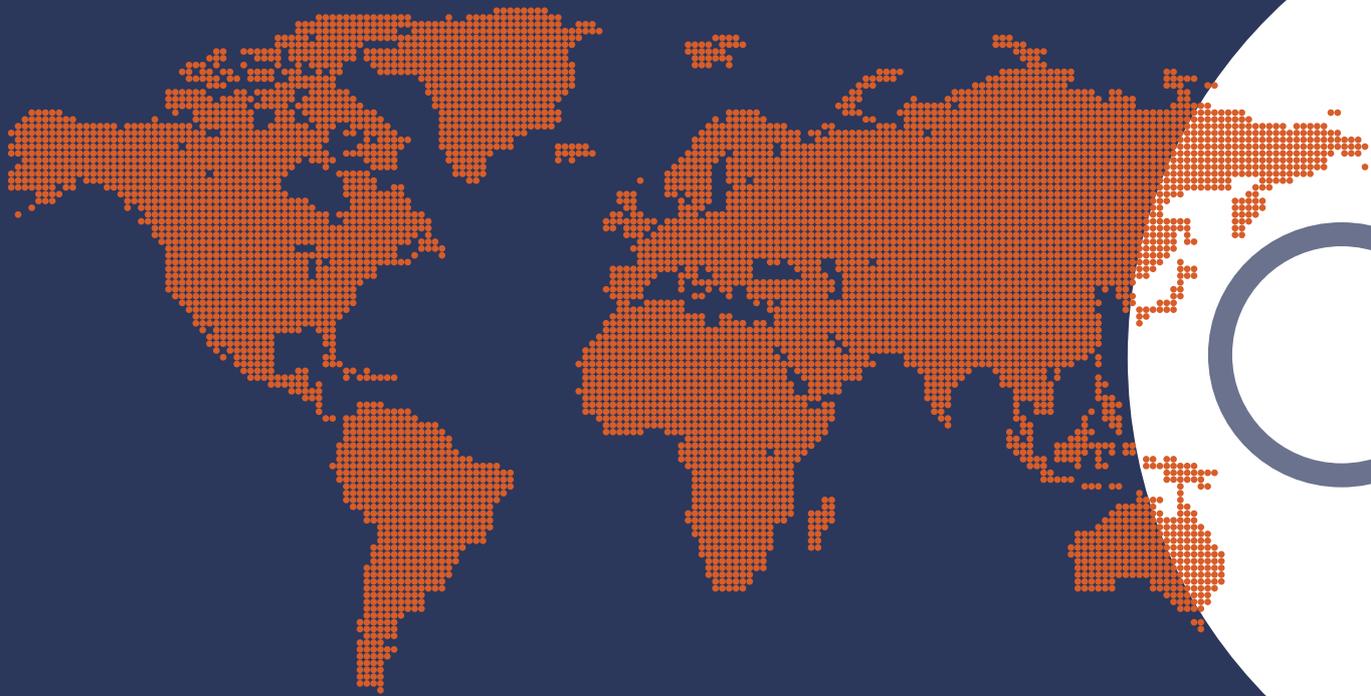


# COMPARATIVE ANALYSIS

U.S. Department of State's Country Reports  
on Human Rights Practices (2016–2019)

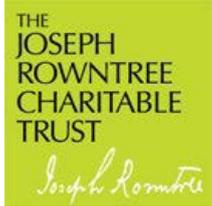


# SUDAN

OCTOBER 2020

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**We are extremely grateful to the Joseph Rowntree Charitable Trust for their support of this project.**

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## Summary of Findings: Sudan

This comparative analysis of the U.S. Department of State's *Country Reports on Human Rights Practices* chapters on Sudan compared the full content of the 2016 edition to the subsequent annual editions covering events in 2017, 2018, and 2019. Each section of the Sudan chapter was analysed against the following set of criteria:

- Structure of the report: Were sections omitted, renamed, condensed, or new sections proposed;
- Language used: Whether any changes in terminology or semantics were observed when describing human rights issues, including changes in specificity, description of general patterns or number of incidents documented;
- Improvements: What improvements in the human rights situations were observed compared to the previous report that were not corroborated by country information available from illustrative sources at the time of publication of the annual reports;
- Omissions: Which human rights issues were omitted compared to the previous report that continued to be documented by other illustrative sources at the time of publication of the annual reports.

### A. Structure of the report

#### Length

The 2016 Sudan report is 72 pages long. This was reduced to 52 pages covering events in 2017, 46 pages in 2018, and 44 pages in 2019. Notably, section 6. *Discrimination, Societal Abuses, and Trafficking in Persons* was substantially reduced from over 3200 words in the 2016 report to just over 1400 words in the 2019 edition.<sup>1</sup> Most significantly, the subsection *Reproductive Rights* (renamed *Coercion in Population Control* in the 2017, 2018 and 2019 reports), which in the 2016 edition had 165 words, was scaled down to 25 in the 2017 report, and to just 10 words in the 2018 and 2019 editions (see section [D. Omissions](#) below).

#### Section headings

Numerous changes were made to section headings, with the majority being made from 2016 to 2017 and then replicated in the 2018 and 2019 editions. Significant changes included:

- Changing the title of the subsection on *Reproductive Rights* to *Coercion in Population Control*. This resulted in substantive changes to the type of information included and the issues addressed (see section [D. Omissions](#) below);
- Omitting the following subsections and related content despite publicly available sources continuing to document these issues:
  - *Stateless Persons*: The removal of the subsection resulted in the absence of relevant information in relation to statelessness with the exception of the reference elsewhere in the 2017, 2018 and 2019 reports that “UNHCR reported there were countless South Sudanese in the country who were unregistered and at risk of

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<sup>1</sup> Section 6. in the 2017 report contained just over 1600 words, whilst in the 2018 report just over 1400 words.

statelessness". In the 2019 report the subtitle *Stateless Persons* was re-inserted with an accompanying note "Not applicable".

- *Public Access to Information*: Information relating to the limitations imposed by the Sudanese authorities in accessing information that may shine a critical light on the government was no longer included.

In addition, the 2018 and 2019 reports omitted two additional subsections compared to the 2016 and 2017 editions, despite publicly available sources continuing to document these issues:

- *Amnesty*: The removal of the subsection resulted in the exclusion information in relation to past and current pardons and prisoner releases.
- *Other Harmful Traditional Practices*: Contextual information on Sudan's obligation to combat harmful customs and traditions as stipulated by the Interim Constitution was no longer included.

The 2017 and subsequent editions condensed the section title *2.d. Freedom of Movement, Internally Displaced Persons, protection of Refugees, and Stateless Persons* to *2.d. Freedom of Movement*. Given that this section continued to document issues including access to legal protection and services for refugees, it is considered that the heading no longer fully encompasses all the issues addressed, which may result in new or less familiar users of these publications missing out on information included.

For further details see [Table 1](#) and section [D. Omissions](#) below.

## B. Language used

The most notable changes to language were observed when comparing the 2016 edition to the 2017 report, with the majority of these repeated in 2018 and 2019. A number of these language points related to the inclusion of softening of language, potentially implying an improvement of the situation, and less specificity of information.

Section 1. *Respect for the Integrity of the Person* was by far the section with the highest number of language observations, followed by section 6. *Discrimination, Societal Abuse, and Trafficking*. Within section 1. the subsection with the most observed language points related to 1.c. *Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*.

Examples of softening of language, which may imply an improvement in the situation:

- The violence political opponents experienced in 2016, was described as "torture", whilst in the subsequent editions this was reduced to "suffered physical abuse" despite all three reports continuing to document the occurrence of torture in other sections of the report;
- The 2016 report described that political opponents were detained "incommunicado", which was amended in 2017, 2018 and 2019 to 'held in isolation cells'. This language change has implications given that as repeatedly reaffirmed by the UN Commission on Human Rights, "prolonged incommunicado detention may facilitate the perpetration of torture and can in itself constitute a form of cruel, inhuman or degrading treatment or even torture".<sup>2</sup>

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<sup>2</sup> UN Commission on Human Rights, [Commission on Human Rights Resolution 2003/32: Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment](#), 23 April 2003, para. 14

- Whilst the 2016 report reported that [emphasis added] “Government forces **frequently** harassed NGOs that received international assistance”, this was lessened in 2017, 2018 and 2019 to “Government forces **at times** harassed NGOs that received international assistance”.

With regards to the subsection dealing with child labor, the 2017, 2018 and 2019 reports provided reduced specificity, compared to 2016 by no longer including information as stipulated in the Child Act in relation to the minimum age children can be engaged in ‘light work’, the prohibition of children in hazardous industries and jobs, and exemptions in place for children to engage in work.

The inclusion of distancing language was also observed, which may be read to undermine the veracity of information. For example, whilst the 2016 report noted that “security forces, [...] continued to torture, beat, and harass suspected political opponents, rebel supporters, and others”, the 2017 and 2018 reports introduced this exact same information with [emphasis added] “security forces **reportedly** continued”.

The 2018 and 2019 reports on occasion also no longer described general patterns but instead presented isolated incidents. For example, whilst the 2017 report described that peaceful protesters were being held “incommunicado”, the 2018 and 2019 editions did not, but included an isolated example documenting the prolonged detention of 150 human rights defenders in “unknown NISS facilities” and “without access to family visits or legal counsel”. By only including one such incident, might imply that the situation is less widespread.

In a further example, whilst the 2017 report noted that searches conducted on “persons suspected of political crimes” were undertaken “without warrants”, by dropping this latter point from the 2018 and 2019 editions it might be implied that these searches were now legal.

Similar to the 2017 report, the 2018 edition noted that “political detainees reported facing harsher treatment” but added that “many prominent political detainees reported being exempt from abuse in detention”. However, no further information was provided to describe this ‘prominent group’, which reportedly experienced an improved situation.

Furthermore, the U.S. Department of State made statements, which in subsequent years were no longer included. For example whilst the 2016 edition stated “Sexual exploitation of children was less prevalent in nonconflict areas” and “Child abuse and abduction for ransom were widespread in conflict areas and less prevalent in nonconflict areas”, there were no longer included in the 2017, 2018 and 2019 reports.

Some contextual information, such as the existence of specific laws was omitted in the 2017, 2018 and 2019 reports compared to the 2016 report.

For further details see the *Use of language* sections below.

#### Notable language changes in the *Executive Summary* of the U.S. Department of State report

The 2016 *Executive Summary* identified three categories of human rights abuses. Firstly what it defined as the “three most significant human rights problems” followed by a list of major abuses committed by the NISS, and lastly human rights violations committed by non-state actors were listed as “Societal abuse included”.

In comparison, the 2017 report only provided one list of what it termed “the most significant human rights issues”. The 2018 edition continued to provide one list of issues, termed “Human rights issues” and in 2019 the categorisation was amended to “Significant human rights issues under the Bashir government”.

### C. Improvements

A limited number of improvements in the human rights situation were observed in the 2017 and 2018 reports, which were found to be inconsistent with the situation as reported by other publicly available sources. However, a more sizeable number of improvements were observed in the 2019 report, which were inconsistent with information found in the public domain.

One notable alleged improvement reported in 2018 and repeated in 2019, compared to the previous 2017 and 2016 editions, was the statement that “There were no reports of humanitarian workers being targeted for kidnapping and ransom”. According to information located amongst sources located this issue continued to occur in 2018 and 2019.

The reason for the high number of alleged improvements in the 2019 report is due to the political changes that Sudan experienced that year. Former President Bashir was ousted in April 2019, after reigning over Sudan for 30 years. Following his imprisonment the Transitional Military Council governed Sudan between 11<sup>th</sup> April and 20<sup>th</sup> August 2019, followed by the Sovereignty Council of Sudan, also referred to as the Civilian-led Transitional Government (CLTG), which continues to rule Sudan at the time of writing. The 2019 U.S. Department of State report on Sudan at times categorised these three time periods as follows [emphasis added]:

- **“Throughout the year...”** or **“During the year”**: This suggests that the issues occurred throughout 2019, thus pre-Bashir’s ousting and post-take over by the Transitional Military Council and CLTG. The following notable examples observed reported improvements despite being inconsistent with information found amongst other sources consulted:
  - The text in bold was omitted from the 2019 report: “Government authorities detained other members of the Darfur Students Association during the year. **Upon release, many showed visible signs of severe physical abuse and reported they had been tortured**”. For more information see [1.2.3. New improvements in 2019](#);
  - The arrest of NGO-affiliated international human rights and humanitarian workers. For more information see [5.2.1. Improvements in 2017](#).
- **“The Bashir government...”**: The way some issues were introduced suggested that following Bashir’s ousting in April 2019 they no longer occurred. The following issues were described this way in the 2019 report despite publicly available sources indicating they persisted in the most cases at least until July 2019, some even till the end of the year:
  - “There were numerous reports the Bashir government or its agents committed arbitrary or unlawful killings”;
  - “Peaceful protesters were regularly detained under the Bashir regime”;
  - “There were reports of disappearances by or on behalf of Bashir government authorities”;
  - “Human rights groups alleged that NISS regularly harassed and sexually assaulted many of its female detainees during the Bashir regime”;

- “Some former detainees reported security force members under the Bashir regime held them incommunicado; beat them; deprived them of food, water, and toilets; and forced them to sleep on cold floors. Released detainees under the Bashir regime also reported witnessing rapes of detainees by guards”;
  - “Under the Bashir regime authorities rarely conducted proper investigations of credible allegations of mistreatment”;
  - “The law provides for access to legal representation, but security forces under the Bashir regime often held persons incommunicado for long periods in unknown locations”;
  - “States of emergency continued in Darfur, Blue Nile, Southern Kordofan, North Kordofan, West Kordofan, and Kassala to facilitate the Bashir regime’s national arms collection campaigns. The states of emergency allowed for the arrest and detention of individuals without trial under the Bashir regime”;
  - “The Interim National Constitution and law provide for freedom of movement, foreign travel, and emigration, but the Bashir government restricted these rights for foreigners, including humanitarian workers”;
  - “The Bashir regime [...] restricted the movement of citizens in conflict areas”;
  - “Bashir authorities monitored and impeded political party meetings and activities, restricted political party demonstrations, used excessive force to break them up, and arrested opposition party members”;
  - “Under the Bashir regime, journalists who reported on government corruption were sometimes intimidated, detained, and interrogated by security services”;
  - “The Bashir regime was uncooperative with, and unresponsive to, domestic human rights groups. It restricted and harassed workers of both domestic and international human rights organizations”;
  - “The law, including many traditional legal practices and certain provisions of Islamic jurisprudence as interpreted and applied by the Bashir government, discriminates against women”;
  - “Under the Bashir regime several LGBTI persons felt compelled to leave the country due to fear of abuse, intimidation, or harassment”.
- **“Such behavior largely ceased under the CLTG” or “The CLTG respected...”:** This descriptor suggested an improvement of the situation post-August 2019 when the Civilian-Led Transitional Government was in control. The following notable improvements were observed despite publicly available sources not supporting their existence:
    - “Under the Bashir regime, and continuing under the TMC, security forces reportedly tortured, beat, and harassed suspected political opponents, rebel supporters, and others. Reports of such behavior largely ceased under the CLTG [Civilian-Led Transitional Government], although there were isolated reports of intimidation by some potentially rogue elements of the security apparatus, particularly the RSF”;
    - “Demonstrations during the CLTG [Civilian-Led Transitional Government] were reportedly peaceful; police used nonviolent measures to maintain order”;
    - “There were no reported political prisoners under the CLTG [Civilian-Led Transitional Government]”;
    - “There were no reports of arbitrary arrest or detentions under the CLTG [Civilian-Led Transitional Government]”, especially of political opponents, protesters, human rights defenders, journalists, students and professionals;
    - “The CLTG [Civilian-Led Transitional Government] reportedly respected press and media freedoms”;

- “The law provides for the freedoms of peaceful assembly and association, but the Bashir regime and the TMC restricted these rights. These rights, however, were generally respected by the CLTG [Civilian-Led Transitional Government]”
- “There were reports some female refugees and migrants working as domestic workers or tea sellers were not compensated for their work, required to pay “kettle taxes” to police, sexually exploited, or trafficked. Female tea sellers also reported harassment and confiscation of their belongings. Observers reported, however, such harassment had stopped under the CLTG [Civilian-Led Transitional Government], though challenges persisted”.

For further details see the *Improvements* sections below.

#### Notable improvements from the *Executive Summary* of the U.S. Department of State’s report

Three separate improvements were noted from one year to the next in how human rights issues were described in the *Executive Summary*. Two of these were observed comparing the 2017 edition with the 2018 report, which was then repeated in 2019, whilst one was a suggested improvement in the human rights situation of the 2019 *Executive Summary* compared to the previous edition. In all three instances they were found to be internally inconsistent with the respective sections of the U.S. State Department report.

#### **D. Omissions**

The majority of omitted issues were observed comparing the 2017 report to the 2016 edition. Twenty eight issues documented in the 2016 report were omitted from the 2017 edition despite publicly available information continuing to document their existence. These issues almost always continued to be omitted from subsequent reports and for the vast majority of issues, information was found to document their continued existence. An additional sixteen omissions were observed in the 2018 report and a further seven omissions were observed in the 2019 report. In all of these instances publicly available information continued to document the persistent existence of these issues.

More than half of the omissions observed across the three reports were found in section 6. *Discrimination, Societal Abuses, and Trafficking in Persons*, in particular the subsections on *Women and Children*.

Examples of significant omissions included the following:

- The renamed *Coercion in Population Control* subsection in the 2017 report did not include contextual information about the ability of couples to freely decide the number, spacing and timing of children, manage their reproductive health, have access to the means and information to do so, free from discrimination, coercion, or violence. Moreover, the 2017 report omitted to include that “Contraception, skilled medical attendance during childbirth, and obstetric and postpartum care were not always accessible in rural areas”, the reasons for high maternal mortality rates, as well as statistics in relation to the use of modern methods of contraception, maternal mortality rates, and the number of skilled healthcare personnel attending births. Instead the following statement was included: “There were no reports of coerced abortion, involuntary sterilization, or other coercive population control

methods” and a link provided to estimates on maternal mortality and contraception prevalence. In the 2018 and 2019 editions this was further reduced to “There were no reports of coerced abortion or involuntary sterilization”. For further details see [6.3.1. Omissions in 2017](#) and [6.3.2. New omissions in 2018](#).

- The discriminatory approach by the Sudanese government towards ethnic and religious minorities in 2017, 2018 and 2019. For further details see [6.3.1. Omissions in 2017](#).
- Information on the fear faced by LGBTI+ persons for their safety in 2017, 2018 and 2019. For further details see [6.3.1. Omissions in 2017](#).
- The burning and looting of villages in Southern Kordofan and Blue Nile in 2018 and 2019. For further details see [1.3.2. New omissions in 2018](#).
- Information on the situation of persons of South Sudanese origin living in Sudan who may face statelessness in 2018 and 2019. For further details see [2.3.2. New omissions in 2018](#).
- The implication of the Rapid Support Forces (RSF) in government campaigns against rebel movements resulting in major human rights violations against civilians in 2019. For further details see [1.3.3. New omissions in 2019](#).

Other notable omitted information from the subsection on *Women* in the 2017 report, both of which continued to be omitted from subsequent reports, related to:

- Failure to include UNAMID figures on female victims of conflict-related sexual violence;
- The existing difficulties for women to initiate legal divorce proceedings.

Other notable omitted information from the subsection on *Children* in the 2017 report, all of which continued to be omitted from subsequent reports, related to:

- Information on the situation and treatment of street children;
- The extent of child marriage in Sudan.

In the 2017 report, the following notable additional issues were omitted from *section 1. Respect for the Integrity of the Person*, all of which continued to be omitted from the 2018 and 2019 reports:

- Attacks on humanitarian and UNAMID convoys and compounds;
- Information on access to information and its implications for accessing information that may be critical about the government.

Additional notable issues omitted from the 2018 report, some of which were also omitted from the 2019 edition, included:

- Lack of government compensation to victims’ families nor prosecution of any perpetrators in relation to the killing of 200 persons during the protests in 2013;
- The detention of actual or assumed supporters of anti-government forces, e.g. the Sudan People’s Liberation Movement-North (SPLM-N);
- The International Criminal Court’s arrest warrant for former President Bashir and the government’s lack of cooperation in this regard.

In the 2019 report, the additional notable issues omitted included:

- Lack of government response in interethnic fighting or deterring violence crime;
- Women’s experience of economic discrimination.

In all these instances, the information was omitted despite publicly available sources documenting their continued existence.

For further details see the *Omissions* sections below.

#### Notable omissions from the *Executive Summary* of the U.S. Department of State’s report

Most of the omissions to the *Executive Summary* were observed when comparing the 2017 *Executive Summary* to the 2016 edition, the majority of which were found to be internally inconsistent with the respective sections of the U.S. State Department report.

Seventeen such omissions were observed in 2017, most of which continued to be omitted in 2018 and 2019:

- Inability of citizens to choose their government;
  - Arbitrary arrest;
  - Incommunicado detention;
  - Prolonged pretrial detention;
  - Obstruction of humanitarian assistance;
  - Discrimination against women;
  - Early childhood marriage;
  - Use of child soldiers;
  - Child abuse;
  - Sexual exploitation of children;
  - Discrimination against ethnic and religious minorities;
  - Persons with disabilities;
  - Persons with HIV/AIDS;
  - “Beating of civilians” in Darfur
  - “Forced displacement” in Darfur;
  - “Destroying food stores and other infrastructure necessary for sustaining life” in Darfur;
  - “Attacks on humanitarian targets, including humanitarian facilities and peacekeepers” in Darfur;
  - “Burning of villages” in Darfur.

Additional three issues were omitted from the 2018 *Executive Summary*, which continued to be omitted from the 2019 edition. This was considered to be internally inconsistent with the respective section of the 2018 and 2019 report:

- Restrictions on movement;
- Restrictions on freedoms of expression”;
- Abduction was also seen as a lucrative business by both militias and various tribes in Darfur.

No additional issues were omitted from the 2019 *Executive Summary*.

## Findings by section of the report

### 1. Section 1. Respect for the Integrity of the Person

#### 1.1. Use of language

##### 1.1.1. Observations in 2017, all repeated in 2018 and 2019

###### 1.b. Disappearance

By altering the language with regards to the motivation for disappearance, the 2017, 2018 and 2019 reports potentially remove a profile falling under a Refugee Convention ground for seeking international protection:

2016 [emphasis added]	2017, 2018 and 2019 reports [emphasis added]
[...] There were reports of <b>politically motivated</b> disappearances [...]	[...] There were reports of disappearances <b>by or on behalf of government authorities</b> [...]

###### 1.b. Disappearance

A number of language points have been noted on the following issue:

2016 [emphasis added]	2017, 2018 and 2019 reports [emphasis added]
[...] Security forces detained political opponents <b>incommunicado</b> , without charge, and <b>tortured</b> them [...]	[...] NISS held <b>some</b> political detainees in isolation cells in regular prisons, and <b>many</b> were held without access to family or medical treatment and reportedly <b>suffered physical abuse</b> [...]

Firstly, whilst the 2016 edition reported the “torture” of political opponents, this was reduced to “suffered physical abuse” in the 2017, 2018 and 2019 reports despite all three reports continuing to document the occurrence of torture in other sections of the report. Secondly, the 2016 edition described the way political opponents were held as “incommunicado” which was reduced to ‘held in isolation cells’ in the 2017, 2018 and 2019 reports. This language change has implications given that as repeatedly reaffirmed by the UN Commission on Human Rights, “prolonged incommunicado detention may facilitate the perpetration of torture and can in itself constitute a form of cruel, inhuman or degrading treatment or even torture”.<sup>3</sup>

Moreover, the 2017, 2018 and 2019 reports introduced “some” to quantify the number of political detainees in isolation cells and “many” to quantify how many were held without access to family or medical treatment, compared to no such quantification in the 2016 report, suggesting the situation was less widespread.

###### 1.c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

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<sup>3</sup> UN Commission on Human Rights, [Commission on Human Rights Resolution 2003/32: Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment](#), 23 April 2003, para. 14

In the following example distancing language was introduced in the 2017, 2018 and 2019 editions compared to the 2016 report, thereby potentially undermining the veracity of the information:

2016 report	2017, 2018 and 2019 reports [emphasis added]
[...] The 2005 Interim National Constitution prohibits torture and cruel, inhuman, and degrading treatment, but security forces, government-aligned groups, rebel groups, and ethnic factions continued to torture, beat, and harass suspected political opponents, rebel supporters, and others [...]	[...] The 2005 Interim National Constitution prohibits torture and cruel, inhuman, and degrading treatment, but security forces <b>reportedly</b> continued to torture, beat, and harass suspected political opponents, rebel supporters, and others [...]
[...] Torture and other forms of mistreatment included prolonged isolation, exposure to extreme temperature variations, electric shock, and use of stress positions [...]	[...] <b>Reports of</b> torture and other forms of mistreatment included prolonged isolation, exposure to extreme temperature variations, electric shock, and use of stress positions [...]  [Note that the 2019 report omitted this sentence in its entirety though continued to report elsewhere that torture occurred but just did not specify its form and against whom]

### 1.c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

A softening in language was also observed in describing the frequency in which NGOs were harassed, possibly suggesting an improvement in the situation,:

2016 report [emphasis added]	2017 and 2018 reports [emphasis added]	2019 report [emphasis added]
[...] Government forces <b>frequently</b> harassed NGOs that received international assistance. The government restricted or denied permission for humanitarian assessments, refused to approve technical agreements, changed operational procedures, copied NGO files, confiscated NGO property, questioned humanitarian workers at length and monitored their personal correspondence, restricted travel, and publicly accused humanitarian workers of aiding rebel groups [...]	[...] Government forces <b>at times</b> harassed NGOs that received international assistance. Although humanitarian access improved generally, the government <b>sometimes</b> restricted or denied permission for humanitarian assessments, refused to approve technical agreements, changed operational procedures, copied NGO files, confiscated NGO property, questioned humanitarian workers at length and monitored their personal correspondence, restricted travel, and publicly accused humanitarian workers of aiding rebel groups [...]	[...] <b>Bashir government security forces</b> at times harassed NGOs that received international assistance. <b>The Bashir government</b> sometimes restricted or denied permission for humanitarian assessments, refused to approve technical agreements, changed operational procedures, copied NGO files, confiscated NGO property, questioned humanitarian workers at length and monitored their personal correspondence, restricted travel, and publicly accused humanitarian workers of aiding rebel groups [...]

### 1.c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

It was further observed that the source attribution was changed, potentially diminishing the validity of the information as it could be implied that ‘activists’ has a different connotation than ‘organization’, i.e. less methodological, following a particular agenda etc.:

2016	2017, 2018 and 2019 reports
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[emphasis added]	[emphasis added]
[...] <b>Human rights organizations</b> asserted NISS ran “ghost houses,” where it detained opposition and human rights figures without acknowledging they were being held [...]	[...] <b>Human rights activists</b> asserted NISS ran “ghost houses” where it detained opposition and human rights figures without acknowledging they were being held [...]

### 1.c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

It was also observed that the following contextual information found in the 2016 report was no longer included in the 2017, 2018 and 2019 editions:

2016 report [emphasis added]	2017, 2018 and 2019 reports
[...] Courts denied some women bail, although by law they may have been eligible [...]	[Removed]
[...] Prison and Detention Center Conditions [...] Independent Monitoring [...] <b>The state of detention facilities administered by Sudan Liberation Movement–Abdul Wahid (SLM/AW) and Sudan People’s Liberation Movement–North (SPLM-N) in their respective rebel-controlled areas could not be verified due to lack of access [...]</b>	[Removed]

## 2.1.2. New observations in 2018, most repeated in 2019

### 1.b. Disappearance

It was observed that the 2018 and 2019 reports on one occasion did not describe a general pattern, but rather only presented individual incidents, which could be taken to imply that reduce regularity of the practice. In this particular example, whilst the 2017 report described the detention as “incommunicado: the 2018 and 2019 editions did not, but added a specific example documenting the prolonged detention of 150 human rights defenders in “unknown NISS facilities” and “without access to family visits or legal counsel”:

2017 report [emphasis added]	2018 and 2019 reports [emphasis added]
[...] Peaceful protesters were regularly detained <b>and held incommunicado</b> [...]	[...] Peaceful protesters were regularly detained [...] At least 150 human rights defenders <b>faced prolonged detentions, usually in unknown NISS facilities and without access to family visits or legal counsel for various periods up to five months</b> [...]

### 1.c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Less specificity was observed to describe torture inflicted on persons in detention – whilst the 2016 and 2017 reports described it as ‘physical and psychological’ torture, the 2018 reduced it to “torture”. The 2019 report omitted this information all together which is addressed further below at [1.3.3. New omissions in 2019](#)):

2016 and 2017 report	2018 report
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	[emphasis added]
[...] Government security forces (including police, NISS, and SAF Directorate of Military Intelligence (DMI) personnel) beat and <b>tortured physically and psychologically</b> persons in detention, including members of the political opposition, civil society, and journalists, according to civil society activists in Khartoum, former detainees, and NGOs. [...]	[...] Civil society activists in Khartoum, former detainees, and NGOs all reported that government security forces (including police, NISS, SAF Directorate of Military Intelligence (DMI) personnel, and the RSF) <b>tortured persons</b> in detention, including members of the political opposition, civil society, and journalists [...]

1.c. Prison and Detention Center Conditions / Physical Conditions

By combining two issues, the 2018 and 2019 reports distort the meaning implied in the 2017 edition by suggesting that prison health care and heating also varied in its provision as well as ventilation and lighting conditions:

2017 report	2018 and 2019 reports [emphasis added]
[...] Prison health care, heating, ventilation, and lighting were often inadequate [...] Ventilation and lighting conditions differed among prisons [...]	[...] Prison health care, heating, ventilation, and lighting were often inadequate, <b>but varied from facility to facility</b> [...]

1.c. Prison and Detention Center Conditions / Physical Conditions

The 2018 and 2019 changes the region housing ‘fridge cells’ to Khartoum North rather than to Omdurman prisons as was in the 2017 report suggesting that they no longer existed in Omdurman. The slight language change from 2018 and 2019 to 2017 also suggests that these ‘fridge’ cells are no longer manually changeable but just simply ‘cold’:

2017 report [emphasis added]	2018 and 2019 reports [emphasis added]
[...] NISS holding cells in Omdurman prisons were known to local activists as “the fridges” due to the extremely cold-controlled temperatures and the lack of windows and sunlight [...]	[...] NISS holding cells in <b>Khartoum North prisons</b> were known to local activists as “the fridges” due to the extremely <b>cold temperatures</b> and the lack of windows and sunlight [...]

1.c. Prison and Detention Center Conditions / Physical conditions

In the following instance the 2018 report added that “many prominent political detainees” reported that they were exempt from abuse in detention, which the previous 2017 and 2016 editions did not. It is not clear who “prominent political detainees” refers to and no further information has been provided to describe this group. Yet, it is implied that a possible improvement of the situation occurred in 2018 for ‘prominent political detainees’:

2017 report	2018 report [emphasis added]
[...] Political detainees reported facing harsher treatment [...]	[...] Political detainees reported facing harsher treatment, <b>although many prominent political detainees reported being exempt from abuse in detention</b> [...]

1.f. Arbitrary or unlawful interference with privacy, family, home, or correspondence

In the following example the removal of “without warrants” in the 2018 and 2019 reports may suggest that security forces conducted searches legally:

2017 report [emphasis added]	2018 and 2019 reports [emphasis added]
[...] Security forces frequently conducted searches <b>without warrants</b> and targeted persons suspected of political crimes [...]	[...] Security forces frequently conducted searches and targeted persons suspected of political crimes [...]

1.a. Arbitrary deprivation of life and other unlawful or politically motivated killings,

1.c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment,

1.d. Arbitrary arrest or detention,

1.e. Denial of fair public trial,

1.f. Arbitrary or unlawful interference with privacy, family, home, or correspondence, and

1.g. Abuses in internal conflict

It was also observed that the following contextual information, some of which could be read as assessments by the authors of the 2017 U.S. Department of State report, were no longer included in the 2018 and 2019 editions:

2017 report [emphasis added]	2018 and 2019 reports
[...] During the year President Bashir continued to have two outstanding warrants for arrest against him based on International Criminal Court (ICC) indictments in 2009 and 2010 for genocide, war crimes, and crimes against humanity in Darfur. Nonetheless, President Bashir still traveled by invitation to several countries [...]	[Removed]  Note that COI in relation to the continued arrest warrants against former President Bashir is included in the <i>Repository of COI on Sudan</i> : - <a href="#">Information that the government remained uncooperative with UN Security Council Resolution 1593 and that the government failed to comply with the International Criminal Court’s arrest warrant for former President Bashir and his ministers in 2018</a> - <a href="#">Information that the government remained uncooperative with UN Security Council Resolution 1593 and that the government failed to comply with the International Criminal Court’s arrest warrant for former President Bashir and his ministers in 2019</a>
[...] It was difficult to confirm prison administrative records were complete and accurate, as the government considered such information confidential and did not release it. Prison administrators reportedly did not always know how many inmates NISS held within prisons [...]	[Removed]
[...] There was no ombudsman or inspector general specifically designated for prisons [...]	[Removed]
[...] As such, UNAMID was unable to verify inmates who reportedly were held illegally as political prisoners <b>brought in by NISS, after having</b>	[...] As such, UNAMID was unable to verify inmates who reportedly were held illegally as political prisoners [...]

<b>undergone no judicial process [...]</b>	
<i>[...] Role of the police and security apparatus [...] Constitutional amendments passed in 2015 expanded NISS's mandate to include authorities traditionally reserved for the military and judiciary. Under the amendments, NISS may establish courts and is allowed greater latitude for making arrests; <b>its officers are shielded from normal prosecution</b> [...]</i>	<i>[...] Role of the police and security apparatus [...] Constitutional amendments passed in 2015 expanded NISS's mandate to include authorities traditionally reserved for the military and judiciary. Under the amendments NISS may establish courts and is allowed greater latitude than other security services in making arrests [...]</i>  [Note that the 2019 report included in its <i>Executive Summary</i> information on new prosecution rules]
<i>[...] In cases involving political defendants accused of subverting national security, the accused may be held for as long as four and one-half months, with the possibility of further extended detention periods, before being formally charged [...]</i>	[Removed]
<i>[...] The government separated the posts of attorney general and minister of justice. It was unclear how the new attorney general was selected [...]</i>	[Removed]
<i>[...] Non-Muslims may adopt only non-Muslim children; a comparable restriction does not apply to Muslim parents [...]</i>	[Removed]
<i>[...] Physical Abuse, Punishment, and Torture [...] Widespread impunity remained a major challenge, aggravated by government's limited capacity, the absence of a security environment conducive to civilian safety across Darfur, and use of excess force by security forces [...]</i>	[Removed]
<i>[...] Other Conflict-related Abuse [...] Conflict-related sexual and gender-based violence, especially in Central Darfur, continued to be taboo [...]</i>	[Removed]

### 1.1.3. New observations in 2019

#### 1.e. Denial of fair public trial / Trial procedures

It was also observed that the following contextual information found in the 2016, 2017 and 2018 reports was no longer included in the 2019 edition:

2018 report	2019 report
<i>[...] Defendants have the right to appeal, except in military trials. Defendants were sometimes permitted time and facilities to prepare their defense, although in more political cases under the Bashir regime, charges could be disclosed with little warning and could change as the trial proceeded [...]</i>	[...] Removed [...]

## 1.2. Improvements

### 1.2.1. Improvements in 2017 (compared to 2016), all repeated in 2018

Compared to the 2016 report, the following improvement in the situation in 2017, repeated in 2018, was observed that was inconsistent with the situation as reported by other publicly available sources [emphasis added]:

#### 1.d. Arbitrary arrest or detention / Arrest procedures and treatment of detainees / Arbitrary arrest

1. “The government sometimes sought to get Sudanese citizens living abroad **who actively criticized the government online** deported from their countries of residence”

[This was reported more broadly in the 2016 report: “The government sometimes sought to get Sudanese citizens living abroad deported from their countries of residence”, potentially implying that some Sudanese, whether or not actively criticised the government online, could face deportation. The 2019 report added that “This practice reportedly ended under the CLTG [Civilian-Led Transitional Government]”]

[2017](#) [2018](#) [Post-August 2019<sup>4</sup>](#)

[Amongst the sources consulted no relevant information was located after August 2019. The information found covering 2017 and 2018 reported on bilateral agreements between the Sudanese and foreign governments on border control issues including the repatriation of their nationals in general without limiting it that only those ‘who were actively criticising the government online’ were targeted]

### 1.2.2. Improvements in 2018 (compared to 2016 and 2017), all repeated in 2019

The following improvement in the situation in 2018, compared to 2016 and 2017, was observed that was inconsistent with the situation as reported by other publicly available sources:

#### 1.g. Abuses in Internal Conflict / Other Conflict-related Abuse

1. “There were no reports of humanitarian workers being targeted for kidnapping and ransom”

[In the 2016 and 2017 reports it was noted instead that “Unidentified armed groups also targeted humanitarian workers for kidnapping and ransom”]

[2018](#) [2019](#)

### 1.2.3. Improvements in 2019 (compared to 2018)

The following thirteen improvements in the situation in 2019, compared to 2018, were observed that were inconsistent with the situation as reported by other publicly available sources [emphasis added]:

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<sup>4</sup> ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019

*1.a. Arbitrary Deprivation of Life and other Unlawful Politically Motivated Killings*

1. “There were numerous reports the Bashir government or its agents committed arbitrary or unlawful killings”

[Post-April 2019](#)<sup>5</sup>

[The sources located amongst the sources consulted reported mainly on arbitrary or unlawful killings during the summer of 2019]

*1.b. Disappearance*

2. “Peaceful protesters were regularly detained under the Bashir regime”

[Post-April 2019](#)<sup>6</sup>

[The information located amongst the sources consulted reported mainly on the arbitrary detention of peaceful protesters in the summer of 2019]

3. “There were reports of disappearances by or on behalf of Bashir government authorities”

[Post-April 2019](#)<sup>7</sup>

[The information located amongst the sources consulted reported mainly on the disappearances of peaceful protesters in the summer of 2019]

*1.c. Torture and other cruel, inhuman, or degrading treatment or punishment*

4. Demonstrations during the CLTG [Civilian-Led Transitional Government] were reportedly peaceful; police used nonviolent measures to maintain order”

[Post-August 2019](#)<sup>8</sup>

[One source was located amongst the sources consulted in the post-August 2019 period]

5. “Human rights groups alleged that NISS regularly harassed and sexually assaulted many of its female detainees during the Bashir regime”

[Post-April 2019](#)<sup>9</sup>

[The information located amongst the sources consulted mainly focused on the harassment and sexual assault by security forces against protesters in the summer of 2019 and referred to the

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<sup>5</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>6</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>7</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>8</sup> ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019

<sup>9</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

perpetrators in the wider sense as ‘security forces’ and in some instances named them as the Rapid Support Forces (RSF)]

6. “Government authorities detained other members of the Darfur Students Association during the year. **Upon release, many showed visible signs of severe physical abuse and reported they had been tortured**”

[Note that the 2019 report did not include the additional sentence highlighted in bold acknowledging that members of the Darfur Students Association continued to be detained but not that they may have been physically abused or even tortured]

#### 2019

7. *Physical Condition*: “Some former detainees reported security force members under the Bashir regime held them incommunicado; beat them; deprived them of food, water, and toilets; and forced them to sleep on cold floors. Released detainees under the Bashir regime also reported witnessing rapes of detainees by guards.”

#### Post-April 2019<sup>10</sup>

[Amongst the sources consulted two sources were found documenting such abuses during the summer of 2019]

8. *Physical Condition*: “There were no reported political prisoners under the CLTG [Civilian-Led Transitional Government].”

#### Post-August 2019<sup>11</sup>

[According to the sources consulted one source was located which reported on the arrest of mainly high-ranking National Congress Party (NCP) members, which may be considered as ‘political prisoners’. An additional source (published 1<sup>st</sup> March 2020) was located that reported on the continued detention of political prisoners in 2019/2020 and that not all had been released as promised]

9. *Administration*: “Under the Bashir regime authorities rarely conducted proper investigations of credible allegations of mistreatment”

#### Post-April 2019<sup>12</sup>

[Information located amongst the sources consulted post-April 2019 reported that a number of new committees to investigate past crimes have been setup but implied it is too early to report on their effectiveness and efficiency. One of the reported challenges continued to be the existence of legal immunities]

### *1.d. Arbitrary arrest or detention*

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<sup>10</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>11</sup> ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019

<sup>12</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

10. “There were no reports of arbitrary arrest or detentions under the CLTG [Civilian-Led Transitional Government]”, especially of political opponents, protesters, human rights defenders, journalists, students and professionals

[Post-August 2019](#)<sup>13</sup>

[One source located amongst the sources consulted for this time period reported on the arrest of NCP [National Congress Party] party members and the house arrest of others in November 2019. Yet it was not clarified whether those arrests were arbitrary in nature]

11. *Arrest procedures and treatment of detainees*: “The law provides for access to legal representation, but security forces under the Bashir regime often held persons incommunicado for long periods in unknown locations”

[Post-April 2019](#)<sup>14</sup>

[The sources located for this time period reported mainly on the practice of incommunicado detention in the context of the protests of summer 2019]

12. *Political prisoners and detainees*: “The government continued to arrest or temporarily detain opposition members”

[2019](#)

[Most sources reported on the arrest and temporary detention of opposition members during the protests in the summer of 2019. One source was located which reported on the arrest of mainly high-ranking National Congress Party (NCP) members in November 2019]

#### *1.e. Denial of fair public trial*

13. “States of emergency continued in Darfur, Blue Nile, Southern Kordofan, North Kordofan, West Kordofan, and Kassala to facilitate the Bashir regime’s national arms collection campaigns. The states of emergency allowed for the arrest and detention of individuals without trial under the Bashir regime”

[Post-April 2019](#)<sup>15</sup>

### **1.3. Omissions**

#### **1.3.1. Omissions in 2017 (compared to 2016), most omitted in 2018 and all in 2019**

Four issues documenting the situation in 2016 in the following subsections of section 1. were omitted from the 2017 report despite available information documenting the issues. Three of

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<sup>13</sup> ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019

<sup>14</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>15</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

these issues continued to be omitted from the 2018 report and information was found documenting the existence of all three of these. Again, all four issues continued to be omitted from the 2019 reports and information was found documenting the existence of all of these. Green indicates issue reinserted. Illustrative information is presented on each of these issues, available at the time of publication of the respective USDOS report, in the Appendix of this report unless otherwise stated:

*1.g. Abuses in Internal Conflict*

1. *Physical Abuse, Punishment, and Torture*: “From December 2016 to November, UNAMID documented 115 cases involving 152 adult female victims of conflict-related sexual violence and 68 minors. In 2016 UNAMID documented 100 cases with 222 victims. UNAMID received the cases from all five Darfur states. Gross underreporting remained prevalent. The government rejected UNAMID figures on the basis the cases had not been reported to state authorities, but observers concurred that the government needed capacity building in how to track cases”

[Note that the 2018 and 2019 reports did document conflict related sexual violence but did not include UNAMID figures relating to female victims of conflict-related sexual violence]

[2017](#) [2018](#) [2019](#)

2. *Killings*: The 2017, 2018 and 2019 reports did not include any information on the use of “scorched earth tactics” or “burning” of villages.

[Note that the 2018 report did mention in section 1.g.: “UNAMID received reports of villages being burned and civilian deaths and injuries, but could not verify the extent of the damage or number of civilian casualties, nor who caused the damage” but did not specify its location]

[2017](#) [2018](#) [2019](#)

3. *Killings*: “Attacks on humanitarian and UNAMID convoys continued. Bandits obstructed humanitarian assistance, regularly attacked the compounds of humanitarian organizations, and seized humanitarian aid and other assets, including vehicles”

[2017](#) [2018](#) [2019](#)

4. *Killings*: “There were several reports of government forces, and armed militias and individuals, raiding IDP camps”

[2017](#) [2018](#) [2019](#)

[Amongst the sources consulted for 2017, 2018 and 2019 most sources reported on the robbing and looting of IDPs and their camps. Only one source specifically documented the raiding of IDP camps in 2019]

**1.3.2. New omissions in 2018 (compared to 2017 and 2016), most omitted in 2019**

Seven issues documenting the situation in 2017 and 2016 in the following subsections of section 1. were omitted from the 2018 report despite available information documenting the issues. All of

these issues continued to be omitted from the 2019 report and information was found documenting the existence of five of these. Years marked in red indicates where little or no information was found. Illustrative information is presented on each of these issues, available at the time of publication of the respective USDOS report, in the Appendix of this report unless otherwise stated:

*1.a. Arbitrary Deprivation of Life and other Unlawful Politically Motivated Killings*

1. “As of September the government had not released a report on the killings of 200 persons during protests in 2013 against the lifting of subsidies, nor had any perpetrators been prosecuted, according to lawyers representing the victims’ families. The government claimed it had paid compensations to victims’ families, while individual family members and representatives refuted such claims. While independent sources estimated 200 deaths resulted from the protests, the government reported there had been 85 deaths”

[2018](#) [2019](#)

[The sources located for 2018 and 2019 documented the continued lack of processes and procedures to bring perpetrators to justice for the violence and death of protesters in 2013 and also any form of compensation to their surviving family members]

*1.b. Disappearance*

2. “Government forces, armed opposition groups, and armed criminal elements were responsible for the disappearance of [...] humanitarian workers, and UN and other international personnel in conflict areas”

[2018](#) [2019](#)

[No sources were located reporting on the disappearance of humanitarian workers, and UN and other international personnel in conflict areas in 2019 and only one source was located for 2018 reporting on one incident affecting a national staff of an international NGO]

*1.c. Torture and other cruel, inhuman, or degrading treatment or punishment*

3. “Government security forces (including police, NISS, and military intelligence personnel of the Sudanese Armed Forces (SAF)) beat and tortured physically and psychologically persons in detention, including [...] religious activists”

[Note that this was also omitted in the 2017 report but no information was found amongst the sources consulted]

[2018](#) [2019](#)

[No sources were located specifically reporting on the beating and torture of religious activists in detention in 2019]

*1.d. Arbitrary arrest or detention*

4. “There were reports of individuals detained due to their actual or assumed support of antigovernment forces, such as the Sudan People’s Liberation Movement-North (SPLM-N) and Darfur rebel movements”

[2018](#) [2019](#)

5. *Role of the police and security apparatus:* “NGOs reported that clashes between protesters and government forces in 2013 caused more than 185 deaths (see section 1.a.). In May the government submitted to the UN independent expert on the situation of human rights in Sudan a report on the status of implementation of the recommendations made by him to the government in his previous reports. In his report to the UN Human Rights Council, the independent expert noted with concern that the report of the government did not include information on the issue of the victims and families of the fuel subsidy demonstrations of 2013. The independent expert called for updates on the compensation process for the victims and families of victims, for an independent judicial inquiry to be conducted into the killings and other violations committed during these incidents, for bringing those responsible to justice.”

[2018](#) [2019](#)

6. “*Amnesty:* In August, President Bashir issued a decree pardoning human rights champion Mudawi Ibrahim Adam and five other activists associated with his case. Mudawi had been arrested in December 2016 and faced espionage charges, which carry the death penalty”

[Note that in the 2018 and 2019 reports the subsection *Amnesty* was removed including any reference to amnesty provisions elsewhere in the report]

[2018](#) [2019](#)

#### *1.g. Abuses in Internal Conflict*

7. *Killings:* “The SAF and government-aligned forces also reportedly burned and looted villages in Southern Kordofan and Blue Nile”

[Note that this was also omitted in the 2017 report but no information was found amongst the sources consulted]

[2018](#) [2019](#)

### **1.3.3. New omissions in 2019 (compared to 2018, 2017 and 2016)**

Five issues documenting the situation in 2016, 2017 and 2018 were omitted from the 2019 report despite available information documenting the issues. Illustrative information is presented on each of these issues, available at the time of publication of the respective USDOS report, in the Appendix of this report unless otherwise stated:

#### *1.c. Torture and other cruel, inhuman, or degrading treatment or punishment*

1. “Civil society activists in Khartoum, former detainees, and NGOs all reported that government security forces (including police, NISS, SAF Directorate of Military Intelligence (DMI) personnel, and the RSF) tortured persons in detention, including members of the political opposition, civil society, and journalists. Reported forms of torture and other mistreatment included prolonged isolation, exposure to extreme temperature variations, electric shock, and the use of stress positions”

[2019](#)

[Note that all sources located covered the period January – July 2019]

*1.d. Arbitrary arrest or detention / Role of the police and security apparatus*

[In the 2019 report this particular section was removed and only some of its content moved to the *Executive Summary*]

2. “The government attempted to respond to some interethnic fighting and, in a few instances, was effective in mediating peaceful solutions. The government had a poor record, however, in preventing societal violence. Numerous residents in Darfur, for example, routinely complained of a lack of governing presence or authority that could prevent or deter violent crime”

[2019](#)

3. “The law provides NISS officials with legal protection from criminal or civil suits for acts committed in their official capacity; the government reported NISS maintained an internal court system to address internal discipline and investigate and prosecute violations of the National Security Act, including abuse of power. Penalties included up to 10 years in prison, a fine, or both for NISS officers found in violation of the act. During the year the government provided more information about how many cases it had closed. A key national dialogue recommendation was to rescind unilateral additions to the constitution that exempt NISS from the national judicial system. Despite promises to implement all national dialogue recommendations, the government did not include NISS reforms as part of the national dialogue package of laws it presented to the National Assembly”

[Note that the 2019 report mentioned in its *Executive Summary* that “the attorney general and security forces had agreed on a temporary process to remove immunity from security forces and government institutions involved in human right violations”]

[2019](#)

[Sources found for 2019 mainly reported on the continued lack of investigations for human rights abuses committed by security forces pre-summer 2019. Some investigations and prosecutions have started for abuses committed by the NSIS, but sources question in how far sufficient resources and expertise has been put into them to make them effective]

4. “The RSF [Rapid Support Force] continued to play a significant role in government campaigns against rebel movements and was implicated in the majority of reports of human rights violations against civilians”

## 2019

5. "Impunity remained a serious problem throughout the security forces, although crimes involving child victims were prosecuted more regularly. Aside from the inconsistent use of NISS' special courts (see above), the government rarely lifted police immunity or pressed charges against SAF officers. The government also generally failed to investigate violations committed by any branch of the security forces"

[Note that the 2019 report mentioned in its *Executive Summary* that "the attorney general and security forces had agreed on a temporary process to remove immunity from security forces and government institutions involved in human right violations"]

## 2019

[Sources found for 2019 did not mention crimes involving child victims specifically and mainly reported on the continued lack of investigations for human rights abuses committed by security forces pre-summer 2019. Some investigations and prosecutions have started for abuses committed by the NSIS, but sources question in how far sufficient resources and expertise has been put into them to make them effective]

## 2. Section 2. *Respect for Civil Liberties*

### 2.1. Use of language

#### 2.1.1. Observations in 2017, all repeated in 2018 and 2019

*2.d. Freedom of movement, internally displaced persons, protection of refugees, and stateless persons / Stateless persons*

The section *Stateless persons*, including all of its content, was removed from the 2017, 2018 and 2019 editions. Therefore the following contextual information previously found in the 2016 report was no longer included in the subsequent editions:

2016 report	2017, 2018 and 2019 reports
<p>[...] <i>The 1994 Nationality Act was amended in 2005 not only to apply to child with a father of Sudanese decent but also to allow a child born to a Sudanese mother to acquire Sudanese nationality by birth by following an application process. The Interim Sudanese Constitution, however, provides “every person born to a Sudanese mother or father shall have an inalienable right to enjoy Sudanese nationality and citizenship.” After the creation of the independent State of South Sudan, the Republic of Sudan amended its nationality law in 2011 but has yet to amend the relevant sections of the 1994 Act. The Interim Sudanese Constitution remains in force until Sudan adopts a permanent constitution [...]</i></p>	<p>[...] Removed [...]</p>

#### 2.1.2. New observations in 2018

No notable additional language observations were made in the 2018 report on section 2. *Respect for Civil Liberties*.

#### 2.1.3. New observations in 2019

No notable new language observations were made in the 2019 report on section 2. *Respect for Civil Liberties*.

### 2.2. Improvements

#### 2.2.1. Improvements in 2017 (compared to 2016)

There were no notable improvements observed in section 2. *Respect for Civil Liberties* in the 2017 report compared to the 2016 edition that were inconsistent with the situation as reported by other publicly available sources.

### 2.2.2. New improvements in 2018 (compared to 2017 and 2016)

There were no notable improvements observed in section 2. *Respect for Civil Liberties* in the 2018 report compared to the 2016 edition that were inconsistent with the situation as reported by other publicly available sources.

### 2.2.3. New improvements in 2019 (compared to 2018, 2017 and 2016)

The following four improvements in the situation in 2019, compared to the 2016, 2017 and 2018 reports, were observed that were inconsistent with the situation as reported by other publicly available sources:

#### 2.a. Freedom of speech and press

1. “The CLTG [Civilian-Led Transitional Government] reportedly respected press and media freedoms”

[Post-August 2019](#)<sup>16</sup>

#### 2.b. Freedom of peaceful assembly and association

2. “The law provides for the freedoms of peaceful assembly and association, but the Bashir regime and the TMC restricted these rights. These rights, however, were generally respected by the CLTG [Civilian-Led Transitional Government]”

[Post-August 2019](#)<sup>17</sup>

[Only one source was located amongst the sources consulted for this time period]

#### 2.d. Freedom of movement

3. “The Interim National Constitution and law provide for freedom of movement, foreign travel, and emigration, but the Bashir government restricted these rights for foreigners, including humanitarian workers”

[Post-April 2019](#)<sup>18</sup>

[Information located amongst the sources consulted continued to report on freedom of movement problems during the first half of 2019 and about easing of such restrictions for the second half of the year but that access restrictions to certain areas of the country remained mainly due to insecurity]

4. *In-country movement*: “The Bashir regime [...] restricted the movement of citizens in conflict areas”

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<sup>16</sup> ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019

<sup>17</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>18</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

## [Post-April 2019](#)<sup>19</sup>

[Amongst the sources consulted for this time period the easing of movement restrictions was reported, but one source continued to report on restrictions of movement in South Kordofan State in October 2019]

### **2.3. Omissions**

#### **2.3.1. Omissions in 2017 (compared to 2016), all omitted in 2018 and 2019**

Two issues documenting the situation in 2016 in the following subsections of section 2. were omitted from the 2017 report despite available information documenting the issues. All of these issues continued to be omitted from the 2018 and 2019 reports and information was found documenting the existence of all two of these. Illustrative information is presented on each of these issues, available at the time of publication of the respective USDOS report, in the Appendix of this report unless otherwise stated:

##### *2.a. Freedom of speech ad press / Internet freedom*

1. "Reporters without Borders reported NISS established a cyber-jihadist unit with a mandate to crack down on "internet dissidents" in 2011. According to outside reports, the unit continued to monitor social media accounts and electronic communications, especially of those believed to be regime critics"

[2017](#) [2018](#) [2019](#)

[Amongst the sources consulted only one source was located for the years covering 2017 and 2018 continuing to document the existence of the Cyber-Jihadist unit and its monitoring reach]

##### *2.b. Freedom of association*

2. "Organizations reported delays in obtaining permits to hold general assembly meetings. In the absence of general assemblies, the government prevented some organizations from holding elections or filling vacant positions. Some civil society activists believed the government delayed these approvals to disrupt the organizations' work or force them out of compliance with government regulations"

[2017](#) [2018](#) [2019](#)

[Amongst the sources consulted one source was found for 2018 and 2019. Both sources found referred to the general bureaucratic and cumbersome process of registering and maintaining an organisation and its work, not about "permits to hold general assembly meetings" or preventing organizations from holding elections or filling vacant positions"]

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<sup>19</sup> 'Post-April 2019' refers to events that occurred after the arrest of former President Bashir in April 2019

### **2.3.2. New omissions in 2018 (compared to 2017 and 2016), all omitted in 2019**

Two issues documenting the situation in 2016 and 2017 in the following subsections of section 2. were omitted from the 2018 report despite available information documenting the issues. All of these issues continued to be omitted from the 2019 report and information was found documenting the existence of all two of these. Illustrative information is presented on each of these issues, available at the time of publication of the respective USDOS report, in the Appendix of this report unless otherwise stated:

#### *2.a. Freedom of speech and press*

1. “Information on number of journalists banned from writing”

[2018](#) [2019](#)

[Amongst the sources consulted only one relevant source was located for 2018]

#### *2.d. Freedom of movement, internally displaced persons, protection of refugees, and stateless persons / Stateless persons*

2. “Persons of South Sudanese origin who lived for many years in the Republic of Sudan were stripped of their Sudanese nationality by law, irrespective of the strength of their connections to the new state of South Sudan or Sudan and their views on which state to which they wished to belong. Other populations who risked being adversely affected included individuals with one parent from Sudan and one from South Sudan; members of cross-border ethnic groups; and persons separated from their families by war, including unaccompanied children. Some persons of South Sudanese origin living in Sudan risked ending up stateless, without either a Sudanese or South Sudanese nationality, and losing their basic rights”

[Note that the subsection *Stateless persons* has been completely removed from the 2017 and 2018 reports together with its content. In the 2019 report the title *Stateless Persons* was re-inserted with the accompanying noted “Not applicable”. The only reference remaining in the 2017, 2018 and 2019 reports that statelessness remained an issue in Sudan was the reference that “UNHCR reported there were countless South Sudanese in the country who were unregistered and at risk of statelessness”]

[2018](#) [2019](#)

[No information was found amongst the sources consulted for 2017]

### **2.3.3. New omissions in 2019 (compared to 2018, 2017 and 2016)**

One issue documenting the situation in 2016, 2017 and 2018 in the following subsection of section 2. was omitted from the 2019 report despite available information documenting the issues. Illustrative information is presented on the issue, available at the time of publication of the respective USDOS report, in the Appendix of this report unless otherwise stated:

## 2.d. Freedom of movement

1. *Internally displaced persons*: “Large-scale displacement continued to be a severe problem in Darfur and the Two Areas”

[2019](#)

[Amongst the sources consulted for 2019 one source reported on an 105% increase of new IDPs caused by conflict in Sudan between 31 December 2018 and 31 December 2019]

### 3. Section 3. Freedom to Participate in the Political Process

#### 3.1. Use of language

##### 3.1.1. Observations in 2017

No notable language observations were made in the 2017 report on section 3. *Freedom to Participate in the Political Process*.

##### 2.1.2. New observations in 2018, most repeated in 2019

#### 3. Freedom to Participate in the Political Process

It was observed that the following contextual information found in the 2017 report were no longer included in the 2018 and 2019 editions:

2017 reports [emphasis added]	2018 and 2019 reports
[...] <i>In Abyei the Ngok Dinka held a unilateral referendum in 2013, which the international community did not recognize. No popular consultations took place during the year in either Southern Kordofan or Blue Nile. [...]</i>	[Removed]
[...] <i>The Darfur Referendum, which took place in April 2016, was conducted to determine whether Darfur would be administered via the current system of five states or as one regional administration. Observers from the African Union (AU) and the League of Arab States monitored the referendum. The Darfur Referendum Commission announced that more than 97 percent of voters had opted to keep Darfur's current administrative configuration. Human rights observers said the government believed a unified Darfur would give rebels a platform to push for independence just as South Sudan did successfully in 2011 [...]</i>	[Removed]
[...] <i>The previous (nationwide excluding conflict areas) gubernatorial election was held in April 2010. The National Assembly changed the constitution in January 2015 to authorize the president to appoint the governors instead of voters selecting them. Under this amendment President Bashir appointed 18 state governors [...]</i>	[Removed]
[...] <i>Political Parties and Political Participation: The NCP dominated the political landscape, <b>controlling all of the regional governorships</b> and holding a two-thirds majority in the National Assembly [...]</i>	[Word in bold removed]
[...] <i>The Political Parties Affairs Council oversees the registration of political parties. The ruling party controls the council; <b>it is not an independent body</b> [...]</i>	[Word in bold removed]

<p>[...] In December 2016 the National Legislature ratified constitutional amendments recommended by the National Dialogue, which concluded in October 2015. The amendments included allowing the creation of a position of prime minister, the appointment of additional representatives to the parliament, and the separation of the Office of the Attorney General from the Ministry of Justice. On March 1, President Bashir appointed First Vice President Bakri Hassan Saleh as the first prime minister since 1989, following the parliamentary decision to reinstate that position. In May the new prime minister announced the creation of the National Consensus Government. The High Committee established to monitor National Dialogue outcomes implementation agreed to establish five commissions: the Anti-Corruption Commission; Election Commission; Constitution Commission; the Higher Council for Peace, and the Political Parties Commission. By year's end it remained unclear what direct impact these amendments had on respect for rule of law and protection of human rights in the country [...]</p>	<p>[Removed]</p>
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The 2018 report amended the way it described the Republican (Jamhori) Party compared to the 2017 edition [emphasis added]:

2017	2018 [emphasis added]
<p>[...] the Republican (Jamhori) Party, which opposes violent extremism and promotes secularism [...]</p>	<p>[...] the Republican (Jamhori) Party, <b>an Islamic reform movement which promotes justice and equality</b> [...]</p>

### 3.1.3. New observations in 2019

No additional language observations were made in the 2019 report on section 3. *Freedom to Participate in the Political Process*.

## 3.2. Improvements

### 3.2.1. Improvements in 2017 (compared to 2016)

There were no notable improvements observed in section 3. *Freedom to Participate in the Political Process* in the 2017 report compared to the 2016 edition that were inconsistent with the situation as reported by other publicly available sources.

### 3.2.2. New improvements in 2018 (compared to 2017 and 2016)

There were no notable improvements observed in section 3. *Freedom to Participate in the Political Process* in the 2018 report compared to the 2016 and/or 2017 editions that were inconsistent with the situation as reported by other publicly available sources.

### **3.2.3. New improvements in 2019 (compared to 2018, 2017 and 2016)**

The following improvement in the situation in 2019, compared to 2016, 2017 and 2018, was observed that was inconsistent with the situation as reported by other publicly available sources:

#### *3. Elections and political participation / Political Parties and Political Participation*

1. “Bashir authorities monitored and impeded political party meetings and activities, restricted political party demonstrations, used excessive force to break them up, and arrested opposition party members”

[By not mentioned whether this continued in the post-Bashir era and under the Civilian-Led Transitional Government, it is suggested that the situation improved]

#### [Post-April 2019](#)<sup>20</sup>

[Most sources located reported on restrictions on political party demonstration, use of excessive force to break them up, and the arrest of opposition party members in the context of the protests that erupted in the summer of 2019. One source was located which reported on the arrest of mainly high-ranking National Congress Party members in November 2019]

## **3.3. Omissions**

### **3.3.1. Omissions in 2017 (compared to 2016)**

No omissions were documented in the 2016 report compared to the 2017 edition.

### **3.3.2. New omissions in 2018 (compared to 2017 and 2016), all omitted in 2019**

Three issues documenting the situation in 2017 were omitted from the 2018 report despite available information documenting the issues. All of these issues continued to be omitted from the 2019 report and information was found documenting the existence of all three of these. Illustrative information is presented on each of these issues, available at the time of publication of the respective USDOS report, in the Appendix of this report unless otherwise stated:

#### *3. Freedom to Participate in the Political Process*

1. “Peace negotiations for the Two Areas and Darfur continued to stall”

#### [2018](#) [2019](#)

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<sup>20</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

[Information located from the sources consulted for 2018 and 2019 reported on the stalling of peace negotiations involving Darfur until the autumn 2019 when negotiations were picked up again. No information was found in relation to the Two Areas for 2018 and 2019]

2. “Neither Sudan nor South Sudan progressed toward a resolution on the final status of Abyei”

[2018](#) [2019](#)

### *3. Freedom to Participate in the Political Process / Participation of Women and Minorities*

3. “Some observers believed traditional and cultural factors limited the participation of women in political life”

[2018](#) [2019](#)

[Amongst the sources consulted only one was found reporting on the traditional factors limiting women’s participation in political life for each year]

#### **3.3.3. New omissions in 2019 (compared to 2018)**

No notable additional omissions were documented in the 2019 report compared to the 2016, 2017 and 2018 editions.

## **4. Section 4. Corruption and Lack of Transparency in Government**

### **4.1. Use of language**

No notable language observations were made in the 2017, 2018 and 2019 reports on section 4. *Corruption and Lack of Transparency in Government*.

### **4.2. Improvements**

#### **4.2.1. Improvements in 2017**

There were no notable improvements observed in section 4. *Corruption and Lack of Transparency in Government* in the 2017 report compared to the 2016 edition that were not reflective of the situation on the ground as reported by other publicly available sources.

#### **4.2.2. New improvements in 2018**

There were no notable improvements observed in section 4. *Corruption and Lack of Transparency in Government* in the 2018 report compared to the 2016 and/or 2017 editions that were not reflective of the situation on the ground as reported by other publicly available sources.

#### **4.2.3. New improvements in 2019 (compared to 2018, 2017 and 2016)**

The following improvement in the situation in 2019, compared to the 2016, 2017 and 2018 reports, was observed, which was found not to be commensurate with the situation as reported by other publicly available sources:

#### *4. Corruption and lack of transparency in government*

1. "Under the Bashir regime, journalists who reported on government corruption were sometimes intimidated, detained, and interrogated by security services"

[Post-April 2019](#)<sup>21</sup>

### **4.3. Omissions**

#### **4.3.1. Omissions in 2017 (compared to 2016), all omitted in 2018 and 2019**

One issue documenting the situation in 2016 in the following subsection was omitted from the 2017 report despite available information documenting the issues. This issue continued to be omitted from the 2018 and 2019 reports and information was found documenting the existence of it. Illustrative information is presented on the issue, available at the time of publication of the respective USDOS report, in the Appendix of this report unless otherwise stated:

#### *4. Public Access to Information*

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<sup>21</sup> 'Post-April 2019' refers to events that occurred after the arrest of former President Bashir in April 2019

1. “In January 2015 the government passed a freedom of information law to promote greater transparency and allow citizens greater access to information. As of August local and international human rights observers and journalists remained skeptical the law would improve access to information given that little information was publicly disseminated about the law. The law exempts 12 categories of information that can be maintained as classified, including personal information and information on national security, foreign policy, and criminal procedures”

[The 2017, 2018 and 2019 reports had the section and full content removed from its editions. Note that the information found amongst the sources consulted mainly confirmed that the 2015 Freedom of Information Law existed in 2017, 2018 and 2019, but information was scarce on the implication of its implementation, especially in 2017]

[2017](#) [2018](#) [2019](#)

#### **4.3.2. New omissions in 2018 (compared to 2017)**

No notable additional omissions were documented in the 2018 report compared to the 2016 and 2017 editions.

#### **4.3.3. New omissions in 2019 (compared to 2018)**

No notable additional omissions were documented in the 2019 report compared to the 2016, 2017 and 2018 editions.

## 5. Section 5. *Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights*

### 5.1. Use of language

#### 5.1.1. Observations in 2017, none repeated in 2018 and 2019

##### 5. *Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights*

A qualified reducing regularity was observed to describe the frequency with which the Humanitarian Aid Commission (HAC) obstructed the work of NGOs:

2016 report [emphasis added]	2017 report [emphasis added]
[...] The HAC <b>obstructed</b> the work of NGOs including in Darfur, the Two Areas, White Nile State, and Abyei [...]	[...] While humanitarian access generally improved during the past year [...] the HAC <b>on occasion</b> obstructed the work of NGOs including in Darfur, the Two Areas, White Nile State, and Abyei, including by interfering with their hiring practices and denying travel permits, or not issuing them in a timely manner [...]

#### 5.1.2. New observations in 2018

No additional language observations were made in the 2018 report on section 5. *Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights*.

#### 5.1.3. New observations in 2019

No additional language observations were made in the 2019 report on section 5. *Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights*.

### 5.2. Improvements

#### 5.2.1. Improvements in 2017 (compared to 2016), all repeated in 2018

The following improvement in the situation in 2017, compared to 2016, was observed, which was repeated in 2018 and found not to be commensurate with the situation as reported by other publicly available sources. The reported improvement was also observed in the 2019 report but amongst the sources consulted no information was found to corroborate or refute its improvement [emphasis added]:

##### 5. *Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights*

1. **“Unlike in previous years, there were no reports that the government arrested NGO-affiliated international human rights and humanitarian workers”**

[The 2016 report noted that “The government arrested NGO-affiliated international human rights and humanitarian workers, including in Darfur”. The 2017 report noted elsewhere “Authorities continued to arrest and detain members of UNAMID's staff on allegations of espionage” but did not mention NGO-affiliated international human rights and humanitarian workers]

[2017](#) [2018](#) [2019](#)

[Amongst the sources consulted no information was located for 2019]

### **5.2.2. New improvements in 2018 (compared to 2017)**

There were no notable improvements observed in section 4. *Corruption and Lack of Transparency in Government* in the 2018 report compared to the 2016 and/or 2017 editions that were not reflective of the situation on the ground as reported by other publicly available sources.

### **5.2.3. New improvements in 2019 (compared to 2018, 2017 and 2016)**

The following improvement in the situation in 2019, compared to 2018, 2017 and 2016, was observed, which was found not to be commensurate with the situation as reported by other publicly available sources:

#### **5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

1. “The Bashir regime was uncooperative with, and unresponsive to, domestic human rights groups. It restricted and harassed workers of both domestic and international human rights organizations”

[Post-April 2019](#)<sup>22</sup>

[Information located amongst the sources consulted post-April 2019 found that international organisations and UN agencies were given more access and allowed to provide assistance, but one source questions whether this extended to human rights groups]

## **5.3. Omissions**

### **5.3.1. Omissions in 2017 (compared to 2016), all omitted in 2018 and 2019**

One issue documenting the situation in 2016 was omitted from the 2017 report despite available information documenting the issues. The same issue continued to be omitted from the 2018 and 2019 reports and information was found documenting the existence of it. Illustrative information is presented on the issue, available at the time of publication of the respective USDOS report, in the Appendix of this report unless otherwise stated:

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<sup>22</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

## 5. The United Nations or Other International Bodies

1. “In 2005 the United Nations established a sanctions regime on Sudan pursuant to Resolution 1591. These sanctions impose an arms embargo on Darfur and travel bans and asset freezes of certain individuals. A panel of experts, appointed by the UN Sanctions Committee, prepared quarterly reports regarding compliance with Resolution 1591, which informs an annual Sanctions Committee report. In its January and October reports, the panel of experts indicated the country was not fully compliant with the Darfur sanctions regime”

[2017](#) [2018](#) [2019](#)

[The sources located for 2017, 2018 and 2019 continue to report on the sanctions regime imposed on Sudan and its non-compliance with regards to Darfur]

### 5.3.2. New omissions in 2018 (compared to 2017 and 2016), some omitted in 2019

Three issues documenting the situation in 2016 and 2017 were omitted from the 2018 report despite available information documenting the issues. Two of these issues continued to be omitted from the 2019 report and information was found documenting the existence of one of these. Green indicates issue reinserted. Years marked in red indicates where little or no information was found. Illustrative information is presented on each of these issues, available at the time of publication of the respective USDOS report, in the Appendix of this report unless otherwise stated:

#### 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

1. “NGOs must register with the HAC [Humanitarian Aid Commission], the government entity for regulating humanitarian efforts. While humanitarian access generally improved during the past year [...] the HAC on occasion obstructed the work of NGOs including in Darfur, the Two Areas, White Nile State, and Abyei, including by interfering with their hiring practices and denying travel permits, or not issuing them in a timely manner. The HAC often changed its administrative procedures and regulations without prior notification [...]”

[Note that the 2018 report mentions the HAC only once in section 1.g. where it noted that HAC did not apply its regulations consistently throughout the year. For the year 2019 it was noted that the HAC was increasingly becoming supportive in providing access and less interference of agencies on the ground]

[2018](#) [2019](#)

2. “Authorities continued to arrest and detain members of UNAMID’s staff on allegations of espionage [...]”

[2018](#) [2019](#)

[Amongst the sources consulted those found covering 2018 did not always mention the reasons of the arrest, whilst no sources were located for 2019]

## 5. *The United Nations or Other International Bodies*

3. “The government remained uncooperative with UN Security Council Resolution 1593 and failed to comply with the ICC arrest warrants for President Bashir; Ahmad Muhammad Haroun, former minister for humanitarian affairs and current governor of Northern Kordofan; former defense minister and current governor of Khartoum State, Abd al-Rahim Hussein; Abdallah Banda Abakaer Nourain, a militia leader who fought against the government; and Ali Muhammad Abd al-Rahman Hussein, a senior Jingaweit commander, who supported the government against Darfur rebel groups”

[Note that the 2019 U.S. Department of State report at section 4. reported on former President Bashir’s arrest and court case on corruption charges and that he would be tried for accusations of more serious human rights violations in December 2019 in domestic courts]

[2018](#)   [2019](#)

### **5.3.3. New omissions in 2019 (compared to 2018)**

No notable additional omissions were documented in the 2019 report compared to the 2018, 2017 and 2016 editions.

## 6. Section 6. *Discrimination, Societal Abuses, and Trafficking in Persons*

### 6.1. Use of language

#### 6.1.1. Observations in 2017, all repeated in 2018 and 2019

6. *Women / Female Genital Mutilation/Cutting (FGM/C)*

6. *Women / Sexual Harassment*

6. *Children / Education*

6. *Children / Early and Forced Marriage*

It was observed that the following contextual information found in the 2016 report was omitted from the 2017, 2018 and 2019 editions:

2016 report	2017, 2018 and 2019 reports
<i>[...] Girls generally were cut when they were five to 11 years old Comprehensive figures were not available. [...]</i>	[...] Removed [...]
<i>[...] No law specifically prohibits sexual harassment, although the law prohibits gross indecency, which is defined as any act contrary to another person's modesty [...] The penalty for gross indecency is imprisonment for up to one year and 40 lashes [...]</i>	[...] Removed [...]
<i>[...] In 2013 the government reported that overall female enrolment increased to 69 percent, as the result of a national education strategy focused on girls [...]</i>	[...] Removed [...]
<i>[...] In public schools boys and girls are educated separately in urban areas but often together in rural areas, where resources are more limited [...]</i>	[...] Removed [...]
<i>[...] The government adopted in December 2015 a draft national strategy to promote the abandonment of child marriage [...]</i>	[...] Removed [...]

6. *Children / Sexual Exploitation of Children*

6. *Children / Child Abuse*

In the following instance the description of the prevalence of sexual exploitation as had been included in the 2016 report was removed from the subsequent editions:

2016 report	2017, 2018 and 2019 reports
<i>[...] Sexual exploitation of children was less prevalent in nonconflict area [...]</i>	[...] Removed [...]
<i>[...] Child abuse and abduction for ransom were widespread in conflict areas and less prevalent in nonconflict areas [...]</i>	[...] Removed [...]

6. *National/Racial/Ethnic Minorities*

It was observed that on occasion the 2017 report tended to provide reduced specificity on particular issues. For example the subsection *National/Racial/Ethnic Minorities* no longer included background

information on the ethnic groups involved in the interethnic fighting in Darfur and that ‘National identity’ was one of the discussion committees of the National Dialogue:

2016 report	2017, 2018 and 2019 reports
<i>[...] Interethnic fighting in Darfur was between Muslims who considered themselves either Arab or non-Arab and between different Arab tribes [...]</i>	[...] Removed [...]
<i>[...] “National Identity” is one of the six discussion committees of the national dialogue [...]</i>	[...] Removed [...]

Compared to the 2016 report, the 2017 and 2018 editions noted that less ethnic groups self-identified as Arab without providing any further explanation as to the reason for such a reduction:

2016 report [emphasis added]	2017, 2018 and 2019 reports [emphasis added]
<i>[...] The population includes more than 500 ethnic groups, speaking numerous languages and dialects. <b>Many</b> of these ethnic groups self-identify as Arab, referring to their language and other cultural attributes [...]</i>	<i>[...] The population includes more than 500 ethnic groups, speaking numerous languages and dialects. <b>Some</b> of these ethnic groups self-identify as Arab, referring to their language and other cultural attributes [...]</i>

### 6.1.2. New observations in 2018, all repeated in 2019

- 6. Women / Rape and Domestic Violence
- 6. Other Harmful Traditional Practices
- 6. Children / Birth Registration

It was observed that the following contextual information found in the 2017 report was omitted from the 2018 and 2019 editions:

2017 report	2018 and 2019 reports
<i>[...] The Ministry of Social Welfare, Women, and Child Affairs is responsible for matters pertaining to women. The Violence against Women Unit is responsible for implementation of the National Action Plan for Combating Violence against Women. It had offices in 14 of the 18 states [...]</i>	[...] Removed [...]
<i>[...] The Interim National Constitution obligates states to combat harmful customs and traditions that undermine the dignity and status of women [...]</i>	[...] Removed [...]
<i>[...] A birth certificate does not automatically qualify a child for citizenship [...]</i>	[...] Removed [...]

#### 6. Women / Rape and domestic violence

A statement made by human rights organisations in the 2017 report was no longer included in the 2018 and 2019 editions [emphasis added]:

2017 report [emphasis added]	2018 and 2019 reports

[...] Human rights organizations cited substantial barriers, including cultural norms, police reluctance to investigate, and the widespread impunity of perpetrators, to reporting sexual and gender-based violence, **including a substantial gap between the law and its implementation** [...]

[...] Human rights organizations cited substantial barriers to reporting sexual and gender-based violence, including cultural norms, police reluctance to investigate, and the widespread impunity of perpetrators [...]

### 6.1.3. New observations in 2019

No additional language observations were made in the 2019 report in section 6. *Discrimination, Societal Abuses, and Trafficking in Persons*.

## 6.2. Improvements

### 6.2.1. Improvements in 2017 (compared to 2016)

There were no notable improvements observed in section 6. *Discrimination, Societal Abuses, and Trafficking in Persons* in the 2017 report compared to the 2016 edition that were not reflective of the situation on the ground as reported by other publicly available sources.

### 6.2.2. New improvements in 2018 (compared to 2017)

There were no notable improvements observed in section 6. *Discrimination, Societal Abuses, and Trafficking in Persons* in the 2018 report compared to the 2016 and/or 2017 editions that were not reflective of the situation on the ground as reported by other publicly available sources.

### 6.2.3. New improvements in 2019 (compared to 2018, 2017 and 2016)

The following two improvements in the situation in 2019, compared to 2016, 2017 and 2018, were observed, which were found not to be commensurate with the situation as reported by other publicly available sources:

#### 6. Women / Discrimination

1. “The law, including many traditional legal practices and certain provisions of Islamic jurisprudence as interpreted and applied by the Bashir government, discriminates against women”

[Post-April 2019](#)<sup>23</sup>

#### 6. Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

2. “Under the Bashir regime several LGBTI persons felt compelled to leave the country due to fear of abuse, intimidation, or harassment”

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<sup>23</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

[Post-April 2019](#)<sup>24</sup>

[Only one source of information was found, published in May 2019]

### 6.3. Omissions

#### 6.3.1. Omissions in 2017 (compared to 2016), most omitted in 2018 and 2019

Twenty issues documenting the situation in 2016 in the following subsections of section 6. were omitted from the 2017 report despite available information documenting the issues. All of these issues continued to be omitted from the 2018 report and information was found documenting the existence of eighteen of these. Again, all twenty issues continued to be omitted from the 2019 reports and information was found documenting the existence of eighteen of these. Years marked in red indicates where little or no information was found. Illustrative information is presented on each of these issues, available at the time of publication of the respective USDOS report, in the Appendix of this report unless otherwise stated:

#### 6. Women / Rape and Domestic Violence

1. “From January to December, UNAMID documented 100 cases involving 222 victims of conflict-related sexual violence compared with 80 cases and 105 victims in 2015. The victims included minors comprising 119 girls and one boy, whose ages ranged between eight and 17 years old. UNAMID received the cases from all five Darfur states”

[Note that the 2017, 2018 and 2019 reports did not include UNAMID figures relating to female victims of conflict-related sexual violence. The 2016 figures were added both to section 1.g and section 6. Women]

[2017](#) [2018](#) [2019](#)

#### 6. Women / Reproductive Rights

[Note that the whole subsection on *Reproductive Rights* has been removed from the 2017, 2018 and 2019 reports and instead been replaced with *Coercion in Population Control*. This omits information on the following issues which all continued to be evidenced in other publicly available sources:

2. “[...] couples were generally able to decide the number, spacing, and timing of their children; manage their reproductive health; and have access to the means and information to do so, free from discrimination, coercion, or violence”

[2017](#) [2018](#) [2019](#)

[The information located amongst the sources consulted for 2017, 2018 and 2019 reported on the difficulties couples faced accessing reproductive health services]

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<sup>24</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

3. “Contraception, skilled medical attendance during childbirth, and obstetric and postpartum care were not always accessible in rural areas”

[2017](#) [2018](#) [2019](#)

[Information located amongst the sources consulted for 2017 and 2018 mainly reported on the situation in Southern Kordofan, Blue Nile and Nuba region]

4. “The UN Development Program estimated that 13 percent of girls and women between the ages of 15 and 49 years old used a modern method of contraception in 2015”

[2017](#) [2018](#) [2019](#)

5. “WHO estimated in 2013 that the maternal mortality rate was 360 deaths per 100,000 live births and that skilled healthcare personnel attended 31 percent of births”

[2017](#) [2018](#) [2019](#)

6. “The high maternal mortality rate stemmed in large part from lack of access to reproductive health and emergency obstetric care, particularly in rural areas, lack of access to family planning services, poor sanitation, and chronic undernourishment in poorer areas, as well as infection, malaria, anemia, and haemorrhage”

[2017](#) [2018](#) [2019](#)

#### 6. Women / Discrimination

7. “Depending on the wording of the marriage contract, it was often much easier for men than women to initiate legal divorce proceedings”

[2017](#) [2018](#) [2019](#)

#### 6. Children / Education

8. “In Darfur few children outside of cities had access to primary education due to its high cost”

[2017](#) [2018](#) [2019](#)

[No source was located for 2018 amongst the sources consulted]

9. “A September 2015 Ministry of Education/UNICEF report estimated that 15 percent of primary school children were at risk of dropping out before the final grade of primary school; the report identified girls, IDPs, children in rural areas, and members of certain ethnic and religious groups as being at particular risk of being excluded from school. In addition to gender discrimination and poverty, early marriage was also indicated as a factor that negatively affected education levels”

[2017](#) [2018](#) [2019](#)

## 6. Children / Child Abuse

10. “Local NGOs reported an increase in street children and expressed concern that children working in public transportation and public markets were particularly vulnerable to sexual abuse and subsequent extortion. Due to shame and social stigma associated with sexual abuse, abused children often remained with their patrons out of fear of blackmail and were often too afraid to seek help”

[2017](#) [2018](#) [2019](#)

[Amongst the sources consulted only one source was located for 2017 and no such information was located for 2019]

## 6. Children / Early and Forced Marriage:

11. “There were no reliable statistics on the extent of child marriage, but child advocates reported it remained a problem, especially in rural areas. According to UNICEF estimates, 12 percent of women between the ages 20 and 24 years old were first married or in a union before they were 15 years old, and 34 percent were married before reaching 18”

[2017](#) [2018](#) [2019](#)

## 6. Children / Sexual Exploitation of Children

12. “Child prostitution also remained a problem”

[2017](#) [2018](#) [2019](#)

[No information was found amongst the sources consulted in relation to 2018 and 2019]

13. “Of the 161 children recorded as unaccompanied IDPs, 11 were reunited with their families”

[2017](#) [2018](#) [2019](#)

[Note that the figures found related to all of the unaccompanied IDPs in Sudan and those reunited with their families]

14. “According to UNHCR reports in November, more than 70 percent of the 263,245 total arrivals from South Sudan, who arrived after the outbreak of conflict in December 2013, were children [...] Children represented 60 percent of the 90,516 refugees who arrived from South Sudan since January”

[2017](#) [2018](#) [2019](#)

## 6. Persons with Disabilities

15. “Children with disabilities attended public schools, and there were some other educational institutions for persons with disabilities, including two schools for persons with visual disabilities”

[2017](#) [2018](#) [2019](#)

[Only one source was located amongst the sources consulted for 2018 addressing children with disabilities. It expressed concern regarding the ‘harmful stereotypes of children with disabilities, and the persistence of traditional attitudes to seclusion and institutionalization’. The two 2019 sources located reported on the number of disabled children out of school and the lack of qualified staff in specifically built facilities]

16. “Persons with disabilities reported it was difficult to access or afford necessary equipment, such as wheelchairs”

[2017](#) [2018](#) [2019](#)

[One source was found in relation to 2017 and 2018. As for 2019 only one source was found that specifically highlighted physical and social barriers in accessing essential services without specifically mentioning access to affordable necessary equipment]

#### 6. National/Racial/Ethnic Minorities

17. “The Muslim majority government continued to discriminate against ethnic and some religious minorities in almost every aspect of society”

2017 2018 2019 [The U.S. Department of State’s own *International Religious Freedom* reports on Sudan covering events in 2017, 2018 and 2019 continued to documents the government’s discriminatory approach against ethnic and religious minorities in depth, which can be accessed [here](#)]

18. “In conflict areas there were reports persons of South Sudanese origin experienced societal discrimination”

[2017](#) [2018](#) [2019](#)

[Limited information was located amongst the sources consulted covering 2017, 2018 and 2019]

#### 6. Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

19. “LGBTI individuals expressed concern for their safety and did not identify themselves publicly”

[2017](#) [2018](#) [2019](#)

[Only one source of information was found reporting on 2017]

## 6. HIV and Aids Social Stigma

20. Any figures post-August 2015 on the number of Sudanese living with HIV/AIDS

[Note that the 2016 report included figures relating to post-August 2015]

[2017](#) [2018](#) [2019](#)

### 6.3.2. New omissions in 2018 (compared to 2017), all omitted in 2019

One issue documented in the 2017 report was omitted from the 2018 edition, which continued to be omitted from the 2019 report despite publicly available information continuing to document their existence. Illustrative information is presented on this issue, available at the time of publication of the respective USDOS report, in the Appendix of this report unless otherwise stated:

#### 6. Women / Reproductive Rights

1. “Estimates on maternal mortality and contraceptive prevalence are available at: [www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/](http://www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/)”

[2018](#) [2019](#)

### 6.3.3. New omissions in 2019 (compared to 2018, 2017 and 2016)

One issue documented in the 2016, 2017 and 2018 reports was omitted from the 2019 edition despite publicly available information continuing to document their existence. Illustrative information is presented on this issue, available at the time of publication of the respective USDOS report, in the Appendix of this report unless otherwise stated:

#### 6. Women / Discrimination

1. “In addition to housing and education discrimination, women experienced economic discrimination in access to employment, equal pay for substantially similar work, credit, and owning or managing businesses”

[Note that this was also omitted in the 2017 and 2018 reports but no information was found amongst the sources consulted]

[2019](#)

## 7. Section 7. Worker Rights

### 7.1. Use of language

#### 7.1.1. Observations in 2017, all repeated in 2018 and 2019

##### 7. Prohibition of child labor and minimum age for employment

It was observed that the 2017, 2018 and 2019 reports reduced the specificity of information included in the subsection *Prohibition of child labor and minimum age for employment*. Information was no longer included as stipulated in the Child Act in relation to the minimum age children can be engaged in 'light work', the prohibition of children in hazardous industries and jobs, and exemptions in place for children to engage in work:

2016 report [emphasis added]	2017, 2018 and 2019 reports
<p>[...] According to the Child Act, 12 years old is the minimum age children can be engaged in "light work" [...]</p> <p>The law prohibits the employment of young persons in hazardous industries and jobs, in jobs requiring significant physical effort, or in activities harmful to their morals. The law also prohibits the employment of young persons between 8 p.m. and 6 a.m., although <b>authorities may exempt persons ages 15 and 16 years old from this restriction</b>. It is illegal to employ children under age 12 years old, <b>except in state vocational training schools and training workshops and jobs performed under apprenticeship contracts. Work supervised by family members that does not include nonfamily members, such as on family farms, is also excluded from these provisions [...]</b></p>	<p>[...] The Child Act of 2010 defines children as persons younger than 18 years old and prohibits children under the age of 14 from working, except in agricultural work that is not dangerous or harmful to their health [...] The Child Act goes on to define working children as persons between 14 and 18 years old. The law also prohibits the employment of young persons between 6 p.m. and 8 a.m. [...]</p>

##### 7. Acceptable conditions of work

In addition it was observed that the following contextual information found in the 2016 report was omitted from the 2017, 2018 and 2019 editions:

2016 report	2017, 2018 and 2019 reports
<p>[...] Wage, overtime, and occupational safety and health standards violations were common in the industrial and informal labor sectors, especially in the areas of agriculture and pastoral work. Foreign migrant workers, youth, and female workers typically faced the most exploitative working conditions. An estimated 60 percent of the workforce worked in the informal sector, according to the 2012 Africa Economic Outlook. There was no credible data on workplace fatalities and accidents. [...]</p>	<p>[...] Removed [...]</p>

#### 7.1.2. New observations in 2018

No additional language observations were made in the 2018 report on section 7. *Worker Rights*.

