

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	608
Land:	Sudan
Kilde:	Amnesty International
Titel:	Sudan 2021
Udgivet:	29. marts 2022
Optaget på baggrundsmaterialet:	4. august 2022

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SUDAN 2021

The transitional government's modest progress towards improving the human rights situation suffered a major setback after the October military coup. Security forces used excessive and even lethal force, and other repressive measures, including reported cases of gender-based violence, to counter protests and opposition to the takeover. At least 53 people were killed and hundreds injured in demonstrations following the coup. Military authorities used prolonged arbitrary detention, arresting dozens of civilian political leaders and activists, holding them in incommunicado detention. Internet and telecommunication services were regularly disrupted and journalists were attacked. Previous promises to investigate and prosecute crimes committed by security forces remained unfulfilled. Civilians in the western region of Darfur continued to be inadequately protected by security authorities from unlawful attacks by militias in which hundreds of civilians died. While the government increased health expenditure, hospitals lacked essential resources. Women protested against the rise in gender-based violence and discriminatory laws. A fresh wave of refugees fleeing conflict in Ethiopia's Tigray region arrived in Sudan.

Background

Following former president Omar al-Bashir's deposition in 2019, a power-sharing compromise between military and civilian leaders led to the formation of a transitional government. The government made some advances in terms of long overdue reforms, including by criminalizing female genital mutilation and reforming laws on corporal punishment.

However, ongoing power struggles between the military and civilian wings of government, including over economic and security sector reforms, erupted and on 25 October 2021 the army seized power, dissolving the civilian government and imposing a nationwide state of emergency.

On 21 November, the army signed an agreement that reinstated the ousted prime minister but the deal failed to defuse the crisis. Despite UN-mediated efforts to end the crisis, public resentment against the military's actions grew.

Key economic reforms resulted in Sudan securing US\$20.5 billion in debt relief from international financial institutions. Many international organizations suspended economic assistance programmes following the coup, putting recent developments at risk.

Excessive use of force

Security forces continued to use excessive, and sometimes lethal, force against protesters. On 11 May, they shot dead at least two protesters and injured dozens at a demonstration in the capital, Khartoum. The demonstration was held to demand justice in connection with an attack by security forces on peaceful demonstrators in June 2019 when over 100 people were killed and hundreds injured¹ (see below, Right to truth, justice and reparation).

Violence by security forces spiked after the military takeover in October and hundreds of thousands of people took to the streets in frequent protests. All branches of the security establishment, including the army, police and the Rapid Support Forces (RSF), participated in the violent repression and dispersal of the protests.² At least 53 people were killed and hundreds injured in demonstrations. Security forces reportedly subjected women to gender-based violence to counter their growing participation in protests, including two reported rapes in December.

Right to truth, justice and reparation

The government took some positive steps towards enabling justice and accountability for human rights violations, by ratifying the UN Convention against

Torture and the International Convention against Enforced Disappearance on 10 August.

However, perpetrators of human rights violations continued to enjoy impunity. Over one decade since the ICC issued arrest warrants against Omar al-Bashir, Ahmad Harun and Abdel Raheem Muhammad Hussein, the transitional government continued to fail in its obligation to transfer the suspects to the Hague court to answer charges of crimes against humanity, genocide and war crimes in Darfur.

The National Investigation Committee, appointed in October 2019 to investigate a brutal attack in which the RSF, the National Intelligence and Security Service and the police killed over 100 protesters and subjected others to sexual violence and other torture and ill-treatment in Khartoum in June 2019, was yet to release its findings. No one was held accountable by the end of the year.

The modest progress made to improve human rights protection during a period of almost three years since Omar al-Bashir's deposal suffered a major setback after the October military coup. Despite the prime minister's pledge in November that the killings of those protesting the takeover would be investigated, there was no evidence of any progress in the matter.

Arbitrary detention

On 10 July, Muammar Musa Mohammed Elgarari and Mikhail Boutros Ismail Kody (opposition activists and members of the Future Movement Group) were released on bail after being held in prolonged arbitrary detention without charge since June 2020. They were held at a police station in Khartoum North, for harassing members of the Committee for Removal of Empowerment which was established to dissolve the former ruling National Congress Party and to confiscate its property.

