[The Sudanese Community Association of Bristol \(SCAOB\)](#)', undated

<sup>203</sup> Facebook, '[Sudanese-Community Cardiff Wales](#)', undated

<sup>204</sup> Darfur Union UK, '[About/contact us](#)', undated

<sup>205</sup> Green Kordofan, '[Home](#)', undated

<sup>206</sup> Facebook, '[Beja Congress UK](#)', undated

<sup>207</sup> Facebook, '[Alliance of Sudanese Political Forces – UK and Ireland \(ASPF\)](#)', undated

<sup>208</sup> Twitter, '[Sudan Change Now](#)', undated

<sup>209</sup> HUDO, '[Home](#)', undated

<sup>210</sup> Facebook, '[NSWA](#)', undated

<sup>211</sup> Sudan Doctors Union UK, '[Home](#)', undated

<sup>212</sup> Facebook, '[Sudanese Engineering Society UK and Ireland – Sesuki](#)', undated

- Sudanese Coptic Association UK<sup>213</sup>

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Section 15 updated: 7 April 2021

## 15. Surveillance

- 15.1.1 The 2019 USSD report observed that under the CLTG, government monitoring of private communications in Sudan, individuals' and organisations' movement without due legal process, and government 'surveillance in schools, universities, markets, workplaces, and neighborhoods' had 'appeared to have ceased, or been dramatically reduced'.<sup>214</sup>
- 15.1.2 Human Rights Watch reported in January 2021:  
 'In July, the transitional government amended the 2007 Cybercrimes Act, increasing its penalties rather than repealing vaguely worded offenses criminalizing the "spread of false news" and publication of "indecent materials." On July 18, the Sudanese army appointed a special commissioner to bring lawsuits against individuals who "insult" the military online, both inside and outside the country.'<sup>215</sup>
- 15.1.3 CPIT could not find further information about surveillance in the sources consulted (see [Bibliography](#)).

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Section 16 updated: 7 April 2021

## 16. Treatment on return

- 16.1.1 The 2020 USSD report noted:  
 'Many activists returned to the country from self-exile after the CLTG took power. For example, after the removal of President Bashir in 2019, the former Transitional Military Council forcibly deported leaders of armed movements to South Sudan; in July some of these leaders returned to participate in peace discussions in Khartoum. Several prominent opposition members also returned to the country to participate in the formation of the new government. Some members of the armed movements remained in exile, however, and some expressed concern regarding their civic and political rights should they return to Sudan.'<sup>216</sup>
- 16.1.2 For information on the process for return and treatment on arrival in Sudan of those persons perceived to have a political profile and / or who have been involved in activities critical of the regime while outside of the country, see [Return of unsuccessful asylum seekers](#). In particular subsection, Persons of interest – allegations of difficulties on return.

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<sup>213</sup> Facebook, '[Sudanese Coptic Association UK](#)', undated

<sup>214</sup> USSD, '[2019 country report: Sudan](#)' (Section 1f), 11 March 2020

<sup>215</sup> Human Rights Watch, '[World Report 2021, Sudan – events of 2020](#)', January 2021

<sup>216</sup> USSD, '[2020 country report: Sudan](#)' (Section 2d), 30 March 2021



# Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToRs, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Political system
  - o President Bashir ouster and transitional government
  - o Government structure
  - o Forces for Freedom and Change (FFC)
  - o Reforming national laws
  - o Juba Peace Agreement
  - o Removal from the state sponsor of terrorism
- Political parties and groups
  - o Overview
  - o Popular Congress Party
  - o National Umma Party
  - o Sudanese Communist Party (SCP)
  - o Democratic Unionist Party (DUP)
  - o National Congress Party
  - o Resistance Committees
- Rebel groups
  - o Sudanese Liberation Movement/ Army – Minni Minawi (SLM -MM)
  - o Sudanese Liberation Movement/ Army – Abdul Wahid Al-Nur (SLM -AW)
  - o Justice Equality Movement (JEM)
  - o Sudan People's Liberation Movement – North (SPLM -N)
    - SPLM -N – Agar faction
    - SPLM -N – Hilu faction
- Security
  - o General Intelligence Service (GIS)
  - o Rapid Support Forces (RSF)
  - o Enforced disappearances
  - o Arbitrary arrest and detention
  - o Areas of conflict – Darfur

- o Areas of conflict – Two Areas
- Treatment of protestors
- Treatment of political opponents
- Treatment of journalists and media workers
- Treatment of students
- Treatment of civil society
- Treatment of the former regime
- Sur place activity
  - o Criticising the Sudanese government online
  - o Sudanese activities abroad
- Sudanese diaspora
- Surveillance
- Treatment on return

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# Version control

## Clearance

Below is information on when this note was cleared:

- version **3.0**
- valid from **7 April 2021**

## Changes from last version of this note

Update of COI and Assessment.

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