

19/08-04

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Sudan

Covering events from January - December 2003

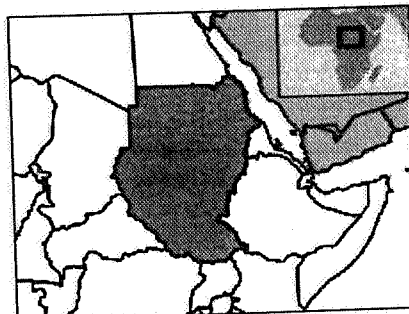
A cease-fire was in force between the government and the Sudan People's Liberation Army (SPLA) throughout the year. However, in January and February government-sponsored militias attacked and burned villages and killed scores of civilians in oil-rich areas. In Darfur, western Sudan, militias allied to the government killed hundreds of civilians and government aircraft bombed villages. Up to 600,000 people in Darfur were displaced within the region, and tens of thousands fled to Chad. Hundreds of thousands of refugees and internally displaced persons (IDPs) from the south and other areas affected by the fighting remained in camps around the borders with Sudan and in the north. In Darfur the security forces detained hundreds of people incommunicado without charge. Torture was widespread, particularly in Darfur. At least 10 people were reported to have been executed and more than 100 death sentences were imposed. Floggings were imposed for numerous offences, including public order offences, and were usually carried out immediately. Amputations, including cross-amputations, were also imposed but none was known to have been carried out. Trials of ordinary criminal offenders were frequently unfair and summary. In the states of North, South and West Darfur, special courts continued to hold summary and unfair trials. Freedom of expression continued to be restricted in the areas controlled by the government and by the SPLA.

Background

The peace process between the government and SPLA continued with an agreement on security arrangements signed in September. According to this accord government forces would withdraw from the south and SPLA forces from the north; joint forces would be set up in Khartoum and the border areas of the Nuba Mountains and Abyei. The US-led Civilian Protection Monitoring Team (CPMT) and the Verification and Monitoring Team (VMT) helped to monitor the cease-fire.

Militia based on southern ethnic groups opposed to the SPLA attacked villages and killed civilians in the oil provinces of Western Upper Nile (Unity State) in January and February. These attacks were accompanied by forced recruitment of children and others into militia in Khartoum and in the conflict areas, and by the abduction of women. The government reportedly supported these militia with logistical help. In Darfur the conflict deepened.

In April the UN Commission on Human Rights failed to renew the mandate of the Special Rapporteur on Sudan. Between July and October all but two of the political detainees held in the political wing of Kober Prison in Khartoum North were released. Hassan al-Turabi, leader of the Popular Congress, an Islamist opposition to the ruling National Congress Party, was released in October after two years' detention without trial, most of it spent under house arrest.

Crisis in Darfur

Sudan

REPUBLIC OF THE SUDAN**Head of state and government:**

Omar Hassan Ahmad al-Bashir

Death penalty:

retentionist

UN Women's Convention and its Optional Protocol:

not signed

Take action!

Sudan: Act now to end the human rights crisis in Darfur

Further information

Sudan: Empty promises? – Human rights violations in government-controlled areas
(AI Index: AFR 54/036/2003)

Sudan: Humanitarian crisis in Darfur caused by Sudan Government's failures
(AI Index: AFR 54/101/2003)

All AI documents on Sudan

In Darfur the conflict intensified after February as the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM) attacked government forces and militia. In response, government-supported and reportedly funded militia (known as the *Janjawid*) based on nomadic Arab groups attacked the sedentary population, killing civilians, destroying hundreds of villages and making hundreds of thousands of people homeless.

The conflict continued despite a cease-fire agreement signed in Abéché, Chad, between the Sudanese government and the SLA in September and an extension of the cease-fire in October. Government aircraft bombed homes in Darfur, killing scores of civilians, while *Janjawid* militia attacked villages, deliberately killing civilians, burning homes and looting cattle and other possessions. As a result, hundreds of thousands of people took refuge in towns in the area or across the border in Chad.