After the October army takeover, security authorities arbitrarily arrested and detained dozens of civilian political leaders, including cabinet members, and Prime Minister Hamdok who was held for two days before being put under house arrest for almost a month. Other political prisoners, who were held for nearly one month in incommunicado detention without access to their families or legal counsel, were released after the 21 November accord. However, security forces continued to arrest and charge protesters.

Freedom of expression

The right to freedom of expression was severely restricted. Internet and

telecommunications were repeatedly disrupted from 25 October, limiting people's ability to access timely and accurate information, infringing on their ability to express political views and restricting reporting on human rights violations.

Military authorities also targeted press who covered anti-army protests. On 30 December security forces attacked the offices of two TV stations in Khartoum, assaulting journalists and firing tear gas into their offices after they broadcast footage of security force violations against protesters.

Unlawful attacks and killings

The premature withdrawal of the United Nations-African Union Hybrid Operation in Darfur in December 2020, and the Sudanese security forces' repeated failure to protect civilians, resulted in continued indiscriminate violence against civilians, particularly in the West Darfur region. RSF members participated in some militia attacks against civilians.

In January 2021, at least 163 people, including three women and 12 children, were killed and 217 injured during a revenge attack by militias on the Krinding camp in El Geneina, West Darfur State's capital, and home to thousands of internally displaced Massalit people.³

On 3 April, armed men, said to be Arabs, triggered four days of deadly violence when they shot three Massalit men, killing 28-year-old Saber Ishaq and 47-year-old Arbab Khamis. A third man, Abdulhafiz Yahia Ismaeil, aged 53, was seriously injured. According to the West Darfur State Doctors' Committee, at least 144 people were killed and 232 injured during the clashes.

Also in West Darfur, 200 people died as a result of intercommunal fighting between October and November, according to the Darfur Bar Association.

Right to health

Government expenditure on health was significantly greater than in previous years. The Ministry of Finance allocated SDG99 billion (about US\$242 million) – 9% of the budget – to the healthcare system for life-saving medicines; Covid-19 treatment; the rehabilitation and construction of rural hospitals, reproductive and other health centres; and nutrition and health programmes.

However, in the midst of the third Covid-19 wave in the first half of the year, hospitals faced multiple challenges, including a lack of medicine and oxygen, and a shortage of doctors and other medical personnel due to low salaries and poor working conditions. Between March 2020 and May 2021, 89 Sudanese doctors,

including 11 women, died after contracting Covid-19.

The country continued to face a shortage of Covid-19 vaccines. On 3 March, it received over 800,000 doses of the AstraZeneca vaccine from the COVAX initiative and began its vaccination programme on 9 March through the government's National Deployment and Vaccination Plan for Covid-19 Vaccines. The plan first prioritized frontline healthcare workers across Sudan and older people with comorbidities. By the end of the year, Sudan had received 5.25 million Covid-19 vaccine doses and 1.23 million people had been fully vaccinated, representing 2.8% of a population of around 43.85 million people, according to government figures. In 2021, there were 47,443 confirmed Covid-19 cases and 3,340 related deaths, according to the Ministry of Health.

Women's and girls' rights

On 8 April, hundreds of women joined a demonstration in Khartoum to protest against the increased domestic and other gender-based violence in the context of Covid-19 restrictions, as well as to denounce discriminatory laws and patriarchal restrictions on women's rights. Some of the restrictions highlighted included laws forbidding women from working outside the home without the permission of their husband or father as well as inequality in the home and workplace. The protesters launched the "Feminist Manifesto", produced in April after two years of consultations with various grassroots women's organizations and gender rights advocates. It urged the authorities to lift numerous legal obstacles to equality and to challenge existing social norms that result in women's and girls' oppression.

Later that month, the Council of Ministers ratified CEDAW (with reservations entered to articles 2, 16 and 29/1), and the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol).

Refugees' and migrants' rights

According to UNHCR, the UN refugee agency, Sudan continued to host one of the largest refugee populations in Africa, with South Sudanese making up the majority of the over 1.1 million refugees and asylum seekers. It also hosted at least 55,000 refugees who fled the conflict in Ethiopia's Tigray region in 2021.

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1. **"Sudan: Speed up investigations into 2019 Khartoum massacre", 3 June**
 2. **"Sudan: Investigate the killings of people after military crackdown against protesters". 24 November**

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3. "Sudan: Horrific attacks on displacement camps show UN peacekeepers still needed in Darfur", 1 March