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Sudan

REPUBLIC OF SUDAN

Head of state and government	Omar Hassan al-Bashir
Death penalty	retentionist
Population	37.8 million
Life expectancy	57.4 years
Under-5 mortality (m/f)	113/100 per 1,000
Adult literacy	60.9 per cent

The Sudan People's Liberation Movement (SPLM) withdrew from the government from October to 27 December, citing failure to implement the 2005 Comprehensive Peace Agreement (CPA) that had ended the decades-long conflict between north and south Sudan.

Conflict and insecurity persisted in Darfur, as arms and armed groups continued to proliferate. Some 280,000 people were newly displaced. The UN Security Council voted unanimously in July for a 26,000-strong peacekeeping force to be sent to Darfur. The force took over from the African Union Mission in Sudan (AMIS), which was unable to stop continued killings and rapes in Darfur, on 31 December. Peace negotiations between the government and armed groups had stalled by the end of the year.

The security services used lethal force against peaceful demonstrators, including people protesting against the construction of the Kajbar Dam in northern Sudan. The security services continued to detain suspected opponents incommunicado for long periods. Torture and ill-treatment of Darfuris and other marginalized groups were systematic. At least 23 people were sentenced to death and seven were executed. Freedom of expression was restricted and journalists were detained as prisoners of conscience. In southern Sudan arbitrary detention continued.

Armed groups also carried out human rights abuses, including deliberate killing of captives and other unlawful killings, unlawful detention of opponents and hostage-taking.

Background

In October the SPLM suspended its participation in the Government of National Unity (GNU) under President Omar Hassan al-Bashir, complaining of the failure of the ruling National Congress Party (NCP) ministers to implement provisions of the CPA and the sidelining of First Vice President Salva Kiir Mayardit. An official SPLM statement cited issues including: obstruction of democratic transformation; delays in the national reconciliation process; non-implementation of the Abyei protocol (Abyei is an oil-rich area given special status under the CPA); delays in demarcating the north-south borders; and lack of transparency in the distribution of oil revenues. The SPLM ministers rejoined the GNU on 27 December but disagreements over the protocol on Abyei were not resolved by the end of the year.

The Peace Agreement signed with armed groups from eastern Sudan in 2006 remained in place and opposition leaders from the east entered the GNU. Some prominent figures claimed that easterners close to the NCP received a disproportionate number of government posts.

The harmonization of domestic legislation with the provisions of the CPA faced many delays. Among bills not passed in 2007 were the National Security Service Act, the National Police Act, the Armed Forces Act and the Elections Act. In addition, draft bills were not presented on the National Human Rights Commission, Electoral Commission and Land Commission.

International scrutiny of Darfur

The Secretary-General of the UN reported monthly to the Security Council on the situation in Darfur. There

were also regular reports from the Special Rapporteur on the situation of human rights in Sudan. The UN Mission in Sudan (UNMIS), set up under the CPA, had more than 10,000 troops in the south and in Abyei, Blue Nile and the Nuba Mountains. UNMIS had 70 human rights monitors throughout Sudan, including 33 in Darfur. UNMIS issued periodic reports on particular human rights incidents but ceased to issue regular human rights updates.

A five-member high-level mission mandated by the December 2006 Special Session on Darfur of the UN Human Rights Council (HRC) was not granted visas by Sudan. The mission visited Chad and other areas and reported in March to the Human Rights Council.

In March the HRC convened a group of experts to pursue previous recommendations made by UN human rights bodies on Darfur. The Sudanese government-appointed Human Rights Advisory Council responded to these recommendations but according to the report presented to the HRC in November, few of the recommendations were implemented. The HRC voted to end the mandate of the group of experts but maintained the mandate of the Special Rapporteur on the situation of human rights in Sudan.

In December the HRC urged Sudan to implement all outstanding recommendations identified by the group of experts on Darfur, extended, for one year, the mandate of the UN Special Rapporteur on the situation of human rights in Sudan and requested her to pursue the implementation of these recommendations.

A Panel of Experts set up under Security Council Resolution 1591 in 2005 to monitor the arms embargo reported that all sides breached the embargo and named further individuals guilty of breaching the embargo.

In July the Security Council passed Resolution 1769 setting up the African Union-United Nations Hybrid Operation in Darfur (UNAMID), a hybrid AU and UN peacekeeping force of more than 26,000, including more than 6,000 UN police. The government of Sudan obstructed swift deployment of the force by failing to approve the list of contributing countries, which included a number of non-African countries. At the same time UN member states did not contribute vital equipment such as helicopters. UNAMID took over from AMIS on 31 December, but with only some 9,000 personnel, including 6,880 troops and 1,540 police officers.