Government authorities committed numerous human rights violations in response to the conflict. Scores of people were arrested and held in prolonged incommunicado detention by the national security, military security (*istikbarat*) and police. Systematic torture, including the use of beatings and electric shocks, was recorded in centres of the military security in Darfur. Detainees held for offences such as theft, killing or banditry faced summary and unfair trials. Hundreds of prisoners were released by government authorities and the SLA after the September cease-fire, but arrests and detentions of those suspected of links with armed opposition groups continued. The *Janjawid* also abducted some villagers, including women and children, during raids. Some escaped often after alleged torture. Others remained unaccounted for.

The towns of al-Tina, Kornoy and Kutum in North Darfur and nearby villages were repeatedly bombed by government aircraft between June and September. In the early August bombing of Kutum, three days after the withdrawal of the armed opposition, the hospital and prison were destroyed and 42 people reportedly killed, including patients, prison guards and prisoners. Instances of indiscriminate bombings were also reported during the cease-fire period. Dozens of civilians were killed as a result, including Abdallah Issa Barday, on his way back from al-Tina to Basaw, his village. Homes and public facilities were destroyed.

The SLA and JEM endangered civilians by stationing their forces in civilian areas. There were also reports of looting and torture by the JEM.

- On 16 August, the *Janjawid* attacked Garaday, a village of about 400 inhabitants near Silaya town, and reportedly killed about 200 civilians, some of them in their homes, and beat or arrested others. All the survivors fled.
- On 20 August, the village of Murli near al-Geneina was raided by government-backed militia and 82 people were killed, either shot or burned alive in their homes. Murli was attacked again by *Janjawid* militia in September, on market day, and 72 people were killed.
- Raids by the *Janjawid* against villages included acts of violence against women, including sexual violence. In Murli, three girls, aged 10, 15 and 17, were reportedly raped by members of the *Janjawid* while they were fleeing the attack. Two women, aged 20 and 25, were reportedly raped by *Janjawid* members while they were collecting wood around the village.
- In September, six people were arrested by the JEM as spies and were beaten with gun butts. JEM members then put a mixture of acid, chilli and petrol in the mouth, nose and ears of two of them. They were released in December; the four others arrested with them had escaped in October.

Refugees and the internally displaced

Between April and December some 600,000 people fleeing attacks by armed groups took refuge in towns in Darfur or crossed over the border to Chad. The government often barred access to Darfur to representatives of humanitarian organizations, the UN and diplomats.

The population of Mukjar expanded from 8,000 to 40,000. Aid workers said that refugees were living in appalling conditions and disease was rife. Many refugees on the border with Chad lacked security.

Despite positive declarations of intent on the future resettlement of IDPs and refugees in the context of the peace process between the government and the SPLA, millions of displaced people and refugees remained in precarious humanitarian conditions in camps in Sudan and bordering countries.

Excessive use of force

On at least three occasions in March police appeared to use excessive force against student demonstrations in Bakht Er-Ruda near Dueim and in Khartoum. Police reportedly used tear gas and beat students violently with truncheons; they then used live ammunition. Three students died. No independent investigation was

held into their deaths.

- Sharif Hassibullah, a student of El-Nilein University in Khartoum, was shot in the head and killed in March when police fired live ammunition against stonethrowing students.

Torture

Torture appeared to be systematically practised by military and national security forces in Darfur and to be frequently used elsewhere.