### 7.1.3. New observations in 2019

#### 7.a. Freedom of association and the right to collective bargaining

#### 7. Prohibition of child labor and minimum age for employment

It was also observed that the following contextual information found in the 2016, 2017 and 2018 reports was no longer included in the 2019 edition:

2016, 2017 and 2018 reports [emphasis added]	2019 report
<i>[...] The government's auditor general supervised union funds because they are considered public money. The law regulates unions' right to conduct strikes. Some unions have by-laws that self-restrict their right to strike. Labor observers believed some of these self-restrictions were imposed to maintain favor with the government [...]</i>	[Removed]
<i>[...] The government did not always enforce such laws <b>due to inadequate resources and societal complicity.</b></i>	<i>[...] During the year, the government did not effectively enforce such laws [...]</i>

## 7.2. Improvements

### 7.2.1. Improvements in 2017 (compared to 2016)

There were no notable improvements observed in section 7. *Worker Rights* in the 2017 report compared to the 2016 edition that were that were inconsistent with the situation on the ground as reported by other publicly available sources.

### 7.2.2. New improvements in 2018 (compared to 2017)

There were no notable improvements observed in section 7. *Worker Rights* in the 2018 report compared to the 2016 and/or 2017 editions that were that were inconsistent with the situation on the ground as reported by other publicly available sources.

### 7.2.3. New improvements in 2019 (compared to 2018, 2017 and 2016)

The following improvement in the situation in 2019, compared to 2018, 2017 and 2016, was observed, which was found not to be commensurate with the situation as reported by other sources:

#### 7. Discrimination with respect to employment and occupation

1. "There were reports some female refugees and migrants working as domestic workers or tea sellers were not compensated for their work, required to pay "kettle taxes" to police, sexually exploited, or trafficked. Female tea sellers also reported harassment and confiscation of their belongings. Observers reported, however, such harassment had stopped under the CLTG [Civilian-Led Transitional Government], though challenges persisted."

[Post-August 2019](#)<sup>25</sup>

### **7.3. Omissions**

There were no notable omissions observed in section 7. *Worker Rights* across the 2017, 2018 and 2019 reports that were inconsistent with the situation as reported by other publicly available sources.

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<sup>25</sup> 'Post-August 2019' refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019

## 8. Executive Summary of USDOS report

[Table 2](#) in the Appendix presents the changes in how the *Executive Summary* categorises human rights issues in Sudan in the 2016 report compared to the 2017, 2018 and 2019 editions.

As Table 2 illustrates, several language changes were observed in how human rights issues were described in the respective reports' *Executive Summary*. The most notable of these are described below.

It was observed that improvements in certain human rights situations was implied by the way some human rights issues were presented in certain *Executive Summaries*, despite continuing to be documented in the relevant section of the U.S. Department of State report. In one instance the implied improvement was not corroborated by country information available from other publicly available sources.

It was also noted that some human rights issues were omitted from certain *Executive Summaries*. In most occasions, this was despite these omitted human rights issues continuing to be documented in the body text of the respective U.S. State Department report. In some instances, a human rights issue was removed from both the *Executive Summary* and the relevant section of the U.S. State Department report despite continuing to be documented as an occurring violation by other publicly available sources. Most of the observed 'omissions' of human rights issues were relevant to section 1. *Respect for the Integrity of the Person*, particularly subsection 1.g. *Abuses in internal conflict*, and section 6. *Discrimination, Societal Abuses, and Trafficking in Persons of the reports*.

### Notable language changes

The 2016 *Executive Summary* identified three categories of human rights abuses. Firstly what it defined as the "three most significant human rights problems" followed by a list of major abuses committed by the NISS: "The NISS continued to show a pattern of widespread disregard for rule of law, committing major abuses, such as". Lastly human rights violations committed by non-state actors were listed as "Societal abuse included". In comparison, the 2017 report only provided one list of what it termed "the most significant human rights issues". The 2018 edition continued to provide one list of issues, termed "Human rights issues" and in 2019 the categorisation was amended to "Significant human rights issues under the Bashir government".

All four *Executive Summaries* further listed specific human rights violations occurring as part of the conflict in Darfur, which in the case of the 2017, 2018 and 2019 reports was expanded to include the Two Areas i.e. South Kordofan and Blue Nile. In addition, the 2017, 2018 and 2019 *Executive Summaries* also included a paragraph on the human rights situation in Abyei.

The three human rights issues identified as "the most significant" by the 2016 report were "inability of citizens to choose their government", "aerial bombardments of civilian areas by military forces and attacks on civilians by government and other armed groups in conflict zones", and "abuses perpetrated by NISS with impunity through special security powers given it by the regime".

Whilst the 2017 *Executive Summary* did not include the first issue, the 2018 and 2019 *Executive Summaries* re-termed it "restrictions on political participation". This is despite all three reports' section 3. *Freedom to Participate in the Political Process* and subsection *Elections and political participation* presenting similar information.

With regards to the second "most significant" human rights problem highlighted in the 2016 report, the 2017 *Executive Summary* instead noted that "the government ceased its aerial bombardments and scorched-earth tactics in conflict zones", whilst the 2018 *Executive Summary* remained completely silent about any military involvement in conflict zones, and the 2019 *Executive Summary* reported that military

clashes with rebel groups resumed in 2018 in Darfur's Jebel Marra region. This is not fully consistent with the situation as reported by other publicly available sources in those three years. For more discussion on this see [1.3.2. New omissions in 2018](#).

The third "most significant" human rights problem as identified by the 2016 *Executive Summary* related to the impunity enjoyed by the National Intelligence and Security Service (NISS) "through special security powers". The 2017 and 2018 *Executive Summaries* mentioned that "Impunity remained a problem in all branches of the security forces and government institutions" and continued to report at section 1.d. *Arbitrary arrest or detention*, similar to the 2016 report, about the existence of 'special security powers'. Interestingly, the 2019 *Executive Summary* not only failed to mention these 'special security powers' it also no longer repeated reference to impunity being a problem in all branches of the security forces. In fact, the *Executive Summary* reported that "the attorney general and security forces had agreed on a temporary process to remove immunity from security forces and government institutions involved in human right violations" – information which was not repeated in the main body of the 2019 report. Publicly available sources located post-April 2019 reported that a number of new committees to investigate past crimes have been established but that it was too early to report on their effectiveness and efficiency, with one source noting the continued challenge of legal immunities. For more discussion on this see [1.2.3. New improvements in 2019](#).

Of the nine human rights issues listed in the 2016 *Executive Summary* as being committed by the NISS, the following three were not included in the 2017, 2018 and 2019 *Executive Summaries*:

- Incommunicado detention
- Prolonged pretrial detention
- Obstruction of humanitarian assistance

Notably, all of these issues were found to be internally inconsistent with the respective sections of the U.S. State Department report.

Whilst the 2016 *Executive Summary* listed "torture, beatings, rape and other cruel or inhuman treatment or punishment" as one of its nine human rights issues perpetrated by the NISS, the 2017 *Executive Summary* added [emphasis added] "torture, beatings, rape, and other cruel or inhuman treatment or punishment **of detainees and prisoners**", possibly implying that these abuses only occurred in detention centers and prisons. Information included in section 1.g. *Abuses in internal conflict* suggested that these abuses also occurred in conflict settings and especially against IDPs. The 2018 and 2019 *Executive Summary* limited this point to "torture" despite information included in the respective section 1.c. *Torture and other cruel, inhuman, or degrading treatment or punishment* continuing to document the beatings, rape and other cruel or inhuman treatment or punishment of detainees and prisoners. Moreover, section 1.g. *Abuses in internal conflict* reported on the rape of civilians and IDPs in conflict settings by state forces. Section 1.a. *Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings* of the 2019 report also noted the rape of peaceful protesters by state forces and paramilitary groups during the June 2019 protests.

Surprisingly the occurrence of 'sexual violence' as a human rights issue affecting Sudanese as included in the 2016 *Executive Summary* was omitted in the 2017, 2018 and 2019 reports' *Executive Summary* and replaced instead with "lack of accountability in cases involving violence against women, including rape". Thus three reports' *Executive Summary* do not explicitly refer to the occurrence of such a violation perpetrated by state and non-state actors, but rather focus on the lack of accountability for when it does happen. The same was observed with the issue of FGM/C.

The *Executive Summary* of all four U.S. Department of State reports also included specific information in relation to human rights issues affecting the conflict areas. Whilst the 2016 report

referred to the overarching human rights issue “sexual and gender-based violence”, the 2017, 2018 and 2019 editions narrowed it down to “rape of civilians” committed by paramilitary forces and rebel groups. This more restrictive terminology omits other violations (e.g. sexual violence) and which continue to be documented in sections *1.g. Abuses in internal conflict* and *2.d. Freedom of Movement* of all reports. Both the 2017 and 2018 reports continued to refer to “conflict-related sexual and gender based violence” in section *1.g.*

On a positive note, three human rights issues, notably corruption, forced disappearance and political prisoners were added to the *Executive Summary* of the 2018 and 2019 reports. This is despite the previous two editions reporting on these three issues and the reporting in 2018 and 2019 not suggesting a worsening of the situation.

### Improvements

It was observed that three reported improvements were suggested across the three *Executive Summaries*. One was observed in 2017 compared to 2016, which then was not repeated in subsequent editions. One was observed comparing the 2018 edition with that from 2017, which then was repeated in 2019. And the last one was observed in the 2019 *Executive Summary*. Two of them were internally inconsistent with how they were reported on in the body of the report, whilst the third observed improvement included a mix of being internally consistent and externally inconsistent.

#### *Improvements reported on human rights issues relevant to Section 2. Respect for Civil Liberties of the reports*

The 2016 and 2017 *Executive Summary* noted “intimidation and closure” of NGOs as a human rights issue. This was no longer referred to in the 2018 and 2019 editions and instead it was noted that “substantial interference with the rights of peaceful assembly and freedom of association, such as overly restrictive” NGO laws existed. This however implied a slight improvement of the situation as NGOs no longer faced “intimidation and closure” but ‘only’ “substantial interference”. This is not substantiated by information included in section *2.b. Freedoms of Peaceful Assembly and Association* where it continued to document that “The government closed civil society organizations or refused to register them on several occasions”.

#### *Improvements reported on human rights issues relevant to Section 6. Discrimination, Societal Abuses, and Trafficking in Persons of the reports*

Whilst the 2016, 2018 and 2019 *Executive Summary* remained silent on the criminalisation of same-sex acts, despite such information continuing to be included in subsection *Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity*, the 2017 *Executive Summary* listed the “criminalization of same sex conduct with severe penalty” as one of its “most significant human rights issues”.

The 2019 *Executive Summary* added that under the Civilian-Led Transitional Government (CLTG), freedom of expression, assembly and religion “greatly improved”. Whilst an improvement was reported in the body of the 2019 report with regards to freedom of expression, which is in line with other publicly available sources, religious freedom was hardly mentioned in the main part of the report to substantiate such a statement. As for freedom of assembly, this is in line with how it is reported in the body of the report but not with information found from alternative public sources.

For further information see [2.2.3. New improvements in 2019](#), which includes sources that do not necessarily justify an assessment of “greatly improved” with regards to freedom of assembly.

### Omissions

It is noteworthy that most of the observed changes to the *Executive Summary* were not consistent with the situation as reported in the body of the report and that the vast majority relate to the downgrading of human rights abuses perpetrated by state actors i.e. state agents of persecution in the language of refugee status determination.

Seventeen omissions were observed comparing the 2017 *Executive Summary* to the 2016 edition. Fifteen of which continued to be omitted in 2018 and two additional ones compared to the 2016 edition. The same was observed in 2019. Almost all of them were internally inconsistent and in a few occasions also externally inconsistent with information found in the public domain.

An additional three human rights issues were omitted from the 2018 *Executive Summary*, which continued to be omitted from the 2019 edition. This was considered to be internally inconsistent with the respective section of the 2018 and 2019 report.

As described above under *Notable language changes* compared to the 2017, 2018 and 2019 *Executive Summaries*, the 2016 report categorised human rights issues pertinent to Sudan in three distinct lists.

Human rights issues that were categorised in 2016 as “the three most significant human rights problems” and which were omitted in subsequent *Executive Summaries* were:

- “Inability of citizens to choose their government” in 2017;
- “The government ceased its aerial bombardments and scorched-earth tactics in conflict zones” for 2018;
- “Abuses perpetrated by NISS with impunity through special security powers given it by the regime” for 2019.

The following four issues included in the 2016 report as among those committed by the NISS under “The NISS continued to show a pattern of widespread disregard for rule of law, committing major abuses, such as” were omitted from subsequent *Executive Summaries*:

- “Arbitrary arrest”;
- “Incommunicado detention”;
- “Prolonged pretrial detention”;
- “Obstruction of humanitarian assistance”.

The 2016 *Executive Summary* listed further issues under “Societal abuses included”. The following human rights issues included in 2016 were omitted from subsequent *Executive Summaries* [emphasis added for those words that were removed]:

- “Discrimination against women” for 2017, 2018 and 2019;
- “Early childhood marriage” for 2017, 2018 and 2019;
- “Use of child soldiers” in 2018 and 2019;
- “Child abuse” in 2017, 2018 and 2019;
- “Sexual exploitation of children” in 2017, 2018 and 2019;

- “Discrimination against ethnic and religious minorities” in 2017;
- “Persons with disabilities” in 2017, 2018 and 2019;
- “Persons with HIV/AIDS” in 2017, 2018 and 2019.

The 2016 *Executive Summary* further listed human rights violations specifically arising out of the conflict in Darfur, of which the following were not repeated in 2017, 2018 and 2019:

- “Beating of civilians”
- “Forced displacement”;
- “Destroying food stores and other infrastructure necessary for sustaining life”;
- “Attacks on humanitarian targets, including humanitarian facilities and peacekeepers”;
- “Burning of villages”.

The 2017 *Executive Summary* further listed human rights violations, of which the following were not repeated in 2018 and 2019:

- Restrictions on movement;
- Restrictions on freedoms of expression”.

The 2017 *Executive Summary* added “abduction was also seen as a lucrative business by both militias and various tribes in Darfur” which was not repeated in 2018 and 2019.

Interestingly, almost all of these omissions in the 2017, 2018 and 2019 *Executive Summaries* were found to be internally inconsistent with the respective sections of the U.S. Department of State report, but not with other information in the public domain. All omissions are described below by section of the U.S. Department of State report.

*Omitted human rights issues relevant to Section 1. Respect for the Integrity of the Person of the reports*

Of the nine human rights issues listed in the 2016 *Executive Summary* as being committed by the NISS, “incommunicado detention” and “prolonged pretrial detention” were not repeated in the 2017, 2018 and 2019 reports’ *Executive Summary*, despite such information being included in sections 1.b. *Disappearance*, 1.c. *Torture and other cruel, inhuman, or degrading treatment or punishment*, and 1.d. *Arbitrary arrest or detention* of the respective reports. For example all three reports stated that “Some former detainees reported security forces held them incommunicado” and that “Lengthy pretrial detention was common throughout the year”.

In addition, the “obstruction of humanitarian assistance” also listed as one of the nine human rights issues in the 2016 *Executive Summary* was no longer included in the respective 2017, 2018 and 2019 *Executive Summary*, despite information included in their respective section 1.g. *Abuses in internal conflict*, which continued to note limited access, access problems and restrictions, as well as reported improvements.

Whilst “arbitrary arrest and detention by security forces” was highlighted as one of the nine human rights issues perpetrated by the NISS in the 2016 *Executive Summary*, it was limited to ‘arbitrary detention’ in the respective 2017, 2018 and 2019 *Executive Summary* although various sections in all three reports continued to document the occurrence of “arbitrary arrest”. For example, section 1.d. *Arbitrary arrest or detention* noted that “NISS, police, and the DMI arbitrarily arrested and detained persons”.

The *Executive Summary* of all four U.S. Department of State reports also included specific issues in relation to human rights issues affecting the conflict areas. In five instances human rights issues listed in the 2016 *Executive Summary* were omitted from the respective 2017, 2018 and 2019 *Executive Summaries* despite information included in section 1.g. *Abuses in internal conflict* referring to these abuses. These related to “beating of civilians”, “forced displacement”, “destroying food stores and other infrastructure necessary for sustaining life”, “attacks on humanitarian targets, including humanitarian facilities and peacekeepers” and “burning of entire villages”. Publicly available information for the years 2017 and 2019 continued to report on the burning of villages in the conflict areas despite such information having been omitted from their respective section 1.g. For a discussion on this issue see [1.3.1. Omissions in 2017](#). Some previously mentioned abuses affecting humanitarian workers were omitted from the main body of the 2017, 2018 and 2019 reports, but publicly available information continued to document their occurrence. For a discussion on this see [1.2.2. New improvements in 2018](#), [1.3.2. New omissions in 2018](#), and [5.2.1. Improvements in 2017](#). Two further omissions were observed when comparing the 2017 *Executive Summary* with the 2018 edition. Firstly, ‘security forces’ were removed as a perpetrator, although information included in the respective section 1.g. continued to report on their involvement. Secondly, the statement that “abduction was also seen as a lucrative business by both militias and various tribes in Darfur” was also removed from the 2018 *Executive Summary* despite such information found in section 1.g. Both observations continued to be noted in the 2019 *Executive Summary*.

#### *Omitted human rights issues relevant to Section 2. Respect for Civil Liberties of the reports*

Compared to the respective 2016 and 2017 *Executive Summary* the 2018 section no longer included a reference to restrictions on movement, despite the body of the report not documenting an improvement at section 2.f. *Freedom of movement*. This was also the case in the 2019 edition.

With regards to “restrictions on freedom of speech, press” as noted in the 2016 *Executive Summary*, this was re-termed in the 2017 edition “restrictions on freedoms of expression, press”. The 2018 and 2019 reports removed the “restrictions on freedoms of expression” but provided more information on the restrictions faced by the press. This is the more surprising as the 2018 report continued to state that “Individuals who criticized the government publicly or privately were subject to reprisal, including arrest” at section 2.a. *Freedom of Speech and Press*, which was the same wording used to describe the situation in 2016 and 2017.

#### *Omitted human rights issues relevant to Section 6. Discrimination, Societal Abuses, and Trafficking in Persons of the reports*

Despite section 6. *Discrimination, Societal Abuses, and Trafficking in Persons* in all four reports noting the discrimination experienced by women, the 2017, 2018 and 2019 *Executive Summary* failed to list it as a major human rights issue affecting Sudanese women, as the 2016 edition had done. Correspondingly, all three reports had removed the following sentence from that section: “In addition to housing and education discrimination, women experienced economic discrimination in access to employment, equal pay for substantially similar work, credit, and owning or managing businesses”. For a discussion on this issue see [6.3.3. Omissions in 2019](#).

In another instance a child-related human rights issue omitted from the 2017, 2018 and 2019 *Executive Summary* was also removed from the respective subsection in the U.S. Department of State reports: early childhood marriage. For a discussion on this issue see [6.3.1. Omissions in 2017](#).

Despite sections *1.g. Abuses in internal conflict* and *6. Discrimination, Societal Abuses, and Trafficking in Persons* in all four reports noting the occurrence of child abuse and sexual exploitation of children in both conflict and non-conflict settings, the 2017, 2018 and 2019 *Executive Summary* failed to list these as major human rights issues. Moreover, the 2018 and 2019 reports no longer listed the “use of child soldiers” as a human rights issue despite its continued reporting in *1.g. Abuses in internal conflict*.

The 2017, 2018 and 2019 reports’ *Executive Summary* no longer mentioned that ethnic minorities were discriminated against. This is consistent omissions observed in subsection *National/Racial/Ethnic Minorities* of these three reports, compared to the 2016 edition, but not representative of the information found in other publicly available information. For a discussion on this issue see [6.3.1. Omissions in 2017](#).

The 2017, 2018 and 2019 continued to report in subsection *6. Persons with Disabilities* and *6. HIV and AIDS social stigma* on social stigma affecting persons with disabilities and societal discrimination experienced by people with HIV and AIDS, this issue was removed from their respective *Executive Summary*, compared to 2016.

## Appendices

### A. Sources and databases consulted

Not all of the sources listed here have been consulted for each issue addressed in the report. Additional sources to those individually listed were consulted via database searches. This is a non-exhaustive list. To find out more about an organisation, view the 'About Us' tab of a source's website.

Sources were consulted which documenting events in the particular year and which were published in advance of the publication of the respective U.S. State Department report.

Thus for 2017 issues, sources were consulted that reported the situation in 2017 that were published before 20 April 2018. For 2018 issues, sources were consulted that reported the situation in 2018 that were published before 13 March 2019 and for 2019 issues, sources were consulted that reported the situation in 2019 that were published before 11 March 2020.

#### Databases

[Asylos's Research Notes](#)  
[EASO COI Portal](#)  
[European Country of Origin Information Network \(ECOI\)](#)  
[Google \[with specific search terms\]](#)  
[Relief Web](#)  
[UNHCR Refworld](#)

#### News

[African Arguments \[Sudan pages\]](#)  
[Afröl News](#)  
[All Africa](#)  
[Al Jazeera](#)  
[The East African](#)  
[Inter Press Service](#)  
[The New Humanitarian \[Sudan pages\]](#)  
[Radio Dabanga](#)  
[Radio Tamazuj](#)  
[Reuters Africa \[Sudan pages\]](#)  
[Sudan Tribune](#)

#### Sources

[76 Crimes \[LGBTI\]](#)  
[Aegis Trust](#)  
[African Arguments \[Sudan pages\]](#)  
[African Centre for Justice and Peace Studies \(ACJPS\)](#)  
[Africa Center for Strategic Studies](#)  
[African Centre for the Constructive Resolution of Disputes \(ACCORD\)](#)  
[African Studies Centre Leiden](#)  
[Aidsmap](#)  
[Amnesty International \[Sudan pages\]](#)  
[Armed Conflict Location & Event Date Project \(ACLED\) \[Sudan pages\]](#)  
[Assessment Capacities Project \(ACAPS\) \[Sudan pages\]](#)

[Association for the Prevention of Torture](#)  
[Atlantic Council](#)  
[Atlas of Torture](#)  
[Avert \[HIV/AIDS\]](#)  
[Brookings Institution](#)  
[Cairo Institute for Human Rights Studies \[Sudan pages\]](#)  
[Care International Insights](#)  
[Carnegie Endowment for International Peace](#)  
[Centre for Security Governance](#)  
[Centre for Strategic and International Studies](#)  
[Child Rights International Network \[Sudan pages\]](#)  
[CHR Michelsen Institute \[Sudan pages\]](#)  
[CIA World Factbook \[Sudan pages\]](#)  
[Combating Terrorism Center](#)  
[Doctors Without Borders](#)  
[The Economist Intelligence Unit \[Sudan pages\]](#)  
[EASO's List of sources in its report 'Researching the situation of lesbian, gay, and bisexual persons \(LGBT\) in countries or origin'](#)  
[Edge Media Network \[LGBT\]](#)  
[Eldis](#)  
[Enough Project](#)  
[Equal Rights Trust](#)  
[Eric Reeves, Sudan Research, Analysis, and Advocacy](#)  
[Foreign Affairs \(published by Council on Foreign Relations\) \[Sudan pages\]](#)  
[Freedom House – Freedom in the World 2018 \[Sudan pages\]](#)  
[Fund for Peace – Fragile States Index 2018](#)  
[Gay Star News](#)  
[Global Aids Program Henry J. Kaiser Family Foundation](#)  
[Global Coalition to Protect Education from Attack \[Sudan pages\]](#)  
[The Global Forum on MSM and HIV](#)  
[Global Fund for Peace](#)  
[Global Gayz](#)  
[Governance Social Development Humanitarian Conflict \(GSDRC\)](#)  
[Heidelberg Institute for International Conflict Research](#)  
[Humanitarian Response \[Sudan pages\]](#)  
[Hudson Institute](#)  
[Humanitarian Aid Relief Trust \[Sudan pages\]](#)  
[Human Rights Watch \[Sudan pages\]](#)  
[Immigration and Refugee Board of Canada](#)  
[Institute for Economics & Peace – Global Peace Index 2018](#)  
[Institute for Human Rights and Development in Africa](#)  
[Institute for the Study of War](#)  
[Institute for War and Peace Reporting](#)  
[Inter-African Committees on Traditional Practices](#)  
[Internal Displacement Monitoring Centre \(IDMC\) \[Sudan pages\]](#)  
[International Bar Association](#)  
[International Centre for Prison Studies](#)  
[International Commission of Jurists](#)  
[International Committee of the Red Cross \(ICRC\)](#)  
[International Crisis Group \[Sudan pages\]](#)  
[International Federation for Human Rights \[Africa pages\]](#)

[International Institute for Strategic Studies](#)  
[International Labour Organisation \(ILO\) \[Sudan pages\]](#)  
[International Lesbian, Gay, Bisexual and Trans and Intersex Association \(ILGA\)](#)  
[International Organization for Migration \(IOM\)International Organization for Migration Sudan Mission](#)  
[International Refugee Rights Initiative](#)  
[International Rehabilitation Council for Torture Victims](#)  
[International Rescue Committee](#)  
[IPI Global Observatory](#)  
[Jamestown Foundation](#)  
[Kaleidoscope Trust \[LGBTI\]](#)  
[Long War Journal](#)  
[Medecins Sans Frontieres/Doctors Without Borders \[Sudan pages\]](#)  
[Minority Rights Group International](#)  
[Minorities at Risk Project](#)  
[Oakland Institute](#)  
[OECD's Social Institutions & Gender Index](#)  
[Open Society Foundations](#)  
[Organization for Refuge, Asylum & Migration \(ORAM\)](#)  
[Out Right Action International \[LGBTI\]](#)  
[Overseas Development Institute \(ODI\)](#)  
[Oxfam](#)  
[Peace Women](#)  
[Penal Reform International](#)  
[Physicians for Human Rights](#)  
[Pink News \[LGBTI\]](#)  
[Refugees International](#)  
[Reporters Without Borders](#)  
[Rift Valley Institute](#)  
[Right to Education](#)  
[Saferworld](#)  
[Save the Children](#)  
[Sexual Rights Initiative \[LGBTI\]](#)  
[Small Arms Survey](#)  
[SOGICA's Database \[LGBTI\]](#)  
[Strategic Initiative for Women in the Horn of Africa](#)  
[Sudan Consortium](#)  
[Sudan Democracy First Group](#)  
[Sudan Social Development Organisation](#)  
[Their World](#)  
[UK Foreign and Commonwealth Office \[Annual Human Rights Report 2018\]](#)  
[United Nations AIDS \[UNAIDS\]](#)  
[United Nations African Union Hybrid Operation in Darfur \(UNAMID\)](#)  
[United Nations Children's Fund \(UNICEF\) \[Sudan pages\]](#)  
[United Nations Committee Against Torture](#)  
[United Nations Committee on Economic, Social and Cultural Rights](#)  
[United Nations Committee on the Elimination of Discrimination Against Women](#)  
[United Nations Committee on Enforced Disappearances](#)  
[United Nations Committee on the Rights of the Child](#)  
[United Nations Committee on the Rights of Persons with Disabilities](#)  
[United Nations Development Programme \(UNDP\)](#)

[United Nations High Commissioner for Refugees \(UNHCR\)](#)  
[United Nations Human Rights Council](#)  
[United Nations Human Settlements Programme \(UNHABITAT\)](#)  
[United Nations Independent Expert on the situation of human rights in the Sudan](#)  
[United Nations News Centre](#)  
[United Nations Office for the Coordination of Humanitarian Affairs \(UNOCHA\)](#)  
[United Nations Office of the High Commissioner for Human Rights \(OHCHR\)](#)  
[United Nations Office of the Special Representative of the Secretary-General for Children and Armed Conflict](#)  
[United Nations Population Fund \(UNPFPA\)](#)  
[United Nations Office on Drugs and Crime \(UNODC\)](#)  
[United Nations Secretary General](#)  
[United Nations Women](#)  
[United Nations Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context](#)  
[United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions](#)  
[United Nations Special Rapporteur on extreme poverty and human rights](#)  
[United Nations Special Rapporteur on freedom of religion or belief](#)  
[United Nations Special Rapporteur on the Independence of Judges and Lawyers](#)  
[United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression](#)  
[United Nations Special Rapporteur on the right to education](#)  
[United Nations Special Rapporteur on the sale of children, child prostitution and child pornography](#)  
[United Nations Special Rapporteur on the situation of human rights defenders](#)  
[United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment](#)  
[United Nations Special Rapporteur on trafficking in persons, especially in women and children](#)  
[United Nations Special Rapporteur on violence against women, its causes and consequences](#)  
[United States Commission on International Religious Freedom \[Sudan pages\]](#)  
[United States Congressional Research Service](#)  
[United States Department of State \[Annual religious report; annual labour report; annual trafficking report; annual terrorism report\]](#)  
[United States Institute of Peace](#)  
[Unrepresented Nations and People's Organisation](#)  
[Uppsala Universitet – UCDP Conflict Encyclopedia](#)  
[Waging Peace](#)  
[Walk Free Foundation > The 2018 Global Slavery Index](#)  
[Watchlist on Children and Armed Conflict](#)  
[Women Living Under Muslim Laws](#)  
[Women News Network \(WNN\)](#)  
[Women's Refugee Commission](#)  
[Women Under Siege Project](#)  
[World Health Organisation \(WHO\) \[Sudan pages\]](#)  
[World Organisation Against Torture](#)  
[World Prison Brief](#)  
[WorldWatch Monitor \[Sudan pages\]](#)

## **B. List of issues where no or little information was found amongst the sources consulted**

### **Improvements**

The following thirty three improvements were observed where no or limited information was found amongst the sources consulted to refute the improvement:

#### *1.a. Arbitrary Deprivation of Life and other Unlawful Politically Motivated Killings*

1. “Security forces used lethal excessive force against civilians, demonstrators, and detainees, including in conflict zones: such acts significantly decreased under the CLTG [Civilian-Led Transitional Government]” in post-August 2019<sup>26</sup>.

#### *1.b. Disappearance*

2. “Since September, under the CLTG [Civilian-Led Transitional Government], there were no reports of arbitrary arrests or disappearances” in post-August 2019<sup>27</sup>.

#### *1.c. Torture and other cruel, inhuman, or degrading treatment or punishment*

3. “Under the Bashir regime, and continuing under the TMC, security forces reportedly tortured, beat, and harassed suspected political opponents, rebel supporters, and others. Reports of such behavior largely ceased under the CLTG [Civilian-Led Transitional Government], although there were isolated reports of intimidation by some potentially rogue elements of the security apparatus, particularly the RSF” in in post-August 2019<sup>28</sup>.
4. *Physical Condition*: “According to human rights activists and released detainees, under the Bashir regime, RSF and DMI officials also detained civilians on military installations, especially in conflict areas” in post-April 2019<sup>29</sup>.
5. *Physical Condition*: “Under the Bashir regime, there were reports of deaths due to negligence in prisons and pretrial detention centers, but comprehensive figures were not available. Local press reported deaths resulting from suspected torture by police [...] Human rights advocates during the Bashir regime reported deaths resulted from harsh conditions at military detention facilities, such as extreme heat and lack of water” in post-April 2019<sup>30</sup>.
6. *Administration*: “Although police allowed some visitors, including lawyers and family members, while prisoners were in custody and during judicial hearings, political detainees and others held by the Bashir regime in NISS custody were seldom allowed visits” in post-April 2019<sup>31</sup>.

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<sup>26</sup> ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019

<sup>27</sup> ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019

<sup>28</sup> ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019

<sup>29</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>30</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>31</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

7. *Administration*: “The Bashir regime also regularly denied foreign prisoners held in NISS facilities visits from foreign government representatives” in post-April 2019<sup>32</sup>.
8. *Administration*: “Under the Bashir regime, Shia imams were not allowed to enter prisons to conduct prayers” in post-April 2019<sup>33</sup>.
9. *Independent Monitoring*: “In the past UNAMID’s human rights section had physical access to general prisons (excepting NISS and DMI detention centers) in South, North, East, and West Darfur, but in Central Darfur (where most of the conflict occurred during the year) the Bashir regime did not grant UNAMID access to any prison or detention center” in post-April 2019<sup>34</sup>.
10. *Arrest procedures and treatment of detainees*: “The constitution and law provide for an individual to be informed in detail of charges at the time of arrest, with interpretation as needed, and for judicial determination without undue delay, but these provisions were rarely followed by the Bashir regime” in post-April 2019<sup>35</sup>.

#### 1.d. Arbitrary arrest

11. “NISS officials frequently denied holding individuals in their custody or refused to confirm their place of detention [...] These practices largely ended under the CLTG” in post-August 2019<sup>36</sup>.
12. “The government sometimes sought to get Sudanese citizens living abroad **who actively criticized the government online** deported from their countries of residence” in 2019.

[In the 2016 report it was instead noted: “The government sometimes sought to get Sudanese citizens living abroad deported from their countries of residence”, potentially implying that some Sudanese, whether or not actively criticised the government online, could face deportation. The 2019 report added that “This practice reportedly ended under the CLTG [Civilian-Led Transitional Government]”]

13. *Arbitrary Arrest*: “In the first few months of the year, NISS called individuals to report to NISS offices for long hours on a daily basis without a stated purpose in lieu of formal detention. Many human rights observers considered this a tactic to harass, intimidate, and disrupt the lives of opposition members and activists, prevent “opposition” activities, and avoid the recording of formal detentions. These practices largely ended under the CLTG [Civilian-Led Transitional Government]” in post-August 2019<sup>37</sup>.
14. *Detainee’s Ability to Challenge Lawfulness of Detention before a Court*: “Under the Bashir regime, persons arrested or detained, regardless of whether on criminal or other grounds, were not entitled to challenge the legal basis or arbitrary nature of their detention in court

<sup>32</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>33</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>34</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>35</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>36</sup> ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019

<sup>37</sup> ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019

and, therefore, were not able to obtain prompt release or compensation if unlawfully detained” in post-April 2019<sup>38</sup>.

*1.e. Denial of fair public trial*

15. *Trial procedures*: “The Bashir government arrested and harassed lawyers whom it considered political opponents; there were no reports of such arrests under the CLTG [Civilian-Led Transitional Government]” in post-August 2019<sup>39</sup>.
16. *Trial procedures*: “During the Bashir regime, defendants had limited opportunities to meet with counsel and were not always allowed to present witnesses during trial” in post-April 2019<sup>40</sup>.
17. *Trial procedures*: “Sharia strongly influenced the law, and under the Bashir regime sharia in some cases was applied to Christians against their wishes in civil domestic matters such as marriage, divorce, and inheritance” in post-April 2019<sup>41</sup>.
18. *Trial procedures*: “Due to long distances between court facilities and police stations, local mediation was often the first resort to try to resolve disputes” in 2017, 2018 and 2019.

[This sentence was changed in the 2017, 2018 and 2019 reports to ““Due to long distances between court facilities and police stations **in conflict areas**, local mediation was often the first resort to try to resolve disputes” suggesting that long distances between court facilities and police stations only existed now in conflict areas]

19. *Political prisoners and detainees* “The Bashir regime held political prisoners and detainees, including protesters. Due to lack of access, the numbers of political prisoners and detainees could not be confirmed. Bashir regime authorities detained Darfuri students and political opponents, including opposition members, often reportedly subjecting them to torture. The Bashir regime severely restricted international humanitarian organizations’ and human rights monitors’ access to political detainees” in post-April 2019<sup>42</sup>.

*1.f. Arbitrary or unlawful interference with privacy, family, home, or correspondence*

20. “The Bashir government monitored private communications, individuals’ movements, and organizations without due legal process. A wide network of government informants conducted surveillance in schools, universities, markets, workplaces, and neighborhoods. This type of activity appeared to have ceased, or been dramatically reduced, under the CLTG [Civilian-Led Transitional Government]” in post-August 2019<sup>43</sup>.

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<sup>38</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>39</sup> ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019

<sup>40</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>41</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>42</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>43</sup> ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019

### *1.g. Abuses in Internal Conflict*

21. *Physical Abuse, Punishment, and Torture:* “Bashir regime forces abused persons detained in connection with armed conflict as well as IDPs suspected of having links to rebel groups” in post-April 2019<sup>44</sup>.

### *2.a. Freedom of speech and press*

22. “The former regime also curtailed public religious discussion if proselytization was suspected and monitored religious sermons and teachings” in post-April 2019<sup>45</sup>.

### *2.d. Freedom of movement*

23. *Foreign Travel:* “The Bashir government required citizens to obtain an exit visa to depart the country. Issuance was usually without complication, but the Bashir government continued to use the visa requirement to restrict some citizens’ travel, especially of persons it deemed a political or security interest” in post-April 2019<sup>46</sup>.

### *3. Elections and political participation / Political Parties and Political Participation*

24. “The Bashir regime government harassed some opposition leaders who spoke with representatives of foreign organizations or embassies or travelled abroad” in post-April 2019<sup>47</sup>.

### *4. Corruption and lack of transparency in government*

25. “The law provides the legislative framework for addressing official corruption, but implementation under the Bashir regime was weak, and many punishments were lenient. Officials found guilty of corrupt acts could often avoid jail time if they returned ill-gotten funds” in post-April 2019<sup>48</sup>.

26. “While reporting on corruption was no longer a red line under the CLTG [Civilian-Led Transitional Government], media continued to practice self-censorship on issues related to corruption” in post-August 2019<sup>49</sup>.

### *5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights*

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<sup>44</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>45</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>46</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>47</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>48</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>49</sup> ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019

27. “Unlike in previous years, there were no reports that the government arrested NGO-affiliated international human rights and humanitarian workers” in 2019.

#### *6. Persons with Disabilities*

28. “The Bashir government did not enact laws or implement effective programs to provide for access to buildings, information, and communication for persons with disabilities” in post-April 2019<sup>50</sup>.

#### *6. Promotion of acts of discrimination*

29. “The Bashir government, Bashir government-supported militias, and rebel groups reportedly promoted hatred and discrimination, using standard propaganda techniques. The Bashir government often used religiously charged language to refer to suspected antigovernment supporters. The Bashir government did not take measures to counter hate speech” in post-April 2019<sup>51</sup>.

#### *7.a. Freedom of association and the right to collective bargaining*

30. “The law under the Bashir regime and the TMC denied trade unions autonomy to exercise the right to organize or to bargain collectively” in post-April 2019<sup>52</sup>.
31. “The Bashir government did not effectively enforce applicable laws. Freedom of association and the right to collective bargaining were not respected under the Bashir regime” in post-April 2019<sup>53</sup>.

#### *7. Prohibition of forced or compulsory labor*

32. “The law criminalizes all forms of forced or compulsory labor. The Bashir government, however, did not effectively enforce the law [...] The Bashir government stated it investigated and prosecuted cases of forced labor, but it did not compile comprehensive statistics on the subject” in post-April 2019<sup>54</sup>.

#### *7. Discrimination with respect to employment and occupation*

33. “The Bashir government did not effectively enforce antidiscrimination laws and regulations in the workplace; penalties in the form of fines were rarely imposed and were insufficient to deter violations” in post-April 2019<sup>55</sup>.

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<sup>50</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>51</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>52</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>53</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>54</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

<sup>55</sup> ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

## Omissions

The following thirty six omissions were observed where no or limited information was found amongst the sources consulted documenting that the issue occurred:

### *1.c. Torture and other cruel, inhuman, or degrading treatment or punishment*

1. "Some former detainees reported being injected with an unknown substance without their consent. Many former detainees, including detained students, reported being forced to take sedatives that caused lethargy and severe weight loss" in 2017, 2018 and 2019.
2. "Government security forces (including police, NISS, and military intelligence personnel of the Sudanese Armed Forces (SAF)) beat and tortured physically and psychologically persons in detention, including [...] religious activists" in 2017 and 2019.
3. "There were numerous reports of violence against student activists' family members" in 2019.

### *1.d. Arbitrary arrest or detention*

4. "Authorities also arbitrarily arrested and detained foreign citizens without charge. In some cases authorities used intimidation and financial pressure to force foreigners to leave the country" in 2018 and 2019.
5. *Role of the police and security apparatus:* "The government tightly controlled information about the RSF, and public criticism of the RSF often resulted in arrest or detention" in 2019.

### *1.e. Denial of fair public trial / Political prisoners and detainees*

6. "The government allowed UNAMID extremely limited access to Darfuri political detainees in Khartoum and Darfur" in 2018 and 2019.

### *1.g. Abuses in Internal Conflict*

7. *Killings:* "There were reports of physical abuse and violent interrogations of SPLM-N-affiliated individuals in Kadugli Prison and military installations" in 2017, 2018 and 2019.
8. *Killings:* "In the Two Areas there continued to be reports that SAF air raids destroyed homes, schools, churches, mosques, other civilian structures, and farms, and that humanitarian aid workers and centers, including hospitals, were targeted" in 2017, 2018 and 2019.
9. *Killings:* "The SAF and government-aligned forces also reportedly burned and looted villages in Southern Kordofan and Blue Nile" in 2017.
10. *Killings:* The 2017, 2018 and 2019 reports did not include any information on the use of "chemical weapons" in Jebel Marra, Darfur in 2017, 2018 and 2019.

11. *Killings*: “Clashes also occurred between IDPs and government security services in Darfur” in 2017, 2018 and 2019.

*2.a. Freedom of speech ad press / Internet freedom*

12. “Cybercafes lacked privacy and were subject to intrusive government surveillance” in 2017, 2018 and 2019.

*2.b. Freedom of association*

13. "Throughout the year, according to the Sudanese Confederation of Civil Society, authorities either rejected or failed to approve applications to reregister more than 40 registered organizations and began investigations into their activities" in 2017, 2018 and 2019.

*2.d. Freedom of movement, internally displaced persons, protection of refugees, and stateless persons / Stateless persons*

14. “Persons of South Sudanese origin who lived for many years in the Republic of Sudan were stripped of their Sudanese nationality by law, irrespective of the strength of their connections to the new state of South Sudan or Sudan and their views on which state to which they wished to belong. Other populations who risked being adversely affected included individuals with one parent from Sudan and one from South Sudan; members of cross-border ethnic groups; and persons separated from their families by war, including unaccompanied children. Some persons of South Sudanese origin living in Sudan risked ending up stateless, without either a Sudanese or South Sudanese nationality, and losing their basic rights” in 2017.

*3. Freedom to Participate in the Political Process*

15. “Several parts of the CPA, designed to clarify the status of southern-aligned groups remaining in the north following South Sudan’s secession continued to be the subject of negotiations between the governments of Sudan, South Sudan, and rebel groups” in 2019.

*5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights*

16. “Authorities continued to arrest and detain members of UNAMID’s staff on allegations of espionage [...]” in 2019.

*5. The United Nations or Other International Bodies*

17. “The government had not implemented the [African] commission’s 2014 decision to pay compensation, initiate an investigation, amend legislation, and train security officers on the prohibition of torture in a case brought on behalf of IDPs in the country [back in 2009]” in 2018 and 2019.

#### *6. Women / Rape and Domestic Violence*

18. “Underreporting remained prevalent, however, and UNAMID reported the figures were not representative of the reality on the ground” in 2017, 2018 and 2019.

#### *6. Women / Discrimination*

19. “In addition to housing and education discrimination, women experienced economic discrimination in access to employment, equal pay for substantially similar work, credit, and owning or managing businesses” in 2017 and 2018.

#### *6. Women / Reproductive Rights*

20. “There were no reports of coerced abortion, involuntary sterilization, **or other coercive population control methods**” in 2018 and 2019.

[Compared to the 2017 report, the 2018 and 2019 editions no longer included the words in bold]

#### *6. Children / Education*

21. “In Darfur few children outside of cities had access to primary education due to its high cost” in 2018.

#### *6. Children / Child Abuse*

22. “Local NGOs reported an increase in street children and expressed concern that children working in public transportation and public markets were particularly vulnerable to sexual abuse and subsequent extortion. Due to shame and social stigma associated with sexual abuse, abused children often remained with their patrons out of fear of blackmail and were often too afraid to seek help” in 2019.

23. “NGOs reported social stigma and lack of cooperation from some families prevented cases [of child abuse] from being referred to police authorities” in 2019.

#### *6. Children / Sexual Exploitation of Children*

24. “The government denied the phenomenon [of child prostitution] existed in the country” in 2018 and 2019.

25. “Child prostitution also remained a problem, although the government denied the phenomenon existed in the country” in 2018 and 2019.

26. “NGOs reported, however, that social stigma prevented many families from pursuing legal cases [of sexual exploitation of children] against perpetrator” in 2019.

#### *6. Children / Institutionalized Children*

27. "The government granted international and domestic humanitarian NGOs access to the camps [government camps for homeless children]. NGOs sometimes assisted the government with certain aspects of camp operations" in 2017, 2018 and 2019.

#### *6. National/Racial/Ethnic Minorities*

28. "The government announced that persons fleeing the conflicts in South Sudan should be considered "brothers and sisters" and thus not subjected to discrimination. Some South Sudanese returning to Sudan were able to reintegrate into their old Sudanese communities, but many reported it difficult to find employment. Most South Sudanese returnees settled in East Darfur and White Nile States" in 2017, 2018 and 2019.
29. "Security forces often suspected persons of South Sudanese origin of supporting antigovernment forces in Abyei and the Two Areas" in 2017, 2018 and 2019.
30. "Other tribes self-identify, or are identified by the broader society as African" in 2017, 2018 and 2019.
31. "Some ethnic groups, such as the Beja in the eastern region, promoted a hierarchical social structure within their own ethnic groups that discriminated against persons of certain tribes" in 2017, 2018 and 2019.
32. "The Zaghawa ethnic group in Darfur maintained a caste system that discriminated against persons of lower castes" in 217, 2018 and 2019.
33. "Citizens in Arabic-speaking areas who did not speak Arabic experienced discrimination in education, employment, and other areas" in 2017, 2018 and 2019.

#### *6. Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity*

34. "Because unmarried women usually remained in the home of their parents until marriage, LGBTI women who were disowned by their families generally faced severe social stigma" in 2017, 2018 and 2019.

#### *7. Acceptable conditions of work*

35. "The minimum monthly wage for public-sector workers was 425 SDG (\$9), set by the High Council of Salary in the Ministry of Cabinet Affairs. The minimum monthly salary in the private sector is set by agreements made between individual industries and the High Council of Salary, and it varied among industries. An estimated 46 percent of citizens lived below the poverty line of 12 SDG (\$0.25) per person per day. Most public-sector employees received wages below the poverty line" in 2019.

36. “Standards [occupational safety and health standards] were not uniformly enforced. Although employers generally respected the minimum wage law in the formal sector, in the informal sector wages could be significantly below the official rate. Since enforcement by the Ministry of Labor was minimal, working conditions generally were poor” in 2019.

**C. Table 1. Comparative analysis of structure of the Sudan reports**

✓ = indicates that the section heading has been retained compared to the previous year

X = indicates that the section has been omitted from the respective annual report

2016	2017	2018	2019	Observations
<b>Executive Summary</b>	✓	✓	✓	
<b>Section 1. Respect for the Integrity of the Person, Including Freedom from:</b>	✓	✓	✓	
<b>a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings</b>	✓	✓	✓	
<b>b. Disappearance</b>	✓	✓	✓	
<b>c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment</b>	✓	✓	✓	
<b>Prison and Detention Center Conditions</b>	✓	✓	✓	
Physical Conditions	✓	✓	✓	
Administration	✓	✓	✓	
Independent Monitoring	✓	✓	✓	
<b>d. Arbitrary Arrest or Detention</b>	✓	✓	✓	
<b>Role of the Police and Security Apparatus</b>	✓	[Moved as a subheading to c. <i>Torture and Other Cruel, Inhuman, or degrading Treatment or Punishment</i>	X	Change of order in 2018 report. 2019 edition no longer includes such a separate subsection and includes the information now in its <i>Executive Summary</i> .
<b>Arrest Procedures and Treatment of Detainees</b>	✓	✓	✓	
Arbitrary Arrest	✓	✓	✓	
Pretrial Detention	✓	✓	✓	
Detainee's Ability to Challenge Lawfulness of Detention before a Court	✓	✓	✓	
Amnesty	✓	X	X	The 2018 and 2019 editions omit to include such a section heading and any information or updates in relation to current and past amnesty decrees or provisions. For more discussion on this see <a href="#">1.3.2. New omissions in 2018</a>

<b>e. Denial of Fair Public Trial</b>	✓	✓	✓	
<b>Trial Procedures</b>	✓	✓	✓	
<b>Political Prisoners and Detainees</b>	✓	✓	✓	
			New subsection <i>Politically Motivated Reprisal Against Individuals Located Outside the Country</i>	New subsection in 2019 report with information included which was previously not included anywhere in the 2016, 2017 and 2018 editions.
<b>Civil Judicial Procedures and Remedies</b>	✓	✓	✓	
<b>f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence</b>	✓	✓	✓	
<b>g. Abuses in Internal Conflict</b>	✓	✓	✓	
Killings	✓	✓	✓	
Abductions	✓	✓	✓	
Physical Abuse, Punishment, and Torture	✓	✓	✓	
Child Soldiers	✓	✓	✓	
Other Conflict-related Abuse	✓	✓	✓	
<b>Section 2. Respect for Civil Liberties, Including:</b>	✓	✓	✓	
<b>a. Freedom of Speech and Press</b>	Changed to <i>a. Freedom of Expression, Including for the Press</i>	✓ [same as 2017 edition]	✓ [same as 2017 edition]	Minor language change in title in 2017 report, repeated in 2018 and 2019 editions
Freedom of Speech and Expression	Changed to <i>Freedom of Expression</i>	✓ [same as 2017 edition]	✓ [same as 2017 edition]	Minor language change in title in 2017 report, repeated in 2018 and 2019 editions
Press and Media Freedoms	✓	✓	Changed to <i>Press and Media, Including Online Media</i>	Minor language change in title in 2019 report.
Violence and Harassment	✓	✓	✓	
Censorship or Content Restrictions	✓	✓	✓	
		New subsection entitled <i>Libel/Slander Laws</i>	✓ [same as 2018 edition]	New subsection in the 2018 and 2019 editions. Information included had been included in the 2017 and 2016 reports in the <i>National Security</i> subsection
National Security	✓	✓	✓	
			New subsection <i>Actions to Expand</i>	New subsection in the 2019 edition with information not previously included in the previous editions.

			<i>Freedom of Expression, including for the Media</i>	
<b>Internet Freedom</b>	✓	✓	✓	
<b>Academic Freedom and Cultural Events</b>	✓	✓	✓	
<b>b. Freedom of Peaceful Assembly and Association</b>	Changed to <i>b. Freedoms of Peaceful Assembly and Association</i>	Changed back to 2016 edition: <i>b. Freedom of Peaceful Assembly and Association</i>	Changed back to 2016 edition: <i>b. Freedom of Peaceful Assembly and Association</i>	Minor language change in title in 2017 report.
<b>Freedom of Assembly</b>	Changed to <i>Freedom of Peaceful Assembly</i>	✓ [same as 2017 edition]	✓ [same as 2017 edition]	Minor language change in title in 2017 report, repeated in 2018 and 2019 editions.
<b>Freedom of Association</b>	✓	✓	✓	
<b>c. Freedom of Religion</b>	✓	✓	✓	
<b>d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons</b>	Changed to <i>d. Freedom of Movement</i>	✓ [same as 2017 edition]	✓ [same as 2017 edition]	Changed title in 2017 report, repeated in 2018 and 2019 editions.
Abuse of Migrants, Refugees, and Stateless Persons	✓	✓	[Moved to under section <i>Protection of Refugees</i> ]	Change of order in 2019.
In-country Movement	✓	✓	✓	
Foreign Travel	✓	✓	✓	
Exile	✓	✓	✓	
<b>Internally Displaced Persons</b>	✓	✓	✓	
<b>Protection of Refugees</b>	✓	✓	✓	
Access to Asylum	[Included after <i>Refoulement</i> ]	✓ [same as 2017 edition]	✓ [same as 2017 edition]	Change of order in 2017 report, repeated in 2018 and 2019 editions.
Refoulement	✓	✓	✓	
		New subsection entitled <i>Freedom of Movement</i>	✓ [same as 2018 edition]	New subsection in the 2018 edition, repeated in the 2019 report. Information included had been previously included in the 2017 and 2016 reports in the <i>In-country Movement</i> subsection.
Employment	✓	✓	✓	
Temporary Protection	✓	✓	✓	
<b>Stateless Persons</b>	X	X	Re-included <i>g. Stateless Persons</i>	Omission of section in both 2017 and 2018 editions; re-included in the 2019 report but with note “Not applicable”. The only information included in the 2017, 2018 and 2019 reports that relates to

				statelessness was “UNHCR reported there were countless South Sudanese in the country who were unregistered and at risk of statelessness” in the subsection <i>Protection of Refugees</i> . For more discussion on this see <a href="#">2.3.1. Omissions in 2017</a> .
<b>Section 3. Freedom to Participate in the Political Process</b>	✓	✓	✓	
<b>Elections and Political Participation</b>	✓	✓	✓	
Recent Elections	✓	✓	✓	
Political Parties and Political Participation	✓	✓	✓	
Participation of Women and Minorities	✓	✓	✓	
<b>Section 4. Corruption and Lack of Transparency in Government</b>	✓	✓	✓	
Corruption	✓	✓	✓	
Financial Disclosure	✓	✓	✓	
Public Access to Information	X	X	X	Omission of section in 2017, 2018 and 2019 reports, thereby omitting to include any information on the 2015 Freedom of Information Law. For more discussion on this see <a href="#">4.3.1. Omissions in 2017</a> .
<b>Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights</b>	✓	✓	✓	
The United Nations or Other International Bodies	✓	✓	✓	
		New subsection entitled <i>Government Human Rights Bodies</i>	✓ [same as 2018 edition]	New subsection in the 2018 edition and repeated in the 2019 report, which includes information that was not previously included in the 2016 and 2017 reports
<b>Section 6. Discrimination, Societal Abuses, and Trafficking in Persons</b>	✓	✓	✓	
<b>Women</b>	✓	✓	✓	
Rape and Domestic Violence	✓	✓	✓	
Female Genital Mutilation/Cutting (FGM/C)	✓	✓	✓	
Other Harmful Traditional Practices	✓	X	X	Omission of section in the 2018 and 2019 editions. Information that was included in this subsection in

				the 2016 and 2017 editions on the obligation of the Sudanese state placed by the Interim Constitution to “combat harmful customs and traditions that undermine the dignity and status of women” was no longer included in the 2018 and 2019 reports. For more discussion on this see <a href="#">6.1.2. New observations in 2018</a> .
Sexual Harassment	✓	✓	✓	
Reproductive Rights	Renamed <i>Coercion in Population Control</i>	✓ [same as 2017 edition]	✓ [same as 2017 edition]	Renaming of section and hence the amount and content of COI included has been changed. For more discussion on this see <a href="#">6.3.1. Omissions in 2017</a> and <a href="#">6.3.2. New omissions in 2018</a> .
Discrimination	✓	✓	✓	
<b>Children</b>	✓	✓	✓	
Birth Registration	✓	✓	✓	
Education	✓	✓	✓	
Child Abuse	✓	✓	✓	
Early and Forced Marriage	✓	✓	✓	
Female Genital Mutilation and Cutting (FGM/C)	X	X	X	Omission of link to the FGM/C subsection in ‘Women’
Sexual Exploitation of Children	✓	✓	✓	
Child Soldiers	X	X	X	Omission of one sentence of COI and link to section <i>1.g. Abuses in Internal Conflict</i>
Displaced Children	✓	✓	✓	
Institutionalized Children	✓	✓	✓	
International Child Abductions	✓	✓	✓	
<b>Anti-Semitism</b>	✓	✓	✓	
<b>Trafficking in Persons</b>	✓	✓	✓	
<b>Persons with Disabilities</b>	✓	✓	✓	
<b>National/Racial/Ethnic Minorities</b>	✓	✓	✓	
<b>Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity</b>	✓	✓	✓	
<b>HIV and AIDS Social Stigma</b>	✓	✓	✓	
		New subsection entitled <i>Other Societal</i>	✓ [same as 2018 edition]	New subsection in the 2018 and 2019 editions, which includes information that was previously included in

		<i>Violence or Discrimination</i>		the subsection <i>Other Conflict-related Abuse</i> in the 2016 and 2017 reports
<b>Promotion of Acts of Discrimination</b>	✓	✓	✓	
<b>Section 7. Worker Rights</b>	✓	✓	✓	
<b>a. Freedom of Association and the Right to Collective Bargaining</b>	✓	✓	✓	
<b>b. Prohibition of Forced or Compulsory Labor</b>	✓	✓	✓	
<b>c. Prohibition of Child Labor and Minimum Age for Employment</b>	✓	✓	✓	
<b>d. Discrimination with Respect to Employment and Occupation</b>	✓	✓	✓	
<b>e. Acceptable Conditions of Work</b>	✓	✓	✓	

<b>D. Table 2. Comparative analysis of how the Sudan <i>Executive Summary</i> categorises human rights issues</b>				
<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>Observations</b>
<b>The three most significant human rights problems were</b>	<b>The most significant human rights issues included</b>	<b>Human rights issues included</b>	<b>Significant human rights issues under the Bashir government included:</b>	2016 distinguished between “most significant”, “The NISS continued to show [...]” and “societal abuses [...]”, whilst the 2017, 2018 and 2019 reports did not have such distinguishing paragraphs and only listed all human rights violation under one long list
inability of citizens to choose their government	X	restrictions on political participation;	restrictions on political participation;	2017: Omitted one of the three most significant human rights violations identified in 2016 report.  2018 and 2019: Referred to “restrictions on political participation”.  One to note as all three reports continued to include similar information in section 3.
X	X	corruption;	Widespread corruption;	2018 & 2019: Introduction of additional human rights issues which are surprising as also reported on in the 2016 and 2017 reports.
aerial bombardments of civilian areas by military forces and attacks on civilians by government and other armed groups in conflict zones,	X	X	X	2017 – 2018 – 2019: All omitted this human rights violation.  2017 <i>Executive Summary</i> instead stated that “the government ceased its aerial bombardments and scorched-earth tactics in conflict zones”. 2018 and 2019 reports did not include any such info about military actions in conflict zones. For more discussion on this see <a href="#">1.3.1 Omissions in 2017</a> .
and abuses perpetrated by NISS with impunity	X	X	X	2017 – 2018 – 2019: All omitted this human rights violation.

through special security powers given it by the regime.				2017 & 2018 reports: Mentioned impunity in Exec and special powers in sections 1.d. 2019 report failed to mention impunity and special powers anywhere. But COI post-April 2019 continues to refer to these legal immunities. For more discussion on this see <b>1.2.3. New improvements in 2019.</b>
<b>The NISS continued to show a pattern of widespread disregard for rule of law, committing major abuses, such as</b>	<b>X</b>	<b>X</b>	<b>X</b>	
extrajudicial and other unlawful killings;	extrajudicial killings;	unlawful or arbitrary killings;	unlawful or arbitrary killings;	2017-2018-2019: Minor language change in how this violation is termed
<b>X</b>	<b>X</b>	forced disappearance,	forced disappearance;	2018 & 2019: Introduction of additional human rights issues which are surprising as also reported on in the 2016 and 2017 reports.
torture, beatings, rape and other cruel or inhuman treatment or punishment;	torture, beatings, rape, and other cruel or inhuman treatment or punishment of detainees and prisoners;	torture,	torture;	2017: Language change implying only occurs in detention/prison settings. Section 1.g. might also suggest conflict setting (i.e. non-detention).  2018 & 2019: Omitted “beatings, rape, and other cruel or inhuman treatment or punishment (of detainees and prisoners)” although such information continued to be included in section 1.c. and 1.g in particular but also 1.a (in 2019 in relation to June 2019 sit in in Khartoum)
arbitrary arrest and detention by security forces;	arbitrary detention by security forces;	and arbitrary detention, all by security forces;	and arbitrary detention, all by security forces;	2017 – 2018 – 2019: All omitted “arbitrary arrest” despite such info. included in section 1.d.

harsh and life-threatening prison conditions;				
incommunicado detention;	X	X	X	2017 – 2018 – 2019: All omitted this human rights violation.  2017: Sections 1.b., 1.c., 1.e., and 2.a included this info.  2018: Sections 1.b., 1.c., and 1.d. included this info.  2019: Sections 1.b., 1.c., 1.d. and 2.a. included this info.
prolonged pretrial detention;	X	X	X	2017 – 2018 – 2019: All omitted this human rights violation.  2017: Sections 1.b. and 1.d. included this info.  2018: Sections 1.b., 1.d., and 1.e. included this info.  2019: Sections 1.b. and 1.d. included this info.
X	X	political prisoners;	Political prisoners;	2018 & 2019: Introduction of additional human rights issues which are surprising as also reported on in the 2016 and 2017 reports.
obstruction of humanitarian assistance;	X	X	X	2017 – 2018 – 2019: All omitted this human rights violation.  2017, 2018 2019: 1.g. included info on limited access, access problems and

				restrictions despite improvements
restrictions on freedom of speech, press, assembly, association, religion, and movement;	restrictions on the freedoms of expression, press, assembly, association, religion, and movement;	arrests and intimidation of journalists, censorship, newspaper seizures, and site blocking;  restrictions on religious liberty  substantial interference with the rights of peaceful assembly and freedom of association	arrests and intimidation of journalists, censorship, newspaper seizures, and site blocking;  restrictions on religious liberty  substantial interference with the rights of peaceful assembly and freedom of association	2018 & 2019: Removed restrictions on freedom of expression and provided more specifics with regards to restrictions on freedom of press. 2018 report continues to mention though at section 2.a. that freedom of expression persists.  2018 & 2019: Omission of “restrictions on [...]movement” which is not supported by section 2.f. with regards to 2018.  2018 & 2019: Minor language change with how address freedom of assembly and association
and intimidation and closure of human rights and nongovernmental organizations (NGOs).	intimidation and closure of human rights and nongovernmental organizations (NGOs);	substantial interference with the rights of peaceful assembly and freedom of association, such as overly restrictive nongovernmental organization (NGO) laws;	substantial interference with the rights of peaceful assembly and freedom of association, such as overly restrictive nongovernmental organization (NGO) laws;	2018 & 2019: Language change suggests improvement with regards to situation for NGOs
<b>Societal abuses included</b>	<b>X</b>	<b>X</b>	<b>X</b>	2016: Noted the following 13 human rights issues as “societal abuses” though some perpetrated by state actors.
discrimination against women;	<b>X</b>	<b>X</b>	<b>X</b>	2017 – 2018 – 2019: All omitted this human rights violation despite info. incl in all three reports in section 6.with exception of omission of housing, education and economic discrimination experienced by women in 2017, 2018 and 2019. For a discussion see <a href="#">6.3.1. Omissions in 2017</a> .
sexual violence;	lack of accountability in cases involving	lack of accountability in cases involving violence	lack of accountability in cases involving violence against women, including rape	2017 – 2018 – 2019: All omitted to refer to ‘sexual violence’ and instead renamed

	violence against women, including rape	against women, including rape		it 'lack of accountability in cases involving violence against women, including rape'. 2017 – 2018 – 2019: All omitted to refer to "FGM" and instead renamed it 'lack of accountability in cases involving FGM'. > Do not explicitly refer to the occurrence of sexual violence as a state/societal abuse, but rather that its occurrence lacks accountability
female genital mutilation/cutting (FGM/C);	lack of accountability in cases involving violence against women, including [...] female genital mutilation/cutting (FGM/C);	lack of accountability in cases involving violence against women, including [...] female genital mutilation/cutting (FGM/C);	lack of accountability in cases involving violence against women, including [...] female genital mutilation/cutting (FGM/C);	2017 – 2018 – 2019: All omitted to refer to "FGM" and instead renamed it 'lack of accountability in cases involving FGM'. > Do not explicitly refer to the occurrence of FGM as a societal abuse, but rather that its occurrence lacks accountability
early childhood marriage;	X	X	X	2017 – 2018 – 2019: All omitted this human rights violation and also omitted from section 6. For a discussion see <a href="#">6.3.1. Omissions in 2017</a> .
use of child soldiers;	the use of child soldiers;	X	X	2018 – 2019: All omitted this human rights violation which is consistent with reporting that year.
child abuse;	X	X	X	2017 – 2018 – 2019: All omitted this human rights abuse despite sections 1.g. and 6. But less info. included.
sexual exploitation of children;	X	X	X	2017 – 2018 – 2019: All omitted this human rights abuse despite sections 1.g. and 6. But less info. included.
trafficking in persons;	trafficking in persons;	trafficking in persons;	trafficking in persons;	
discrimination against ethnic and religious minorities,	X	restrictions on religious liberty;	restrictions on religious liberty;	2017 – 2018 – 2019: All omitted "discrimination against ethnic minorities" which is representative of omitted info in

				those reports but not of publicly available info. 2017-2018-2019: Language change regarding religious minorities
persons with disabilities,	X	X	X	2017 – 2018 – 2019: All omitted this human rights abuse despite section 6.
and persons with HIV/AIDS;	X	X	X	2017 – 2018 – 2019: All omitted this human rights abuse despite section 6.
denial of workers’ rights;	denial of workers’ rights to associate with independent trade unions;	outlawing of independent trade unions;	outlawing of independent trade unions;	2017: Language change
and child labor.	and child labor.	and child labor.	and child labor.	
X	criminalization of same sex conduct with severe penalty;	X	X	2016, 2018 and 2019: Omission of any mention of criminalisation of sodomy despite mention in section 6.
			Respect for human rights, in particular fundamental freedoms of expression, assembly, and religion, greatly improved after the CLTG [civilian-led transitional government] took power.	Given the ousting of former President Bashir in April 2019 and the establishment of a new government in August 2019, the <i>Executive Summary</i> added this assessment, suggesting an improvement of the human rights situation, particularly in the fields of freedom of expression, assembly, and religion. Freedom of expression has improved, religion is not mentioned in report and assembly is questionable.
<b>[Darfur specific]</b> Attacks on villages often included	<b>[Kordofan &amp; Darfur specific]</b> In the internal conflict areas of Darfur and the Two Areas, security forces, paramilitary forces, and rebel groups	<b>[Kordofan &amp; Darfur specific]</b> In Darfur and the Two Areas, paramilitary forces and rebel groups continued to	<b>[Kordofan &amp; Darfur specific]</b> In Darfur and the Two Areas, paramilitary forces and rebel groups continued to	2018 and 2019: Removal of “security forces” as perpetrators despite body of report continuing to mention them

	continued to			
killing and beating of civilians;	commit killings [...] and torture of civilians [...] There were reports of both progovernment and antigovernment militias [...] killing civilians	commit killings [...] and torture of civilians [...] There were reports of both progovernment and antigovernment militias [...] killing civilians	commit killings [...] and torture of civilians [...] There were reports of both progovernment and antigovernment militias [...] killing civilians	2017, 2018 and 2019: Omission of “beating of civilians” despite section 1.g. in particular continuing to document this
sexual and gender-based violence;	commit [...] rape [...] of civilians [...] There were reports of both progovernment and antigovernment militias [...] raping [...] civilians	commit [...] rape [...] of civilians [...] There were reports of both progovernment and antigovernment militias [...] raping [...] civilians	commit [...] rape [...] of civilians [...] There were reports of both progovernment and antigovernment militias [...] raping [...] civilians	Language 2017, 2018 and 2019: Removed overarching term to specifically only mention rape
forced displacement;	<b>X</b>	<b>X</b>	<b>X</b>	2017, 2018 and 2019: Omission of “forced displacement”, despite mention of continued displacement due to insecurity in 1.g.
looting and burning entire villages;	There were reports of both progovernment and antigovernment militias looting [...] civilians	There were reports of both progovernment and antigovernment militias looting [...] civilians	There were reports of both progovernment and antigovernment militias looting [...] civilians	2017, 2018 and 2019: Omission of “burning entire villages” despite info publicly available and also 2018 report mentioning it
destroying food stores and other infrastructure necessary for sustaining life;	<b>X</b>	<b>X</b>	<b>X</b>	2017, 2018 and 2019: Omission. Despite all three mentioning livestock theft and farmers preventing from planting fields due to insecurity in section 1.g
and attacks on humanitarian targets, including humanitarian facilities and peacekeepers.	<b>X</b>	<b>X</b>	<b>X</b>	2017, 2018 and 2019: Omission. All of this continued as reported in report and COI
<b>X</b>	In Darfur weak rule of law	In Darfur weak rule of law	In Darfur weak rule of law persisted [...]	Additions in 2017. Repeated in 2018 and

	persisted, however.	persisted [...]		2019
<b>X</b>	Banditry, criminality, and intercommunal violence were main causes of insecurity in Darfur [...] Intercommunal violence spawned from land tenure and resource scarcity resulted in high death tolls, particularly in East, South, and North Darfur [...]	[...] banditry, criminality, and intercommunal violence were main causes of insecurity in Darfur [...] Intercommunal violence spawned from land tenure and resource scarcity continued to result in civilian deaths, particularly in East, South, and North Darfur.	[...] , and banditry, criminality, and intercommunal violence were the main causes of insecurity [in Darfur] [...] Intercommunal violence spawned from land tenure disputes and resource scarcity continued to result in civilian deaths, particularly in East, South, and North Darfur.	Additions in 2017. Repeated in 2018 and 2019
<b>X</b>	Local militias maintained substantial influence due to widespread impunity.	Local militias maintained substantial influence due to widespread impunity.	Local militias maintained substantial influence due to widespread impunity.	Additions in 2017. Repeated in 2018 and 2019
<b>X</b>	Abduction was also seen as a lucrative business by both militias and various tribes in Darfur.	<b>X</b>	<b>X</b>	2018 and 2019: Omissions. Despite same COI in section 1.g.
<b>[No info on Abyei]</b>	<b>[On Abyei]</b>	<b>[On Abyei]</b>	<b>[On Abyei]</b>	
<b>X</b>	In Abyei tribal conflict between Ngok Dinka and Misseriya was at the root of most human rights abuses.	There were some human rights abuses in Abyei, a region claimed by both Sudan and South Sudan, generally stemming from tribal conflict between Ngok Dinka and Misseriya.	There were some human rights abuses reported in Abyei, a region claimed by both Sudan and South Sudan, generally stemming from tribal conflict between Ngok Dinka and Misseriya.	Additions in 2017. Repeated in 2018 and 2019

## E. Repository of COI on Sudan

Illustrative country of origin information is presented on the following issues in chronological order.

### 1. Section 1. *Respect for the Integrity of the Person*

#### 1.2. Improvements

##### 1.2.1. Improvements in 2017 (compared to 2016), all repeated in 2018

Information that the government sought to get Sudanese citizens living abroad who actively criticise the government online deported from their countries of residence in 2017

❖ [Reporters Without Borders, Sudanese intelligence agency's offensive against journalists, 24 August 2017](#)

[...] Sudanese journalist Alla Eldien Aldefeina was held for more than a month at the NISS office in Bahri, in northern Khartoum, after being expelled from Saudi Arabia, where he had been detained for several months.

According to the information obtained by RSF, his deportation was the result of an agreement between the Saudi intelligence services and the NISS, which proceeded to interrogate him about the articles he wrote for various online media during the 2016 civil disobedience campaign in Sudan. Often arrested in the past, Aldefeina had fled Sudan after being threatened and tortured [...]

Information that the government sought to get Sudanese citizens living abroad who actively criticise the government online deported from their countries of residence in 2018

❖ [SOAS/IRRI, Sudan's compliance with its obligations under the International Covenant on Civil and Political Rights: Anti human trafficking initiatives, the rights of refugees and the human rights of migrants 122nd Session of the Human Rights Committee \(2018\) - List of issues: Sudan, January 2018](#)

[...] 4. Torture and other ill-treatment of returned Sudanese nationals The Khartoum Process has resulted in enhanced bilateral cooperation, which has facilitated the deportation of Sudanese nationals from countries such as Italy, Belgium and the Netherlands. Agreements, deportation practices, which have included inviting Sudanese officials to identify Sudanese nationals in countries such as Italy and Belgium, and failures of post deportation monitoring have increased the risk that Sudanese nationals are subjected to torture and ill-treatment upon return.<sup>25</sup> [...]

25 See Human Rights and Migration Law Clinic of Turin, Memorandum of Understanding between Italy and Sudan: a legal analysis, 2017, available at [www.asgi.it/wp-content/uploads/2017/10/Report-Memorandum-of-Understanding-Sudan-Italy-SL-Clinic-UniTO.pdf](http://www.asgi.it/wp-content/uploads/2017/10/Report-Memorandum-of-Understanding-Sudan-Italy-SL-Clinic-UniTO.pdf) [...]

❖ [The New Humanitarian, Inside the EU's flawed \\$200 million migration deal with Sudan, 30 January 2018](#)

[...] The EU's interest in managing migration has precipitated a sharp shift in how member countries engage with Khartoum. For years, European governments avoided dealing with al-Bashir because of the ICC arrest warrant and his rights record, but there has been something of a sea change.

The UK is now engaged in a biannual "strategic dialogue" focused on migration, trade, and counter-terrorism. Italy has signed a policing agreement on trafficking, irregular immigration and terrorism; and Norway is discussing an agreement to facilitate easier deportation of Sudanese asylum seekers. Belgium recently allowed Sudanese security officials to vet asylum-seekers; those who were then deported back to Sudan were detained, interrogated and tortured [...]

❖ [SOAS/IRRI/Waging Peace, Sudan's compliance with its obligations under the International Covenant on Civil and Political Rights in the context of mixed migration from, and to Sudan 124th session of the Human Rights Committee - Review of Sudan's State Party report, September 2018](#)

1. Introduction [...]

The EU has acknowledged some of these concerns, albeit without implementing fundamental changes to its approach. Further, several EU Member States, namely Italy, Belgium, France and the Netherlands, have pursued bilateral policies with Sudan aimed at, and resulting in, the deportation of Sudanese nationals to Sudan [...]

2.2. Treatment of forced and voluntary returnees to Sudan

The treatment on return of Sudanese nationals who have sought protection abroad, but been forcibly or voluntarily returned back to Sudan, has been a long-standing concern.<sup>12</sup> The numbers of such individuals have increased following the establishment of bilateral policies aimed at facilitating the return of unsuccessful asylum applicants, particularly with EU Member States<sup>13</sup> and under the aegis of the Khartoum Process, notably in Italy,<sup>14</sup> Belgium,<sup>15</sup> France,<sup>16</sup> the Netherlands,<sup>17</sup> and the United Kingdom.<sup>18</sup> The practices of EU Member States, that is inviting identification missions from Sudan who have allegedly involved officials associated with the National Intelligence and Security Services (NISS),<sup>19</sup> are highly problematic in terms of their compatibility with the Covenant, and may have violated the principle of refoulement.<sup>20</sup> Sudan bears responsibility, as a party to the Covenant, for the protection of those returned to its territory [...]

12 See above note 2.

13'EMN Ad-Hoc Query on return to Sudan', available at [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/2018.1263-be\\_emn\\_ncp\\_ahq\\_on\\_return\\_to\\_sudan.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/2018.1263-be_emn_ncp_ahq_on_return_to_sudan.pdf)

14 Associazione per gli Studi Giuridici sull'Immigrazione, 'Memorandum of Understanding between Italy and Sudan: a legal analysis', available at <https://www.asgi.it/wp-content/uploads/2017/10/Report-Memorandum-of-Understanding-Sudan-ItalySL-Clinic-UniTO.pdf>

15 In December 2017, the Federal Secretary of State responsible for Asylum and Migration, Theo Francken, invited Sudanese officials on an identification mission to assess Sudanese individuals in Belgium. The delegation is widely believed to have been from Sudan's NISS. They were allowed to question Sudanese without Belgian officials present. See report of the Belgian Office of the Commissioner General for Refugees and Stateless Persons, 'Respecting the Principle of NonRefoulement When Organizing the Return of Persons to Sudan', 8 February 2018, available at [https://www.cgrs.be/sites/default/files/respecting\\_the\\_principle\\_of\\_nonrefoulement\\_when\\_organizing\\_the\\_return\\_of\\_persons\\_to\\_sudan.pdf](https://www.cgrs.be/sites/default/files/respecting_the_principle_of_nonrefoulement_when_organizing_the_return_of_persons_to_sudan.pdf)

16 According to internal memos of the Sudanese Embassy in France, Sudanese officials collaborated with French authorities on returns, including arranging a potential identification mission. See 'Comment la France a livré des opposants politiques à la dictature soudanaise', Street Press, 1 October 2017, available at <https://www.streetpress.com/sujet/1506702391-la-francelivre-opposants-politiques-dictature-soudan>

17 In 2011, the Netherlands signed an MOU with Sudan for the voluntary or forced repatriation of Sudanese nationals and the issuing of laissez-passers by the Sudanese diplomatic representation. See <https://www.diensterugkeerenvertrek.nl/Landeninformatie/sudan/>

18 The UK launched a UK-Sudan Strategic Dialogue in 2016 which saw biannual meetings in which areas of mutual concern are discussed, including returns procedure. The most recent meeting was April 2018, see further <https://www.gov.uk/government/news/uk-sudan-strategic-dialogue-april-2018-communiqué>

19 'Belgium criticised for inviting Sudanese 'secret agents' to Brussels to identify migrants', The Telegraph, 20 September 2017, available at <https://www.telegraph.co.uk/news/2017/09/20/belgium-invites-sudanese-secret-agents-brussels-identifymigrants/>

20 Scrutiny extends to the level of the European Court of Human Rights, where a case is being pursued by lawyers on behalf of five of the 40-48 individuals (sources differ) returned in August 2016 from Italy. See <http://www.infomigrants.net/en/post/6989/echr-accepts-anti-italy-appeal-for-forced-removal-of-sudanese> [...]

❖ [Human Rights Watch, Sudan: Exiled Activist Surfaces in Detention, 15 November 2018](#)

[...] Relations between Egypt and Sudan have warmed in recent months. In July, Egypt refused entry to a prominent opposition leader, Sadiq al-Mahdi, and Sudan seems to have ordered several Egyptian Muslim Brotherhood dissidents to leave the country in 2017. Earlier in 2018, an independent news outlet obtained a "leaked" list from the Sudanese embassy in Cairo of 48 names of activists reportedly wanted by the Sudanese government. More than half of them received calls from Egyptian security and were warned or threatened with deportation [...]

❖ [CEDOCA, COI Focus, Soedan Veiligheidssituatie in de Two Areas / Situatie in Khartoem van personen afkomstig uit de Two Areas, 22 January 2019](#)

[...] 1.7.2. Vluchtelingen [...]

Volgens de in Khartoem gevestigde Soedanese mensenrechtenorganisatie die Cedoca contacteerde worden Nuba-activisten die in Egypte leven bedreigd met repatriëring [Unofficial translation using Google translate:

“Khartoum-based Sudanese human rights organization Cedoca contacted, Nuba activists living in Egypt are threatened with repatriation”]: “Now there are many activists from the Nuba mountain in Egypt received threat from the Sudanese authority and threaten to be deported to Sudan, as they authority with the collaboration of security agency in some Arabic countries arrested and deport some activists”<sup>193</sup>

193 Soedanese mensenrechtenorganisatie die in Khartoem is gevestigd, e-mail, 25/09/2018 [...]

### 1.2.2. Improvements in 2018 (compared to 2016 and 2017), all repeated in 2019

#### Humanitarian workers were targeted for kidnapping and ransom in 2018

❖ [UN Security Council, African Union-United Nations Hybrid Operation in Darfur Report of the Secretary-General, 12 October 2018](#)

I. Introduction [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur for the period from 11 June until 3 October 2018 [...]

V. Operating environment

Attacks and threats of attacks targeting African Union-United Nations Hybrid Operation in Darfur, United Nations and humanitarian personnel

21. A total of 60 criminal incidents targeting the United Nations and humanitarian personnel were recorded during the reporting period, 46 of which were incidents of intrusion, break-in and theft inside United Nations premises [...] On 12 September, a national staff member of the international non-governmental organization Triangle Generation Humanitarian was abducted, assaulted, robbed and later released by SLA-AW elements in Golo in Central Darfur [...]

#### Humanitarian workers were targeted for kidnapping and ransom in 2019

❖ [UN Security Council, Special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the African Union-United Nations Hybrid Operation in Darfur, 15 October 2019](#)

I. Introduction [...]

2. Security situation [...]

Fighting between the Government of the Sudan forces and armed movements

9. [...] SLA-AW abducted local civilians and staff of international non-governmental organizations (NGOs) for ransom, robbed commercial trucks and looted property of local medical and humanitarian organizations [...]

3. Humanitarian situation [...]

15. The operating environment presented challenges for aid workers in areas under the control of SLA-AW, who denied access to Central Jebel Marra, namely to Tarbi, Kero and Jokosti villages. On 3 July, alleged SLA-AW elements abducted four national staff of an international NGO in Karonga (4 km east of Golo temporary operating base) and released them on 4 July. On the same day, three suspected SLAAW elements looted assorted medicine and medical equipment from a clinic run by an international NGO at Bar Arie, in Golo. On 29 July, two local staff members of an international NGO and one local community leader were also abducted by alleged SLA-AW elements at Tarbi village, in Golo. The staff members were later released [...]

### 1.2.3. Improvements in 2019 (compared to 2018)

## Arbitrary or unlawful killings continued to be committed by the authorities post-April 2019

### ❖ [Human Rights Watch, Sudan's Transition Hasn't Ended Abuses in Darfur, 8 May 2019](#)

[...] By most accounts, government security forces have treated the protesters fairly, a welcome respite after violent crackdowns over the last few months that resulted in over 100 deaths and hundreds of injuries.

But this hasn't been the case in Sudan's restive Darfur region. On May 4, residents of the Otash displaced person's camp joined protests in Nyala, the capital of South Darfur. Government forces, which according to witnesses included the Rapid Support Forces (RSF), a paramilitary group responsible for grave crimes in Darfur, Southern Kordofan, and Blue Nile over the past five years, tried to disperse the protesters by beating and shooting live bullets and teargas at them, reportedly killing an 18-year old and injuring others in the process. Days earlier, media reported RSF soldiers used violence to break up protests in Zalingei, Central Darfur.

The RSF are still being implicated in crimes against civilians in Darfur, even as their commander, Mohamed Hamdan "Hemeti," is now deputy head of the transitional military council. But the crackdown in Nyala exposes the grim reality that civilians in Darfur still face violence and abuse more than elsewhere, and often out of public view. As one young man who witnessed protesters being dispersed told us: "The security forces always treat us [in Darfur] differently." [...]

### ❖ [OHCHR, Sudan: UN expert condemns excessive use of force at protests, 17 May 2019](#)

[...] A UN human rights expert has condemned reports of excessive use of force this week against protesters seeking a civilian-led transition in Sudan. Reports said at least six people were killed and about 100 injured.

On 13 May, reports indicated unidentified forces allegedly wearing the uniforms of the Rapid Support Forces used live ammunition at protests in Khartoum, killing six people including an army officer. Two days later, reports said Rapid Support Forces fired live ammunition at protesters trying to prevent the removal of roadblocks to clear the way to the army headquarters. [...]

### ❖ [United Nations Security Council, Special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the strategic assessment of the African Union-United Nations Hybrid Operation in Darfur, 30 May 2019](#)

[...] The African Union Peace and Security Council issued a statement on 15 April demanding the handover of power to a civilian-led transitional authority within 15 days, subsequently extended for an additional period of up to 60 days by its communiqué of 30 April 2019 (PSC/PR/COMM.(DCCCXLVI)).

10. Those events initially had repercussions in Darfur, where large crowds in major urban centres gathered to celebrate events in Khartoum. The demonstrators targeted National Intelligence and Security Service facilities, perceived as symbols of the previous Government. In El Fasher, Nyala, Zalingei, El Geneina and Ed Daein, security forces, mainly National Intelligence and Security Service personnel, allegedly fired shots indiscriminately to disperse demonstrators, killing at least 15 civilians and injuring hundreds. At the Kalma camp for internally displaced persons in Nyala, South Darfur, 16 people were killed and 17 others injured, after violent confrontations between rival groups among the population in the camp.

[...] 3. Human rights and protection

22. Human rights violations and abuses continue to occur across Darfur, with a significant increase in the number of documented cases, including killings, assault, abduction and conflict-related sexual violence, in the Jebel Marra area during the reporting period. Internally displaced persons, especially women and children, are the most vulnerable to attacks, mainly perpetrated by government and affiliated forces, including the Rapid Support Forces. There is insufficient action to address violations and abuses, in a context where State authorities are absent in several localities and judicial institutions are weak. As a result, internally displaced persons and local populations have expressed a lack of trust in law enforcement bodies. [...]

### ❖ [Middle East Eye, Mohammed Amin, Sudanese forces violently crack down on Nile-side neighbourhood, 1 June 2019](#)

[...] Sudanese armed forces on Saturday began a crackdown on the Nile-side area of Khartoum known as "Colombia," a neighbourhood known for its liberal attitude to alcohol and drugs that lies close to the city's sit-in demonstration.

Eyewitnesses told Middle East Eye that the army, Rapid Support Forces (RSF) militia and police blockaded the area from all directions and heavy gunfire was heard from around the area.

[...] An eyewitness, 30-year-old Hamad Mohamed, told MEE that Colombia and the streets branching off Nile Street were all blocked by government forces, who opened fire against the protesters.

Mohamed said he saw some casualties falling to the ground, though added that "it didn't look like they were serious injuries".

Later, AFP reported that one person was killed and 10 were wounded.

"After regular forces opened fire, there were casualties on Nile Street near the sit-in site," the Central Committee of Sudanese Doctors said in a statement. The committee did not specify which forces opened fire or identify those killed or wounded.

"The army and RSF soldiers look insistent on not only breaking up the Colombia area but also the presence of protesters on Nile Street and around Khartoum University," Mohamed said.

"They are using massive violence and shooting live bullets against everyone while they are heading towards the sit-in square." [...]

❖ [ACAPS, Sudan: Escalation of Violence, Briefing Note, 17 June 2019](#)

[...] The situation escalated on 3 June when security forces violently raided peaceful sit-ins outside the military headquarters in Khartoum. On 3 June, at least 118 people were killed, more than 780 people injured and at least 70 rape cases reported. Protection concerns in Khartoum and elsewhere remain extremely high, as security forces continue to violently repress protesters.

[...] Security forces are likely to continue to commit acts of violence and human rights violations against civilians. [...]

❖ [UN News, Restrictions, unmet promises, unbridled violence in Sudan, a 'recipe for disaster', says Bachelet, 3 July 2019](#)

[...] In response to the Sudan Professionals Association's (SPA) call to support a civilian-led transitional authority following April's military takeover, mass protests reportedly took place in more than ten major towns and cities, including Khartoum, Omdurman, Kassala, Gadaref, Madani, Port Sudan, Atbara, El Fasher, Nyala, Zalingie and Kosti.

[...] Ms. Bachelet said her office had received numerous allegations that excessive force had been used by security forces against protesters.

She recounted that a senior Health Ministry official had reportedly pinned the blame on protesters for the deaths of seven people, and injuries to 181 others, during Sunday's demonstrations.

The SPA-affiliated Sudanese Doctors Central Committee also reported that live bullets were allegedly fired by the paramilitary Rapid Support Forces (RSF) and other security forces in Omdurman and Atbara.

And on Monday morning, the tortured bodies of three local activists were found in Khor Abu Anga in Omdurman, ratcheting up the death toll to at least ten since the start of Sunday's massive protests.

Hospital attacks

Ms. Bachelet said she was especially disturbed by reports of hospital attacks, including that joint RSF, security and police forces had chased protesters inside of the Gadaref city hospital, firing live ammunition and tear gas.

OHCHR said allegations had been made that police and RSF – which consists of many former Janjaweed fighters from Darfur - had raided the Al-Tabib hospital in Khartoum and pursued protesters into the military hospital in Omdurman, firing tear gas and live bullets – shooting dead a medical employee. [...]

❖ [Human Rights Watch, UN Rights Council Shamefully Silent on Sudan: International Investigation Needed, 9 July 2019](#)

[...] Amid turbulent change in Sudan, the country's human rights record remains dire. Since December 2018, government security forces have killed hundreds of protesters on the streets, attacked hospitals, arbitrarily arrested and detained, beaten and raped.

The ouster of President Omar al-Bashir in April 2019 did not end the violence. The transitional military council, whose deputy commands the abusive Rapid Support Forces, continued to allow security forces to use excessive force against protesters, killing well over 100 people and injuring hundreds more on June 3 alone. The military council is also blocking the internet, restricting reporting on incidents and coordination among aid agencies.

The situation remains dire in the conflict zones of Darfur, Southern Kordofan and Blue Nile as government forces continue to carry out attacks on civilians. [...]