In February, the Prosecutor of the International Criminal Court (ICC) presented evidence of war crimes and crimes against humanity in Darfur to the ICC Pre-Trial Chamber against Ahmad Muhammad Harun, former Minister of State for the Interior then Minister of State for Humanitarian Affairs, and Janjawid militia leader Ali Mohammad Ali Abdel-Rahman (Ali Kushayb). In April the ICC Pre-Trial Chamber issued arrest warrants for the two men. The government of Sudan said it would refuse to hand them over. In December the UN Security Council failed to agree a Presidential Statement supporting the ICC Prosecutor's condemnation of Sudan's failure to cooperate with the ICC.

Darfur

All major parties to the conflict committed violations of international human rights and humanitarian law including unlawful killings, arbitrary detention, attacks on humanitarian personnel and equipment, torture and ill-treatment, and hostage-taking.

Armed groups continued to proliferate, mostly breakaway factions of the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM). There were said to be more than 30 armed groups by the end of 2007, including armed groups representing Arabs. Armed groups were increasingly divided along ethnic lines.

Janjawid militias attacked civilians with support, including air support, from the Sudan Armed Forces. Some Janjawid militia were reported however to have become opposed to the government. The Sudan Air Forces (SAF) bombed civilians and non-military targets using Antonov bombers and helicopters. Some SAF aircraft were painted white to resemble UN aircraft. Armed groups fought against the government and against each

other. The proliferation of arms encouraged minor clashes to escalate into major conflicts and there were frequent conflicts between ethnic groups, including between different Arab groups incorporated in government paramilitary forces. Ethnic conflicts and attacks by armed groups spread to neighbouring Kordofan.

AMIS was short of personnel, means of transport and heavy weapons.

The timelines of the 2006 Darfur Peace Agreement, which was signed by the government and the Sudan Liberation Army/Minni Minawi and rejected by most armed groups in Darfur, were not respected.

Conferences were organized by the UN/AU in Arusha, Tanzania, in August and by the Sudan People's Liberation Army (SPLA) in Juba, southern Sudan, in October-December to try to unify groups and ensure a common negotiating position. Some armed groups did unite. A number of attempts were made by regional actors and the UN and AU to revive the peace process. In October a new peace conference was held under UN/AU auspices in Sirte, Libya, but the most prominent armed groups refused to attend.

As a result of attacks, particularly by government and paramilitary groups, some 280,000 people were displaced bringing the number of displaced in Darfur to more than 2,387,000.

Large parts of Darfur were unsafe for travel. All parties to the conflict, including government paramilitary forces, set up checkpoints where they extorted money or detained travellers.

- In April government Antonov aircraft and helicopters bombed the village of Umm Rai in North Darfur in an indiscriminate attack, hitting a school and killing two people.
- Between January and August, northern Rizeiqat men, mostly wearing Border Intelligence or Popular Defence Force uniforms, attacked members of the Tarjum ethnic group, many of them also members of government paramilitary forces. Altogether some 500 people were killed in several attacks.
- In August more than 50 Janjawid abducted 17 men travelling from the town of Nyala to internally displaced people (IDP) camps. They detained their captives tied to trees. After more than 70 days they were released after paying 110,000,000 Sudanese pounds (US\$55,000).
- In September, two armed opposition groups, reportedly offshoots of JEM and of SLA/Unity, attacked and looted the AMIS base in Haskanita in north Darfur. They killed 10 AMIS peacekeepers and looted arms. Following this, the Sudanese army occupied the town and burned it to the ground.

Violence against women

Rape continued to be widespread, especially of displaced women and girls collecting firewood outside their camps. Sometimes women were beaten, or attacked but managed to escape. They rarely reported what happened to the police. Men continued to leave the task of collecting firewood to women because the men feared being killed if they ventured outside the camps.

- Several internally displaced women, including teenage girls, were raped as they went outside IDP camps in Zalingei to collect firewood in the second half of 2007. In August a woman was raped who was already eight months pregnant.

Female genital mutilation continued to be systematically practised in northern Sudan.

Arbitrary detentions, torture and other ill-treatment

The national intelligence and security service (NISS), military intelligence and police continued to commit human rights violations, including arbitrary arrests, torture and ill-treatment, and use of excessive force. Political detainees, criminal suspects, Darfuris and others from marginalized areas, and students in Khartoum were routinely subjected to torture and ill-treatment. Floggings continued to be imposed for a variety of public order offences including unlawful sexual intercourse and trading in alcohol. Demonstrations were frequently repressed using excessive force.