- Five members of the Nuba ethnic group living in Dongola were arrested by national security in May after meeting to discuss repatriation after the peace process. National security forces reportedly beat them severely and poured battery acid over them. One of them, Awad Ibrahim, died in custody. Two others were taken in June to Khartoum Hospital. They were released without charge in July. No independent investigation was carried out into the torture and death of Awad Ibrahim.
- Forty-four people mostly from the Ma'aliya ethnic group were tortured in Aduma in South Darfur after their arrest by police and army in July, apparently to get information or to force them to confess to being involved in the killing of a member of the Rizayqat ethnic group. They were reportedly beaten severely with sticks, plastic hoses and gun butts. Some were allegedly tortured with electric shocks and two of them had metal truncheons inserted into the anus. A doctor confirmed that their injuries were consistent with their allegations. After their torture received wide publicity, their "confessions" were rejected by a Specialized Criminal Court in Nyala in November and 43 of them were acquitted. One of the group, Abdallah Agai Akot, a Dinka, was sentenced to death for murder.

Southern Sudan

There were reports of torture, including rape, and other ill-treatment in prisons under the control of the SPLA in southern Sudan.

Incommunicado detention without trial

National and military security forces continued to hold detainees in prolonged incommunicado detention without access to lawyers or any judicial review, using Article 31 of the National Security Forces Act of 1999 which allows incommunicado detention without charge or trial for a maximum of nine months.

- Ahmad Mukwai, a 16-year-old Dinka boy arrested in Babanusa in August 2002 and held in the political section of Kober Prison, apparently as a hostage, was reportedly released in July after 11 months' detention without charge or trial.

Special Courts

Special Courts in North and West Darfur and Specialized Criminal Courts in South Darfur continued to hand down heavy sentences after unfair trials. Lawyers were often not allowed to plead except as "friends", and "confessions" extracted under duress were frequently accepted as evidence.

- Thirty-eight people were tried before the Nyala Specialized Criminal Court and 26, including a child, were sentenced to death in April, convicted of killing 35 people and wounding a further 28 in a raid on the village of Singita in Darfur. The accused were all represented by three lawyers who were not allowed access to them or the case files until five days before the trial opened in March. The three judges, of whom one came from the police, one from the army, and one, the presiding judge, was a civilian, only permitted defence lawyers to ask each defendant and each witness four questions. The prosecution was allowed to ask an unlimited number of questions. The death sentence on the child was commuted to 25 lashes on appeal in May. The sentence was carried out immediately.

Death penalty

At least 10 executions were carried out. Trials in criminal cases were frequently unfair and detainees were often not represented by lawyers until the case came to appeal.

- Adam Musa Beraima and Adam Al-Zain Ismail were executed in Kober Prison in September. They had been sentenced to death in March 2002 for armed robbery (*haraba*) after a trial in Nyala before a Special Court where they were not represented by lawyers.

Restrictions on freedom of expression

Despite promises in August that censorship would be lifted, freedom of expression continued to be restricted.

- The *Khartoum Monitor*, an English language daily, suffered numerous penalties: it was suspended, had all its copies confiscated and faced fines on several occasions. A journalist for the newspaper spent 18 days in detention in March and the managing editor was detained for a night and badly treated in May.

Human rights defenders

Human rights defenders continued to be harassed and sometimes arrested.

- Ghazi Suleiman, Chair of the Sudanese Human Rights Group (SHRG), was arrested in July and held incommunicado for two weeks in Kober Prison as the SHRG was about to organize a launch ceremony for the Khartoum Declaration which called for an end to Islamic law and one-party rule in Sudan.

Violence against women

Women continued to suffer abduction and rape by members of government-supported militia as well as displacement in the context of the conflict in the oil regions and Darfur. Women were singled out for flogging as a punishment for unlawful sexual intercourse in circumstances where men normally escaped unpunished. They also continued to be harassed and sometimes punished under the Public Order Act which restricts their freedom of movement.

- In May a 14-year-old unmarried girl who was nine months pregnant was sentenced by the Criminal Court in Nyala to 100 lashes. She appealed against the sentence on the grounds of pregnancy, her age and the fact that no lawyer represented her at the earlier trial. The Darfur appeal court and the Supreme Court in El Obeid upheld the sentence, which had not been carried out by the end of the year.

AI country visits

In January AI delegates conducted research in Khartoum and Darfur, and met government officials. In November AI delegates conducted research among Sudanese refugees in Chad.

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