❖ [United Nations General Assembly, Human Rights Council, Situation of human rights in the Sudan: Report of the Independent Expert on the situation of human rights in the Sudan, 26 July 2019](#)

[...] 18. The events in Khartoum and across the country had a particular effect in Darfur, where the use of force by security forces on protesters reportedly left as many as 47 civilians killed and 186 injured between 11 April and 12 June. In one of the most significant incidents, community members of Deleij village in Central Darfur reported that armed men, who they alleged were affiliated with the Rapid Support Forces, carried out an attack on their village on 9 and 10 June that resulted in the deaths of at least 15 people and significant destruction of homes, shops and other private property.

[...] 21. Leaders of the Transitional Military Council and the Forces for Freedom and Change engaged in talks in Khartoum through April and May, while thousands of people continued daily sit-ins in the city. By early June, as talks produced minimal results and tensions mounted, security forces led by the Rapid Support Forces acted on 3 June to disperse the sit-in in front of the army headquarters, reportedly using excessive force that resulted in numerous civilian deaths and injuries. Security operations against protesters continued in the days after.

[...] 22. Sudanese authorities reported that the death toll had reached 70 in the two weeks from 3 June, while the Central Committee of Sudanese Doctors said that at least 115 civilians had been killed.

[...] 24. On 30 June, massive protests were reported across cities in the Sudan, including Khartoum, Omdurman, Kassala, Al-Gedaref, Madani, Port Sudan, Atbarah, El Fasher, Nyala, Zalingie and Kosti, in response to the calls from the Sudanese Professionals Association for a civilian-led transitional authority. Excessive use of force by the security forces was reported as leading to the killing of at least 7 civilians, including a medical professional, and to the injury of more than 180 people. Reports also suggested that members of the Rapid Support Forces and other security forces had raided three hospitals, including the military hospital in Omdurman, the public hospital in Al-Gedaref and Al-Tabib hospital in Khartoum.

[...] 36. Security forces and protesters also clashed in a series of incidents in Darfur and Southern Kordofan in the weeks following the removal of President al-Bashir. On 21 April in Kutum, North Darfur, protesters reportedly surrounded the office of the National Intelligence and Security Services and committed acts of destruction of property. They were met with force by security forces, who allegedly fired indiscriminately into the crowds, resulting in the injury of at least seven civilians, including minors. The same day, violence between protesters and forces of the National Intelligence and Security Services in Alari, Southern Kordofan, resulted in nine members of the National Intelligence and Security Services killed, and four civilians injured, according to reports from the United Nations Interim Security Force for Abyei.

37. According to information received by the Independent Expert, on 2 May, two people were allegedly killed and five others injured as a result of the use of live ammunition by the Rapid Support Forces to disperse young people protesting against their presence in Masteri town in East Darfur.

38. The Independent Expert received information that security forces in Nyala, South Darfur, had reportedly used excessive force, including live ammunition, on 4 May to disperse some two thousand people engaged in protests to demand improved services at an encampment for internally displaced persons at Otash, within the town's boundaries. Several protesters reportedly sustained gunshot wounds. Riot police also allegedly raided the local hospital's emergency section. In total, at least six people were wounded by security forces during the 4 May events in Nyala, according to reports received. The Governor of South Darfur imposed a statewide ban on protests following the incident.

39. Reports indicated that on 13 May, in Khartoum, security forces, allegedly wearing the uniforms and using the vehicles of the Rapid Support Forces, used live ammunition on protesters, killing six people, including an army officer. Two days later, members of the Rapid Support Forces reportedly fired live ammunition at protesters in an attempt to prevent the removal of roadblocks around the army headquarters. Reports indicated that at least 6 people had been killed and about 100 injured.

40. On 3 June in Khartoum, substantial casualties reportedly resulted from the joint operation by security forces against the peaceful mass sit-in in front of the army headquarters. Credible reports indicated that more than 100 protesters had been killed, and hundreds more had been injured in violence on that day and the days immediately following. Security forces reportedly raided hospitals and clinics and assaulted medical staff who were treating injured people. At least 10 bodies of protesters – possibly as many as dozens, according to conflicting accounts from various medical sources and civil society groups – were

recovered from the Nile River in the days after 3 June, allegedly disposed of by security forces who participated in the operation. The Independent Expert also received allegations of rape and other forms of sexual violence perpetrated against both women and men during the crackdown, and information alleging that possibly hundreds of protesters were missing as of the end of June.

[...] 41. Sources reported to the Independent Expert that in June, tensions had escalated in Deleij village in Central Darfur between members of the local community and Arab members of the Rapid Support Forces based in the region. According to reports received, armed men allegedly from Arab tribes, possibly including members of the Rapid Support Forces, launched attacks against civilians in Deleij and surrounding villages on 9 and 10 June, resulting in at least 15 civilians killed and 15 injured. Sources also reported that dozens of homes and shops had been destroyed in Deleij and hundreds of heads of livestock had been reportedly looted.

42. On 30 June, excessive use of force by the Rapid Support Forces and security forces against protesters was reported in many of the country's cities. According to media reports,<sup>12</sup> the undersecretary for the Ministry of Health said on the evening of 30 June that 7 people had been killed and 181 wounded during the protests that day. He further said that 27 of those people had suffered gunshot wounds and that the remaining injuries had been caused by protesters. He stated that 10 members of the regular forces had been injured during the protests, including 3 members of the Rapid Support Forces who had been injured by gunshots, and that the other 7 members of the regular forces had been injured by stones thrown by protesters. The Central Committee of Sudanese Doctors reported that seven protesters had allegedly been killed in Omdurman and Atbara by live bullets fired by the Rapid Support Forces and other security forces. Three bodies of activists from Omdurman were reportedly found in Khor Abu Anga in Omdurman on the morning of 1 July, with visible signs of torture. Reports also indicated that the public hospital in Al-Gedaref city had been raided by joint Rapid Support Forces and security and police forces, who had chased protesters into the hospital and fired tear gas and live bullets inside the hospital, leading to the injury of at least one protester. Similarly, sources confirmed that joint forces from the Rapid Support Forces and the police chased protesters into the military hospital in Omdurman, firing tear gas and live bullets, and that, as a result, a medical staff member had been shot dead inside the hospital. This alleged killing in Omdurman is included in the number of seven killed in total, as reported by the Central Committee of Sudanese Doctors. Al-Tabib hospital in Khartoum was also raided, allegedly by joint Rapid Support Forces and police forces.

[...] Many of the protests in Darfur in the first half of 2019 were violently repressed by State security forces, including by members of the Rapid Support Forces. According to information received by the Independent Expert, at least 47 civilians were killed and 186 others were injured in various regions of Darfur between 11 April and 12 June. [...]

12 See, for example, [www.swissinfo.ch/eng/tens-of-thousands-demand-civilian-rule-in-sudan--at-least-seven-killed/45066904](http://www.swissinfo.ch/eng/tens-of-thousands-demand-civilian-rule-in-sudan--at-least-seven-killed/45066904).

❖ [African Centre For Justice and Peace Studies \(ACJPS\), North Kordofan: Urgent call to investigate the killing of six peaceful protesters including 3 minors in El Obeid, 2 August 2019](#)

[...] The African Centre for Justice and Peace Studies (ACJPS) calls on the international community to urgently investigate the killing of six peaceful protesters that occurred on 29 July 2019 in El Obeid, the capital of North Kordofan, Sudan. The international community, including the United Nations Human Rights Council should urgently set up an independent and impartial commission to ensure an immediate and effective investigation into the full scale of the killing, identify those responsible, and recommend ways to hold them accountable.

On 29 August 2019, more than 500 high school students across El-Obeid participated in a peaceful protest denouncing the shortage of fuel and bread in the state which has caused a hike in costs of public transport from 2 to 3 Sudanese Pounds per passenger and long queues in front of bakeries.

The peaceful protest started at about 7:30 a.m in Kerima market after hundreds of students found themselves stranded at the bus station as many were unable to afford the new bus fares. The students gathered in the market and started chanting, "no transport, no bread" as they peacefully marched along the streets of El Obeid.

According to a reliable source, the government-backed Paramilitary Rapid Support Forces (RSF) started firing gun shots in the air as protesters approached the Sudanese French Bank. The student protesters ignored the gun shots and continued with their peaceful march. A few minutes later, the RSF indiscriminately fired live ammunition at the students killing five people instantly, including three minors.

Another male adult was shot when he tried moving closer to talk to the RSF. ACJPS was informed that after the gun shots, some members of the Sudanese Armed Forces joined in to whip the student protesters with sticks, lashes, wood and iron bars.

The ACJPS has obtained the following details of the deceased:

Ahmed Abdul Whab (m), 15 years old, a student at Abdul Hussein Jafar high school

Hassan Saad (m), 17 years old, student at Al-Obied Industrial high school

Mohamed Al-Fatih (m), 17 years old, a student at Ismail Alwali high school

Badur Eldien Abdulla Ismail (m), 23 years, a student at Heath Academic

Ahmed Abdul Karein (m), 40 years old

Younies Adam Younies Malla (m), 45 years old, he was shot while asking RSF forces to stop shooting at the crowd. He was a businessman in El-Obied

Reports indicate that at least sixty-two people suffered injuries from the gunshot wounds, teargas and whipping. Most of the injured were taken to different hospitals in El Obeid including Health Insurance hospital, Primary Hospital, Extra Care hospital and Alawia Yassin Hospital whilst four were transferred to Khartoum for medical care. [...]

❖ [Human Rights Watch, “They Were Shouting ‘Kill Them’”: Sudan’s Violent Crackdown on Protesters in Khartoum, 19 November 2019](#)

[...] It was dark and rainy in the early hours of Monday, June 3, 2019, on eve of the last day of the Muslim holy month of Ramadan.

[...] Before dawn, a large number of government forces, including the Rapid Support Forces (RSF) – the paramilitary force established in 2013 which carried out highly abusive counter insurgency campaigns in Darfur, Southern Kordofan and Blue Nile – surrounded the sit-in area. After an initial attempt by men in police uniforms to move a barricade, witnesses said RSF soldiers opened fire on unarmed protesters, instantly killing many. The soldiers rounded up and beat protestors, subjecting them to various abuses and humiliation, burned tents and looted and destroyed property. They also raped protesters and committed other acts of sexual violence. Three days later, the African Union suspended Sudan’s membership.

[...] Following al-Bashir’s ouster, a Transition Military Council (TMC) of army generals led by Abdel Fattah al-Burhan took over the government, with Mohamed “Hemedti” Hamdan Dagalo, as his deputy. Hemedti, the commander of the RSF, has been implicated by Human Rights Watch in serious crimes by the RSF against civilians in Darfur and elsewhere – including mass rape and burning villages. After April, RSF forces were more visible in Khartoum and led most of the subsequent violence against protesters.

Based on field research in Khartoum between July 28 and August 11, and interviews with more than 60 people in Khartoum and Omdurman including families of those killed, activists, staff of civil society organizations, and medical service providers, this report documents the most violent of these dispersals, including the attack on the June 3 sit-in, when security forces led by the RSF opened fire on unarmed protesters, killing scores, raping people, injuring hundreds, and committed a range of other serious abuses. The report also describes subsequent attacks on protesters including another violent crackdown on June 30, when protesters marched against the June 3 killings and again called for handover to civilian rule.

Human Rights Watch was not able to ascertain the total number of those killed during the attack on June 3 and in the following days. Independent doctors’ groups reported credible estimates of over 120 protesters killed between June 3 and 18 and over nine hundred injured, some severely. They also reported bodies were pulled from the Nile river, two of whom were tied to bricks showing gunshot wounds, pointing to possible execution. Dozens were reported missing. The official death toll, 87, was widely rejected as too low.

[...] But within weeks, protesters in the capital again took to the streets, demanding civilian rule and justice for the June 3 killings. In response to the “millions march” in Omdurman on June 30, government forces again used live ammunition to disperse the protests, killing at least ten. [...]

❖ [African Centre For Justice and Peace Studies \(ACJPS\) and REDRESS, A Way Forward? Anti-Torture Reforms in Sudan in the Post-Bashir Era, December 2019](#)

[...] In the context described above, on 3 June 2019, security forces, predominantly made up from Rapid Support Forces (RSF) attacked peaceful demonstrators at a sit-in in Khartoum (the June Massacre). The RSF is a paramilitary force under the authority of General Mohamed Hamdan Dagalo, known as “Hemedti,” who served as deputy head of the TMC [Transitional Military Council] and has since been

sworn in as a member of the SC. More than one hundred civilians were reported killed and hundreds more injured.<sup>11</sup> Protesters were also beaten and detained, subjected to rape, including gang rape, and other forms of intimidation and humiliation.<sup>12</sup>

The security forces attacked the protest site, blocked the exit so that protesters could not leave, and used live ammunition. Gunmen reportedly threw bodies into the Nile, weighing them down with bricks. At least three hospitals were attacked, with reports of doctors being assaulted. Following the June Massacre, targeted harassment of medical personnel led to the closing of eight hospitals.<sup>13</sup> Key opposition figures were detained and beaten.

Violence and abuses by forces under the command of the TMC continued. On 30 June 2019, RSF forces attacked protesters in Omdurman, killing at least ten people.<sup>14</sup> On 29 July 2019, security forces broke up a student protest in the city of El-Obeid, shooting dead at least six protesters, including three minors.<sup>15</sup> [...]

12 Zeinab Mohammed Salih Jason Burke, 'Sudanese Doctors Say Dozens of People Raped during Sit-in Attack' The Guardian (11 June 2019) <<https://www.theguardian.com/world/2019/jun/11/sudan-troops-protesters-attack-sit-in-rape-khartoum-doctors-report>> accessed 20 November 2019.

13 African Centre for Justice and Peace Studies, '30 CSOs Appeal to UN Security Council for Urgent Intervention to Prevent Further Bloodshed in Sudan – African Centre for Justice and Peace Studies' <<https://www.acjps.org/30-csos-appeal-to-un-security-council-for-urgent-intervention-to-prevent-further-bloodshed-in-sudan/>> accessed 8 October 2019.

14 'Restrictions, Unmet Promises, Unbridled Violence in Sudan, a "Recipe for Disaster", Says Bachelet' UN News (3 July 2019) <<https://news.un.org/en/story/2019/07/1041802>> accessed 8 October 2019.

15 African Centre for Justice and Peace Studies, 'North Kordofan: Urgent Call to Investigate the Killing of Six Peaceful Protesters Including 3 Minors in El Obeid. – African Centre for Justice and Peace Studies' <<https://www.acjps.org/north-kordofan-urgent-call-to-investigate-the-killing-of-six-peaceful-protesters-including-3-minors-in-el-obeid/>> accessed 8 October 2019.

#### ❖ [Amnesty International, "They Descended On Us Like Rain": Justice For Victims Of Protest Crackdown In Sudan, 10 March 2020](#)

[...] Following Al-Bashir's overthrow, the military formed a Transitional Military Council (TMC) which ruled Sudan between 12 April and 17 August 2019. During this period, the Sudanese security forces committed numerous human rights violations. The violations came to a crescendo with the attack on the sit-in outside the military headquarters in Khartoum on 3 June. That morning, the Security forces carried out unlawful killings and other uses of unnecessary and/or excessive force; torture and ill-treatment, arbitrary arrests and detention; sexual violence and enforced disappearances. Survivors of the attack told Amnesty International that the attacks were carried out by the Rapid Support Forces (RSF), the NISS [National Intelligence and Security Service], and the police, and that they had used live ammunition, teargas, whips and sticks. Many of those present at the scene during the attack described acts that amount to indiscriminate killing, torture or cruel, inhuman or degrading treatment. On 13 June, the TMC's spokesperson, Lieutenant General Shams al-Deen al-Kabashi, publicly admitted that the TMC had ordered the dispersal of the sit-in area. This attack was committed without prior warning or notification to the organizers of the sit-in.

[...] There are conflicting reports on the exact numbers of people killed on 3 June. For example, in September 2019, the Sudan's National Human Rights Commission reported that 36 people were killed, including 15 individuals killed at the sit-in area and 21 elsewhere. The Sudanese Ministry of Health reported a total of 46 people killed. The Attorney-General's Report in July 2019 stated that 87 people were killed. The Legitimate Sudan Doctors Syndicate (LSDS) reported 50 killed while the Central Committee of Sudanese Doctors reported the death of 127 people. These various reports reflect the state of chaos after the violent breakup of the sit-in area, the shutdown of the internet and the fact that most of Khartoum's streets were barricaded by protesters. In response to the barricading of the streets, the security forces turned the city into a military zone for a few days, allowing very limited movement of people. Based on data received from various sources, including the Committee of the Families of the Martyrs of the December 2018 Revolution. Amnesty International believes that at least 100 people were killed, and over 700 people injured. Hundreds more were arrested, while many were released, and an unknown number of people remain missing, including at least 20 confirmed cases. [...]

#### [Authorities detained peaceful protesters post-April 2019](#)

- ❖ [OHCHR, Sudan: UN human rights experts call for independent investigation into violations, 12 June 2019](#)  
 [...] Women have been at the forefront of the peaceful protests in the country in recent weeks and months and have been among the first victims of the violence, including sexual violence, the experts said, adding that dozens of women human rights defenders had been arbitrarily held in an attempt to intimidate them. While some have been released, information received suggests several remain in police custody and are in need of medical attention.  
 [...] The experts expressed concerns about reports that three opposition leaders from the Sudan People's Liberation Movement-North (SPLM/N Malik Agar faction) were allegedly deported from Sudan at the weekend. The men were arbitrarily arrested by the National Intelligence and Security Services last week.  
 [...]
  
- ❖ [UN Human Rights Office of the High Commissioner, Breifing \[sic\] to the Security Council on Sudan by Andrew Gilmour, Assistant Secretary-General for Human Rights, New York, 14 June 2019](#)  
 [...] There are reports that state security entities have resorted to arbitrary arrest and detention to restrict freedom of movement and assembly, as well as suppress dissent or acts of solidarity with the protest in Khartoum. In the past two months, 163 civilians were arrested and detained in relation to protests in Darfur. [...]
  
- ❖ [United Nations General Assembly, Human Rights Council, Situation of human rights in the Sudan: Report of the Independent Expert on the situation of human rights in the Sudan, 26 July 2019](#)  
 [...] 54. A significant wave of arrests was carried out by the National Intelligence and Security Services and the Rapid Support Forces as part of the joint security action of 3 June [...]  
 On a number of occasions, State security services suppressed dissent or acts of solidarity with the protests in Khartoum by carrying out arbitrary arrests and detentions in Darfur. Between 11 April and 12 June, at least 163 civilians were arrested and detained in relation to protests in Darfur, according to reports received. [...]
  
- ❖ [Human Rights Watch, "They Were Shouting 'Kill Them'": Sudan's Violent Crackdown on Protesters in Khartoum, 19 November 2019](#)  
 [...] It was dark and rainy in the early hours of Monday, June 3, 2019, on eve of the last day of the Muslim holy month of Ramadan.  
 [...] Before dawn, a large number of government forces, including the Rapid Support Forces (RSF) – the paramilitary force established in 2013 which carried out highly abusive counter insurgency campaigns in Darfur, Southern Kordofan and Blue Nile – surrounded the sit-in area. After an initial attempt by men in police uniforms to move a barricade, witnesses said RSF soldiers opened fire on unarmed protesters, instantly killing many. The soldiers rounded up and beat protestors, subjecting them to various abuses and humiliation, burned tents and looted and destroyed property. They also raped protesters and committed other acts of sexual violence. Three days later, the African Union suspended Sudan's membership.  
 [...] Following al-Bashir's ouster, a Transition Military Council (TMC) of army generals led by Abdel Fattah al-Burhan took over the government, with Mohamed "Hemedti" Hamdan Dagalo, as his deputy. Hemedti, the commander of the RSF, has been implicated by Human Rights Watch in serious crimes by the RSF against civilians in Darfur and elsewhere – including mass rape and burning villages. After April, RSF forces were more visible in Khartoum and led most of the subsequent violence against protesters.  
 Based on field research in Khartoum between July 28 and August 11, and interviews with more than 60 people in Khartoum and Omdurman including families of those killed, activists, staff of civil society organizations, and medical service providers, this report documents the most violent of these dispersals, including the attack on the June 3 sit-in, when security forces led by the RSF opened fire on unarmed protesters, killing scores, raping people, injuring hundreds, and committed a range of other serious abuses. The report also describes subsequent attacks on protesters including another violent crackdown on June 30, when protesters marched against the June 3 killings and again called for handover to civilian rule. [...]

❖ [Amnesty International, “They Descended On Us Like Rain”: Justice For Victims Of Protest Crackdown In Sudan, 10 March 2020](#)

[...] Following Al-Bashir’s overthrow, the military formed a Transitional Military Council (TMC) which ruled Sudan between 12 April and 17 August 2019. During this period, the Sudanese security forces committed numerous human rights violations. The violations came to a crescendo with the attack on the sit-in outside the military headquarters in Khartoum on 3 June. That morning, the Security forces carried out unlawful killings and other uses of unnecessary and/or excessive force; torture and ill-treatment, arbitrary arrests and detention; sexual violence and enforced disappearances. Survivors of the attack told Amnesty International that the attacks were carried out by the Rapid Support Forces (RSF), the NISS [National Intelligence and Security Service] and the police, and that they had used live ammunition, teargas, whips and sticks. Many of those present at the scene during the attack described acts that amount to indiscriminate killing, torture or cruel, inhuman or degrading treatment. On 13 June, the TMC’s spokesperson, Lieutenant General Shams al-Deen al-Kabashi, publicly admitted that the TMC had ordered the dispersal of the sit-in area. This attack was committed without prior warning or notification to the organizers of the sit-in. [...]

Amnesty International believes that at least 100 people were killed, and over 700 people injured. Hundreds more were arrested, while many were released, and an unknown number of people remain missing, including at least 20 confirmed cases. [...]

### Reports of disappearances by the authorities post-April 2019

❖ [United Nations General Assembly, Human Rights Council, Situation of human rights in the Sudan: Report of the Independent Expert on the situation of human rights in the Sudan, 26 July 2019](#)

[...] The Independent Expert also received allegations of rape and other forms of sexual violence perpetuated against both women and men during the crackdown, and information alleging that possibly hundreds of protesters were missing as of the end of June.

[...] 54. A significant wave of arrests was carried out by the National Intelligence and Security Services and the Rapid Support Forces as part of the joint security action of 3 June (see para. 40 above). Three leaders of the North Agar faction of the Sudan People’s Liberation Movement, including the deputy Chair of the faction, Yasir Arman, were reportedly deported to South Sudan on 10 June after a brief time in detention. Civil society groups raised concern about the reports of hundreds of missing people following the joint security action. [...]

❖ [Human Rights Watch, “They Were Shouting ‘Kill Them’”: Sudan’s Violent Crackdown on Protesters in Khartoum, 19 November 2019](#)

[...] Missing and Disappeared

Since the June 3 attack, families, activists and others have called on authorities to reveal the whereabouts of their missing ones. A Facebook group called “MISSING” is actively sharing posts with details of dozens of missing people since June 3.<sup>133</sup>

On September 5, Sudanese police announced they had not received any official complaints from families of missing persons and accused “parties” of seeking political gain by circulating what they described as “inaccurate numbers” of missing people since the June 3 attack.<sup>134</sup>

In August, Sudanese activists told Human Rights Watch they had confirmed 17 people were missing in Khartoum since the attack on June 3, including women working as tea or food sellers at the sit-in camp.<sup>135</sup>

A lawyer initiated legal proceedings to open investigations into cases of 11 missing people.<sup>136</sup> However, activists point out that the real number of missing people could be higher, as some families may not have reported cases; and some of the missing may not have any family searching for them.<sup>137</sup>

Activists told researchers they fear RSF [Rapid Support Forces] could have detained people in unofficial detention sites and were still holding them. Human Rights Watch is not aware of any official efforts to confirm the existence of or access to RSF detention sites. Others worry protesters were burned during the attack inside their tents, and their bodies never identified.<sup>138</sup> Others worry their loved ones were killed and thrown into the Nile.

Shortly after the attack on the sit-in camp, witnesses reported to media that they had seen RSF soldiers throwing bodies into the river.<sup>139</sup> Two witnesses told Human Rights Watch researchers the same. One of the witnesses, age 30, said: “I saw bodies thrown into the river. It was near the vocational training center.

I saw soldiers tying rocks to legs of several bodies, maybe eight of them, and throwing them in.”<sup>140</sup> A third witness who was arrested by RSF near the university clinic area, said he heard an officer from RSF ordering his soldiers to throw “people” in the river.<sup>141</sup>

Some bodies were pulled from the river and later identified. On June 26, the body of a tea seller, Amal Gous, who was missing after the June 3 sit-in attack, was found floating in the Nile.<sup>142</sup> In October, the family of a protester, Gusai Hamato, missing since June 3, told media that after four months of searching they located and identified his body at a morgue in Omdurman.<sup>143</sup> Hamato’s body was among two found in the river in early June with bricks tied to them and gunshot wounds, strongly suggesting they were killed before being thrown into the river.<sup>144</sup> A video posted on social media shows Hamato, with other protesters, running as RSF and police forces shot at them.<sup>145</sup>

The case underscores the difficulties family members have encountered accessing information from morgues. On October 3, three bodies, also identified as victims of the June 3 attack, were buried without proper authorization from medical officials or communication with the families. The news prompted an investigation into the handling of bodies. [...]

133 “Missing”, Facebook page, <https://www.facebook.com/groups/392935134763820/> (accessed September 17, 2019); and Mohamed Amin, “Missing after the massacre: Sudanese families still searching for loved ones 100 days on,” Middle East Eye, September 11, 2019, <https://www.middleeasteye.net/news/missing-after-massacre-100-days-searching-sudans-families> (accessed October 10, 2019).

134 “First official comment from Police on the missing during sit-in dispersal,” Sudan Akhbar (Arabic) September 5, 2019 <https://www.sudanakhbar.com/565796> (accessed September 10, 2019).

135 Human Rights Watch interviews with activists leading the committee for the disappeared, August 6-7, 2019, Khartoum; interview with Awadiya Mahmoud Koko Ahmed, president of the tea and food sellers’ association, in Mayo district, August 9, Khartoum.

136 “Investigation to open into 11 reported missing after Sudan sit-in bloodbath,” The New Arab, August 8, 2019, <https://www.alaraby.co.uk/english/news/2019/8/7/investigation-to-open-into-11-reported-missing-in-sudan> (accessed September 11, 2019).

137 “Where are they? Families lament missing Sudanese after attack,” July 27, 2019, Al Jazeera, <https://www.aljazeera.com/news/2019/07/families-lament-missing-sudanese-attack-190727185403197.html> (accessed September 11, 2019).

138 Human Rights Watch interview with Hassan (pseudonym), August 1, Khartoum. One witness told media he saw RSF soldiers gathering dead bodies at the back of HAC building, covered them with a tent, then set it on fire with gasoline. “Eyewitness to sit-in dispersal,” Al Jazeera Live Video (Arabic), posted July 10, 2019, to YouTube, <https://www.youtube.com/watch?v=YxaaosXRxoc> (accessed on September 10, 2019).

139 “Sudan: security forces ‘hiding corpses’ of protesters dumped in the Nile and ‘raping doctors’ amid brutal crackdown,” the Independent, June 5, 2019, <https://www.independent.co.uk/news/world/africa/river-nile-sudan-death-toll-crackdown-military-khartoum-latest-a8945871.html> (accessed September 11, 2019).

140 Human Rights Watch interview with Osman, (pseudonym) August 10, in Khartoum, and Mohamed, (pseudonym) August 8, in Khartoum

141 Interview of witness, collected by PLACE, shared with Human Rights Watch in Khartoum, August 3, 2019.

142 “Body of killed tea seller in Sudan’s Nile river,” Radio Dabanga, June 26, 2019, <https://www.dabangasudan.org/en/all-news/article/body-of-killed-tea-seller-found-in-sudan-s-nile-river> (accessed September 11, 2019).

143 “Body of missing protester found in morgue after DNA testing,” Radio Dabanga, October 4, 2019, <https://www.dabangasudan.org/en/all-news/article/body-of-missing-protestor-found-in-morgue-after-dna-testing> (accessed October 11, 2019).

144 A video shows the bodies at the morgue. See Screenshot Sudan’s Facebook page, video clip showing two bodies tied to bricks delivered at the morgue (Arabic) n.d. <https://www.facebook.com/screenshotssudan/videos/756683444728093/> (accessed September 11, 2019)

145 Video from June 3, sit-in attack, shows martyr Gusai, Facebook (0:11), posted on October 3, 2019, <https://www.facebook.com/100004890700052/videos/1273231472849864/> (accessed on October 10, 2019)

#### ❖ [Physicians For Human Rights, “Chaos and Fire”: An Analysis of Sudan’s June 3, 2019 Khartoum Massacre, 5 March 2020](#)

[...] In the early morning hours of June 3, 2019, Sudanese security forces launched a violent attack against pro-democracy demonstrators at the protests’ central sit-in site in Khartoum, near the headquarters of the army, navy, and air force – a neighborhood known in Khartoum as “al-Qiyada,” or headquarters. Reports in the aftermath of that attack indicated that the violence resulted in the deaths of scores of people and injured hundreds more.<sup>11</sup> Witnesses and survivors of the violence – referred to as the June 3 massacre – reported that various uniformed elements of Sudan’s security forces were responsible for

extrajudicial killings and forms of torture, including excessive use of force; cruel, inhuman, and degrading treatment; and sexual and gender-based violence.<sup>12</sup> In addition, there have been allegations that the security forces forcibly disappeared<sup>13</sup> dozens of protesters detained on or around June 3.<sup>14</sup>

[...] To the Sovereign Council of the Government of Sudan:

[...] Create a registry for the missing and investigate alleged cases of enforced disappearances of pro-democracy demonstrators in order to determine the circumstances of those disappearances, the whereabouts of the disappeared, and the alleged perpetrators.

[...] The findings in this report indicate that the violations committed on June 3, 2019 could rise to the level of international crimes for which there should be no immunity, including the crimes against humanity under Article 7 of the Rome Statute of murder, torture, rape, sexual violence, enforced disappearance of persons, and potentially other inhumane acts. These violations warrant a complete and transparent investigation. Survivors and family members of the dead and missing have the right to access justice. [...]

11 Alan Yuhas, "100 Killed in Sudan and Dozens of Bodies Are Pulled From Nile, Opposition Says," June 4, 2019, [nytimes.com/2019/06/04/world/africa/sudan-war-facts-history.html](https://www.nytimes.com/2019/06/04/world/africa/sudan-war-facts-history.html); A Sudanese lawyers and legal practitioner's association in the UK lists the names of 241 dead: "Sudanese army headquarters massacre," August 10, 2019. On file with PHR.

12 Sexual and gender-based violence (SGBV) refers to any harmful act that is perpetrated against one person's will and that is based on socially ascribed (gender) differences between males and females, and includes acts that inflict physical, mental, or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty, whether occurring in public or in private life. Inter-agency Standing Committee, Guidelines for Gender-Based Violence Interventions in Humanitarian Settings, September 1, 2005, [unhcr.org/refworld/docid/439474c74.html](https://www.unhcr.org/refworld/docid/439474c74.html).

13 The UN Convention on Enforced Disappearances 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 the 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." UN General Assembly, "International Convention for the Protection of All Persons from Enforced Disappearance," December 20, 2006, [ohchr.org/en/hrbodies/ced/pages/conventionced.aspx](https://www.ohchr.org/en/hrbodies/ced/pages/conventionced.aspx).

14 "More than 100 Sudanese still missing after 'June 3 Massacre,'" *Radio Dabanga*, August 9, 2019, [dabangasudan.org/en/all-news/article/more-than-100-sudanese-missing-after-june-3-massacre](https://dabangasudan.org/en/all-news/article/more-than-100-sudanese-missing-after-june-3-massacre).

❖ [Amnesty International, "They Descended On Us Like Rain": Justice For Victims Of Protest Crackdown In Sudan, 10 March 2020](#)

[...] During the horrific attacks on the sit-in area in Khartoum on 3 June, Sudanese security forces committed grave human rights violations including unlawful killings and other uses of excessive force; torture and ill-treatment, arbitrary arrests and detention; sexual violence and enforced disappearances. At least 100 people were killed, and hundreds injured.<sup>47</sup> Hundreds were arrested, and while many were released an unknown number remain missing. [...]

47 Amnesty International, Sudan: Authorities must guarantee protestor safety, 28 June 2019, <https://www.amnesty.org/en/latest/news/2019/06/sudan-authorities-must-guarantee-protestor-safety/>

## Police used violent measures to maintain order post-August 2019

❖ [Freedom House, Freedom in the World 2020 – Sudan, 4 March 2020](#)

[...] Even after the TSC affirmed the right to assemble in its interim constitution, security forces have sometimes denied this right in practice. In September 2019, students encountered live ammunition and tear gas when they protested food shortages in the city of Nyala, the state capital of Southern Darfur. More than 20 people were wounded.

In other instances, 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. October protests held in Khartoum, North Darfur, and Northern State took place peacefully. [...]

## NISS harassed and sexually assaulted female detainees post-April 2019

### ❖ [United Nations General Assembly, Human Rights Council, Situation of human rights in the Sudan: Report of the Independent Expert on the situation of human rights in the Sudan, 26 July 2019](#)

[...] 76. The Independent Expert received allegations of dozens of instances of rape, gang rape and other forms of sexual violence against women and men that reportedly took place during the joint security operations led by the Rapid Support Forces in Khartoum on 3 June and the following days. A women's union in Khartoum issued a statement on 24 June alleging that some 5,000 female vendors had been subjected to sexual violence and other abuses by members of the Rapid Support Forces, security forces and the military, and reported that five women who had disappeared after the 3 June violence remained missing. Human rights groups reported that women had allegedly been raped inside a clinic attached to the University of Khartoum, where they had run for safety from the security officers. It is possible that a number of other cases of rape and other forms of sexual violence went unreported, as many survivors likely did not seek medical treatment because of fear of reprisals, general insecurity in the city or limited options for medical and other assistance. [...]

### ❖ [Physicians For Human Rights, "Chaos and Fire": An Analysis of Sudan's June 3, 2019 Khartoum Massacre, 5 March 2020](#)

[...] Sexual and gender-based violence was also a key component of the abuse that security forces inflicted on pro-democracy demonstrators. Interviewees described how forces grabbed the genitals of both male and female protesters and threatened to take off women's pants. A witness described an attempt by armed men to sexually assault him after they detained and tortured him, cutting open a healed wound and putting out cigarettes in it. Several interviewees reported witnessing gang rapes of women in open-air settings. Another described encountering rape survivors while being held in a women's jail.

[...] Interviewees indicated that multiple forms of sexual and gender-based violence (SGBV) against both men and women occurred on June 3. Social stigma results in under-reporting of SGBV in Sudan, and Sudanese SGBV victims are less likely to report because of legal hurdles and a conservative culture that penalizes sexual activity outside of marriage, even punishing and stigmatizing victims of rape.<sup>143</sup>

Muna, a teacher active in the protests, recounted that she was wearing skinny jeans, and many other women wore trousers. Muna recalled that the RSF [Rapid Support Forces] soldiers who brought her and the other women to the detention area under the Blue Nile Bridge threatened them with sexual assault while beating them. She reported that an RSF soldier grabbed her and said, "How do we get her pants off her? Give me a blade so we can tear it off her."<sup>144</sup>

Many interviewees described how security forces groped detainees' genitals. Usman witnessed RSF soldiers hitting female medical staff when they attacked the Electricity Clinic, and "touch[ing] their breasts" and buttocks. Witnesses also described incidents in which RSF personnel deliberately isolated female detainees and subjected them to sexual violence. Usman reported seeing a veiled woman in a lab coat being dragged to the other side of the Electricity Building by RSF personnel out of sight of the other detainees. "I heard her scream as if they were molesting her, and she was screaming for help."<sup>145</sup>

[...] PHR did not speak directly with anyone who was raped; however, several interviewees reported witnessing rape throughout the day.

[...] Other respondents stated that sit-in participants who were victims of rape on June 3 later told them of their ordeals. While being held with other female protesters at the al-Mogran Public Order Jail, several of the detainees told Muna they had been raped, without identifying the perpetrator: "There were two tea ladies [vendors] next to me, they said they were at the University of Khartoum mosque.... [where] they were raped inside." Muna explained that another girl in the jail told her that "she was raped in one of the buildings, and when she went to ... the police station, they just brushed her off and told her it wasn't the time for that now, they wouldn't let her file a complaint."<sup>150</sup> [...]

143 Liv Tønnessen and Samia al-Nagar, *Women and Girls Caught between Rape and Adultery in Sudan: Criminal Law Reform, 2005–2015*, Chr. Michelson Institute (CMI), November 2015, [cmi.no/publications/5661-women-and-girls-caught-between-rape-and-adultery](http://cmi.no/publications/5661-women-and-girls-caught-between-rape-and-adultery).

144 Interview, Muna, Khartoum, November 3, 2019. On file with PHR.

145 Interview, Usman, Khartoum, June 12, 2019. On file with PHR.

[...] 150 Interview, Muna, Khartoum, November 3, 2019. On file with PHR.

## Following their detention, released Darfuri students showed signs of physical abuse and torture in 2019

- ❖ [International Federation for Human Rights \(FIDH\) and African Center for Justice and Peace Studies \(ACJPS\), Will There Be Justice For Darfur? Persisting impunity in the face of political change, 18 December 2019](#)

[...] In the context of the protests which broke out in December 2018, NISS [National Intelligence and Security Service] arrested and detained more than 120 Darfuri people in South, West or Eastern Darfur. The actual figure is likely to be higher as many people were detained for short periods and then released. In Khartoum and other towns in Central Sudan, Darfurian University students were amongst those primarily targeted by NISS when the first protests broke out. Several of them were arrested and detained, including incommunicado in unknown locations.<sup>77</sup> All of them were allegedly released following Al-Bashir's overthrow.

[...] As of 18 January, NISS had arbitrarily arrested and detained more than 40 Darfuri students publicly accused of being part of a "sabotage cell".<sup>80</sup> It was reported that these students were subjected to torture and/or ill-treatment whilst in detention. [...]

77 ACJPS, "Sudan Protests: Urgent call for investigations into the custodial death of three University students and alleged torture of detainees by NISS", 13 March 2019, <http://www.acjps.org/sudan-protests-urgent-call-for-investigations-into-the-custodial-death-of-three-university-students-and-alleged-torture-of-detainees-by-niss/>.

[...] 80 ACJPS, HRW, IRR and Al Khatim Adlan Centre for Enlightenment and Human Development, "Sudan: Hundreds of Protesters Arrested: Free or Charge Detainees; End Abuse of Critics", 18 January 2019, <http://www.acjps.org/wp-content/uploads/2019/01/Sudan-Hundreds-of-Protesters-Arrested.pdf>.

- ❖ [African Centre for Justice and Peace Studies, Sudan: Extrajudicial killing and incommunicado detention: A Report covering the events of December 13, 2018 to April 11, 2019, 10 January 2020](#)

[...] Four (4) student residential units, in which university students ethnically descending from Darfur region resided, were targeted. These units were in each of Kosti, Sennar State, Ad-Durushab neighborhood in Khartoum North, Jabal Awliya in Khartoum and Al-'Abasiyya in Omdurman. The number of students arrested at these units was (54) university students. The detainees were subjected to physical and psychological torture comprising beating with water hoses, wooden sticks and batons during the process of arresting, transporting and interrogating them. They were forced to stand up for long hours, deprived of sleep and medication, exposed to excessive cold, electrified and raped. The psychological torture of detainees typically involved threat with rape, harassment by Police and Security officers, verbal and racial abuse through death and rape threats, ill-treatment comprising forcing women to clean cells and wash dishes at Omdurman Prison, transporting detainees with their hands cuffed and preventing them from using toilets. This involved prisoners transported from the rural areas to Khartoum like transporting detainees from Port Sudan on the Red Sea, Kasala, El-Gedaref and Nyala to Khartoum and the detainees at El-Obeid in Northern Kordofan to Port Sudan on the Red Sea. These abuses involved violation of privacy, harassment, men inspecting and frisking women, confiscating mobile telephones, touching sensitive female body parts during inspection, forcing detainees to change clothes in front of Security Service men, as well confiscating valuables like mobile telephones in return for release. [...] Later on January 1 2019, other students descending from Darfur region were also detained in Jabal Awliya suburb in Southern Khartoum. Following this, on February 26, other students were arrested. These students descended from Shiqaq Caro in Darfur and were residing in the neighborhood of Al-'Abasiyya in Omdurman. During the crackdown on the students in Ad-Drushab suburb, Salih Yagoub Omar, a student studying Political Science in Alzaiem Alazhari University was shot by the NISS [National Intelligence and Security Service]. His body disappeared from the scene of the accident and was later identified in the morgue of Omdurman Hospital on January 10, 2019.

[...] On November 26, 2019 Suliman Abakar Suliman, one of the students arrested on December 28, 2018, died at the Accidents Department in Omdurman Hospital of the torture he was subjected to during the period of his detention. [...]

## Incommunicado detention, beatings, deprivation of food, water and toilets, forced to sleep on cold floors and rapes by detention guards post-April 2019

- ❖ [African Centre for Justice and Peace Studies \(ACJPS\) et al., 30 CSOs Appeal to UN Security Council for Urgent Intervention to Prevent further Bloodshed in Sudan, 11 June 2019](#)  
[...] Recently returned opposition leader Yassir Arman was arrested and held incommunicado for several days before being forcibly deported to Juba. [...]
- ❖ [Physicians For Human Rights, “Chaos and Fire”: An Analysis of Sudan’s June 3, 2019 Khartoum Massacre, 5 March 2020](#)  
[...] Survivors and witnesses described how security forces continued to victimize pro-democracy demonstrators that they detained through torture and other deliberately degrading treatment, including forcing detainees observing the daylight fasting of the Muslim holy month of Ramadan to drink from puddles of dirty water on the street.  
[...] Several interviewees reported witnessing gang rapes of women in open-air settings. Another described encountering rape survivors while being held in a women’s jail.  
[...] While being held with other female protesters at the al-Mogran Public Order Jail, several of the detainees told Muna they had been raped, without identifying the perpetrator: “There were two tea ladies [vendors] next to me, they said they were at the University of Khartoum mosque.... [where] they were raped inside.” Muna explained that another girl in the jail told her that “she was raped in one of the buildings, and when she went to ... the police station, they just brushed her off and told her it wasn't the time for that now, they wouldn't let her file a complaint.”<sup>150</sup> [...]

150 Interview, Muna, Khartoum, November 3, 2019. On file with PHR.

## Information of political prisoners under the CLTG post-August 2019

- ❖ [Radio Dabanga, Darfur lawyers: ‘No legal grounds to keep political prisoners’, 1 March 2020](#)  
[...] On Thursday, JEM issued a statement in which it announced the release of 21 affiliates who spent years in detention centres in various states in Sudan. The movement thanked those who have campaigned for, and supported the prisoners and their families throughout their imprisonment.  
JEM spokesperson Moatasim Saleh stated that hundreds of their affiliates, as well as members of the Sudan Liberation Movement under the leadership of Abdelwahid El Nur (SLM-AW) still remain in Sudanese detention centres, despite promises of Khartoum to release them [...]  
The Darfur Bar Association (DBA) in Khartoum welcomed the release of the JEM combatants, and urged the government to release all other political prisoners who have been detained during the deposed regime.  
“All the political detainees have contributed to the revolution that ousted Al Bashir. Therefore, there is no reason for keeping them in detention centres anymore,” the statement said. “They should immediately release all political prisoners who were detained because they were opposing the deposed regime. Once the revolution succeeded and a new government is formed there is no reason to keep them behind bars anymore.”  
The DBA also expressed its concerns about the continued detention of members of the Revolutionary Awakening Council, founded by former janjaweed leader Musa Hilal, since November 2017.  
“There is no legal ground for the detention of these people under the transitional government, they must release all those who were detained for political reasons during Al Bashir regime,” the statement concluded.  
Mohamed El Taayshi, Member of Sudan’s Sovereign Council and Spokesperson for the government delegation for the current peace talks in Juba, confirmed the government's commitment to “the unconditional release of all prisoners who affiliated or allegedly affiliated with rebel groups” [...]
- ❖ [Freedom House, Freedom in the World 2020 – Sudan, 4 March 2020](#)  
[...] Under the al-Bashir regime, political parties faced harassment, intimidation, and bureaucratic hurdles when trying to participate in party politics. The TSC [Transitional Sovereign Council] targeted high-ranking NCP [National Congress Party] members, which previously benefited from these circumstances, with

arrest, including the acting party leader and a former vice president. Other prominent members were placed under house arrest. In November 2019, the TSC disbanded the NCP altogether, establishing committee to seize its assets [...]

### Conduct of investigations of credible allegations of mistreatment post-April 2019

❖ [African Centre for Justice and Peace Studies \(ACJPS\), Sudan: Extrajudicial Killing and Incommunicado detention, 10 January 2020](#)

[...] All these repressive measures were used in a large scale as of December 29, 2018 until April 12, 2019. Protesters were killed by direct gunshots during the protests, or crackdowns and arbitrary detention at dwellings. As a result, hundreds of men and women incurred different injuries and wounds that necessitated undergoing operations leading to the amputation of limbs in some cases. Perhaps it is worth mentioning here that until now no criminal proceeding has started against those responsible for the bloody events except for one case- the criminal proceeding against suspects of torturing Ahmed Al Khair who is one of the victims of killing in the detention center in the town of Khashm el-Girba in Kasala State in Eastern Sudan. [...]

❖ [Human Rights Watch, Sudan: Progress on Rights, Justice, Key to Transition, 20 February 2020](#)

[...] The attorney-general's office has set up various new committees to investigate past crimes, including the killings of protesters between December 2018 and al-Bashir's ousting on April 11, abuses by the former government since 1989, corruption-related crimes, and crimes in Darfur. Investigations are ongoing, but legal immunities – which still exist under a patchwork of laws – remain an obstacle to prosecution, officials told Human Rights Watch.

In December, the authorities announced convictions and death sentences for 29 security personnel in the case of a teacher tortured to death in Kassala in February 2019. The prosecutions of security officers in a regular court, the first case of its kind, is a step toward accountability for a heinous crime, but the prosecutions should not be limited to low-ranking officers. Human Rights Watch opposes the death penalty under all circumstances because of its inherent cruelty. [...]

### Arrest or temporary detention of opposition members in post-August 2019

❖ [Radio Dabanga, Darfur lawyers: 'No legal grounds to keep political prisoners', 1 March 2020](#)

[...] On Thursday, JEM issued a statement in which it announced the release of 21 affiliates who spent years in detention centres in various states in Sudan. The movement thanked those who have campaigned for, and supported the prisoners and their families throughout their imprisonment.

JEM spokesperson Moatasim Saleh stated that hundreds of their affiliates, as well as members of the Sudan Liberation Movement under the leadership of Abdelwahid El Nur (SLM-AW) still remain in Sudanese detention centres, despite promises of Khartoum to release them [...]

The Darfur Bar Association (DBA) in Khartoum welcomed the release of the JEM combatants, and urged the government to release all other political prisoners who have been detained during the deposed regime.

"All the political detainees have contributed to the revolution that ousted Al Bashir. Therefore, there is no reason for keeping them in detention centres anymore," the statement said. "They should immediately release all political prisoners who were detained because they were opposing the deposed regime. Once the revolution succeeded and a new government is formed there is no reason to keep them behind bars anymore."

The DBA also expressed its concerns about the continued detention of members of the Revolutionary Awakening Council, founded by former janjaweed leader Musa Hilal, since November 2017.

"There is no legal ground for the detention of these people under the transitional government, they must release all those who were detained for political reasons during Al Bashir regime," the statement concluded.

Mohamed El Taayshi, Member of Sudan's Sovereign Council and Spokesperson for the government delegation for the current peace talks in Juba, confirmed the government's commitment to "the unconditional release of all prisoners who affiliated or allegedly affiliated with rebel groups" [...]

❖ [Freedom House, Freedom in the World 2020 – Sudan, 4 March 2020](#)

[...] Under the al-Bashir regime, political parties faced harassment, intimidation, and bureaucratic hurdles when trying to participate in party politics. The TSC [Transitional Sovereign Council] targeted high-ranking NCP [National Congress Party] members, which previously benefited from these circumstances, with arrest, including the acting party leader and a former vice president. Other prominent members were placed under house arrest. In November 2019, the TSC disbanded the NCP altogether, establishing committee to seize its assets [...]

### Incommunicado detention in post-April 2019

- ❖ [African Centre for Justice and Peace Studies \(ACJPS\) et al., 30 CSOs Appeal to UN Security Council for Urgent Intervention to Prevent further Bloodshed in Sudan, 11 June 2019](#)

[...] Recently returned opposition leader Yassir Arman was arrested and held incommunicado for several days before being forcibly deported to Juba. [...]

- ❖ [International Federation for Human Rights \(FIDH\) and African Center for Justice and Peace Studies \(ACJPS\), Will There Be Justice For Darfur? Persisting impunity in the face of political change, 18 December 2019](#)

[...] In the context of the protests which broke out in December 2018, NISS [National Intelligence and Security Service] arrested and detained more than 120 Darfuri people in South, West or Eastern Darfur. The actual figure is likely to be higher as many people were detained for short periods and then released. In Khartoum and other towns in Central Sudan, Darfurian University students were amongst those primarily targeted by NISS when the first protests broke out. Several of them were arrested and detained, including incommunicado in unknown locations.<sup>77</sup> All of them were allegedly released following Al-Bashir's overthrow.

[...] As of 18 January, NISS had arbitrarily arrested and detained more than 40 Darfuri students publicly accused of being part of a "sabotage cell".<sup>80</sup> It was reported that these students were subjected to torture and/or ill-treatment whilst in detention. [...]

77 ACJPS, "Sudan Protests: Urgent call for investigations into the custodial death of three University students and alleged torture of detainees by NISS", 13 March 2019, <http://www.acjps.org/sudan-protests-urgent-call-for-investigations-into-the-custodial-death-of-three-university-students-and-alleged-torture-of-detainees-by-niss/>.

[...] 80 ACJPS, HRW, IRRi and Al Khatim Adlan Centre for Enlightenment and Human Development, "Sudan: Hundreds of Protesters Arrested: Free or Charge Detainees; End Abuse of Critics", 18 January 2019, <http://www.acjps.org/wp-content/uploads/2019/01/Sudan-Hundreds-of-Protesters-Arrested.pdf>.

- ❖ [African Centre for Justice and Peace Studies \(ACJPS\), Sudan: Extrajudicial Killing and Incommunicado detention, 10 January 2020](#)

[...] A Report covering the events of December 13, 2018 to April 11, 2019 [...]

Nearly (46) persons in Al-Fashir and Nyala in Darfur and El-Obeid, ar-Rahad and Umm Ruwaba in Northern Kordofan were subjected to psychological torture via death threats and confinement under harsh conditions such as sleeping on the hard floors of cells. [...] Some of them were transferred to incommunicado detention in the prisons of Northern Darfur, Port Sudan on the Red Sea and Kober prison in Khartoum North. Political activist Amna Hasabo, the President of the Sudanese Congress Party in Northern Darfur, was imprisoned in the women's prison in Al-Fashir (Al Khair Khanqa) from January 13, 2018 until her release on March 8, 2019.

### Arrest or temporary detention of opposition members in 2019

- ❖ [African Centre for Justice and Peace Studies, Sudan: NISS releases fifty-four detainees as seventeen peaceful protestors join hundreds who remain in detention, 19 March 2019](#)

[...] The Sudanese authorities have relied on powers of arrest provided for under the Emergency and Protection of Public Safety Act of 1997, the National Security Act 2010 and the Criminal Procedure Act 1991 to give effect to these arrests and continued detention. The laws in question grant competent authorities with wide grounds for arrest and detention and lack the requisite safeguards against arbitrary arrest and prolonged detention. In a report published today, ACJPS documents the arrest and detention of

17 peaceful protesters, including opposition political party members and university professors for actual or suspected participation in the ongoing anti-government protests.

[...] Political Parties members

Abdul Aljalail Mohamed Osman(m), member of central committee of Sudanese Communist party was arrested on March 3 2019 from Khartoum.

Haj Al-Saki (m), member of central committee of Sudanese communist party was arrested on 4 March 2019 from his home in Khartoum at around 7:00Pm.

Mohamed Mukhtar Al-Khateeb (m), general secretary of Sudanese Communist party. He was arrested on 21 February 2019 from Khartoum Arabic Market while participating in peaceful Protest announced by the Sudanese professional association. Mr Mukhtar was previously arrested early in 2018 from his home in Khartoum for suspected involvement in the protests against the anti-austerity measures imposed under the 2018 budget. He was released on 19 March 2018. He is aged and suffers from high blood pressure. [...]

❖ [African Center for Justice and Peace Studies \(ACJPS\), Darfur Region: NISS targets peaceful protesters with arbitrary arrests and prolonged detention, 5 April 2019](#)

[...] On 29 March 2019, the NISS [National Intelligence and Security Service] of Khartoum arrested Mr Mohamed Hassan Saad Eldien, a 46-year-old communication engineer and a member of democratic unionist party from his home in Khartoum. He has had access to one family visit since then.

On 15 March 2019, Tariq Idris(m), an activist was arrested from the main street in Khartoum 2 near the Central house of the Sudanese Communist Party. His location remains unknown.

On 20 March 2019, the NISS of Khartoum arrested Mr. Abdullah Al- Getie, a member of the central committee of the Sudanese communist party in Khartoum.

[...] On 1 April 2019, NISS of Khartoum arrested Mr Ibrahim Mohamed Ali Temias, the vice of the general secretary of Uma national party from his house located in Khartoum Bahari. [...]

❖ [Radio Dabanga, Leading JEM member seized in Sudan capital, 31 May 2019](#)

[...] Military police seized Ibrahim El Maz Deng, a leading member of the rebel Justice and Equality Movement (JEM), near his home in Khartoum North on Wednesday. He has been taken to an unknown destination.

The spokesman for the Darfur rebel movement, Mutasim Saleh, said in a statement on Thursday that an armed group wearing uniforms of the military police abducted Deng in front of the mosque next to his home in the densely populated El Haj Yousef district in Khartoum North the day before.

Targeting leaders

The statement condemned the abduction in the strongest terms, and called it “a serious development of continuing the process of targeting the leaders of the Sudanese revolution”. The statement holds the military junta responsible for Deng’s safety. It called on the Alliance for Freedom and Change and on local and international human rights organisations to press for the immediate release of the JEM leader.

Last month, the Justice and Equality Movement called for the release of all prisoners and detainees that were taken in the war in Darfur, Kordofan, and Blue Nile and for the release of political prisoners and activists. [...]

❖ [Amnesty International, Sudan: Remove Rapid Support Forces from Khartoum streets immediately, 6 June 2019](#)

[...] Hundreds of people have been arrested and detained in the past three days, including recently returned opposition leader Yassir Saeed Arman, whose whereabouts are unknown. Yassir, who is the deputy chairperson of Sudan’s People Liberation Movement-North (SPLM-N) and was one of the SPLM lead negotiators during the Comprehensive Peace Agreement that ended the war between the north and south of Sudan in 2005, has an unwarranted death sentence hanging over his head. He must be released immediately and unconditionally. [...]

❖ [African Centre for Justice and Peace Studies \(ACJPS\) et al., 30 CSOs Appeal to UN Security Council for Urgent Intervention to Prevent further Bloodshed in Sudan, 11 June 2019](#)

[...] Recently returned opposition leader Yassir Arman was arrested and held incommunicado for several days before being forcibly deported to Juba. [...]

- ❖ [OHCHR, Sudan: UN human rights experts call for independent investigation into violations, 12 June 2019](#)  
 [...] The experts expressed concerns about reports that three opposition leaders from the Sudan People's Liberation Movement-North (SPLM/N Malik Agar faction) were allegedly deported from Sudan at the weekend. The men were arbitrarily arrested by the National Intelligence and Security Services last week. [...]
  
- ❖ [United Nations General Assembly, Human Rights Council, Situation of human rights in the Sudan: Report of the Independent Expert on the situation of human rights in the Sudan, 26 July 2019](#)  
 [...] 43. From the start of protests in December 2018, the Independent Expert received reports from multiple sources on large numbers of arrests and detentions by the National Intelligence and Security Services. The Minister of the Interior, speaking before the parliament on 6 January 2019, stated that 816 people had been arrested within the first three weeks of protests. Information from human rights groups suggested that the number of detentions might have been higher at the time. Additional reports that the Independent Expert received from multiple sources on the ground suggested that thousands of people might have been arrested and detained in circumstances linked to protests during the period under review. Many individuals were arrested multiple times, according to information received. Those arrested and detained included opposition leaders, political activists, civil society activists, journalists, university professors and students, and professionals such as doctors, lawyers and engineers.  
 [...] 45. Opposition leaders engaged in organizing the protests were frequently arrested or detained.  
 [...] The deputy Chair of the National Umma Party was arrested on 30 January for a few hours and reportedly interrogated by the Director of the National Intelligence and Security Services. Two leaders from the Sudanese Professionals Association were reportedly arrested in Khartoum by the National Intelligence and Security Services on 4 and 11 January, respectively. [...]
  
- ❖ [African Centre for Justice and Peace Studies \(ACJPS\), Sudan: Extrajudicial Killing and Incommunicado detention, 10 January 2020](#)  
 [...] A Report covering the events of December 13, 2018 to April 11, 2019  
 [...] Detention also included the leaders of political opposition from the Umma National Party, the Sudanese Communist Party, the two wings of the Ba'ath Socialist Party, the Sudanese Conference Party, the Nasserite Unionist Party and some members of the Popular Congress Party, the People's Liberation Movement- North Sector (Aqar Leadership) and civil society and social media activists.
  
- ❖ [Freedom House, Freedom in the World 2020 – Sudan, 4 March 2020](#)  
 [...] Under the al-Bashir regime, political parties faced harassment, intimidation, and bureaucratic hurdles when trying to participate in party politics. The TSC [Transitional Sovereign Council] targeted high-ranking NCP [National Congress Party] members, which previously benefited from these circumstances, with arrest, including the acting party leader and a former vice president. Other prominent members were placed under house arrest. In November 2019, the TSC disbanded the NCP altogether, establishing committee to seize its assets [...]
  
- ❖ [Amnesty International, "They Descended On Us Like Rain": Justice For Victims Of Protest Crackdown In Sudan, 10 March 2020](#)  
 [...] Amnesty International noted an alarming increase in the restriction on freedoms of peaceful assembly, association, and expression and arbitrary arrests after 3 June. Sudanese security forces arrested and detained senior members of the Sudanese People's Liberation Movement. These include, Yasir Arman on 5 June and Ismail Khamis Jalab and Mubarak Ardol on 8 June respectively.<sup>103</sup> They also arrested Mohamed Ismat, a senior member of the FFC [Forces of Freedom and Change] on 8 June. [...]

103 Amnesty International, Sudan: Remove Rapid Support Forces from Khartoum streets immediately, 6 June 2019, <https://www.amnesty.org/en/latest/news/2019/06/sudan-remove-rapid-support-forces-from-khartoum-streets-immediately/>

- ❖ [Sudan Tribune, Sudan's extends state of emergency for three months, 11 October 2019](#)  
 [...] Sudan's transitional government has announced a three-month extension of the state of emergency. "The Presidential Decree No. (8) extending the state of emergency in all regions of the country for three months will take effect on Friday, 11 October 2019," said Mohamed al-Faki, member of the Sovereign Council in a statement issued on Thursday.  
 Al-Faki stressed that during the state of emergency, the Council of Ministers may take any measures that do not restrict, partially repeal or limit the effects of the Constitutional Document.  
 The ruling Forces for Freedom and Change (FFC) this week announced the extension of the state of emergency allow the detention of the leaders of the former regime who are not yet investigated or facing justice.  
 However, the Islamist Popular Congress Party which was part of al-Bashir's government condemned the extension saying it is "contrary to the revolution of the Sudanese people."  
 A statement by the Popular Congress Party described the position of the forces of freedom and the pro-emergency change as "  
 Also, a leading member of the Justice and Equality Movement Abdel Aziz Asher criticized the extension of the state of emergency which will end on 12 October saying the past period was sufficient to charge the leaders of the former regime.  
 Sudanese transitional government has just appointed the chief justice and attorney general who will launch the lawsuits against the leaders of the former regime. [...]
  
- ❖ [Freedom House, Freedom in the World 2020 – Sudan, 4 March 2020](#)  
 [...] Though the interim constitution enshrines the right to due process, it also contains a provision allowing the government to claim emergency powers to suspend parts of the document. This took place in October, when the transitional government extended a nationwide state of emergency imposed by al-Bashir in February. The FFC [Forces of Freedom and Change] said the measure was needed because of ongoing insecurity, and the need to complete the prosecution of former regime members.  
 [...] The transitional government affirmed freedom of movement and the right to travel—including overseas—for all citizens in its interim constitution. However, the TSC has maintained the al-Bashir government's state of emergency, imposing curfews and restricting movement in South Kordofan State in October 2019. Neighborhood committees in the state alleged that security forces arbitrarily arrested individuals during the state of emergency.  
 The TSC also used emergency powers in the city of Port Sudan in September 2019 following clashes between tribal groups that left at least 16 people dead. The groups quickly reached a settlement, after Lieutenant General Dagaló threatened to expel both tribes from the country in a speech.  
 [...] The interim constitution guarantees the right to own property and protects citizens from having their property acquired by the state without compensation. The new government has stated its intention to address these grievances, and had to make good on its word as early as September 2019, when it negotiated a settlement between tribal groups in Port Sudan. However, neighborhood committees in South Kordofan State warned that security forces were seizing property while enforcing the state of emergency there. [...]
  
- ❖ [Middle East Monitor, Sudan council rejects request to extend state of emergency, 24 January 2020](#)  
 [...] The Sudanese Sovereignty Council has rejected a request by the Prime Minister, Abdalla Hamdok, to extend the country's state of emergency.  
 A spokesman for the Transitional Sovereignty Council in Sudan, Mohamed Al-Faki Suleiman, told the Anadolu Agency on Wednesday that "the Prime Minister submitted a request to the Sovereignty Council to extend the state of emergency, and the council rejected the request," explaining that the it believes "there is no need to extend the state of emergency given the ongoing stability in the country. "  
 Suleiman added: "The Sovereignty Council authorised its President, Abdel Fattah Al-Burhan, to meet the prime minister, listen to the rationale and motives for his request, and then present it in the council's next meeting, the date of which has not been fixed. Based on these reasons, the council will consider extending the state of emergency."  
 On 10 October, the Sovereignty Council extended the state of emergency for a period of three months.  
 [...] As popular protests against ousted President Omar Al-Bashir escalated, he imposed a state of emergency in late December 2018, before being removed from power by the army on 11 April.

Following Al-Bashir's departure, the Transitional Military Council (TMC) extended the order on 11 July for a period of three months. Later, the Sovereignty Council also decided to extend the state of emergency. [...]

### 1.3. Omissions

#### 1.3.1 Omissions in 2017 (compared to 2016), most omitted in 2018 and all omitted in 2019

##### UNAMID figures relating to female victims of conflict-related sexual violence in 2017

❖ [UN Security Council, Report of the Secretary-General on the African Union, United Nations Hybrid Operation in Darfur, 14 June 2017](#)

I. Introductions [...]

The report provides an update and analysis of the conflict, the political situation and the operational environment in Darfur, including the main challenges to the effective implementation of the mandate during the period from 16 March to 7 June 2017 [...]

Promoting a protective environment 43. UNAMID documented 82 new cases of human rights violations and abuses involving 124 victims, including 15 children, during the reporting period, compared with 181 cases involving 400 victims during the previous. UNAMID confirmed 60 cases involving 77 victims. The remaining 22 cases involving 47 victims could not be verified owing to various factors, including access restrictions. Violations of the right to life accounted for 24 cases involving 40 victims, and violations of the right to physical integrity accounted for 31 cases involving 52 victims. There were 17 reported cases of sexual violence in the form of rape and attempted rape involving 17 victims, including 13 children, of which 9 concerned sexual and gender-based violence, while 8 concerned conflict-related sexual violence. There were six cases of arbitrary arrest and illegal detention involving nine victims, and four abduction cases involving six victims. Of the 82 reported cases, 16 cases involving 22 victims were reportedly perpetrated by government security forces and associated groups. The remaining 66 cases, involving 108 victims, were allegedly perpetrated by unidentified armed men, some described by victims as being Arabs [...]

❖ [UN Security Council, Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur, 30 August 2017](#)

I. Introductions [...]

The report provides an update and analysis of the conflict, as well as an overview of the political situation and the operational environment in Darfur, the main challenges to the effective implementation of the mandate, including violations of the status-of-forces agreement, from 6 June to 15 August 2017 [...]

Violence against civilians and human rights violations

10. Despite the reduction in the number of armed clashes, the security and human rights situation in Darfur remained volatile. UNAMID documented 94 cases of human rights violations and abuses involving 204 victims, including 22 children, compared to 82 cases involving 124 victims during the previous reporting period. Violations of the right to life accounted for 17 cases involving 81 victims, and violations of the right to physical integrity accounted for 37 cases involving 82 victims. There were 27 cases of sexual and gender-based violence, including conflict-related sexual violence, involving 37 victims, including 9 children, and 3 cases of arbitrary arrest and illegal detention involving 6 victims. There were seven abduction cases involving 27 victims. In total, UNAMID confirmed 63 cases of human rights violations and abuses involving 128 victims, while the remaining 31 cases, with 76 victims, could not be verified owing to various factors, including access restrictions. Of the 94 reported cases, 10 cases involving 22 victims were reportedly perpetrated by government security forces and auxiliary groups. The remaining 84 cases, with 182 victims, were allegedly perpetrated by unidentified armed men, some described by the victims as Arabs [...]

❖ [UN Security Council, Report of the Secretary-General on the African Union United Nations Hybrid Operation in Darfur, 27 December 2017](#)

I. Introduction [...]

The report provides an update on an analysis of the conflict, the political situation and the operational environment in Darfur and the main challenges to the effective implementation of the mandate including violations of the status-of-forces agreement, for the period from 15 October until 15 December 2017 [...] Violence against civilians and human rights violations [...]

13. There were 11 cases of sexual and gender-based violence, including conflict-related sexual violence, in the form of rape, involving 13 victims, including 9 female minors. UNAMID continued to highlight the negative impact of sexual violence on the lives of women, especially young girls, and the need for action on the part of the Government to combat violence against women. Sustained emphasis was placed on the need for unfettered access to sites of alleged incidents in order to interview victims and document cases, as well as to facilitate medical care and psychosocial support for victims so as to avert long-term negative health implications, especially on minor girls [...]

## UNAMID figures relating to female victims of conflict-related sexual violence in 2018

### ❖ [UN Security Council, Report of the Secretary-General on the African Union, United Nations Hybrid Operation in Darfur, 22 February 2018](#)

#### I. Introduction [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur and the main challenges to the effective implementation of the mandate, including violations of the status of forces agreement, for the period from 16 December 2017 until 15 February 2018 [...]

Violence against civilians and human rights violations 10. The overall human rights situation in Darfur remained volatile. UNAMID documented cases of violations of the right to life, arbitrary arrests and detention and sexual and gender-based violence and conflict-related sexual violence. Internally displaced and other vulnerable persons continued to face harassment while conducting their daily livelihood activities. UNAMID documented 84 new cases of human rights violations and abuses involving 192 victims, including 27 children, during the reporting period, compared with 58 cases of human rights violations and abuses, involving 123 victims, including 18 children, during the previous reporting period. Violations of the right to life accounted for 12 cases, involving 18 victims, and violations of the right to physical integrity for 27 cases, involving 60 victims. There were 35 cases of sexual and gender-based violence, including conflict-related sexual violence, in the form of rape and attempted rape, involving 43 victims, including 22 children (with one male minor), and 9 cases of arbitrary arrest and illegal detention, involving 70 victims [...]

### ❖ [UN Security Council, Report of the Secretary-General on the African Union, United Nations Hybrid Operation in Darfur, 25 April 2018](#)

#### I. Introduction [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur, and the main challenges to the effective implementation of the mandate, including violations of the status-of-forces agreement, for the period from 16 February to 15 April 2018 [...]

Violence against civilians and human rights violations

8. The overall human rights situation remained precarious but the number of cases of human rights violations and abuses decreased compared with the previous reporting period. UNAMID documented 77 new cases involving 203 victims, including 22 children, compared with 84 cases involving 192 victims. Violations of the right to life accounted for 15 cases involving 32 victims, and violations of the right to physical integrity accounted for 34 cases involving 70 victims. There were 21 cases of sexual and gender-based violence, including conflict-related sexual violence, in the form of rape and attempted rape, involving 27 victims, including 21 children (with one male minor), and 5 cases of arbitrary arrest and illegal detention involving 72 victims. There was also one case of abduction and another of disappearance, each involving one victim [...]

❖ [UN Security Council, African Union-United Nations Hybrid Operation in Darfur Report of the Secretary-General, 12 October 2018](#)

II. Introduction [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur for the period from 11 June until 3 October 2018 [...]

Violence against civilians and human rights violations [...]

12. Sexual and gender-based violence remained a serious concern and restricted women's freedom of movement in areas of return, as well as around internally displaced persons camps, where venturing outside the camps for farming, firewood or water exposes them to risk. There were 38 cases of sexual and gender-based violence documented by UNAMID, including conflict-related sexual violence in the form of rape involving 88 victims, including 24 minors. Incidents of sexual violence generally remain underreported [...]

❖ [UN Security Council, Final report of the Panel of Experts on the Sudan established pursuant to resolution 1591 \(2005\), 10 January 2019](#)

[...] A. Sexual and gender-based violence and conflict-related sexual violence [...]

145. The Panel was informed of 122 cases documented by UNAMID from January to October 2018. Amid the scourge of conflict-related sexual violence, survivors have lamented impunity on the part of perpetrators, sometimes owing to challenges in identifying the perpetrators, which are partially related to the environment under which these heinous acts are carried out. In most incidents of conflict-related sexual violence, the victims do not know the perpetrators, who typically accost them under cover of darkness or while they are working on their farms. Most manage to escape the scene before help arrives or soon after the commission of the act, and only in a very few cases are the perpetrators traced. Descriptions of perpetrators include civilian men and boys, armed men, members of militia groups in civilian clothing and members of State security forces, including SAF, RSF, the Border Guards and the police. Members of SLA/AW in the Jebel Marra have also been named as perpetrators [...]

❖ [UN Security Council, African Union-United Nations Hybrid Operation in Darfur, Report of the Secretary-General, 14 January 2019](#)

I. Introduction [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur for the period from 4 October 2018 to 3 January 2019 [...]

Violence against civilians and human rights violations [...]

15. The threat of sexual violence remained significant, restricting women's freedom of movement to undertake livelihood activities around camps for the displaced and in areas of return, including during flight for those displaced because of the conflict in Jebel Marra. During the reporting period, there were 31 incidents of sexual and gender-based violence. Those incidents included conflict-related sexual violence in the form of rape involving 34 female victims, including 19 minors. Conflict-related sexual violence was committed mostly in Jebel Marra, notably in the context of confrontations between Government forces and SLA/AW [...]

❖ [UN Security Council, Conflict-related sexual violence, Report of the Secretary-General, 29 March 2019](#)

[...] In 2018, the African Union-United Nations Hybrid Operation in Darfur documented 122 incidents of sexual violence involving 199 victims: 85 women, 105 girls and 9 boys in Central, South, North and West Darfur States. Rape constituted 80 per cent of reported incidents; 80 per cent of the perpetrators of sexual violence were described as armed and 31 per cent of cases were attributed to members of the security forces. However, cases of sexual violence are likely underreported owing to fear of reprisal and restricted access to conflict areas, to victims and to the sites of incidents [...]

## UNAMID figures relating to female victims of conflict-related sexual violence in 2019

❖ [United Nations Security Council, African Union-United Nations Hybrid Operation in Darfur: Report of the Secretary-General, 10 April 2019](#)

I. Introduction [...]

The report provides an update on the conflict, the political situation, the operational environment in Darfur and the main challenges encountered in the implementation of the mandate of UNAMID during the period from 4 January to 3 April 2019 [...]

Protection of civilians [...]

27. In Central Darfur, protection issues included killings, abductions, sexual and gender-based violence, including conflict-related sexual violence, robbery, assaults and harassment, in particular in the areas of Golo, Nertiti and Zalingei. A total of 16 incidents involving some 100 civilians were recorded. They included the rape of six women in the Fura area, near the Thur settlement for internally displaced persons, on 5 January; the killing of an internally displaced man by two suspected Sudanese Armed Forces soldiers in the North camp, Nertiti, on 22 January; the alleged abduction of four people from the Martajalo Wadi areas by armed nomads, on 17 and 25 January; the kidnapping of five civilians from Daya village, reportedly by SLA-AW elements, on 12 January; an attack on some villagers in the Jartanga area, near Guldo, by suspected Rapid Support Forces elements, on 14 January, resulting in serious injuries to five people; the shooting and injury of a woman by a suspected SLA-AW element around Guldo, on 6 January; the assault and robbery of a group of internally displaced women, reportedly by armed nomads in Nertiti, on 6 January; a physical assault on internally displaced persons perpetrated by some nomads in the Gurney, Taringa, Osajai and Dingaguray areas, western and central Jebel Marra and Zalingei, on 19 and 23 January; and an assault on a group of women allegedly by armed nomads who prevented them from farming in the Kolo Fugo area, on 25 January, and in the Tango area, on 26 January. The Sudanese police has been notified of the case of the two Sudanese Armed Forces soldiers in Nertiti, while the Sudanese Armed Forces and the Sudanese police have engaged with community leaders to seek accountability in the Jartanga attack. Local authorities in Guldo held a meeting with community leaders and resolved the conflict in the Kolo Fugo and Tango areas [...]

35. Sexual and gender-based violence, including conflict-related sexual violence, remains a serious concern for women in the greater Jebel Marra area. UNAMID has documented incidents of the rape of four displaced minors, including those of a 15-year-old girl from the Kasab internally displaced persons camp by two Sudanese police personnel; of two girls (16 and 17 years of age), residents of the Zamzam internally displaced persons camp, and of a girl (13 years of age), from the Hamadiya internally displaced persons camp, who was raped by two armed men, all in North Darfur. It was also reported that, on 1 February, a 13-year-old girl from the Rongatas internally displaced persons camp, in Zalingei, was gang-raped by four armed nomads at a farm. The freedom of movement for women and girls in areas of return and around camps for internally displaced persons continued to be restricted, including access to farms and forest resources. In the Hamadiya internally displaced persons camp, in Central Darfur, local sources informed UNAMID of six women from the camp who had reportedly been "arrested" on 4 February by four armed nomads in the Uyor area, near Zalingei. UNAMID increased targeted patrols as a preventive measure, focusing on farming areas as well as firewood and water collection points, in order to protect women carrying out livelihood activities [...]

- ❖ [United Nations Security Council, Special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the African Union-United Nations Hybrid Operation in Darfur, 15 October 2019](#)

[...] UNAMID documented 16 incidents of sexual gender-based violence affecting 17 individuals, including 7 minors. In three separate incidents, involving the rape of four minors, perpetrators were arrested and are in the process of being prosecuted. [...]

- ❖ [Office of the Prosecutor, Thirtieth report of the Prosecutor of the International Criminal Court to the United Nations Security Council pursuant to UNSCR 1593 \(2005\), 18 December 2019](#)

[...] 25. I am deeply troubled by the fact that sexual and gender-based violence, as well as grave violations against children, have persisted in Darfur throughout this ongoing armed conflict. Since June 2019, UNAMID has reported sexual and gender-based violence against 17 victims, including seven minors, and grave violations against 84 children, including 35 girls. Although UNAMID has identified the perpetrators of these atrocities as mostly SLA-AW fighters, they have also noted violations by the Rapid Support Forces ("RSF"), among other groups. [...]

- ❖ [UN Security Council, Special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the African Union-United Nations Hybrid Operation in Darfur and a follow-on presence, 12 March 2020](#)

[...] E. Human rights situation

25. UNAMID continued to document serious human rights violations in Darfur. Notwithstanding the prevalence of underreporting, owing to challenges related to access, 89 cases of possible human rights violations and abuses involving 152 victims, including 16 minors and 37 women, were documented between 15 October and 22 January, an increase of 13 incidents compared with the 76 cases involving 261 victims, including 40 women, documented between 7 July and 14 October. The cases reported relate to possible violations of the right to life and physical integrity (assault), arbitrary arrest and detention, forced displacement, sexual and gender-based violence and conflict-related sexual violence. The cases were allegedly perpetrated by armed men described as “Arabs” and “unidentified armed civilians” and members of government security forces, including the Rapid Security Forces [...]

### Use of ‘scorched earth tactics’ or ‘burning’ of villages in Jebel Marra, Darfur, in 2017

- ❖ [Human Rights Watch, A Welcome Delay by US on Sudan Sanctions, 12 July 2017](#)

[...] The government has extended a unilateral ceasefire and reduced indiscriminate bombing and shelling of civilian areas, but its armed forces still use scorched-earth tactics and in May burned seven villages in North Darfur and killed at least 10 civilians [...]

### Use of ‘scorched earth tactics’ or ‘burning’ of villages in Jebel Marra, Darfur, in 2019

- ❖ [OCHA, Sudan Humanitarian Bulletin, Issue 04: 25 March – 12 May 2019, 12 May 2019](#)

[...] In Central Darfur State, over 2,600 people fled their homes in North Jebel Marra locality and took refuge in Kurmul and Thurragway villages (Central Jebel Marra locality) following fighting between two factions of the Sudan Liberation Army – Abdel Wahid (SLA- AW) in February. From 2 to 6 May, the UN Office for the Coordination of Humanitarian Affairs (OCHA) led an inter-agency assessment mission to Central Jebel Marra locality and identified about 2,200 internally displaced persons (IDP) in Kurmul village and another 400 IDPs in Thurragway village. The IDPs fled 13 villages in North Jebel Marra locality, including Daya, Kandu, Dalo, and Umu.

The IDPs reported that their property had been looted and some of their homes were burned. [...]

- ❖ [Amnesty International, Sudan: Fresh evidence of government-sponsored crimes in Darfur shows drawdown of peacekeepers premature and reckless, 11 June 2019](#)

- New evidence that ‘scorched earth’ attacks continue [...]

Evidence of ongoing ‘scorched earth’ attacks

Hundreds of thousands have died from direct violence and conflict-related disease and starvation during the conflict in Darfur. According to the UN, approximately 2 million people remain displaced by violence in Darfur, many of whom remain refugees in neighboring Chad.

Despite severe government restrictions on access to Jebel Marra for journalists, independent human rights monitors, and UNAMID, Amnesty International has been able to confirm recent attacks against the region’s civilians, much of which have gone unreported by the mission.

Satellite evidence and testimonies confirm that government forces and associated militias damaged or destroyed at least 45 villages in Jebel Marra between July 2018 and February 2019. [...]

### Attacks on humanitarian convoys and compounds in 2017

- ❖ [UN Security Council, Report of the Secretary-General on the African Union, United Nations Hybrid Operation in Darfur, 23 March 2017](#)

I. Introductions [...]

The report provides an update and analysis of the conflict, the political situation and the operational environment in Darfur, including the main challenges to the effective implementation of the mandate, during the period from 15 December 2016 until 15 March 2017 [...]

#### V. Operating environment

Attacks and restrictions of movement on and denials of access to the mission

26. During the reporting period, the level of security incidents affecting United Nations personnel and property increased modestly over the previous period, with 50 criminal incidents reported (in comparison to 32 in the previous period) in cases of: arrest/detention (2 cases), threat (1 case), assault/injury (2 cases), trespassing (8 cases), theft (8 cases), theft attempts (5 cases), harassment/intimidation (2 cases), carjacking (1 case) damage/stone throwing (19 cases), and damage to United Nations property (2 cases) [...]

#### ❖ [UN Security Council, Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur, 30 August 2017](#)

##### I. Introductions [...]

The report provides an update and analysis of the conflict, as well as an overview of the political situation and the operational environment in Darfur, the main challenges to the effective implementation of the mandate, including violations of the status-of-forces agreement, from 6 June to 15 August 2017 [...]

#### V. Operating environment [...]

Attacks and threats of attacks on UNAMID and humanitarian actors

29. A total of 40 criminal incidents affected UNAMID personnel during the reporting period compared to 14 in the previous one, and 34 during the same time in 2016. On 20 June, a national staff member was robbed at the UNAMID office in the Hamidiya camp for internally displaced persons in Zalingei, Central Darfur. On 21 June, a group of unidentified men attempted to rob three UNAMID national staff members near the UNAMID compound in El Fasher, North Darfur. Later the same day, three unidentified armed men stopped a local vehicle with three national staff members on board, near the UNAMID compound in El Fasher, robbing them of their personal belongings and carjacking their vehicle. On 22 June, unidentified armed perpetrators carjacked a vehicle belonging to a UNAMID-contracted company, Gulf Catering Company, in El Fasher, and robbed the driver. On 5 July, in two separate incidents, two UNAMID police officers were robbed of their belongings by unidentified armed perpetrators in El Fasher. On 6 August, two armed men carjacked a private vehicle from a national staff member and robbed her of valuables near El Fasher Super Camp. All of these incidents were reported to the Sudanese authorities, but none of the perpetrators has been apprehended [...]

#### ❖ [UN Security Council, Report of the Secretary-General on the African Union, United Nations Hybrid Operation in Darfur, 27 October 2017](#)

##### I. Introductions [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur and the main challenges to the effective implementation of the mandate, including violations of the status-of-forces agreement, for the period from 15 August until 15 October 2017 [...]

#### V. Operating environment

Attacks and threats of attacks

26. A total of 23 criminal incidents were recorded, compared with 40 in the previous reporting period, reflecting the overall improvement in the security situation on the ground. On 16 August, unidentified perpetrators broke into a World Food Programme (WFP) warehouse in Sortony, North Darfur, and stole a variety of food items. On the same day, in Ed Daein, East Darfur, unidentified perpetrators broke into the residence of a WFP national staff member and stole personal belongings, and, in West Darfur, a local man who stole an electric cable from the team site of UNAMID in Foro Burunga was arrested by mission personnel and handed over to the national police.

27. On 17 August, in El Fasher, North Darfur, three unidentified armed men assaulted and injured two WFP national staff members on board a private vehicle and robbed them of their valuables. One of the victims was taken to El Fasher hospital and discharged the same day and the other was evacuated to Khartoum. On 9 September, unidentified perpetrators broke into the accommodations of a UNAMID police adviser in the Operation's "supercamp" in Nyala and stole personal belongings. On the same day, unidentified armed men opened fire on a UNAMID national staff member in El Fasher. UNAMID national

staff members were robbed in El Fasher on 14 and 19 September. On 28 September, in an attempted carjacking in Bursa area in El Fasher town four men shot and wounded a national staff member. On 30 September, unknown perpetrators broke into the residence of a UNAMID national staff in El Geneina and stole mobile phones. On 7 October, an international aid worker was abducted in El Fasher, North Darfur. 28. Three cases of carjacking were recorded during the reporting period. On 10 August, a United Nations Population Fund vehicle was carjacked in Nyala, South Darfur. In Kabkabiyah, North Darfur, armed men hijacked an ambulance and stole the health equipment of a local non-governmental organization on 14 August, and in Umm Shalabiyah, Central Darfur, an unidentified perpetrator carjacked a local non-governmental organization vehicle on 26 August [...]

❖ [UN Security Council, Report of the Secretary-General on the African Union United Nations Hybrid Operation in Darfur, 27 December 2017](#)

I. Introduction [...]

The report provides an update on an analysis of the conflict, the political situation and the operational environment in Darfur and the main challenges to the effective implementation of the mandate including violations of the status-of-forces agreement, for the period from 15 October until 15 December 2017 [...]

V. Operating environment [...]

22. A total of 35 criminal incidents targeting United Nations and humanitarian personnel were reported, compared to 23 in the previous reporting period. Of those incidents, 27 involved attempted intrusions into UNAMID premises (26 at Nyala “super camp”, South Darfur, and one at Ed Daein “super camp”, East Darfur), resulting in the theft of valuables and cash belonging to a UNAMID police officer and an attempted robbery at the asset container in Nyala Super Camp [...]

[Attacks on humanitarian conveyances and compounds in 2018](#)

❖ [UN Security Council, Report of the Secretary-General on the African Union, United Nations Hybrid Operation in Darfur, 22 February 2018](#)

I. Introduction [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur and the main challenges to the effective implementation of the mandate, including violations of the status of forces agreement, for the period from 16 December 2017 until 15 February 2018 [...]

V. Operating environment

Attacks and threats of attack targeting African Union-United Nations Hybrid Operation in Darfur, United Nations and humanitarian personnel

24. A total of 26 criminal incidents targeting United Nations and humanitarian personnel were reported, compared with 25 in the previous reporting period [...]

Other incidents included a case of robbery and 15 cases of premises intrusion/theft/break-in/attempted theft, mostly in Nyala [...]

❖ [UN Security Council, Special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the strategic review of the African Union-United Nations Hybrid Operation in Darfur, 1 June 2018](#)

[...] Operating environment

Attacks and threats of attacks

34. [...] From July 2017 to 15 May 2018, 184 criminal incidents affected United Nations personnel, facilities and operations, including 63 cases of theft/break-in/burglary/intrusion, 36 attempts of theft, 5 carjackings, 11 cases of robbery/road banditry, 7 shootings and 33 cases of stone-throwing [...]

❖ [UN Security Council, African Union-United Nations Hybrid Operation in Darfur Report of the Secretary-General, 12 October 2018](#)

III. Introduction [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur for the period from 11 June until 3 October 2018 [...]

#### V. Operating environment

Attacks and threats of attacks targeting African Union-United Nations Hybrid Operation in Darfur, United Nations and humanitarian personnel

21. A total of 60 criminal incidents targeting the United Nations and humanitarian personnel were recorded during the reporting period, 46 of which were incidents of intrusion, break-in and theft inside United Nations premises. On 16 July, a UNAMID military personnel was shot and injured by a unidentified armed perpetrator attempting to enter the UNAMID Community Policing Centre in the Salam internally displaced persons camp in South Darfur [...] On 14 September, eight perpetrators fired shots at an observation tower at Nyala “super camp” after attempting to enter the premises [...]

### ❖ [UN Security Council, African Union-United Nations Hybrid Operation in Darfur, Report of the Secretary-General, 14 January 2019](#)

#### I. Introduction [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur for the period from 4 October 2018 to 3 January 2019 [...]

#### V. Operating environment Attacks and threats of attacks targeting African Union-United Nations Hybrid Operation in Darfur, United Nations and humanitarian personnel

27. United Nations and humanitarian agencies continued to be a target of criminal attacks throughout Darfur, although the frequency of such attacks decreased by 50 per cent during the reporting period. A total of 28 criminal incidents targeting United Nations and humanitarian personnel were reported, compared with 57 in the previous reporting period, including intrusion into United Nations premises, break-ins, shootings, robbery and theft/attempted theft of United Nations property. On 14 October, unidentified perpetrators broke into the UNAMID camp in Nyala, South Darfur, and stole three computer monitors. On 22 October, unidentified armed men fired gunshots near the main gate of the UNAMID team site in Nertiti, Central Darfur, and fled when UNAMID military personnel returned fire. On 25 October, unidentified perpetrators broke into UNAMID camp in Ed Daein, East Darfur, although nothing was stolen during that incident. On 29 October, criminals broke into a World Food Programme warehouse in Ed Daein town and stole non-food items. On 2 November, two UNAMID peacekeepers apprehended two men who were cutting the perimeter fence of a UNAMID waterpoint at Gaida, South Darfur. On 12 and 13 November, 25 desktop computers, 1 printer, 10 air conditioners and 1 refrigerator were stolen from the UNAMID camp in El Geneina, West Darfur. Twelve other incidents of theft/attempted theft of United Nations property by unidentified perpetrators at the UNAMID premises were recorded in El Fasher, Nyala, El Geneina, Zalingei, Umm Barru, Nertiti, Kass and Gaida. On 17 and 21 October, perpetrators broke into the residences of two UNAMID national staff in Ed Daein town and stole personal belongings [...]

### Attacks on humanitarian conveyances and compounds in 2019

### ❖ [UN Security Council, African Union-United Nations Hybrid Operation in Darfur Report of the Secretary-General, 10 April 2019](#)

#### I. Introduction

1. [...] The report provides an update on the conflict, the political situation, the operational environment in Darfur and the main challenges encountered in the implementation of the mandate of UNAMID during the period from 4 January to 3 April 2019 [...]

#### V. Operating environment [...]

Attacks and threats of attacks targeting the African Union-United Nations Hybrid Operation in Darfur and United Nations and humanitarian personnel

22. There were 17 incidents targeting United Nations and humanitarian personnel in Darfur during the reporting period, a decrease from the 28 incidents reported during the previous period. Of these, 16 targeted United Nations personnel and 1 targeted humanitarian personnel. The incidents included intrusion into UNAMID premises and cases of break-in, robbery, theft and attempted theft of UNAMID property. On 19 January, unidentified armed men stopped a privately contracted truck hired by an international non-governmental organization in Umharz

village, 35 km north-east of Nertiti, in Central Darfur, and robbed the organization's national staff of its personal belongings [...]