- At least 30 people were arrested in June and July in connection with protests against the Kajbar Dam. During a peaceful march in June the police killed four demonstrators and wounded 11 others. Among those arrested was a group who came to investigate the killings, including Mohammed Jalal Ahmad Hashim, a lecturer at Khartoum University; members of the committee against the Kajbar Dam, including spokesperson Osman Ibrahim; and journalists. Detainees, including journalists, were held incommunicado for up to 10 weeks and required to sign a statement promising in future not to comment on the dam.
- Mubarak al-Fadel al-Mahdi, President of the Umma Party Reform and Renewal (UPRR), was arrested

with at least 40 people, including many former army officers, in July and accused of smuggling arms and planning a coup. Soon after, an order was issued forbidding discussion of the case in the press. On 1 August Ali Mahmoud Hassanain, aged 73, a human rights lawyer and Deputy Chairman of the Democratic Unionist Party (DUP), was arrested. Many of this group of detainees were tortured in incommunicado detention which lasted up to six weeks, apparently to force them to confess to an alleged plot. Reported methods of torture included beatings, prolonged sitting or standing, and suspension with wrists and ankles tied behind the back (the *tayyara*, aeroplane). In November Mubarak al-Fadel al-Mahdi and Ali Mahmoud Hassanain, a diabetic, went on hunger strike in protest at illegalities and delays in the pre-trial process. On 4 December the state released Mubarak al-Fadel al-Mahdi without charge and on 31 December all other detainees received a Presidential pardon.

- In August police and NISS surrounded Kalma camp near Nyala in Darfur and arrested about 35 displaced people, after two police had reportedly been killed. Most detainees were beaten during arrest and afterwards at Nyala Wasat police station where they were held in prolonged incommunicado detention. They were released in October without being charged or tried.

- More than 100 people, including students, participated in a demonstration in September on the occasion of the "Global Day for Darfur". Eight students were arrested after the demonstrations and held for two days. They were reportedly blindfolded and tortured by the NISS. On the third day they were transferred to the police and the torture ceased.

Unfair trials and the death penalty

At least 23 people were known to have been sentenced to death and seven people executed by hanging during 2007. The true figures were believed to be much higher. Death sentences continued to be frequently passed after unfair trials in which confessions extracted under torture were used as evidence. On several occasions defendants were sentenced to death after trials where they had no defence lawyer.

Death sentences continued to be passed on women for adultery but no such sentence was known to have been carried out. In Darfur, Special Courts and Special Criminal Courts continued to conduct unfair trials. The Special Criminal Court on the Events in Darfur did not hear any cases during the year.

In South Sudan death sentences were passed on many people who had been tried without defence counsel. However, no one was known to have been judicially executed during 2007.

- Sadia Idriss Fadul and Amouna Abdallah Daldoum, both originally from Darfur, were sentenced in February and March respectively to be stoned to death for adultery by the Criminal Court in Managil Province, Gazira State. It was believed that the sentence was commuted.

- In November, 10 people originally from Darfur, including al-Tayeb Abdel Aziz, aged 16, and Idris Mohammed al-Sanousi, aged 71, were sentenced to death by the Khartoum Criminal Court for the murder of a newspaper editor, Mohammed Taha. All 10 retracted confessions which they said were extracted under torture. The Court refused defence lawyers' requests to order medical examinations.

- Two members of military intelligence, Bakhit Mohammed Bakhit and Abdel Malik Abdallah, were executed by hanging in May in Shalla Prison, al-Fasher, Darfur. They had been tried before the Special Criminal Court on the Events in Darfur in August 2005 and sentenced to death for murder after the death of Adam Idris Mohammed as a result of torture in custody. The head of military intelligence was acquitted.

Freedom of expression

Restrictions on freedom of expression and association continued. Provisions of the 2004 Press Act were used to censor newspapers and limit freedom of expression. The government imposed gagging orders including arbitrary prohibitions on reporting criminal cases relating to the Darfur conflict; on investigations into killings of civilians in demonstrations against the Kajbar Dam; and relating to the case of Mubarak al-Fadel al-Mahdi.

- In November, two journalists from al-Sudani newspaper were detained for 12 days after refusing to pay a fine of 10,000 Sudanese pounds (US\$5,000). They had been convicted of defamation for writing an article criticizing the NISS for detaining four other journalists. They were prisoners of conscience.

Southern Sudan

In Southern Sudan, an autonomous region according to the CPA, several CPA Commissions were established by Presidential decree, including the Southern Sudan Commission on Human Rights. In November an Army Bill was passed by the South Sudan Legislative Assembly. Draft bills on the Civil Service, Population and Census, and Disarmament Demobilization and Reintegration (DDR) were due to be presented.

Clashes between different militias continued, often resulting in killings of civilians or abductions. People continued to be arbitrarily detained, sometimes as hostages for other family members. Partly because of a

shortage of lawyers, many people were convicted without defence lawyers. A number of death sentences were passed but no judicial executions were known to have been carried out.

- Mapet Daniel Dut was sentenced to death for murder in October by the Court of Justice in Rumbek. He reportedly had no defence lawyer. He later escaped from prison and police detained his brother and father in his place. Two sisters, who brought them food, were also detained, but released after a few days. Mapet Daniel Dut was not recaptured and his father remained in detention at the end of the year.

Amnesty International reports



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[Sudan: Arms continuing to fuel serious human rights violations in Darfur \(AFR 54/019/2007\)](#)



[Sudan: Arrest Now! Darfur, the Sudan: Ahmad Harun and Ali Kushayb \(AFR 54/027/2007\)](#)



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[Sudan: Obstruction and Delay \(AFR 54/006/2007\)](#)