❖ [OCHA, Sudan Humanitarian Bulletin, Issue 04: 25 March – 12 May 2019, 12 May 2019](#)

[...] Premises of organizations in Darfur looted

Criminal incidents targeting aid organizations and the African Union – United Nations Mission in Darfur (UNAMID) have been reported in Darfur. On 13 May, a group of people broke into the facilities of some national NGOs and an international NGO in Buram town (South Darfur) looting nutrition supplies, medicine; polypropylen pipes and a generator. Local police and military forces assisted the organizations in securing their offices and warehouses and temporarily transferred some of their supplies to the military compound for safekeeping. These organizations are implementing programmes largely targeting South Sudanese refugees. On 12 May, the Zakat Chamber office, a government institution, in Buram town was also looted.

On 17 May, a delegation from Buram town, including representatives from the Humanitarian Aid Commission (HAC), the Commission for Refugees (COR), the native administration, youth and women groups, and a member from the Declaration of Freedom and Change (DFC) visited the OCHA office to discuss the incident. Representatives of the affected organizations also attended the meeting. The delegation apologised for the looting incidents and assured the organizations that better protective measures will be put in place to prevent such incidents in the future. They also appealed to the organizations to extend their assistance to the vulnerable people who had taken refuge in the town between 2008 and 2011 due to inter-tribal conflict in their home areas. The situation in Buram town is currently calm, but unpredictable and humanitarian operations are continuing normally, however, organizations with supplies in rural towns are being extra vigilant.

UNAMID super camp in El Geneina, West Darfur, looted

On 14 May 2019, one day before UNAMID's scheduled handover of its super camp in El Geneina, West Darfur, to the government authorities, an unruly crowd forcefully entered the camp and started looting UN property and contingent-owned-equipment, vandalized premises and put the lives of UN staff and personnel at grave risk. In a statement UNAMID condemned these acts in the strongest possible terms as they constitute a blatant violation of international norms governing the presence of UN peacekeepers across the world. [...]

❖ [ECHO, Sudan – Crackdown on civilian demonstrations \(Media\) \(ECHO Daily Flash of 05 June 2019\), 5 June 2019](#)

[...] Violent incidents were reported also in Darfur, including in Kalma camp (hosting 128,000 Internally Displaced Persons). Humanitarian assets have been looted and most assistance has been temporarily suspended until safe access can be granted. [...]

❖ [UNHCR, Sudan Emergency Flash Update, Issue No. 2, 12 June 2019](#)

[...] White Nile

[...] There has been an increase in robberies in State refugee camps targeting basic services equipment. A water pump and 40 solar lights were stolen from Khor Al Waral. A water pump valve was stolen at the water treatment plant in Alagaya camp, resulting in temporary interruption of water supply to refugees and host communities. A water pump was also stolen from Dabat Bosin camp. Spare pumps have been provided and water service has been restored. The incidents are likely linked to the decline in government services due to the ongoing political situation, opportunistic theft during Eid celebrations when security vigilance decreases.

[...] East Darfur

Solar light batteries were stolen in Al Nimir camp. COR is leading community outreach with the refugee camp committee to enhance community ownership and safeguarding of solar lights, and other camp property and facilities. The local police are investigating and UNHCR and COR will continue to work closely with communities on safeguarding. [...]

❖ [United Nations - African Union Hybrid Operation in Darfur \(UNAMID\), UN Country Team and UNAMID Deplore the Looting and Destruction of UN Agency Properties in Graida, South Darfur, 21 June 2019](#)

[...] The African Union – United Nations Hybrid Operation in Darfur (UNAMID) and the UN Country Team in Sudan are deeply concerned about the looting and destruction of premises and property belonging to the

World Vision and World Food Programme operating in Gaida, South Darfur on 19 and 20 June and call on the Government of Sudan to take immediate corrective action to bring perpetrators of these incidents to book. These are senseless acts of aggression on humanitarian staff who are in the area to provide much needed relief and support to the most vulnerable people.

On 19 June, a group of protestors invaded the offices of the INGO World Vision International (WVI) and destroyed several properties. The protestors also ransacked the Gaida office of World Food Program (WFP), where an unspecified amount of money was stolen, and four vehicles vandalized.. [...]

❖ [UN Security Council, Special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the African Union-United Nations Hybrid Operation in Darfur, 15 October 2019](#)

I. Introduction [...]

2. Security situation [...]

Fighting between the Government of the Sudan forces and armed movements

9. [...] SLA-AW abducted local civilians and staff of international non-governmental organizations

(NGOs) for ransom, robbed commercial trucks and looted property of local medical and humanitarian organizations [...]

3. Humanitarian situation [...]

15. The operating environment presented challenges for aid workers in areas under the control of SLA-AW, who denied access to Central Jebel Marra, namely to Tarbi, Kero and Jokosti villages. On 3 July [...] On the same day, three suspected SLAAW elements looted assorted medicine and medical equipment from a clinic run by an international NGO at Bar Arie, in Golo [...]

❖ [United Nations - African Union Hybrid Operation in Darfur \(UNAMID\), UNAMID Strongly Condemns the Looting of its Former Headquarters in Nyala, South Darfur, 29 December 2019](#)

[...] On 27 December 2019, an estimate of hundreds of residents, as well as individuals in uniform, entered the former UNAMID Sector South Headquarters (Super Camp) in Nyala, South Darfur, by breaching the perimeter fence. Former United Nations-owned assets were looted and the premises of the Super Camp were vandalized. The situation continued throughout the duration of 27 December and was still ongoing on 29 December 2019

UNAMID condemns the acts of looting and vandalism in the strongest possible terms as they constitute a blatant disregard of the intended purpose of those assets. The Nyala Super Camp and UN assets worth approximately \$100 million were handed over to the Government of Sudan pursuant to the Memorandum of Understanding and Handover Agreement signed by UNAMID and the Government of Sudan on 19 November 2019, which agreed to ensure the use of the premises and assets for civilian purposes only.

The Mission particularly deplores the participation in these acts by uniformed personnel, who are expected to assist the UN peacekeepers in securing the camps, advancing human rights, and protecting civilians.

UNAMID is deeply concerned about the deterioration of the situation as looters were still active in the Nyala Super Camp as of 29 December 2019. The Mission calls upon the Government of Sudan to take appropriate and immediate action to prevent further looting and vandalism in order to give full support to UNAMID personnel and assets in the Super Camp, including by conducting appropriate investigations into the incidents and bringing the perpetrators to account.

[...] A similar incident took place in May 2019 where civilian and uniformed individuals ransacked and looted UNAMID's West Darfur Headquarters in El Geneina on the very day it was due to be handed over to the Government of Sudan. [...]

❖ [USAID, Sudan - Complex Emergency Fact Sheet #2, Fiscal Year \(FY\) 2020, 10 March 2020](#)

[...] However, insecurity impacted the delivery of humanitarian assistance in some areas of the country in early 2020. In mid-January, unknown perpetrators seized nearly 4 metric tons (MT) of UN World Food Program (WFP) food commodities from a warehouse in North Darfur State's Kabkabiya District. WFP temporarily halted general food distributions for internally displaced persons (IDPs) in Kabkabiya following the incident due to security concerns, resuming distributions in late January.

[...] Separately, civilians and uniformed individuals broke into the former African Union-UN Hybrid Mission in Darfur (UNAMID) Sector South Headquarters in South Darfur's Nyala town, also known as Nyala Super Camp, on December 27, according to the UN. The perpetrators seized previously UN-owned assets and

vandalized facilities within Nyala Super Camp in the subsequent days as government security forces attempted to secure the site. The UN handed over Nyala Super Camp and its assets—worth approximately \$99.4 million—to the GoS following a memorandum of understanding between the two parties, signed in November, seeking to ensure that the premises and assets would be used only for civilian purposes. The incident represents the second looting of a former UNAMID headquarters; in May, civilian and uniformed individuals looted UNAMID's West Darfur Headquarters in El Geneina on the day the UN planned to transfer the facility to GoS control. [...]

## Government forces, armed militias and individuals raided IDP camps in 2017

### ❖ [UN Security Council, Report of the Secretary-General on the African Union, United Nations Hybrid Operation in Darfur, 23 March 2017](#)

I. Introductions [...]

The report provides an update and analysis of the conflict, the political situation and the operational environment in Darfur, including the main challenges to the effective implementation of the mandate, during the period from 15 December 2016 until 15 March 2017 [...]

Violence against internally displaced persons [...]

12. [...]

On 1 January 2017, SAF and police personnel who entered and opened fire in the Ghabat East and Straha camps, reportedly searching for suspects involved in the killing of an SAF soldier on 31 December, killed two internally displaced persons in the Ghabat East camp. The Deputy Governor of Central Darfur visited Nertiti to address the matter, but on 2 January 2017, local residents reported that SAF soldiers entered the North camp once again and robbed two internally displaced persons from the Fur community [...]

### ❖ [UN Security Council, Report of the Secretary-General on the African Union, United Nations Hybrid Operation in Darfur, 14 June 2017](#)

I. Introductions [...]

The report provides an update and analysis of the conflict, the political situation and the operational environment in Darfur, including the main challenges to the effective implementation of the mandate during the period from 16 March to 7 June 2017 [...]

Crime and banditry

17. A total of 239 criminal incidents and 60 fatalities were recorded, compared with 673 criminal incidents and 106 fatalities during the previous period. The decrease is attributable to several Government security measures, including the increased use of Rapid Support Forces capacity to combat crime, the banning of the use of non-registered motorcycles, the use of facemasks and the carrying of arms by civilians. Incidents included assault and harassment (52 cases), shooting (30), murder (30), armed robbery (18), livestock theft (12), abductions (8), burglaries and break-ins (4), attempted robberies (4), attacks and ambushes (2) and other incidents (2) [...]

### ❖ [UN Security Council, Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur, 30 August 2017](#)

I. Introductions [...]

The report provides an update and analysis of the conflict, as well as an overview of the political situation and the operational environment in Darfur, the main challenges to the effective implementation of the mandate, including violations of the status-of-forces agreement, from 6 June to 15 August 2017 [...]

Violence against civilians and human rights violations [...]

14. The plight of internally displaced persons, particularly women and children, remained critical because of insecurity. Internally displaced persons were victims of 101 crimes, which led to 13 fatalities. Other civilians were affected by 217 crimes resulting in 48 fatalities, including cases of murder (37), armed robbery (29), attempted robbery (6), assault/harassment (70), burglary/break-in (5), looting (2), abduction (14), arson (2), shooting (33), attack/ambush (6), threat of violence (4), livestock theft (8) and other crimes (1). The level of criminality and the number of criminality-related deaths remained almost unchanged, compared to the previous 60-day period, when 97 crimes against internally displaced persons resulted in 19 fatalities and 205 crimes with 44 fatalities affected other civilians. Random night shooting in and around camps for internally displaced persons remained a major concern. For example, on 26 June, armed Rapid Support Forces personnel entered the Ardamata camp for internally displaced persons in El

Geneina, West Darfur, and fired indiscriminately when residents asked them to leave. They arrested four of the internally displaced persons, who were released later at the intervention of local authorities. Similar shooting incidents were reported in the Krinding and Dorti camps in West Darfur and the Khamsa Dagayeg and Hasahisa camps in Central Darfur [...]

❖ [UN Security Council, Report of the Secretary-General on the African Union, United Nations Hybrid Operation in Darfur, 27 October 2017](#)

I. Introductions [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur and the main challenges to the effective implementation of the mandate, including violations of the status-of-forces agreement, for the period from 15 August until 15 October 2017 [...]

Violence against civilians and human rights violations 10. The overall human rights situation in Darfur remained tense and volatile, compounded by the proliferation of arms and weak law enforcement and justice institutions. As was the case in the previous reporting period, internally displaced persons and other vulnerable persons continued to face harassment, killings, looting of property, random shootings within and around their camps and general insecurity [...]

13. Internally displaced persons were a target in 45 crimes, which led to 6 fatalities, compared with 211 crimes with 48 fatalities in the previous reporting period. Other civilians were affected by 73 crimes resulting in 10 fatalities, including cases of murder (10), armed robbery (7), attempted robbery (4), assault/harassment (22), burglary/break-in (2), abduction (5), shooting (19), attack/ambush (1), threat of violence (2) and livestock theft (1) [...]

❖ [UN Security Council, Report of the Secretary-General on the African Union United Nations Hybrid Operation in Darfur, 27 December 2017](#)

II. Introduction [...]

The report provides an update on an analysis of the conflict, the political situation and the operational environment in Darfur and the main challenges to the effective implementation of the mandate including violations of the status-of-forces agreement, for the period from 15 October until 15 December 2017 [...]

Violence against civilians and human rights violations [...]

14. Communities of internally displaced persons were also subject to security-related incidents in Darfur. They were the target of 123 criminal incidents, which led to eight fatalities. Other civilians were affected by 208 crime-related incidents, resulting in 42 fatalities, including cases of murder (32), armed robbery (22), attempted robbery (2), assault/harassment (60), burglary/break-in (3), looting (1), abduction (7), shooting (52), threat of violence (3), livestock theft (12), arson (1) and other crimes (13). In the previous reporting period, internally displaced persons were affected by 45 criminal incidents, resulting in six fatalities, and other civilians were affected by 73 criminal incidents, resulting in 10 fatalities [...]

## Government forces, armed militias and individuals raided IDP camps in 2018

❖ [UN Security Council, Report of the Secretary-General on the African Union, United Nations Hybrid Operation in Darfur, 22 February 2018](#)

I. Introduction [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur and the main challenges to the effective implementation of the mandate, including violations of the status of forces agreement, for the period from 16 December 2017 until 15 February 2018 [...]

Violence against civilians and human rights violations [...]

13. The reporting period witnessed an overall decline in criminal activities.

However, with the ongoing harvest season, incidents of crop destruction and related violence persisted in some areas. Internally displaced persons were targeted in 68 criminal incidents, which led to five fatalities. Other civilians were affected by 92 crime-related incidents resulting in 17 fatalities, including cases of murder (14), armed robbery (9), attempted robbery (2), assault/harassment (26), burglary/break –in (4), looting (2), abduction (3), shooting (15), attack/ambush (1), arson (1), livestock theft (13) and others (2). In the previous reporting period, internally displaced persons and other civilians were affected by 123 and 208 criminal incidents, respectively resulting in the deaths of 8 internally displaced persons and 42 other civilians [...]

❖ [UN Security Council, Report of the Secretary-General on the African Union, United Nations Hybrid Operation in Darfur, 25 April 2018](#)

II. Introduction [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur, and the main challenges to the effective implementation of the mandate, including violations of the status-of-forces agreement, for the period from 16 February to 15 April 2018 [...]

Violence against civilians and human rights violations [...]

10. Internally displaced persons were targeted in 88 crime-related incidents, which led to seven fatalities. Other civilians were affected by 144 crime-related incidents resulting in 46 fatalities, including cases of murder (21), armed robbery (16), attempted robbery (2), assault and harassment (42), burglary and break-in (8), abduction (4), arson (4), shooting (25), attack or ambush (1), threat of violence (2), livestock theft (18) and other (1). In the previous reporting period, internally displaced persons and other civilians were affected by 68 and 92 crime-related incidents respectively, resulting in the deaths of 5 internally displaced persons and 17 other civilians [...]

❖ [UN Security Council, African Union-United Nations Hybrid Operation in Darfur Report of the Secretary-General, 12 October 2018](#)

IV. Introduction [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur for the period from 11 June until 3 October 2018 [...]

Violence against civilians and human rights violations [...]

14. The reporting period witnessed a moderate decrease in crime against internally displaced persons as compared with the previous. They were targeted in 181 crime-related incidents, which led to 27 fatalities. Other civilians were affected by 376 crime-related incidents, resulting in 61 fatalities, including cases of murder (46), armed robbery (41), attempted robbery (10), assault/harassment (124), burglary/break-in (25), looting (1), abduction (8), arson (2), shooting (73), attack/ambush (7), threat (7), others (14), and livestock theft (18). In the previous three-month period, internally displaced persons and other civilians were affected by 180 and 325 crime-related incidents, respectively, resulting in the deaths of 34 internally displaced persons and 91 other civilians [...]

## Government forces, armed militias and individuals raided IDP camps in 2019

❖ [Radio Dabanga, 70+ dead or injured in bloody West Darfur tribal violence, 31 December 2019](#)

[...] The Dar Masalit Sultanate reported that the initial toll of the victims of Kerending camp for the displaced and neighbouring villages amounts to 50 dead, and dozens of wounded.

The Emir of the Mahameed, Massar Abdelrahman, announced the death of 11 tribesmen. 15 others were wounded.

The Masalit Sultanate said in a statement on Tuesday, that “a large number of janjaweed militiamen carrying firearms attacked Kerending camp on Monday. They are guilty of killing, burning, looting, and intimidation.”

[...] The attackers were riding in vehicles belonging to the Rapid Support Forces (RSF) militia, and some private vehicles, others on horses, camels, and motorcycles.

The Masalit leaders further reported that a number of districts of El Geneina, the villages of Delmengi and Majmari, a number of voluntary return villages, and the western part of Mornei camp were attacked as well. [...]

❖ [UN Security Council, Final report of the Panel of Experts on the Sudan, 14 January 2020](#)

[...] Summary

The present report covers the period from March to December 2019. The Panel has continued to monitor developments in Darfur and in the region in accordance with its mandate [...]

E. Abuses by groups of the Sudan Liberation Army/Abdul Wahid [...]

126. [...] According to a joint report by UNAMID and the Office of the United Nations High Commissioner for Human Rights,<sup>21</sup> in May 2019, clashes between various SLA/AW factions (between commanders Salah Borso and Mubarak Waldoon, as well as between SLA/AW and the splinter group SLA/Peace and

Development) led to the displacement of nearly 1,500 civilians to Golo and surrounding villages. Internally displaced persons reported that several villages were burned and civilian property was looted, including livestock and farm produce. [...]

❖ [International Federation for Human Rights \(FIDH\), West Darfur: Investigation Into Krinding Camp Massacre Is Urgently Needed, 3 February 2020](#)

The International Federation for Human Rights (FIDH) and its Sudanese member organisations, the African Centre for Justice and Peace Studies (ACJPS) and the Sudan Human Rights Monitor (SHRM), denounce the attack that took place on the Krinding IDP camp in December 2019. According to ACJPS's documentation, 72 people were killed and 109 others wounded between 29 and 31 December 2019 during a raid by Rezaigat herdsmen of Arab ethnicity in Krinding camp for internally displaced persons (IDP), located about four kms east of Geneina, the capital of West Darfur state. The majority of the population in the Krinding camp is from the Masalit tribe, of African ethnicity [...]

❖ [UN Security Council, Special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the African Union-United Nations Hybrid Operation in Darfur and a follow-on presence, 12 March 2020](#)

[...] III. Course of action on the drawdown [...]

38. On 27 December, the former UNAMID "super camp" in Nyala, which had been handed over to the government authorities in accordance with a memorandum of understanding signed with the Ministry of Foreign Affairs on 19 November, was vandalized. Hundreds of residents, including uniformed personnel, looted the camp until 31 December. One of the two UNAMID formed police units, assigned for security and protection relating to the Kalma camp for internally displaced persons, was in part of the Nyala camp, owing to the lack of accommodation capacities in Kalma, but the United Nations police personnel were not targeted. A criminal case has been opened by the Sudanese authorities and a legal committee was established by the Attorney General of the Sudan to investigate the damage, destruction and looting of the premises and assets [...]

### 1.3.2. New omissions in 2018 (compared to 2017), most omitted in 2019

Information published in 2018 on the investigation and possible prosecution and compensation for victims of the violence during the 2013 protests

❖ [UK All-Party Parliamentary Group, Sudan, South Sudan, APPG for Sudan and South Sudan, Report from Visit to Sudan, September 2018](#)

[...] B. Rights of Civil Society Activists

Civil society activists told the delegation [...] that the families of the 30 killed in the September 2013 protests are yet to see any justice from the government. These human rights defenders urged the UK Government to take a more proactive role in criticising the Government of Sudan for its human rights record [...]

❖ [Amnesty International, Sudan: Five years later and no justice for 185 protesters shot dead by security forces, 9 October 2018](#)

The Sudanese authorities are yet to bring to justice a single person for the killing of at least 185 people who were shot either in the head, chest or back by Sudan's National Intelligence and Security Service (NISS) and the police during the country's infamous September 2013 protests on the high cost of living, Amnesty International said today in a statement to the UN Human Rights Committee [...]

The government claims it established three State Commissions of Inquiry to investigate the September 2013 protest killings, but the findings have not been made public, and no one suspected to be responsible has been brought to justice for the killings [...]

Information published in 2019 on the investigation and possible prosecution and compensation for victims of the violence during the 2013 protests

- ❖ [Human Rights Watch, Sudan: Video Footage Shows Extreme Violence, Abuse, 10 February 2019](#)  
[...] In 2013, Sudan’s government responded to a wave of popular protests with extreme violence, killing more than 170 people. The government has not prosecuted any of those responsible for the killings [...]
- ❖ [Human Rights Watch, UN Rights Council Shamefully Silent on Sudan: International Investigation Needed, 9 July 2019](#)  
[...] In 2013, security forces killed almost 200 protesters, and although the violence was widely condemned, those responsible were never held to account. [...]
- ❖ [Radio Dabanga – Sudan, Sudan’s Attorney General to lift immunity of former NISS members, 24 October 2019](#)  
[...] The Attorney General announced the formation of several committees to investigate cases related to victims of the September 2013 and December 2018 demonstrations, and to hire lawyers with expertise and competence in criminal work.  
In a statement after the meeting, El Hibir described the steps taken by the Public Prosecution to proceed with justice and accountability cases related to the victims of the September 2013 and December 2018 demonstrations. [...]
- ❖ [Amnesty International, “They Descended On Us Like Rain”: Justice For Victims Of Protest Crackdown In Sudan, 10 March 2020](#)  
[...] On 12 September 2019 Amnesty International researchers met with 15 family members of the victims of unlawful killings in Sudan in 2013 and since December 2018. They all expressed their quest for justice and spoke of how the police had blocked them from reporting the deaths. Others complained of lack of assistance by state prosecutors to help them properly file complaints and provide all the required evidence such that many of their relatives’ case files. They spoke of a criminal justice system still controlled by people who they said are responsible for their relative’s deaths.<sup>147</sup>  
[...] The Prosecution office has the discretion to institute, conduct or discontinue any proceedings for an offence. The track record in prosecuting these types of cases is discouraging. Following the killing of more than 185 people in September 2013,<sup>153</sup> there was one case in which investigation was concluded and referred to trial by a competent court. The court, acquitted the accused for lack of evidence.<sup>154</sup> [...]

147 Amnesty International meeting in Khartoum with September 2013 and December 2018 martyrs, 12 September 2019.

[...] 153 Amnesty International, Sudan: excessive and deadly: the use of force, arbitrary detention and torture against protesters in Sudan, (Index number: AFR 54/020/2014)

154 Report of the Independent Expert on the situation of human rights in the Sudan, Mashood A. Baderin, 4 September 2014, [https://reliefweb.int/sites/reliefweb.int/files/resources/A.HRC\\_.27.69\\_AEV.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/A.HRC_.27.69_AEV.pdf), para 36.

## Government forces, armed opposition groups and armed criminal elements were responsible for the disappearance of humanitarian workers, UN and other international personnel in conflict areas in 2018

- ❖ [UN Security Council, African Union-United Nations Hybrid Operation in Darfur, Report of the Secretary-General, 12 October 2018](#)
  - I. Introduction
    1. [...] The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur for the period from 11 June until 3 October 2018 [...]
  - II. Conflict analysis [...]
  - V. Operating environment
    - Attacks and threats of attacks targeting African Union-United Nations Hybrid Operation in Darfur, United Nations and humanitarian personnel
      21. A total of 60 criminal incidents targeting the United Nations and humanitarian personnel were recorded during the reporting period, 46 of which were incidents of intrusion, break-in and theft inside United Nations premises. [...]

On 12 September, a national staff member of the international non-governmental organization Triangle Generation Humanitarian was abducted, assaulted, robbed and later released by SLA-AW elements in Golo in Central Darfur [...]

## Government security forces beat and tortured physical and psychologically persons in detention, including religious activists, in 2018

### ❖ [WorldWatch Monitor, Sudanese Christians beaten before release, 23 October 2018](#)

A group of Darfuri Christians arrested last week have now been released but only after they faced severe pressure for their faith and were beaten while in detention, a local source has told World Watch Monitor. The group of 13 Christians were taken by security officials from a home they shared in the city of Nyala, southwest Darfur, on 13 October. It is not clear on what charges they were arrested, though three of them were released shortly after and the rest released by Sunday, 21 October [...]

## Detention of individuals in 2018 due to their actual or perceived support of anti-government forces, such as the Sudan People's Liberation Movement-North (SPLM-N) and Darfur rebel movements

### ❖ [African Centre for Justice and Peace Studies, Human rights violations in South Kordofan, 11 April 2018](#)

The African Centre of Justice and Peace Studies (ACJPS) documented human rights violations associated with attacks on civilians including sexual violence, arbitrary arrest and detention and killing of civilians that occurred in South Kordofan from January to March 2018. The Military Intelligence has continued to target civilians with arbitrary arrest and detention on basis of their perceived political affiliation with the Sudan Peoples' Liberation Movement-North [...]

### ❖ [African Centre for Justice and Peace Studies, Urgent call for investigation into the custodial death of civilian whilst under SAF/RSF detention in East Jebel Marra, South Darfur, 24 April 2018](#)

Sudanese authorities should urgently investigate the reported torture and custodial death of Mr. Mosa Mohamed Salih who was reportedly accused of sharing military information with the Sudan Liberation Movement Abdel Wahid (SLM-AW). Reliable information received indicates that Mr. Mosa was reportedly tortured by members of the Rapid Support Force to confess to his affiliation with the SLA-AW [...]

On 13 April 2018, Mr. Mosa Mohamed Salih, a 72 year old and member of the Fur tribe was arrested from Rakoona village by members of Rapid Support Forces and then taken to the Sudanese Armed Forces/Rapid Support Forces camp in the periphery of Rakoona in East Jebel Marra, South Darfur and detained without charge for his alleged affiliation with SLM-AW.

Mr. Mosa was held in custody and died on 14 April, after spending one day in custody. A reliable source informed ACJPS that Mr. Mosa was interrogated about his presumed affiliation with the SLA-AW. It was reported that the RSF members severely tortured Mr. Mosa whilst in custody in order to obtain a confession from him about sending military information to SLA-AW. He was beaten by hand and sticks, and kicked on all over his body. Hot water was also poured over his body.

On 15 April, the RSF members took his body to a military base in Mirshing town and forced his family to come and receive his body. The family reported the death incident to the police in Mirshing but the officer refused to file a case. The family were also denied access to criminal form 8, a medical evidence form used in criminal proceedings related to death or grievous hurt [...]

### ❖ [Radio Dabanga, South Kordofan MI release man after torture, 26 June 2018](#)

[...] Mohamed Awad Bakheet, a 45-year-old trader at El Abbasiya market, was arrested by military intelligence (MI) agents on March 5. His whereabouts were unknown, the Sudanese Human Rights and Development Organisation (HUDO) reported at the time. Bakheet is a former member of the rebel SPLM-N in South Kordofan [...]

### ❖ [UN Security Council, African Union-United Nations Hybrid Operation in Darfur, Report of the Secretary-General, 12 October 2018](#)

I. Introduction

1. [...] The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur for the period from 11 June until 3 October 2018 [...]

II. Conflict analysis [...]

Fighting between forces of the Government of the Sudan and armed groups

5. [...] On 26 July, the Sudanese Armed Forces attacked a SLA-AW position in Komi village, east of Golo, arresting suspected SLA-AW informants and subsequently firing artillery south and south-east of Golo on 30 July and 2 August [...]

6. [...] Unconfirmed reports were received of Rapid Support Forces attacking and looting Kebe, South Darfur, on 27 July, allegedly targeting local support for the rebels [...] On 1 August, unverified reports were received of Sudanese Armed Forces and Rapid Support Forces soldiers targeting local support for SLA-AW by assaulting residents of Tarantara, Kawara, Kaiya and Kuilla villages in southern Jebel Marra, which were taken by Government forces in May and June [...]

❖ [Radio Dabanga, 21 Darfur displaced now detained for four months without trial, 18 November 2018](#)

El Shafee Abdallah, the coordinator of Central Darfur camps, told Radio Dabanga that on August 12, a joint force of Rapid Support Force (RSF) militiamen and a breakaway rebel group led by El Sadig Fakka detained 21 displaced people and moved them to the notorious Shala prison in El Fasher. The detainees include three teachers and five secondary school students, who have not been charged or brought to trial so far.

The detainees are accused of being affiliated with the Sudan Liberation Movement under the leadership of Abdelwahid El Nur (SLM-AW) [...]

[Detention of individuals in 2019 due to their actual or perceived support of anti-government forces, such as the Sudan People's Liberation Movement-North \(SPLM-N\) and Darfur rebel movements](#)

❖ [Amnesty International, Sudan: Remove Rapid Support Forces from Khartoum streets immediately, 6 June 2019](#)

[...] Hundreds of people have been arrested and detained in the past three days, including recently returned opposition leader Yassir Saeed Arman, whose whereabouts are unknown. Yassir, who is the deputy chairperson of Sudan's People Liberation Movement-North (SPLM-N) and was one of the SPLM lead negotiators during the Comprehensive Peace Agreement that ended the war between the north and south of Sudan in 2005, has an unwarranted death sentence hanging over his head. He must be released immediately and unconditionally. [...]

❖ [OHCHR, Sudan: UN human rights experts call for independent investigation into violations, 12 June 2019](#)

[...] The experts expressed concerns about reports that three opposition leaders from the Sudan People's Liberation Movement-North (SPLM/N Malik Agar faction) were allegedly deported from Sudan at the weekend. The men were arbitrarily arrested by the National Intelligence and Security Services last week. [...]

❖ [African Centre for Justice and Peace Studies \(ACJPS\), Sudan: Extrajudicial Killing and Incommunicado detention, 10 January 2020](#)

[...] A Report covering the events of December 13, 2018 to April 11, 2019

[...] Fifth Interview

Name: Salah ad-Deen Al Nur (nick named Al Lemouni)

Profession: Lawyer and human rights activist

Place: Nyala, Southern Darfur State

On January 28, 2019 as I was leaving my house in the neighborhood of Al Muhandiseen in Nyala city and getting nearer to the main street, a Toyota Land Cruiser stopped by my side at a short distance from my family's house. There were four NISS [National Intelligence and Security Service] men in the car dressed in civilian clothes and armed with pistols. I was arrested in front of my children and was taken to the Headquarters of the NISS in the city. I was interrogated in the office of the Director of the office Ibrahim Taha on my relationship with the Sudanese Professional Association, the link between the SPA and the

Democratic Lawyers Association, the SPA relationship with the Sudanese Communist Party and the armed opposition movements. [...]

❖ [Radio Dabanga – Sudan, Man detained by Sudan military intelligence for being SPLM-N member, 24 February 2020](#)

[...] The Sudanese Human Rights and Development Organisation HUDO reports today that military intelligence officers arrested 63-years old tailor Adam Suliman at his workplace in Rashad, South Kordofan, on February 12 for being a member of SPLM-N. He was threatened, and released in the evening. Following his arrest Adam Suliman was taken to the Military Intelligence Office at Rashad military base, where he was interrogated about his political activities nine years ago, when he was a member of the Sudan People's Liberation Movement-North (SPLM-N) and candidate for the South Kordofan legislative council elections in 2011.

Suliman was released that same evening, after being threatened that he will be detained and tortured if he expresses any kind of association with the SPLM-N. [...]

Information published in 2018 on the investigation and possible prosecution and compensation for victims of the violence during the 2013 protests

❖ [UK All-Party Parliamentary Group, Sudan, South Sudan, APPG for Sudan and South Sudan, Report from Visit to Sudan, September 2018](#)

[...] B. Rights of Civil Society Activists

Civil society activists told the delegation [...] that the families of the 30 killed in the September 2013 protests are yet to see any justice from the government. These human rights defenders urged the UK Government to take a more proactive role in criticising the Government of Sudan for its human rights record [...]

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The government claims it established three State Commissions of Inquiry to investigate the September 2013 protest killings, but the findings have not been made public, and no one suspected to be responsible has been brought to justice for the killings [...]

Information published in 2019 on the investigation and possible prosecution and compensation for victims of the violence during the 2013 protests

❖ [Human Rights Watch, Sudan: Video Footage Shows Extreme Violence, Abuse, 10 February 2019](#)

[...] In 2013, Sudan's government responded to a wave of popular protests with extreme violence, killing more than 170 people. The government has not prosecuted any of those responsible for the killings [...]

❖ [Human Rights Watch, UN Rights Council Shamefully Silent on Sudan: International Investigation Needed, 9 July 2019](#)

[...] In 2013, security forces killed almost 200 protesters, and although the violence was widely condemned, those responsible were never held to account. [...]

❖ [Radio Dabanga – Sudan, Sudan's Attorney General to lift immunity of former NISS members, 24 October 2019](#)

[...] The Attorney General announced the formation of several committees to investigate cases related to victims of the September 2013 and December 2018 demonstrations, and to hire lawyers with expertise and competence in criminal work.

In a statement after the meeting, El Hibir described the steps taken by the Public Prosecution to proceed with justice and accountability cases related to the victims of the September 2013 and December 2018 demonstrations. [...]

❖ [Amnesty International, “They Descended On Us Like Rain”: Justice For Victims Of Protest Crackdown In Sudan, 10 March 2020](#)

[...] On 12 September 2019 Amnesty International researchers met with 15 family members of the victims of unlawful killings in Sudan in 2013 and since December 2018. They all expressed their quest for justice and spoke of how the police had blocked them from reporting the deaths. Others complained of lack of assistance by state prosecutors to help them properly file complaints and provide all the required evidence such that many of their relatives’ case files. They spoke of a criminal justice system still controlled by people who they said are responsible for their relative’s deaths.<sup>147</sup>

[...] The Prosecution office has the discretion to institute, conduct or discontinue any proceedings for an offence. The track record in prosecuting these types of cases is discouraging. Following the killing of more than 185 people in September 2013,<sup>153</sup> there was one case in which investigation was concluded and referred to trial by a competent court. The court, acquitted the accused for lack of evidence.<sup>154</sup> [...]

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154 Report of the Independent Expert on the situation of human rights in the Sudan, Mashood A. Baderin, 4 September 2014, [https://reliefweb.int/sites/reliefweb.int/files/resources/A.HRC\\_.27.69\\_AEV.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/A.HRC_.27.69_AEV.pdf), para 36.

## Amnesty provisions/pardons issued in 2018

❖ [Radio Dabanga, Sudan’s President Al Bashir bows to opposition pressure, orders release of detainees, 11 April 2018](#)

[...] On Tuesday President Omar Al Bashir issued a public order to release all political detainees in the country in response to appeals from National Dialogue parties.

Hamid Ali Nour, the deputy head of the Sudan Call alliance said the decision was part of a deal with the parties participating in the government [...]

❖ [UN Security Council, Report of the Secretary-General on the African Union United Nations Hybrid Operation in Darfur, 25 April 2018](#)

[...] III. Political situation [...]

12. [...] On 10 April, he issued a decree releasing all political detainees in the country [...]

❖ [Sudan Tribune, Sudan’s al-Bashir pardons 5 death-sentenced rebels, 11 May 2018](#)

[...] Sudan’s President Omer al-Bashir Thursday pardoned five members of the rebel Justice and Equality Movement (JEM) who had been sentenced to death by military courts.

The presidential decree includes Ibrahim Abdel-Rahman Saffi al-Nur, Yahia Abbaker Musa al-Nur, Ibrahim Ali al-Rashid Abdel-Gadir, Mohamed Ibrahim al-Doma and Azrag Daldoom Adam Haroun.

Except for Yahia Abbaker Musa al-Nur who was arrested with Ibrahim al-Maz in West Darfur state in January 2011, all the others took part in the attack on the Sudanese capital in May 2008.

The decision to drop the death penalty has been taken in response to an appeal by the national dialogue parties and to promote the national reconciliation atmosphere, reads the decree [...]

❖ [Lawyers for Lawyers, Human Rights Committee Consideration of the fifth Periodic Report of Sudan Submission Amsterdam, 10 September 2018](#)

[...] Mr. Osman is an eminent and internationally well-known Sudanese lawyer and human rights advocate and has dedicated himself to, amongst others, bring justice to and raise international awareness for the victims of the civil war in Darfur. In 2007, Mr. Osman has been awarded with the Sakharov price of the European Parliament for its fight against oppression, intolerance and injustice in the Sudan and the conflict areas. Mr. Osman was arrested and detained in 2004, allegedly because of his free legal services provided to - amongst others - detainees facing capital punishment and hundreds of victims of human

rights abuses in Darfur. On 1 February 2018, Mr. Osman was again arrested by governmental forces in his office in Khartoum and detained without any official charges within the NISS premises. [...] Mr. Osman was, following a presidential decree of Omar al-Bashir to release several detainees, released from prison on 20 April 2018 [...]

## Amnesty provisions/pardons issued in 2019

### ❖ [African Centre for Justice and Peace Studies, Darfur Region: NISS targets peaceful protesters with arbitrary arrests and prolonged detention, 5 April 2019](#)

[...] On 11 January 2019, Ms Amani Hasabo, a member of Sudanese congress party was arrested from her home in Elfashir and subjected to a 3 months detention under the emergency law in Elfashir Women Prison (khir Kanaga). She was released following President Bashir's pardon on March 8 2019 [...]

### ❖ [United Nations General Assembly, Human Rights Council, Situation of human rights in the Sudan: Report of the Independent Expert on the situation of human rights in the Sudan, 26 July 2019](#)

[...] 50. On 29 January, the Director of the National Intelligence and Security Services ordered the release of all those who had been detained in anti-Government protests up to that point. The Independent Expert received reports, however, that about 100 detainees had been released up to the end of January, and that a number of opposition leaders, political activists, civil society members, doctors and university professors continued to be detained thereafter. More arrests were carried out in later weeks and months.

51. Starting from the end of February, the Government established emergency courts in Khartoum to prosecute individuals associated with protests. Reports suggested that hundreds of people had been tried before the emergency courts in the period from 28 February to the end of March. The sentences handed down ranged from seven days' imprisonment and a fine up to a maximum of five years' imprisonment. Civil society groups expressed serious concerns about the fairness and due process of the trials and the lack of rights to legal representation for defendants.

52. Credible reports indicated that many opposition leaders had been released in March, including the leader of the Sudanese Congress Party and four opposition leaders from the Communist Party and the Baath Arab Socialist Party after months of arbitrary detention in connection with the nationwide protests. About 54 detainees, including 36 women, were released by mid-March, according to a statement issued by the African Centre for Justice and Peace Studies on 19 March.<sup>14</sup> [...]

53. Immediately following the removal of President al-Bashir, credible reports confirmed the release of hundreds of protesters and political detainees from detention facilities across the country. However, the release of dozens of Darfuri detainees, including the 23 Darfuri university students arrested in Sinar, was delayed for a few weeks.

[...] 55. The Deputy Chair of the Transitional Military Council, Lieutenant General Dagalo, announced on 24 June the release of all detainees associated with armed movements as a goodwill gesture, which was met with positive reactions from the Sudanese Revolutionary Front, a constituent group of the Forces for Freedom and Change that also includes armed movements. Only detainees from the Sudan Liberation Army-Minni Minawi – 235 in total – were released in early July.

[...] 75. Credible reports refer to a presidential order issued on 8 March to release all women detained in the women's prison in Omdurman. According to human rights groups, about 37 women who had been arbitrarily detained by security forces were released, without having received sentences from the emergency courts. [...]

<sup>14</sup> See [www.acjps.org/sudan-niss-releases-fifty-four-detainees-as-seventeen-peaceful-protesters-join-hundreds-who-remain-in-detention/](http://www.acjps.org/sudan-niss-releases-fifty-four-detainees-as-seventeen-peaceful-protesters-join-hundreds-who-remain-in-detention/).

### ❖ [Freedom House, Freedom in the World 2020 – Sudan, 4 March 2020](#)

[...] In September, the transitional government signed a declaration establishing a roadmap for negotiations. That declaration included commitments to release political prisoners of war and rescind death sentences imposed on the armed groups' leaders. Talks between the government and representatives of five groups began in October. [...]

## The SAF and government-aligned forces burned and looted villages in Southern Kordofan and Blue Nile in 2018

### ❖ [Nubsud Human Rights Monitors Organisation \(NHRMO\), Human Rights Update: March – September 2018, October 2018](#)

[...] March 2018 [...]

Delami County

On 3 March 2018, at 2.30am, a group of 16 armed soldiers of the Popular Defence Forces (PDF) looted 41 cows in Kamili village, Nyukur Payam. Dressed in their green uniforms, they came riding on camels. They are said to have come from Habila village, Nyukur Payam, which is controlled by the Sudanese government. There were no casualties [...]

[...] April 2018

Delami County [...]

On 15 April 2018, at around 8.30am, the Popular Defence Forces (PDF) militia looted 41 cows in Kamili village, Nyukur Payam. They are said to have come from Habila village, Nyukur Payam, which is controlled by the Sudanese government

Heiban County [...]

18 houses were burned down in Debbi village, Debbi Payam. Two children and their parents, four people in total, were burned to death.

In Mandi village, Mandi Payam, 59 houses and more than 60 fields of crops and fruit trees were burned [...]

May 2018 Delami

On 1 May 2018, at 8.00pm, eight SAF soldiers armed with AK47s and RPGs attacked Kamili village, Nyukur Payam, and looted 24 cows. Riding on four camels, each carrying two soldiers, they moved on to the town of Habila on the government controlled side where they are probably based. There were no casualties.

On 16 May 2018, at 1.30pm, in Wera village, Sabat Payam, nine SAF soldiers all armed with AK47s looted 18 cows. No one was injured or killed [...]

Heiban

In the first week of May 2018, at 11:00am, the PDF attacked the community and looted 35 cows leaving one person dead and another one wounded. However, three of looted cows returned to the village by themselves and were returned to their owners.

On 18 May 2018, at 2.00pm, the PDF militia abducted five children and looted 150 cows. They also killed three boys who were herding cows in Tembera village, Umdordo Payam. However, they later released the children.

On 21 May 2018, at 8.00 pm, the PDF looted 150 cows and killed three boys tending them in Mandi village. The militiamen were riding 75 camels, two on each [...]

July 2018 Delami

On 6 July 2018, at 2:00pm, in Hadra village, Umhitan Payam, 18 armed men in RSF uniforms attacked the community. One man and a child were killed and two people were injured. The attackers looted 80 sheep, 63 head of cattle and three motor cycles [...]

### ❖ [Nubsud Human Rights Monitors Organisation \(NHRMO\), Human Rights Update: October – December 2018, January 2019](#)

[...] In terms of human rights violations and/or ceasefire violations, there were only three incidents recorded by our monitors in SK during the last three months of 2018 involving looting or attempted looting of livestock by SAF and/or its allied militias. There were no recorded incidents in BN in December 2018 [...]

## The SAF and government-aligned forces burned and looted villages in Southern Kordofan and Blue Nile in 2019

### ❖ [Nubsud Human Rights Monitors Organisation \(NHRMO\), Human Rights Update: January 2019, February 2019](#)

[...] Southern Kordofan State / Nuba Mountains [...]

Delami County [...]

On 18 January 2019, at 4.00am, in Tojur village, Sabat Payam, Delami County, SAF soldiers from Khoraldelip, looted 20 cows from a household and returned to SAF territory [...]

❖ [Nubsud Human Rights Monitors Organisation \(NHRMO\), Human Rights Update: April – June 2019 Civilians in the SPLM/A-N areas of Southern Kordofan and Blue Nile states continue to suffer violent attacks, July 2019](#)

[...] Delami County [...]

May 2019

- On 10 May 2019, at 11.00am, an unspecified number of SAF men in military uniform looted 65 cows in Deri village, Aberi Payam, injuring a 17-year old herder [...]

### 1.3.3. New omissions in 2019 (compared to 2018, 2017 and 2016)

Government security forces tortured persons in detention in 2019, including members of the political opposition, civil society, and journalists. Reported forms of torture and other mistreatment included prolonged isolation, exposure to extreme temperature variations, electric shock, and the use of stress positions

❖ [Physicians For Human Rights, Intimidation and Persecution: Sudan’s Attacks on Peaceful Protesters and Physicians, 5 April 2019](#)

[...] Findings in this report focus on: reports of the use of disproportionate and/or unnecessary force; attacks on medical facilities; violations against medical personnel; and evidence of torture and abuse of activists as well as medical personnel.

[...] PHR has confirmed reports that on January 25, 2019, Dr. Shihabeldin Ibrahim, a general practitioner in el-Obeid, was targeted by security forces for participation in the protest movement and aiding injured protesters. NISS [National Intelligence and Security Service] forces had attacked him at his own home, beaten him, and taken him to security facilities (colloquially known as the “fridge” for the exposure to very cold temperatures there as a form of torture). After repeated requests by his family, Dr. Ibrahim was allowed to be visited by his family after about 40 days in detention. According to a source interviewed by PHR, he appeared unwell and had been tortured into signing an affidavit, admitting to alleged crimes he did not commit. As of this report, he has been held in detention without any formal charges and without being guaranteed his rights to legal representation or freedom from torture and abuse.

[...] Dr. Mohamed Naji al-Assam was the spokesperson of the Sudanese Professionals Association (SPA). He appeared in a live stream video denouncing the government and was a leader of the protest movement. He was arrested in Bahri town, where he was seeking refuge, when his apartment was raided. NISS tortured and interrogated Dr. al-Assam, seeking information about the SPA and its members. After six weeks in custody, Dr. al-Assam’s family was briefly allowed to visit him and found him psychosocially impacted and physically diminished. He remains in detention, and his family has not been able to visit him again.

On January 28, Dr. Ali Ahmed Mohamed Matar was seeking refuge in a hotel room when he was arrested by the NISS. He remains in detention. Reports from now-released detainees describe that he was tortured and forced to confess to being an atheist and communist. They describe hearing him screaming and crying for several days. He was later moved to a more secret detention facility where his lawyers and family have not been able to visit him.

[...] Extended Detention and Torture

Fifteen physicians remained in detention at the time of publication. Information on the circumstances of detention or treatment in custody of these physicians is limited, but Sudanese colleagues report that doctors are kept separate from the general population. Reports from Sudanese colleagues also note that physicians are being kept in facilities separate from the other protesters and have been denied any due process or contacts with legal representation or their families. Witnesses report that physicians are specifically abused while in detention and are detained for longer than other protesters: “I know that if a doctor gets arrested, they will be detained for a long time.”

[...] PHR’s witnesses confirm that physicians are being targeted in this manner: “We have heard details from our colleagues who were released. There is solitary detention and psychological and physical abuse.

Doctors are kept in a very dark room where they don't know the time. Or they are kept in a very cold room with AC on all the time and there is nothing to keep warm. Or one advertisement is played on the channel over and over again without the detainee knowing the time. It is physical and mental torture."

PHR has assessed several cases of torture and ill-treatment among recent detainees.

One physician was reportedly tortured while in detention, resulting in vision and hearing loss and severe motor disability. He now reportedly requires assistance by the other detainees to stand or walk.

Another physician was undergoing chemotherapy for a malignancy but has been denied any care while in detention, seriously disrupting his treatment plan.

A witness reports that many of his colleagues who were detained have been terrorized by the torture. "One friend got caught December 24 and released one month later. He hasn't gone again for a protest. He's very afraid now and very cautious. They destroyed him totally."

Another witness reported: "I know many people who tell stories of being tortured by electricity, beatings, and mental torture. They are people I know."

[...] Brutal practices of torture, including extreme temperature, solitary confinement, beatings, electric shocking, and psychological torture, are only escalating now. [...]

❖ [African Centre for Justice and Peace Studies, Torture in Sudan: Justice and Prevention, Priorities for change following the end of al-Bashir regime, 25 April 2019](#)

[...] The prevalence of torture in Sudan is a longstanding concern. Human rights defenders, women, political activists, lawyers, journalists, trade unionists, students and other groups have been systematically targeted. [...]

❖ [Radio Dabanga, Violations, rapes by Sudan militiamen documented despite internet shut-down, 6 June 2019](#)

[...] Students

Jalal Dafallah said that he and his friends were severely beaten by elements of the RSF [Rapid Support Forces] inside the University of Khartoum on Monday, causing multiple fractures.

He said that the militiamen seized them and shaved their heads in a distorted manner and forced them to drink sewage water while they were fasting. The militiamen also stole their mobile telephones and their money. [...]

❖ [United Nations General Assembly, Human Rights Council, Situation of human rights in the Sudan: Report of the Independent Expert on the situation of human rights in the Sudan, 26 July 2019](#)

[...] Those arrested and detained included opposition leaders, political activists, civil society activists, journalists, university professors and students, and professionals such as doctors, lawyers and engineers.

44. Reports also included allegations of instances of torture, ill-treatment and other human rights abuse in detention by Sudanese authorities during the period under review.

[...] 47. The Independent Expert received reports of the deaths of at least six people inside the detention facilities of the National Intelligence and Security Services between December and February. This included two cases in Southern Kordofan, two cases in Khartoum, one case in Al-Gedaref, and one case in Kassala. The case in Kassala, according to credible reports, concerned a schoolteacher named Ahmed al-Khair, who allegedly died under torture in the detention facilities of the National Intelligence and Security Services in the town of Khashm al-Qirbah on 2 February. He was reportedly arrested a few days prior for participation in protests. The National Intelligence and Security Services issued a statement denying responsibility for the death. The state Attorney General in the city of Kassala, under the direct supervision of the investigative panel established by the country's Attorney General, initiated an investigation into the case and reported the outcomes in a press conference on 7 February, concluding that the victim had been subjected to severe torture that had resulted in his death. The National Intelligence and Security Services was requested to make the security officers who were involved in this incident available to the prosecution, but did not do so.

[...] 76. The Independent Expert received allegations of dozens of instances of rape, gang rape and other forms of sexual violence against women and men that reportedly took place during the joint security operations led by the Rapid Support Forces in Khartoum on 3 June and the following days. A women's union in Khartoum issued a statement on 24 June alleging that some 5,000 female vendors had been subjected to sexual violence and other abuses by members of the Rapid Support Forces, security forces

and the military, and reported that five women who had disappeared after the 3 June violence remained missing. Human rights groups reported that women had allegedly been raped inside a clinic attached to the University of Khartoum, where they had run for safety from the security officers. It is possible that a number of other cases of rape and other forms of sexual violence went unreported, as many survivors likely did not seek medical treatment because of fear of reprisals, general insecurity in the city or limited options for medical and other assistance. [...]

❖ [Human Rights Watch, “They Were Shouting ‘Kill Them’”: Sudan’s Violent Crackdown on Protesters in Khartoum, 19 November 2019](#)

[...] According to Physicians for Human Rights, between December 19 and March 17, the forces attacked seven healthcare facilities, arresting 136 healthcare personnel, and firing at hospitals with tear gas and bullets.<sup>9</sup>

During this period, national security forces rounded up hundreds of protesters, activists, and opposition figures across the country, subjecting many detainees to abuses including torture.<sup>10</sup> Detainees told researchers they endured harsh conditions, such as poor ventilation, extremely cold air conditioning (they refer to the facility in Bahri as “the refrigerators,”) or being made to sit outside under the sun for long periods, and lack of medical care.<sup>11</sup> Women released from detention in Khartoum in March told Human Rights Watch they had been beaten, groped, and threatened with rape by NISS [National Intelligence and Security Service] officers.<sup>12</sup> [...]

9 “Sudanese Government Violating Human Rights on Massive Scale Through Campaign of Intimidation, Persecution, and Torture,” Physicians for Human Rights, April 5, 2019, <https://phr.org/news/sudanese-government-violating-human-rights-on-massive-scale-through-campaign-of-intimidation-persecution-and-torture/> (accessed September 16, 2019).

10 “Sudan: hundreds of protesters arrested,” Human Rights Watch joint news release, January 18, 2019, <https://www.hrw.org/news/2019/01/18/sudan-hundreds-protesters-arrested>; Interviews conducted by Human Rights Watch between April and May 2019 in Khartoum and remotely by telephone.

11 “Sudan: hundreds of protesters arrested,” Human Rights Watch joint news release, January 18, 2019, <https://www.hrw.org/news/2019/01/18/sudan-hundreds-protesters-arrested>; Interviews conducted by Human Rights Watch between April and May 2019 in Khartoum and remotely.

12 Interviews conducted by Human Rights Watch between April and May in Khartoum and remotely. See also “Sudan’s al-Bashir orders release of detained female protesters,” *Al Jazeera*, March 9, 2019, <https://www.aljazeera.com/news/2019/03/sudan-bashir-orders-release-detained-women-protesters-190309055103598.html> (accessed September 16, 2019).

❖ [African Centre For Justice and Peace Studies \(ACJPS\) and REDRESS, A Way Forward? Anti-Torture Reforms in Sudan in the Post-Bashir Era, December 2019](#)

[...] Over the last three decades, security forces, militias and police, the agents of the ruling National Congress Party (formerly the National Islamic Front), practised the most brutal and diverse forms of torture, including routine beating of detainees, electric shocks, rape and threats of rape, sleep deprivations and refusal of food and medical assistance. The list of victims of torture in Sudan is extensive and includes students, human rights defenders and political activists, trade unionists, professionals, journalists, minority ethnic groups and women. [...]

❖ [International Federation for Human Rights \(FIDH\) and African Center for Justice and Peace Studies \(ACJPS\), Will There Be Justice For Darfur? Persisting impunity in the face of political change, 18 December 2019](#)

[...] In the context of the protests which broke out in December 2018, NISS [National Intelligence and Security Service] arrested and detained more than 120 Darfuri people in South, West or Eastern Darfur. The actual figure is likely to be higher as many people were detained for short periods and then released. In Khartoum and other towns in Central Sudan, Darfurian University students were amongst those primarily targeted by NISS when the first protests broke out. Several of them were arrested and detained, including incommunicado in unknown locations.<sup>77</sup> All of them were allegedly released following Al-Bashir’s overthrow.

[...] As of 18 January, NISS had arbitrarily arrested and detained more than 40 Darfuri students publicly accused of being part of a “sabotage cell”.<sup>80</sup> It was reported that these students were subjected to torture and/or ill-treatment whilst in detention. [...]

77 ACJPS, "Sudan Protests: Urgent call for investigations into the custodial death of three University students and alleged torture of detainees by NISS", 13 March 2019, <http://www.acjps.org/sudan-protests-urgent-call-for-investigations-into-the-custodial-death-of-three-university-students-and-alleged-torture-of-detainees-by-niss/>.

[...] 80 ACJPS, HRW, IRRi and Al Khatim Adlan Centre for Enlightenment and Human Development, "Sudan: Hundreds of Protesters Arrested: Free or Charge Detainees; End Abuse of Critics", 18 January 2019, <http://www.acjps.org/wp-content/uploads/2019/01/Sudan-Hundreds-of-Protesters-Arrested.pdf>.

❖ [African Centre for Justice and Peace Studies \(ACJPS\), Sudan: Extrajudicial Killing and Incommunicado detention, 10 January 2020](#)

[...] A Report covering the events of December 13, 2018 to April 11, 2019

[...] 2. Killing Inside Detention Centers

Peaceful protesters were subjected to the kind of torture leading to death in the detention centers affiliated to the National Intelligence and Security Service and the Military Intelligence. The African Center for Justice recorded (4) such cases of male protesters. In all four cases facts show that the victims were subjected to methods of torture involving beatings with wooden batons and water hoses, water torture, deprivation of oxygen and rape using solid tools.

[...] First case

Name: Ahmed al-Khair Al „Awad

Profession: A teacher of Khashm el-Girba in Kasala State, Eastern Sudan.

He was detained by members of the Security Service in one of Khashm el-Girba streets round ten o'clock in the evening. He was beaten up in one of the Security Service pickups. After arriving at the Security offices he was locked up in a cell with other detainees; they were six in total. All detainees were later on brought out of the cell and beaten up with water hoses, kicked and forced to crawl on thorns. On the following day, which was a Friday, a group of the Security Service personnel came from Kasala. They brought the detainees out from their cell and began another round of beating and kicking. One of them asked for a rod of iron to use in raping Ahmed al-Khair. While the iron rod was shoved into his rectum, the other detainees could hear him scream in torment. Now 41 of the National Intelligence and Security Service of Kasala office are being tried in a court in Omdurman under Articles (132, 21, 25 and 26) of the Penal Code and the court sessions are held in the complex of courts in central Omdurman with Justice Al Sadiq Abdal Rahman Al Faki as presiding judge. Also, bodies of victims of torture were found floating in the water after being dumped in the River Nile in Khartoum. Reliable sources said that some bodies were found with signs of torture on them as evidenced by traces of blood on the bodies and most likely the victims were subjected to torture leading to death and then were thrown into the river. The motive behind targeting these victims was their effective participation in the protests.

[...] Nearly (46) persons in Al-Fashir and Nyala in Darfur and El-Obeid, ar-Rahad and Umm Ruwaba in Northern Kordofan were subjected to psychological torture via death threats and confinement under harsh conditions such as sleeping on the hard floors of cells. Some of these detainees spent the period of detention relying on their families in supplying them with food such as the detainees in Nyala prison in Southern Darfur. Some of them were transferred to incommunicado detention in the prisons of Northern Darfur, Port Sudan on the Red Sea and Kober prison in Khartoum North. Political activist Amna Hasabo, the President of the Sudanese Congress Party in Northern Darfur, was imprisoned in the women's prison in Al-Fashir (Al Khair Khanqa) from January 13, 2018 until her release on March 8, 2019.

[...] First interview

[...] Name: Adam Mahdi

Profession: Journalist

Website: Darfur 24

I was arrested in the street on January 27, 2019 near the building of Sudan News Agency in Nyala, Southern Darfur region. I was taken to the political section of the NISS [National Intelligence and Security Service] where I was questioned by the director of the Security Service, Ibrahim Taha, and three other officers about my relationship with the armed movements, providing these movements with sensitive information and the relationship the Sudanese Professionals Association with these movements. I was then threatened with electric shock, transported to Khartoum and banned from seeing my family for six months. I was locked up in a solitary cell whose dimensions were 130 x 200 cm. I used to sleep on the floor until February 3, 2019 when I was taken to Nyala Prison. I told the director of the political section that pursuant to the Emergency Law I was supposed to be detained for three days. Instead, I spent 10 days in Nyala pending signing a written undertaking not to participate in demonstrations or any political action not in line with state policies. In the end I signed and thumb printed the undertaking and one of my

relatives came to act as a guarantor and also signed an undertaking to bring me to the Security office when asked to do so. During my detention, I was locked up with other politicians in a classroom for educating inmates with poor ventilation where it was very hot with no toilet nearby. We were denied access to the prison toilets and were forced to use a narrow by-wash not far from the classroom to relieve ourselves. The stench of human excreta coming from the by-wash nearly suffocated us at times. Sometimes detainees defecated inside the classroom because they were not allowed to go out and this was utterly degrading. Owing to the pressure exercised by the families of politicians when they headed to the house of the Governor at that time, Adam Al Faki Mohamed, demanding the release of the political detainees, we were released on February 2, 2019.

[...] On November 26, 2019 Suliman Abakar Suliman, one of the students arrested on December 28, 2018, died at the Accidents Department in Omdurman Hospital of the torture he was subjected to during the period of his detention.

[...] Third Interview

[...] Torture comprised standing up for twenty-four hours at one time under the supervision of alternating guards. We were threatened with death and subjected to extreme exhaustion through long investigation sessions that lasted until midnight in extremely cold rooms and humiliated by being made to sit on the floor. I was interrogated about fourteen times during the period of my detention by different investigation committees. The doctor used to check on us through the opening in the door without examination. Although I contracted kidney stones and asked to be given mineral water, I was only given tablets by the detention center's doctor and later after my release, I travelled to Morocco for medical treatment. I was locked up in the cell on January 5, 2019 and my family was only allowed to visit me on March 5, 2019.

I watched the torture of a large number of detainees who were brutally beaten to the extent that some of them could not sit up for one and a half months. Weapons were cleaned inside the detention center and we were threatened with death if we continued with the peaceful protests and there was a strong smell of gasoline in the courtyard of the detention center. Smoking, dipping dry tobacco (tombak) and using hygiene tools such as shaving blades were not allowed although some cells contained detainees suffering from Hepatitis C.

There was discrimination in the way detainees were treated. Detainees ethnically descending from Darfur were cruelly tortured during interrogation. I saw some whose skins were excoriated during interrogation and youth less than eighteen years of age share cells with elderly men above seventy.

[...] Fifth Interview

Name: Salah ad-Deen Al Nur (nick named Al Lemouni)

Profession: Lawyer and human rights activist

Place: Nyala, Southern Darfur State

On January 28, 2019 as I was leaving my house in the neighborhood of Al Muhandiseen in Nyala city and getting nearer to the main street, a Toyota Land Cruiser stopped by my side at a short distance from my family's house. There were four NISS men in the car dressed in civilian clothes and armed with pistols. I was arrested in front of my children and was taken to the Headquarters of the NISS in the city. I was interrogated in the office of the Director of the office Ibrahim Taha on my relationship with the Sudanese Professional Association, the link between the SPA and the Democratic Lawyers Association, the SPA relationship with the Sudanese Communist Party and the armed opposition movements. I was interrogated five times over the days I spent in the Headquarters of the NISS in Nyala and after that I was locked up in a cell and on the day following this torturing began. I was forced to stand up facing the wall all night watched by a shift of the NISS personnel who would alternate. This continued during the day hours by making me sit all day without permitting me to lie on my back or lean on something. This manner of torturing continued for five days until I lost consciousness and started to hallucinate and contracted kidney and eye infections. The director of the NISS in Nyala used to say to me, "Had it been up to us, we would have left you to die like the 13 who died here before you so that you become number 14". The environment of the detention center was another menace. The cells were opposite to the toilets where mosquitos and flies were bred and stench exuded. On the sixth day I was taken to see a doctor at an external clinic. The doctor showed some hesitation to check on my case and then prescribed tablets for malaria, typhoid and kidney disease. On day eight I was transferred to the political section near Shendi Coach Station in Khartoum North, which was notorious in the media and political circles – the refrigerators.<sup>17</sup> There I was interrogated three times and I was given eye drops by the doctor. I stayed there for 66 days from February 5 to April 11, 2019. The environment of the detention center together with the harsh treatment I was subjected to made me develop pain in the spinal column (intervertebral disc), which necessitated a course of treatment in Cairo after release from detention.

[...] Sixth Interview

[...] On January 11, 2019 we were transferred to another section named the “refrigerators” because of the very cold conditions of the place, which is remotely controlled from the outside. The lighting and air-conditioning continued round the clock and temperature was extremely low all the time. We were interrogated three times a week and the number of detainees at the refrigerators section was about 450. Detainees were recurrently transferred to the NISS sections in the prisons of Kober, Dabak and Al-Diwaim in the White Nile State when new detainees arrive at the “refrigerators”. This continued until April 11, 2019. I used to hear the screams of detainees under torture; they were most likely students.

[...] 8. Sexual Violations:

Sexual violations during the period covered by the report comprise several forms such as touching sensitive parts of female bodies, insulting females by reference to the cultural implications of age and threats with rape. On January 31, 2019 in Khashm el-Girba, Kasala State in eastern Sudan, Ahmed al-Khair, a 36-year old secondary school teacher, was arrested by the NISS men on the charge of participating in the protests in the city. He was forced to drop down his trousers and was then raped by shoving an iron rod up his rectum; this led to his death later on. Another detainee, who preferred not to disclose his identity, was raped in a similar way; but this did not result in his death.<sup>18</sup>

Sexual violations included frisking women by security and Police personnel during the process of arresting and taking them to different detention centers. Touching female body parts was a practice whose scope widened in the protests during the process of frisking women by the NISS men. This amounted to threats of rape addressed at female detainees. Some NISS officers addressed verbal insults at girls telling them that respectful girls and women do not participate in protests. Slapping was also a form of violation which targeted girls.

9. Torture:

Detainees were subjected to different forms of physical and psychological torture. These included the following:-

- Being beaten with water hoses and wooden batons during arresting, transporting and interrogating detainees,
- electric shocks,
- exposure to low degrees of temperature(coldness)
- Detainees were made to stand for long hours,
- depriving detainees of medication, and
- Rape, threats with rape and sexual harassment by security and Police officers.

Torture also included threats with death, ill-treatment by forcing detainees to clean cells and women to clean utensils in the women’s prison in Omdurman, transporting detainees with their hands cuffed behind their backs in addition to forbidding detainees to go to toilets. All these forms of physical and psychological torture were practiced by the Police and NISS forces and the National Congress militias. (According to the Federal Research Department of the Congress Library 2004, the Popular Defense Forces consist of 10,000 active members and a reserve of more than 85,000 student security personnel affiliated to the National Congress party. These are members of the National Congress party who have received military training. The Popular Defense Forces is a paramilitary group founded in 1989 as reserve forces. They were deployed with the units of the regular army to fight Darfur movements<sup>19</sup>).

Torture, in a nutshell, included all forms of ill-treatment including such as violence, men frisking women and touching their sensitive body parts and robbing the belongings of peaceful protestors in return for releasing them. Several detainees spoke to the African Center for Justice and Peace Studies saying that they were beaten up, insulted and forced to surrender their money and mobile telephones and then they were released after signing undertakings not to participate in demonstrations.

[...] Eighth interview:

Name: Azza (not real names)

Sex: Female

Classification: activist

In her testimony to the African Center, Azza said during the peaceful protests in Khartoum, she was arrested by the NISS men in Al Souq al-Arabi on January 17, 2019. She added that on that date and on January 25, 2019 nearly two thousand and two hundred (2200) protesters of both sexes were arrested by the Police and the NISS men. Those detained by the Police were released at a later time after assessing criminal charges relating to public nuisance and disturbing public safety (articles 69 and 79 of the Penal Code 1991). The number of women held in detention on January 25, 2019 was nearly 500 women in Abu Jinzeer Square to the north of Al Souq al-Arabi; they were kept under arrest for 4 hours. During this space

of time they were beaten with batons by the NISS men before releasing them. Young men were severely beaten up and had their hairs cut. Following this, detainees were transferred to the NISS Headquarters on 57th St. in Al Amarat neighborhood. Others were taken to the political section of the NISS in Khartoum North. Azza added that detainees were threatened with death, girls on period were denied pads and she heard the screams of those subjected to torture [...]

17. The “refrigerators” was a nickname given to the political section of the NISS offices in Khartoum North because of the design of its doors which look like refrigerators” doors as well low temperature degrees and the lighting which continues round the clock and is remotely controlled from the outside. According to the testimony given to the African Center by one detainee there is a panel saying that the doors were made in the United Kingdom without referring to a particular company.

18. “Ayin network, a report on “Sudan: widening the scope of torture to suppress demonstrations”

❖ [Human Rights Watch, World Report 2020: Sudan, 14 January 2020](#)

[...] Security agents subjected detainees to abuses while in detention including beatings, inhumane conditions in a facility known as “the refrigerator,” and insults and beatings during interrogations. Many detainees were not allowed family visitation or access to lawyers. Women released from detention told Human Rights Watch they were beaten and sexually harassed and threatened with rape.

Dozens of students from Darfur arrested in mid-December were rounded up in their dormitories, severely beaten and forced to make televised “confessions” of having links to the Sudan Liberation Movement/Army, a Darfur rebel group led by Abdelwahid al-Nur. They were later released without charges.

On February 3, Ahmed al-Khair, a teacher in East Sudan, died while in NISS [National Intelligence and Security Service] custody. Witnesses and his family found signs of torture on his body, according to media. Authorities later charged 40 NISS agents in connection with the killing.

Sudan has failed to investigate other allegations of torture by national security officials and has yet to ratify the Convention Against Torture, which it signed in 1986. [...]

❖ [Physicians For Human Rights, “Chaos and Fire”: An Analysis of Sudan’s June 3, 2019 Khartoum Massacre, 5 March 2020](#)

[...] In the early morning hours of June 3, 2019, Sudanese security forces launched a violent attack against pro-democracy demonstrators at the protests’ central sit-in site in Khartoum, near the headquarters of the army, navy, and air force – a neighborhood known in Khartoum as “al-Qiyada,” or headquarters. Reports in the aftermath of that attack indicated that the violence resulted in the deaths of scores of people and injured hundreds more.<sup>11</sup> Witnesses and survivors of the violence – referred to as the June 3 massacre – reported that various uniformed elements of Sudan’s security forces were responsible for extrajudicial killings and forms of torture, including excessive use of force; cruel, inhuman, and degrading treatment; and sexual and gender-based violence.<sup>12</sup> In addition, there have been allegations that the security forces forcibly disappeared<sup>13</sup> dozens of protesters detained on or around June 3.<sup>14</sup> [...]

Survivors and witnesses described how security forces continued to victimize pro-democracy demonstrators that they detained through torture and other deliberately degrading treatment, including forcing detainees observing the daylight fasting of the Muslim holy month of Ramadan to drink from puddles of dirty water on the street.

[...] Another described encountering rape survivors while being held in a women’s jail.

[...] Ahmed, trained in first aid and active in providing frontline care to protesters during the sit-in, reported how RSF [Rapid Support Forces] personnel singled him out from other detainees for specific, targeted torture while detaining him in an empty office building because they mistakenly believed he was a doctor. He said, “They grabbed me down to the floor.” The soldiers then used a pocketknife to re-open a healed surgical scar. Ahmed described how they then made him lie on his back, saying, “Oh, you’re a doctor ... OK, we will let you know how we treat bleeding outside the capitol.” The RSF soldiers lit cigarettes, took a few puffs, and put them out in the incision they had made.<sup>73</sup> Ahmed’s physical examination was highly consistent with his description of these events, with cigarette burns and multiple healing bruises and abrasions corresponding to his description of multiple beatings and burns adjacent to a laceration.

[...] The RSF also forced detained sit-in participants to sit in the blazing summer sun on a day in which temperatures reached a midday high of 105 degrees Fahrenheit,<sup>132</sup> beating them if they tried to move to the shade of the nearby Blue Nile Bridge.<sup>133</sup> Dr. Abbas recounted that the soldiers asked their captives if

they were fasting, and “If you say you are fasting they beat you up, they take you to water and they say, ‘There is nothing called fasting,’” and forced detainees to drink. Others reported being forced to drink from puddles of water in the street.<sup>134</sup> Murad recounted that, while he was detained near the Blue Nile Bridge, a soldier wearing a military police uniform asked him if he was fasting and “made me drink water from the [ground], me and another group of people. As soon as we put our heads on the water, they started stepping on our faces, on the back of our heads.”<sup>135</sup>

Karim, a protester at the sit-in on June 3, described how he and others were made to drink water from a sewage pipe.

[...] Ahmed himself was detained later on June 3 and tortured by several armed men. They stripped him of his clothes and forced him to lie face down on the ground. They then began burning papers on his back and stuffing his mouth full of tobacco. Ahmed explained that one of the armed men said, “I want to take my thing,” and that this statement, combined with the sound of him taking off his clothes, made Ahmed feel “like it will go to rape.” [...]

73 Interview, Ahmed, Khartoum, September 7, 2019. On file with PHR.

[...] 132 “Weather for June 2019 in Khartoum, Sudan,” AccuWeather, [accuweather.com/en/sd/khartoum/308406/june-weather/308406?year=2019](https://accuweather.com/en/sd/khartoum/308406/june-weather/308406?year=2019).

133 Interview, Dr. Abbas, Khartoum, September 4, 2019. On file with PHR.

134 Interview, Dr. Abbas, Khartoum, September 4, 2019. On file with PHR.

135 Interview, Murad, Khartoum, August 27, 2019. On file with PHR.

❖ [Amnesty International, “They Descended On Us Like Rain”: Justice For Victims Of Protest Crackdown In Sudan, 10 March 2020](#)

[...] The economic, political and human rights crisis reached a crossroad in December 2018 when Sudanese people started protesting and calling for change; chanting “freedom, peace and justice!”. The protests spread to all 18 states in the country. To maintain its grip on political power the authorities used lethal force and other brutal tactics, in disregard of all national, regional and international human rights norms obliging them to respect, protect and fulfil human rights for all.

Amnesty International found evidence of use of unnecessary and/or excessive force, unlawful killings, suppression of freedom of association and peaceful assembly, arbitrary arrests, torture and other ill-treatment or punishment in detention since December 2018. Further, the research revealed evidence sexual violence, harassment and abuse of young women protesters.

Between December 2018 (when the Sudan protests began) and 11 April 2019 when Omar Al-Bashir was overthrown, the police and the security services arbitrarily arrested and detained at least 2,000 people. During the same period, at least 77 people were killed, and hundreds of others injured across Sudan mainly by the Sudanese security forces. These human rights violations were mainly committed by members of the National Intelligence Security Service (NISS) (since renamed the General Intelligence Service). They unlawfully killed, beat up peaceful protesters in the streets and inside their detention centers, violently dispersed them, and subjecting many of them to torture and cruel, inhumane and degrading treatment. For example, security agents repeatedly whipped detainees with plastic pipes all over their bodies. Sometimes they used electric sticks, forcefully shaved the hair of some male detainees and verbally insulted them and threatened them with rape and death. In Khartoum, the security forces frequently attacked residential areas and entered people’s homes and hospitals firing live rounds and tear gas inside.

[...] Amnesty international spoke to fifteen activists who were released without charge from detention during the period between December 2018 and April 2019. They all reported that they were subjected to torture or other ill-treatment during their arrest and detention.

Emad, a 28-year-old student was arrested near his house in Khartoum on 2 January 2019 after he participated in a protest in his area. He told Amnesty international about his ordeal, “...while I was in the street, [near my home], NISS agents wearing camouflage uniform in a pickup truck arrested me around 3:30 pm. Before I got into their pickup truck, they started to beat me with sticks. Inside the pickup, one of them kicked me with his boot and the butts of his machine guns in my head and face. I started to bleed; I told them I want something to stop the bleeding they ignored my request.”<sup>73</sup>

He further added, “They took me to a detention centre, an apartment, in Mayo area [south of Khartoum]. Inside the detention centre I found another 20 detainees, we were all beaten by the NISS agents...They started to interrogate me and asked for my name, address, and place of work or education. They told me to stand facing the wall with other detainees. At that time, I could not hold myself, and I became

unconscious and collapsed to the ground. The NISS agents gave me water and put some salt on my wound to stop the bleeding. I was wearing a *jalabiya* [a long-sleeved tunic] which was stained with blood.”<sup>74</sup>

After a few hours in the Mayo detention centre Emad was taken to NISS offices in Amarat Street in Khartoum. He was released on the same day after interrogation without charge at 8 pm. Emad’s father reported the incident to the prosecution office in Khartoum, on 3 January.<sup>75</sup> The prosecution office documented the incident under article 144 ‘intimidation’ and article 164 ‘unlawful detention,’ of Sudan’s Criminal Act (1991). At the time of the publication, no legal proceedings or action had been taken against the perpetrators.<sup>76</sup>

[...] Acts of arbitrary arrest and detention of activists also took place outside the capital city Khartoum. President al-Bashir visited Nyala, the Capital of South Darfur on 14 January.<sup>81</sup> A day before his visit NISS started to round up activists. They arrested a number of protesters.<sup>82</sup> Riad, a medical doctor was arrested on 13 January by NISS. He told Amnesty international, “I was arrested after I left the hospital around 9:45 am by three NISS agents in a civilian vehicle. After we arrived at the NISS office in Nyala I was threatened and intimidated by these agents. They asked me to sit down outside the office. I found one detainee and then they brought another one and we were three. After a while, they brought many protestors. I saw NISS agents physically beat and verbally insult them. The beating by NISS agents continued until 5 pm. However, one NISS officer made all of us [the three detainees and the protestors] hop around the NISS courtyard like a rabbit and I was also beaten at that time.”<sup>83</sup> [...]

73 Amnesty International Interviewed Emad on 29 January 2019.

74 Amnesty International Interviewed Emad on 29 January 2019.

75 Copy of the complaint received by Amnesty International 29 January 2019.

76 Amnesty International Interviewed Emad’s father interviewed on 13 March 2019.

[...] 81 Sudan Tribune, Sudan’s al-Bashir says protests will not change government, 14 January 2019, <http://www.sudantribune.com/spip.php?article66915>

82 Radio Dabanga, Darfur visit: Al Bashir defiant against change, 14 January 2019, <https://www.dabangasudan.org/en/all-news/article/darfur-visit-al-bashir-defiant-against-change>

83 Amnesty International Interviewed Riad on 5 March 2019.

## Interethnic fighting and societal violence and the government’s response to prevent or deter violent crime in 2019

### ❖ United Nations Security Council, African Union-United Nations Hybrid Operation in Darfur: Report of the Secretary-General, 10 April 2019

[...] The overall security situation in Darfur remained relatively stable, with the exception of Jebel Marra, where intermittent clashes between the Sudanese Armed Forces and the Sudan Liberation Army-Abdul Wahid (SLA-AW) faction, as well as infighting within the rebel group, continued. While there was an increase in the number of incidents of fighting between the Sudanese Armed Forces and SLA-AW elements (from 9 episodes noted in my last progress report to 18 during the present period), they were on a smaller scale and involved mostly hit-and-run operations. The trend is consistent with the encirclement of SLA-AW by the Sudanese Armed Forces in the Jebel Marra area and the increased pressure that it has applied on the insurgency, while an uptick in low-level attacks by SLA-AW may be an attempt to capitalize on the political and economic uncertainty since the start of the nationwide protest movement in December 2018. Despite a slight increase since the last reporting period, incidents of intercommunal clashes also remained low, while there was continued violence between herders and farmers, involving cattle rustling and farm destruction, mainly in North and West Darfur.

[...] 8. Four intercommunal clashes have been recorded, with 14 fatalities, mainly in the West, Central and North Darfur States, an increase from the two incidents and three fatalities reported during the previous period. In West Darfur, in the vicinity of Hijleahjah village, east of El Geneina, the killing of a member of Awlad Zaid by a member of Misseriya Jabel triggered clashes between the two groups between 15 and 17 January, reportedly causing fatalities and displacement to nearby villages and to Chad. Sudanese Armed Forces personnel were deployed to the area to calm the situation. In Arafah village, north of El Geneina, clashes broke out between the Awlad Eid and Masalit internally displaced persons on 13 March over a livestock dispute, and three Masalit internally displaced persons and two members of Awlad Eid were killed. The West Darfur State authorities increased the security presence to prevent further escalation and protect the Adramata camp for internally displaced persons.

9. With the onset of the winter farming season, incidents of farm destruction were reported, mainly in North and Central Darfur. In North Darfur, on 3 February, nomads killed three farmers in Rekhwaa village in retaliation for injuries caused to camels. Native administration leaders, with the support of the Sudanese police, arrested one nomad. On the same day, in Tamel Daheash area, a group of nomads reportedly killed three farmers when the victims tried to prevent livestock from grazing on their farmlands. In Central Darfur, an altercation between Beni Halba and Beni Hussein youth on 28 January, resulted in violence in the Korari area, leaving several people injured. The disagreement was resolved peacefully, with Beni Hussein families offering to pay for the transportation and treatment of the injured Beni Halba.

[...] Violence against civilians, and human rights violations

10. The number of crime-related incidents against internally displaced persons and other vulnerable civilians increased during the reporting period, with 58 incidents resulting in five fatalities, compared with 48 incidents and three fatalities in the previous period. Other civilians were affected by 126 crime-related incidents leading to 24 fatalities, compared with 111 incidents and 14 fatalities in the previous period. The most affected areas were the Golo-Rockero and Nertiti-Thur areas in Central Darfur and the areas south-east of Kass and East Jebel Marra localities in South Darfur, all in the greater Jebel Marra area and reflecting ongoing instability there. In camps for internally displaced persons in the Nertiti and Golo areas, Central Darfur, random night shooting and harassment of displaced persons was reported.

11. In Kalma, South Darfur, tensions have increased among groups allegedly affiliated with SLA-AW and others willing to engage with the Government, resulting in the suspension of some humanitarian activities in the camp for internally displaced persons since January 2019. UNAMID continues to engage with both groups and the authorities to reduce tensions and prevent violence. In West Darfur, on 17 January, UNAMID documented attacks against returnee villages by armed men, resulting in the displacement of at least 258 families. Six civilians were injured and others remain missing. UNAMID raised the issue with Government authorities, and the State General Prosecutor opened an investigation.

12. During the reporting period, UNAMID documented 59 new incidents of human rights violations and abuses, involving 129 victims. UNAMID verified the occurrence of 30 incidents, involving 62 victims, all of whom were female. The other 29 incidents, involving 61 victims, have yet to be verified owing to challenges regarding access to victims and the sites of incidents. A total of 23 suspects, in 9 of the reported incidents, were apprehended. Violations of the right to life accounted for 10 incidents, involving 16 victims; violations of the right to physical integrity (assault) accounted for 20 incidents, involving 43 victims; arbitrary arrests and illegal detention accounted for 11 incidents, involving 30 victims; and abductions accounted for 3 incidents, involving 8 victims. Sexual violence, including conflict-related sexual violence, accounted for 15 incidents and 26 victims, including seven minors, a decrease from the 31 incidents reported in the previous period. Of the 59 documented cases, 26 incidents, involving 50 victims, were allegedly perpetrated by Government security forces. Three members of SLA-AW were the alleged perpetrators in two incidents.

[...] 27. In Central Darfur, protection issues included killings, abductions, sexual and gender-based violence, including conflict-related sexual violence, robbery, assaults and harassment, in particular in the areas of Golo, Nertiti and Zalingei. A total of 16 incidents involving some 100 civilians were recorded. They included the rape of six women in the Fura area, near the Thur settlement for internally displaced persons, on 5 January; the killing of an internally displaced man by two suspected Sudanese Armed Forces soldiers in the North camp, Nertiti, on 22 January; the alleged abduction of four people from the Martajalo Wadi areas by armed nomads, on 17 and 25 January; the kidnapping of five civilians from Daya village, reportedly by SLA-AW elements, on 12 January; an attack on some villagers in the Jartanga area, near Guldo, by suspected Rapid Support Forces elements, on 14 January, resulting in serious injuries to five people; the shooting and injury of a woman by a suspected SLA-AW element around Guldo, on 6 January; the assault and robbery of a group of internally displaced women, reportedly by armed nomads in Nertiti, on 6 January; a physical assault on internally displaced persons perpetrated by some nomads in the Gurney, Taringa, Osajai and Dingaguray areas, western and central Jebel Marra and Zalingei, on 19 and 23 January; and an assault on a group of women allegedly by armed nomads who prevented them from farming in the Kolo Fugo area, on 25 January, and in the Tango area, on 26 January. The Sudanese police has been notified of the case of the two Sudanese Armed Forces soldiers in Nertiti, while the Sudanese Armed Forces and the Sudanese police have engaged with community leaders to seek accountability in the Jartanga attack. Local authorities in Guldo held a meeting with community leaders and resolved the conflict in the Kolo Fugo and Tango areas.

[...] 41. While the national dynamics in the Sudan remain in a state of flux, the trajectory in Darfur remains relatively unchanged, with the Sudanese military and police personnel maintaining security in urban areas, local authorities managing intercommunal tensions and internally displaced persons gradually returning, except for several hotspots in the greater Jebel Marra area. [...]

❖ [United Nations Security Council, Special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the strategic assessment of the African Union-United Nations Hybrid Operation in Darfur, 30 May 2019](#)

[...] Overall, the impact of the recent political developments on the security situation in Darfur has been moderate, despite a peak in violence in several camps for internally displaced persons and fractures within State security forces in the immediate aftermath of the events of 11 April. In general, the security situation remained relatively stable, with little disruption in the trends observed since 2016. Overall, Darfur has evolved into a post-conflict setting characterized by fragile public institutions, facing challenges owing to criminality, a protracted humanitarian crisis and lack of development. Important conflict drivers related to access to land and resources, climate change and environmental degradation and violations of human rights must be addressed further.

[...] However, the conflict drivers, in particular access to land and other natural resources, are not being addressed in a systemic way, affecting internally displaced persons returning to their areas of origin and the relations between pastoralist and farming communities.

19. Several intercommunal conflicts persist. In North Darfur, the dispute between the Northern Rezeigat herders and returnee farmers, mostly Tunjur and Fur, over access to farmlands continued in Kutum, Shangil Tobaya, Tawilla, Kabkabiya and Saraf Umra. In South Darfur, tensions between the Masalit and the Fallata over land tenure and competition for natural resources in Graidia remain unresolved, despite the signing of a peace agreement in July 2018. Similar tensions exist between the Salamat and the Fallata in Buram. In East Darfur, while the land-based conflict between the Southern Rezeigat and the Ma'aliyya in Abu Karinka and Adilla remains unresolved, progress was made with the signing of a Declaration for Peaceful Coexistence on 29 November 2018. In West Darfur, mediation efforts by the native administration and UNAMID have facilitated the resolution of several cases of land disputes between herders and farmers. In Central Darfur, animal theft perpetrated by SLA/AW against the Northern Rezeigat aggravated tensions between the latter and the Fur community, which is perceived to support the rebel group.

[...] C. Conflict drivers

1. Access to land and resources

20. Land tenure and the management of natural resources have remained constant sources of conflict, in particular in rural areas of Darfur, where tensions continue between a mixture of customary, statutory and religious legal systems of ownership, which are further complicated by situations of displacement. Communities that have been driven from their lands find it difficult to formally prove customary ownership of those areas and are consequently unable to receive compensation. Several practical solutions have emerged at the Darfur state level, where local governments have decided to transform some of the internally displaced persons settlements into urban dwellings.

[...] 2. Climate change and environmental degradation

21. Environmental degradation is among the main drivers of conflict in the Sudan, in particular in Darfur. Scientific evidence shows that the desert spread southwards by approximately 100 km over the past four decades, while the overgrazing of fragile soils accelerated as the livestock population increased fivefold. Furthermore, research indicates an ongoing long-term drying trend, with a decrease in annual median rainfall of 15 to 30 per cent, across the Sahel to the Sudan, similar to the 1970–1990 dry period, which led to drought and desertification and the famine of 1984–85, and which preceded the conflict in Darfur. Chad and the Sudan are among the countries predicted to face significant food supply gaps if the trend continues. Researchers forecast that a new dry period will result in more people losing their livelihoods and migrating to cities or across borders, which, alongside the fragile state of local governance and of traditional conflict resolution and mediation systems, could contribute to a relapse into conflict. [...]

❖ [International Peace Institute, Prioritization and Sequencing of Security Council Mandates: The Case of UNAMID, June 2019](#)

[...] Pockets of violence continue to flare up in Jebel Marra, where clashes between the Sudan Armed Forces and the Sudan Liberation Army– Abdul Wahid (SLA-AW) continue. Several opposition parties and armed groups are waiting to see what happens during the political transition.

[...] Political discord has intersected with other conflict drivers in Darfur to aggravate tensions, including between protesters and other civilians. A violent confrontation between rival youth groups in the Kalma internal displacement camp on April 13th, which resulted in sixteen deaths, allegedly broke out over tensions between supporters of the Bashir regime and those of the SLA-AW armed group. Demonstrations across the country have similarly taken on intercommunal dimensions, including in Saraf Umrah, North Darfur. [...]

❖ [UNHCR, Sudan Emergency Flash Update, Issue No. 2, 12 June 2019](#)

[...] Khartoum

UNHCR has confirmed that at least 320 South Sudanese families have relocated to Bantiu ‘open area’, following the 5-6 June attacks in Omdurman. UNHCR has also received rape reports from survivors. UNHCR is following up to ensure survivors have access to support services.

There is risk of more attacks on South Sudanese refugees in Khartoum. Refugees in other ‘open areas’ in Omdurman and Bahri have reported that host communities are accusing them of being responsible for the increased criminality in Khartoum and have demanded that refugees leave their settlements. On 10 June, the media reported that three South Sudanese refugees were killed and seven injured in an attack by armed men in Kalakla area. Survivors report that the attackers demanded money from the refugees and told them to leave Sudan. The South Sudanese ambassador to Sudan made a statement that the attackers were arrested and survivors were being treated in hospital. UNHCR is verifying the report and will continue to monitor the situation.

UNHCR has received reports from other refugee communities on six refugees killed and two missing. UNHCR is verifying the information and contacting families to assess the situation. Community outreach campaigns are also being conducted through refugee leaders and Community Outreach Volunteers (COVs) to support refugees’ security awareness in Khartoum.

White Nile

Approximately 200 South Sudanese refugees who survived the 5-6 June attacks in Omdurman, Khartoum have moved to Um Sangour camp. UNHCR and the Commission for Refugees (COR) will register them and ensure they have access to non-food items (NFI) and food assistance.

There has been an increase in robberies in State refugee camps targeting basic services equipment. A water pump and 40 solar lights were stolen from Khor Al Waral. A water pump valve was stolen at the water treatment plant in Alagaya camp, resulting in temporary interruption of water supply to refugees and host communities. A water pump was also stolen from Dabat Bosin camp. Spare pumps have been provided and water service has been restored. The incidents are likely linked to the decline in government services due to the ongoing political situation, opportunistic theft during Eid celebrations when security vigilance decreases.

A refugee man was shot dead on 12 June in Khor Al Waral camp. UNHCR and COR teams are visiting the camp to get more information and the investigation is ongoing.

[...] East Sudan

Following inter-tribal clashes in Girba on 5-6 June, a mediation committee has been formed with tribal leaders in Kassala State to address the conflict. The situation remains tense in Girba camp and in town. A curfew has been implemented in the camp and town.

[...] East Darfur

On 4 June, four people were killed and many more injured in armed clashes over a land inter-tribal dispute outside of El Daein town. This was followed by violent attacks and burning of houses, displacing 900 families from six villages (approximately 4,000 people). Government-led mediation efforts between the tribes is ongoing with the objective of returning displaced persons to villages of origin as soon as possible.

[...] West Darfur

The security situation in State IDP camps is relatively calm. However, IDPs continue to report being denied access to farms and livelihoods activities by armed groups and are increasingly being targeted for thefts and armed robberies, despite recent security measures adopted by local police and IDP community leaders in the camps. This comes amidst rising inter-tribal tensions and violence over farmland disputes in the State.

Reports also indicate that a group of IDP youth were beaten by armed groups in a camp market, with police ordering the closure of the market at night for public security.

North Darfur

IDPs continue to report blocked access to their farms near IDP camps, and increased attacks on IDPs outside the camp. Reports also indicate attacks on farmers by armed groups in Kutum and Kebkabiya localities. [...]

❖ [United Nations - African Union Hybrid Operation In Darfur \(UNAMID\), UNAMID Dispatches Assessment Mission To Deleij, Central Darfur Following Communal Clashes, 13 June 2019](#)

[...] Following recent reports of fatalities and injuries in Deleij village, Central Darfur, the African Union – United Nations Hybrid Operation in Darfur (UNAMID) on 11 June, dispatched an integrated assessment mission to the area to verify these reports.

The mission met with the affected persons and local authorities who confirmed that 17 people had been killed, 15 others injured with more than 100 houses burnt. This occurred during heated clashes between nomads and residents apparently angered by the increase in commodity prices at the local market. [...]

❖ [Radio Dabanga, 67 North Darfur farmers dodge heavy gunfire, 22 August 2019](#)

[...] A group of at least 67 North Darfur farmers came under heavy fire from unidentified gunmen in the area of Abu Deleik in Kalimendo, North Darfur, on Tuesday. Surprisingly, no injuries were reported.

One of the farmers told Radio Dabanga that about 67 people left Zamzam camp for the displaced near the North Darfur capital El Fasher to go to Abu Deleik to cultivate their land on Tuesday.

“Policemen prevented us from cultivating our land and asked us to return to where we came from, but we refused. The chief executive of Kalimendo locality came to us and told us that we should return, based on higher instructions. Half an hour after he left, we were attacked by a group of gunmen. They shot at us from all directions. Fortunately, no one was hurt.”

He said the farmers sent a delegation to El Fasher on Wednesday morning to inform the authorities of the incident and ask for protection when they cultivate their land.

Central Darfur

In Central Darfur, 22-year-old farmer Badreldin Arbab was killed and Amer Abdallah was wounded in an attack by herdsmen on displaced farmers, another farmer who witnessed the attack told Radio Dabanga. They were attacked while returning from farming in Turmo to Turr camp for the displaced in Central Darfur on Tuesday. The two victims were taken to Nierteti Hospital, where Arbab died on Wednesday morning. The attackers also stole their mobile telephones. [...]

❖ [Radio Dabanga, Three dead, seven injured in South Darfur herder shooting, 19 September 2019](#)

[...] A child and two other people have been killed, and seven others – including two policemen – have been wounded, and six people have gone missing in an attack by herders near Gireida, South Darfur, on Tuesday.

A relative of the victims told Radio Dabanga that the incident occurred when herders began grazing their camels on farms near the village of Eidan, west of Gireida.

When the angry farmers then decided to take the camels to the police to report the incident and claim compensation, the herders shot at them. Abdallah Daoud, Zeinab Omar, and her son Mohamed Osman were killed instantly. Osman Ismail, Ahmed Abakar, El Sharif Mohamed, Jamal Yahya, Ahmed Ali, Ammar El Fangari, and Hussein El Shafi were injured.

Yesterday, the people of Gireida staged a massive demonstration, condemning the incident and calling for retribution.

The protestors gathered at the Freedom Square in the town and decided to remain there until the perpetrators have been arrested and brought to justice. They also demanded the authorities to provide more effective law enforcement in the area.

The head of the security committee of Gireida locality, Lt Col Montasir, has pledged to persecute the perpetrators. [...]

❖ [United Nations Security Council, Special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the African Union-United Nations Hybrid Operation in Darfur, 15 October 2019](#)

[...] Partly because of the shift of attention of the authorities to security in Khartoum and gaps in the effective functioning of institutions in Darfur states, incidents of criminality increased, in particular in camps for internally displaced persons, and the number of farm destructions and unlawful occupation of land in various parts of Darfur was higher in comparison with the same period last year.

[...] 10. With the onset of the rainy season, and with it the farming season, increased incidents of land occupation and tensions between farmers and pastoralists have been recorded in various parts of Darfur, with pastoralists adopting a more aggressive posture during the current farming season. In the Nertiti area of Central Darfur, disputes between internally displaced farmers, mostly Fur, and the Nawaiba/Northern Rizeigat pastoralists continued over access to farmlands and the harassment of women. In Shangil Tobaya, North Darfur, similar incidents occurred between Northern Rizeigat pastoralists and internally displaced farmers, mainly Fur and Tunjur, while in Kabkabiyah, North Darfur, there were reports of reoccupation of farmlands by pastoralists at the start of the farming season. Overall, the number of armed attacks by pastoralists against farmers and the related fatalities increased in 2019, North Darfur recorded 73 incidents with six victims, compared with 64 incidents with seven victims in 2018, and Central Darfur reported 71 attacks and 27 fatalities, compared with 70 incidents with 21 fatalities during the entire year in 2018.

11. Although conflicts over land use between farming and pastoralist communities recur during the farming season (May–October), the security vacuum and gaps in the effective functioning of civilian authority in the Darfur region, since the beginning of the national protests, have contributed to an increase of land-related incidents. During the current farming season, UNAMID has recorded 52 land-related incidents with 33 fatalities, compared with 40 incidents with 13 fatalities during the same period of the previous year. This figure covers part of the 2019 farming season and includes limited information from West, East and South Darfur states, where UNAMID closed its operations.

[...] On 6 June, intercommunal fighting in East Darfur, between the Tama and Rizeigat tribes, resulted in the displacement of some 1,300 people from the Hijilij village east of Ed Daein. On 9 June, in Central Darfur, about 900 people in Dulayq village, Wadi Salih locality, were displaced and 13 people were killed as a result of inter-tribal conflict. In addition, an estimated 2,300 people, mostly women and children, were displaced from various villages (Hillat Ahmed, Krakola, Aro, Faradolow, Targay and Omu) in North Jebel Marra to Sabanga as a result of fighting during the reporting period between security forces and SLA-AW in the area.

[...] While armed conflict between Government forces and armed opposition movements has subsided, some of the major grievances underlying the Darfur crisis, including intercommunal conflicts, remain fundamentally unaddressed. Moreover, the recent political crisis in the Sudan has contributed to fuel tensions between internally displaced persons and nomad communities, partly prompted by the political vacuum and weakened governance and rule of law institutions. Consequently, violent clashes and retaliatory attacks have occurred in farmlands and camps for internally displaced persons, in particular in Central, South and North Darfur states. [...]

❖ [United Nations Security Council, The situation in Abyei: Report of the Secretary-General, 15 October 2019](#)

[...] Conflict dynamics and security situation

8. The general security situation in Abyei during the reporting period remained fragile, with continued low-scale intercommunal tensions, an increase in criminality and the sporadic presence of armed elements in the Area, including the Safe Demilitarized Border Zone, as reported in my letter of 20 September 2019 (S/2019/768). Widespread poverty, unemployment, insecurity in areas neighbouring the Abyei Area and the absence of functioning governance and rule of law institutions have contributed to a potentially volatile situation. A total of 18 incidents of armed violence were reported, resulting in 10 fatalities, all men, including a UNISFA peacekeeper, with 3 deaths linked to animal rustling and 7 as a result of armed attacks. During this period, 11 cases of shooting, 3 cases of homicide, 468 cases of theft, 210 cases of aggravated assault, 2 murders, 2 cases of rape and 13 cases of animal rustling were reported, resulting in the loss of 1,537 livestock. A total of 18 weapons and 258 rounds of ammunition were also confiscated by UNISFA. However, the security measures put in place by the mission resulted in the largely peaceful reverse migration of the Misseriya through Abyei from May to September 2019.

9. While UNISFA strives to maintain Abyei as a weapon-free area, it is surrounded by armed groups from the Sudan and South Sudan, which are drawn to Abyei by the dearth of administrative structures and local law enforcement mechanisms, as well as by the economic activity in the area, in particular at the Amiet

common market. The groups enter Abyei, including through corridors located on the eastern and western edges of Abyei, where UNISFA is not deployed.

10. As a result of the insecurity, some 21 persons, all Dinka, were kidnapped by unknown armed men during the reporting period, including 4 women on 28 May in Sector Centre, and 9 children and 8 men. Two men were found dead. The perpetrators are believed to be Misseriya and Nuer. Meanwhile, 38 cattle belonging to the Misseriya rustled from the Amiet common market on 16 July 2019 were recovered in Chak Chak, South Sudan, on 20 July, and handed back to their owners. On 17 August 2019, Misseriya and Nuer cattle traders on their way to Sector South to buy cattle reported that they were attacked by unknown men, resulting in the killing of 12 cattle traders, with another dying on 19 August 2019 as a result of gunshot injuries. The survivors stated that the attackers were members of the Sudan People's Liberation Army from South Sudan. However, investigations by UNISFA revealed that the killing occurred outside the Abyei Area, in Mayom, South Sudan.

11. No act of intercommunal violence was recorded during the reporting period. However, one intracommunal fight occurred within the Nuer community at the Amiet common market on 21 June, resulting in three injuries. On 8 September 2019, the Nuer community requested UNISFA to recognize the community as one of those living at the market, and for the mission to include the community in and consult it on vital events and issues affecting the market. While it is difficult to measure with precision the number of Nuer in the market area, it is steadily growing.

12. On 28 June 2019, unknown armed men fired on a UNISFA patrol at Gung Garang, Sector Centre, but no casualties were sustained. In a subsequent attack on 16 July 2019 at the Amiet common market, an armed group, suspected to have come from South Sudan to rustle cattle in the Abyei Area, killed six civilians, including a baby, in an attack. While retreating, the assailants opened fire at a UNISFA observation post, killing one peacekeeper and injuring another. On 19 August 2019, UNISFA troops patrolling at the Dari market, Sector North, were attacked by local youths, who forcefully tried to hijack their vehicle, communication equipment and guns as they were attempting to apprehend a suspect, who managed to escape from the scene. One peacekeeper was injured and a Misseriya man was killed during the ensuing exchange of fire.

13. Despite the incidents mentioned above, insecurity in Abyei has remained generally contained, owing mainly to swift response mechanisms put in place by UNISFA forces. Regular patrols continued to ensure security and protection of civilians in the Area. To avoid future attacks such as the one on 16 July 2019, UNISFA has developed a plan to establish checkpoints on the main road from Agok in the south to Farouk in the north and, where feasible, on lateral routes, with a view to conducting search-and-seize operations to further enforce the weapon-free status of the area and to providing an additional layer of protection for civilians against armed elements. However, owing to troop reduction and delays in increasing the deployment of police personnel, the Force has been unable to deploy to the eastern and western parts of the Abyei Area, while continuing to engage its available resources in securing the areas along the Agok-Diffra corridor. In line with the Agreement of 20 June 2011, UNISFA has also sought to reactivate the Joint Military Observation Committee and joint military observer team concept, which had become defunct after the killing of the Ngok Dinka chief in 2013. The objective is to enable the mission to undertake some joint monitoring and verification missions with national monitors of both the Sudan and South Sudan. [...]

❖ [UN News, Ongoing insecurity in Darfur, despite 'remarkable developments' in Sudan: UN peacekeeping chief, 17 October 2019](#)

[...] Fresh from a visit to the country, the Under-Secretary-General said that the effects of talks between armed groups and the Sudanese government have yet to be witnessed on the ground, and that with the shift of attention by the authorities towards security challenges in the capital, Khartoum, incidents of criminality in Darfur have increased.

Camps for internally displaced persons (IDPs) have been particularly affected, and there has been an increase in the number of farms destroyed, and land occupied during the period of military rule that followed the overthrow of former dictator, Omar al Bashir.

In addition, armed clashes between rebel forces of the Sudan Liberation Army and Government troops, have continued in the Jebel Marra district in West Darfur. [...]

❖ [OCHA, Sudan: Situation Report, 21 November 2019](#)

[...] Inter-tribal conflict

Since October, there have been a marked rise in security incidents—usually between farmers and pastoralists—reported in the Abyei Area. Such incidents usually occur during the dry season, when seasonal migration takes place. This year, the seasonal migration started a bit late due to the heavy rains and flooding in the southern part of Abyei. More incidents, with casualties, are expected in the coming months. UNISFA and humanitarian partners on the ground are monitoring the situation. [...]

❖ [UNICEF, Sudan Humanitarian Situation Report – 2019, December 2019](#)

[...] On 28 December 2019, violence erupted between communities in and around El Geneina, West Darfur. At least 54 people were reportedly killed including 11 children, 60 injured and an estimated 48,000 were displaced from their homes. Displaced communities gathered at 32 points throughout El Geneina city, mostly in schools and governmental buildings. Humanitarian agencies undertook initial assessments and delivered non-food items (NFIs), food, health, nutrition and WASH services in the gathering places. Cases of sexual and gender-based violence (SGBV) were reported. Security forces from Khartoum were deployed to El Geneina and a delegation from the federal government was present for one week to ensure the situation remains stable. [...]

❖ [OCHA, Humanitarian Needs Overview: Sudan, January 2020](#)

[...] Pockets of armed conflict continue in Darfur, and sporadic inter-communal conflicts also continue.

[...] While new displacement due to fighting remains low, some locations have seen an increase in 2019. Intercommunal tensions escalated in some areas in Darfur, Abyei, and Eastern Sudan, causing some smaller scale displacements. Overall, an estimated 12,690 people were newly displaced this year, mainly due to conflict in areas of Jebel Marra (Central and South Darfur), as well as climactic shocks.

[...] Targeted attacks: Consultations held within IDP camps in Um Dukhun (Central Darfur) in 2019 revealed that over 90 per cent of the IDPs wished to return to their homes, and that security was their main barrier to doing so. In many parts of Darfur, armed men continued to harass IDP farmers, preventing them from accessing their land during the planting season. There continued to be reports of extortion, violence, sexual abuse and abduction. These attacks have been particularly acute in West Darfur. In Ardamata IDP camp in West Darfur, armed groups reportedly threatened and denied farmers access to their land; and Masalit farmers around El Geneina (West Darfur) reportedly fled their farms for the city following threats from militias. In a single incident, 18 people were attacked as they went to cultivate their land in Harakoni and Diwait, in West Darfur. Overall, some 20 incidents were reported from 1 June to 20 July 2019 alone. This insecurity limits the possibility of sustainable return, and thus of durable solutions to the protracted displacement situation.

[...] In 2019, inter-communal conflict was one of the principal drivers of protection needs. Areas in Darfur saw an increase in tensions caused by land occupation and conflict between farmers and herders during the harvest season, which further exacerbated the protection environment.<sup>52</sup> This was mainly in the Kutum, Kebkabiya and Tawilla areas in North Darfur. Such localized armed violence takes place most frequently between sedentary-farming and nomadic-pastoral communities, as well as between nomadic communities, over access to, use of, and management of resources, particularly land for farming and grazing and water sources. Ethnic tensions also remained high in some areas in South Kordofan due to the conflict and political polarization, and in eastern Sudan where a tribal conflict between Nuba and Beni Amir tribes erupted Port Sudan.

[...] In Darfur, in addition to new displacements in and around Jebel Mara, there has been an increase in inter-communal and political tensions. These tensions are building in a context of weak rule of law, a security vacuum following to the redeployment of RSF [Rapid Support Forces] forces, the drawdown of UNAMID, and a continued proliferation of weapons in spite of disarmament campaigns. Heavily armed militias are increasingly harassing farmers, including IDPs and returnees, preventing them from accessing their land during the planting season. This includes reports of extortion, violence, sexual abuse and abduction. This is likely to impact sustainable returns, leaving displaced persons in protracted situations for longer. Tensions within IDP populations are also growing, resulting in bursts of violence in IDP camps between groups with opposing political views and affiliations.

[...] Disputes over land between nomads and farmers remain a concern. Community protection risks also remain high, with reports of increasing inter-communal tension in some areas in light of political polarization. [...]

52 African Union-United Nations Hybrid Operation in Darfur Report of the Secretary-General, 12 October 2018

❖ [UN News, Sudan: Intercommunal clashes displace tens of thousands in volatile Darfur region, 7 January 2020](#)

[...] “Violence between communities in and around El Geneina, the capital of West Darfur, had reportedly killed at least 54 people, injured 60 and displaced 40,000, since 28 December”, OCHA Spokesperson Jens Laerke told reporters in Geneva, adding that humanitarian partners were working to verify the displacement figures.

There have also been reports of attacks on camps for internally displaced people, and homes being burned. Humanitarian partners are closely monitoring the situation and gathering information on needs to respond as soon as the security situation allows. [...]

[Continuation of legal protection granted to NISS officials from criminal or civil suits for acts committed in their official capacity in 2019](#)

❖ [African Centre for Justice and Peace Studies, Torture in Sudan: Justice and Prevention, Priorities for change following the end of al-Bashir regime, 25 April 2019](#)

[...] The NISS and Sudanese Military Intelligence are the primary institutions responsible for torture and ill-treatment cases in detention. Security agents have been vested with wide-ranging immunities, and have carried out a range of human rights violations with impunity. Sudan’s National Security Act 2010 provides a legal foundation giving the NISS extensive powers to arrest, arbitrarily detain, and interrogates perceived political opponents and those with perceived links to rebel groups, in order to silence opposition. Torture is commonly practised by police and prison staff to extract confessions or to extort money. Police in particular are implicated in the enforcement of public order laws, and numerous reports of ill-treatment, torture and sexual violence of female prisoners in police stations exist. Members of the army and paramilitary forces have also been extensively implicated in torture in the course of military campaigns in Southern Sudan, Kordofan, the Blue Nile region and Darfur. [...]

❖ [Radio Dabanga – Sudan, Sudan court prepares murder charges against Al Bashir and NISS chief Gosh, 22 September 2019](#)

[...] The Public Prosecutor in Omdurman has issued an arrest warrant for former National Intelligence and Security Service (NISS) chief Salah Abdallah, aka Salah Gosh, on charges of first degree murder.

The prosecution is preparing charges against ousted president Omar Al Bashir and the former chief of the National Intelligence and Security Service (NISS) under Article 130 of Sudanese criminal law. Al Bashir, who is currently being detained in Kober Prison, is already on trial on corruption charges.

Wajdi Salih, a spokesman for Forces of Freedom and Change (FFC) told El Tayyar newspaper that “we will hold officials of the former regime accountable, including Gosh”.

“The case they have brought against Salah Gosh and the ousted president is about the unlawful killing of Salah Abdelwahab,” Salih said.

In May, NISS security agents charged with guarding the house of Gosh confronted a police force headed by a Brigadier under the supervision of the Public Prosecution, who were attempting to execute a warrant to arrest Gosh on charges of suspicious illegal ownership of wealth, and to search his home.

According to the statement, the NISS agents justified the refusal saying that “instructions were not issued”. They then directed a vehicle mounted with a Dushka machinegun towards the vehicle of prosecutors, and threatened to shoot at them.

Sudan’s ruling Transitional Military Council (TMC) referred 98 senior officers of the National Intelligence and Security Service (NISS), including Salah Gosh, to retirement in June.

[...] In end July, the TMC decided to reform Sudan’s infamous security apparatus, to adjust its competences, and to change its name to the General Intelligence Service (GIS).

The Sudan News Agency (SUNA) reported on July 29 that TMC chairman Abdelfattah El Burhan issued a constitutional decree to amend several articles of the National National Security Act of 2010, in order to restructure the NISS. The new intelligence service is reportedly no longer authorised to detain people or carry out search operations.

“The amendment stipulated in the constitutional decree comes within the framework of restructuring the security apparatus, to cope with the political change in the country,” Director of the GIS, Gen Abubakir Dambalab, said. [...]

❖ [Radio Dabanga – Sudan, Sudan’s Attorney General to lift immunity of former NISS members, 24 October 2019](#)

[...] Attorney General Tajelsir El Hibir has taken measures to lift the immunity of members of Sudan’s now defunct National Intelligence and Security Services (NISS), allowing them to face charges from the Public Prosecution.

In a meeting today with Abubakir Dambalab, Director General of the reformed security apparatus – now called General Intelligence Service (GIS)\* – El Hibir discussed a number of issues related to the work of the Public Prosecution, particularly the lifting of the immunities of the members of the now defunct NISS.

The Attorney General announced the formation of several committees to investigate cases related to victims of the September 2013 and December 2018 demonstrations, and to hire lawyers with expertise and competence in criminal work.

In a statement after the meeting, El Hibir described the steps taken by the Public Prosecution to proceed with justice and accountability cases related to the victims of the September 2013 and December 2018 demonstrations.

Travel ban for Al Bashir regime leaders

The GIS, in cooperation with the Public Prosecutor of Khartoum North, has banned a number of leaders of the deposed Al Bashir regime from traveling outside the country.

The GIS issued a new list last week banning the travel of erstwhile leaders including former Interior Minister and Khartoum Governor Abdelrahim Hussein, former Oil Minister Awad El Jaz, former FA Minister El Haj Atta El Manan, and brothers of the ousted president.

The Prosecutor requested that the Lists and Control Department of the Interior Ministry also ban members of the National Islamic Front who were behind the 1989 military coup, led by Al Bashir: Ali Osman Taha, Ali El Hajj, Ibrahim El Sanousi, Feisal Abusaleh, Feisal Madani, Salaheldin Karrar, Suleiman Mohamed, Ibrahim Nayil, and Awad El Jaz, from travel.

The Ministry of Interior instructed the authorities concerned to ban the men from traveling outside the country, to investigate them in cases of corruption and other offences related to the 1989 coup.

Darfur Bar Association

The Darfur Bar Association (DBA) is calling on people affected by violations of the former regime in Darfur or elsewhere in the country, to lodge criminal complaints and open restricted reports.

A meeting between a delegation from the DBA with Attorney General El Hibir, also discussed the possibility of handing over the ousted President Omar Al-Bashir to the International Criminal Court (ICC).

The DBA said in a statement this week that they told El Hibir that they consider the statements by Prime Minister Abdallah Hamdok that any attempt by his government to extradite the ousted Bashir to the ICC will not be successful, express a special perspective, and do not take into account public sentiment, especially for those affected.

The DBA called on the civil and legal forces affected by human rights violations, to cooperate with the Attorney General to achieve and consolidate justice. The lawyers call on those affected by abuses of the former regime in Darfur and other places to initiate criminal proceedings and open-up restricted complaints. [...]

❖ [African Centre For Justice and Peace Studies \(ACJPS\) and REDRESS, A Way Forward? Anti-Torture Reforms in Sudan in the Post-Bashir Era, December 2019](#)

[...] Following the violence, the Sudanese public carried out mass civil disobedience campaigns with calls to investigate and punish those responsible.<sup>16</sup>

The Constitutional Declaration, for its part, mandates the formation of a:

national, independent investigation committee, with African support if necessary, as assessed by the national committee, to conduct a transparent, meticulous investigation of violations committed on 3 June 2019, and events and incidents where violations of the rights and dignity of civilian and military citizens were committed.<sup>17</sup>

The Constitutional Declaration also provides that the Investigation Committee is formed within one month from the date when the appointment of the Prime Minister is approved.<sup>18</sup> The seven-member Investigation Committee was announced on 24 September 2019, and includes a representative from the Ministry of Defence, which oversees all armed forces including the RSF [Rapid Support Forces], and a Supreme Court Judge. Human Rights Watch has raised concerns that the Committee will not conduct an independent, credible and impartial inquiry.<sup>19</sup> Human Rights Watch also criticized the investigation foreseen in the Constitutional Declaration noting it does not seem adequate to lead to eventual criminal

prosecution, and the failure to request involvement of the United Nations Office of the High Commissioner for Human Rights (OHCHR) and Human Rights Council (HRC).<sup>20</sup>

Sixteen Civil Society Organisations, including REDRESS, have called upon the HRC to support the establishment of an independent commission to investigate all human rights violations and abuses, including sexual and gender-based violence, committed in the context of peaceful protests since December 2018 (including the June Massacre).<sup>21</sup> No concrete action was taken by the Human Rights Council in its 42nd session in September 2019 beyond the adoption without a vote a report of the Independent Expert (IE) on the situation of human rights in Sudan. In the report, the IE expressed his concerns about the independence and impartiality of the national fact-finding mechanism.

[...] Like acts governing the NISS [National Intelligence and Security Service] and the police, Article 42 (1) of the Armed Forces Act of 2007 provides immunities for military officers, preventing investigation without the approval of the Commander in Chief,<sup>40</sup> further fortifying a culture of impunity within the authorities.

[...] Sudan's system of immunities (analysed in Section V below) effectively bars accountability for torture – by preventing victims from obtaining justice and reparations in the course of criminal proceedings and/or from filing an independent civil legal claim against the individual official concerned.

Accordingly, prosecutions for torture are extremely rare.

[...] Under the 2019 Constitutional Declaration, immunity is provided from criminal procedures against “any members of the Sovereignty Council, Cabinet, Transitional Legislative Council or governors of provinces/heads of regions without receiving permission to lift immunity from the Legislative Council.”<sup>184</sup>

This confers immunity on Mohamed Hamdan Dagalo, or “Hemeti,” who is the head of the Rapid Support Forces (RSF) and General Burhan's deputy. By all accounts, the RSF has led most of the attacks on protesters since April 2019. Immunity can be waived by a simple majority of members of the Legislative Council.<sup>185</sup>

In Sudan's domestic legislation, under Article 35(c) of the Criminal Procedure Act, no criminal suit can be initiated against any person enjoying procedural or substantive immunity, save in accordance with the provisions of such law as may provide therefore.<sup>186</sup>

Immunities are provided for police officers under the Police Forces Act 2008; for the military under the Armed Forces Act 2007 and for the National Security Services under the NSA 2010. [...]

1 George Mukundi Wachira and Abiola R Ayinla, ‘Twenty Years of Elusive Enforcement of the Recommendations of the African Commission on Human and Peoples’ Rights: A Possible Remedy’ <<https://repository.up.ac.za/handle/2263/3123>> accessed 7 October 2019.

[...]16 Agence France-Presse, ‘Sudan Protesters Begin Civil Disobedience Campaign against Military Rulers’ The Telegraph (9 June 2019) <<https://www.telegraph.co.uk/news/2019/06/09/sudan-protesters-begin-civil-disobedience-campaign-against-military/>> accessed 11 October 2019.

17 Constitutional Declaration 2019 (n 10), Article 7(16).

18 *ibid.*

19 Human Rights Watch | 350 Fifth, 34th Floor | New York and NY 10118-3299 USA | t 1.212.290.4700, ‘Sudan's New Investigation Committee Raises Concerns’ Human Rights Watch (24 September 2019) <<https://www.hrw.org/news/2019/09/24/sudan-new-investigation-committee-raises-concerns>> accessed 8 October 2019.

20 Human Rights Watch, ‘Sudan: Prioritize Justice, Accountability’ (2019) <<https://www.hrw.org/news/2019/08/23/sudan-prioritize-justice-accountability>> accessed 8 October 2019.

21 ACJPS, ‘Sudan: Ensuring a Credible Response by the UN Human Rights Council at Its 42nd Session – African Centre for Justice and Peace Studies’ <<http://www.acjps.org/sudan-ensuring-a-credible-response-by-the-un-human-rights-council-at-its-42nd-session/>> accessed 11 October 2019.

[...] 40 The Armed Forces Act 2007, Article 42 <http://www.pclrs.com/downloads/bills/Institutional%20Law/Armed%20Forces%20Act%202007.pdf>

[...] 184 Constitutional Declaration (n 10), Article 21(1).

185 *ibid* Article 21(b).

186 Criminal Procedure Act 1991, Article 35.

## ❖ [Radio Dabanga – Sudan, Sudan: 29 security officers sentenced to death, 31 December 2019](#)

[...] A Sudanese court has sentenced 29 officers of the National Intelligence and Security Service (NISS) to death for the torture and killing of a teacher during the revolution.

On Monday, the Omdurman Criminal Court sentenced 29 officers of the NISS to death by hanging for the killing of teacher Ahmed El Kheir in Kassala in early February.

The trial began at 10 am on Monday under strict security measures. Judge El Sadig Abdelrahman stated that it was proven that teacher Ahmed El Kheir died in Khashm El Girba in Kassala on February 2 after he

was tortured in detention. He was held by security agents after he took part in an anti-government protest on January 31.

The 29 perpetrators were convicted under article 21 (criminal participation) and article 130 (intentional homicide) of the Sudanese Criminal Law. Two other officers were sentenced to imprisonment for a period of three years. Seven others were acquitted.

[...] The defence lawyer Adil Abdelghani told reporters after the announcement of the verdict that he considers the case “a milestone in the history of the Sudanese judiciary system. The verdict represents a turning point in the judicial or security institutions that had been covering up crimes of the NISS officers,” he said.

He explained that it was the first case in which members of the security apparatus have been tried for a murder case. It is also the first case in which such a large number of perpetrators have been sentenced. [...]

❖ [Human Rights Watch, Sudan: Progress on Rights, Justice, Key to Transition, 20 February 2020](#)

[...] The attorney-general’s office has set up various new committees to investigate past crimes, including the killings of protesters between December 2018 and al-Bashir’s ousting on April 11, abuses by the former government since 1989, corruption-related crimes, and crimes in Darfur. Investigations are ongoing, but legal immunities – which still exist under a patchwork of laws – remain an obstacle to prosecution, officials told Human Rights Watch.

In December, the authorities announced convictions and death sentences for 29 security personnel in the case of a teacher tortured to death in Kassala in February 2019. The prosecutions of security officers in a regular court, the first case of its kind, is a step toward accountability for a heinous crime, but the prosecutions should not be limited to low-ranking officers. Human Rights Watch opposes the death penalty under all circumstances because of its inherent cruelty. [...]

❖ [Physicians For Human Rights, “Chaos and Fire”: An Analysis of Sudan’s June 3, 2019 Khartoum Massacre, 5 March 2020](#)

[...] On August 17, 2019, Sudan established a transitional civil-military government and adopted a new constitution containing explicit commitments to promote human rights and access to justice. Article 7(16) of the Constitutional Declaration created a commission tasked with conducting a “transparent, meticulous investigation” of the violations that were committed on June 3, 2019 but did not provide a clear accountability mechanism. In addition, the Constitutional Declaration did not abrogate or otherwise modify laws that prevent access to justice for survivors and families of the dead, instead incorporating existing laws governing security forces that provide immunity for acts committed in the line of duty.<sup>17</sup> PHR welcomes official reports that victims and family members of the dead will be provided access to justice through the legal system,<sup>18</sup> yet it remains concerned with the well-documented flaws in Sudanese criminal and immunity- from-prosecution laws that remain unchanged by the adoption of the new constitution.<sup>19</sup> The leader of the RSF [Rapid Support Forces], General Mohamed “Hemedti” Hamdan Dagalo, serves as the vice president of the governing Sovereign Council. Advocates in Sudan may therefore find it difficult to prosecute cases against members of the armed forces, including the RSF, at the highest levels of command responsibility.<sup>20</sup>

[...] PHR urges all Sudanese organizations – as well as international organizations and governments with an interest in promoting peace and democracy by rejecting impunity in Sudan – to support the pursuit of justice and accountability for the abuses of June 3, 2019 through impartial and independent investigations. [...] PHR supports its Sudanese colleagues in rejecting impunity and pursuing justice and accountability for victims, survivors, and their families in every forum available, including, where necessary, in international courts as provided for in Article 67(g) of the new constitution.

[...] At the time of writing, the political situation in Sudan is dynamic, yet much opportunity for progress exists. On August 17, 2019, Sudan established a transitional civil-military government and adopted a new constitution containing explicit commitments to promote human rights and access to justice. Unfortunately, the new constitution did not abrogate or otherwise modify laws that currently deny justice for survivors of violations carried out by security forces, and families of those killed by them. Instead, it preserves existing laws, in particular those that provide immunity for acts committed by security forces in the line of duty.<sup>22</sup> The future of Sudan’s new democracy in large part depends on how the transitional government fulfills the promise of the constitution for which so many protesters have suffered and died.

[...] Immunity from prosecution for acts committed in the course of their work is provided for police officers under 45(1) of the Police Forces Act (2008);<sup>179</sup> for the military under Article 42(2) of the Armed Forces Act (2007);<sup>180</sup> and for the National Security Services under Article 52 of the National Security Act (NSA) (2010).<sup>181</sup> While the NSA provides limited safeguards, it does not guarantee the right to legal representation or medical care; nor does it provide for habeas corpus. These laws provide conditional immunity that can be lifted only by the head of the branch to which the alleged criminal belongs, a process that is unregulated, with no published criteria for when prosecution should be authorized. In theory, Article 37 of the Constitutional Declaration governing military courts states, “Crimes against civilians or relating to the rights of civilians over which the regular courts of the judiciary are competent” are not to be “excepted” from military tribunals. In practice, very few cases proceed in civil or military courts, with many cases reportedly stalled at the authorization-to-lift- immunity phase.<sup>182</sup> [...]

17 Sudan Transitional Military Council, “Draft Constitutional Charter,” Art. 36. Note that no clear changes to the existing immunity provisions have occurred to date.

18 “Sudan A.G.: ‘Perpetrators of human rights violations will be held to account,’” Radio النائب العام السوداني يؤكد استمرار التحقيقات في Dabanga, October 31, 2019, [tinyurl.com/rbz9f4q](http://tinyurl.com/rbz9f4q) The Sudanese Attorney General confirms continued investigations into “(بلاغات شهداء الثورة) the reports of the martyrs of the revolution,” Al Bawab News, December 8, 2019, [albawabnews.com/3826577](http://albawabnews.com/3826577); See also “Sudanese Public Prosecutor announces the (رفع الحصانة) lifting of immunity for those accused of killing protesters .Al-Alam News Network, December 8, 2019, [tinyurl.com/w7c5gsa](http://tinyurl.com/w7c5gsa) Note that Attorney General Taj Alsir Al Hibr stated publicly that investigations are still ongoing, and only the public prosecutor or a competent court may request that the cases be withdrawn.

19 For detailed analysis of Sudanese immunity laws and suggested reforms in light of the political developments of 2019, see African Centre for Justice and Peace Studies and REDRESS, A Way Forward? Anti-torture reforms in Sudan in the post-Bashir era, December 2019, [redress.org/wp-content/uploads/2019/12/REDRESS\\_Sudan-Report\\_final.pdf](http://redress.org/wp-content/uploads/2019/12/REDRESS_Sudan-Report_final.pdf). See also African Centre for Justice and Peace Studies (ACJPS), International Federation for Human Rights (FIDH), and International Refugee Rights Initiative (IRRI), “Submission to the Universal Periodic Review of Sudan 2016,” September 2015, [fidh.org/IMG/pdf/20150922\\_pj\\_joint\\_submission\\_upr\\_sudan\\_2016.pdf](http://fidh.org/IMG/pdf/20150922_pj_joint_submission_upr_sudan_2016.pdf).

[...] 22 Sudan Transitional Military Council, “Draft Constitutional Charter,” Ch. 11: Uniformed Agencies.

[...] 179 Republic of Sudan, Police Forces Act, 2008, Article 45.

180 Republic of Sudan, Armed Forces Act, 2007, Article 42.

181 Republic of Sudan, National Security Act, Sudan, 2010, p. 29.

182 ACJPS and REDRESS, note 84.

## ❖ [Amnesty International, “They Descended On Us Like Rain”: Justice For Victims Of Protest Crackdown In Sudan, 10 March 2020](#)

[...] Further challenges in the criminal justice system relate to immunity provisions that protect security agents. Staff at the Attorney General’s office conceded that all provisions that grant immunities must be amended.<sup>156</sup> However, repealing these provisions could take a long time due to the entrenched culture of impunity within the security forces in Sudan. The government must expedite the process of repealing these laws. The current Sudanese laws that govern the armed forces, the police and the NISS [National Intelligence and Security Service] all contain provisions conferring immunity on perpetrators of human rights violations.<sup>157</sup> The National Security Act 2010,<sup>158</sup> the Police Act, and the Armed Forces Act all include immunities for acts committed “in good faith” and “in the course of duty.” Immunities can only be waived by the relevant governing bodies of the Ministry of Interior, Defence or the Director of the NISS.<sup>159</sup> [...]

156 Amnesty International meeting with two Attorney General staff on 23 October 2019.

157 REDRESS: Human Rights Concerns and Barriers to Justice in Sudan: national, regional and international perspectives, a compilation of Sudan Law Reform Advocacy Briefings, February 2014, <http://www.redress.org/downloads/country-reports/140228HumanRightsConcernFINAL.pdf>.

158 Article 52, National Security Act, 2010, <http://tinyurl.com/jb6xunq>.

159 Article 52(1) states any act committed by the NISS while pursuing their duties with “good intentions” should not be considered a crime. The Police Act, 2008 also includes immunities. Article 45(1) states actions of a police officer do not constitute crimes if they take place while he is performing his duties or as a result of official orders. Article 45(2) further prevents initiation of criminal proceedings against a member of the police, if the Police Legal Affairs Unit decides the crime was committed in the course of official duties, he should not be tried, save for special permission being issued by the Minister of Interior or his delegate.

The Rapid Support Force (RSF) continued to play a significant role in government campaigns against rebel movements and was implicated in the majority of reports of human rights violations against the civilians in 2019

- ❖ [United Nations Security Council, Special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the strategic assessment of the African Union-United Nations Hybrid Operation in Darfur, 30 May 2019](#)

[...] 3. Human rights and protection

22. Human rights violations and abuses continue to occur across Darfur, with a significant increase in the number of documented cases, including killings, assault, abduction and conflict-related sexual violence, in the Jebel Marra area during the reporting period. Internally displaced persons, especially women and children, are the most vulnerable to attacks, mainly perpetrated by government and affiliated forces, including the Rapid Support Forces. There is insufficient action to address violations and abuses, in a context where State authorities are absent in several localities and judicial institutions are weak. As a result, internally displaced persons and local populations have expressed a lack of trust in law enforcement bodies.

[...] Members of the security forces, including the Rapid Support Forces and the Sudanese Armed Forces, were identified as perpetrators in over 30 per cent of sexual violence cases. Impunity remains a serious concern. [...]

- ❖ [Amnesty International, Sudan: Remove Rapid Support Forces from Khartoum streets immediately, 6 June 2019](#)

[...] Since 3 June, media outlets have widely reported attacks on protestors with live ammunition, teargas, whips and sticks by the RSF [Rapid Support Forces] paramilitary officers across Sudan. [...]

- ❖ [Vice News, Sudan's Revolution Is Being Burned to the Ground by the Military, 7 June 2019](#)

[...] The violence has put the spotlight on the Rapid Support Forces, a feared militia whose leader is the second in command of the junta and which is implicated in atrocities including murder and rape in Darfur and elsewhere. Men in police uniforms also participated in the assault, but most protestors told VICE News that these men were also part of the RSF [Rapid Support Forces].

"They were all teenagers," said Merdat Khadir, who was receiving care for his wounds at a nearby hospital. "The way they were beating people and attacking people was not the way the police attack people. They were so violent. Their uniforms were new, very fresh. Their accents were from Darfur. They couldn't understand when we were speaking. They were looking at us like we weren't human."

Led by Lt Gen Mohamed Hamdan Dagalo, the RSF is widely seen as the greatest threat to Sudan's pro-democracy movement. With military strength rivaling Sudan's regular army and a reputation for brutality, the RSF is now in de facto control of the capital. And with the backing of deep-pocketed regional heavyweights Saudi Arabia and the United Arab Emirates, it's unlikely to relinquish power anytime soon. The junta has stood behind its actions, praising the militia for the operation, and vowing to crush any more "insurgents." [...]

- ❖ [OCHA, Sudan: Civil Unrest, Flash Update No. 2, 8 June 2019](#)

[...] Refugees have reported that members of the Rapid Support Force (RSF) are intimidating civilians and taking mobile phones and money from people who they stop on the street. [...]

- ❖ [The Guardian, Sudanese doctors say dozens of people raped during sit-in attack, 11 June 2019](#)

[...] Doctors believe paramilitaries carried out more than 70 rapes during an attack on a protest camp in Khartoum, the capital of Sudan, a week ago.

More than 100 people were killed and as many as 700 injured in the attack last Monday on a sit-in and clashes afterwards, as paramilitaries from the Rapid Support Forces spread through the city to quell sporadic unrest.

Harrowing details of rapes by the RSF [Rapid Support Forces] have emerged in recent days despite restrictions on communications in Sudan, but the extent of the sexual violence has remained unknown.

One doctor with access to data compiled by the central committee of doctors, a pro-reform group, said hospitals in Khartoum had recorded more than 70 cases of rape in the attack and its immediate aftermath.

A doctor at the Royal Care hospital said it had treated eight victims of rape – five women and three men. At a second hospital in the south of Khartoum, a medical source said it had received two rape cases, including one who was attacked by four RSF paramilitaries. Several witnesses have also described similar cases on social media.

Many victims have not sought medical treatment, either because of fear of reprisals, insecurity in the city, or because care has been limited. Human rights activists and experts have described the reports of sexual violence as reliable. [...]

❖ [Amnesty International, Sudan: Fresh evidence of government-sponsored crimes in Darfur shows drawdown of peacekeepers premature and reckless, 11 June 2019](#)

[...] Amnesty International has disturbing new evidence, including satellite imagery, showing that Sudanese government forces, including the Rapid Support Forces (RSF) and allied militias, have continued to commit war crimes and other serious human rights violations in Darfur. In the past year these have included the complete or partial destruction of at least 45 villages, unlawful killings, and sexual violence.

Tens of thousands of civilians currently protected by United Nations (UN)/African Union (AU) peacekeepers (UNAMID) in Jebel Marra, Darfur, must not be placed at the mercy of the RSF, a ruthless Sudanese security force that has committed crimes against humanity and war crimes, the organization warned ahead of a crucial vote on the mission's future on 27 June.

If the UN Security Council and the AU Peace and Security Council authorize UNAMID's closure, it would effectively give the RSF control over civilian areas. Formed from the former "Janjaweed" militia, the RSF are responsible for crimes against humanity in Darfur's Jebel Marra region as well as the ongoing bloody crackdown on protesters in Khartoum since 3 June.

"In Darfur, as in Khartoum, we've witnessed the Rapid Support Forces' despicable brutality against Sudanese civilians – the only difference being, in Darfur they have committed atrocities with impunity for years. Sudan's Transitional Military Council (TMC) must immediately withdraw the RSF from any policing and law enforcement operations, especially in Khartoum and Darfur, and confine them to their barracks in the interests of public safety," said Kumi Naidoo, Secretary General of Amnesty International.

[...] The closed UNAMID bases were supposed to be handed over to the government to use for civilian purposes but are, in fact, nearly all being used by the RSF. This same Sudanese government security force carried out crimes against humanity in North and South Darfur in 2014, in Jebel Marra in 2015 and 2016, continues to carry out war crimes and other serious human rights violations in Jebel Marra, and was chiefly responsible for killing scores of protesters in the Sudanese capital of Khartoum since 3 June 2019. Moreover, Sudan's current governing body – the TMC – has demanded that the remaining UNAMID bases be handed over directly to the RSF.

"Given the RSF's history of brutality in Jebel Marra, North Darfur, South Darfur, Southern Kordofan, and Blue Nile, and the shocking violence the very same forces have been meting out against protesters in Khartoum in recent days, it is bewildering that the UN and AU would even consider removing the last peacekeepers from Darfur, effectively handing over control of civilian areas in Jebel Marra to them at this time," said Jonathan Loeb, Senior Crisis Adviser at Amnesty International.

[...] The case against closing UNAMID has been made even stronger by events in Khartoum on 3 June, when the RSF swept into protest sites and opened fire on unarmed people, killing more than 100 and injuring many more. Senior commanders in charge of the TMC – which includes the RSF – are the same individuals responsible for carrying out atrocities in Darfur. [...]

❖ [ACLED \(Armed Conflict Location & Event Data Project\), The Rapid Support Forces and the Escalation of Violence in Sudan, 2 July 2019](#)

[...] On June 3, 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 on the RSF to respond to the largely peaceful protests presents a serious threat to civilians in Sudan. The RSF's history of brutality and impunity in Darfur, as well as current reports of infighting between the RSF and other members of the security sector, suggests that the increase in the group's activities will drive instability in Sudan.

[...] Though the RSF is a part of the Sudanese security sector, it has demonstrated a different pattern of violence than the Sudanese police and military. More than half of the events in which the RSF have been

involved since the protest wave began are instances of violence against civilians. This is compared to 25% of events involving the military (not including events in which the RSF and the military act in joint operations, which are included in the tally for the RSF's activities) and fewer than 10% of events involving the police. Early June's activity is an example of this difference in lethal tactics. Of the less than 10 recorded instances of the RSF using excessive force against protestors, many are associated with in total 120 reported fatalities. In comparison, in the nearly 50 instances in which the police and military have used excessive force against protesters, 40 fatalities, or fewer than 1 per event, are reported. Notably, the RSF also stands accused of a number of instances of sexual violence; during the June 3 crackdown in Khartoum: at least 70 rapes associated with the RSF are reported.

[...] Hemedti has refused to take responsibility for the RSF's activities, attributing the violence to "imposter troops among the Rapid Support Forces" ([CityNews, June 20, 2019](#)). Yet, the RSF's violence against civilians in Khartoum echoes the force's history in Darfur, where the militia is accused of sexual violence, extralegal killing, and other war crimes ([Amnesty International, June 11 2019](#)).

[...] Another distressing sign for Sudan's political trajectory are reports that the RSF is engaging in violence against members of the Sudanese military who show solidarity or sympathy for the demonstrators ([DW, June 9, 2019](#)). AfricaConfidential reported that "a security source in Khartoum," relayed that "when some soldiers heard of the RSF and NISS [National Intelligence and Security Service] plans to attack civilians at the sit-in, they were told to stay in the barracks and that no arms would be issued to them" ([AfricaConfidential, June 14, 2019](#)). Such directives, after previous weeks in which some members of the armed forces displayed solidarity with demonstrators, alludes to the divisions within the TMC [Transitional Military Council]. There have been reports of "arrests, detentions or banishments of dissident junior officers" recently ([AfricaConfidential, June 14, 2019](#)). Fragmentation within the Sudanese security sector could escalate into civil conflict.

Thus, the activities of the RSF present a two-fold threat to a post-Bashir Sudan. Firstly, the RSF's violence against civilians imperils the likelihood of continued peaceful protests and suggests that the calls for a civilian-led government will go unheeded. Secondly, the RSF's targeting of Sudanese military members could trigger a bloody process of influence-jockeying. [...]

❖ [United Nations General Assembly, Human Rights Council, Situation of human rights in the Sudan: Report of the Independent Expert on the situation of human rights in the Sudan, 26 July 2019](#)

[...] 18. The events in Khartoum and across the country had a particular effect in Darfur, where the use of force by security forces on protesters reportedly left as many as 47 civilians killed and 186 injured between 11 April and 12 June. In one of the most significant incidents, community members of Deleij village in Central Darfur reported that armed men, who they alleged were affiliated with the Rapid Support Forces, carried out an attack on their village on 9 and 10 June that resulted in the deaths of at least 15 people and significant destruction of homes, shops and other private property.

[...] 21. Leaders of the Transitional Military Council and the Forces for Freedom and Change engaged in talks in Khartoum through April and May, while thousands of people continued daily sit-ins in the city. By early June, as talks produced minimal results and tensions mounted, security forces led by the Rapid Support Forces acted on 3 June to disperse the sit-in in front of the army headquarters, reportedly using excessive force that resulted in numerous civilian deaths and injuries. Security operations against protesters continued in the days after.

[...] 22. Sudanese authorities reported that the death toll had reached 70 in the two weeks from 3 June, while the Central Committee of Sudanese Doctors said that at least 115 civilians had been killed.

[...] 24. On 30 June, massive protests were reported across cities in the Sudan, including Khartoum, Omdurman, Kassala, Al-Gedaref, Madani, Port Sudan, Atbarah, El Fasher, Nyala, Zalingie and Kosti, in response to the calls from the Sudanese Professionals Association for a civilian-led transitional authority. Excessive use of force by the security forces was reported as leading to the killing of at least 7 civilians, including a medical professional, and to the injury of more than 180 people. Reports also suggested that members of the Rapid Support Forces and other security forces had raided three hospitals, including the military hospital in Omdurman, the public hospital in Al-Gedaref and Al-Tabib hospital in Khartoum.

[...] 37. According to information received by the Independent Expert, on 2 May, two people were allegedly killed and five others injured as a result of the use of live ammunition by the Rapid Support Forces to disperse young people protesting against their presence in Masteri town in East Darfur.

[...] 39. Reports indicated that on 13 May, in Khartoum, security forces, allegedly wearing the uniforms and using the vehicles of the Rapid Support Forces, used live ammunition on protesters, killing six people, including an army officer. Two days later, members of the Rapid Support Forces reportedly fired live ammunition at protesters in an attempt to prevent the removal of roadblocks around the army headquarters. Reports indicated that at least 6 people had been killed and about 100 injured.

[...] 41. Sources reported to the Independent Expert that in June, tensions had escalated in Deleij village in Central Darfur between members of the local community and Arab members of the Rapid Support Forces based in the region. According to reports received, armed men allegedly from Arab tribes, possibly including members of the Rapid Support Forces, launched attacks against civilians in Deleij and surrounding villages on 9 and 10 June, resulting in at least 15 civilians killed and 15 injured. Sources also reported that dozens of homes and shops had been destroyed in Deleij and hundreds of heads of livestock had been reportedly looted.

42. On 30 June, excessive use of force by the Rapid Support Forces and security forces against protesters was reported in many of the country's cities. According to media reports,<sup>12</sup> the undersecretary for the Ministry of Health said on the evening of 30 June that 7 people had been killed and 181 wounded during the protests that day. He further said that 27 of those people had suffered gunshot wounds and that the remaining injuries had been caused by protesters. He stated that 10 members of the regular forces had been injured during the protests, including 3 members of the Rapid Support Forces who had been injured by gunshots, and that the other 7 members of the regular forces had been injured by stones thrown by protesters. The Central Committee of Sudanese Doctors reported that seven protesters had allegedly been killed in Omdurman and Atbara by live bullets fired by the Rapid Support Forces and other security forces. Three bodies of activists from Omdurman were reportedly found in Khor Abu Anga in Omdurman on the morning of 1 July, with visible signs of torture. Reports also indicated that the public hospital in Al-Gedaref city had been raided by joint Rapid Support Forces and security and police forces, who had chased protesters into the hospital and fired tear gas and live bullets inside the hospital, leading to the injury of at least one protester. Similarly, sources confirmed that joint forces from the Rapid Support Forces and the police chased protesters into the military hospital in Omdurman, firing tear gas and live bullets, and that, as a result, a medical staff member had been shot dead inside the hospital. This alleged killing in Omdurman is included in the number of seven killed in total, as reported by the Central Committee of Sudanese Doctors. Al-Tabib hospital in Khartoum was also raided, allegedly by joint Rapid Support Forces and police forces.

[...] 76. The Independent Expert received allegations of dozens of instances of rape, gang rape and other forms of sexual violence against women and men that reportedly took place during the joint security operations led by the Rapid Support Forces in Khartoum on 3 June and the following days. A women's union in Khartoum issued a statement on 24 June alleging that some 5,000 female vendors had been subjected to sexual violence and other abuses by members of the Rapid Support Forces, security forces and the military, and reported that five women who had disappeared after the 3 June violence remained missing. Human rights groups reported that women had allegedly been raped inside a clinic attached to the University of Khartoum, where they had run for safety from the security officers. It is possible that a number of other cases of rape and other forms of sexual violence went unreported, as many survivors likely did not seek medical treatment because of fear of reprisals, general insecurity in the city or limited options for medical and other assistance.

[...] Many of the protests in Darfur in the first half of 2019 were violently repressed by State security forces, including by members of the Rapid Support Forces. According to information received by the Independent Expert, at least 47 civilians were killed and 186 others were injured in various regions of Darfur between 11 April and 12 June. [...]

12 See, for example, [www.swissinfo.ch/eng/tens-of-thousands-demand-civilian-rule-in-sudan--at-least-seven-killed/45066904](http://www.swissinfo.ch/eng/tens-of-thousands-demand-civilian-rule-in-sudan--at-least-seven-killed/45066904).

❖ [Darfur Network For Monitoring and Documentation, Human rights violations against farmers and civilians by armed militias in the Darfur region, 21 November 2019](#)

[...] On 31 October 2019 at 11:00am, a displaced man and his daughter were killed on their farm by four armed shepherds riding camels and wearing military uniforms. The perpetrators are said to be associated with the RSF [Rapid Support Forces] in Um Ajajah Kasi Gabal locality, east of Um Jalbak which is 7 km from Tawila locality near to north Darfur El fasher .

[...] Following the incident, on 14 October 2019, the Public Prosecutors requested that the El Fasher State Government issue a warrant for the arrest of the perpetrators and the removal of the Rapid support force. The government has failed to respond to the request or conduct any meaningful investigations to arrest the perpetrators.

Several sources have said that the western and northern areas of El Fasher state in North Darfur have experienced repeated violations by armed militias against farmers, and civilians face threats of death, rape and violence, especially during the agricultural harvest season.

Other incidents were documented including on 29 October 2019, when Sheikh Ibrahim Abu Bakr Abdul, aged 57, was killed after suffering gunshot wounds in his chest, and his brother Eddy Abu Bakr Abdul Khadar, aged 40, was injured on his farm. The victims were reportedly attacked by the RSF. Shiekh Ibrahim was one of the leaders at the Grand Mosque in Shaddad IDP camp in the Shanqal Tawbay area near El Fasher, North Darfur.

[...] On 20 October 2019, armed militias, supported with weapons and vehicles by the RSF, attacked and displaced communities in three villages – Kiwi, Haddad, and Umm Jaddul in Gereida locality in South Darfur who had returned from the IDP camps to farm. The militia forced them to flee back to the IDP camps, preventing them from harvesting their agricultural crops.

According to a confidential source from Gereida locality, armed militias, including members of the RSF on the back of four-wheel drive vehicles, raided the villages, beating people and looting the markets and homes of civilians. Civilians were ordered at gunpoint to leave the villages immediately. This forced hundreds of families to Umm Kerfa, creating a difficult and complicated humanitarian situation in the area. After forcing the inhabitants of those areas to flee, the armed militias released their livestock on the farms of those fleeing intentionally destroying their agricultural crops.

The source explained that in August 2019, the RSF carried out a campaign of arrests targeting four activists in the area of Gereida locality, and it is likely that the detainees were taken them to the city of Nyala south Darfur.

For years, the RSF have harassed the civilians in villages and towns of Gereida in South Darfur, and have committed multiple crimes against the IDPs, including killing, rape, looting, and forced displacement. Armed pastoralists have targeted IDPs by releasing their livestock on the farms to disrupt their agricultural crops. The South Darfur State Government has not respond to civilians' request to investigate attacks of armed militias. And In July 2019, a written civil application was delivered to them. [...]

❖ [Global Witness, Exposing the RSF's Secret Financial Network: The money behind Sudan's most powerful militia, 9 December 2019](#)

[...] A militia named the Rapid Support Forces (RSF) is the most powerful paramilitary force in Sudan. At the head of the RSF – and vice chair of the Sovereignty Council – stands a man named Mohammed 'Hemedti' Hamdan Daglo.

Hemedti first rose to prominence in 2003 as one of the leaders of the Janjaweed, a paramilitary force deployed in Darfur which killed scores of civilians.

More recently, numerous witnesses accuse Hemedti's RSF and Sudanese police of massacring pro-democracy demonstrators at a sit-in in Khartoum on June 3rd, 2019, with human rights groups reporting over 100 people killed. These killings fit a pattern of human rights abuses committed by the RSF and their predecessors, the Janjaweed, in Sudan's western region of Darfur (see more below). Hemedti has denied the RSF was involved.

Now, an apparently genuine cache of leaked documents obtained by Global Witness show the financial networks behind Hemedti and the RSF. Not only have they captured a large part of the country's gold industry through a linked company, but the leaked bank data and corporate documents show their use of front companies and banks based in Sudan and the UAE.

[...] A leaked RSF spreadsheet also published by Al Bashoum reveals how they bought a fleet of almost one thousand Toyota pick-up trucks – easily converted into highly mobile 'technicals' with mounted machine guns – which have been used by the militia to suppress popular uprisings around the country for over a decade.

Video footage taken a few hours before the 3rd June massacre show large numbers of police and RSF militiamen arriving in Toyota Land Cruiser and Hilux vehicles. While we cannot be certain that the vehicles uncovered in this new evidence were the same ones used by the RSF and police on 3rd June, Global Witness has found dozens of videos on social media of similar vehicles – including from earlier shipments

– being used to suppress demonstrations, beat and arrest protestors and to indiscriminately shoot in civilian areas.

This briefing provides a rare glimpse into the finances of the RSF, an organisation whose military power and financial independence poses a threat to a peaceful democratic transition in Sudan.

[...] Exposing the workings of the RSF's financial network is a crucial step towards combatting their economic power. If Sudan is to pursue a peaceful democratic transition, it is crucial to ensure civilian oversight of the military spending, and to give the Sudanese people greater control of their own natural resources — that at the moment are dominated by RSF and other security forces within Sudan.

Hemedti sits at the apex of a 'paramilitary-industrial complex'. He controls both a large powerful military force, and an independent source of wealth. Unless he is removed from this dual position, and all military forces are brought under civilian strategic and financial control, he is an obstacle to the transition to civilian and democratic government that many in Sudan yearn for. [...]

## Impunity remained a serious problem throughout the security forces in 2019

### ❖ [African Centre for Justice and Peace Studies, Torture in Sudan: Justice and Prevention, Priorities for change following the end of al-Bashir regime, 25 April 2019](#)

[...] There has been almost complete impunity for torture, including acts of rape and sexual violence, in Sudan. A series of interrelated factors contribute to this impunity: lack of a criminal offence of torture that is in line with international standards; immunities for officials; brief statutes of limitations; lack of victim and witness protection; and the absence of a system aimed at holding officials accountable for wrongdoing, i.e. by means of prompt, impartial and effective investigations and prosecutions. The granting of immunity has been the most visible means of shielding alleged perpetrators from accountability. It reflects a system dominated by the executive at the expense of effective oversight, be it judicial or otherwise. [...]

### ❖ [UN News, Restrictions, unmet promises, unbridled violence in Sudan, a 'recipe for disaster', says Bachelet, 3 July 2019](#)

[...] "The RSF [Rapid Support Forces] were alleged to have been heavily implicated in the mass violations in early June," said Ms. Bachelet. "The fact that no serious action has been taken to investigate what happened then, and further in the past, simply feeds the belief that members of the RSF and other security forces have carte blanche to do what they want to protestors and other people".

The UN rights chief noted that earlier calls for investigations into the killings, attacks on medical facilities and thousands of reported rapes and sexual assaults that took place since 3 June had gone unheeded and that her 7 June offer to deploy a UN human rights monitoring team to examine allegations of human rights violations had gone unanswered.

"This is a completely unacceptable situation and the Transitional Military Council has an obligation to ensure that members of the security forces are held accountable for any crimes they commit", she underscored.

She acknowledged the TMC's [Transitional Military Council] 27 June offer to release prisoners of war as a welcome gesture but regretted that the 30 June handover deadline had not been met.

"This recipe of restrictions, unmet promises, and bouts of unbridled violence which are neither investigated nor punished is stoking massive resentment – as Sunday's protests showed all too clearly," Ms. Bachelet said. "If things continue like this, it will be a recipe for disaster."

The UN human rights chief said the authorities must issue clear instructions to all security forces not to use force against peaceful protestors, noting that firearms are prohibited, unless there is imminent risk of life or serious injury. [...]

### ❖ [United Nations General Assembly, Human Rights Council, Situation of human rights in the Sudan: Report of the Independent Expert on the situation of human rights in the Sudan, 26 July 2019](#)

[...] 12. On 1 January, following a wave of protests and allegations of related human rights violations, President al-Bashir established a national fact-finding committee chaired by the Minister of Justice, and the office of the chief prosecutor set up another investigation committee. On 17 January, the High Commissioner stressed the readiness of OHCHR to deploy a team to advise the authorities and help

ensure they act in accordance with the country's international human rights obligations. No response has been received.<sup>5</sup>

[...] . By early June, as talks produced minimal results and tensions mounted, security forces led by the Rapid Support Forces acted on 3 June to disperse the sit-in in front of the army headquarters, reportedly using excessive force that resulted in numerous civilian deaths and injuries. Security operations against protesters continued in the days after.

[...] 22. Sudanese authorities reported that the death toll had reached 70 in the two weeks from 3 June, while the Central Committee of Sudanese Doctors said that at least 115 civilians had been killed. A national investigation committee was established and chaired by a representative of the Attorney General.

[...] On 24 June, the United Nations High Commissioner for Human Rights informed the Human Rights Council that she had not received a response from the Government to her request for access to investigate allegations of human rights violations committed since 3 June.

[...] 47. The Independent Expert received reports of the deaths of at least six people inside the detention facilities of the National Intelligence and Security Services between December and February. This included two cases in Southern Kordofan, two cases in Khartoum, one case in Al-Gedaref, and one case in Kassala. The case in Kassala, according to credible reports, concerned a schoolteacher named Ahmed al-Khair, who allegedly died under torture in the detention facilities of the National Intelligence and Security Services in the town of Khashm al-Qirbah on 2 February. He was reportedly arrested a few days prior for participation in protests. The National Intelligence and Security Services issued a statement denying responsibility for the death. The state Attorney General in the city of Kassala, under the direct supervision of the investigative panel established by the country's Attorney General, initiated an investigation into the case and reported the outcomes in a press conference on 7 February, concluding that the victim had been subjected to severe torture that had resulted in his death. The National Intelligence and Security Services was requested to make the security officers who were involved in this incident available to the prosecution, but did not do so.

[...] Across Darfur, civilians continued to be subjected to killing, assault, abduction, conflict-related sexual violence and arbitrary arrest and detention. Human rights violations and abuses also persisted in localities with no active military operations, including in areas from which UNAMID withdrew in July 2018. Weak local mechanisms to hold perpetrators of abuses accountable and a generalized state of impunity further eroded the security situation and protection of human rights.

[...] 81. In response to the violations reported in December during the nationwide protests in the Sudan, a national fact-finding committee was established by President al-Bashir on 1 January and chaired by the Minister of Justice. The committee was tasked to conduct investigations on the allegations of human rights violations committed during the protests since 19 December. As far as the Independent Expert has been made aware, its findings were not made public. Human rights organizations raised concerns in relation to the independence and impartiality of the national fact-finding committee and in January called for international accountability mechanism to be set up by the Human Rights Council. Another investigation committee was set up by the office of the Attorney General in January and part of its findings were shared with the Independent Expert on 29 January.

82. The national commission for human rights also established a fact-finding committee, according to a statement dated 11 January, with the tasks to receive and verify allegations of human rights violations. As far as the Independent Expert is aware, at least as of the end of June, the findings of this committee had not been published either.

83. The Transitional Military Council and the Forces for Freedom and Change announced on 14 May the establishment of a joint investigation committee on the alleged assaults on protesters on 13 May but no further information about those efforts have been reported.

84. Following the events of 3 June in Khartoum, the Transitional Military Council announced the establishment of another national investigation committee. However, the Attorney General was reportedly removed by the Transitional Military Council on 20 June. The findings of this committee on the 3 June events were not disclosed to the public by the end of June. Human rights groups raised concerns about the independence and impartiality of this national investigation committee and called for an international fact-finding mission. The United Nations High Commissioner for Human Rights reported to the Human Rights Council on 24 June that on 6 June she had requested to rapidly deploy a monitoring team to examine allegations of human rights violations committed since 3 June, but had received no response from the Government.

85. On 16 June, former President al-Bashir appeared at the prosecutor's office in Khartoum on charges of corruption and money laundering. The country's former leader was advised that he had one week to raise objections to the charges with the Attorney General. Furthermore, a group of Sudanese lawyers allegedly initiated legal proceedings against the former President on charges of orchestrating the military coup that brought him to power in 1989. No information was received on investigations initiated against the former leaders of the National Congress Party regarding crimes committed against peaceful protesters in the past year. [...]

5 See [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24080&LangID=E](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24080&LangID=E).

❖ [Human Rights Watch, Sudan: Prioritize Justice, Accountability, 23 August 2019](#)

[...] Sudan's new transitional government should take concrete steps to ensure accountability for past rights abuses, including the attacks on protesters since the ouster of former president Omar al-Bashir in April 2019, Human Rights Watch said today.

The new leaders, sworn in on August 21, should set clear benchmarks for progress on justice and a range of other reforms to be undertaken during the three-year transition period. International organizations including the United Nations, African Union (AU), the European Union and other states should monitor implementation of the agreement, as well as progress on key human rights reforms.

"As Sudan's leaders embark on long-overdue critical reforms, they should ensure justice to fulfill the promise for a transition to a state based on human rights and rule of law," said Jehanne Henry, associate Africa director at Human Rights Watch. "To ensure progress, they should set goals and benchmarks, including for accountability for serious abuses, just as the protesters demanded."

[...] The constitutional charter, signed August 4, among other things, calls for a raft of major institutional and legal reforms. They are designed to end repression and gender discrimination; secure accountability for crimes since 1989 under al-Bashir's rule; and establish an investigation into the attacks on protesters on June 3, which killed over 100 people according to independent doctors' groups.

But the charter does not contain benchmarks or consequences for failure to make any specific reforms or to ensure justice and accountability, Human Rights Watch said. It does not provide that the investigation into attacks on June 3 should be capable of leading to criminal prosecutions of those most responsible. It provides immunity for sovereign council members, including Mohamed Hamdan Dagalo, or "Hemeti," who is the head of the Rapid Support Forces (RSF) and Burhan's deputy. By all accounts heard by Human Rights Watch researchers, the RSF has led most of the attacks on protesters since April, including on June 3.

In July, the attorney general announced findings of an investigation into the June 3 attack, claiming that 87 people had died, and finding that "rogue" RSF soldiers were responsible. Burhan denied ordering the crackdown, while Hemeti announced arrests of some suspects. However, Sudanese activists and protesters rejected the findings and have continued to call for accountability for the killings. The RSF has a well-documented record of abuses committed in Darfur, Southern Kordofan, and Blue Nile.

Incoming leaders should ensure that the new investigation committee has the authority to thoroughly investigate the crimes, with the capacity to preserve evidence, and that it is mandated to produce a public report that identifies those most responsible for the crimes and recommends ways to hold them accountable. They should request external involvement from all appropriate international bodies, including the United Nations Office of the High Commissioner for Human Rights and Human Rights Council.

[...] Since April, the TMC [Transitional Military Council] has insisted on trying al-Bashir domestically instead of handing him over to the International Criminal Court (ICC) to face charges of genocide, crimes against humanity, and war crimes.

The domestic trial, which began on August 19, on charges of corruption and money laundering, has no bearing on those crimes and the widespread human rights violations for which he has been charged. These national proceedings should not overshadow the pressing need for accountability for gross human rights violations and atrocity crimes in Darfur and elsewhere.

Sudan's new leadership can demonstrate a commitment to respect for the rule of law and human rights by ensuring that al-Bashir is surrendered to the ICC, Human Rights Watch said. Sudanese authorities have an obligation to surrender al-Bashir to the ICC, which they can only overturn if they make a successful legal challenge to the ICC that would remove its jurisdiction on the basis that there are credible domestic proceedings for the same alleged underlying crimes. [...]

❖ [Human Rights Watch, Sudan's New Investigation Committee Raises Concerns, 24 September 2019](#)

[...] Sudan's Prime Minister Abdalla Hamdok has announced an investigation into a bloody attack by Sudanese security forces on pro-democracy demonstrators in the capital, Khartoum, on June 3. More than a 100 protesters, bystanders, and medical workers were killed and many more were injured.

The announcement of the establishment of a national investigation committee came just hours before the one-month deadline for forming the committee, provided in the agreement signed by Sudan's military and civilian leaders on August 17.

Sudan has a long history of impunity for serious human rights violations – there are no known prosecutions for grave abuses in the last 30 years. So the families of the victims of the June 3 massacre have reason to fear there will be no justice for their loss.

Investigation committees can ensure that an independent, credible, and impartial inquiry is carried out, particularly under circumstances in which the police are unlikely to do so. They are a first step towards accountability by providing state prosecutors with the information needed to bring criminal prosecutions against those implicated.

The proposed seven-member committee already raises concerns about meeting the basic standards. The committee includes a representative from the Ministry of Defense, which oversees all armed forces, including the Rapid Support Forces (RSF) that Human Rights Watch and others found were responsible for a wide range of abuses that took place just outside of the ministry's buildings on June 3.

A Supreme Court judge is also a committee member, which considering how compromised Sudan's judiciary has been over the years, won't necessarily bring greater independence and impartiality to the committee.

Beyond ensuring a genuinely independent and impartial committee, there are other steps that can be taken. Families of victims have requested representation on the committee through their lawyers. They have also asked for regional supervision over the committee's work to ensure it maintains its independence. The committee should also not limit its inquiry to the June 3 attack, but should document events back to December 2018 when abuses against the protests started, and identify all those responsible.

Only if the committee works transparently, incorporates findings from competent sources, and provides strong recommendations on achieving real accountability, including through wider reform of the justice and security sector, can there be hope for justice. [...]

❖ [International Federation for Human Rights \(FIDH\) and African Center for Justice and Peace Studies \(ACJPS\), Will There Be Justice For Darfur? Persisting impunity in the face of political change, 18 December 2019](#)

[...] When Sudanese security forces, mainly members of the Rapid Support Forces (RSF), attacked civilians participating in a peaceful sit-in outside the Ministry of Defence headquarters in Khartoum on 3 June 2019, at least 128 people were killed and 500 injured. The RSF reportedly used live ammunition against demonstrators, threw weighted bodies into the Nile and attacked hospitals and medical personnel. The attack also involved rape and other forms of sexual violence, with some doctors estimating that at least 70 people were raped, both women and men.

The perpetration of rape by RSF members was not a surprise. This branch of the armed forces, composed mostly of former Janjaweed militia members, is known to have committed serious crimes, including crimes of sexual violence, during the 2003 conflict in Darfur which opposed the Government of Sudan, the armed forces and their allies in the Janjaweed militias against rebel groups, causing more than 300,000 deaths and 3 million forced displacements. The RSF is headed by Mohamed Hamdan Dagalo, also known as "Hemeti", a former influential Janjaweed leader, currently member of the Sovereign Council (SC) (the Transitional Government established in August 2019), former Deputy Chief of the Transitional Military Council (TMC) and former Government Security Advisor for Southern Darfur.

Sexual violence has been one of the essential components characterising the conflict in Darfur. It has been denounced by many NGOs and documented in the report published in 2005 by the UN Commission of Inquiry. During military raids launched by the Sudanese security forces and their Janjaweed militia allies on villages, women and girls, the principal victims of such violence, were raped, often gang-raped, in public, reduced to sexual slavery, subjected to the humiliation of forced nudity and sexually mutilated. Men were also subjected to sexual violence, including mutilation.

Some of these crimes are reflected in the International Criminal Court's (ICC)'s arrest warrants issued between 2007 and 2010 against former Head of State Omar Al-Bashir, two former ministers, and a Janjaweed militia commander. Yet, more than 10 years later, while the same perpetrators are again using similar military strategies based on the perpetration of sexual violence against enemy groups, impunity for these atrocious crimes persists.

Indeed, there have been no convictions at the national level despite the establishment in 2005 of the Special Criminal Court on the Events in Darfur (SCCED). Such impunity is largely due to a lack of political will on the part of the authorities, which until recently protected the highest-ranking officials responsible for the crimes committed; the lack of independence of the judiciary; and the current legal framework, which includes a system of immunities that ensures that members of the defence and security forces cannot be held accountable. In addition, no decisions have been issued by regional or international courts or bodies to bring justice to the victims of Darfur, since trials before the ICC require the presence of the accused.

Since his dismissal on 11 April 2019, following 30 years of bloody dictatorship, criminal proceedings have been brought against Omar Al-Bashir before domestic courts mainly for corruption-related offences. The verdict in this case is expected in December 2019. However, none of the charges against him concern the crimes perpetrated during the Darfur conflict. The ongoing political transition represents an opportunity to advance the fight against impunity in Sudan. Given the state of the Sudanese judicial system and legal framework, at the current time, only the transfer of Omar Al-Bashir to the ICC, to face charges of war crimes, crimes against humanity and the crime of genocide, would provide real prospects of justice to survivors.

[...] FIDH and ACJPS call on the new government to punish those responsible for sexual crimes in Sudan and to guarantee access to justice for survivors of the Darfur conflict, through the immediate transfer to The Hague of persons subject to ICC arrest warrants, including Omar Al-Bashir, so that he can be tried for the international crimes he committed. The fight against impunity also requires the Sudanese authorities to allow independent and effective investigations into violence, including sexual violence, committed in Sudan since the beginning of the protest movement in December 2018, and in particular during the 3 June massacre in Khartoum. Any commission of inquiry, whether national or international, must include women among its members as well as persons with expertise in investigating sexual violence, in order to be able to document such cases effectively and impartially, and make concrete recommendations to bring to justice those responsible and ensure reparation for the crimes committed.

Although the international community mobilised at the time of the eruption of the conflict in Darfur, it subsequently remained silent for several years, allowing the dictator Omar Al-Bashir, who was by then subject to an ICC arrest warrant, to travel extensively, including to States Parties to the ICC Statute, which mobilised within the African Union to shield him from prosecution by the ICC, or considered the Sudanese government as a potential partner, particularly in the fight against "illegal immigration" to Europe. While the international community's attitude has changed since the uprising and in view of the gross human rights violations perpetrated by the authorities, it must increase pressure on the Sudanese authorities in order to facilitate access to justice and reparations for all victims, including victims of sexual violence.

[...] The 3 June massacre committed in the streets of Khartoum is an extension of the serious crimes committed by the RSF in the Darfur region since 2003. This massacre reminds us once again that deeply entrenched impunity in Sudan, in particular in respect of the crimes committed in Darfur, has constituted fertile ground for the continued perpetration of serious human rights violations.

Since the outbreak of the conflict in Darfur, the national authorities have not taken a single effective justice measure to bring the crimes to an end, to ensure accountability and to provide reparation to victims. Even the special court established by the authorities to investigate and prosecute those responsible for crimes committed in Darfur had no other task than to prosecute ordinary crimes.

Recent commitments announced by the transitional government may represent a first step towards justice. On 23 September 2019, the SC announced the creation of an investigation committee to shed light on the 3 June massacre which took place in the vicinity of the Defence Ministry in Khartoum. However, the committee includes a representative from the Ministry of Defence and Interior, which oversees all armed forces, including the RSF, which were responsible for a wide range of abuses that took place just outside of the ministry's buildings on 3 June. In addition, there are no women or experts on sexual violence in the committee.<sup>19</sup> With the new transitional government in place, Sudan is now at a crossroads, with an opportunity to depart from its previous policy of total impunity, and to embark on a new chapter, by committing to accountability for the victims of the Darfur conflict, as well as the victims of the recent nation-wide protests, ensuring a genuinely independent and impartial committee.

[...] Hence, no RSF member has ever faced prosecution for alleged involvement in serious human rights violations.

[...] Other Sudanese military forces are responsible for perpetuating serious human rights violations against civilians in Darfur. These forces include the SAF which regularly used proxy militias (Janjaweed), paramilitary forces including the RSF, during fighting against rebel movements or attacks against civilians. The NISS [National Intelligence and Security Service] are responsible for committing arbitrary arrests and detentions, acts of torture, threats and intimidation, and other acts of harassment mainly targeting human rights defenders, lawyers, political opponents and other dissenting voices. Both SAF and NISS members enjoy immunity, leading to a complete absence of accountability for their crimes.

[...] While some cases of sexual violence have been handled by Sudanese justice authorities, they are not conflict related. Indeed, Sudanese authorities continue to deny the occurrence of conflict-related sexual violence. [...]

❖ [African Centre For Justice and Peace Studies \(ACJPS\) and REDRESS, A Way Forward? Anti-Torture Reforms in Sudan in the Post-Bashir Era, December 2019](#)

[...] The prevalence of torture in Sudan has been a long-standing concern, and Sudan has consistently failed to meet its international obligations on torture.

The current period of transition provides an opportunity to ensure Sudan meets its international law obligations and implements robust mechanisms to safeguard against, investigate and provide redress for torture. The current domestic legal framework and its implementation are wholly inadequate.

Sudan is a party to several relevant international treaties prohibiting torture, including the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Rights of the Child (CRC), and the African Charter on Human and Peoples' Rights (the African Charter). These treaties are also an integral part of Sudan's 2019 Constitutional Declaration. Sudan is, therefore, obliged to take measures aimed at preventing torture, responding to allegations of torture by means of prompt, impartial and effective investigations and prosecutions, and providing effective remedies and reparations.

Over the last decade, national, regional and international actors have identified a series of problems in the Sudanese legislative and institutional framework and practice in relation to the prohibition of torture. One such body is the African Commission on Human and Peoples' Rights (ACHPR), a quasi-judicial body tasked with interpreting the African Charter and ensuring the protection and promotion of the human and peoples' rights included in the African Charter.

To date, the ACHPR has issued seven decisions on Sudan that have been decided on their merits. These decisions are yet to be implemented and the former Sudanese Government has been wholly non-compliant. Non-compliance has disastrous impacts on victims, who find themselves without remedy, even after resorting to international fora. This in turn erodes and undermines the Commission's credibility and authority as an effective protector of the rights enshrined in the African Charter.<sup>1</sup>

Under the previous regime there was no coherent anti-torture policy or a coordinated effort to tackle the causes of torture and to provide justice, accountability and redress in individual cases.

Such a policy would need to be developed and be based on Sudan's obligations under international law and its Constitutional Declaration. To this end, it should include the absolute prohibition of torture in Sudanese law, the provision of safeguards to prevent torture, and measures to ensure accountability and reparations. Sudan should ratify treaties to which it is not yet a party, particularly the UNCAT, and the Optional Protocol thereto, which provide for additional monitoring on the prohibition of torture.

Effectively combating the legacy of torture in Sudan, and the structural factors contributing to its persistence, requires fundamental reforms. Legislative reform, such as the adoption of an anti-torture law that meets international standards, is an important component of these broader reforms.

[...] On 5 July 2019, the TMC [Transitional Military Council] and representatives of the civilian protest movement, the Forces for Freedom and Change (FFC) agreed to a power-sharing deal. The agreement provided for a 39-month transition period led by a Sovereign Council (SC) with a rotating TMC/FFC presidency, followed by elections. The agreement also called for investigation into unlawful violence against protestors and set a six-month time frame to reach a peace agreement with all armed rebel groups throughout the country, including Blue Nile, Darfur and South Kordofan.

[...] Following the violence, the Sudanese public carried out mass civil disobedience campaigns with calls to investigate and punish those responsible.<sup>16</sup>

The Constitutional Declaration, for its part, mandates the formation of a:

national, independent investigation committee, with African support if necessary, as assessed by the national committee, to conduct a transparent, meticulous investigation of violations committed on 3 June 2019, and events and incidents where violations of the rights and dignity of civilian and military citizens were committed.<sup>17</sup>

The Constitutional Declaration also provides that the Investigation Committee is formed within one month from the date when the appointment of the Prime Minister is approved.<sup>18</sup> The seven-member Investigation Committee was announced on 24 September 2019, and includes a representative from the Ministry of Defence, which oversees all armed forces including the RSF [Rapid Support Forces], and a Supreme Court Judge. Human Rights Watch has raised concerns that the Committee will not conduct an independent, credible and impartial inquiry.<sup>19</sup> Human Rights Watch also criticized the investigation foreseen in the Constitutional Declaration noting it does not seem adequate to lead to eventual criminal prosecution, and the failure to request involvement of the United Nations Office of the High Commissioner for Human Rights (OHCHR) and Human Rights Council (HRC).<sup>20</sup>

Sixteen Civil Society Organisations, including REDRESS, have called upon the HRC to support the establishment of an independent commission to investigate all human rights violations and abuses, including sexual and gender-based violence, committed in the context of peaceful protests since December 2018 (including the June Massacre).<sup>21</sup> No concrete action was taken by the Human Rights Council in its 42nd session in September 2019 beyond the adoption without a vote a report of the Independent Expert (IE) on the situation of human rights in Sudan. In the report, the IE expressed his concerns about the independence and impartiality of the national fact-finding mechanism.

[...] Like acts governing the NISS [National Intelligence and Security Service] and the police, Article 42 (1) of the Armed Forces Act of 2007 provides immunities for military officers, preventing investigation without the approval of the Commander in Chief,<sup>40</sup> further fortifying a culture of impunity within the authorities.

[...] Sudan's system of immunities (analysed in Section V below) effectively bars accountability for torture – by preventing victims from obtaining justice and reparations in the course of criminal proceedings and/or from filing an independent civil legal claim against the individual official concerned.

Accordingly, prosecutions for torture are extremely rare.

[...] Under the 2019 Constitutional Declaration, immunity is provided from criminal procedures against “any members of the Sovereignty Council, Cabinet, Transitional Legislative Council or governors of provinces/heads of regions without receiving permission to lift immunity from the Legislative Council.”<sup>184</sup> This confers immunity on Mohamed Hamdan Dagalo, or “Hemeti,” who is the head of the Rapid Support Forces (RSF) and General Burhan's deputy. By all accounts, the RSF has led most of the attacks on protesters since April 2019. Immunity can be waived by a simple majority of members of the Legislative Council.<sup>185</sup>

In Sudan's domestic legislation, under Article 35(c) of the Criminal Procedure Act, no criminal suit can be initiated against any person enjoying procedural or substantive immunity, save in accordance with the provisions of such law as may provide therefore.<sup>186</sup>

Immunities are provided for police officers under the Police Forces Act 2008; for the military under the Armed Forces Act 2007 and for the National Security Services under the NSA 2010. [...]

1 George Mukundi Wachira and Abiola R Ayinla, ‘Twenty Years of Elusive Enforcement of the Recommendations of the African Commission on Human and Peoples’ Rights: A Possible Remedy’ <<https://repository.up.ac.za/handle/2263/3123>> accessed 7 October 2019.

[...]16 Agence France-Presse, ‘Sudan Protesters Begin Civil Disobedience Campaign against Military Rulers’ The Telegraph (9 June 2019) <<https://www.telegraph.co.uk/news/2019/06/09/sudan-protesters-begin-civil-disobedience-campaign-against-military/>> accessed 11 October 2019.

17 Constitutional Declaration 2019 (n 10), Article 7(16).

18 *ibid.*

19 Human Rights Watch | 350 Fifth, 34th Floor | New York and NY 10118-3299 USA | t 1.212.290.4700, ‘Sudan's New Investigation Committee Raises Concerns’ Human Rights Watch (24 September 2019) <<https://www.hrw.org/news/2019/09/24/sudan-new-investigation-committee-raises-concerns>> accessed 8 October 2019.

20 Human Rights Watch, ‘Sudan: Prioritize Justice, Accountability’ (2019) <<https://www.hrw.org/news/2019/08/23/sudan-prioritize-justice-accountability>> accessed 8 October 2019.

21 ACJPS, ‘Sudan: Ensuring a Credible Response by the UN Human Rights Council at Its 42nd Session – African Centre for Justice and Peace Studies’ <<http://www.acjps.org/sudan-ensuring-a-credible-response-by-the-un-human-rights-council-at-its-42nd-session/>> accessed 11 October 2019.

[...] 40 The Armed Forces Act 2007, Article 42 <http://www.pclrs.com/downloads/bills/Institutional%20Law/Armed%20Forces%20Act%202007.pdf>

[...] 184 Constitutional Declaration (n 10), Article 21(1).  
185 *ibid* Article 21(b).  
186 Criminal Procedure Act 1991, Article 35.

❖ [Human Rights Watch, Sudan: Progress on Rights, Justice, Key to Transition, 20 February 2020](#)

[...] “Sudan’s leaders confirmed to us in our meetings that they are committed to ensuring genuine reforms and bringing to justice those responsible for the most serious violations,” said Kenneth Roth, executive director of Human Rights Watch. “Now is the time to implement these commitments and seize this extraordinary moment of opportunity to secure the democratic, rights-respecting reforms that so many Sudanese took to the streets at great risk to themselves to achieve.”

On February 12, 2020, Lt. Gen. Abdel Fattah al-Burhan, the chair of Sudan’s ruling Sovereign Council, and Prime Minister Abdallah Hamdok met with Roth and Mausi Segun, Human Rights Watch’s Africa director, and reaffirmed their commitment to hold rights abusers to account. They said that this included cooperating with the International Criminal Court (ICC), which has warrants for the arrest of former president Omar al-Bashir and four other suspects for atrocities in Darfur.

Al-Bashir was ousted in April 2019 after months of protests in Sudan, which government security forces dispersed violently, killing hundreds of people after protests began in December 2018. A transitional military council took power until a transitional government was formed in August, following a power-sharing agreement between military and civilian groups. The transitional government is headed by an 11-member Sovereign Council for a period of 3 years, to be followed by elections.

At the ICC, al-Bashir faces five counts of crimes against humanity, two counts of war crimes, and three counts of genocide. These relate to allegations of murder, extermination, forcible transfer, torture, intentional attacks on the civilian population, pillage, and rape between 2003 and 2008 in Darfur. The transitional government should invite the ICC to Sudan to discuss the terms of engagement and moving forward with prosecutions, Human Rights Watch said.

Human Rights Watch acknowledged that transitional authorities have made important progress on rights reforms and accountability. That has included abolishing the criminal charge of apostasy and repressive morality laws, known as the public order regime, as well as criminalizing female genital mutilation and approving draft laws establishing commissions to work on human rights and transitional justice reforms. Human Rights Watch also heard concerns from nongovernmental organizations that there had not been adequate consultation with these groups on the new laws.

The authorities should carry out comprehensive justice system reforms to ensure that people’s rights will be protected at every stage of the justice process, ensure adequate public participation, and address gender discrimination by reviewing legal guardianship, marriage, and inheritance provisions, among others, Human Rights Watch said. Women’s rights groups also told Human Rights Watch that they have not been adequately or fairly represented in the transitional institutions and have been calling for equal representation in appointments for state governors and membership on the legislative council.

Human Rights Watch stressed the need for the government to ensure that reform efforts do not trample on human rights, particularly in efforts to “dismantle” the former government. In November 2019, the transitional government passed a law to dissolve the former ruling party, confiscate its assets, and bar its members from political activities for 10 years. More than 20 former ruling party leaders have been detained and are reportedly held at Kober prison. The authorities should ensure that those arrested are properly charged, have access to lawyers, and are prosecuted in timely, open, and fair trials.

The authorities should also make known the whereabouts of Musa Hilal, the Darfuri tribal leader and former government adviser whose role overseeing human rights abuses in Darfur is well-documented. Hilal has been detained since November 2017 and is standing trial in the military headquarters with other members of the Revolutionary Awakening Council, a political party he formed on January 2014, his family members reported.

Many reforms envisioned in the transitional government’s constitutional charter have yet to be carried out. The legislative council, which was to be formed within three months of the transitional government’s swearing-in, has not yet been formed, pending a peace agreement between the government and opposition armed groups. Most of the rights-focused commissions have also not been formed, delaying organized reform efforts. Such delays impede the government’s ability to debate key laws and policies that are critical for justice and accountability, Human Rights Watch said.

Institutional reforms, particularly relating to security, are urgently needed. Although the National Intelligence and Security Service (NISS) was renamed the General Intelligence Service (GIS) and no longer detains people, it is not clear that institutional reforms have been made within the organization, which

has a record of rights abuses. The authorities have also not reformed any of the state's other sprawling security institutions. Reforming these agencies is key to providing justice for past crimes and preventing abuses in Sudan in the future, Human Rights Watch said.

The committee set up to investigate the murderous June 3 crackdown by government forces on protesters outside the army headquarters has far from completed its work and, lacking critical resources, has not met international standards for investigations or protecting witnesses. Victims' families and nongovernmental groups said they were frustrated at its slow pace and inaccessibility, especially for victims of gender-based violence. Government officials should ensure that this committee has the mandate, political backing, and necessary protection to investigate those responsible higher up the chain of command for planning and ordering the dispersal operation, particularly as a member of the Sovereign Council may be implicated.

The attorney-general's office has set up various new committees to investigate past crimes, including the killings of protesters between December 2018 and al-Bashir's ousting on April 11, abuses by the former government since 1989, corruption-related crimes, and crimes in Darfur. Investigations are ongoing, but legal immunities – which still exist under a patchwork of laws – remain an obstacle to prosecution, officials told Human Rights Watch.

In December, the authorities announced convictions and death sentences for 29 security personnel in the case of a teacher tortured to death in Kassala in February 2019. The prosecutions of security officers in a regular court, the first case of its kind, is a step toward accountability for a heinous crime, but the prosecutions should not be limited to low-ranking officers. Human Rights Watch opposes the death penalty under all circumstances because of its inherent cruelty.

Investigations and prosecutions of the full range of abuses by the NSIS are a critical part of a broader transitional justice program, but they will require resources and expertise. The government should seek assistance from international bodies and donors, who should promptly provide it on flexible terms both at the technical and policy levels.

"Sudan's leaders say they want to turn the page with genuine reforms and a transition toward a rights-respecting, democratic government that is accountable to the Sudanese people. That will require addressing the past honestly and forthrightly, not trying to forget or bury it," Roth said. "Making this democratic transition a success will require securing justice and accountability for past atrocities, including the violent dispersal of protesters on June 3, and accelerating the most critical human rights reforms." [...]

❖ [Amnesty International, "They Descended On Us Like Rain": Justice For Victims Of Protest Crackdown In Sudan, 10 March 2020](#)

[...] In the aftermath of the 3 June attack by the security forces, there was widespread fear and terror among the protesters and the civilian population at large, especially in Khartoum. Amnesty International believes that the Sudanese security forces and the TMC [Transitional Military Council] are responsible for unnecessary and excessive use of force and the unlawful killing of the protestors during the attack on the sit-in area. All the family members, their supporters, and national human rights organizations who spoke to Amnesty International in Sudan insisted on justice and accountability for those killed. Victims and their families must be provided with reparations and the individual officers responsible for killings, sexual violence, enforced disappearance and/or torture or other ill treatment during the crackdown on the protests must be investigated. Those found responsible, including through command responsibility must be brought to justice in fair trials without recourse to the death penalty.

[...] Emad, a 28-year-old student was arrested near his house in Khartoum on 2 January 2019 after he participated in a protest in his area.

[...] Emad's father reported the incident to the prosecution office in Khartoum, on 3 January.<sup>75</sup> The prosecution office documented the incident under article 144 'intimidation' and article 164 'unlawful detention,' of Sudan's Criminal Act (1991). At the time of the publication, no legal proceedings or action had been taken against the perpetrators.<sup>76</sup>

[...] The two parties [TMC and FFC] agreed to form a national, Independent Investigation Commission to conduct transparent and thorough investigations into the violations committed on 3 June 2019. In September 2019, the Prime Minister announced that there would be an investigation into the attack by Sudanese security forces on the sit-in area on 3 June 2019. On 21 October, he named a national investigation Commission to investigate the 3 June attacks and killings of protesters and appointed human rights lawyer Nabil Adib as head of the investigation. He gave the Commission three months to report its findings and recommendations.<sup>107</sup> The Commission was unable to conclude its investigations after three

months. Its mandate was extended by the time of publication of this report, the Commission had not concluded its investigations.

[...] To achieve justice and accountability in Sudan, there is an urgent need for comprehensive legal, judicial and institutional reform to enable effective, impartial and independent investigations and prosecutions before competent courts, in line with international best practice.

[...] The current criminal system is weak and politically compromised and lacks independence due to 30 years of political manipulation. Although the 2019 transition constitution provided a more balanced separation of powers, there are reasonable concerns that the criminal justice system [ courts, prosecutors' offices, and the current legal framework] would not be able to cope with the massive demands by the families of the victims of human rights violations and survivors, the transitional government's priorities and other stakeholders. In October 2019, the new interim government appointed a new Attorney General and Chief Justice, this offers some hope that accountability is a priority for the transitional authorities. However, the long history of distrust towards the country's judicial institutions and processes remains high and must be addressed.<sup>146</sup>

[...] On 12 September 2019 Amnesty International researchers met with 15 family members of the victims of unlawful killings in Sudan in 2013 and since December 2018. They all expressed their quest for justice and spoke of how the police had blocked them from reporting the deaths. Others complained of lack of assistance by state prosecutors to help them properly file complaints and provide all the required evidence such that many of their relatives' case files. They spoke of a criminal justice system still controlled by people who they said are responsible for their relative's deaths.<sup>147</sup>

Testimonies collected from a group of 13 lawyers in Sudan indicates that the current legal environment is not suitable for the victims of unlawful killings to find justice.<sup>148</sup> Firstly, despite the change in government, our research revealed a lack of will in various cases of unlawful killings, "there is reluctance/obstruction, delay from the prosecution office to file criminal charges especially if the perpetrators are members of the armed forces, the security, the police or the RSF [Rapid Support Forces]."<sup>149</sup>

Secondly, there are cumbersome bureaucratic hurdles such as delays and obstruction in the investigation by the police and the prosecuting attorney once a case has been reported to them. In many instances, cases do not go beyond the office of the Prosecutor.<sup>150</sup> Since December 2018, the prosecution office only referred one case to trial. This was the case of Ahmed El-khair, a 40-year-old teacher who died as a result of torture on 1 February 2019.<sup>151</sup> On 30 December 2019, a court in Khartoum sentenced 29 NISS [National Intelligence and Security Service] agents to death for the killing of Ahmed El-Khair.<sup>152</sup>

The Prosecution office has the discretion to institute, conduct or discontinue any proceedings for an offence. The track record in prosecuting these types of cases is discouraging.

[...] As of October 2019, an organisation providing legal assistance to victims, the People Legal Aid Centre developed files of 13 cases of unlawful killings, and six cases of torture, ill-treatment, and looting. None of these cases have been taken to trial by the prosecution office.<sup>155</sup> The Prosecution office is obliged in terms of article 47 of the Criminal Procedure Act 1991 to conduct preliminary investigations, make a determination that a crime was committed and then file a criminal case.

Further challenges in the criminal justice system relate to immunity provisions that protect security agents. Staff at the Attorney General's office conceded that all provisions that grant immunities must be amended.<sup>156</sup> However, repealing these provisions could take a long time due to the entrenched culture of impunity within the security forces in Sudan. The government must expedite the process of repealing these laws. The current Sudanese laws that govern the armed forces, the police and the NISS all contain provisions conferring immunity on perpetrators of human rights violations.<sup>157</sup> The National Security Act 2010,<sup>158</sup> the Police Act, and the Armed Forces Act all include immunities for acts committed "in good faith" and "in the course of duty." Immunities can only be waived by the relevant governing bodies of the Ministry of Interior, Defence or the Director of the NISS.<sup>159</sup>

The Attorney General acknowledged the shortcomings within the criminal justice system. The current laws restrict the Attorney General and the Chief Justice from taking necessary measures to restructure judicial institutions and the Attorney General's office. There is therefore a need to reform the Public Prosecution law of 2017 to allow the intervention of the Attorney General and the Chief Justice to make necessary institutional reforms. Such reforms should include provisions for the appointment of legal experts from outside the Attorney General/ Prosecution office to help in the investigations.<sup>160</sup>

In addition to this, there are limited financial and human resources allocated towards criminal justice. As of October 2019, Sudan has a total of 500 prosecutors, representing only 20 % of the required number, nationally.<sup>161</sup> The Attorney general committed to forming investigation committees including lawyers and

prosecutors to embark on investigating key cases of human rights violations and corruption. He however did not give a specific timeline for such appointments.

Survivors of the brutality and their expressed a dim view on justice and accountability. Their responses varied from their call to 'blood for blood' to 'transitional justice, truth and reconciliation' while a small number called for healing and forgiveness.

[...] On 21 October 2019, the Prime Minister set up a National Investigation Commission into the attack by Sudanese security forces on the sit-in area on 3 June. The committee is headed by human rights lawyer Nabil Adib, and it was given three months to report its findings. Despite the formation of this Commission many survivors and their families and lawyers doubted it would achieve their objective on justice and accountability.<sup>167</sup> The seven-member investigation Commission, includes representatives from the prosecution office, the General Intelligence Service former NISS, the Ministry of Interior and from the Ministry of Defence, the last three members from institutions that oversee national security, the armed forces including the RSF and the police which implicated in the beak of the sit-in area. The Commission has been mandated to lift immunity and prosecute perpetrators of crime. Its mandate was extended after it failed to complete its investigations. It was expected to publish its report in March 2020.

Nabil Adib says people should wait until the Commission publishes its report. The report will be handed over to the government with recommendations to charge specific individuals.<sup>168</sup> [...]

76 Amnesty International interviewed Emad's father interviewed on 13 March 2019.

[...] 107 Reuters, Sudan names commission to investigate killings at sit-in, 21 October 2019, <https://uk.reuters.com/article/uk-sudan-politics/sudan-names-commission-to-investigate-killings-at-sit-in-idUKKBN1WZ0QK>

[...] 146 Joint Assessment Mission for Sudan: Governance & Rule of Law (VOLUME III). (2005). Retrieved from World Bank and the United Nations website: <https://reliefweb.int/sites/reliefweb.int/files/resources/41EBA35BFB08778D49256FFC00237613-jam-sdn-18mar3.pdf>

147 Amnesty International meeting in Khartoum with September 2013 and December 2018 martyrs, 12 September 2019.

148 Amnesty International meetings between 12-26 September 2019 with lawyers from Darfur Bar Association (DBA), the Legal Forum Organization, the Democratic Lawyers Association and lawyers at the People Legal Aid Centre.

149 Amnesty International interviewed Rifat Makawi, a lawyer in Khartoum on 14 September 2019, Khartoum. This was corroborated by 12 other lawyers

150 Amnesty International interviewed four legal aid staff in Khartoum, 14 September 2019.

151 Ahmed El-khair Ahmed Awad El-Kareem, 40-year-old, a teacher from Khashm El-Girba died as result of torture on 1 February. Ahmed El-khair was arrested by NISS agents from Khashm El-Girba on 31 January after a protest in Khashm El-Girba in Kassala state in Eastern Sudan. The city is located about 550 kilometres east of Khartoum and 80 kilometres west of Kassala city. Ahmed El-khair was arrested and detained by NISS agents from Khashm El-Girba with another six individuals in suspicion they had participated in the 31 January protests. Amnesty International, in March 2019, interviewed three former detainees who shared with Ahmed the same cell in Khashm El-Girba's NISS office and also transported with him to Kassala city on 1 February. They were all subjected to torture and ill-treatment during detention and they reported that Ahmed died in a NISS's pickup transferring them to Kassala. The government first claimed his death was due to food poisoning. See more: Sudan media Centre, Security Committee in Kassala State issued a statement on the implications of the death of Mr. Ahmed El-khair, 3 February 2019, <https://tinyurl.com/y5vhhhrv>

[...] 154 Report of the Independent Expert on the situation of human rights in the Sudan, Mashood A. Baderin, 4 September 2014, [https://reliefweb.int/sites/reliefweb.int/files/resources/A.HRC\\_.27.69\\_AEV.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/A.HRC_.27.69_AEV.pdf), para 36.

155 Email sent by PLACE on 15 September 2019.

156 Amnesty International meeting with two Attorney General staff on 23 October 2019.

157 REDRESS: Human Rights Concerns and Barriers to Justice in Sudan: national, regional and international perspectives, a compilation of Sudan Law Reform Advocacy Briefings, February 2014, <http://www.redress.org/downloads/country-reports/140228HumanRightsConcernFINAL.pdf>.

158 Article 52, National Security Act, 2010, <http://tinyurl.com/jb6xunq>.

159 Article 52(1) states any act committed by the NISS while pursuing their duties with "good intentions" should not be considered a crime. The Police Act, 2008 also includes immunities. Article 45(1) states actions of a police officer do not constitute crimes if they take place while he is performing his duties or as a result of official orders. Article 45(2) further prevents initiation of criminal proceedings against a member of the police, if the Police Legal Affairs Unit decides the crime was committed in the course of official duties, he should not be tried, save for special permission being issued by the Minister of Interior or his delegate.

160 Amnesty International meeting with the Attorney General Taj Alserali Al-Hibr Ali on 23 October 2019.

161 Amnesty International meeting with the Attorney General Taj Alserali Al-Hibr Ali on 23 October 2019.

[...] 167 Amnesty International interviewed Khalid Abdel Rahaman the brother of Waleed Abdel Rahman who was killed on 9 June 2019, Nahid Gabralah, SEEMA director, and Rifat Makawi, lawyer with PLACE on 27 October 2019.

168 Amnesty International interviewed Nabil Adib, prior to his appointment as head of the investigation into the attack of 3 June, on 21 September 2019, Khartoum.

## 2. Section 2. *Respect for Civil Liberties*

### 2.2. Improvements

#### 2.2.3. New improvements in 2019 (compared to 2018, 2017 and 2016)

##### Press and media freedoms under the CLTG since August 2019

###### ❖ [Reporters San Frontières \(RSF\), Sudan still awaits its press freedom revolution, 3 November 2019](#)

[...] Reporters Without Borders (RSF) calls on Sudan's new authorities to encourage the emergence of independent journalism, which is essential if the country's transition to democracy is to succeed. Eight months after Omar al-Bashir's removal by the military in a popular uprising and four months after the installation of a government headed by a civilian, journalists are no longer being arrested and newspapers are no longer being confiscated. But the Sudanese media are still largely controlled or under the influence of the forces that supported Bashir, one of the world's biggest press freedom predators.

Around 300 journalists demonstrated outside the culture and information ministry in the capital, Khartoum, yesterday to demand changes at the top of the public broadcaster SRTC and the removal of the intelligence agents who were infiltrated into many news organizations.

The National Intelligence and Security Service (NISS) has ended the most visible and repressive aspects of the censorship it enforced for the old regime for three decades. The confiscations of newspaper issues and arrests of journalists – of which RSF registered around 100 cases during the popular uprising from December 2018 to April 2019 – have stopped. Abdallah Hamdok, the new prime minister installed in August, has pledged not to jail a single journalist and Sudan is one of the countries that have signed the Global Pledge to #DefendMediaFreedom, launched in July at the initiative of Britain and Canada.

"What with the decline in arrests of journalists, the end to newspaper confiscations and the greater freedom of expression, the first signs of a policy more favourable to press freedom are encouraging but they are still not enough," said Arnaud Froger, the head of RSF's Africa desk. "A very big part of the media landscape is still under the influence and in some cases control of the old regime's forces. The emergence of independent journalism will not be possible without an overhaul of the security apparatus, the draconian press laws and a media system still dominated by those who think journalists should be kept under close surveillance."

Security agents still on the prowl

The NISS [National Intelligence and Security Service] may be less visible on the ground but it is still very active online. Several journalists have told RSF that the "Cyber Jihadist Unit" – a troll army created in the wake of the Arab springs to monitor online content – continues to infiltrate WhatsApp discussion groups and to spread false information attacking the transitional government on social networks. Propaganda, surveillance and censorship are all still part of the methods used by the NISS.

The Rapid Support Forces – a paramilitary group blamed for a massacre of protesters on 3 June that left at least 128 dead and many wounded, including journalists – have brought a lawsuit against Hanadi Al Siddig, a journalist with Al Jazeera, a newspaper that was repeatedly targeted by the former regime. They have also bought the daily newspaper Al Shaia.

None of Sudan's repressive laws have been overhauled. The 2008 Cybercrime Act, the 2009 Press and Publications Act and the 2010 National Security Forces Act are all still in effect and continue to pose serious threats to journalism in Sudan.

Sudan is ranked 175th out of 180 countries in RSF's 2019 World Press Freedom Index. [...]

###### ❖ [Foreign Policy, The Enemies of Sudan's Democracy Are Lurking Everywhere, 6 December 2019](#)

[...] The transitional government's way through this thicket has been to schedule new elections for the leadership positions in the existing enterprise unions. And, in the three-month buildup to these elections, civil-society representatives have been added to the unions' steering committees. In addition, the government is drafting a new law to legalize the professional unions that continued to operate underground during Bashir's rule.

Journalists from one of the underground professional associations that I spoke with were heartened by the prospect of legalization, but unimpressed by the transitional government's approach to reforming the existing trade unions. According to journalist Ahmed Ahmed, the NCP's [National Congress Party] trade union issued 8,000 press cards, which credential people to work as journalists. Of those, he says, "a charitable 1,500" are actually journalists; the remainder are agents of the National Intelligence and Security Service, placed there by the NCP. Yet all 8,000 card-carrying members of the union will be able to vote in the upcoming elections. Even with civil society now represented on the steering committee of the trade unions, Ahmed fears that NCP members will have the numbers to vote themselves back in, and so the elections will simply legitimate the NCP-controlled system. [...]

❖ [International Federation of Journalists \(IFJ\), Sudan: IFJ demands authorities reverse decision to ban journalists' union, 15 December 2019](#)

[...] The IFJ has strongly condemned moves by the Sudanese authorities to ban and forcibly shut down the country's trade unions, including its affiliate the Sudanese Journalists' Union.

The offices of the Sudanese Journalists' Union are currently occupied by military forces. The move comes just months after the union's head was seized and detained for several days by the military authorities.

The global trade union movement has reacted with anger and demanded the Sudanese authorities act in line with international standards and stop the arbitrary denial of human rights and reverse their unlawful dissolution of professional associations.

In a statement the SJU said:

"The Sudanese Journalists Union (SJU), which is the elected entity that represents all journalists categories, affirms its complete rejection of the decision of the committee formed by the sovereign council, the cabinet, and the party alliance for the forces of freedom and change, regarding the dissolution of professional associations, including the Sudanese Journalists Union- SJU.

The decision to dissolve is legally invalid, as it violates a set of existing laws; it is an unjust decision; it contradicts the law on professional associations, the freedom of association and international conventions for labor and trade union rights, and it is considered blatant interference from the transitional executive authority that does not have an electoral mandate that enables it to pass legislation; It is unacceptable for journalists and other professionals whose federations were included in the decision of dissolution and goes against their right to free choice and their right to organize themselves. The decision blatantly violates the rights of professional associations.

It was issued by a governmental committee that does not represent neutrality, as some of its members belong to political and party organizations that seek to perpetuate a political reality that is not related to the law or justice;

The SJU is a federation elected from the press base in accordance with a law that is still in effect, and it is not permissible for any government or partisan party to interfere in its affairs or to issue a decision to dissolve it or disrupt its activities.

So the decision of the governmental committee is an overwhelming decision of arbitrariness and authoritarianism, which makes the unions and federations subject to partisanship and political bias, and this politicization, and will have severe consequences on the professional sectors and labor organizations and trade unions.

The SJU will work to mobilize its membership and press base to oppose this decision and address it by all legal and peaceful means to prevent the confiscation of the free will of journalists and stand strongly against politicization. It calls on the Sovereign Council and its members from indulging in open partisan and political work and rejects interference contrary to all international rules, regulations and laws related to trade union and professional action.

The SJU will work to expose these schemes to abort trade unions and federations. This is a move that bears the features of dictatorships and coercive regimes.

The press will remain a beacon of freedom, a beacon of truth and a commitment to the values and impartiality of the press, and will not be subject to political blackmail and partisan plots".

IFJ General Secretary Anthony Bellanger said: "This decision violates international norms and is a blatant attempt by the authorities to seize control of the trade union movement and professional associations for their own political gain. We urge then to step back and for the international labour movement to defend the rights of professionals to organise independently in Sudan".

❖ [Radio Dabanga – Sudan, Sudan’s Anti-Corruption Committee suspends media outlets, 8 January 2020](#)

[...] On Tuesday, the Sudanese Anti-Corruption Committee announced the suspension of two satellite channels and two newspapers for investigation.

Ashorooq and Teiba satellite channels and El Ray El Aam and El Sudani newspapers have been suspended until their accounts are reviewed and the owners identified, Sovereign Council member Mohamed El Faki, and currently the chairman of the Committee said in a press conference on Tuesday.

An activist told Radio Dabanga that security forces took over the offices of these media companies.

El Faki reported also that the Holy Koran Association has been dissolved. The accounts of the International University of Africa are currently being audited.

He said the Committee has received information about the accounts and properties of most of the associations and unions in the country, except for the Journalists Union.

He threatened all parties that do not comply with the orders to hand over accounts and details about assets, such as the Journalists Union, with legal accountability and a travel ban. The decisions will not affect the personnel of these institutions.

'Great strides'

El Faki stressed that the procedures are not meant to take revenge on members of the former regime, but to counter corruption and fraud, and realise justice.

He explained that the investigations are carried out by security officers “within the jurisdiction of the military component”. [...]

❖ [Committee to Protect Journalists \(CPJ\), Sudan suspends four news outlets over alleged financial link to Bashir regime, 13 January 2020](#)

[...] Sudanese authorities should end their suspension of the newspapers El Ray El Aam and El Sudani and the TV channels Ashorooq and Teiba, and work toward institutionalizing press freedom, the Committee to Protect Journalists said today. Sudanese authorities suspended the four news outlets as part of a wider effort to seize assets from the former ruling party of former President Omar al-Bashir, Qatar-based Al Jazeera and the independent Sudanese news outlet Radio Dabanga reported.

The Sudanese Anti-Corruption Committee announced during a January 7 press conference that the outlets would be suspended, Radio Dabanga reported. Al Jazeera quoted El Sudani reporter Mashair Ahmed as saying that men in military uniforms came to the office and told staff that they had 30 minutes to take their personal belongings and leave. The report did not specify the date that took place.

On January 12, Deputy Minister of Information Rasheed Saeed was cited in the reports as saying that the transitional government was suspending the outlets under a law authorizing authorities to seize the assets and funds of the former regime, and not because of their editorial line.

[...] “There is an irony to Sudan’s transitional government attempting to turn the page on a previous repressive regime by imitating its tactics,” said CPJ Senior Middle East and North Africa Researcher Justin Shilad. “Sudanese authorities should end the suspension of these newspapers and TV stations and ensure that press freedom does not become collateral damage during a sensitive moment.”

[...] Shamael Elnoor, a Sudanese journalist who formerly worked at Ashorooq, told CPJ that she believes the decision was part of the effort to target the old regime’s assets and was not connected to press freedom.

[...] Last month, the transitional government announced that it was shutting the Sudanese Journalists Union under the same law, according to Al Jazeera. The move drew the condemnation of the International Federation of Journalists, which is the syndicate’s umbrella organization.

[...] Sudan formed a new cabinet in September that included journalist Faisal Saleh as Minister of Culture and Information as part of a power-sharing agreement between civilian and military authorities after mass protests led to Bashir’s ouster, The Associated Press reported. Saleh, who was detained by Sudanese authorities prior to holding his post, reiterated his government’s commitment to press freedom in a November 2019 statement. [...]

❖ [Freedom House, Freedom in the World 2020 – Sudan, 4 March 2020](#)

[...] The military leaders and civilian protesters who ousted the repressive regime of Omar al-Bashir and his National Congress Party (NCP) in 2019 are uneasy partners in a transitional government that—if successful—will be replaced by an elected government in 2022. 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 [...]

The interim constitution agreed in August 2019 guarantees freedom of the press, but Sudan's government has historically been hostile to journalists [...]

The TSC has refrained from the most aggressive tactics used by the al-Bashir government, though journalists have criticized its activities. The SJU and the International Federation of Journalists (IFJ) condemned the government's decision to close trade union organizations associated with the old regime, including the SJU, in December 2019.

The RSF has remained active in its targeting of journalists since the rise of the transitional government. In November 2019, it filed a complaint against Hanadi el-Siddig, editor in chief of the newspaper Akhbar El-Watan, over her newspaper column. El-Siddig was subsequently charged with violating the Information Crimes Act [...]

## Restrictions on freedom of peaceful assembly and association in post-August 2019

### ❖ [Freedom House, Freedom in the World 2020 – Sudan, 4 March 2020](#)

[...] The security forces repeatedly used deadly force against protesters during the movement to oust al-Bashir, denying their freedom to assemble. When the RSF [Rapid Support Forces] attacked a protest outside of military headquarters in Khartoum in June 2019, it resorted to burning down the demonstrators' camp and dumping the bodies of some of its 127 victims into the River Nile. Doctors were subsequently attacked in hospitals as they tended to the injured. The RSF violently attacked another assembly in El-Obeid in July, the state capital of North Kordofan, while power-sharing talks were taking place; six people were killed, including four high school students.

Even after the TSC affirmed the right to assemble in its interim constitution, security forces have sometimes denied this right in practice. In September 2019, students encountered live ammunition and tear gas when they protested food shortages in the city of Nyala, the state capital of Southern Darfur. More than 20 people were wounded.

In other instances, 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. October protests held in Khartoum, North Darfur, and Northern State took place peacefully. [...]

## Freedom of movement for foreigners, including humanitarian workers, in 2019

### ❖ [ACAPS, CrisisInSight: Humanitarian Access Overview, May 2019](#)

[...] Humanitarian access remains restricted, especially in conflict areas. The security situation has become more unpredictable since a new military regime took power in April 2019, posing access risks. [...]

### ❖ [UN Human Rights Office of the High Commissioner, Briefing \[sic\] to the Security Council on Sudan by Andrew Gilmour, Assistant Secretary-General for Human Rights, New York, 14 June 2019](#)

[...] We believe that many cases in Darfur remain invisible and underreported due to lack of access to some parts of the region. [...]

### ❖ [ACAPS, Sudan: Escalation of Violence, Briefing Note, 17 June 2019](#)

[...] Access is very limited in Sudan. Many humanitarian workers were evacuated from Khartoum and elsewhere following the escalation of violence at the beginning of June. Humanitarian operations, especially in Darfur, have been suspended until security improves. Road blocks, strikes at ports and administrative burdens challenge the delivery of aid. The Internet has been shut down since 10 June.

[...] The extent to which aid agencies have been hampered is unclear and where possible organisations continue to respond to the needs of people affected by the recent crackdown. [...]

### ❖ [OCHA, Humanitarian Needs Overview: Sudan, January 2020](#)

[...] Humanitarian actors have long faced a challenging operating environment in Sudan, including heavy administrative procedures for moving within the country; operational constraints on recruitment of staff and approval of programs, particularly for NGOs; the involvement of security actors in approving and accompanying assessments; and the denial of access to areas under the control of non-state armed groups. While many of the existing directives, issued in 2016, remain in place, the humanitarian access environment has seen some significant improvements, particularly since the formation of the transitional Government, including in relation to movement of humanitarian workers and access to areas controlled by non-state armed groups. Nonetheless, significant challenges do remain.

**Movement restrictions:** Between January and June 2019, about 84 per cent of the requests made to travel from Khartoum to non-conflict states were delayed. This represented an increase compared with the second half of 2018, when only 53 per cent of requests were delayed. The civil unrest and political uncertainty during the first half of the year contributed to these delays as there was limited capacity to process these requests. Entry visas also faced several delays, with 73 per cent delayed beyond the directives' timeframe of seven days – taking on average over 24 days to clear (between June and September). However, as of August 2019, travel permits are no longer required for conflict-affected states, and the process for travel notifications has been simplified and shortened. This no longer requires separate approval at federal and state level, or separate stamps from security agencies in addition to the Humanitarian Aid Commission. In December, the HAC announced that travel notifications for staff to a given location will be valid for a period of six months, reducing the need for multiple requests. Since these announcements, humanitarian partners have reported a reduction in the processing time for travel notifications by the HAC.

**Interference in needs assessments:** Prior to April 2019, officers from the National Intelligence and Security Service (NISS – since renamed the General Intelligence Service) or Military Intelligence (MI) regularly participated in humanitarian assessment missions, compromising the neutrality of humanitarian response. Since then, there has been some reduction, but the practice continues in some areas. Additionally, approvals for assessment tools undergo lengthy discussions at both state and federal level. Protection and gender-related information is sometimes restricted, and the timely release of surveys and data has been challenging (for example the S3M). Approvals of interagency assessments often faced delays in the first half of the year.

**NGO operations:** International NGOs have faced particular restrictions, including a lengthy process for approving Technical Agreements and Government involvement in recruiting staff and selecting partners. In December, the HAC announced that HAC would no longer be involved in the recruitment of national staff; and that it will coordinate with the Ministry of Finance to obtain customs exemptions for humanitarian materials imported by NGOs. The Transitional Government has also allowed international NGOs that were expelled in 2009 to re-register in Sudan.

[...] Cross-line access to people in areas controlled by non-state armed groups in Darfur's Jebel Marra, South Kordofan and Blue Nile remained largely cut off during 2019. However, the Transitional Government has announced its commitment to allow humanitarian assistance to these areas and to allow and for organizations to coordinate with non-state armed groups directly. In October, the WFP Executive Director conducted a cross-border visit to the Kauda area of South Kordofan, under the control of the Sudan People's Liberation Movement-North (SPLM-N), the first UN humanitarian mission to the area in over eight years. In November, an inter-agency team visited the Feina area of East Jebel Marra in South Darfur, under the control of the Sudan Liberation Army-Abdul Wahid (SLA-AW), where no humanitarian organizations had been present for nearly 10 years. Humanitarian access is also being considered as part of ongoing peace negotiations, which could pave the way for further opening of access.

From January to November 2019, there were 56 incidents of security incidents against humanitarian personnel and facilities (UNDSS/ OCHA), with an increase during the unrest in April and June.

[...] In South Kordofan, areas hosting displaced persons and returnees are increasingly accessible to humanitarian actors, with assessments indicating high needs. [...]

#### ❖ [OCHA, Humanitarian Response Plan: 2020, January 2020](#)

[...] Since its formation in August 2019, the Transitional Government of Sudan has committed to facilitating humanitarian organizations' ability to reach people in need. Several barriers have been reduced, though further progress will be needed.

- The requirement for humanitarian workers to obtain travel permits for movement to conflict-affected areas was abolished. Humanitarian movements throughout the country still require a notification of

travel to be processed, though this process has also been simplified and streamlined. Partners have reported a reduction in delays.

- The requirement for the Humanitarian Aid Commission (HAC) to be involved in the recruitment of national staff by international NGOs has been removed. The Government has also committed to easing customs clearance for NGOs to import humanitarian materials, and licensing of NGO vehicles.
- Several NGOs that were expelled in 2009 have also been allowed to return and re-register in Sudan, and their return will increase the humanitarian community's overall capacity in the medium / long term.

There has also been some improvement in the ability of humanitarians to access areas controlled by non-state armed groups. The Government has indicated that organizations can coordinate directly with non-state armed groups (NSAGs) directly. In the cessation of hostilities agreement signed in Juba on 21 October 2019, the parties agreed to negotiate ways to deliver assistance through cross-line and cross-border operations. During the last quarter of 2019, humanitarian partners secured initial access to areas controlled by NSAGs which had not been accessed in several years, such as Kauda (South Kordofan); Feina (East Jebel Marra, South Darfur); and Boulay and Aja (Central Darfur's North Jebel Marra locality). In 2020, partners will maintain updated multi-sector contingency plans to quickly scale-up response in areas that become newly accessible. Partners will also continue to engage all relevant actors to secure access to more locations.

The humanitarian community will continue to strengthen coordination on other issues relating to the operating environment, and to ensure a coherent approach to HCT advocacy for humanitarian access. Key areas of advocacy in 2020 will include among others: the removal of all permits for internal travel; streamlined approvals for NGO technical agreements and the adoption of a multi-year technical agreement system; the ability to conduct independent assessments of humanitarian needs of all people, including refugees; including UNHCR and organizations supporting refugees under the same regulations as other humanitarian organizations. To support these efforts, the humanitarian community will prioritize the collection of evidence and analysis through monitoring and reporting.

Humanitarian organizations also continue to face operational challenges relating to poor road infrastructure, particularly during the rainy season. This makes delivery of supplies impossible or highly difficult during large portions of the year. For this reason, timely processing of technical agreements for NGOs, and timely provision of resources by donors to allow for prepositioning will be critical.

Humanitarian actors also continue to face operational challenges linked to the economic crisis. These include fuel shortages, which can constrain movement; cash shortages, which can delay payment for supplies and partners and limit the ability to deliver cash-based assistance; and high inflation, which limits the ability to negotiate long term contracts with suppliers. [...]

#### ❖ [USAID, Sudan - Complex Emergency Fact Sheet #2, Fiscal Year \(FY\) 2020, 10 March 2020](#)

[...] Humanitarian access improves in Jebel Marra under civilian-led transitional government.

[...] HUMANITARIAN ACCESS AND PROTECTION

Relief actors have reported improved access and easing of entry procedures to parts of Sudan under the civilian-led transitional government in recent months. However, insecurity impacted the delivery of humanitarian assistance in some areas of the country in early 2020. In mid-January, unknown perpetrators seized nearly 4 metric tons (MT) of UN World Food Program (WFP) food commodities from a warehouse in North Darfur State's Kabkabiya District. WFP temporarily halted general food distributions for internally displaced persons (IDPs) in Kabkabiya following the incident due to security concerns, resuming distributions in late January. WFP also temporarily suspended operations in White Nile State's El Reddis 2 refugee camp following a February 18 security incident that resulted in the death of one refugee and heightened intercommunal tensions. After camp authorities confirmed that security conditions in El Reddis 2 had stabilized, the UN agency resumed its distributions in the camp on February 26.

From February 3 to 5, USAID humanitarian staff traveled to Central Darfur State to assess humanitarian conditions, conduct meetings with non-governmental (NGO) and UN agency partners, and engage with local authorities and beneficiaries. Partner NGO and UN agency representatives reported that humanitarian access had improved in Jebel Marra—a mountainous region that encompasses parts of Central Darfur, North Darfur, and South Darfur states—in recent months, including areas under Sudan Liberation Army control. In addition, they noted that the Central Darfur Humanitarian Aid Commission had begun issuing movement permits more promptly in early 2020, allowing for more timely delivery of humanitarian assistance and comprehensive monitoring of activities. [...]

## Post-Bashir period, post-April 2019: Continued restrictions on movement of citizens in conflict areas

### ❖ [Freedom House, Freedom in the World 2020 – Sudan, 4 March 2020](#)

[...] G Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

The transitional government affirmed freedom of movement and the right to travel—including overseas—for all citizens in its interim constitution. However, the TSC has maintained the al-Bashir government's state of emergency, imposing curfews and restricting movement in South Kordofan State in October 2019. Neighborhood committees in the state alleged that security forces arbitrarily arrested individuals during the state of emergency [...]

## 2.3. Omissions

### 2.3.1. Omissions in 2017 (compared to 2016), all omitted in 2018 and 2019

#### Continuation of a 'cyber-jihadist unit' in 2017

### ❖ [Freedom House, Freedom on the Net 2017 – Sudan, 14 November 2017](#)

[...] In the most repressive countries, members of the government bureaucracy or security forces are directly employed to manipulate political conversations. For example, Sudan's so-called cyber jihadists—a unit within the National Intelligence and Security Service—created fake accounts to infiltrate popular groups on Facebook and WhatsApp, fabricate support for government policies, and denounce critical journalists [...]

#### Continuation of a 'cyber-jihadist unit' in 2018

### ❖ [Freedom House, Freedom on the Net 2018 – Sudan, 1 November 2018](#)

[...] Key Developments [...]

While social media was critical for mobilizing protests against the economic crisis, the so-called Cyber Jihadists worked to thwart the movement by disseminating misinformation (see Media, Diversity, and Content Manipulation). [...]

Introduction [...]

So-called "bread protests" erupted in late 2017 through early 2018 against the government's flagging response to the country's deteriorating economy. Social media platforms were critical for mobilizing and documenting the protests, which were not covered in traditional media. Meanwhile, misinformation spread by the pro-government Cyber-Jihadist Unit tried to paint the protests as a deliberate ploy to destabilize Sudan and disseminated propaganda on how the government was effectively handling the economic situation [...]

Media, Diversity, and Content Manipulation [...]

In response to Sudan's more vibrant online information landscape, the government employs a concerted and systematic strategy to manipulate online conversations through its so-called Cyber Jihadist Unit. Established in 2011 in the wake of the Arab Spring, the unit falls under the National Intelligence and Security Service (NISS) and works to proactively monitor content posted on blogs, social media websites, and online news forums.<sup>26</sup> The unit also infiltrates online discussions in an effort to ascertain information about cyber-dissidents and is believed to orchestrate technical attacks against independent websites, especially during political events <sup>27</sup>

In the past year, Cyber Jihadists worked to thwart the so-called "bread protests" that took place in early 2018.<sup>28</sup> Their strategies included posting pictures from war-torn areas of Syria to demonstrate a higher quality of life in Sudan and commentary that negates citizens' posts about the high prices of medicine and basic goods. The Cyber Jihadists also spread misinformation about the protests being a deliberate ploy to

destabilize Sudan and propaganda illustrating how the government was effectively handling the economic situation. [...]

#### Technical Attacks

Independent news sites are frequently subject to technical attacks, which many believe are perpetrated by the government's Cyber Jihadist Unit. Attacks usually intensify during political events and unrest, while some prominent news sites ward off daily DDoS attempts. Several online outlets reported technical attacks against their websites in the past year, but they were able to respond by increasing their cyber security capabilities [...]

[26](#) "Sudan to unleash cyber jihadists," *BBC*, March 23, 2011, [bbc.in/1V3FWdi](http://bbc.in/1V3FWdi).

[27](#) See Freedom on the Net, Sudan 2015, [bit.ly/1QQpZp5](http://bit.ly/1QQpZp5).

[28](#) It should be noted that activists rarely use the term "Cyber Jihad Unit", in fact they refer to thee affiliated with this unit as "electronic chickens" as of 2012. [...]

### Continuation of a 'cyber-jihadist unit' in 2019

#### ❖ [Reporters San Frontières \(RSF\), Sudan still awaits its press freedom revolution, 3 November 2019](#)

[...] Reporters Without Borders (RSF) calls on Sudan's new authorities to encourage the emergence of independent journalism, which is essential if the country's transition to democracy is to succeed. Eight months after Omar al-Bashir's removal by the military in a popular uprising and four months after the installation of a government headed by a civilian, journalists are no longer being arrested and newspapers are no longer being confiscated. But the Sudanese media are still largely controlled or under the influence of the forces that supported Bashir, one of the world's biggest press freedom predators [...]

Security agents still on the prowl

The NISS [National Intelligence and Security Service] may be less visible on the ground but it is still very active online. Several journalists have told RSF that the "Cyber Jihadist Unit" – a troll army created in the wake of the Arab springs to monitor online content – continues to infiltrate WhatsApp discussion groups and to spread false information attacking the transitional government on social networks. Propaganda, surveillance and censorship are all still part of the methods used by the NISS [...]

None of Sudan's repressive laws have been overhauled. The 2008 Cybercrime Act, the 2009 Press and Publications Act and the 2010 National Security Forces Act are all still in effect and continue to pose serious threats to journalism in Sudan [...]

#### ❖ [Reporters San Frontières \(RSF\), RSF unveils 20/2020 list of press freedom's digital predators, 10 March 2020](#)

[...] NAME: Cyber Jihadist Unit

Sudan

METHODS USED:

Spying on social media, producing and spreading false information

KNOWN TARGETS:

Created shortly after the start of the Arab Spring, this Sudanese intelligence agency-run troll army spies on activists, politicians and journalists on social media. It also disseminates messages and articles with false information designed to discredit members of the current transitional government and defend leading members of the old regime. [...]

### Organizations reported delays in obtaining permits to hold general assembly meetings or prevent organizations from holding elections or filling vacant positions in 2017

#### ❖ [Human Rights Watch, Human Rights Benchmarks for Sudan, Eight Ways to Measure Progress, 3 May 2017](#)

[...] 6. Respect for Freedoms of Association and Expression

Authorities restrict civil society by targeting activists who criticize the government or support international justice, and by leveling bogus charges of espionage and crimes against the state against them. These practices should end immediately [...]

Sudan also controls civil society through bureaucratic restrictions and oversight, including interference by national security officers in organizations' work. It has repeatedly blocked individuals' participation in

various international events, including Sudan's Universal Periodic Review (UPR) in 2016 at the UN Human Rights Council. [...]

❖ [PAX/KACE, Shrinking Civil Society Space in the Horn of Africa, August 2017](#)

[...] 4.2. National legislation and practice [...]

4.2.9. Sudan

As elsewhere in the region, the VHWA requires registration in contravention of international standards. As in South Sudan, operating the organization without registration can attract a serious penalty, in this case a fine and/or confiscation of the organization's assets.

The application for registration requires a number of documents, most of which are fairly similar to those requested in other countries. In Sudan, however, an organization must present a list of not less than 30 members. Organizations may be granted exemption from this rule by the Minister for Humanitarian Affairs. This provision may inhibit the work of organizations in two ways. First, for an organization in the initial stages of its development, it may be difficult to mobilize 30 members. Second, this may violate the rights of groups of less than 30 persons to freedom of association. Finally, this may pressure organizations to adopt a membership structure, which can complicate management by requiring consultation with a large number of members. The application should also include proof of financial and technical ability. Although no specific standards are set, this might in practice hinder new organizations from obtaining registration as they will not have yet had time to mobilize very much in the way of resources. NGOs are required to renew their registrations annually, which adds an unnecessary burden for those organizations. Another obstacle for the registration of NGOs is the time limit established for the process. Although there is a set limit of one month for the registrar to issue a registration certificate (three months for foreign organizations), there is no safeguard that this will actually take place, e.g. through de facto consideration of registration or automatic issuing of the registration if the process drags on beyond the prescribed time. Instead, as pointed out by KACE and the International Center for Not-for-Profit Law (ICNL):

The language used by the Act makes it clear that the period of one month for NGOs to receive a registration certificate starts when the applicant organization satisfies the requirements of registration. This provision allows the registrar to keep the applicant waiting forever without any remedy by requesting more documentation.

The objectives of registered CSOs are regulated by legislation, the VHWA lists a number of services that NGOs may provide. Services include a long list of possible activities, such as emergency relief, care for internally displaced persons, reconstruction of infrastructure, building of local capacities, and implementing humanitarian projects. The list is, however, not exhaustive.

Although some argue that the list should be read as indicative, rather than exhaustive, experience shows that the Humanitarian Aid Commission (HAC) tends to regard this list of activities as exhaustive. Such an interpretation excludes those NGOs working on good governance, advocacy or research as their main objective or activity.

In a far-reaching stipulation, the VHWA bans foreign funding of CSOs without government permission, stating:

1. Grants and funding for organizations shall be through a project instrument to be approved by the commission, as the regulations may elaborate.
2. No civil society organization, registered in accordance with the provisions of this act, shall receive funds or grants from abroad, from an alien person internally or from any other body, save upon approval of the ministry.

This amounts to wide discretion to oversee projects. As noted by KACE and ICNL:

HAC has used this article selectively targeting governance and human rights organizations that are truly seeking to fulfil their purposes.

This power has also been used in order to drastically restrict organizations' access to funding, which to a great extent tends to come from foreign sources. [...]

Unfortunately, attacks on the legal status of CSOs is not the only form of attack on CSOs in Sudan. CSOs have also had their bank accounts frozen, their premises raided and their members arrested and tried on dubious charges. Altogether, this creates an incredibly hostile environment for CSOs in the country [...]

[Organizations reported delays in obtaining permits to hold general assembly meetings or prevent organizations from holding elections or filling vacant positions in 2018](#)

❖ [UK All-Party Parliamentary Group, Sudan, South Sudan, APPG for Sudan and South Sudan, Report from Visit to Sudan, September 2018](#)

[...] B. Rights of Civil Society Activists

Civil society activists told the delegation that administrative obstacles put in place by the Government of Sudan make setting up and running Civil Society Organisations (CSOs) very difficult. They highlighted the rules put in place by the Humanitarian Aid Commission, run by the government, which dictate that each organisation needs more than 30 people to register; each member must give their name, address and identity documents to the government; and all funding must be approved by someone from the government. They also told the delegation that the families of the 30 killed in the September 2013 protests are yet to see any justice from the government. These human rights defenders urged the UK Government to take a more proactive role in criticising the Government of Sudan for its human rights record.

[Organizations reported delays in obtaining permits to hold general assembly meetings or prevent organizations from holding elections or filling vacant positions in 2019](#)

❖ [Freedom House, Freedoms Under Threat: The Spread of Anti-NGO Measures in Africa, May 2019](#)

[...] Understanding Anti-NGO Measures

Efforts to impose control over the NGO sector have taken a variety of forms in the last 15 years. Sudan's Voluntary and Humanitarian (Organization) Work Act of 2006 [...] are examples of anti-NGO framework legislation that provide a comprehensive set of rules designed to rein in civil society [...]

Registration Requirements [...]

But others, such as those in Sudan [...], impose a minimum membership of 30 at registration, which is burdensome and may constitute a violation of freedom of association [...]

In some countries, such as Sudan, discretion is often cleverly used to withhold registration or to tacitly deny renewal of registration; many applicants are left in limbo, without a yes or no answer [...]

NGOs face additional challenges in settings where the registration process includes a [...] mandatory periodic renewal. Renewal may be [...] every two years, as in Sudan [...]. Periodic renewal is not problematic per se, but it creates room for abuse, and groups that hope to continue their legal existence must tread carefully around sensitive topics. Additional opportunities for violations of freedoms of association and assembly appear where security personnel, usually intelligence officials, are inserted into the registration process—usually to “clear” applicants, as is the case in some of the states surveyed—or where applicants require documents such as “certificates of good conduct” (of NGO officials and board members), “recommendation letters,” or “clearance letters” from agencies other than the one that issues operating licenses, as in [...] Sudan [...]

Overly Broad National Security Measures [...]

Governments in some countries, such as Sudan, use a combination of security-related laws to have NGO leaders arrested, detained without trial, or prosecuted for offenses that include terrorism, undermining state security and the constitutional order, and espionage. While Sudan's restrictive 2006 NGO law is used to starve NGOs of financial resources, deny them registration, and ban them outright, the state routinely uses these other laws to disrupt civil society activity by keeping human rights defenders bogged down in their own security-related court cases [...]

**2.3.2. New omissions in 2018 (compared to 2017 and 2016), all omitted in 2019**

[Journalists banned from writing in 2018](#)

❖ [Reporters Without Borders, RSF decries alarming new crackdown on Sudan's media, 28 December 2018](#)

Reporters Without Borders (RSF) is alarmed by a new crackdown on the Sudanese media, which has included arrests, attacks on journalists, publications bans and Internet cuts. The crackdown has been prompted by a nine-day-old wave of anti-government protests that were triggered by food and fuel price hikes [...]

The NISS temporarily stopped censoring Sudan's newspaper two months ago in exchange for the signing of a media “charter” by editors on 1 November. Called a “Charter of Honour”, it bans the publication of

any information about Sudan's "regular forces" that is not provided by the force concerned. It also bans reporting on Sudan's relations with its neighbours.

But this respite did not last long and on 20 December the NISS warned the media against any coverage of the protests that had just begun. Printing presses were also ordered not to print anything without prior permission from the NISS [...]

## Journalists banned from writing in 2019

### ❖ [Reporters Sans Frontières \(RSF\), Sudan's military council closes Al Jazeera's Khartoum bureau, 31 May 2019](#)

[...] The National Intelligence and Security Service (NISS) closed Al Jazeera's bureau yesterday at the behest of the Council, which also ordered the immediate withdrawal of all work permits from the Qatari broadcaster's journalists and other employees in Sudan without giving any reason for this sudden decision. [...]

### ❖ [France 24, Sudan closes Al-Jazeera office in Khartoum: channel, 31 May 2019](#)

[...] Sudan has closed the Khartoum office of Qatari broadcaster Al-Jazeera, the station said on its website Thursday, adding that its staff members' work permits had also been withdrawn.

The Qatar-based broadcaster said Sudanese security officers informed it of the decision by the Sudanese Transitional Military Council to shut its office down.

"The decision also includes the withdrawal of the work permits for the correspondents and personnel of the Al-Jazeera network starting from now," said the station, which regularly broadcasts footage of demonstrations in Sudan. [...]

### ❖ [United Nations General Assembly, Human Rights Council, Situation of human rights in the Sudan: Report of the Independent Expert on the situation of human rights in the Sudan, 26 July 2019](#)

[...] 62. On 21 January, the licences of Sudanese journalists and work permits of foreign correspondents working for the *Al-Hadath*, *Al-Jazeera* and Anadolu Agency news networks were withdrawn and renewals were denied.

[...] 67. Civil society groups reported that the Transitional Military Council had closed down the Khartoum offices of Al-Jazeera on 30 May and had withdrawn its licence without providing justification. Al-Jazeera journalists had also been banned from reporting in the country with immediate effect. [...]

### ❖ [African Centre for Justice and Peace Studies \(ACJPS\), Sudan: Extrajudicial Killing and Incommunicado detention, 10 January 2020](#)

[...] A Report covering the events of December 13, 2018 to April 11, 2019

[...] Journalists were arbitrarily detained in crackdowns on newspapers' head offices, or during participation in protests. They were prevented from covering protests, subjected to prolonged periods of detention and physical and psychological torture, made objects of criminal Police reports, forbidden from writing and monitored in a way to bar writing opinion pieces.

[...] During the period covered by the report, 63 journalists of both sexes were arrested by the NISS [National Intelligence and Security Service]. Some of these journalists were arrested more than once such as journalists Shamail Al Nour and Sarah Daifalla. Other journalists were banned from writing like journalists Sohair Abdal Rahim and Asmaa Ju`ma whereas tens of journalists were arrested by the Police, beaten up with batons and locked up in cells at Police stations in order to disrupt their work before being released such as Dura Gambo, Faisal Mohamed Salih and others. [...]

## Impact of the nationality law/provisions in place in 2018

### ❖ [7D News, Caught in Statelessness, What South Sudan's Independence Means to Sudanese with Southern Ties, 17 April 2018](#)

*"I was told by officials that I was no longer Sudanese, and that I had to get South Sudanese citizenship and identification documents. I headed to the South Sudan embassy only to find that I am not recognised as South Sudanese either, and I was told to get the Sudanese citizenship papers,"* said Iman Hassan Benjamin,

a 23 year old woman who has had no identification card or citizenship since the independence of South Sudan in 2011.

Following independence, the Sudanese Nationality Act of 1994 was amended to remove nationality from hundreds of thousands of people who might be eligible for South Sudanese citizenship; they were immediately put at risk of statelessness. Article 10 (2) of the Act states: *“A person will automatically lose his Sudanese nationality if he has acquired, de jure or de facto, the nationality of South Sudan.”* Although Sudanese mothers can pass their nationality on to their children if the father is a foreigner, they cannot grant it to their children if the father is South Sudanese. The law does not allow dual citizenship with South Sudan.

Iman was born to a Sudanese mother and a South Sudanese father in Alhasaheisa, a small town to the south of Khartoum. She was 17 years old when she went to get her citizenship card and national identification number issued in order to get her high school certificate and enrol in university. With the support of PLACE Center for Legal Aid she filed applications for citizenship with Sudan’s Ministry of Interior, filed administrative complaints, went to court, filed a constitutional appeal and a complaint to the African Committee of Experts on the Rights and Welfare of the Child (ACERWC). In spite of positive responses from the constitutional court, and from the Sudanese government in response to her complaint before the ACERWC, there is still no timeframe or indication of practical steps she can take to get her Sudanese citizenship. *“Maybe if this was a case that attracted publicity I could get it resolved in no time, but because there is no publicity I may have to wait years to get my citizenship papers.”* [...]

When Iman went to the South Sudan embassy in Khartoum to apply for South Sudanese citizenship and identification papers, she was told she was not South Sudanese because she does not look like South Sudanese people, she does not speak their local languages and she has never been to South Sudan. [...]

According to Refaat Mekkawi, the director of PLACE Center for Legal Aid, not only are children born to South Sudanese fathers and Sudanese mothers at risk of statelessness, there are two other groups mostly overlooked: border tribes and nomads such as the Mbororo people. *“Those people have issues with the government of South Sudan and a separate issue with the government of Sudan. Neither government wants them, they are largely ignored by the international community. They are unaware of their situation until - for instance - they decide to undertake Haj and find they cannot get a Sudanese passport.”* explains Mekkawi. [...]

Gender discrimination is manifested in the law as children of a South Sudanese mother and a Sudanese father do not have difficulties acquiring Sudanese nationality, but it’s seemingly impossible for the children of Sudanese mothers. *“In a workshop we organised,”* says Mr Mekkawi, *“I asked more than 40 of our female clients who are mothers to half South Sudanese kids the following question: if they could go back in time and were made aware of the legal consequences of being married to a South Sudanese man, would they choose to proceed with the marriage? 90% of them said they would not have gone ahead because of the situation their children are facing.”* Since 2011, the PLACE Centre has taken on more than 970 citizenship related cases of which around 600 are birth certificate applications; there are two cases before the constitutional court and a complaint before the ACERWC.

Mekkawi believes that the actual number of people who are adversely affected by the 2011 amendment to the Sudanese Nationality Act is far bigger than the number of cases PLACE has supported. He elaborates:

*“People mostly do not go and ask for their citizenship when their father is South Sudanese and the mother is Sudanese because they fear being stereotyped as rebels and affiliates of the Sudan People’s Liberation Army/ Movement (SPLA/M). There is a social stigma attached to Sudanese women marrying South Sudanese men that holds people back from challenging the authorities.”*

The uncertain status of these families adds another burden on women already working as the main breadwinner for the family. South Sudanese men have been barred from enrolling in public service since 2011, and as the majority previously served in the police and the army for years they can now only pursue informal businesses. They are also struggling to receive their service pensions [...]

These obstacles are not limited to Iman, but affect countless numbers of children in Sudan, says Refaat Mekkawi. He says there are signs of psychological stress in his clients’ children mostly caused by being denied Sudanese citizenship and classed as stateless. *“It is just like telling them, you are undesired, you are unrecognised, you are not Sudanese and you are worth less than a foreigner.”*

Foreigners residing legally in Sudan can access education, but for children at risk of statelessness access to education remains a huge challenge. There are children at 6 and 7 years old who are denied birth certificates because of their South Sudanese nationality, and then find birth certificates are mandatory to

be enrolled in schools. There is also the issue of the cost of education as they are treated as foreigners and they need to pay for schooling in hard currency.

Access to health care is also a big issue for people at risk of statelessness because they are not covered by health insurance and this makes it harder for them to access health services. They also cannot register their properties as their homes under their own name because they lack official documentation [...]

❖ [Bronwen Manby \(UNHCR\), Statelessness and Citizenship in the East African Community, September 2018](#)

[...] 5. Groups at risk of statelessness [...]

South Sudan [...]

The very broad attribution of nationality under the law also creates problems for those resident outside the country who do not wish for South Sudanese nationality.<sup>243</sup> In (north) Sudan, it is already the case that people who are believed by the Sudanese authorities to fit the definition under the law of South Sudan are being deprived of Sudanese nationality, under legal amendments that prohibit dual nationality with South Sudan (but no other country). Many of those being deprived of Sudanese nationality consider themselves Sudanese and have little or no effective connections to South Sudan.<sup>244</sup> Others do see themselves as South Sudanese, but the South Sudanese representatives in Khartoum have not conducted effective outreach to reach all those potentially needing such documents. [...]

Northerners and cross-border ethnic groups

UNHCR estimated that there were just over 80,000 people of northern origin living in South Sudan in 2011, at the time of state succession. Whereas traders and civil servants generally possessed Sudanese documentation, the larger percentage of this figure was made up of what were then internally displaced persons from conflict in Darfur (some of them resident for many years and others more recent arrivals), most of whom had no documents.<sup>245</sup> The Darfuris also face difficulties in obtaining documents in (north) Sudan, and given the poor relations between Sudan and South Sudan, those who are now refugees in South Sudan (and especially their children) are at risk of not being recognised as citizens of either state. Some ethnic groups are not clearly from Sudan or South Sudan. For example, the Kresh, Kara, Yulu, Frogai and Bigna are all ethnic groups that exist on both sides of the border between South Darfur in Sudan and Western Bahr el Ghazal state in South Sudan, and many families have members living on both sides of the border. It remains unclear how such groups and individuals will be treated by South Sudan in the longer term, once administration is re-established [...]

243 Bronwen Manby, *The Right to Nationality and the Secession of South Sudan: A Commentary on the Impact of the New Laws*, Open Society Foundations, 2012.

244 *Nationality and Statelessness in Sudan following the Secession of South Sudan*, Human Rights Centre, University of Khartoum, Draft Report May 2016, on file with author.

245 UNHCR, *Survey of Northerners at Risk of Statelessness Living in South Sudan*, December 2010-February 2011 [...]

## Impact of the nationality law/provisions in place in 2019

❖ [UNHCR, At risk of statelessness \(in North Sudan\)](#)

[...] 2019 (Year-End) > Sudan [...]

Unmet needs

Limited availability of funds prevented a wide scale intervention on birth registration both at country level and at the specific refugee level. Civil registry required a comprehensive capacity-building and a considerable logistical support for the registration activities in targeted locations, due to which the overall birth registration rate in the country remained at 69%. Limited funding and increasing inflation in Sudan led to decrease in the number of permanent birth registration centers which were supposed to be constructed from four to only one. Due to access and resource limitations, gathering of qualitative and quantitative data on statelessness and carrying out participatory assessments remained challenging, and only limited monitoring and strengthening of community structures was conducted in Khartoum and the Eastern States. Since there is no consolidated data on groups of population at risk of statelessness in Sudan, further detailed profiling and identification of these groups were required through conducting country-wide researches and assessments [...]

❖ [UNHCR, Background Note on Gender Equality, Nationality Laws and Statelessness 2019, 8 March 2019](#)

[...] States with constitutional guarantees of equality that have not yet reformed nationality laws to introduce gender equality [...]

In Sudan, the 1994 Nationality Act provides that all children born in Sudan whose male ancestors were residing in Sudan since 1956 acquire Sudanese nationality by descent. After 1994, the Act grants citizenship to children born to a father who was a Sudanese national by descent. The law was amended in 2005 to allow a child born to a Sudanese mother to acquire Sudanese nationality by birth by following an application process. These provisions from the 1994 Act are at variance with Article 7 of the Interim Sudanese Constitution that guarantees that “every person born to a Sudanese mother or father shall have an inalienable right to enjoy Sudanese nationality and citizenship.” After the creation of the independent State of South Sudan, the Republic of Sudan amended its nationality law in 2011, but has yet to amend the relevant sections of the 1994 Act. The Interim Sudanese Constitution remains in force until Sudan adopts a permanent constitution [...]

❖ [UNOCHA, Humanitarian Needs Overview Sudan, January 2020](#)

[...] 3.6 Protection [...]

AFFECTED POPULATION

General Protection: [...]

Despite progress made since 2018, 46 % of refugees need registration. Access to birth registration is limited in most locations, which places refugee children born in Sudan at risk of statelessness. Limited access to durable solutions for refugees continues to contribute to their needs [...]

❖ [UNHCR, Sudanese mother wins citizenship for her children after seven-year legal struggle, 6 March 2020](#)

[...] Sudan has made strides in changing its nationality laws. However, it remains one of 25 countries that do not yet allow women to pass their nationality on to their children the same way men can. Hanan’s case illustrates how legal, administrative and procedural barriers can thwart mothers like her for years.

Sudan is also a signatory to the 2017 Brazzaville Declaration on Eradication of Statelessness in the Great Lakes Region, which includes 11 commitments to eliminate statelessness. Among them are the reform of nationality-related laws and policies to ensure compatibility with international principles on statelessness, accession to UN statelessness conventions and the removal of gender discrimination in nationality laws and policies.

Gender discrimination in the transfer of nationality is one of the leading causes of statelessness globally. When fathers cannot, or will not, pass on their nationality to their children, mothers in these countries have no options [...]

### 2.3.3. New omissions in 2019 (compared to 2018, 2017 and 2016)

#### Large-scale displacement continued to be a severe problem in Darfur and the Two Areas in 2019

❖ [Reliefweb, Sudan, Humanitarian Situation, Undated](#) [Last accessed: 5 October 2020]

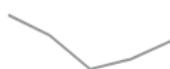
[...] Key Figures [...]

#### New IDPs by Conflict (per year)

**84,000**

105% increase  
since 31 Dec 2018

Updated 31 Dec 2019



IDMC

- ❖ [IOM Sudan, Displacement Tracking Matrix/DTM Sudan, Registration Factsheet 2019, March 2020](#)  
In 2019, DTM registered 186,813 individuals across five states of Darfur and South Kordofan – 155,117 (83%) of which were returnees and 31,696 (17%) internally displaced persons (IDPs) [...]

[As a comparison]

- ❖ [IOM Sudan, Displacement Tracking Matrix/DTM Sudan, August 2018](#)  
[...] A total of 250,663 beneficiaries registered / verified / tracked since the beginning of 2018, in which 185,393 (48,399 IDPs, 131,958 returnees and 5,582 affected population / vulnerable population) were properly registered, while the remaining 64,724 individuals were tracked in different locations [...]

### **3. Section 3. Freedom to Participate in the Political Process**

#### **3.2. Improvements**

##### **3.2.3. New improvements in 2019 (compared to 2018, 2017 and 2016)**

Restrictions on political party meetings, activities and demonstrations, as well as arrest of opposition party members in post-April 2019

- ❖ [Amnesty International, Sudan: Remove Rapid Support Forces from Khartoum streets immediately, 6 June 2019](#)  
[...] Hundreds of people have been arrested and detained in the past three days, including recently returned opposition leader Yassir Saeed Arman, whose whereabouts are unknown. Yassir, who is the deputy chairperson of Sudan's People Liberation Movement-North (SPLM-N) and was one of the SPLM lead negotiators during the Comprehensive Peace Agreement that ended the war between the north and south of Sudan in 2005, has an unwarranted death sentence hanging over his head. He must be released immediately and unconditionally. [...]
- ❖ [African Centre for Justice and Peace Studies \(ACJPS\) et al., 30 CSOs Appeal to UN Security Council for Urgent Intervention to Prevent further Bloodshed in Sudan, 11 June 2019](#)  
[...] Recently returned opposition leader Yassir Arman was arrested and held incommunicado for several days before being forcibly deported to Juba. [...]
- ❖ [OHCHR, Sudan: UN human rights experts call for independent investigation into violations, 12 June 2019](#)  
[...] The experts expressed concerns about reports that three opposition leaders from the Sudan People's Liberation Movement-North (SPLM/N Malik Agar faction) were allegedly deported from Sudan at the weekend. The men were arbitrarily arrested by the National Intelligence and Security Services last week. [...]
- ❖ [United Nations General Assembly, Human Rights Council, Situation of human rights in the Sudan: Report of the Independent Expert on the situation of human rights in the Sudan, 26 July 2019](#)  
[...] 43. From the start of protests in December 2018, the Independent Expert received reports from multiple sources on large numbers of arrests and detentions by the National Intelligence and Security Services. The Minister of the Interior, speaking before the parliament on 6 January 2019, stated that 816 people had been arrested within the first three weeks of protests. Information from human rights groups suggested that the number of detentions might have been higher at the time. Additional reports that the Independent Expert received from multiple sources on the ground suggested that thousands of people might have been arrested and detained in circumstances linked to protests during the period under review. Many individuals were arrested multiple times, according to information received. Those arrested

and detained included opposition leaders, political activists, civil society activists, journalists, university professors and students, and professionals such as doctors, lawyers and engineers.

[...] 45. Opposition leaders engaged in organizing the protests were frequently arrested or detained.

[...] The deputy Chair of the National Umma Party was arrested on 30 January for a few hours and reportedly interrogated by the Director of the National Intelligence and Security Services. Two leaders from the Sudanese Professionals Association were reportedly arrested in Khartoum by the National Intelligence and Security Services on 4 and 11 January, respectively. [...]

❖ [African Centre for Justice and Peace Studies \(ACJPS\), Sudan: Extrajudicial Killing and Incommunicado detention, 10 January 2020](#)

[...] A Report covering the events of December 13, 2018 to April 11, 2019

[...] Detention also included the leaders of political opposition from the Umma National Party, the Sudanese Communist Party, the two wings of the Ba'ath Socialist Party, the Sudanese Conference Party, the Nasserite Unionist Party and some members of the Popular Congress Party, the People's Liberation Movement- North Sector (Aqar Leadership) and civil society and social media activists.

❖ [Radio Dabanga, Darfur lawyers: 'No legal grounds to keep political prisoners', 1 March 2020](#)

[...] On Thursday, JEM issued a statement in which it announced the release of 21 affiliates who spent years in detention centres in various states in Sudan. The movement thanked those who have campaigned for, and supported the prisoners and their families throughout their imprisonment.

JEM spokesperson Moatasim Saleh stated that hundreds of their affiliates, as well as members of the Sudan Liberation Movement under the leadership of Abdelwahid El Nur (SLM-AW) still remain in Sudanese detention centres, despite promises of Khartoum to release them [...]

The Darfur Bar Association (DBA) in Khartoum welcomed the release of the JEM combatants, and urged the government to release all other political prisoners who have been detained during the deposed regime.

"All the political detainees have contributed to the revolution that ousted Al Bashir. Therefore, there is no reason for keeping them in detention centres anymore," the statement said. "They should immediately release all political prisoners who were detained because they were opposing the deposed regime. Once the revolution succeeded and a new government is formed there is no reason to keep them behind bars anymore."

The DBA also expressed its concerns about the continued detention of members of the Revolutionary Awakening Council, founded by former janjaweed leader Musa Hilal, since November 2017.

"There is no legal ground for the detention of these people under the transitional government, they must release all those who were detained for political reasons during Al Bashir regime," the statement concluded.

Mohamed El Taayshi, Member of Sudan's Sovereign Council and Spokesperson for the government delegation for the current peace talks in Juba, confirmed the government's commitment to "the unconditional release of all prisoners who affiliated or allegedly affiliated with rebel groups" [...]

❖ [Freedom House, Freedom in the World 2020 – Sudan, 4 March 2020](#)

[...] Under the al-Bashir regime, political parties faced harassment, intimidation, and bureaucratic hurdles when trying to participate in party politics. The TSC [Transitional Sovereign Council] targeted high-ranking NCP [National Congress Party] members, which previously benefited from these circumstances, with arrest, including the acting party leader and a former vice president. Other prominent members were placed under house arrest. In November 2019, the TSC disbanded the NCP altogether, establishing committee to seize its assets [...]

❖ [Amnesty International, "They Descended On Us Like Rain": Justice For Victims Of Protest Crackdown In Sudan, 10 March 2020](#)

[...] Amnesty International noted an alarming increase in the restriction on freedoms of peaceful assembly, association, and expression and arbitrary arrests after 3 June. Sudanese security forces arrested and detained senior members of the Sudanese People's Liberation Movement. These include, Yasir Arman on 5 June and Ismail Khamis Jalab and Mubarak Ardol on 8 June respectively.<sup>103</sup> They also arrested Mohamed Ismat, a senior member of the FFC [Forces of Freedom and Change] on 8 June. [...]

103 Amnesty International, Sudan: Remove Rapid Support Forces from Khartoum streets immediately, 6 June 2019, <https://www.amnesty.org/en/latest/news/2019/06/sudan-remove-rapid-support-forces-from-khartoum-streets-immediately/>

### 3.3. Omissions

#### 3.3.2. New omissions in 2018 (compared to 2016 and 2017), all omitted in 2019

##### Peace negotiations for the Two Areas and Darfur continued to stall in 2018

- ❖ [UN Security Council, Final report of the Panel of Experts on the Sudan established pursuant to resolution 1591 \(2005\), 10 January 2019](#)

[...] Summary

The present report covers the period from 13 March to 23 November 2018. The Panel has continued to monitor developments in Darfur and in the region in accordance with its mandate [...]

The peace process has been shaped by a number of initiatives which have not, however, led to an agreement between the Government of the Sudan and the non-signatory Darfurian armed movements [...]

- ❖ [Escola de Cultura de Pau, Peace Talks in Focus 2019, Report on Trends and Scenarios, 3 April 2019](#)

[...] One of the issues that came up in the negotiating agendas on every continent in 2018 was the search for truces, ceasefires and cessations of hostilities, under different formats. This was the case in [...] Sudan (for both the conflicts in Darfur and in Kordofan and Blue Nile) [...]

##### Peace negotiations for the Two Areas and Darfur continued to stall in 2019

- ❖ [United Nations Security Council, African Union-United Nations Hybrid Operation in Darfur: Report of the Secretary-General, 10 April 2019](#)

[...] 3. The anti-Government protests that began across the Sudan on 19 December 2018, initially as demonstrations against the rising cost of living, have had a limited impact in Darfur thus far. It should be noted, however, that while protests took place during the reporting period only in Nyala, South Darfur on 13 January, and El Geneina, West Darfur, and Ed Daein, East Darfur, on 17 January, they nevertheless disrupted the Darfur peace process, as the Sudan Liberation Army-Minni Minawi (SLA-MM) and the Gibril Ibrahim faction of the Justice and Equality Movement (JEM/Gibril) reversed their December 2018 agreement to resume talks with the Government in January 2019. On 28 January, the President of the Sudan, Omer Hassan al-Bachir, announced an open-ended cessation of hostilities in Darfur, South Kordofan and Blue Nile, and the Sudanese Revolutionary Front, composed of SLA-MM, JEM/Gibril, the Sudan Liberation Movement/Transitional Council and the Sudan People's Liberation Movement/Army-North, led by Malik Agar, reciprocated by extending their unilateral cessation of hostilities for an additional three months, beginning on 8 February 2019.

[...] 24. There has been no significant progress made in the Darfur peace process since the signing of the pre-negotiation agreement in Berlin on 6 December 2018. JEM/Gibril and SLA-MM withdrew from the planned talks with the Government in January 2019, in solidarity with anti-Government protests. Nonetheless, the African Union-United Nations Joint Special Representative for Darfur has continued to engage with the parties and other stakeholders, including Qatar, in order to unblock the impasse. UNAMID has also engaged with civil society groups and the native administration on issues to be addressed through the talks, once resumed, together with the recommendations from the Darfur Internal Dialogue and Consultation process.

25. The implementation of the Doha Document for Peace in Darfur continued at a slow pace, owing mainly to a lack of funding and operational constraints. On 11 and 12 January, the Darfur Land Commission, in collaboration with the Ministry of Agriculture and Forests and the Food and Agriculture Organization of the United Nations, organized a workshop in Khartoum on the governance of agricultural land in the context of food security in Darfur. The Truth, Justice and Reconciliation Commission submitted a funding request to the Federal Ministry of Finance for three projects on peaceful coexistence and peace

conferences. Nevertheless, the five key commissions of the Doha Document for Peace in Darfur that are responsible for voluntary returns and resettlement, land, security arrangements, justice, truth and reconciliation and nomadic development, as well as the Darfur Reconstruction and Development Fund, have yet to be fully established and effectively functioning in Darfur [...]

❖ [International Peace Institute, Prioritization and Sequencing of Security Council Mandates: The Case of UNAMID, June 2019](#)

[...] While violence and insecurity in Sudan's Darfur region have noticeably decreased in recent years, the ongoing peace process has stalled, security gains are tenuous, and the underlying causes of conflict have not been resolved.

[...] Meanwhile, efforts to revitalize the Doha peace process have stalled. The AU High-Level Implementation Panel, currently in the political lead, suspended its Addis Ababa consultations in December 2018, which sought to address the outstanding disagreements between the non-signatories of the DDPD and the Sudanese government. The Sudan Call alliance of opposition parties and armed groups are now waiting to see what happens during the political transition. Signatory and non-signatory armed groups do not trust the TMC [Transitional Military Council] to uphold commitments made by the previous regime, including those in the DDPD. There are concerns that violence in Darfur could reignite if negotiations do not produce tangible outcomes related to civilian leadership of transitional arrangements, reform of election-related legislation, and other issues.

These dynamics have the potential to reverse fragile security gains in Darfur. [...]

❖ [United Nations Security Council, Special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the African Union-United Nations Hybrid Operation in Darfur, 15 October 2019](#)

[...] Darfur peace process

5. The recent political developments have opened the way to a new approach and new opportunities for the Darfur peace process. The Constitutional Declaration, which governs the transition period, envisages the completion of a fair and comprehensive peace in the Sudan no later than six months from its signing, and addresses the root causes of the conflict and its effects. To that end, the Declaration provides for the establishment of a peace commission, taking into account United Nations Security Council resolution 1325 (2000) and the relevant African Union resolutions related to the participation of women at all levels of peace processes. Furthermore, it defines the issues to be addressed in the peace negotiations, including security arrangements, voluntary return and durable solutions for the issues of displaced persons and refugees, issues of marginalization, justice and reconciliation, the issue of land, and the fair distribution of power and wealth. Lastly, it stipulates that past peace agreements signed between the Government of the Sudan and the armed movements will be revisited to address possible shortcomings.

6. Encouraging developments took place after the establishment of the new transitional institutions. On 11 September, the Sovereign Council, the Sudanese Revolutionary Front (SRF), SPLM-North of Abdel Aziz al-Hilu, the Beja Congress and the Sudan Liberation Forces Alliance of Tahir Hajar signed, under the auspices of the President of South Sudan, Salva Kiir, the Juba Declaration for Confidence-building Procedures and the Preparation for Negotiation, which constitutes a road map and trust-building agreement. The parties agreed on a ceasefire, the opening of humanitarian corridors, the release of war prisoners, ending the travel bans for the leaders of the movements, the establishment of a preparatory committee for peace negotiations and to postpone the establishment of the transitional legislative assembly and the appointment of governors of the states until the peace agreement is reached. The parties also agreed that there would be tracks to address the specificity of war-affected regions in Darfur, the Two Areas, East and North Sudan. They agreed to start the peace negotiations on 14 October 2019 with the objective of signing a peace agreement by 14 December 2019.

7. As the Sudanese parties have taken the lead in the peace negotiations, the international community is called upon to support the process. More specifically, the parties requested that the Juba Declaration be presented to the African Union Peace and Security Council for it to issue a new mandate on the Sudan peace negotiations and, subsequently, for the United Nations Security Council to endorse it. The parties further agreed that regional partners, led by the African Union, and the international community, led by the Troika (Norway, the United Kingdom of Great Britain and Northern Ireland and the United States of America), were essential and should be involved in the peacemaking and peacebuilding efforts. [...]

- ❖ [Deutsche Welle, Sudan renews cease-fire pact with rebels, lets in aid, 21 October 2019](#)  
 [...] Sudan's new government and major rebel groups have signed a declaration opening the door for further political talks while also renewing a cease-fire for three months, all part of efforts to end the country's yearslong civil wars.  
 "The political declaration will pave the way for political negotiations and is a step toward a just, comprehensive and final peace in Sudan," said General Mohamed Hamdan Daglo on Monday. Daglo is a key figure in the transitional government that is tasked with transitioning to civilian rule after the ouster of President Omar al-Bashir in April.  
 [...] The peace talks, which began last week, have been held in Juba, the capital of South Sudan, after South Sudanese President Salva Kiir offered to mediate.  
 South Sudan gained independence from its northern neighbor in 2011 after years of fighting and is now struggling to quell its own civil war.  
 Rebels involved in the talks fought al-Bashir's forces for many years in Darfur, Blue Nile and South Kordofan states. One of the groups, the Sudan Revolutionary Front (SRF), called the agreement in Juba a good step.  
 "Peace is a very strategic goal for us. The transformation of Sudan is anchored on peace," Hedi Idriss Yahia, who represented the SRF at the signing, told Agence France-Presse. [...]
  
- ❖ [UNICEF, Sudan Humanitarian Situation Report – 2019, December 2019](#)  
 [...] The peace talks between the Sudanese government and the armed movements in Darfur, Blue Nile and South Kordofan resumed in Juba following a standstill of nearly two months. The third round of negotiations started on 14 December 2019 and negotiators expressed their willingness to reach a comprehensive and sustainable peace agreement, ending the state of war in Sudan and fulfilling the peace priorities of the Sudanese revolution. On 17 December 2019, a framework agreement for continued cessation of hostilities and humanitarian access to the war-affected areas in the Blue Nile and South Kordofan was signed by Mohamed Hamdan Daglo, the Vice-President of the Transitional Supreme Council and head of the Government peace delegation, and Malik Agar SPLM-North leader.  
 On 16 October 2019, the Forces of Freedom and Change (FFC) revealed their "rescue and alternative policies" containing five main pillars: 1) ending war and peacebuilding; 2) democratic transition; 3) economy, development and financial policies; 4) citizens' rights; 5) external relations and investment. The program will be discussed through sectoral conferences and professional workshops to be conducted in the coming seven months.  
 On 31 October 2019, US President Donald Trump issued a notice to continue the national emergency declared in Executive Order 13067 on Sudan over the government's failure to address the cause of the country's political crisis. On the same day, the UN Security Council extended the mandate of the Darfur peacekeeping mission (UNAMID) for one year. [...]
  
- ❖ [Sudan Tribune, Sudan, armed groups sign framework agreement for peace in Darfur, 28 December 2019](#)  
 [...] Sudanese government and Sudanese Revolutionary Front (Darfur Track) have signed a framework agreement on the issues they will discuss in the direct talks for peace in Darfur.  
 The ongoing discussions for peace in Darfur come after the signing on 11 September of confidence-building measures including the cessation of hostilities and humanitarian access.  
 The same deal was renewed on 14 December as the parties gave themselves further time to achieve a peace agreement and set 14 February for the signing of a final peace agreement.  
 The framework agreement was signed by the head of the government negotiating team Shams al-Din Kabbashi, the representatives of the four groups from Darfur and the South Sudanese chief mediator Tut Gatluak.  
 According to the framework agreement, the parties identified national matters and issues related to the Darfur region.  
 On the national level, the parties agreed to discuss issues such the identity, relationship between religion and the state, public freedoms and human rights, the constitutional making process, among others. Also, the parties agreed to discuss wealth and power-sharing during the transitional period.  
 On Darfur issues, the parties agree to discuss the administrative situation of Darfur during the transitional period, the power-sharing at the regional and state levels; 3) the wealth sharing, land ownership, IDPs and

refugees, nomads and herders, compensations, transitional justice, accountability and reconciliation, development and reconstruction, Security arrangements, and Darfur-Darfur dialogue.

The agreement was inked by the 4 armed groups participating in the talks: Justice and Equality Movement of Gibril Ibrahim, Sudan Liberation Movement led by Minni Minnawi, Sudan Liberation Movement Transitional Council and the Sudan Liberation Forces Alliance.

The Sudan Liberation Movement - Abdel Wahid al-Nur boycotts the process and calls for a comprehensive process inside Sudan after forming a new civilian government without the military component. [...]

❖ [Panel of Experts on the Sudan, Letter dated 14 January 2020 from the Panel of Experts on the Sudan addressed to the President of the Security Council, 14 January 2020](#)

[...] Following the political changes in the Sudan, the peace process in Darfur has entered a new phase, involving most of the armed movements, with the exception of Sudan Liberation Army/Abdul Wahid (SLA/AW). Various challenges have been encountered during the peace process, partly because of conflicting external influences on the armed movements and the Government of the Sudan. These influences have delayed the choice of venue, mediator and modalities for the peace process.

The regional situation has mainly remained unchanged, and, to a certain extent, has been conducive to stability and peacebuilding in Darfur. All the neighbouring States have expressed support for the peace process. South Sudan and Chad, in particular, have helped to facilitate talks between the Government of the Sudan and the Darfurian movements.

Although there have not been any large-scale outbreaks of violence, the security situation in Darfur has been characterized by an increase in localized security incidents, including intercommunal skirmishes; militia attacks on civilians; tensions in major camps for internally displaced persons; clashes in Jebel Marra between the security forces, allied militias and SLA/AW, as well as within SLA/AW itself; and several attacks on the African Union-United Nations Hybrid Operation in Darfur (UNAMID) and humanitarian agencies. In Jebel Marra, SLA/AW has been able to build capacity as a result of new financing.

The Darfurian armed groups operating in Libya have significantly bolstered their military capability by acquiring new equipment and engaging in recruitment on a large scale. They have participated in various clashes and military operations alongside Libyan warring parties. The presence of Darfurian armed groups in South Sudan is now residual, as the South Sudanese authorities no longer provide them with any meaningful support. In the present report, the Panel has documented a system of extortion and detention that has been put in place by SLA/AW in South Sudan and targets the Darfurian diaspora.

Various human rights violations and abuses continued unabated. Acts of rape and other forms of sexual and physical violence were a common occurrence and were often used as tactics to prevent communities from gaining access to their farms and from engaging in other livelihood activities. Such violations and abuses were compounded by the lack of medical, psychosocial and other support available to survivors. Security forces of the Government of the Sudan continued to perpetrate human rights violations, which points to a lack of professionalism and a culture of impunity. Militias continued to represent a security threat to many communities, including to internally displaced persons. The Panel has documented human rights abuses committed by SLA/AW in Jebel Marra, which have resulted in new and secondary displacement of civilians. Challenges remained with respect to the return of internally displaced persons and refugees to their places of origin.

During the reporting period, the Government of the Sudan has continued to routinely violate the arms embargo by transferring weapons to Darfur, justifying such transfers on the grounds of security imperatives. Armed groups and militias in Darfur have continued to source weapons within the Sudan. The borders between the Sudan and neighbouring countries have remained porous, enabling a range of cross-border criminal activities that have had an impact on security and stability in Darfur and in the region.

On account of a lack of cooperation between the Government of the Sudan and other Governments in the region, the monitoring and implementation of the travel ban and asset freeze have remained a challenge. Mercenary and smuggling activities in Libya have remained the main source of financing for Darfurian armed groups. SLA/AW, the only active rebel group inside Darfur, has suffered a loss of tax revenues because of factional infighting and tensions in the camps for internally displaced persons. However, during the reporting period, it has increased its finances through gold mining activities in south-eastern Jebel Marra. [...]

## Information on whether Sudan or South Sudan made any progress towards a resolution on the final status of Abyei in 2018

### ❖ [UN Security Council, Situation in Abyei, Report of the Secretary-General, 16 October 2018](#)

#### I. Introduction

1. The present report is submitted pursuant to paragraph 32 of Security Council resolution 2416 (2018), in which the Council requested to be informed of progress in implementing the mandate of the United Nations Interim Security Force for Abyei (UNISFA). It covers the period since the issuance of my previous report (S/2018/293), from 30 March to 7 October 2018, and should be read in conjunction with my letter to the Council dated 20 August (S/2018/778), in which I provided detailed reconfiguration recommendations, and the briefing of my Under-Secretary-General for Peacekeeping Operations of 20 September, 1 in which he updated the Council on the efforts that the Governments of the Sudan and South Sudan had made towards implementing the steps outlined in Council resolution 2412 (2018) [...]

#### D. Political process

24. While UNISFA operations continued to enhance peace and stability within the Abyei Area through a robust military presence and by supporting local-level dialogue, the parties to the Agreement of 20 June 2011 made little progress on the implementation of the commitments therein. No meetings of the Abyei Joint Oversight Committee were held during the reporting period, the most recent meeting having been in November 2017 [..]

## Information on whether Sudan or South Sudan made any progress towards a resolution on the final status of Abyei in 2019

### ❖ [Sudan Tribune, Luka Kuol, What do we know about UN Resolution 2469 \(2019\) and The Final Status of Abyei?, 29 May 2019](#)

[...] With much-appreciated efforts of our South Sudan Mission in New York, the leading role played by the US Mission in New York in drafting the resolution and building consensus among 15 members of the UNSC , the successful diplomatic shuttling of Dr Francis in New York including the delivery of the much-appreciated letter of President Salva Kiir to the UN Secretary-General on the final status Abyei, the UN Security Council has unanimously adopted on 14 May 2019 Resolution 2469 with the following key decisions:

1. Extending the mandate of UNISFA to 15th Nov 2019 with reduced authorized troop ceiling to 3550 and increased authorized police ceiling to 640.
2. Requesting UN Secretary-General to appoint a civilian Deputy of Mission of UNISFA. This is a big decision as one of the briefs of the Deputy Mission is stabilization programs.
3. Inviting the AUHIP headed by President Mbeki and UN Secretary General Special Envoy to report to UNSC by 15 October on:
  - (i) Steps taken towards the resolution of the final status of Abyei including the 2012 Proposal made by the AUHIP of President Mbeki noting the various decisions made by AU Peace and Security Council (AUPSC) adopting the AUHIP proposal as the only African solution for the final status of Abyei. This is the first time the UNSC to come out explicitly about mechanisms for resolving the final status of Abyei.
  - (ii) Steps the AU Commission has taken to submit to AUPSC the findings and recommendations of Abyei Area Joint Investigation and Inquiry Committee on the assassination of the NGok Dinka Paramount Chief Kuol Deng and Peacekeeper.
4. Recognizes the absence of development projects in the area and calls upon the governments of South Sudan and Sudan as well as the donors to support roads maintenance, general reconstruction and capacity building and welcomes the call in the UN Secretary-General's letter (S/2018/778) for development projects in the area. [...]

### ❖ [United Nations Security Council, Letter dated 20 September 2019 from the Secretary-General addressed to the President of the Security Council, 23 September 2019](#)

[...] In this politically volatile context, in which the status of Abyei and border-related issues have not been prioritized by the authorities of both the Sudan and South Sudan, the Joint Border Verification and

Monitoring Mechanism has made modest progress on the benchmarks set out in Security Council resolution 2465 (2019).

[...] The reporting period was marked by a lack of progress in terms of the political process to conclude border-related negotiations between the Sudan and South Sudan. However, that should not overshadow the importance of the stabilizing role that UNISFA and the Joint Border Verification and Monitoring Mechanism in particular continue to play along the borders between the two countries. There are positive signs that the stalled process can be revived, with the establishment of the transitional Government in Khartoum and its pledge to put an end to all remaining conflicts in the Sudan. South Sudan has lent its support to the process by hosting talks with the Sudanese armed groups.

[...] As the two countries are entering a new phase with transitional institutions, the forthcoming period could be marked by a breakthrough or a setback in the discussions on the final status of Abyei and border demarcation. [...]

❖ [United Nations Security Council, The situation in Abyei: Report of the Secretary-General, 15 October 2019](#)

[...] 3. While both countries undergo their respective transitions, their partnership has remained strong. [...] While the continued rapprochement between the two countries is encouraging, it is too soon to witness its effects on the situation in the Abyei Area.

4. In that regard, little progress was made by the parties on the issues of border demarcation and on the process leading to a final status of Abyei. In particular, the establishment of joint institutions in the Abyei Area, as foreseen in the Agreement of 20 June 2011, remained a challenge, notwithstanding continued advocacy by UNISFA with the parties to convene meetings of the Abyei Joint Oversight Committee. UNISFA also called for the timely resumption of meetings of the Joint Political and Security Mechanism. Owing to the temporary suspension of the Sudan by the Peace and Security Council of the African Union, the African Union High-level Implementation Panel was unable to operate. However, the Joint Political and Security Mechanism met in Juba on 2 October 2019. [...]

❖ [Security Council Report, November 2019 Monthly Forecast: Sudan/South Sudan, 31 October 2019](#)

[...] In November, the Council expects to renew the mandate of the UN Interim Security Force for Abyei (UNISFA).

[...] The overall security situation in Abyei, the disputed territory along the Sudan/South Sudan border, remains fragile. According to the Secretary-General's most recent report, covering 16 April to 15 October, intercommunal tensions continued, along with an increase in criminality and the sporadic presence of armed elements in Abyei, including in the Safe Demilitarized Border Zone (SDBZ). On the political situation, the report noted that while both Sudan and South Sudan are undergoing internal transitions, there has been continued rapprochement between the two countries. However, it is too soon to assess the effects of this on the situation in Abyei, the report said. In Abyei, the two countries have not made any significant progress on the issues of border demarcation, the establishment of joint institutions, or the final resolution of Abyei's status. [...]

❖ [OCHA, Sudan: Situation Report, 13 February 2020](#)

[...] The disputed Abyei area is between Sudan and South Sudan. The final status of the Abyei area is not yet determined. [...]

### Traditional and cultural factors limiting the participation of women in political life in 2018

❖ [OMCT \(World Organisation Against Torture\), OBS \(The Observatory for the Protection of Human Rights Defenders\) and ACJPS \(African Centre for Justice and Peace Studies\), Sudan: A shrinking environment for Women Human Rights Defenders, 30 August 2018](#)

[...] Once pioneers in the defense of women's civil and political rights, women human rights defenders (WHRDs) in Sudan are today victims of patriarchal practices implemented by security forces. This situation alarmingly restricts women's participation in public life. The Observatory for the Protection of Human Rights Defenders and ACJPS call on the Sudanese government to put an end to all forms of discrimination and harassment against WHRDs and ensure a safe environment for their work.

In a country in which, despite persistent gender discrimination, women have long been pioneer in the battle for their civil and political rights, the work environment for WHRDs is now rapidly shrinking. In a report published this month by the African Centre for Justice and Peace Studies (ACJPS), the organisation analyses the situation of WHRDs in Sudan from June 2016 to February 2018: “[t]he ideologues in power today tend to abuse these already oppressive laws in order to restrict women’s participation in public life. Women face unmerited legal action and trials, arbitrary arrest and incommunicado detention, prohibitions against travel and work, physical abuse, sexual harassment or assault and threats of violence or even death.”

Some of the main issues which make WHRDs a particularly targeted category are the absence of complaints mechanisms and the impact of legal restrictions on WHRD’s capacity to access legal, psychological and medical assistance. WHRDs are frequently subjected to torture and ill-treatment by the NISS upon arrest, en route or upon arrival at the detention centres. During their detention, WHRDs’ social media accounts are often controlled by NISS officers who use them to spread defamatory information about the account owners [...]

## Traditional and cultural factors limiting the participation of women in political life in 2019

- ❖ [Middle East Eye, Azza Ahmed Abdel Aziz, Sudan revolution: How women's participation reveals societal fissures, 4 July 2019](#)

[...] Many young women resisted the reticence of their families to participate in these risky demonstrations. [...]

## 4. Section 4. *Corruption and Lack of Transparency in Government*

### 4.2. Improvements

#### 4.2.3. New improvements in 2019 (compared to 2018, 2017 and 2016)

Journalists who reported on government corruption faced sometimes intimidation, detention and interrogation by security services in post-April 2019

- ❖ [Reporters Sans Frontières \(RSF\), A successful transition to democracy in Sudan needs press freedom, 16 May 2019](#)

[...] The media regulatory agency, which is controlled by the transitional authorities, has just sent a letter to all Sudanese media outlets prohibiting the publication of any information about corruption. The ban was issued by Abdul Azim Awad – who has held on to his position as the media regulator’s secretary general – amid a wave of corruption complaints against many of the former regime’s leaders

[...] Al Midan reporter Mohamed Al-Fateh was arrested at Khartoum airport on 14 April because he was on a list of banned journalists.

Hiba Makawi was suspended from his position as a national radio reporter on 2 May because of a report critical of the NISS [National Intelligence and Security Service]. Certain politicians and civil society representatives who have been invited to take part in debates on the public broadcast media are often denied access by NISS agents [...]

- ❖ [Reporters Sans Frontières \(RSF\), Sudan’s military council closes Al Jazeera’s Khartoum bureau, 31 May 2019](#)

[...] The media regulatory agency, which is now controlled by the Military Council, sent a letter to all media outlets on 15 May prohibiting the publication of any information about corruption [...]

### 4.3. Omissions

### 4.3.1. Omissions in 2017 (compared to 2016), all omitted in 2018 and 2019

#### Information on the 2015 Freedom of Information law and its implications in 2017

- ❖ [Sudanese Access to Information Law of 2015](#) [Note that the law was only found in its original language, Arabic]
- ❖ [European Parliament, Freedom of expression in Sudan, notably the case of Mohamed Zine al – Abidine, 16 November 2017](#)  
[...] The European Parliament [...]  
– having regard to the Sudanese Freedom of Information Law of 2015 [...]
- ❖ [Open Democracy Advice Centre, State of Access to Information in Africa 2017, 9 April 2018](#)  
[...] Access to Information Laws  
Of the twelve countries examined, ten have specific access to information laws<sup>3</sup>.

[...] <sup>3</sup>. Other African countries which do have laws, but were not a part of our sample, included (as of July 2017) Angola, Burkina Faso, Ethiopia, Guinea, Liberia, Mozambique, Rwanda, Sierra Leone, South Sudan, Sudan, Togo and Tunisia.

#### Information on the 2015 Freedom of Information law and its implications in 2018

- ❖ [Sudanese Access to Information Law of 2015](#) [Note that the law was only found in its original language, Arabic]
- ❖ [Bertelsmann Stiftung, BTI 2018 Country Report: Sudan, 2018](#)  
[...] Political Participation [...]  
In 2015, a new Freedom of Information Law was introduced, though critics pointed to the number of restricted subjects. Subsequently, two independent editors, Osman Mirghani and Ahmed al-Tay, were arrested and charged with abusing their positions in 2015, and Ahmed Daoud, another journalist, was detained without charge in 2016 [...]
- ❖ [Ali Abdelrahman Khalil, The Sudanese Access to Information Act 2015: A Step Forward?, 2018](#)  
Abstract  
A Sudanese Access to Information Act was adopted in January 2015. Aside from examining its origin and its relation to the Model Law on Access to Information for Africa adopted by the African Commission on Human and Peoples' Rights, this chapter analytically compares the provisions of the Sudanese Act and the provisions of the African Model Law. The author concludes that the Model Law has had minimal influence on the Sudanese Act, due to Sudan's weak ties to Africa and African institutions; and its general hostility towards international law [...]
- ❖ [Yahya Shuqeir \(Arab Reporters for Investigative Journalism\), Access to Information in the Arab World, "Focusing on Jordan, Tunisia and Yemen", 1 February 2019](#)  
[...] Topic IV: Access to Information in Sudan, Lebanon, Morocco, Palestine and Egypt  
In 2015, Sudan suddenly ratified the Access to Information Law without the participation of any stakeholders. This happened because of the influence of the Southern Sudan State which ratified its law in 2013 (the law ranked 12 out of 123 laws on RTI-rating).<sup>47</sup>  
It seems that the Sudanese Law was inconsistent with international standards and criticized by journalists and civil society organizations. The Law requires that requests for information be in writing.  
Under the law, a right to information commission is established. The commissioner is appointed by the competent minister assigned by the president of the republic and the minister oversees the commission. It ensures the provision of information to requesters within the limits of the law, and examines and settles complaints about lack of compliance. It also is supposed to spread the culture of obtaining information and carry out activities to explain and promote that. It submits an annual report to the ministry.

It seems that the Sudanese government copied the exemptions in Article 12 of its law from the Jordanians. Journalist Nada Ameen says that “ The real challenge lies in how to apply it in reality. I have always said that our main problem in Sudan is not the existence or non-existence of laws, rather in application of such laws without favoritism, manipulation or exploitation of influence. Our laws on paper are “perfect” but... in practice” they are applied selectively and temperamentally. There is no institutionalization.”<sup>48</sup> [...]

Chapter III: Freedom of Expression and the Right to Information in the International Conventions [...]

United Nations Convention against Corruption [...]

Article 32 of the Convention provides that the each state party should take appropriate measures in accordance with its domestic legal system and within its means to provide effective protection from potential retaliation or intimidation for witnesses and experts who give testimony concerning offences established in accordance with this Convention and, as appropriate, for their relatives and other persons close to them.

Pursuant to this Article [...] laws of [...] Sudan do not provide for this protection.<sup>86</sup>

[...] 47 The Law was published on Feb. 22, 2015, <https://moj.gov.sd/sudanlaws/#/reader/chapter/362/0.0.79.0>

48 <http://www.rti-rating.org/country-data> [...]

86 For more information on the protection of whistleblowers in the Arab countries, the Information Section of the ARIJ Network for Investigative Journalism prepared a study on the subject [...]

## Information on the 2015 Freedom of Information law and its implications in 2019

### ❖ [Global Voices Advox, The case for reforming the Sudanese Access to Information Act, 28 August 2019](#)

[...] One of these laws is the Sudanese Access to Information Act of 2015. The law — still implemented today — places several restrictions on the right to access information. In this post-revolution Sudan period, activists say the law should be amended as part of the country’s long road to democratic and civilian rule.

[...] The Sudanese Access to Information Act is the first of its kind in Sudan, although Article 39 (1) of the 2005 Sudan Interim Constitution — which was recently repealed — enshrined the right to receive and disseminate information.

The Act, which includes 19 sections and eight chapters, has its shortcomings, particularly in terms of which types of information people are allowed to access. When the law was passed in 2015, activists reacted with doubt about the incentives, goals and agendas behind it.

[...] The law’s shortcomings

The law lists 12 types of classified information that are restricted from citizens, including information related to national security and foreign policy. The language of these exceptions is intentionally vague to protect the interests of the government.

Another obstacle to information access is the fee charges. The law states that “the public body may charge fees, upon approval by the Commissioner, to meet the costs of preparing and providing the information”.

While governments may be able to charge those requesting access to information certain fees, these “should not be such as to deter applicants and it should never exceed the actual cost of searching for, preparing and communicating the information”, Article 19, a nongovernmental organization, explained. In a country where almost half of its citizens face poverty, such fees represent a real barrier that deters citizens from enjoying their right to freedom of information.

In an apparent attempt to silence those who oppose the regime, the law totally neglected to mention or allude to the protection of those who request information from being tracked or attacked by any governmental body or any other person or organization that could benefit from concealing the requested piece of information. There is also no article that protects whistleblowers who leak information for the public interest. For example, in 2014, former police officer Abuzaid Abdalla Salih was sued for defamation, stripped of his rank, and fined and sentenced to four years in prison for leaking information pertaining to the corruption of the Sudanese police.

By contrast, the law positively acknowledged the right of people with disabilities to access information.

[...] Under the new charter, laws that were issued previously will remain in force “unless they are repealed or amended”. Article 56 of the charter states that “every citizen shall have the unrestricted right to freedom of expression, to receive and publish information and publications, and to access the press, without prejudice to public order, safety and morals, as defined by law”.

Indeed, the law referred to in the charter is the Sudanese Freedom to Information Act, which with its shortcomings, was designed not to liberate people but rather to help serve those who rule by making it hard for people to access information. [...]

## **5. Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

### **5.2. Improvements**

#### **5.2.1. Improvements in 2017 (compared to 2016), all repeated in 2018**

##### Arrest of human rights and humanitarian workers in 2017

###### ❖ [UN Security Council, Report of the Secretary-General on the African Union, United Nations Hybrid Operation in Darfur, 23 March 2017](#)

###### I. Introductions [...]

The report provides an update and analysis of the conflict, the political situation and the operational environment in Darfur, including the main challenges to the effective implementation of the mandate, during the period from 15 December 2016 until 15 March 2017 [...]

###### V. Operating environment

Attacks and restrictions of movement on and denials of access to the mission [...]

27. Several incidents involved locally recruited personnel of UNAMID. On 28 and 29 December 2016, a total of four UNAMID national staff members were arrested by the National Intelligence and Security Services in El Fasher, accused of illegally exchanging currency, but were subsequently released. On 6 January 2017, unidentified armed men assaulted and injured a UNAMID national staff member at the Alardeeba market, west of El Geneina. UNAMID has not been granted access to a national staff member arrested on 23 November 2016 by the National Intelligence and Security Services in Nyala, South Darfur, for an alleged security violation. The staff member remains in Government custody as of 15 March [...]

###### ❖ [UN Security Council, Report of the Secretary-General on the African Union, United Nations Hybrid Operation in Darfur, 14 June 2017](#)

###### I. Introductions [...]

The report provides an update and analysis of the conflict, the political situation and the operational environment in Darfur, including the main challenges to the effective implementation of the mandate during the period from 16 March to 7 June 2017 [...]

###### V. Operating environment

Attacks and restrictions of movement on and denials of access to the Mission

28. During the reporting period, the level of security incidents affecting United Nations personnel and property decreased, with 18 criminal incidents recorded, compared with 50 in the previous period. These incidents included break-ins and theft (2), trespassing (2), carjacking (3), attempted carjacking (2), property damage (2), shooting (3) and other incidents (4). On 20 and 30 April, Military Intelligence detained three peacekeepers for allegedly taking pictures of the local SAF headquarters and being present in a restricted military area. All three peacekeepers were released immediately. On 28 May, a UNAMID national staff member was arrested by the National Intelligence and Security Services in Ed Daein for alleged corruption, while the Mission's national staff members arrested on 23 November 2016 remain in custody in Khartoum without charges [...]

###### ❖ [UN Security Council, Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur, 30 August 2017](#)

###### I. Introductions [...]

The report provides an update and analysis of the conflict, as well as an overview of the political situation and the operational environment in Darfur, the main challenges to the effective implementation of the mandate, including violations of the status-of-forces agreement, from 6 June to 15 August 2017 [...]

V. Operating environment [...]

Detention of staff

31. The national staff member who was arrested by the National Intelligence and Security Services in Nyala on 23 November 2016 for alleged espionage has remained in government custody in Khartoum without trial. Another national staff member who was arrested by the Security Services in Ed Daein, East Darfur, on for allegedly bribing local government officials and committing other crimes against the State, remains under arrest. The Government has yet to provide any evidence in either case [...]

❖ [UN Security Council, Report of the Secretary-General on the African Union, United Nations Hybrid Operation in Darfur, 27 October 2017](#)

I. Introductions [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur and the main challenges to the effective implementation of the mandate, including violations of the status-of-forces agreement, for the period from 15 August until 15 October 2017 [...]

V. Operating environment [...]

Detention of staff

29. Three UNAMID staff members were arrested and detained during the reporting period. On 23 August, the national police arrested one UNAMID national staff member in El Fasher over alleged involvement in a carjacking incident. In East Darfur, a UNAMID national staff member was arrested on 28 May on allegations of bribing a public officer and espionage against the state made by the National Intelligence and Security Service; the staff member was convicted of bribery in the general court in Ed Daein on 24 August, acquitted of conspiracy against the state and sentenced to two years' imprisonment and a fine of 30,000 Sudanese pounds. Observers alleged that the trial lacked transparency and fell short of international judicial standards. A UNAMID national staff member arrested in Ed Daein on 28 August for allegedly issuing a fake cheque was released on 31 August. A UNAMID national staff member arrested in Nyala by the National Intelligence and Security Service on 23 November 2016 for alleged espionage was released from detention in Khartoum on 31 August. On 8 October, a UNAMID national staff member was arrested for failing to provide financial support to his children in Nyala but was released the following day. On 5 October, another UNAMID national staff member was arrested in Nyala, allegedly for issuing two false bank cheques, but released on 12 October after paying a fine [...]

❖ [UN Security Council, Report of the Secretary-General on the African Union, United Nations Hybrid Operation in Darfur, 22 February 2018](#)

I. Introduction [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur and the main challenges to the effective implementation of the mandate, including violations of the status of forces agreement, for the period from 16 December 2017 until 15 February 2018 [...]

V. Operating environment

Attacks and threats of attack targeting African Union-United Nations Hybrid Operation in Darfur, United Nations and humanitarian personnel [...]

25. On 21 December, the National Intelligence and Security Services arrested and detained a UNAMID national staff member at the airport in El Geneina, West Darfur. The staff member was released the same day without any charges, and the National Intelligence and Security Services gave no reason for the arrest [...]

### Arrest of human rights and humanitarian workers in 2018

❖ [UN Security Council, Report of the Secretary-General on the African Union, United Nations Hybrid Operation in Darfur, 22 February 2018](#)

I. Introduction [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur and the main challenges to the effective implementation of the mandate, including violations of the status of forces agreement, for the period from 16 December 2017 until 15 February 2018 [...]

#### V. Operating environment

Attacks and threats of attack targeting African Union-United Nations Hybrid Operation in Darfur, United Nations and humanitarian personnel [...]

25. [...] On 2 January, at Zalingei market, Central Darfur, Sudan Police personnel assaulted and arrested a UNAMID national staff member over an alleged traffic violation by a member of his family. He was released the same day after a brief hospitalization. On 8 January, in El Geneina, West Darfur, a UNAMID national staff member was arrested and detained by National Intelligence and Security Services personnel over allegations of involvement in a violent anti-government demonstration. The staff member was released on the same day without charges [...]

#### ❖ [UN Security Council, African Union-United Nations Hybrid Operation in Darfur, Report of the Secretary-General, 14 January 2019](#)

##### II. Introduction [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur for the period from 4 October 2018 to 3 January 2019 [...]

V. Operating environment Attacks and threats of attacks targeting African Union-United Nations Hybrid Operation in Darfur, United Nations and humanitarian personnel [...]

28. During the reporting period, three cases of arbitrary detentions of UNAMID national staff in Darfur were recorded. On 8 October, at Menawashei market, South Darfur, the police detained a UNAMID national staff member, who was released on 9 October. Similarly, on 1 November, two UNAMID national staff members were detained in Labado, East Darfur, and released on 4 November. Another national staff member was detained by the National Intelligence and Security Services in El Geneina, West Darfur, on 22 December, and remained in detention without charge at the time of the present report [...]

### 5.2.3. New improvements in 2019 (compared to 2016, 2017 and 2018)

#### Government response to domestic and international human rights organisations in post-April 2019

#### ❖ [Amnesty International, Sudan: Fresh evidence of government-sponsored crimes in Darfur shows drawdown of peacekeepers premature and reckless, 11 June 2019](#)

[...] Despite severe government restrictions on access to Jebel Marra for journalists, independent human rights monitors, and UNAMID, Amnesty International has been able to confirm recent attacks against the region's civilians, much of which have gone unreported by the mission. [...]

#### ❖ [United Nations General Assembly, Human Rights Council, Situation of human rights in the Sudan: Report of the Independent Expert on the situation of human rights in the Sudan, 26 July 2019](#)

[...] 28. The humanitarian country team highlighted that civil unrest and operations by security forces had negatively affected humanitarian operations during the period under review. Humanitarian organizations had faced increased challenges bringing in supplies – including medicines and medical supplies – through Port Sudan and Khartoum airport, mainly due to lengthy customs clearance procedures and delays in obtaining required permits. There were challenges in moving supplies across state lines. In addition, intermittent violent protests and the looting of humanitarian supplies at internal displacement settlements, particularly in Darfur, had disrupted operations. [...]

#### ❖ [Human Rights Watch, Interview: Will Sudan's New Dawn Bring a Chance for Justice? Leaders Should Prioritize Justice for Protester Killings, 17 November 2019](#)

[...] Sudan has not formally granted permission to human rights groups. Under the al-Bashir regime human rights activists and researchers would be arrested, detained, or deported. Although we are optimistic about future engagements, we are yet to see how this new government will treat human rights workers. [...]

❖ [Freedom House, Freedom in the World 2020 – Sudan, 4 March 2020](#)

[...] Under al-Bashir, international and domestic nongovernmental organizations (NGOs), faced serious hurdles or were banned from operating altogether. 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 announced as part of an agreement with armed opposition forces that will allow NGOs 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. [...]

### 5.3. Omissions

#### 5.3.1. Omissions in 2017 (compared to 2016), all omitted in 2018 and 2019

##### Compliance with UN Resolution 1591 and the Darfur sanctions regime in 2017

❖ [UN Security Council, Final report of the Panel of Experts on the Sudan established pursuant to resolution 1591 \(2005\), 28 December 2017](#)

[...] Summary

The present report covers the period from 13 March to 17 November 2017. The Panel has continued to monitor developments in Darfur and in the broader region in accordance with its mandate.

During the reporting period, the Darfur peace process has not made any progress. Several of the main rebel groups currently remain active in Libya and South Sudan, where they have developed relations with local stakeholders.

The main development in the conflict dynamics was the joint incursions into Darfur in late May of two Darfurian rebel groups, the Sudan Liberation Army/Minni Minawi (SLA/MM) and the Sudan Liberation Army/Transitional Council (SLA/TC), from their rear bases in Libya and South Sudan. On 20 May, SLA/MM and SLA/TC entered Darfur in two coordinated columns, in violation of the arms embargo. Clashes between Government security forces and the rebel groups ensued, continuing through early June. Security forces seized a significant amount of military materiel, some of which the Panel was able to inspect. Additionally, the Panel investigated reports of violations of international humanitarian law by Government security forces during these clashes.

During its May mission to Darfur, the Panel observed several military aircraft previously reported by the Panel, as well as aircraft not previously seen in Darfur. The Government has submitted no exemption requests to the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan for the deployment to Darfur of these aircraft, thereby violating the arms embargo. In July, the Government launched an arms collection campaign in Darfur. In late October, the Government deployed several thousand personnel of the Rapid Support Forces (RSF) to Darfur to assist in this effort; that armed deployment without an exemption from the Committee is in contravention of the arms embargo.

A major security development in recent months has been the escalation of tensions between Musa Hilal, the most notorious Darfurian Arab militia leader, and the Government, arising from the Government's arms collection campaign and its efforts to integrate the Border Guards, under Hilal, into RSF. The Panel is closely monitoring this situation as it unfolds.

While the conflict has been limited to the areas described above and to the Jebel Marra region, armed violence, banditry and intercommunal violence in Darfur continue to pose a serious threat to civilians, in particular to internally displaced persons. Although significantly less new displacement has been recorded in 2017 than in previous years, the situation of internally displaced persons remains a major challenge to restoring peace and stability in Darfur. Humanitarian access to vulnerable populations has improved significantly in 2017.

Sexual and gender-based violence remains prevalent, exacerbated by impunity and the ready availability of weapons. The Panel has continued to monitor violations and serious abuses against children, and received several reports of recruitment and use of children by Darfurian rebel groups.

The Panel received various reports of excessive use of force and arbitrary arrests by Government of the Sudan authorities against university students from Darfur. Violations of the rights of freedom of expression, association and assembly of Darfurian students were recorded.

In the course of its mandate, the Panel investigated migrant smuggling through and out of Darfur as a cross-cutting issue, and provides details in the present report on the Darfurian armed actors involved, abuses against migrants and smuggling routes in Darfur, among other aspects.

Darfurian rebel groups are financing their activities through their mercenary and criminal activities in Libya and South Sudan, as well as criminal activities in Darfur. In addition, certain companies and business establishments are reportedly providing income streams to these groups. Further, Darfurian rebel groups are involved in illegal cross-border activities.

The Panel continues to investigate non-compliance with the travel ban and asset freeze measures in relation to the designated individuals, and has established one travel ban violation. In addition, it has taken steps to update identifiers in relation to three designated individuals [...]

## Compliance with UN Resolution 1591 and the Darfur sanctions regime in 2018

### ❖ [UN Security Council, Final report of the Panel of Experts on the Sudan established pursuant to resolution 1591 \(2005\), 10 January 2019](#)

[...] Summary

The present report covers the period from 13 March to 23 November 2018. The Panel has continued to monitor developments in Darfur and in the region in accordance with its mandate.

The peace process has been shaped by a number of initiatives which have not, however, led to an agreement between the Government of the Sudan and the non-signatory Darfurian armed movements. During the reporting period, the regional dynamics, including the Sudan's relations with neighbours, evolved positively. The crisis in Libya remains the major source of possible conflict spillover in the region, including Darfur.

The main development in conflict dynamics has been the resumption of significant clashes across Jebel Marra between Government forces and the Sudan Liberation Army/Abdul Wahid (SLA/AW). The Government of the Sudan has responded to SLA/AW hit-and-run attacks with large-scale military operations aimed at driving the group out of its main strongholds. The ongoing fighting has resulted in a significant number of casualties on both sides.

Most of the Darfurian armed groups have consolidated their presence in Libya. Some of them participated in clashes between the Libyan National Army (LNA) and anti-LNA forces. While the current security situation in the Sudan does not allow for the Libya-based Darfurian elements to stage a large-scale operation in the home country, they are building up their military capability so as to return to the Sudan when the environment becomes more conducive for such a move.

The Government of the Sudan continues to transfer military material to Darfur in support of the various security forces deployed there and in violation of the arms embargo. These transfers are in contravention of paragraph 7 of Security Council resolution 1591 (2005). The Government has not sought approval from the Sanctions Committee before such transfers are made. Armed groups have also violated the arms embargo. The Government's weapons collection campaign has resulted in some improvement of the security situation in urban areas. However, it has not been fully comprehensive, and security incidents such as intercommunal clashes continue to occur, particularly in rural areas.

Concerns over the protection of civilians remain. Clashes in Jebel Marra have resulted in new displacement, humanitarian crisis and human rights abuses. Across Darfur, women and girls continue to be subjected to conflict-related sexual violence. Returns of internally displaced persons have also been fraught with challenges, including land disputes and lack of basic services.

Challenges in the implementation of the travel ban and assets freeze remain. The Government has not implemented these measures. While the support extended by South Sudan to the Darfurian rebel groups in terms of financial and logistical assistance has diminished, Libya has emerged as an important source of financing for such groups. SLA/AW is the only Darfurian rebel group that is presently active inside Darfur and is generating income from within Darfur [...]

## Compliance with UN Resolution 1591 and the Darfur sanctions regime in 2019

### ❖ [UN Security Council, Final report of the Panel of Experts on the Sudan, 14 January 2020](#)

[...] The present report covers the period from March to December 2019. The Panel has continued to monitor developments in Darfur and in the region in accordance with its mandate [...]

#### I. Introduction

1. As requested in Security Council resolution 2455 (2019), this is the final report of the Panel of Experts on the Sudan, which was established in resolution 1591 (2005) and renewed in resolution 2455 (2019). [...]

During the reporting period, the Government of the Sudan has continued to routinely violate the arms embargo by transferring weapons to Darfur, justifying such transfers on the grounds of security imperatives. Armed groups and militias in Darfur have continued to source weapons within the Sudan. The borders between the Sudan and neighbouring countries have remained porous, enabling a range of cross-border criminal activities that have had an impact on security and stability in Darfur and in the region.

On account of a lack of cooperation between the Government of the Sudan and other Governments in the region, the monitoring and implementation of the travel ban and asset freeze have remained a challenge. Mercenary and smuggling activities in Libya have remained the main source of financing for Darfuri armed groups. SLA/AW, the only active rebel group inside Darfur, has suffered a loss of tax revenues because of factional infighting and tensions in the camps for internally displaced persons. However, during the reporting period, it has increased its finances through gold mining activities in south-eastern Jebel Marra [...]

### 5.3.2. New omissions in 2018 (compared to 2017 and 2016), some omitted in 2019

The Humanitarian Aid Commission (HAC) continued to operate as a government entity regulating humanitarian efforts; HAC on occasion obstructed the work of NGOs (e.g. interfering with their hiring practices, denying travel permits); and HAC often changed its administrative procedures and regulations without prior notification in 2018

### ❖ [Small Arms Survey's Human Security Baseline Assessment for Sudan and South Sudan, Lifting US sanctions on Sudan: Rationale and Reality, May 2018](#)

[...] Humanitarian access throughout Sudan [...]

the HAC's system of restricting access using visa delays, aid agency expulsions, and short-term travel permissions— described by one US diplomat as 'the deliberate construction of a vast bureaucracy built to impede humanitarian access'<sup>34</sup>—remains in place [...]

HAC procedures—even after their 2016 revision—require UN humanitarian agencies to work hand in hand with the government in Darfur and government-held areas of South Kordofan and Blue Nile, which affects the planning, staffing, and operational decisions that humanitarians make [...]

[...] 34 Telephone interview with senior US State Department official involved with the lifting of sanctions on Sudan, December 2017 [...]

### ❖ [Radio Dabanga, Sudan govt. denies policy of forced eviction from Darfur camps, 11 June 2018](#)

[...] The Humanitarian Aid Commissioner announced as well that the authorities developed new, restrictive conditions for international organisations engaged in the provision of humanitarian aid in the country's conflict areas: Darfur, and South Kordofan and Blue Nile states.

"In addition, any foreign organisation cannot carry out work in Sudan without the consent of a national partner – in all fields, be it health, education, or any other [sector]," he said, and threatened to withdraw the work permission of any organisation that does not comply to the rules.

He added that this step comes "within the framework of the codification of voluntary humanitarian work in Sudan", developed "to achieve the twinning stipulated in the Voluntary Labour Act for the indigenisation of voluntary work in Sudan".

There are 13,000 registered humanitarian organisations and 5,300 other organisations in Sudan. Until now, about 320 agreements between foreign organisations and their national counterparts have been signed, he said. [...]

❖ [The International Center for Not-for-Profit Law, Civic Freedom Monitor: Sudan, 1 August 2018 \[Last updated: 22 October 2019\]](#)

[...] Barriers to Entry [...]

HAC has also been obstructing the work of other national NGOs throughout the country, even those that engage with the HAC and ensure their compliance with the HAC's procedures and regulations [...]

Barriers to Resources [...]

A 2013 HAC policy reinforces these rules by requiring CSOs to secure HAC approval for projects and individual activities before they obtain funding from foreign sources. However, the HAC will only grant approval if the project is aimed at providing humanitarian services; advocacy activities will not receive approval. A CSO [civil society organization] can be dissolved for receiving foreign funding without prior HAC approval [...]

❖ [The UK All-Party Parliamentary Group \(appg\) for Sudan and South Sudan, Report from Visit to Sudan, September 2018](#)

1. Human Rights in Sudan [...]

A. Rights of Civil Society Activists

Civil society activists told the delegation that administrative obstacles put in place by the Government of Sudan make setting up and running Civil Society Organisations (CSOs) very difficult. They highlighted the rules put in place by the Humanitarian Aid Commission, run by the government, which dictate that each organisation needs more than 30 people to register; each member must give their name, address and identity documents to the government; and all funding must be approved by someone from the government [...]

### Arrest and detention of UNAMID's staff on allegations of espionage in 2018

❖ [UN Security Council, Report of the Secretary-General on the African Union, United Nations Hybrid Operation in Darfur, 22 February 2018](#)

I. Introduction [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur and the main challenges to the effective implementation of the mandate, including violations of the status of forces agreement, for the period from 16 December 2017 until 15 February 2018 [...]

V. Operating environment

Attacks and threats of attack targeting African Union-United Nations Hybrid Operation in Darfur, United Nations and humanitarian personnel [...]

25. [...] On 2 January, at Zalingei market, Central Darfur, Sudan Police personnel assaulted and arrested a UNAMID national staff member over an alleged traffic violation by a member of his family. He was released the same day after a brief hospitalization. On 8 January, in El Geneina, West Darfur, a UNAMID national staff member was arrested and detained by National Intelligence and Security Services personnel over allegations of involvement in a violent anti-government demonstration. The staff member was released on the same day without charges [...]

❖ [UN Security Council, African Union-United Nations Hybrid Operation in Darfur, Report of the Secretary-General, 14 January 2019](#)

III. Introduction [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur for the period from 4 October 2018 to 3 January 2019 [...]

V. Operating environment Attacks and threats of attacks targeting African Union-United Nations Hybrid Operation in Darfur, United Nations and humanitarian personnel [...]

28. During the reporting period, three cases of arbitrary detentions of UNAMID national staff in Darfur were recorded. On 8 October, at Menawashei market, South Darfur, the police detained a UNAMID national staff member, who was released on 9 October. Similarly, on 1 November, two UNAMID national staff members were detained in Labado, East Darfur, and released on 4 November. Another national staff member was detained by the National Intelligence and Security Services in El Geneina, West Darfur, on 22 December, and remained in detention without charge at the time of the present report [...]

Information that the government remained uncooperative with UN Security Council Resolution 1593 and that the government failed to comply with the International Criminal Court's arrest warrant for former President Bashir and his ministers in 2018

❖ [International Criminal Court, Case Information Sheet, Situation in Darfur, Sudan, The Prosecutor v. Omar Hassan Ahmad Al Bashir ICC-02/05-01/09, April 2018](#)

Omar Hassan Ahmad Al Bashir

Suspected of five counts of crimes against humanity, two counts of war, and three counts of genocide allegedly committed in Darfur, Sudan. Not in ICC custody [...]

First Warrant of arrest: 4 March 2009 Second Warrant of arrest: 12 July 2010 Status of proceedings: The execution of the arrest warrant is pending [...]

Key judicial developments [...]

Non-cooperation [...]

The suspect remains at large in spite of the arrest warrants issued against him. ICC judges have made a number of decisions regarding the non-compliance of certain States with the requests to arrest and surrender Mr Al Bashir and have referred the matter to the United Nations Security Council (UNSC) and the Assembly of the States Parties (ASP) to take the necessary measures they deem appropriate.

See: [https://asp.icc-cpi.int/EN\\_Menus/asp/non-cooperation/pages/default.aspx](https://asp.icc-cpi.int/EN_Menus/asp/non-cooperation/pages/default.aspx) [...]

❖ [International Justice Monitor, Fugitive Turned Peacemaker: Sudanese President Omar al-Bashir Continues to Visit Uganda Despite ICC Arrest Warrants, 25 July 2018](#)

Earlier this month, Sudanese president Omar al-Bashir defied his two outstanding arrest warrants from the International Criminal Court (ICC) and [visited](#) Uganda. This is the third time in three years that he has made this trip despite his fugitive status [...]

❖ [Amnesty International, SUDAN: SUBMISSION TO THE UNITED NATIONS HUMAN RIGHTS COMMITTEE: 124TH SESSION, 8 OCTOBER - 2 NOVEMBER 2018, 10 September 2018](#)

[...] 3. RIGHT TO LIFE, PROHIBITION OF TORTURE AND OTHER ILLTREATMENT

Articles 6 and 7, and paragraph 12 of the List of Issues [...]

a. INTERNATIONAL CRIMINAL COURT

Although Sudan is not a state party to the Rome Statute of the International Criminal Court, the United Nations Security Council (SC) referred the situation in Darfur to the ICC in Resolution 1593 (2005). The SC found then that the situation in Darfur "constitute a threat to international peace and security". Therefore, the ICC may exercise its jurisdiction over genocide, crimes against humanity and war crimes committed on the territory of Darfur, or by Sudanese nationals from 1 July 2002 onwards. So far, Sudan continued to refuse to execute five arrest warrants issued by the ICC for Sudanese nationals, including two warrants for President Omar al-Bashir on charges of genocide, crimes against humanity and war crimes allegedly committed in Darfur.<sup>16</sup> [...]

[...] <sup>16</sup> Amnesty International, Amnesty International Report 2016/17 - Sudan, 22 February 2017, available at: <http://www.refworld.org/docid/58b033af4.html> [...]

❖ [The Guardian, States 'failing to seize Sudan's dictator despite genocide charge', 21 October 2018](#)

[...] Sudanese president Omar al-Bashir has been travelling freely around the world despite an eight-year-old international warrant for his arrest on [charges](#) of war crimes and genocide, human rights lawyers have found.

A project to document the travels of Bashir has called in question a key component in international law after repeated failures to arrest him [...]

Since the indictments, Bashir has made regular trips to countries that are not full members of the ICC, such as Saudi Arabia, Ethiopia and Qatar, but it is his visits to full members of the [Rome statute](#), such as South Africa, Uganda and Jordan, that raise the most questions. This was highlighted when Jordan was referred to the UN security council by the ICC following its failure to arrest him during a March 2017 trip. Jordan's response was that he was immune from arrest as a sitting head of state. Jordan said it subscribed to the need to punish those responsible for crimes within the court's jurisdiction, but not at the "expense of fundamental rules and principles of international law aimed at securing peaceful relations among

states". South Africa was also admonished for similarly failing to arrest him, but the ICC decided not to refer it to the UN [...]

Information that the government remained uncooperative with UN Security Council Resolution 1593 and that the government failed to comply with the International Criminal Court's arrest warrant for former President Bashir and his ministers in 2019

- ❖ [International Criminal Court \(ICC\), ICC Website: Situations and Cases - Al Bashir Case, Undated](#)  
[...] The first warrant for arrest for Omar Hassan Ahmad Al Bashir was issued on 4 March 2009, the second on 12 July 2010. The suspect is still at large.  
Next steps: Until Omar Al Bashir is arrested and transferred to the seat of the Court in The Hague, the case will remain in the Pre-Trial stage. The ICC [International Criminal Court] does not try individuals unless they are present in the courtroom.  
[...] President of the Republic of Sudan since 16 October 1993 at time of warrants. Arrest warrants: 4 March 2009 and 12 July 2010  
Charges: five counts of crimes against humanity: murder, extermination, forcible transfer, torture, and rape; two counts of war crimes: intentionally directing attacks against a civilian population as such or against individual civilians not taking part in hostilities, and pillaging; three counts of genocide: by killing, by causing serious bodily or mental harm, and by deliberately inflicting on each target group conditions of life calculated to bring about the group's physical destruction, allegedly committed at least between 2003 and 2008 in Darfur, Sudan. [...]
- ❖ [The Jamestown Foundation, Andrew McGregor, Old Wine in Old Bottles?' A Security Q and A on Post-Coup Sudan, Terrorism Monitor Volume: 17 Issue: 8, 22 April 2019](#)  
[...] Al-Bashir still faces two ICC [International Criminal Court] arrest warrants for "massive human rights violations" including war crimes and genocide. However, the ICC lacks the means to detain the former president, and 33 nations (including China and Russia) have ignored the warrants by allowing al-Bashir to make visits to their countries. The ICC is demanding that the new government in Khartoum surrender al-Bashir as well as four other individuals wanted on charges related to the Darfur conflict, including NCP leader Ahmad Muhammad Harun, Janjaweed leader 'Ali Muhammad 'Ali 'Abd al-Rahman (aka 'Ali Kushayb), former minister of defense Abd al-Rahim Muhammad Hussayn and Darfur rebel 'Abdallah Banda Abakr Nourain (Al-Ahram [Cairo], April 12; AIS Special Report, March 3 ). The military council will not take action on these demands and it would require a massive and unprecedented power shift in Sudan for a future civilian government to surrender these individuals for ICC prosecutions. [...]
- ❖ [Human Rights Watch, Sudan: Prioritize Justice, Accountability, 23 August 2019](#)  
[...] Since April, the TMC [Transitional Military Council] has insisted on trying al-Bashir domestically instead of handing him over to the International Criminal Court (ICC) to face charges of genocide, crimes against humanity, and war crimes.  
The domestic trial, which began on August 19, on charges of corruption and money laundering, has no bearing on those crimes and the widespread human rights violations for which he has been charged. These national proceedings should not overshadow the pressing need for accountability for gross human rights violations and atrocity crimes in Darfur and elsewhere.  
Sudan's new leadership can demonstrate a commitment to respect for the rule of law and human rights by ensuring that al-Bashir is surrendered to the ICC, Human Rights Watch said. Sudanese authorities have an obligation to surrender al-Bashir to the ICC, which they can only overturn if they make a successful legal challenge to the ICC that would remove its jurisdiction on the basis that there are credible domestic proceedings for the same alleged underlying crimes. [...]
- ❖ [Foreign Policy, The Enemies of Sudan's Democracy Are Lurking Everywhere, 6 December 2019](#)  
[...] Faced with the totality of these crimes, the notion of justice, at least within the confines of criminal law, seems implausible, almost insulting. Yet Bashir himself now sits in a Sudanese prison cell, and the transitional government must decide what to do with him.  
In 2009, the International Criminal Court (ICC) in The Hague, Netherlands, issued an arrest warrant for Bashir on charges including genocide, for the atrocities he oversaw in Darfur. The charges cover only a

segment of the crimes he oversaw during his time as president, but for those who survived those atrocities, they represent a rare and tangible sign that the world saw their suffering. Outside of Darfur, many Sudanese have been swayed by the campaign Bashir coordinated with other states across Africa to frame the ICC as an anti-African court—a charge the court made itself vulnerable to with a docket focused squarely on Africans. Bashir’s family continue to push this argument today. “It is a court that wishes to recolonize Africa,” Bashir’s brother, Mohamed Hassan al-Bashir, insisted to me.

For now, Bashir is facing trial by the Sudanese judiciary on corruption charges, with the possibility of a 10-year maximum jail term. Proceedings to date have involved Bashir testifying from inside a metal cage. A verdict is set to be delivered on Dec. 14. Darfuris see the charges as a sideshow, and the European Union is pushing for the transitional government to extradite him to The Hague to stand trial for international crimes. [...]

❖ [Office of the Prosecutor, Thirtieth report of the Prosecutor of the International Criminal Court to the United Nations Security Council pursuant to UNSCR 1593 \(2005\), 18 December 2019](#)

[...] Mr President, Your Excellencies,

7. As you are aware, there are ICC [International Criminal Court] arrest warrants for the five suspects in the Darfur situation, and each of these remain in force, notwithstanding the ongoing developments in Sudan.

8. In response to my last report to this Council, the representative of Sudan confirmed that investigations by the Sudanese public prosecutor were ongoing in relation to Messrs Omar Al Bashir, Abdel Raheem Hussein and Ahmad Harun. All are believed to be in detention in Khartoum. The specific whereabouts of the remaining two Darfur suspects, Messrs Ali Kushayb and Abdallah Banda, are unknown.

9. Mr Al Bashir has been tried in Sudan for financial crimes. Last week, on 14 December, he was reportedly sentenced to two years in detention. A statement issued by Sudan's public prosecutor shortly after the verdict indicated that a number of other cases are pending against Mr Al Bashir, including in relation to the 1989 coup that brought him to power and crimes against humanity in Darfur.

10. In my last report to this Council, I emphasised that pursuant to the fundamental principle of complementarity enshrined in the Rome Statute, the primary responsibility to investigate and prosecute crimes rests with national criminal jurisdictions. In response, the representative of Sudan noted this reference to complementarity, describing it as "positive."

11. I was encouraged by the fact that he also emphasised that "fighting impunity is a noble cause of justice" and that this "falls primarily within the responsibility of the relevant national investigative and judicial institutions." While this position is entirely consistent with the Rome Statute, the principle of complementarity ensures that while States have the primary responsibility for bringing perpetrators to justice, the ICC's jurisdiction is engaged if States are inactive or otherwise unwilling or unable to exercise that duty genuinely.

12. With this in mind, in the present circumstances, notwithstanding recent media reports in relation to Mr Al Bashir, the Office is not aware of any concrete information suggesting that the suspects in the Darfur situation are currently subject to domestic investigation or prosecution for the same criminal conduct alleged in the relevant ICC arrest warrants.

13. Unless and until Sudan can demonstrate to ICC judges that it is willing and able to genuinely investigate and prosecute the Darfur suspects for the crimes alleged in their respective arrest warrants, then these cases will remain admissible before the ICC.

14. Sudan must ensure that the five ICC suspects in the Darfur situation are brought to justice without undue delay, either in a courtroom in Sudan or in The Hague. In this way, this Council's referral of the Darfur situation to my Office can finally yield tangible results in court for the victims this Council sought to protect, and progress can be made towards resolving this Council's referral of the Darfur situation to the ICC. [...]

❖ [Human Rights Watch, Sudan: Progress on Rights, Justice, Key to Transition, 20 February 2020](#)

[...] At the ICC [International Criminal Court], al-Bashir faces five counts of crimes against humanity, two counts of war crimes, and three counts of genocide. These relate to allegations of murder, extermination, forcible transfer, torture, intentional attacks on the civilian population, pillage, and rape between 2003 and 2008 in Darfur. The transitional government should invite the ICC to Sudan to discuss the terms of engagement and moving forward with prosecutions, Human Rights Watch said. [...]

## 6. Section 6. *Discrimination, Societal Abuses, and Trafficking in Persons*

### 6.2. Improvements

#### 6.2.3. New improvements in 2019 (compared to 2018, 2017 and 2016)

##### Post-April 2019 laws that continue to discriminate against women

❖ [Amnesty International, Sudan: Decision to repeal public order laws a step forward for women's rights, 29 November 2019](#)

Reacting to the Sudanese government's decision to repeal the public order laws, which governed among other things, women's presence in public spaces, Amnesty International's Deputy Director for East Africa, the Horn and the Great Lakes, Seif Magango, said:

"This is a big step forward for women's rights in Sudan. The repeal of the public order laws was long overdue. Many women were arbitrarily arrested, beaten and deprived of their rights to freedom of association and expression under this discriminatory law.

"The transitional government must now ensure that the entire oppressive public order regime is abolished. This includes repealing the articles dictating women's dress code that are still in the criminal law, disbanding the public order police and the dedicated courts, and abolishing flogging as a form of punishment.

The authorities must amend the criminal law of 1991, especially Articles 77 and 78 governing consumption of and dealing with alcohol, and Articles 145-158 governing so-called "morality", including consensual sex, dress code, and other matters on the conduct of individuals in private spaces.

The repealed public order laws gave the public order police extensive powers to arrest any person, particularly targeting women for dancing at parties, vending on the streets, and begging.

Amnesty International calls on the government of Sudan to go further and ratify important instruments related to women's rights including the Maputo Protocol governing the rights of women in Africa, and the UN Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) [...]

❖ [Freedom House, Freedom in the World 2020 – Sudan, 4 March 2020](#)

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1/4 [...]

Women are denied equal inheritance rights due to the use of Sharia law, and have relatively weak property rights compared to men due to traditional and religious statute.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 0/4

Women have long been subject to strict "public order" and morality laws which restricted their ability to interact with men outside their immediate families. Sudan's criminal code allowed for women to be lashed for violating these laws. One women's organization catalogued more than 45,000 uses of the law in 2016 alone. In November 2019, the TSC repealed the Public Order Act, though related criminal code statutes remained in force at the end of the year.

Sharia law denies women equal rights in marriage and divorce. Women convicted of adultery can face the death penalty [...]

❖ [UNHCR, Sudanese mother wins citizenship for her children after seven-year legal struggle, 6 March 2020](#)

[...] Sudan has made strides in changing its nationality laws. However, it remains one of 25 countries that do not yet allow women to pass their nationality on to their children the same way men can. Hanan's case illustrates how legal, administrative and procedural barriers can thwart mothers like her for years [...]

##### LGBTI individuals expressed concern about their safety in 2019

- ❖ [Chr. Michelsen Institute \(CMI\), Blog from Sudan: The Sudanese revolution: A fight for LGBTQI + rights?, 8 May 2019](#)

[...] The Sudanese LGBTQI+ community still worries about being identified as being LGBTQI+ in public, including at protests and sit-ins. There is a real danger of being harassed or attacked. [...]

[...] Because of your sexual orientation or gender identity, you risk being denied access to health services and education, to lose your job and being subject to hate crimes. This is part of your everyday life as a LGBTQI+ persons in Sudan. [...]

## 6.3. Omissions

### 6.3.1. Omissions in 2017 (compared to 2016), most omitted in 2018 and in 2019

#### UNAMID figures relating to female victims of conflict-related sexual violence in 2017

- ❖ [UN Security Council, Report of the Secretary-General on the African Union, United Nations Hybrid Operation in Darfur, 14 June 2017](#)

I. Introductions [...]

The report provides an update and analysis of the conflict, the political situation and the operational environment in Darfur, including the main challenges to the effective implementation of the mandate during the period from 16 March to 7 June 2017 [...]

Promoting a protective environment 43. UNAMID documented 82 new cases of human rights violations and abuses involving 124 victims, including 15 children, during the reporting period, compared with 181 cases involving 400 victims during the previous. UNAMID confirmed 60 cases involving 77 victims. The remaining 22 cases involving 47 victims could not be verified owing to various factors, including access restrictions. Violations of the right to life accounted for 24 cases involving 40 victims, and violations of the right to physical integrity accounted for 31 cases involving 52 victims. There were 17 reported cases of sexual violence in the form of rape and attempted rape involving 17 victims, including 13 children, of which 9 concerned sexual and gender-based violence, while 8 concerned conflict-related sexual violence. There were six cases of arbitrary arrest and illegal detention involving nine victims, and four abduction cases involving six victims. Of the 82 reported cases, 16 cases involving 22 victims were reportedly perpetrated by government security forces and associated groups. The remaining 66 cases, involving 108 victims, were allegedly perpetrated by unidentified armed men, some described by victims as being Arabs [...]

- ❖ [UN Security Council, Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur, 30 August 2017](#)

I. Introductions [...]

The report provides an update and analysis of the conflict, as well as an overview of the political situation and the operational environment in Darfur, the main challenges to the effective implementation of the mandate, including violations of the status-of-forces agreement, from 6 June to 15 August 2017 [...]

Violence against civilians and human rights violations

10. Despite the reduction in the number of armed clashes, the security and human rights situation in Darfur remained volatile. UNAMID documented 94 cases of human rights violations and abuses involving 204 victims, including 22 children, compared to 82 cases involving 124 victims during the previous reporting period. Violations of the right to life accounted for 17 cases involving 81 victims, and violations of the right to physical integrity accounted for 37 cases involving 82 victims. There were 27 cases of sexual and gender-based violence, including conflict-related sexual violence, involving 37 victims, including 9 children, and 3 cases of arbitrary arrest and illegal detention involving 6 victims. There were seven abduction cases involving 27 victims. In total, UNAMID confirmed 63 cases of human rights violations and abuses involving 128 victims, while the remaining 31 cases, with 76 victims, could not be verified owing to various factors, including access restrictions. Of the 94 reported cases, 10 cases involving 22 victims were reportedly perpetrated by government security forces and auxiliary groups. The remaining 84 cases, with 182 victims, were allegedly perpetrated by unidentified armed men, some described by the victims as Arabs [...]

❖ [UN Security Council, Report of the Secretary-General on the African Union United Nations Hybrid Operation in Darfur, 27 December 2017](#)

I. Introduction [...]

The report provides an update on an analysis of the conflict, the political situation and the operational environment in Darfur and the main challenges to the effective implementation of the mandate including violations of the status-of-forces agreement, for the period from 15 October until 15 December 2017 [...]

Violence against civilians and human rights violations [...]

13. There were 11 cases of sexual and gender-based violence, including conflict-related sexual violence, in the form of rape, involving 13 victims, including 9 female minors. UNAMID continued to highlight the negative impact of sexual violence on the lives of women, especially young girls, and the need for action on the part of the Government to combat violence against women. Sustained emphasis was placed on the need for unfettered access to sites of alleged incidents in order to interview victims and document cases, as well as to facilitate medical care and psychosocial support for victims so as to avert long-term negative health implications, especially on minor girls [...]

### UNAMID figures relating to female victims of conflict-related sexual violence in 2018

❖ [UN Security Council, Report of the Secretary-General on the African Union, United Nations Hybrid Operation in Darfur, 22 February 2018](#)

I. Introduction [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur and the main challenges to the effective implementation of the mandate, including violations of the status of forces agreement, for the period from 16 December 2017 until 15 February 2018 [...]

Violence against civilians and human rights violations

10. The overall human rights situation in Darfur remained volatile. UNAMID documented cases of violations of the right to life, arbitrary arrests and detention and sexual and gender-based violence and conflict-related sexual violence. Internally displaced and other vulnerable persons continued to face harassment while conducting their daily livelihood activities. UNAMID documented 84 new cases of human rights violations and abuses involving 192 victims, including 27 children, during the reporting period, compared with 58 cases of human rights violations and abuses, involving 123 victims, including 18 children, during the previous reporting period. Violations of the right to life accounted for 12 cases, involving 18 victims, and violations of the right to physical integrity for 27 cases, involving 60 victims. There were 35 cases of sexual and gender-based violence, including conflict-related sexual violence, in the form of rape and attempted rape, involving 43 victims, including 22 children (with one male minor), and 9 cases of arbitrary arrest and illegal detention, involving 70 victims [...]

❖ [UN Security Council, Report of the Secretary-General on the African Union, United Nations Hybrid Operation in Darfur, 25 April 2018](#)

III. Introduction [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur, and the main challenges to the effective implementation of the mandate, including violations of the status-of-forces agreement, for the period from 16 February to 15 April 2018 [...]

Violence against civilians and human rights violations

8. The overall human rights situation remained precarious but the number of cases of human rights violations and abuses decreased compared with the previous reporting period. UNAMID documented 77 new cases involving 203 victims, including 22 children, compared with 84 cases involving 192 victims. Violations of the right to life accounted for 15 cases involving 32 victims, and violations of the right to physical integrity accounted for 34 cases involving 70 victims. There were 21 cases of sexual and gender-based violence, including conflict-related sexual violence, in the form of rape and attempted rape, involving 27 victims, including 21 children (with one male minor), and 5 cases of arbitrary arrest and illegal detention involving 72 victims. There was also one case of abduction and another of disappearance, each involving one victim [...]

❖ [UN Security Council, African Union-United Nations Hybrid Operation in Darfur Report of the Secretary-General, 12 October 2018](#)

V. Introduction [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur for the period from 11 June until 3 October 2018 [...]

Violence against civilians and human rights violations [...]

12. Sexual and gender-based violence remained a serious concern and restricted women's freedom of movement in areas of return, as well as around internally displaced persons camps, where venturing outside the camps for farming, firewood or water exposes them to risk. There were 38 cases of sexual and gender-based violence documented by UNAMID, including conflict-related sexual violence in the form of rape involving 88 victims, including 24 minors. Incidents of sexual violence generally remain underreported [...]

❖ [UN Security Council, Final report of the Panel of Experts on the Sudan established pursuant to resolution 1591 \(2005\), 10 January 2019](#)

[...] A. Sexual and gender-based violence and conflict-related sexual violence [...]

145. The Panel was informed of 122 cases documented by UNAMID from January to October 2018. Amid the scourge of conflict-related sexual violence, survivors have lamented impunity on the part of perpetrators, sometimes owing to challenges in identifying the perpetrators, which are partially related to the environment under which these heinous acts are carried out. In most incidents of conflict-related sexual violence, the victims do not know the perpetrators, who typically accost them under cover of darkness or while they are working on their farms. Most manage to escape the scene before help arrives or soon after the commission of the act, and only in a very few cases are the perpetrators traced. Descriptions of perpetrators include civilian men and boys, armed men, members of militia groups in civilian clothing and members of State security forces, including SAF, RSF, the Border Guards and the police. Members of SLA/AW in the Jebel Marra have also been named as perpetrators [...]

❖ [UN Security Council, African Union-United Nations Hybrid Operation in Darfur, Report of the Secretary-General, 14 January 2019](#)

I. Introduction [...]

The report provides an update on and analysis of the conflict, the political situation and the operational environment in Darfur for the period from 4 October 2018 to 3 January 2019 [...]

Violence against civilians and human rights violations [...]

15. The threat of sexual violence remained significant, restricting women's freedom of movement to undertake livelihood activities around camps for the displaced and in areas of return, including during flight for those displaced because of the conflict in Jebel Marra. During the reporting period, there were 31 incidents of sexual and gender-based violence. Those incidents included conflict-related sexual violence in the form of rape involving 34 female victims, including 19 minors. Conflict-related sexual violence was committed mostly in Jebel Marra, notably in the context of confrontations between Government forces and SLA/AW [...]

❖ [UN Security Council, Conflict-related sexual violence, Report of the Secretary-General, 29 March 2019](#)

[...] In 2018, the African Union-United Nations Hybrid Operation in Darfur documented 122 incidents of sexual violence involving 199 victims: 85 women, 105 girls and 9 boys in Central, South, North and West Darfur States. Rape constituted 80 per cent of reported incidents; 80 per cent of the perpetrators of sexual violence were described as armed and 31 per cent of cases were attributed to members of the security forces. However, cases of sexual violence are likely underreported owing to fear of reprisal and restricted access to conflict areas, to victims and to the sites of incidents [...]

## UNAMID figures relating to female victims of conflict-related sexual violence in 2019

❖ [United Nations Security Council, African Union-United Nations Hybrid Operation in Darfur: Report of the Secretary-General, 10 April 2019](#)

II. Introduction [...]

The report provides an update on the conflict, the political situation, the operational environment in Darfur and the main challenges encountered in the implementation of the mandate of UNAMID during the period from 4 January to 3 April 2019 [...]

Protection of civilians [...]

27. In Central Darfur, protection issues included killings, abductions, sexual and gender-based violence, including conflict-related sexual violence, robbery, assaults and harassment, in particular in the areas of Golo, Nertiti and Zalingei. A total of 16 incidents involving some 100 civilians were recorded. They included the rape of six women in the Fura area, near the Thur settlement for internally displaced persons, on 5 January; the killing of an internally displaced man by two suspected Sudanese Armed Forces soldiers in the North camp, Nertiti, on 22 January; the alleged abduction of four people from the Martajalo Wadi areas by armed nomads, on 17 and 25 January; the kidnapping of five civilians from Daya village, reportedly by SLA-AW elements, on 12 January; an attack on some villagers in the Jartanga area, near Guldo, by suspected Rapid Support Forces elements, on 14 January, resulting in serious injuries to five people; the shooting and injury of a woman by a suspected SLA-AW element around Guldo, on 6 January; the assault and robbery of a group of internally displaced women, reportedly by armed nomads in Nertiti, on 6 January; a physical assault on internally displaced persons perpetrated by some nomads in the Gurney, Taringa, Osajai and Dingaguray areas, western and central Jebel Marra and Zalingei, on 19 and 23 January; and an assault on a group of women allegedly by armed nomads who prevented them from farming in the Kolo Fugo area, on 25 January, and in the Tango area, on 26 January. The Sudanese police has been notified of the case of the two Sudanese Armed Forces soldiers in Nertiti, while the Sudanese Armed Forces and the Sudanese police have engaged with community leaders to seek accountability in the Jartanga attack. Local authorities in Guldo held a meeting with community leaders and resolved the conflict in the Kolo Fugo and Tango areas [...]

35. Sexual and gender-based violence, including conflict-related sexual violence, remains a serious concern for women in the greater Jebel Marra area. UNAMID has documented incidents of the rape of four displaced minors, including those of a 15-year-old girl from the Kasab internally displaced persons camp by two Sudanese police personnel; of two girls (16 and 17 years of age), residents of the Zamzam internally displaced persons camp, and of a girl (13 years of age), from the Hamadiya internally displaced persons camp, who was raped by two armed men, all in North Darfur. It was also reported that, on 1 February, a 13-year-old girl from the Rongatas internally displaced persons camp, in Zalingei, was gang-raped by four armed nomads at a farm. The freedom of movement for women and girls in areas of return and around camps for internally displaced persons continued to be restricted, including access to farms and forest resources. In the Hamadiya internally displaced persons camp, in Central Darfur, local sources informed UNAMID of six women from the camp who had reportedly been "arrested" on 4 February by four armed nomads in the Uyor area, near Zalingei. UNAMID increased targeted patrols as a preventive measure, focusing on farming areas as well as firewood and water collection points, in order to protect women carrying out livelihood activities [...]

- ❖ [United Nations Security Council, Special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the African Union-United Nations Hybrid Operation in Darfur, 15 October 2019](#)

[...] UNAMID documented 16 incidents of sexual gender-based violence affecting 17 individuals, including 7 minors. In three separate incidents, involving the rape of four minors, perpetrators were arrested and are in the process of being prosecuted. [...]

- ❖ [Office of the Prosecutor, Thirtieth report of the Prosecutor of the International Criminal Court to the United Nations Security Council pursuant to UNSCR 1593 \(2005\), 18 December 2019](#)

[...] 25. I am deeply troubled by the fact that sexual and gender-based violence, as well as grave violations against children, have persisted in Darfur throughout this ongoing armed conflict. Since June 2019, UNAMID has reported sexual and gender-based violence against 17 victims, including seven minors, and grave violations against 84 children, including 35 girls. Although UNAMID has identified the perpetrators of these atrocities as mostly SLA-AW fighters, they have also noted violations by the Rapid Support Forces ("RSF"), among other groups. [...]

- ❖ [UN Security Council, Special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the African Union-United Nations Hybrid Operation in Darfur and a follow-on presence, 12 March 2020](#)

[...] E. Human rights situation

25. UNAMID continued to document serious human rights violations in Darfur. Notwithstanding the prevalence of underreporting, owing to challenges related to access, 89 cases of possible human rights violations and abuses involving 152 victims, including 16 minors and 37 women, were documented between 15 October and 22 January, an increase of 13 incidents compared with the 76 cases involving 261 victims, including 40 women, documented between 7 July and 14 October. The cases reported relate to possible violations of the right to life and physical integrity (assault), arbitrary arrest and detention, forced displacement, sexual and gender-based violence and conflict-related sexual violence. The cases were allegedly perpetrated by armed men described as “Arabs” and “unidentified armed civilians” and members of government security forces, including the Rapid Security Forces [...]

Couples were generally able to decide the number, spacing, and timing of their children; manage their reproductive health; and have access to the means and information to do so, free from discrimination, coercion, or violence in 2017

- ❖ [Wafa Elamin, Atif B. Fazari, and Khalifa Elmusharaf, ‘A Qualitative Study Exploring Women’s Experiences of Unsafe Abortion in Sudan’, Open Journal of Social Sciences, March 2017](#)

[...] Women in this study had little control over certain aspects of their lives such as pursuing a career or family planning. Their partners had the final say regarding both matters. Yet despite this, participants generally spoke tenderly about the love shared between the couple. There was very little indication that they wanted to change their relationship dynamic. Instead, women opted to clandestinely use an unsafe abortion as a form of family planning to space their pregnancies.

[...] As married participants relied heavily on their husband for financial security, it could be suggested that they would not be able to secretly buy contraceptives without their husband’s knowledge and therefore opted for an unsafe abortion. [...]

- ❖ [Human Rights Watch, No Control, No Choice: Lack of Access to Reproductive Healthcare in Rebel-Held Southern Kordofan, 22 May 2017](#)

Summary [...]

Women and girls living in rebel-held areas of the Nuba mountains of Southern Kordofan, Sudan have little or no access to contraception, adequate antenatal care, or emergency obstetric care—leaving them unable to control the number and spacing of their children, and exposing them to serious health complications and sometimes death [...]

Family planning is not available except in rare instances. The rebel SPLM/A-North administration provides the bulk of health care through a network of some 175 clinics, but these do not distribute contraception, including condoms. One agency provides three-month injectable contraception but restrictions imposed on them by the local rebels require patients’ husbands to give permission before they can provide the contraception to women. Most of the women we interviewed did not know what a condom was and had not heard about other options for contraception. NGO workers, health workers and authorities told Human Rights Watch that condoms are rarely available in markets despite an increase in gonorrhea and syphilis cases over the past two years and high percentages of pregnant women testing positive for hepatitis B. Women and girls are unable to protect themselves from sexually transmitted infections or control their fertility [...]

- ❖ [Strategic Initiative for Women in the Horn of Africa \(SIHA\) and The Redress Trust, Criminalisation Of Women In Sudan: A Need For Fundamental Reform, November 2017](#)

[...] As the climate created by the existence of the public order regime presumes women’s guilt, a miscarriage can be interpreted as an abortion, which is criminalised in section 135 of the Criminal Act. A miscarriage may also lead to a charge of adultery. Section 135 violates reproductive health rights as a woman who suffers a miscarriage and is in need of medical assistance is presumed guilty of abortion and immediately arrested and detained. [...]

- ❖ [UN OCHA, Humanitarian Needs Overview, February 2018](#)  
[...] Only a third of the population has an adequate number of midwives providing reproductive health services [...]

Couples were generally able to decide the number, spacing, and timing of their children; manage their reproductive health; and have access to the means and information to do so, free from discrimination, coercion, or violence in 2018

- ❖ [UN Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of the Sudan, 10 April 2018](#)

[...] Protecting the integrity of the person (art. 17)

35. The Committee is concerned that sterilization without the free and informed consent of women and girls with disabilities is not explicitly prohibited.

36. The Committee recommends that the State party explicitly prohibit the forced sterilization of persons with disabilities, in particular women and girls, and criminalize this practice [...]

- ❖ [SKBN Coordination Unit, Humanitarian Updated, September 2018](#)

[...] Health [...]

In Blue Nile, the health services are in a worse state. With no reproductive health services, no referral system and limited health skill capacity, there are regular emergency cases, especially related to complicated pregnancy and delivery reported on [...]

- ❖ [UN Human Rights Committee reviews the situation of civil and political rights in Sudan, 10 October 2018](#)

The Human Rights Committee today concluded its consideration of the fifth periodic report of Sudan on the implementation of the International Covenant on Civil and Political Rights [...]

Replies by the Delegation

MAHMOUD ABAKER DUGDUG, State Minister of Justice of Sudan [...]

Reproductive health was supported for women across the country. Women had the right to abortion during the first 90 days of pregnancy if their life was threatened, in case of rape, and serious damage of the foetus [...]

Abortion was lawful to preserve the life and health of the mother, in case of rape, or if the foetus had already died in the womb. All cases of legal abortion were reported through the health census. Illegal abortions were usually not reported, unless a woman died; in this case, the reporting was done through the relevant criminal reporting channels. In 2018, three women had died in illegal abortion processes, and judicial proceedings had been opened [...]

- ❖ [UN Human Rights Committee, International Covenant on Civil and Political Rights, Concluding observations on the fifth periodic report of the Sudan, 19 November 2018](#)

[...] C. Principal subjects of concern and recommendations [...]

Voluntary termination of pregnancy

27. The Committee is concerned about the criminalization of voluntary termination of pregnancy under article 135 of the Criminal Code, save under limited circumstances, leading women and girls to resort to unsafe abortion in conditions that put their lives and health at risk (arts. 3, 6–7, 17, 24 and 26)

28. The State party should amend its legislation to provide safe, legal and effective access to abortion to protect the life and health of pregnant women or girls at risk, in cases in which carrying a pregnancy to term would cause the woman substantial pain or suffering, most notably when the pregnancy is the result of rape or incest or is not viable. Furthermore, it should ensure that women and girls who have abortions, and the physicians assisting them, are not subjected to criminal sanctions. The State party should also ensure access to adequate sexual and reproductive health-care services, contraception and education for men, women and adolescents throughout the country [...]

- ❖ [Strategic Initiative for Women in the Horn of Africa \(SIHA\), Gender Briefing Sudan, December 2018](#)

[...] 2.4 Access to sexual and reproductive health [...]

Women and girls living in rebel-held areas of the Nuba mountains of Southern Kordofan have little or no access to contraception, adequate antenatal care or emergency obstetric care, leaving them unable to control the number and spacing of their children, and exposing them to serious health complications and sometimes death [...]

Family planning is not available except in rare instances. The rebel SPLM/A-North administration provides the bulk of health care through a network of some 175 clinics, but these do not distribute contraception, including condoms. One agency provides three-month injectable contraception but restrictions imposed on them by the local rebels require patients' husbands to give permission before they can provide the contraception to women.<sup>32</sup> [...]

Disconnect between existing laws/policies, and practice: [...]

c. Clash between religious edict (Sharia) and gender equality - For instance, abortion services, which constitute a core reproductive health services in most places around the globe, are not formally available to many women, especially unmarried ones in Sudan. An equally big problem exists for those seeking screening for cervical cancer, which is an intrusive procedure and therefore not offered to unmarried women because it is assumed that it would break their virginity. Many cancer deaths occur due to this problem but the law remains silent.

d. Existing maternal health policies take a fairly narrow focus as they do not explicitly incorporate issues of sexual and gender based violence as a proactive and responsive measure to issues that affect women's reproductive health [...]

[...] 31 <https://www.hrw.org/report/2017/05/22/no-control-no-choice/lack-access-reproductive-healthcare-sudans-rebel-held>

32 Ibid. [...]

Couples were generally able to decide the number, spacing, and timing of their children; manage their reproductive health; and have access to the means and information to do so, free from discrimination, coercion, or violence in 2019

❖ [International Peace Institute \(IPI\), Stuck in Crisis: The Humanitarian Response to Sudan's Health Emergency, April 2019](#)

[...] While the government has made some progress providing free maternal and child medicines and expanding coverage through the National Health Insurance Fund, these programs still do not adequately cover needs, and private insurance is unaffordable to most.<sup>14</sup>

[...] Within Darfur, access to healthcare is worst in the Jebel Marra region, which covers parts of North, Central, and South Darfur states. Assessment missions beginning in 2017—the first since 2003, in some areas—have exposed a health-care system that had almost completely collapsed. While some clinics remained operational during the conflict, they had limited capacity, and there were reportedly no facilities providing skilled reproductive care or vaccinations.<sup>39</sup> [...]

39 UN OCHA, Humanitarian Bulletin Sudan, No. 9 (April 30–May 13, 2018); Skype interview with representative of an international NGO in Khartoum, February 2019.

14 Sudanese Ministry of Health, "Sudan Health Sector: 2016 and 2017 Joint Annual Review Report," November 2017; World Bank, "Moving toward UHC," November 2017; Anas Mustafa Ahmed Salim and Fatima Hashim Mahmoud Hamed, "Exploring Health Insurance Services in Sudan from the Perspectives of Insurers," Sage Open Medicine (2018).

❖ [UN OCHA, Sudan Humanitarian Response Plan: January–December 2019, April 2019](#)

[...] Particular vulnerabilities of women, adolescents and children related not only to access to essential life-saving health services but also to the risk of abuse require assistance for improved access to affordable and quality reproductive, maternal, and child health (including safe delivery), and GBV-related health services, clinical management of rape and basic psycho-social services and referral. [...]

❖ [28 Too Many, Country Profile: FGM in Sudan, November 2019](#)

[...] Reproductive Healthcare

According to the MICS 2014, in urban areas, 93.2% of women who give birth receive assistance during delivery from a skilled attendant, as opposed to 71.9% in rural areas. There is a wide variation by state: only 36.4% of women in Central Darfur give birth with assistance from a skilled attendant, compared to

99% in the Northern state. Rates also vary widely according to women's levels of education: only 58.5% of those with no formal education receive assistance compared to over 90% of those with secondary or higher levels of education.<sup>52</sup>

Although giving birth in a medical facility is seen as an important factor in reducing maternal and neonatal risks, only about one-quarter of women aged 15–49 in Sudan give birth in a health facility (27.7%), while 71.3% of births take place at home. Women living in urban areas are more likely than those living in rural areas to use a health facility (45.2% and 21.5% respectively). Again, there are big differences according to women's levels of education: only 11.5% of those with no formal education deliver in a health facility, compared to 75.5% of those with higher-level education.<sup>53</sup>

79.1% of women receive antenatal care from a skilled provider (90.8% in urban areas and 74.9% in rural areas). In South Darfur that figure is lower, at 61.8%, while in Khartoum it is 97.1%. Women's levels of wealth also make a difference: 97.2% of those in the highest wealth quintile receive care as opposed to 61.7% in the poorest wealth quintile. Antenatal care in Sudan is provided in 55.4% of cases by medical doctors.<sup>54</sup>

Pregnancy is a leading factor in deaths among girls aged 15–19, particularly among those on the younger side of this age-group. Education appears to curb marriage and early pregnancy, as 27.5% of women aged 15–19 with only a primary level of education are married, as opposed to 2.4% of those with higher education.<sup>55</sup>

In August 2017, Sudan officially signed up to the Campaign to Advance the Reduction of Maternal Mortality in Africa (CARMMA), the African Union Commission programme that was launched in 2009 to reduce child and maternal mortality in Africa. The event also marked the first annual celebration of the National Day of Mother and Child Health.

In recent years, Sudan's Government has introduced several initiatives aimed at improving maternal health, including 2016's '10 by 5' Reproduction, Maternal, Newborn, Child and Adolescent Health Strategy (RMNCAH), the Antenatal Care Scale-Up Program and the Maternal Mortality Reduction Initiative.<sup>56</sup> However, the impact of the political instability in the country has affected delivery of these programmes, and the closure of hospitals and lack of medical supplies have put millions of women at risk.<sup>57</sup> Although the healthcare sector has been particularly affected by the political unrest, some programmes focusing on women's health are still running. For example, Radio Tamazuj started a new radio programme in May 2019, #WomenHealthLifeline, on health issues for women in Sudan and South Sudan.<sup>58</sup> In addition, the UNFPA in Sudan is working with several international partners, among them DFID and SIDA, on issues of maternal and child health, including FGM and child marriage.<sup>59</sup> UNICEF has provided maternal healthcare assistance, including emergency health kits, which contain midwifery and obstetric provisions, to hospitals in Khartoum and Omdurman to help address some of the urgent health needs.<sup>60</sup> [...]

52 MICS 2014, pp.152–153.

53 MICS 2014, pp.154–155.

54 MICS 2014, p.144.

55 MICS 2014, p.206.

56 The World Health Organization (2017) 'All eyes on maternal health', Sudan. Available at <http://www.emro.who.int/sdn/sudan-events/all-eyes-on-maternal-health.html>.

57 OCHA Sudan, 2019b, op. cit.

58 Radio Tamazuj (2019) Twitter [social media post], 8 May. Available at <https://twitter.com/RadioTamazuj/status/1126031365789691905?s=20>.

59 Massimo Diana (2019) Twitter [social media post], 7 January. Available at [https://twitter.com/max\\_f\\_diana/status/1082245888527998976?s=20](https://twitter.com/max_f_diana/status/1082245888527998976?s=20).

60 UNICEF Sudan (2019) Twitter [social media posts], 8 August, 1 July and 17 June. Available at <https://twitter.com/UNICEFSudan/status/1159444136623255553?s=20>, <https://twitter.com/UNICEFSudan/status/1145691563865063424?s=20> and <https://twitter.com/UNICEFSudan/status/1140605576197615617?s=20>.

❖ [Irene Maffi and Liv Tønnessen, 'The Limits of Law: Abortion in the Middle East and Northern Africa', \*Health and Human Rights Journal\*, 21/2, December 2019, pp. 1-6](#)

[...] Only a few North African countries have signed or ratified the Maputo Protocol, and those few have done so only very recently. [...] Sudan has signed but not ratified it.

[...] Some MENA countries also permit abortion in cases of [...] rape (Morocco, Saudi Arabia, and Sudan).

[...] Fornication is a crime against God punishable with 100 lashes in Sudan, and pregnancy outside a marriage contract constitutes sufficient evidence of a woman's immorality. This enables a strong link

between the crime of fornication and the crime of illegal abortion. Abortion does not normally appear in the domestic political debate on women's reproductive and maternal health. However, it has become politicized in the context of Islamism and militarism in the country, as implementing strict Islamic law often puts control and suspicion of women's sexuality at center stage. In addition, a number of bureaucratic barriers, as well as a strong police presence outside maternity wards in public hospitals, make it difficult for unmarried women to access emergency care after complications of an illegal and often unsafe abortion. Doctors who treat unmarried women suffering such complications are forced to maneuver between their commitment to medical ethics and their compliance with strict government laws and policies. The authors, through what they term "Hippocratic disobedience," show that these practitioners are subverting state law and policy in various ways. Although these doctors personally believe that abortion is forbidden in Islam, they object to the state's disproportionate and unfair punishment of predominantly young, unmarried, and socioeconomically vulnerable women. [...] [pp.1-3]

❖ [Liv Tønnessen and Samia al-Nagar, 'The Politicization of Abortion and Hippocratic Disobedience in Islamist Sudan: Abortion in the Middle East and North Africa', \*Health and Human Rights Journal\*, 21/2, December 2019](#)

[...] The criminalization of abortion forms an important part of the Islamist government's restrictive ideological stance on women's sexual and reproductive rights generally. Sudan has not ratified any international or regional conventions protecting women's human rights. Abortion is a particularly sensitive area within maternal health and reproductive rights because it is mediated through the crime of *zina* (sexual intercourse before and outside of marriage). Sudan is unique in the MENA region, for pregnancy among unmarried women is considered sufficient evidence for the crime of *zina* as outlined in the 1991 Criminal Code.<sup>5</sup> This enables a strong link between the crime of fornication and the crime of illegal abortion, which shapes politicization in peculiar ways.

[...] In recent years, women's reproductive health and rights have received heightened attention in government health strategies and action plans as the government struggles to attain the Millennium Development Goal—and the later Sustainable Development Goal—to reduce maternal mortality.<sup>12</sup> In particular, FGM/C (with a prevalence rate of 89%) and child marriage (with a prevalence rate of 34%) have been at the forefront of international aid efforts and the national government's and civil society's reproductive health and rights agendas.<sup>13</sup>

Nonetheless, unsafe abortions and the country's restrictive abortion law have not been part of the public debate on reducing maternal mortality.

[...] According to one of the few studies conducted in Khartoum, the majority of the women seeking abortion services (96.7%) come for the treatment of post-abortion complications or after incomplete abortions.<sup>16</sup> The actual extent of unsafe abortions is unknown in Sudan, due in part to the illegality of abortion.<sup>17</sup> However, considering that contraceptive prevalence is low and the unmet need for family planning is high, it is reasonable to conclude that there is a high number of illegal and unsafe abortions.<sup>18</sup> Family planning has been perceived by conservative political and religious actors as undermining women's natural and primary role in reproduction.<sup>19</sup> Traditional methods for self-inducing abortion include drinking herbs, ingesting various drugs and poisons, and inserting objects into the uterus.<sup>20</sup> Misoprostol has recently emerged as a safe alternative, but only in selected private hospitals and on the black market (of course at a much higher cost).<sup>21</sup>

[...] The fear that unmarried women will fornicate and use illegal abortion to hide the evidence of their crime therefore drives the government to impose bureaucratic barriers. For example, in Sudan, it is not possible to give birth in a public hospital without first providing a marriage certificate.<sup>28</sup> Barriers such as these violate women's right to health.

[...] Policing maternity wards

To enter a maternity ward, one must go through a gate guarded by police officers; once inside the facility, police officers operate in plain clothes. According to our interviewees, the police presence at public hospitals is higher than at other health clinics and hospitals. Any woman who comes to the hospital alone is suspected of an illegal pregnancy.

[...] Hippocratic disobedience

Whether a woman with an illegal pregnancy is reported to the police depends on the ideological view of the doctor.

[...] Our findings suggest that these practitioners, in various ways, are subverting state law and policy through what we term "Hippocratic disobedience": protecting a vulnerable group of women from

prosecution to give them dignified care without prejudice. Although these doctors personally believe that abortion is forbidden in Islam, they object to the Islamist state's disproportionate and unfair punishment of predominantly young, unmarried, and socioeconomically vulnerable women. [...]

5. L. Tønnessen, "When rape becomes politics: Negotiating Islamic law reform in Sudan," *Women's Studies International Forum* 44 (2014), pp. 145–153.

[...] 12. Republic of Sudan Federal Ministry of Health, *The National Strategy for Reproductive Health 2006–2010* (Khartoum: Federal Ministry of Health, 2006); Republic of Sudan Federal Ministry of Health, *Road Map for Reducing Maternal and Newborn Mortality in Sudan (2010–2015)* (Khartoum: Federal Ministry of Health, 2009).

13. S. al-Nagar and L. Tønnessen, "Women's rights and the women's movement in Sudan (1952–2014)," in B. Badri and A. M. Tripp, *Women's activism in Africa* (London: Zed Books, 2017), pp. 121–156.

[...]16. J. W. Kinaro, T. E. Mohamed Ali, R. Schlangen, and J. Mack. "Unsafe abortion and abortion care in Khartoum, Sudan," *Reproductive Health Matters* 17/34 (2009), pp. 71–77

17. A. A. Gerais, T. Umbeli, B. Imam, et al., "Situational analysis of unsafe abortion in Sudan" (unpublished presentation).

18. W. Elamin, A. B. Fazari, and K. Elmusharaf, "A qualitative study exploring women's experiences of unsafe abortion in Sudan," *Open Journal of Social Sciences* 5 (2017), pp. 149–158.

19. DKT International, "DKT Sudan: Ensuring the right for all to quality family planning options since 2005," Sudan White Paper. Available at <http://www.dktinternational.org/wp-content/uploads/2011/04/DKTWhitePaperSudan.pdf>.

20. J. W. Kinaro, T. E. Mohamed Ali, R. Schlangen, and J. Mack. "Unsafe abortion and abortion care in Khartoum, Sudan," *Reproductive Health Matters* 17/34 (2009), pp. 71–77

21. L. Tønnessen, "Women's right to abortion after rape in Sudan," *CMI Insight* 2 (2015).

[...] 28. C. Fluehr-Lobban, *Shari'a and Islamism in Sudan: Conflict, law and social transformation* (London: Tauris, 2012), p. 125.

#### ❖ [UN OCHA, Humanitarian Needs Overview: Sudan, Humanitarian Programme Cycle 2020, 8 January 2020](#)

[...] The health system is collapsing. In health facilities, there have been significant shortages of medicines for the second year in a row. [...] Only 32 per cent of health facilities fully provide emergency obstetric care services, leaving pregnant women at risk of obstetric complications, maternal deaths and disabilities. [p. 11]

[...] Sudan lacks clinics that can provide a complete health care package. Currently, only 33 per cent of health facilities offer the complete basic healthcare package (which includes maternal and reproductive health care services, nutrition services, immunization, infectious diseases, and free medicines). In eastern Sudan, the availability of these packages is as low as 15 per cent in Gedaref and Sennar states, 12 per cent Gezira State, and 10 per cent in North Kordofan.<sup>35</sup> As a consequence, between 2018 and 2019, the percentage of women who received the minimum four anti-natal care visits during their latest pregnancy across Sudan was 51 per cent, with the fewest visits reported in West Kordofan (41 per cent) Gedaref (37 per cent) and 40 per cent on average across Darfur states. Women of reproductive age constitute one of the key vulnerable groups, representing 24 per cent of the total population.<sup>36</sup>

[...] Women of reproductive age<sup>41</sup>, are in need of maternal, adolescent, sexual, and reproductive health care support. Sudan has a high maternal mortality rate caused mainly by obstetric hemorrhage (37 per cent), hypertensive disorders (16 per cent) and sepsis/obstructed labor (13 per cent)<sup>42</sup>. 15 per cent of pregnant women are likely to experience birth related complications and need to access emergency obstetric and neonatal care services including referral services<sup>43</sup>. [p. 44]

[...] Many pregnant women live in areas where provision of maternal, new born, child and adolescent health services is limited. In addition, the overall lack of adequate emergency obstetric care services, safe blood banking services, and referral services contribute to high maternal mortality. Out of the total population in need of humanitarian assistance, there are currently 2 million pregnant women and women of reproductive age in need of sexual and reproductive health services. Around 15 per cent will experience complications during the next 12 months and will need access to emergency obstetric care and referral services<sup>48</sup> due long distances and lack of health services in the community. The majority of deliveries are reported to occur at home, with only 23 per cent of births taking place in health facilities. The lowest proportion was observed in East Darfur, with only 1 per cent of births in health facilities, followed by South Darfur and Blue Nile (2 per cent each).

[...] A 2017 survey showed that only 32 per cent of the emergency obstetric and neonatal care (EmONC) facilities are fully functioning. A number of States had severe gaps in EmONC availability. East Darfur, Gedaref, Kassala, North Kordofan, Blue Nile, Red Sea, South Kordofan, North Darfur, Khartoum, Sinnar and Gazira all had less than 37 per cent of the recommended number of EmONC facilities<sup>49</sup>. According to the

2018 HERAMS survey, only 35 per cent of health facilities in Darfur provides basic emergency obstetric care<sup>50</sup>. [...]

35 Federal ministry of health data from the expansion project

36 Simple, Spatial, Survey Method (S3M) for Sudan 2018-2019.

[...] 42 MDSR Report, FMOH 2018

43 IAWG MISP for RH calculator 2019

[...] 48 IAWG MISP for RH calculator, 2019

49 Emergency obstetric and neonatal (EmONC) care survey in Sudan, FMOH, 2017

50 HerAMS report, December 2018 [...]

❖ [OCHA, Sudan: Situation Report, 6 February 2020](#)

[...] The reproductive health working group—co-chaired by the SMOH and UNFPA—has been activated in El Geneina town. According to UNFPA, there are 10,800 women of reproductive age in need of sexual and reproductive health services in the area. The SMOH reports that there are 3,442 pregnant women among the people affected—of whom 700 are nine months pregnant and are expected to deliver soon. UNFPA has delivered reproductive health (RH) kits to El Geneina town which can cover the needs of 3,200 pregnant women. Tents have been erected to give women safe places to give birth and the SMOH has deployed community midwives in 40 locations. UNFPA, in partnership with SRCS and SMOH, has established 30 temporary RH clinics to serve 41 gathering sites. These clinics provide antenatal care and clean delivery services. Pregnant women with obstetric complications have been transported to El Geneina hospital for treatment. UNFPA has rented two vehicles for this purpose. RH services are also provided in a further 10 health clinics run by IMC (4 clinics), World Relief (3 clinics) and SCI (3 clinics). In addition, approximately 3,500 dignity kits will be distributed to women and girls of reproductive health age. Response to affected villages outside of El Geneina town is being discussed. [...]

❖ [OCHA, Sudan: Situation Report, 13 February 2020](#)

[...] UNFPA supported 3,640 vulnerable IDPs, mainly women and girls of reproductive age (15 to 49 years), with timely provision of 86 emergency reproductive health kits/supplies. [...]

❖ [Strategic Initiative for Women in the Horn of Africa \(SIHA\), Gender Briefing – Sudan, 10 March 2020](#)

[...] The Criminal Act of 1991

[...] Section 135 violates women's reproductive health rights - a woman who suffers a miscarriage and is in need of medical assistance, is presumed guilty of abortion and is immediately arrested and detained. [...]

[Contraception, skilled medical attendance during childbirth, and obstetric and postpartum care were not always accessible in rural areas in 2017](#)

❖ [Human Rights Watch, Human Rights Benchmarks for Sudan - Eight Ways to Measure Progress, 3 May 2017](#)

[...] In Southern Kordofan and Blue Nile, Sudan's government has obstructed access for organizations providing essential humanitarian assistance, including food and medical supplies. Many women and girls in the states have had extremely limited, if any, access to reproductive health care. Sudan has denied humanitarian organizations permission to access rebel-held areas from within Sudan. [...]

❖ [Human Rights Watch, No Control, No Choice: Lack of Access to Reproductive Healthcare in Rebel-Held Southern Kordofan, 22 May 2017](#)

Summary [...]

Women and girls living in rebel-held areas of the Nuba mountains of Southern Kordofan, Sudan have little or no access to contraception, adequate antenatal care, or emergency obstetric care—leaving them unable to control the number and spacing of their children, and exposing them to serious health complications and sometimes death [...]

In rebel-held Nuba areas of Heiban, Delami and Um Dorein, antenatal care from skilled and equipped health workers is available at two hospitals and their outreach clinics, both operating without government authorization. However, many women and girls live too far away to access emergency care or live on the

other side of frontlines of the conflict, making it too hazardous to travel to the facilities. Most pregnant women must rely on local birth attendants who have no formal training, or trained midwives who have not been able to acquire new or sterile equipment since the conflict began. Women and girls experiencing complications during labor may have to travel for days, often on dangerous routes, including across frontlines, to get emergency obstetric care [...]

❖ [UN OCHA, Humanitarian Needs Overview, February 2018](#)

[...] Only a third of the population has an adequate number of midwives providing reproductive health services [...]

[Contraception, skilled medical attendance during childbirth, and obstetric and postpartum care were not always accessible in rural areas in 2018](#)

❖ [Humanitarian Aid Relief Trust \(HART\), “There was nobody to help us”: Oppression by the Government of Sudan and Food Shortages in Blue Nile, Sudan, January 2018](#)

[...] Healthcare and Wellbeing

There are 28 health clinics in SPLA-N held-territory, covering a population of 90,000 people. These clinics provide universal health care and midwifery but are chronically short of trained manpower and medical supplies. The majority of care is provided by community health workers and traditional birth attendants. There are no qualified midwives operating in the area and 12% of all births end in maternal death, one of the highest maternal mortality rates in world. 7% of maternal deaths are caused by sepsis due to suboptimal practice. Both the Medical Director and Secretary of Health stated that even one trained midwife would reduce this to zero overnight. The only referral hospital available is Maban over the border in South Sudan as El Kurmuk to the north is inaccessible due to the continued violence. Complicated pregnancies and trauma have to be transported by any means available as there is no ambulance service [...]

❖ [Strategic Initiative for Women in the Horn of Africa \(SIHA\), Gender Briefing Sudan, December 2018](#)

[...] 2.4 Access to sexual and reproductive health [...]

In rebel-held Nuba areas of Heiban, Delami and Um Dorein, antenatal care from skilled and equipped health workers is available at two hospitals and their outreach clinics, both operating without government authorization. However, many women and girls live too far away to access emergency care or live on the other side of frontlines of the conflict, making it too hazardous to travel to the facilities. Most pregnant women must rely on local birth attendants who have no formal training, or trained midwives who have not been able to acquire new or sterile equipment since the conflict began. Women and girls experiencing complications during labor may have to travel for days, often on dangerous routes including across frontlines, to get emergency obstetric care. [...]

Disconnect between existing laws/policies, and practice:

a. Weak links between community and health-facility based MNH services – Traditional birth attendants (TBAs) are utilized by a large section of the rural populace, yet there has not been sufficient focus on existing legal/policy framework on the role and significance of TBAs. Weak links mean that complications arising from traditional births are not easily addressed and there are also no clear support and referral mechanisms between community and health-based facilities/state health facilities [...]

[Contraception, skilled medical attendance during childbirth, and obstetric and postpartum care were not always accessible in rural areas in 2019](#)

❖ [International Peace Institute \(IPI\), Stuck in Crisis: The Humanitarian Response to Sudan’s Health Emergency, April 2019](#)

[...] While the government has made some progress providing free maternal and child medicines and expanding coverage through the National Health Insurance Fund, these programs still do not adequately cover needs, and private insurance is unaffordable to most.<sup>14</sup>

[...] Within Darfur, access to healthcare is worst in the Jebel Marra region, which covers parts of North, Central, and South Darfur states. Assessment missions beginning in 2017—the first since 2003, in some

areas—have exposed a health-care system that had almost completely collapsed. While some clinics remained operational during the conflict, they had limited capacity, and there were reportedly no facilities providing skilled reproductive care or vaccinations.<sup>39</sup> [...]

39 UN OCHA, Humanitarian Bulletin Sudan, No. 9 (April 30–May 13, 2018); Skype interview with representative of an international NGO in Khartoum, February 2019.

14 Sudanese Ministry of Health, “Sudan Health Sector: 2016 and 2017 Joint Annual Review Report,” November 2017; World Bank, “Moving toward UHC,” November 2017; Anas Mustafa Ahmed Salim and Fatima Hashim Mahmoud Hamed, “Exploring Health Insurance Services in Sudan from the Perspectives of Insurers,” Sage Open Medicine (2018).

#### ❖ [28 Too Many, Country Profile: FGM in Sudan, November 2019](#)

[...] In June 2019, half of the main Khartoum hospitals were closed or partially closed and two of the main maternity hospitals stopped providing services.<sup>31</sup> UNFPA, the Sudanese Red Crescent Society and other NGOs to keep as many hospitals as possible open and to reduce the impact on maternal and neonatal health. A report from OCHA Sudan in June 2019 stated that most of the public hospitals were now providing emergency maternal care services, but necessary medical supplies were in short supply and access to healthcare limited. The UNFPA provided emergency reproductive-health kits to assist in C-Sections, other obstetric operations and the treatment of other maternal-health complications.<sup>32</sup> [...] [p. 81]

[...] Contraception and Family Planning

[...] 12.2% of currently-married women aged 15–49 report using contraception, according to the MICS 2014, with the pill being the most common form used (9%). The frequency of contraception use varies widely, from 2.9% in Central Darfur to 26.5% in Khartoum state. Of those aged 15–19 who are married, only 6.4% state that they use contraception, but that figure is higher among older women. Higher rates are also found in urban areas than in rural areas and among women with a secondary or higher level of education as opposed to those with only primary education. The level of unmet need for contraception among currently-married women aged 15–49 is at 26.6%.<sup>51</sup>

[...] Reproductive Healthcare

According to the MICS 2014, in urban areas, 93.2% of women who give birth receive assistance during delivery from a skilled attendant, as opposed to 71.9% in rural areas. There is a wide variation by state: only 36.4% of women in Central Darfur give birth with assistance from a skilled attendant, compared to 99% in the Northern state. Rates also vary widely according to women’s levels of education: only 58.5% of those with no formal education receive assistance compared to over 90% of those with secondary or higher levels of education.<sup>52</sup>

Although giving birth in a medical facility is seen as an important factor in reducing maternal and neonatal risks, only about one-quarter of women aged 15–49 in Sudan give birth in a health facility (27.7%), while 71.3% of births take place at home. Women living in urban areas are more likely than those living in rural areas to use a health facility (45.2% and 21.5% respectively). Again, there are big differences according to women’s levels of education: only 11.5% of those with no formal education deliver in a health facility, compared to 75.5% of those with higher-level education.<sup>53</sup>

79.1% of women receive antenatal care from a skilled provider (90.8% in urban areas and 74.9% in rural areas). In South Darfur that figure is lower, at 61.8%, while in Khartoum it is 97.1%. Women’s levels of wealth also make a difference: 97.2% of those in the highest wealth quintile receive care as opposed to 61.7% in the poorest wealth quintile. Antenatal care in Sudan is provided in 55.4% of cases by medical doctors.<sup>54</sup>

Pregnancy is a leading factor in deaths among girls aged 15–19, particularly among those on the younger side of this age-group. Education appears to curb marriage and early pregnancy, as 27.5% of women aged 15–19 with only a primary level of education are married, as opposed to 2.4% of those with higher education.<sup>55</sup>

In August 2017, Sudan officially signed up to the Campaign to Advance the Reduction of Maternal Mortality in Africa (CARMMA), the African Union Commission programme that was launched in 2009 to reduce child and maternal mortality in Africa. The event also marked the first annual celebration of the National Day of Mother and Child Health.

In recent years, Sudan’s Government has introduced several initiatives aimed at improving maternal health, including 2016’s ‘10 by 5’ Reproduction, Maternal, Newborn, Child and Adolescent Health Strategy (RMNCAH), the Antenatal Care Scale-Up Program and the Maternal Mortality Reduction Initiative.<sup>56</sup> However, the impact of the political instability in the country has affected delivery of these programmes,

and the closure of hospitals and lack of medical supplies have put millions of women at risk.<sup>57</sup> Although the healthcare sector has been particularly affected by the political unrest, some programmes focusing on women's health are still running. For example, Radio Tamazuj started a new radio programme in May 2019, #WomenHealthLifeline, on health issues for women in Sudan and South Sudan.<sup>58</sup> In addition, the UNFPA in Sudan is working with several international partners, among them DFID and SIDA, on issues of maternal and child health, including FGM and child marriage.<sup>59</sup> UNICEF has provided maternal healthcare assistance, including emergency health kits, which contain midwifery and obstetric provisions, to hospitals in Khartoum and Omdurman to help address some of the urgent health needs.<sup>60</sup> [...] Likewise, drastic measures in relation to Sudanese healthcare services, in addition to those the Government has already put in place, are required to avoid an even greater humanitarian crisis. Services have been enormously affected by conflict and the emigration of many healthcare workers. There is an extreme shortage of both personnel and medical supplies, meaning that both critical care and maternal care would not meet internationally recommended standards. The large number of home births and the lack of antenatal care in rural areas leaves women who have undergone FGM, especially those who have undergone Type III/infibulation, vulnerable to extreme complications and death during labour. [...]

30 Sharmila Devi (2019) 'Health targeted in Sudan's political transition', *The Lancet*, Vol. 393, p.2, 380. Available at <https://www.thelancet.com/action/showPdf?pii=S0140-6736%2819%2931399-6>.

31 OCHA Sudan (2019b) Civil Unrest: Flash Update No. 3, 9 June. Available at [https://reliefweb.int/sites/reliefweb.int/files/resources/190609\\_Sudan\\_Flash\\_Update\\_3\\_final.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/190609_Sudan_Flash_Update_3_final.pdf).

[...] 51 Secondary Analysis, pp.139–140.

52 MICS 2014, pp.152–153.

53 MICS 2014, pp.154–155.

54 MICS 2014, p.144.

55 MICS 2014, p.206.

56 The World Health Organization (2017) 'All eyes on maternal health', Sudan. Available at <http://www.emro.who.int/sdn/sudan-events/all-eyes-on-maternal-health.html>.

57 OCHA Sudan, 2019b, op. cit.

58 Radio Tamazuj (2019) Twitter [social media post], 8 May. Available at <https://twitter.com/RadioTamazuj/status/1126031365789691905?s=20>.

59 Massimo Diana (2019) Twitter [social media post], 7 January. Available at [https://twitter.com/max\\_f\\_diana/status/1082245888527998976?s=20](https://twitter.com/max_f_diana/status/1082245888527998976?s=20).

60 UNICEF Sudan (2019) Twitter [social media posts], 8 August, 1 July and 17 June. Available at <https://twitter.com/UNICEFSudan/status/1159444136623255553?s=20>, <https://twitter.com/UNICEFSudan/status/1145691563865063424?s=20> and <https://twitter.com/UNICEFSudan/status/1140605576197615617?s=20>.

❖ [Liv Tønnessen and Samia al-Nagar, 'The Politicization of Abortion and Hippocratic Disobedience in Islamist Sudan: Abortion in the Middle East and North Africa', \*Health and Human Rights Journal\*, 21/2, December 2019](#)

[...] There has been an intensified focus by Sudan's Islamist government on reducing the country's maternal mortality rate, which is currently estimated at 295 maternal deaths per 100,000 live births.<sup>9</sup> However, huge urban-rural disparities exist. The emergency obstetric and neonatal care needed to save lives is weak, and the Sudanese health system is persistently underfunded.<sup>10</sup> Sudan experienced a significant reduction in its maternal mortality rate in 2011, when South Sudan separated from the north and became the country with the world's highest maternal mortality rate. Direct obstetric causes contribute to 60% of maternal deaths in Sudan. This high prevalence is associated with many risk factors, including female genital mutilation/ cutting (FGM/C), early childbearing, high fertility, and barriers to accessing maternal health services.<sup>11</sup>

[...] Legal abortion after rape is almost impossible to obtain, but emergency contraceptives are distributed by international organizations in conflict areas.<sup>23</sup> Contraceptives (including emergency contraceptives), abortion, and post-abortion care must be administered by a senior doctor, which is a challenge considering the dearth of doctors, especially in conflict-affected and rural areas.<sup>24</sup> [...]

10. G. Hussein Ibrahim, "The role of the health system in women's utilisation of maternal health services in Sudan" (PhD thesis, London City University, 2015), p. 36.

11. Ibid, p.22.

[...] 23. L. Tønnessen, "Women's right to abortion after rape in Sudan," *CMI Insight* 2 (2015).

24. Ibid.

❖ [UN OCHA, Humanitarian Needs Overview: Sudan, Humanitarian Programme Cycle 2020, 8 January 2020](#)

[...] The health system is collapsing. In health facilities, there have been significant shortages of medicines for the second year in a row. [...] Only 32 per cent of health facilities fully provide emergency obstetric care services, leaving pregnant women at risk of obstetric complications, maternal deaths and disabilities. [p. 11]

[...] Sudan lacks clinics that can provide a complete health care package. Currently, only 33 per cent of health facilities offer the complete basic healthcare package (which includes maternal and reproductive health care services, nutrition services, immunization, infectious diseases, and free medicines). In eastern Sudan, the availability of these packages is as low as 15 per cent in Gedaref and Sennar states, 12 per cent Gezira State, and 10 per cent in North Kordofan.<sup>35</sup> As a consequence, between 2018 and 2019, the percentage of women who received the minimum four anti-natal care visits during their latest pregnancy across Sudan was 51 per cent, with the fewest visits reported in West Kordofan (41 per cent) Gedaref (37 per cent) and 40 per cent on average across Darfur states. Women of reproductive age constitute one of the key vulnerable groups, representing 24 per cent of the total population.<sup>36</sup>

[...] Women of reproductive age<sup>41</sup>, are in need of maternal, adolescent, sexual, and reproductive health care support. Sudan has a high maternal mortality rate caused mainly by obstetric hemorrhage (37 per cent), hypertensive disorders (16 per cent) and sepsis/obstructed labor (13 per cent)<sup>42</sup>. 15 per cent of pregnant women are likely to experience birth related complications and need to access emergency obstetric and neonatal care services including referral services<sup>43</sup>. [p. 44]

[...] Many pregnant women live in areas where provision of maternal, new born, child and adolescent health services is limited. In addition, the overall lack of adequate emergency obstetric care services, safe blood banking services, and referral services contribute to high maternal mortality. Out of the total population in need of humanitarian assistance, there are currently 2 million pregnant women and women of reproductive age in need of sexual and reproductive health services. Around 15 per cent will experience complications during the next 12 months and will need access to emergency obstetric care and referral services<sup>48</sup> due long distances and lack of health services in the community. The majority of deliveries are reported to occur at home, with only 23 per cent of births taking place in health facilities. The lowest proportion was observed in East Darfur, with only 1 per cent of births in health facilities, followed by South Darfur and Blue Nile (2 per cent each).

[...] By September 2019, over 320, 000 people were directly affected by floods across 15 states, of which 7,648 were pregnant women in need of safe delivery services.

[...] Nutrition support is lacking, particularly for some 530,000 pregnant and lactating women. Approximately 70 per cent of these women do not have access to nutrition treatment services due to lack of resources. The geographic coverage of grown monitoring programmes (GMP) is lowest in West Kordofan (1.1 per cent) (S3M II, 2018). Nutrition sites are unevenly distributed geographically with some localities lacking services. 30 per cent of the population lives more than 5 kilometers from a health or nutrition facility. Many women in particular face challenges traveling long distances to nutrition facilities due to a lack of affordable transport. Many opt for local traditional healers who are more accessible. Despite efforts in 2019 to scale up nutrition services a significant gap remains in reaching vulnerable women and children in need. [...]

[...] A 2017 survey showed that only 32 per cent of the emergency obstetric and neonatal care (EmONC) facilities are fully functioning. A number of States had severe gaps in EmONC availability. East Darfur, Gedaref, Kassala, North Kordofan, Blue Nile, Red Sea, South Kordofan, North Darfur, Khartoum, Sinnar and Gazira all had less than 37 per cent of the recommended number of EmONC facilities<sup>49</sup>. According to the 2018 HERAMS survey, only 35 per cent of health facilities in Darfur provides basic emergency obstetric care<sup>50</sup>. [...]

35 Federal ministry of health data from the expansion project

36 Simple, Spatial, Survey Method (S3M) for Sudan 2018-2019.

[...] 42 MDSR Report, FMOH 2018

43 IAWG MISP for RH calculator 2019

[...] 48 IAWG MISP for RH calculator, 2019

49 Emergency obstetric and neonatal (EmONC) care survey in Sudan, FMOH, 2017

50 HeRAMS report, December 2018 [...]

❖ [Strategic Initiative for Women in the Horn of Africa \(SIHA\), Gender Briefing – Sudan, 10 March 2020](#)

[...] Women and girls living in rebel-held areas of the Nuba mountains of Southern Kordofan have little or no access to contraception, adequate antenatal care or emergency obstetric care, leaving them unable to control the number and spacing of their children, and exposing them to serious health complications and sometimes death. Reduced access to health services is one of the many devastating consequences of six years of armed conflict between Sudanese government forces and the armed wing of the rebel Sudan People's Liberation Movement/Army-North (SPLM/A-North), a spin-off of the former southern Sudanese liberation movement and now ruling party of independent South Sudan. Healthcare access is low in the four areas currently under the control of rebels and worse than in other parts of Sudan because of marginalization by Sudan's government and earlier conflicts.

[...] In rebel-held Nuba areas of Heiban, Delami and Um Dorein, antenatal care from skilled and equipped health workers is available at two hospitals and their outreach clinics, both operating without government authorization. However, many women and girls live too far away to access emergency care or live on the other side of frontlines of the conflict, making it too hazardous to travel to the facilities. Most pregnant women must rely on local birth attendants who have no formal training, or trained midwives who have not been able to acquire new or sterile equipment since the conflict began. Women and girls experiencing complications during labor may have to travel for days, often on dangerous routes including across frontlines, to get emergency obstetric care. Family planning is not available except in rare instances. The rebel SPLM/A-North administration provides the bulk of health care through a network of some 175 clinics, but these do not distribute contraception, including condoms.

[...] Weak links between community and health-facility based MNH services – Traditional birth attendants (TBAs) are utilized by a large section of the rural populace, yet there has not been sufficient focus on existing legal/policy framework on the role and significance of TBAs. Weak links mean that complications arising from traditional births are not easily addressed and there are also no clear support and referral mechanisms between community and health-based facilities/state health facilities. [...]

#### Use of modern method of contraception post-2015 in 2017

❖ [UNFPA, Worlds Apart: Reproductive Health and Rights in an Age of Inequality, State of World Population, 8 September 2017](#)

[...] Monitoring ICPD goals: selected indicators

[...] Sudan

[...] Contraceptive prevalence rate, women aged 15–49 (2017). Any method: 16. Modern method: 15  
Proportion of demand satisfied, women aged 15–49 (2017). Any method: 36. Modern method: 33. [...]

#### Use of modern method of contraception post-2015 in 2018

❖ [UNFPA, The Power of Choice: Reproductive Rights and the Demographic Transition, 17 October 2018](#)

[...] Monitoring ICPD goals: selected indicators

[...] Sudan

Contraceptive prevalence rate, women aged 15–49 (2018). Any method: 16. Modern method: 15

Unmet need for family planning, women aged 15–49 (2018): 28

Proportion of demand satisfied, with modern methods, women aged 15–49 (2018): 35 [p.135]

[...] Percentage of married women using a modern contraceptive method, rural (2%) versus urban (11%)

[...] [This was an unmarked graph so the percentages are an estimate...]

#### Use of modern method of contraception post-2015 in 2019

❖ [FP2020, Data, Undated](#) [see the link provided for figures and tables for 2019 on contraception]

❖ [FP2020, Sudan, FP2020 Core Indicator Summary Sheet: 2018-2019 Annual Progress Report, Undated](#) [see the link provided for figures and tables for 2019 on contraception]

- ❖ [UNFPA, State of the World Population 2019, 10 April 2019](#) [see the link provided for table on contraception prevalence and maternal mortality rates for Sudan in 2019 on p. 162]

#### Post-2013 estimates on maternal mortality and attendance of skilled healthcare personnel in 2017

- ❖ [Human Rights Watch, No Control, No Choice: Lack of Access to Reproductive Healthcare in Rebel-Held Southern Kordofan, 22 May 2017](#)

Summary [...]

Women and girls living in rebel-held areas of the Nuba mountains of Southern Kordofan, Sudan have little or no access to contraception, adequate antenatal care, or emergency obstetric care—leaving them unable to control the number and spacing of their children, and exposing them to serious health complications and sometimes death [...]

According to the World Health Organization (WHO), Sudan’s maternal mortality rate has fallen from 744 per 100,000 live births in 1990 to 311 in 2015. However, women and girls in conflict-affected areas like rebel-held Southern Kordofan do not have access to the key government health services, supported by donor money, that have contributed to this decline. No recent data on maternal mortality is available for the region, but a joint research effort by the UN and the Sudanese government in 2006 put Southern Kordofan’s maternal mortality rate at 503 per 100,000 live births, compared to 91 per 100,000 births in Northern state and 213 in Southern Kordofan’s neighboring Northern Kordofan state [...]

- ❖ [UNFPA, Worlds Apart: Reproductive Health and Rights in an Age of Inequality, State of World Population, 8 September 2017](#)

[...] Monitoring ICPD goals: selected indicators

[...] Sudan: Maternal mortality ratio (MMR) (deaths per 100,000 live births) (2015): 311

Range of MMR uncertainty (UI 80%) (2015 estimate). Lower: 214. Upper: 433.

Births attended by skilled health personnel, per cent (2006-2016): 78 [...]

#### Post-2013 estimates on maternal mortality and attendance of skilled healthcare personnel in 2018

- ❖ [Humanitarian Aid Relief Trust \(HART\), “There was nobody to help us”: Oppression by the Government of Sudan and Food Shortages in Blue Nile, Sudan, January 2018](#)

[...] Healthcare and Wellbeing

There are 28 health clinics in SPLA-N held-territory, covering a population of 90,000 people. These clinics provide universal health care and midwifery but are chronically short of trained manpower and medical supplies. The majority of care is provided by community health workers and traditional birth attendants. There are no qualified midwives operating in the area and 12% of all births end in maternal death, one of the highest maternal mortality rates in world. 7% of maternal deaths are caused by sepsis due to suboptimal practice. Both the Medical Director and Secretary of Health stated that even one trained midwife would reduce this to zero overnight. The only referral hospital available is Maban over the border in South Sudan as El Kurmuk to the north is inaccessible due to the continued violence. Complicated pregnancies and trauma have to be transported by any means available as there is no ambulance service [...]

- ❖ [UNFPA, The Power of Choice: Reproductive Rights and the Demographic Transition, 17 October 2018](#)

[...] Monitoring ICPD goals: selected indicators

[...] Sudan: Maternal mortality ratio (MMR) (deaths per 100,000 live births) (2015): 311

Range of MMR uncertainty (UI 80%) (2015 estimate). Lower: 214. Upper: 433.

Births attended by skilled health personnel, per cent (2006-2017): 78

Adolescent birth rate per 1,000 girls aged 15–19 (2006-2017): 87 [...]

- ❖ [Strategic Initiative for Women in the Horn of Africa \(SIHA\), Gender Briefing Sudan, December 2018](#)

[...] 2.4 Access to sexual and reproductive health [...]

As of 2015, the maternal mortality rate in Sudan was 216 deaths per 100,000 births. Out of 100,000 newborns, 330 die at birth.<sup>28</sup> According to the World Health Organization (WHO), Sudan's maternal mortality rate has fallen from 744 per 100,000 live births in 1990 to 311 in 2015. However, women and girls in conflict-affected areas like rebel-held Southern Kordofan do not have access to donor supported government health services that have contributed to this decline. No recent data on maternal mortality is available for the region, but a joint research effort by the UN and the Sudanese government in 2006, put Southern Kordofan's maternal mortality rate at 503 per 100,000 live births, compared to 91 per 100,000 births in the Northern state and 213 per 100,000 births in Southern Kordofan's neighboring Northern Kordofan state.<sup>29</sup> The highest mortality rate in the country was registered in South Darfur, with 334 deaths in 2014. There is a high rate of maternal deaths in the marginalized states of Darfur and in South Kordofan state.<sup>30</sup> [...]

[...] 28 <https://www.dabangasudan.org/en/all-news/article/highest-maternal-mortality-rate-of-sudan-in-south-darfur>

29 <https://www.hrw.org/report/2017/05/22/no-control-no-choice/lack-access-reproductive-healthcare-sudans-rebel-held>

30 <https://www.dabangasudan.org/en/all-news/article/highest-maternal-mortality-rate-of-sudan-in-south-darfur> [...]

- ❖ [WHO, UNICEF, UNFPA, World Bank Group and the United Nations Population Division, Trends in maternal mortality 2000 to 2017: estimates by WHO, UNICEF, UNFPA, World Bank Group and the United Nations Population Division, 2019](#)

[Note: Statistics on maternal mortality rate included in this report but too cumbersome to include in this review]

#### Post-2013 estimates on maternal mortality and attendance of skilled healthcare personnel in 2019

- ❖ [OCHA, Sudan: Civil unrest, Flash Update No. 1, 7 June 2019](#)  
[...] In the absence of the timely response this might increase maternal mortality levels, currently estimated at 311 deaths per 100,000 live births. [...]
- ❖ [WHO, UNICEF, UNFPA, World Bank Group and United Nations Population Division, Trends in maternal mortality 2000 to 2017: Estimates by WHO, UNICEF, UNFPA, World Bank Group and the United Nations Population Division, 19 September 2019](#)  
[...] Maternal mortality rate: 295 deaths/100,000 live births (2017)  
[...] Number of maternal deaths: 3900 (2017)  
[...] Lifetime risk of maternal death 1 in 75 (2017)  
[...] PM [proportion maternal (i.e. proportion of deaths among women of reproductive age that are due to maternal causes)] PM point estimate: 13 [p. 75]  
[...] Overall reduction in MMR between 2000 and 2017 (%): 56 [...]
- ❖ [UNICEF, Healthy Mothers, Healthy Babies: Taking stock of maternal health, June 2019](#)  
[...] Percentage of births assisted by a skilled birth attendant, by country, 2013-2018  
[...] Sudan: 77.7 (MICS 2014) [...]
- ❖ [UNICEF, The State of the World's Children 2019 Statistical Tables: Sudan, October 2019](#)  
[...] Maternal and Newborn Health  
[...] Delivery Care (%) 2013-2018\*  
Skilled Birth Attendant  
Women aged 15-49: 78  
Women aged 15-29: 77  
\* Data refer to the most recent year available during the period specified in the column heading. [...]
- ❖ [OCHA, Humanitarian Needs Overview: Sudan, January 2020](#)

[...] Sudan has a high maternal mortality rate caused mainly by obstetric hemorrhage (37 per cent), hypertensive disorders (16 per cent) and sepsis/obstructed labor (13 per cent)<sup>42</sup>. 15 per cent of pregnant women are likely to experience birth related complications and need to access emergency obstetric and neonatal care services including referral services.<sup>43</sup> [...]

42 MDSR Report, FMOH 2018

43 IAWG MISP for RH calculator 2019

❖ [UNICEF, Sudan: Health 2019 – Annual Report, March 2020](#)

[...] Maternal mortality is related to a lack of skilled birth attendants and antenatal care. Maternal mortality was estimated at 295 per 100,000 live births, with most deaths due to home deliveries without the presence of skilled birth attendants and the lack of emergency obstetric care at medical facilities.<sup>7</sup> Even though 85 per cent of pregnant women conduct at least one antenatal care visit, the proportion of those who conducted at least four antenatal care visits is just over half. Only 34 per cent of young mothers and their newborns receive post-natal care services.<sup>8</sup> In addition, 69 per cent of women receive their tetanus toxoid vaccination. [...]

7 Inter-agency Estimate for Trends in Maternal Mortality: 1990 to 2015, 2000 to 2017, WHO, Geneva, 2015-2019

8 Simple Spatial Survey Method (S3M-II), 2018

## Reasons provided for maternal mortality in 2017

❖ [Wafa Elamin, Atif B. Fazari, and Khalifa Elmusharaf, 'A Qualitative Study Exploring Women's Experiences of Unsafe Abortion in Sudan', Open Journal of Social Sciences, March 2017](#)

[...] Unsafe abortions contribute significantly to maternal morbidity and mortality. They are found more frequently in developing countries such as Sudan where abortion laws are restrictive and women have poor access to contraceptives. Gaps in the knowledge exist regarding women's decision-making process to perform an unsafe abortion in Sudan. Understanding these factors is vital for planning and implementing family planning services.

[...] Three core themes emerged: 1) There was an unbalanced relationship dynamic between women and their partners, which affected their use of contraceptives. 2) Maintaining secrecy of the unintended pregnancy and the unsafe abortion was paramount to all women for fear of social stigma. 3) Women tried to internalize and understand their negative experiences of unsafe abortion through religious context. Conclusion: Unsafe abortions have a significant impact on the quality of women's lives in Sudan. Open dialogue between men and women regarding family planning strategies; community education about the hazardous consequences of unsafe abortion as well as facilitating access to contraceptives and stressing their proper use are necessary steps to decrease the number of unsafe abortions in Sudan. More research is needed to fill the gaps in knowledge regarding unsafe abortions and sexual health among Sudanese women. [...]

❖ [Human Rights Watch, No Control, No Choice: Lack of Access to Reproductive Healthcare in Rebel-Held Southern Kordofan, 22 May 2017](#)

Summary [...]

Women and girls living in rebel-held areas of the Nuba mountains of Southern Kordofan, Sudan have little or no access to contraception, adequate antenatal care, or emergency obstetric care—leaving them unable to control the number and spacing of their children, and exposing them to serious health complications and sometimes death [...]

According to the World Health Organization (WHO), Sudan's maternal mortality rate has fallen from 744 per 100,000 live births in 1990 to 311 in 2015. However, women and girls in conflict-affected areas like rebel-held Southern Kordofan do not have access to the key government health services, supported by donor money, that have contributed to this decline. No recent data on maternal mortality is available for the region, but a joint research effort by the UN and the Sudanese government in 2006 put Southern Kordofan's maternal mortality rate at 503 per 100,000 live births, compared to 91 per 100,000 births in Northern state and 213 in Southern Kordofan's neighboring Northern Kordofan state [...]

[...] There are no ambulances in the rebel-held areas and very few civilian cars. As discussed later in this report, this is a major problem for women trying to access healthcare, including in emergencies such as complications during labor.

[...] The little information that is available suggests that maternal mortality remains high. The Mother of Mercy Hospital documented two maternal deaths at their hospital in 2016 and three in 2015, out of about 260 to 280 births a year.<sup>113</sup> GED recorded two maternal deaths at their hospital in 2016, out of 193 deliveries and six maternal deaths that took place at women's homes in areas near their outreach clinics.<sup>114</sup>

[...] *Emergency Obstetric Care: The Three Delays*

Hundreds of thousands of women live too far from the GED hospital or Mother of Mercy Hospital to be able to access emergency obstetric care. But even for those who do live within reach of the two hospitals, delays stop them from accessing these services. [...]

- ❖ [Samia El Nagar, Sharifa Bamkar, and Liv Tønnessen, CHR. Michelin Institute, Girls, Child Marriage, and Education in Red Sea State, Sudan: Perspectives on Girls' Freedom to Choose Sudan report number 3, September 2017](#)

[...] 4.1.7 People in Red Sea State are somewhat aware of the negative effects of child marriage, although more work could be done

Communities' perception of the consequences of child marriage

[...] Table 12. Health problems suffered by girls after marriage as reported by respondents from researched communities in Red Sea State, Sudan

[...] More than three quarters of all respondents reported obstructed labor, and about half of respondents noted maternal mortality. [...]

- ❖ [Humanitarian Aid Relief Trust, South Kordofan and Blue Nile Coordination Unit Humanitarian Update, January 2018](#)

[...] There is a need to provide primary health care (PHC) services including sexual reproductive health (SRH), among vulnerable populations especially living in the areas of Jebel Marra; and to address morbidity and mortality due to Severe Acute Malnutrition (SAM). [...]

## Reasons provided for maternal mortality in 2018

- ❖ [Humanitarian Aid Relief Trust \(HART\), "There was nobody to help us": Oppression by the Government of Sudan and Food Shortages in Blue Nile, Sudan, January 2018](#)

[...] Healthcare and Wellbeing

There are 28 health clinics in SPLA-N held-territory, covering a population of 90,000 people. These clinics provide universal health care and midwifery but are chronically short of trained manpower and medical supplies. The majority of care is provided by community health workers and traditional birth attendants. There are no qualified midwives operating in the area and 12% of all births end in maternal death, one of the highest maternal mortality rates in world. 7% of maternal deaths are caused by sepsis due to suboptimal practice. Both the Medical Director and Secretary of Health stated that even one trained midwife would reduce this to zero overnight. The only referral hospital available is Maban over the border in South Sudan as El Kurmuk to the north is inaccessible due to the continued violence. Complicated pregnancies and trauma have to be transported by any means available as there is no ambulance service [...]

- ❖ [Strategic Initiative for Women in the Horn of Africa \(SIHA\), Gender Briefing Sudan, December 2018](#)

[...] 2.4 Access to sexual and reproductive health [...]

Disconnect between existing laws/policies, and practice: [...]

d. Existing maternal health policies take a fairly narrow focus as they do not explicitly incorporate issues of sexual and gender based violence as a proactive and responsive measure to issues that affect women's reproductive health [...]

## Reasons provided for maternal mortality in 2019

- ❖ [Social Institutions and Gender Index, Sudan: Country Profile 2019, 8 March 2019](#)  
 [...] Restricted Physical Integrity:  
 [...] Legal framework on reproductive rights: 50%  
 Female population with unmet needs for family planning: 27%  
 [...] f) Abortion  
 [...] The Penal Code (2003) reads that a woman deciding on an abortion can be imprisoned for up to seven years and may also be liable to fine (Article 262). However, if an abortion is performed by an unmarried pregnant woman in order to avoid shame, she shall be punished with imprisonment up to three years or with fine or with both (Article 262). Whoever with intent to cause the miscarriage of a woman with child does any act which caused the death of such woman can be imprisoned for up to ten years and when the abortion is performed without the consent of the woman, the imprisonment may be for life (Article 264). Pregnancy before marriage carries high social stigma for women and her family in Sudan. As a result of the strict legal framework around abortion, women turn to traditional herbal healers or illiterate traditional midwives, resulting in significant morbidity and mortality. [...]
  
- ❖ [OCHA, Sudan: Civil unrest, Flash Update No. 1, 7 June 2019](#)  
 [...] The shortages of reproductive health medicines and supplies, especially life-saving maternal health commodities, coupled with the limited access to health facilities by pregnant women, are affecting the timely deliver of emergency obstetric and neonatal care service at health facilities. In the absence of the timely response this might increase maternal mortality levels, currently estimated at 311 deaths per 100,000 live births. There is an immediate need to support health facilities with regular supplies of life-saving reproductive health (especially maternal health) supplies and medicines. [...]
  
- ❖ [OCHA, Sudan: Civil Unrest, Flash Update No. 3, 9 June 2019](#)  
 [...] Of the 11 main Khartoum hospitals, half were closed or partially closed since 3 June. Also, two major maternity hospitals in Khartoum have stopped providing services since 8 June 2019. These two hospitals cover a catchment population of approximately 2.5 million with life-saving maternal health services. Based on the UNFPA Emergency Neonatal and Obstetric Care (EmNOC) assessment in 2017, these hospitals conduct 200 deliveries (including 60 C-sections) per day. [...]
  
- ❖ [OCHA, Sudan: Civil unrest, Flash Update No. 5, 11 June 2019](#)  
 [...] The majority of public hospitals resumed emergency maternal care services. The stock of life-saving maternal health commodities (rehydration, spinal anesthesia for caesarian section, etc.) are low in most public hospitals. However, access to health care services by pregnant is still limited due to limited movement and concerns regarding the safety of health care providers. [...]
  
- ❖ [28 Too Many, Country Profile: FGM in Sudan, November 2019](#)  
 [...] Contraception and Family Planning  
 [...] 12.2% of currently-married women aged 15–49 report using contraception, according to the MICS 2014, with the pill being the most common form used (9%). The frequency of contraception use varies widely, from 2.9% in Central Darfur to 26.5% in Khartoum state. Of those aged 15–19 who are married, only 6.4% state that they use contraception, but that figure is higher among older women. Higher rates are also found in urban areas than in rural areas and among women with a secondary or higher level of education as opposed to those with only primary education. The level of unmet need for contraception among currently-married women aged 15–49 is at 26.6%.<sup>51</sup>  
 [...]. Reproductive Healthcare  
 [...] Although giving birth in a medical facility is seen as an important factor in reducing maternal and neonatal risks, only about one-quarter of women aged 15–49 in Sudan give birth in a health facility (27.7%), while 71.3% of births take place at home. Women living in urban areas are more likely than those living in rural areas to use a health facility (45.2% and 21.5% respectively). Again, there are big differences according to women’s levels of education: only 11.5% of those with no formal education deliver in a health facility, compared to 75.5% of those with higher-level education.<sup>53</sup>  
 79.1% of women receive antenatal care from a skilled provider (90.8% in urban areas and 74.9% in rural areas). In South Darfur that figure is lower, at 61.8%, while in Khartoum it is 97.1%. Women’s levels of wealth also make a difference: 97.2% of those in the highest wealth quintile receive care as opposed to

61.7% in the poorest wealth quintile. Antenatal care in Sudan is provided in 55.4% of cases by medical doctors.<sup>54</sup>

Pregnancy is a leading factor in deaths among girls aged 15–19, particularly among those on the younger side of this age-group. Education appears to curb marriage and early pregnancy, as 27.5% of women aged 15–19 with only a primary level of education are married, as opposed to 2.4% of those with higher education.<sup>55</sup>

In August 2017, Sudan officially signed up to the Campaign to Advance the Reduction of Maternal Mortality in Africa (CARMMA), the African Union Commission programme that was launched in 2009 to reduce child and maternal mortality in Africa. The event also marked the first annual celebration of the National Day of Mother and Child Health.

In recent years, Sudan's Government has introduced several initiatives aimed at improving maternal health, including 2016's '10 by 5' Reproduction, Maternal, Newborn, Child and Adolescent Health Strategy (RMNCAH), the Antenatal Care Scale-Up Program and the Maternal Mortality Reduction Initiative.<sup>56</sup> However, the impact of the political instability in the country has affected delivery of these programmes, and the closure of hospitals and lack of medical supplies have put millions of women at risk.<sup>57</sup> [...]

51 Secondary Analysis, pp.139–140.

52 MICS 2014, pp.152–153.

53 MICS 2014, pp.154–155.

54 MICS 2014, p.144.

55 MICS 2014, p.206.

56 The World Health Organization (2017) 'All eyes on maternal health', Sudan. Available at <http://www.emro.who.int/sdn/sudan-events/all-eyes-on-maternal-health.html>.

57 OCHA Sudan, 2019b, op. cit.

58 Radio Tamazuj (2019) Twitter [social media post], 8 May. Available at <https://twitter.com/RadioTamazuj/status/1126031365789691905?s=20>.

59 Massimo Diana (2019) Twitter [social media post], 7 January. Available at [https://twitter.com/max\\_f\\_diana/status/1082245888527998976?s=20](https://twitter.com/max_f_diana/status/1082245888527998976?s=20).

60 UNICEF Sudan (2019) Twitter [social media posts], 8 August, 1 July and 17 June. Available at <https://twitter.com/UNICEFSudan/status/1159444136623255553?s=20>, <https://twitter.com/UNICEFSudan/status/1145691563865063424?s=20> and <https://twitter.com/UNICEFSudan/status/1140605576197615617?s=20>.

❖ [Irene Maffi and Liv Tønnessen, 'The Limits of Law: Abortion in the Middle East and Northern Africa', \*Health and Human Rights Journal\*, 21/2, December 2019](#)

[...] Wars and displacement in the MENA region also contribute to high levels of maternal deaths (some of which are probably still related to unsafe abortion). The Fragile States Index, produced by the Fund for Peace, currently places five MENA countries (Afghanistan, Iraq, Sudan, Syria, and Yemen) on "very high alert" or "high alert," suggesting that these factors are likely to continue to affect maternal mortality in the near future.<sup>9</sup> [...] [p.2]

9. Fund for Peace, Fragile states index: Annual report 2019 (Washington, DC: Fund for Peace, 2019), p. 7 [...]

❖ [Liv Tønnessen and Samia al-Nagar, 'The Politicization of Abortion and Hippocratic Disobedience in Islamist Sudan: Abortion in the Middle East and North Africa', \*Health and Human Rights Journal\*, 21/2, December 2019](#)

[...] Unsafe abortion is one of the leading causes of maternal mortality, and abortion-related maternal deaths are generally higher in countries that restrict women's access to induced abortion.<sup>1</sup> In the Middle East and Northern Africa (MENA) region, only Tunisia and Turkey have legalized abortion on demand during the first trimester.<sup>2</sup> Most abortion laws in the region are punitive, and legal services are restricted.<sup>3</sup> In Sudan's Islamist state, induced abortion is a crime except when performed to save the pregnant woman's life, if the fetus has died in the woman's womb, and in cases of rape.<sup>4</sup> [...]

There has been an intensified focus by Sudan's Islamist government on reducing the country's maternal mortality rate, which is currently estimated at 295 maternal deaths per 100,000 live births.<sup>9</sup> However, huge urban-rural disparities exist. The emergency obstetric and neonatal care needed to save lives is weak, and the Sudanese health system is persistently underfunded.<sup>10</sup> Sudan experienced a significant reduction in its maternal mortality rate in 2011, when South Sudan separated from the north and became the country with the world's highest maternal mortality rate. Direct obstetric causes contribute to 60% of

maternal deaths in Sudan. This high prevalence is associated with many risk factors, including female genital mutilation/ cutting (FGM/C), early childbearing, high fertility, and barriers to accessing maternal health services.<sup>11</sup> [...]

In the domestic arena, family planning is seldom part of public debates. However, there has been a slight shift since Cairo in the Sudanese government's policy on abortion. The 2010 Reproductive Health Policy addresses the prevention of abortion and unwanted pregnancies, as well as post-abortion care, for the first time. Further, the 2010–2015 Roadmap for Reducing Maternal and Newborn Death and Mortality in Sudan acknowledges unsafe abortion as one of the causes of maternal morbidity and mortality. A potentially revolutionary new inclusion in the roadmap was that mid-level providers could administer misoprostol. In a country with a dearth of doctors—particularly in rural areas, where maternal mortality is the highest—this provision could make a huge difference in reducing the number of hemorrhage-related maternal deaths. [...]

Transformative potential?

There has been no legal mobilization, whether by health workers or the women's movement, to liberalize the right to abortion in Sudan. Unsafe abortion is at the bottom of the list of priorities in terms of reducing the country's maternal mortality rate.

There are several reasons for this lack of mobilization. The first relates to the *fear of double backlash*, from both the authoritarian Islamic state and from the country's conservative society. [...]

The second reason relates to *conservative attitudes among women's rights activists and doctors*. [...]

1. S. M. Latt, A. Milner, and A. Kavanagh, "Abortion laws reform may reduce maternal mortality: An ecological study in 162 countries," *BMC Women's Health* 19/1 (2019).

2. L. Hessini, "Abortion and Islam: Policies and practice in the Middle East and North Africa," *Reproductive Health Matters* 15/29 (2007), pp. 75–84.

3. Ibid.

4. "Sudan: The Criminal Act 1991," *Arab Law Quarterly* 9/1 (1994), pp. 32–80.

[...] 10. G. Hussein Ibrahim, "The role of the health system in women's utilisation of maternal health services in Sudan" (PhD thesis, London City University, 2015), p. 36.

11. Ibid, p.22. [...]

#### ❖ [UN OCHA, Humanitarian Needs Overview: Sudan, Humanitarian Programme Cycle 2020, 8 January 2020](#)

[...] The health system is collapsing. In health facilities, there have been significant shortages of medicines for the second year in a row. [...]

Only 32 per cent of health facilities fully provide emergency obstetric care services, leaving pregnant women at risk of obstetric complications, maternal deaths and disabilities. [...]

Sudan lacks clinics that can provide a complete health care package. Currently, only 33 per cent of health facilities offer the complete basic healthcare package (which includes maternal and reproductive health care services, nutrition services, immunization, infectious diseases, and free medicines). In eastern Sudan, the availability of these packages is as low as 15 per cent in Gedaref and Sennar states, 12 per cent Gezira State, and 10 per cent in North Kordofan.<sup>35</sup> As a consequence, between 2018 and 2019, the percentage of women who received the minimum four anti-natal care visits during their latest pregnancy across Sudan was 51 per cent, with the fewest visits reported in West Kordofan (41 per cent) Gedaref (37 per cent) and 40 per cent on average across Darfur states. Women of reproductive age constitute one of the key vulnerable groups, representing 24 per cent of the total population.<sup>36</sup> [...]

Women of reproductive age<sup>41</sup>, are in need of maternal, adolescent, sexual, and reproductive health care support. Sudan has a high maternal mortality rate caused mainly by obstetric hemorrhage (37 per cent), hypertensive disorders (16 per cent) and sepsis/obstructed labor (13 per cent)<sup>42</sup>. 15 per cent of pregnant women are likely to experience birth related complications and need to access emergency obstetric and neonatal care services including referral services<sup>43</sup>. [...]

Many pregnant women live in areas where provision of maternal, new born, child and adolescent health services is limited. In addition, the overall lack of adequate emergency obstetric care services, safe blood banking services, and referral services contribute to high maternal mortality. Out of the total population in need of humanitarian assistance, there are currently 2 million pregnant women and women of reproductive age in need of sexual and reproductive health services. Around 15 per cent will experience complications during the next 12 months and will need access to emergency obstetric care and referral services<sup>48</sup> due long distances and lack of health services in the community. The majority of deliveries are

reported to occur at home, with only 23 per cent of births taking place in health facilities. The lowest proportion was observed in East Darfur, with only 1 per cent of births in health facilities, followed by South Darfur and Blue Nile (2 per cent each). [...]

A 2017 survey showed that only 32 per cent of the emergency obstetric and neonatal care (EmONC) facilities are fully functioning. A number of States had severe gaps in EmONC availability. East Darfur, Gedaref, Kassala, North Kordofan, Blue Nile, Red Sea, South Kordofan, North Darfur, Khartoum, Sinnar and Gazira all had less than 37 per cent of the recommended number of EmONC facilities<sup>49</sup>. According to the 2018 HERAMS survey, only 35 per cent of health facilities in Darfur provides basic emergency obstetric care<sup>50</sup>. [...]

35 Federal ministry of health data from the expansion project

36 Simple, Spatial, Survey Method (S3M) for Sudan 2018-2019.

[...] 42 MDSR Report, FMOH 2018

43 IAWG MISP for RH calculator 2019

[...] 48 IAWG MISP for RH calculator, 2019

49 Emergency obstetric and neonatal (EmONC) care survey in Sudan, FMOH, 2017

50 HeRAMS report, December 2018 [...]

#### ❖ [Strategic Initiative for Women in the Horn of Africa \(SIHA\), Gender Briefing – Sudan, 10 March 2020](#)

[...] Disconnect between existing laws/policies, and practice:

a. Weak links between community and health-facility based MNH services – Traditional birth attendants (TBAs) are utilized by a large section of the rural populace, yet there has not been sufficient focus on existing legal/policy framework on the role and significance of TBAs. Weak links mean that complications arising from traditional births are not easily addressed and there are also no clear support and referral mechanisms between community and health-based facilities/state health facilities.

b. Women experience delays in receiving attention for complications in maternal health, which are related to and dependent on cultural norms, education and current socio-economic conditions. The existing legal framework barely recognizes the traditional and customary domains within which many women exist and therefore, cannot address them directly.

c. Clash between religious edict (Sharia) and gender equality - For instance, abortion services, which constitute a core reproductive health services in most places around the globe, are not formally available to many women, especially unmarried ones in Sudan. An equally big problem exists for those seeking screening for cervical cancer, which is an intrusive procedure and therefore not offered to unmarried women because it is assumed that it would break their virginity. Many cancer deaths occur due to this problem but the law remains silent.

d. Existing maternal health policies take a fairly narrow focus as they do not explicitly incorporate issues of sexual and gender based violence as a proactive and responsive measure to issues that affect women's reproductive health. [...]

#### [It continued to be easier for men than for women to initiate legal divorce proceedings in 2017](#)

#### ❖ [Samia El Nagar, Manal Mahjoub, Adil Idris, and Liv Tønnessen, CHR. Michelin Institute, Sudan Report: Community Views on Child Marriage in Kassala: Prospects for Change, February 2018](#)

[...] Both among rich and poor families, the negotiation and transaction of *mahr* [bride wealth] seems to involve an economic exchange, with the bride receiving only a limited share. Some brides are given gifts of cloth, few goats, or gold, but the rest of the *mahr* is used by families, some of it for the marriage celebration.<sup>29</sup> Thus, traditions deprive the brides from benefiting from '*mahr*', specifically that most Sudanese families do not require '*mu'akkar*' [an amount to be paid in case of divorce], to be stipulated in contract and that makes it easy for men to divorce. [...]

29 According to religious wisdom, *mahr* is a symbol of respect and appreciation for the bride. It should not be exorbitant, but what the groom can afford. Most Sudanese practice appears to have diverged from this traditional understanding. [...]

## It continued to be easier for men than for women to initiate legal divorce proceedings in 2018

### ❖ [Freedom House, Freedom in the World 2018: Sudan, 27 August 2018](#)

[...] G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 0 / 4

Women face extensive discrimination. Islamic law denies women equal rights in marriage, inheritance, and divorce. [...]

### ❖ [UNFPA, UNDP, UN Women and ESCWA, Gender Justice & the Law: Sudan, December 2018](#)

[...] Marriage and divorce

The Personal Status Law requires the husband to maintain the wife. The wife owes obedience to the husband. A husband can divorce by repudiation (talaq). A wife has the right to divorce on specified grounds. She can also apply for a *khul'a* [Divorce process initiated by the wife requiring return of her *mahr* - mandatory payment by the groom or his father to the bride which then becomes her property] divorce without grounds if she forgoes financial rights.

[...] A husband can obtain divorce by repudiation (talaq), without the requirement of a court order.

A wife can obtain divorce by application to the court. Judicial divorce may be granted to the wife on the grounds of the husband's cruelty or discord between the spouses, or the husband's illness, impotence, ransom, absence for one year or more, or imprisonment. Grounds for a wife to seek divorce include harm.<sup>21</sup>

Article 162 provides:

1. The wife may request divorce on the ground of harm, which makes marital life impossible to continue for her and legally unpermitted.

2. The harm shall be proved by all legal means, including hearsay testimony.

Article 163 provides:

1. If harm is not proved and discord between the spouses continue while reconciliation cannot be achieved, and the wife

returned after three months asking for divorce, the judge shall appoint two arbitrators from their respective relatives, if possible, or who are likely to have the ability to reconcile between the spouses.

The Court may appoint arbitrators to seek to resolve discord between the wife and husband. If arbitration is not successful, the Court may order a divorce based on the arbitration report.<sup>22</sup>

A woman may also divorce through *khul'a*, in exchange for returning the dowry to the husband.<sup>23</sup> [...]

21 Personal Status Law of 1991, Art. 162.

22 Ibid, Arts. 163-165.

23 Ibid, Arts. 142, 143 [...]

### ❖ [Freedom House, Freedom in the World 2019: Sudan, 4 February 2019](#)

[...] G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 0 / 4

Women face extensive discrimination. Islamic law denies women equal rights in marriage, inheritance, and divorce. [...]

## It continued to be easier for men than for women to initiate legal divorce proceedings in 2018

### ❖ [Human Rights Watch, Interview: Will Sudan's New Dawn Bring a Chance for Justice? Leaders Should Prioritize Justice for Protester Killings, 17 November 2019](#)

[...] Since independence, Sudanese women have been significant, passionate leaders of public protests. Their activism focuses on discriminatory laws that regulate women's dress and curtail their movement, inheritance, property ownership, and custody rights. If women are accused of adultery, even if the accusation is unfounded, they could be sentenced to a fine and lashing. I was not surprised to see the women's groups playing such a leading role in the sit-in. For them, the protest was one more avenue to

express their vision for a free society. And they have continued to protest calling for more equal representation in the transitional government. [...]

❖ [Strategic Initiative for Women in the Horn of Africa \(SIHA\), Gender Briefing – Sudan, 10 March 2020](#)

[...] Autonomy: Divorce can be granted under Articles 157 – 204 of the Muslim Personal Status law but only in three circumstances. Firstly, men can divorce their wives by *talata* which means that a man can say “I divorce you” three times after which a court is then mandated to prepare documents recognizing the divorce. The process is safeguarded by a period of *iddat*, a period of waiting, between each declaration. Divorce can also be granted by *khula* where a couple mutually decides to divorce and a wife agrees to pay back the dowry. [...]

[In Darfur few children outside of cities had access to primary education in 2017 due to its high cost](#)

❖ [CHR. Michelsen Institute, Girls, Child Marriage, and Education in Red Sea State, Sudan: Perspectives on Girls’ Freedom to Choose, September 2017](#)

[...] 4 Findings

4.1 Child marriage: A practice in Red Sea State that robs children of their agency

4.1.1 Childhood and child marriage reinforce gender inequality [...]

In rural areas, females also tend to marry younger, in large part because they are often forced to drop out of school (because of distance, cost, or available facilities) and they have few other options available to them after they do so. The educational facilities and infrastructure in rural areas are very poor or nonexistent, and there are no efforts to motivate girls and their families to prioritize girls’ education [...]

4.2.1 Girls drop out of school for a variety of reasons [...]

In general, more rural respondents attributed girls’ drop-outs to other factors prevalent in rural areas, such as the distance of schools from home. Other factors related to both urban and rural areas, such as the high cost of education and the fact that some schools are mixed gender. These factors indicate that the school system itself discourages girls’ education [...]

❖ [Radio Dabanga, Just two basic schools for 4,500+ students in North Darfur camp, 17 September 2017](#)

[...] The residents of Kassab camp in North Darfur’s Kutum locality complain about a worsening educational environment.

Speaking to Radio Dabanga from Kassab camp, a parent reported that there are two basic schools in the camp, one for boys and one for girls, for 4,570 registered students, besides one secondary school.

He said that the number of teachers is “very small” compared to the number of students.

“Furthermore, the classrooms are made of straw, which do not provide protection from the rains in the rainy season and the heat in the summer,” he complained.

The parent also criticised “the high tuition fees”. Each student must pay SDG 150 (\$22) a year, which is beyond the parents' affordability. [...]

❖ [Radio Dabanga, School dropouts in South Kordofan and Darfur, 12 November 2017](#)

[...] Children drop out of school in large numbers in Sodari in North Kordofan as a result of the high tuition fees the authorities impose. School pupils face similar issues in El Fasher, North Darfur [...]

Zamzam camp

Displaced people in Zamzam camp, south of El Fasher, also complained about the high tuition fees and deteriorating living conditions that have led to pupils and students to drop out of school. According to a Sheikh in the camp more than 600 boys and girls have left school, the majority in the basic stage, seen the latest statistics.

He told Radio Dabanga that the failure of the agricultural season in a number of North Darfur localities, economical hardship for people, a decrease in the food rations provided by aid agencies such as World Food Programme (WFP) and the tuition fees have led to more school dropouts among displaced children.

“They are known to search for work instead, or beg in the streets for money.” The Sheikh called upon the government to reconsider to lower the monthly tuition fees to SDG30 (\$4.50) per students – “a price that most families can afford.” [...]

❖ [UN OCHA, Humanitarian Needs Overview, February 2018](#)

[...] Around 1.7 million school age children (4-16 years) need Education in Emergencies (EiE) support, including about 0.8 million IDPs, in addition to returnees, vulnerable host communities and school-age refugees.

According to vulnerability indicators, these numbers are mainly in the eight conflict-affected states (Darfur states, South and West Kordofan and Blue Nile). School enrollment rate in these states currently stands at 47 per cent, which is far below the average enrollment rate in the rest of the country.

[...] An Education Sector needs assessment of 30 IDP camps in Darfur showed that 56 per cent of school age children lack access to education.

[...] An estimated 40 per cent of South Sudanese refugee children are school-aged, and 52 per cent of these children remain out-of- school. Refugee children in Eastern Sudan and in Khartoum also lack access to quality education. A lack of education opportunities impacts child protection, psychosocial wellbeing and risks of child labour. It also lowers their economic and social outcomes, including reduced quality of life and increased risk of morbidity and premature mortality. School fees and the lack of qualified teachers are the main barriers of access to quality education for refugees and asylum-seekers. Existing schools lack sufficient infrastructure to accommodate all school-aged children, and teachers lack adequate teaching materials, while the capacity of PTAs remains weak.

This has led to low levels of literacy and numeracy among refugee children in Sudan. [...]

❖ [Humanitarian Aid Relief Trust, South Kordofan and Blue Nile Coordination Unit Humanitarian Update, January 2018](#)

[...] Education response is critically needed in Jabal Marra areas. Only in Rokerro 85% of children are out of school. In EJM, the situation is exacerbated with the new fights started in March.

More than 250,000 children are out of school in Blue Nile, South and West Kordofan. Without immediate support and with the current economic crisis the number is expected to • go up with children enforced to leave schools because of parents/families, unaffordability to cover schooling costs. Teachers availability and capacity are major concerns with almost 50% teachers in emergency affected States untrained. [...]

[In Darfur few children outside of cities had access to primary education in 2019 due to its high cost](#)

❖ [UNOCHA, Sudan, Situation Report, 12 March 2020](#)

[...] As a result of the economic crisis, the number of households classified as food insecure (a proxy indicator for poverty) increased by 63 per cent, from 3.8 million in 2017 to 6.2 million in 2019 (IPC and HNO). This was driven in part by the fourfold increase in the cost of a local food basket (LFB). The impact has been severe on both urban and rural populations, though the latter have been more acutely affected, with 53 per cent of rural households not able to afford a single LFB compared to 38 per cent of urban households, according to the Comprehensive Food Security & Vulnerability Assessment (CFSVA) 2019. In addition, in both urban and rural locations, around half of all households have had to resort to some form of livelihood coping strategy, with similar proportions relying on stress coping strategies (12-13 per cent) but significantly higher proportion of rural household resorting to more severe emergency coping strategies (21 per cent compared to 14 per cent in urban areas), CFSVA report said. These coping mechanisms include skipping or reducing meals, cutting expenses on education, including removing children from school, and health as well as selling available assets or borrowing from extended support networks [...]

Post-2015 reasons provided in 2017 for school children dropping out or children being excluded from school (e.g. girls, IDPs, children in rural areas, members of certain ethnic/religious groups) and other factors negatively affecting education levels (e.g. gender discrimination, poverty, early marriage)

❖ [Abdelmoneium, Azza O., Ways to Survive: Child Labor among Internally Displaced Children in Khartoum Sudan, in Open Journal of Social Sciences, 5, 1 September 2017](#)

[...] 3. Situation of Internally Displaced Children in the Camps in Khartoum

Khartoum is the most affected state as it is the principal recipient of increasing numbers of displaced persons who have been arriving at a growing rate [...]

IDPs struggle to meet their basic needs of food, shelter, health and education [...]

In the hard life of displaced children, education is an important aspect. Their ambition is to finish school in order to raise their standard of living. Education, they said, enables a person to gain more confidence, self-reliance and self-esteem. However, the facilities and services for education are insufficient and discourage a positive attitude in children. That is why children need to seek employment to survive in the camp. Some of the factors, which led children to seek labor at an early age, are the poverty, the large family size, lack of interest in education, the death or absence of the breadwinner and the lack of social protection [...]

❖ [Humanitarian Aid Relief Trust \(HART\), SKBN CU Humanitarian Update, September 2017](#)

[...] Education

South Kordofan

Schools have been out of session and little has changed in the last month. Teacher training opportunities are rare and generally under-resourced, meaning the months away from classes could not be used to build capacity in most of the region. Investment in education is badly needed. There are approximately 255,000 school age children in the region and very little access to trained teachers or well-equipped schools.

Blue Nile

Resources for education in Blue Nile are scarce, likely creating a situation worse than South Kordofan for boys and girls. Added to this, the current conflict has the potential to affect boys of potential military stature. Progress made to keep children under 18 out of the military needs to be maintained, and educational opportunities created. There are currently no education opportunities offered to provide these children an important alternative, support to this sector is desperately needed [...]

❖ [Radio Dabanga, School dropouts in South Kordofan and Darfur, 12 November 2017](#)

Children drop out of school in large numbers in Sodari in North Kordofan as a result of the high tuition fees the authorities impose. School pupils face similar issues in El Fasher, North Darfur [...]

❖ [Humanitarian Aid Relief Trust \(HART\), "There was nobody to help us": Oppression by the Government of Sudan and Food Shortages in Blue Nile, Sudan, January 2018](#)

[...] Challenges for Education

There is little access to education for children in Blue Nile with only 32 primary schools. There are no paid teachers, no teacher training, no exercise books, pens, pencils, chalk boards, etc [...]

The bombing hindered concentration and many students left to the refugee camps in Ethiopia and South Sudan to receive better schooling. There are only 40% of Girls in school who often drop out due to cultural traditions such as early marriage. Scholarships are needed for both boys and girls who would to go to secondary school or university as refugees it is very difficult to support themselves in other countries and pay for schooling [...]

❖ [Global Coalition to Protect Education from Attack, Education Under Attack 2018, Undated](#)

[...] Sudan

Bombing, shelling, arson, and looting damaged and destroyed hundreds of schools and killed and injured students and school personnel in Darfur and in Southern Kordofan, Abyei, and Blue Nile. School and

university students, as well as schoolteachers, were also reportedly targeted for their perceived opposition, and were attacked with live and rubber bullets, tear gas, batons, and other means [...]

Attacks on schools Aerial bombings by government forces damaged and destroyed dozens of schools during the reporting period. The Darfur region and Southern Kordofan state were most heavily affected by these attacks. Attacks in Darfur were reported at similar rates to those found in Education under Attack 2014, and those in Southern Kordofan were reported at rates similar to the years 2011 and 2012. GCPEA found no reports of attacks on schools in 2017, possibly due in part to the government's 2016 ceasefire in Darfur and the ceasefire between the government and the SPLM-N, which was active in Southern Kordofan, Abyei, and Blue Nile states [...]

At the time of writing, GCPEA had not identified reports of attacks on schools in 2017.

Attacks on school students, teachers, and other education personnel

Throughout the reporting period, students, teachers, and other education personnel were caught in the crossfire during fighting, as they had been during the 2009-2013 period covered in Education under Attack 2014 [...]

Violence in Darfur continued to affect students occasionally in 2017, with at least two incidents that year, according to media sources:

- Chadian forces reportedly kidnapped a student from a Quran school in Sirba locality, West Darfur, on October 29, 2017, taking him in the direction of the Chadian border. A witness told the media that the motivation for the attack was unclear.<sup>2070</sup>

- On November 10, 2017, unidentified gunmen stormed a teacher dormitory at a school in Muglad town, Central Darfur, killing two teachers. The motive for the attack was unknown.<sup>2071</sup> Military use of schools

Government security forces and non-state armed groups used schools as barracks or bases of operation in both Darfur and Southern Kordofan during the reporting period, with at least eight such cases between 2013 and 2017. GCPEA found more reports on this activity from 2013 to 2017 than from 2009 to 2013, when the UN reported the use of three schools in Southern Kordofan state and none in Darfur. This difference could be due to stronger monitoring and reporting in the more recent period [...]

[...] 2070 "Sudan:WestDarfur Koran Student Abducted by Chad Soldiers," Radio Dabanga,October 31, 2017.

2071 "Gunmen killtwo teachers inWest Kordofan," Radio Dabanga, November10, 2017 [...]

Post-2015 reasons provided in 2018 for school children dropping out or children being excluded from school (e.g. girls, IDPs, children in rural areas, members of certain ethnic/religious groups) and other factors negatively affecting education levels (e.g. gender discrimination, poverty, early marriage)

❖ [Humanitarian Aid Relief Trust, South Kordofan and Blue Nile Coordination Unit Humanitarian Update, January 2018](#)

[...] Education

South Kordofan

Education is generally progressing in line with expectation from the previous five years, with most schools currently functioning. There remains little support to this important sector and classes often take place without access to trained teachers, sufficient school supplies, or buildings for the students.

Blue Nile

Education in the Blue Nile continues to be severely compromised due to insecurity, lack of resources and the endurance of the humanitarian crisis. The school year still has not started despite being scheduled to begin in October 2017. The 35 bush primary schools in the area lack basic education material and qualified teachers and only five were opened as of this report date. By January 2018 only schools in Yabus Payam were open. In Chali Alfil and Wadaka Payams the community is still constructing new primary schools and is expected to open middle February 2018. More education opportunities for the children in the area are desperately needed, more so in the current situation where the conflict has the potential to affect boys of potential military stature [...]

❖ [Humanitarian Aid Relief Trust \(HART\), The UK and Sudan: Trade Relations and Human Rights, 4 January 2018](#)

[...] Health and Education [...]

Recent reports show that there are approximately [255,000 children](#) in the Two Areas, with little or no access to trained teachers or schools [...]

❖ [UNOCHA, Humanitarian Needs Overview 2018, February 2018](#)

[...] Education

Overview

Displaced school-aged children are at risk of being out-of-school, exposing them to risk of violence, abuse and other protection concerns. Providing education to IDPs, refugees, returnees, and affected host communities is essential to mitigating these risks and ensuring the right to education. The majority of children in need of emergency education are in IDP camps, mainly in Darfur, however, the influx of IDPs and refugees into host communities has strained education capacity in these communities and they also need emergency education

Affected population

Around 1.7 million school age children (4-16 years) need Education in Emergencies (EiE) support, including about 0.8 million IDPs, in addition to returnees, vulnerable host communities and school-age refugees. According to vulnerability indicators, these numbers are mainly in the eight conflict-affected states (Darfur states, South and West Kordofan and Blue Nile). School enrollment rate in these states currently stands at 47 per cent, which is far below the average enrollment rate in the rest of the country [...]

❖ [United Nations Office for the Coordination of Humanitarian Affairs \(UNOCHA\), Sudan: Humanitarian Dashboard, Jan - Mar 2018, 1 July 2018](#)

[...] IASC Sector Overview [...]

Education [...]

Needs [...]

Education response is critically needed in Jabal Marra areas. Only in Rokerro 85% of children are out of school. In EJM, the situation is exacerbated with the new fights started in March.

More than 250,000 children are out of school in Blue Nile, South and West Kordofan. Without immediate support and with the current economic crisis the number is expected to go up with children enforced to leave schools because of parents/families, unaffordability to cover schooling costs.

Teachers availability and capacity are major concerns with almost 50% teachers in emergency affected States untrained [...]

❖ [Theirworld, Torrential rain and flooding destroys more than 200 schools in Sudan, 7 August 2018](#)

Three schoolgirls were killed and more than 200 schools destroyed or damaged after torrential rain caused devastation in Sudan [...]

At least 211 schools have collapsed along with hundreds of homes, according to local media. No details have been given on whether emergency education will be provided to the students affected [...]

A government spokesman confirmed that dozens of schools had been destroyed, particularly in West Kordofan province and Kassala state.

❖ [Global Partnership for Education, Building the foundation for a strong education system in Sudan, 23 August 2018](#)

[...] Sudan has one of the largest numbers of out-of-school children in the Middle East and North Africa region: approximately 2.5 million children are not in school, with girls being more than half of them. The quality of education is poor; and there is a desperate need for textbooks, trained teachers, and better school infrastructure” [...]

Post-2015 reasons provided in 2019 for school children dropping out or children being excluded from school (e.g. girls, IDPs, children in rural areas, members of certain ethnic/religious groups) and other factors negatively affecting education levels (e.g. gender discrimination, poverty, early marriage)

❖ [UNICEF, Married at 13 a mother works to stop the practice of child marriage in her community, 19 February 2019](#)

[...] But in Sudan 3 million children and adolescents do not have the opportunity to enter or complete school. They are thwarted by poverty, discrimination, armed conflict, emergencies and the effects of climate change [...]

❖ [UNICEF Sudan, Education 2019 – Annual Report, 30 March 2020](#)

[...] Less than half of six-year-old children are eligible to start grade one and enroll in schools: Poor access, poor retention and poor learning outcomes in basic education come from complex and mutually reinforcing patterns of disadvantage including: poverty, geographical disparities, gender inequities, disability, conflict, and displacement which all raise barriers to schooling in Sudan. Social-cultural beliefs related to child marriage, girls' education and domestic work also pose a great threat to young girls in accessing, transitioning and completing the primary school cycle. Poverty and school fees also negatively affect retention and significantly contribute to high drop-out rates. The majority of schools in rural and nomadic areas suffer from a shortage of clean water and/or gender-sensitive sanitation facilities, which affects both attendance and learning. The scarcity of food also hinders retention and completion of basic school education in remote and refugee areas [...]

Challenges [...]

While promising progress has been made, the situation in the wake of ongoing socioeconomic and political transition in Sudan is changing and education needs are increasing. The entire education system is fragile and overstretched at all levels; the monitoring and data reporting system remains a big challenge considering data quality and timeliness concerns. UNICEF is working to support capacity-building of ministry staff to strengthen the education management information system (EMIS), as well as to develop some additional monitoring tools to collect data on a more regular cycle at the field level; ▪ Schools across Sudan were closed for more than fifty school days (out of 210 school days) due to insecure access and continuous demonstrations. Floods in some states also forced the closure of schools. As a consequence, children in Sudan missed at least one fourth of schooling time [...]

[Increase in street children; vulnerability of children working in public transportation and public markets to sexual abuse and subsequent extortion; shame and social stigma associated with sexual abuse explaining why children remained with their patrons out of fear of blackmail or too afraid to seek help, all in 2017](#)

❖ [Abdelmoneium, Azza O., Ways to Survive: Child Labor among Internally Displaced Children in Khartoum Sudan, in Open Journal of Social Sciences, 5, 1 September 2017](#)

[...] 1. Introduction [...]

An estimated 4.367 million people have been displaced; half of them are living in Khartoum (World Fact Book, 2015: 12 [...]) [...]

To secure income, internally displaced children can live in the street as a source of income and engage in any activity to their families and named "street children". Other children are engaged in child labor activities such as begging, stealing, cleaning shoes, car washing which are all activities that are of danger to them [...]

4. Types of Displaced Children and Child Labor [...]

Income and job insecurity is a major problem for the displaced families as a result; the children, women and men seek income-generating activities, which violate their rights, and endanger and risk their life. In particular, children seek to generate income through different ways to survive which can cause dangerous and hazardous risk to their lives and in violation to their rights. Because many of the children spend large parts of the day on the street, they often caught under the umbrella term of "street children". Yet, the lives of these street children vary widely. Some grow up in a stable family that, although poor, is able to provide emotional support. Some as street children classify these because most of the times they are in the street in the city center looking for money. They return at the end of the day to their families. On the other end of the scale are the real street children who live and sleep in the street [...]

A common factor of these children is that they all work in the street to generate income, but the problem is that they risk their lives in the type of work they engage in and in the street

[...] 6. Survival of Children in the Streets [...]

street children also face harassment from the police. They are scared of the police who treat them roughly and take them to reformatories. In the reformatories, the treatment is harsh and there are few amenities. The older boys if caught by the police are sent to the army. Street girls are vulnerable to harassment and

the security guards in the reformatories, or the police sexually abuse them. Some of the girls engage into prostitution for a living with all the consequences for a child's development. Despite the harsh life, some children get assistance from the public, for example, shop keepers allow them to sleep on their premises or give them food or sweets. The public despises street children. They regard them as delinquents and criminals, but still there are kind people who want to help them. Despite their survival strategies, child labor is considered a challenge to children and can cause health and development problems in the end [...]

8. Discussion [...]

Violence frequently used on children at the workplace. Reen [a girl] mentioned that because of arriving late at school she was beaten. Children were frequently beaten for such reasons as disobedience, unfinished work, or laziness. Reen mentioned that she get harassed at work and shout at her in the market [...]

Sexual harassment is one of the greatest problems facing children, particularly girls as Reen mentioned. There are cases of children assaulted sexually by their employers, fellow workers and customers [...]

[Increase in street children; vulnerability of children working in public transportation and public markets to sexual abuse and subsequent extortion; shame and social stigma associated with sexual abuse explaining why children remained with their patrons out of fear of blackmail or too afraid to seek help, all in 2018](#)

❖ [U.S. Department of State, 2018 Trafficking in Persons Report: Sudan, 28 June 2018](#)

[...] Trafficking Profile [...]

Human rights groups observe children working in brick-making factories, gold mining, collecting medical waste, street vending, and agriculture; these children are exposed to threats, physical and sexual abuse, and hazardous working conditions, with limited access to education or health services, making them highly vulnerable to trafficking. Sudanese women and girls, particularly internally displaced persons or those from rural areas, and refugee women are vulnerable to domestic servitude; Sudanese girls are also vulnerable to sex trafficking [...]

Street children in Khartoum—including Sudanese and unaccompanied migrant children from West and Central Africa—who beg in the streets, and work in public transportation and large markets are particularly susceptible to forced labor; some experience sexual abuse and extortion [...]

❖ [Thomson Reuters Foundation News, Interpol rescues 85 child slaves from Sudan's streets and gold mines, 10 September 2018](#)

Nearly 100 human trafficking victims have been rescued in a major police operation in Sudan, including dozens of children forced to work in illegal gold mines, Interpol said on Monday.

Operation Sawiyan involved 200 Sudanese police officers who rescued 94 people, including 85 minors, from criminal networks in and around the capital, Khartoum, in an Interpol-led week-long crackdown last month, the global police organisation said [...]

The victims came from Chad, Democratic Republic of Congo, Eritrea, Niger, Sudan and South Sudan, he said.

Police found some children as young as ten handling dangerous chemicals in open-air gold mines east of Khartoum, while others were forced to beg in the city, said Interpol [...]

[Evidence and statistics on the extent of child marriage in 2017](#)

❖ [Human Rights Watch, No Control, No Choice: Lack of Access to Reproductive Healthcare in Rebel-Held Southern Kordofan, 22 May 2017](#)

[...] Women's Rights in Rebel-Held Areas of Southern Kordofan [...]

The people we interviewed said that in rebel-held Southern Kordofan child marriage is common and families often value educating their sons over their daughters [...]

In the rebel-held areas families often marry off their daughters early, especially if the family cannot afford to send some or all of their children to school. Some interviewees said that sometimes, especially when they were displaced from villages, there was no nearby school available. "Early marriage is common. No one is trying to stop it. About 14 or 15 is normal, much worse since the war because there's no money," Hanasi Mohsin, who works for the social development secretariat in Heiban town, said.<sup>62</sup> Of the 25

women interviewed, 14 of them had married before they were 18 years of age, most guessed or said they were around 15 years of age, and two of them were married as soon as they had started menstruating. All over the world, child marriage often leads to early childbearing with attendant health risks and disrupts or ends a girl's formal schooling.<sup>63</sup> Sudan's law allows marriage at 14 years for both boys and girls [...]

[...] 62 Human Rights Watch interview with Hanasi Mohsin, Social Development secretariat, Heiban town, Heiban county, December 12, 2016.

63 Girls not Brides, "An information sheet: child marriage around the world," November 2016, <http://www.girlsnotbrides.org/wp-content/uploads/2017/01/Child-marriage-around-the-world-Nov-2016.pdf> (last accessed March 30, 2017) [...]

❖ [CHR. Michelsen Institute, Girls, Child Marriage, and Education in Red Sea State, Sudan: Perspectives on Girls' Freedom to Choose, September 2017](#)

[...] 1 Introduction [...]

Sudan is among the African countries with a high prevalence of child marriage [...]

While there has been no legal reform of the Muslim Personal Law of 1991 at the time of this report, the 2010 National Child Act defines "child" as a person below the age of 18. The 2010 law also includes provisions protecting children against all forms of discrimination, and, accordingly, it has been used as a platform to advocate for legal reform of the minimum age of marriage. However, this initiative has met resistance from religious conservative groups, who continue to argue that the practice of child marriage is in accordance with Sharia [...]

3.1.1 National level gender discrimination in Sudan [...]

progress in Sudan on the specific issue of child marriage has been limited. Despite international and domestic pressure for making 18 the minimum age of marriage, the Muslim Personal Law of 1991 remains unchanged. Neither the National Strategy for Women Empowerment nor the National Family Strategy of 2009 even mentions child marriage. Although the 2010 National Child Rights Act includes provisions against discrimination of the girl child, it does not mention child marriage specifically. However, the 2010 Child Act does define a child as a person below the age of 18, and since the 2010 Child Act is to take precedence over all other laws, women inside and outside of the government are of the belief that a reform of the Muslim Personal Law with regards to child marriage is inevitable. NCCW continues to tackle child marriage through awareness raising, but with a low profile. A strategy to eliminate child marriage, which was initiated by NCCW, is still waiting approval by the parliament. There are a few NGOs, especially SORD, that call for the end of child marriage. According to SORD, however, it is not enough to merely raise the minimum age of marriage to 18; Sudan must also get rid of male guardianship in marriage. There is need for more advocacy to reform discriminatory laws. (Badri and Al-Huseni 2014,19) [...]

❖ [UNICEF, Child Marriage in the Middle East and North Africa, November 2017](#)

[...] Key Findings [...]

Outcome 4: Legal Context [...]

apart from Sudan, all countries have ratified the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), which restricts states from giving legal effect to marriages that involve children, and urges states to specify a minimum age for marriage [...]

3.5. Laws, policy frameworks and mechanisms to protect and promote adolescent girls' rights [...]

2. National marriage laws [...]

In Sudan, in legislation and in practice, Sharia law defines adulthood at the age of puberty and thus does not include protection against child marriage.<sup>243</sup> Article 40 of the Personal Status Law of Muslims (1991) provides that pre-pubescent girls as young as 10 may be married with the consent of a male guardian and a Sharia court judge.<sup>244</sup> Under Sudanese law, for a civil marriage contract to be valid, one of the criteria requires that the minimum age for men be 18 and for girls 16 and both parties must consent to marriage. However, a woman needs permission from a male guardian to validate the marriage.<sup>245</sup> The CRC has identified recommendations focused on the priority need to adopt legislation that sets the minimum age for marriage as 18 years and criminalizes child marriage.<sup>246</sup> However, the Ministry of Justice (MoJ) is working on revising the 1991 Personal Status Law, with a key informant at the MoJ reporting that the review has been a collaborative process with other government entities and civil society organizations. They expect to make several important changes, including setting the minimum age of marriage for girls to 16 or 18 years of age [...]

- [...] 243. The Lebanese Republic, Ministry of Social Affairs and Higher Council for Childhood (2016). Consultative meeting on child marriage in Lebanon: Draft report of the national consultative meeting.
244. Cuninghame, C., Mubarak, A., Ismail, H. E., & Farah, H. M. (2016). Child Notice Sudan 2016 (p. 32). UNICEF. Retrieved from <https://www.unicef.nl/files/unicef-child-notice-soedan-en.pdf>
245. Cuninghame, C., Mubarak, A., Ismail, H. E., & Farah, H. M. (2016). Child Notice Sudan 2016 (p. 32). UNICEF. Retrieved from <https://www.unicef.nl/files/unicef-child-notice-soedan-en.pdf>
246. Social Institutions & Gender Index. (2014). Discriminatory family code. Available at: <http://www.genderindex.org/country/sudan> Sudan: Committee on the Rights of the Child, Consideration of reports submitted by States parties under article 44 of the Convention, CRC/C/SDN/CO/3-4, 22 October 2010, para 57; [...]

## Evidence and statistics on the extent of child marriage in 2018

### ❖ [Tønnessen, L. and al-Nagar, S., Child marriage and education in Eastern Sudan, Chr. Michelsen Institute \(Sudan Brief 2018:01\), 2018](#)

[...] Kassala State

Child marriage is widespread in Kassala (45%), and the state has the highest percentage of females who married before 15 years of age. The predominance of conservative ethnic groups in Kassala, makes the state a stronghold for child marriage. Despite international presence active in supporting education, conservative groups resist change. Many believe that girls should only receive religious education. The rationale is that by restricting education, a girls' chastity and honour is protected [...]

Most respondents in Kassala did not think that married girls should be able to continue their education. A staggering 96% of all respondents from one rural area said that married girls have no opportunity for education after they are married. This can be explained by the lack of educational facilities and schools in the area, highlighting the importance of accessibility, both physical and social, to education for girls [...]

Red Sea State

In rural areas of Red Sea State, traditional views are continuing to force girls out of school, and the female dropout rate can reach 70% by sixth grade. The high dropout rate can be explained by child marriage, the high cost of education and mixed-gender schools, indicating that the school system itself discourages girls' education [...]

However, stigmatization is still a major issue and girls who complete their education without marrying can be deemed 'bayra' (not demanded for marriage). Men often consider the reputation of their girls, and consequently their families, as very important [...]

### ❖ [Tønnessen, L. and al-Nagar, S., Drivers of child marriage in eastern Sudan, Chr. Michelsen Institute \(Sudan Brief 2018:02\), 2018](#)

There are several causes that contribute to child marriage in eastern Sudan, including poverty, lack of education for girls, avoiding stigma and the legality of child marriage. However, tradition and protection of girls' chastity and morality emerged as the most important driver across the three eastern Sudanese states, including in poor and rural areas. Girls are forced to marry early because they are stereotyped as being prone to premarital sexual relations which would be damaging to the family and community's honour. Protecting girls from immoral behaviour (*sutra*) is a clear motivation behind the continuation of child marriage in eastern Sudan [...]

Our research highlights a number of key drivers of child marriage. We found that the legality of child marriage, tradition, protection of girls and avoiding stigma are important drivers. These are encouraged and compounded by poverty and gender discriminatory norms which allow the practice to continue [...]

### ❖ [Tønnessen, L. and al-Nagar, S., Interventions for the abandonment of child marriage in Sudan, Chr. Michelsen Institute \(Sudan Brief 2018:03\), 2018](#)

Child marriage is legal, and accepted, throughout Sudan and the country has one of the highest rates of child marriage in the world. This brief examines interventions against child marriage in Sudan, which is best described as timid, focusing on three Sudanese states: Kassala, Red Sea State and Algardaif. Since child marriage is legal in Sudan, it becomes a difficult environment for anti-child marriage organizations to

work at the grassroots. However, Sudan has recently categorised child marriage as a form of violence against women and is in the process of drafting a national plan to prevent the practice implying that such change could be on the horizon [...]

Child marriage in Sudan [...]

Child marriage is legal in Sudan, and boys and girls can marry from the age of ten due to the country's strict interpretation of Sharia law. Our findings indicate that control of girls' chastity, protection of girls from the stigma of being unmarried and the socialisation of girls into obedient wives are important drivers of child marriage. These are made worse by poverty, poor educational facilities and negative attitudes to girls' prospects.

The Sudanese government has taken a low-profile approach to the problem of child marriage and have thus far achieved no tangible results in ending the practice. It also seems that the international community is not exerting enough pressure on influential decision makers to end child marriage.

There are 23 organisations or institutions currently supporting interventions for ending child marriage in Sudan. They use religious, health and social perspectives to raise awareness among parents, school girls, grandparents, religious leaders, community leaders, and political parties (Badri and Al-Husseni, 2014). These organisations vary across Sudan and have little support from the Sudanese government in their work, meaning there is a fragmented approach to ending child marriage [...]

Currently in Sudan, most of the advocacy and interventions against child marriage are carried out at the state or local, rather than national, level. This is partly because there is a lack of coherent state strategy to end child marriage.

The main message in interventions for abandoning child marriage in eastern Sudan is that the practice has harmful health consequences for the girl child, including obstructed labour, death during childbirth, infertility, and complications with pregnancy. Despite a growing awareness of these negative health consequences among practicing communities, child marriage prevails. Tradition, it seems, triumphs over girls' reproductive health and well-being. Intervention efforts that challenge patriarchal norms, traditions and religious belief for the continuation of child marriage are at risk of backlash and counter-mobilisation from traditional and religious leaders. Across the three states we examined, there are signs of hope and activists are working in challenging situations to intervene against child marriage.

Timid intervention against child marriage in Red Sea State

Child marriage has a high prevalence of 32% in Red Sea State. Awareness of the harmful effects of child marriage and of the rights of the child are particularly low in Red Sea State. Although NGOs host awareness-raising education sessions on child marriage, the message is not reaching rural communities. Current approaches, interventions, and strategies are not effective. This could be because the interventions aim to deliver the message that child marriage is harmful, rather than aiming to change discriminatory gender norms.

Most efforts to tackle child marriage are undertaken timidly. This is because organisations fear resistance from tribal leaders in Red Sea State communities. Additionally, no state or national laws support intensive interventions against the practice. However, our research suggests that attitudes towards child marriage in Red Sea State are slowly changing, as an increasing number of women and girls are finishing school and entering university. However, they do this at the cost of stigmatisation of '*bayra*' (not demanded for marriage). Continuing education and delaying marriage is a process that involves resisting traditions and norms and initiating change. The interventions are not taking this change and change agents in consideration.

There must be a culturally sensitive approach to ending child marriage [...]

The practice of child marriage is widespread in Kassala (45%), and it is the state with the highest percentage of females who married before the age of 15. The campaign's main activities are raising community awareness about the harmful effects of child marriage, through the capacity building of volunteers who then advocate in local communities and media outlets. However, as is the case in Red Sea State, information has not reached those it should. Through interviews with CSOs, we learned that some community organisations have engaged in efforts to end child marriage, often in collaboration with government institutions. These efforts have been met with mixed reactions in local communities and advocates face an uphill challenge. Political and community resistance are a hurdle to change in Kassala [...]

Youth promote change in Algardaf State

In Algardaf State, there are a number of actors working to end child marriage: the Algardaf State Child Welfare Council, the Zainab Organization for Development, the Red Crescent, and the Sudanese National Committee for Combating Traditional Practices. These organisations are supported by the UN and donor

agencies. Representatives of the Sudanese Women's General Union are present in all of the villages researched in this study. Further, community-based organisations are active in some parts of the state. The rural context of Algadaref State presents special challenges to ending child marriage. Local activism against child marriage has not yet taken root and international efforts in the state tend to focus more on maternal mortality and activism against FGM than adopting an integrated approach to female empowerment and ending child marriage [...]

❖ [Strategic Initiative for Women in the Horn of Africa, TRAPPED IN BETWEEN MISOGYNY AND DOGMA: NOURA'S CASE AND THE DILEMMA OF SUDAN'S LEGAL SYSTEM, 14 May 2018](#)

[...] Despite the fact that Sudan is a signatory to the convention on the rights of the child, the Sudan Personal Status Law allows girls to be married as of age 10 years old. The Sudanese Personal Status Law emerges as demeaning to the identity of women and girls presenting them as inferior, unable to survive, decide and manage their lives without oversight from men. The concept of guardianship in Sudanese Personal status Law is one of the greatest restrictions to women's ability to control their lives and make decisions independently. Under Article 33 of the Personal Status Law, the guardians are: adult men that are Muslim, of sound mind and they do, among other things, decide upon the suitability of a potential husband, meaning that a woman can effectively be married without her consent if her guardian approves. \*...+ This is not to mention forced marriages and marriages to minors which are permitted by the Personal Status Law under Article 34, with permission of the girls' guardians and with her consent [...]

❖ [Their World, Death penalty for victim of child marriage and rape sparks outrage in Sudan and beyond, 18 May 2018](#)

The case of a teenage girl who faces the death penalty has turned the spotlight on child marriage, marital rape and female rights in Sudan.

Activists are outraged that Noura Hussein, 19, is facing execution for stabbing her husband as he raped her.

"There are tens and thousands of cases like Noura in our community that no one knows about," said leading women's campaigner Amal Habbani. She said Sudanese laws do not consider females as human beings who can take their own decisions.

Noura was 16 when she was forced into a marriage contract by her father - but ran away to stay with a relative for three years. The wedding eventually went ahead near Khartoum and she was raped by her husband as three of his male relatives restrained her.

The next day he tried to rape her again and she stabbed him during a struggle, say reports [...]

❖ [U.S. Commission on International Religious Freedom, Country Update: Sudan, Insights from USCIRF's Visit to Khartoum and North Darfur States, June 2018](#)

[...] State Interpretation of Islam and Violations of Women's Rights [...]

Child marriage is still legal and common in Sudan: if a male guardian and court agree, a girl could be married as young as 10 years old. For many, this is a practice supported by Islam, while for others it is a justification that religious leaders and judges can impose marriage on a child who is not yet able to make her own decisions. During USCIRF's visit, government officials appeared to be broadly against child marriage. Dialogue and debate are taking place, and for some the question is whether a person is an adult at 17 or 18. More education and attention to the issue of child marriage is still needed, as some officials were unaware that child marriage was still legal [...]

❖ [Amnesty International, Why Sudanese teenager Noura Hussein's case matters, 20 September 2018](#)

[...] Sudanese law forbids, women and girls, regardless of their age, to marry without the consent of a male guardian. The guardian is usually their father, brother, or uncle but can sometimes be the prospective bride's own son! Without this consent, the marriage is void. On the other hand, and despite a legal requirement that women give their consent to be married, there are no legal safeguards to ensure consent has been clearly and freely given.

Wedding contracts, traditionally, are men-only ceremonies. They often take place in mosques away from women. In practical terms, this means that marriage contracts are signed between the groom and the bride's "guardian," without checking whether she has given her consent. If a woman or girl finds a way to

meet the Imam/registrars and inform him that she does not consent to the marriage, then the marriage contract is rendered null and void. However, the social context in which most weddings take place in Sudan does not allow women and girls to do so [...]

❖ [Equality Now, Sudan – Consideration of State Reports at CCPR 124th Session \(8 October – 2 November 2018\), 7 September 2018](#)

[...] Enforcement of current rape provisions to protect women and girls [...]

According to our partner in Sudan who has acted as an interlocutor before the police on behalf of victims, in recent years nearly twenty cases have been reported of children between the ages of four and eleven years-old being married off and brutally raped by their “husbands,” who are not subsequently prosecuted [...]

Enact laws that prevent all forms of sexual violence, including child, early and forced marriage

As noted in this committee’s List of Issues, there is a need for Sudan to take all measures to eliminate harmful practices, such as child, early, and forced marriage.<sup>9</sup>

Sections 25(c), 33, 34, 40(3), 51, 52, 91, and 92 of the 1991 Muslim Personal Law Act of Sudan provide that the contract of marriage for a woman, or girl, shall be concluded by a male guardian, confer different rights in marriage for men and women, and mandate wife obedience. These provisions also legalize the harmful practice of child marriage by allowing male guardians to conclude the marriage of pubescent girls. Such laws only serve to increase girls’ risk of child marriage and further abuse, including early and forced pregnancy, domestic violence, poverty, and limited education and career opportunities [...]

[...] 9 Human Rights Committee, List of issues in relation to the fifth periodic report of the Sudan, par. 7, U.N. Doc. CCPR/C/SDN/Q/5 (May 3, 2018) [...]

❖ [UN Human Rights Committee, International Covenant on Civil and Political Rights, Concluding observations on the fifth periodic report of the Sudan, 19 November 2018](#)

[...] C. Principal subjects of concern and recommendations [...]

Gender equality and harmful practices

17. While welcoming the ongoing review of personal status laws, and also noting the State party’s 2015 strategy to end early marriage, the Committee is, however, concerned about the persistence of entrenched discriminatory provisions within the Personal Law Act of 1991, such as article 25 (c), which provides that the contract of marriage for a woman shall be concluded by a male guardian; article 34, which allows for the marriage of a pubescent woman to be concluded by a male guardian; and article 40 (3), which allows the conclusion of the marriage of a minor girl, if it can be proven that the marriage will “benefit” the girl [...]

## Evidence and statistics on the extent of child marriage in 2019

❖ [UNICEF, Married at 13 a mother works to stop the practice of child marriage in her community, 19 February 2019](#)

[...] approximately 1 in 3 girls in Sudan are married before their 18th birthday. Sudan is developing national action plans to end child marriage and pushing for an immediate law reform, in partnership with UNICEF civil society, and girls themselves. The laws are complicated and overlapping but currently under the country’s 1991 Personal Status Law of Muslims, children can marry when they reach “maturity,” which can be as young as 10 years old. It’s the lowest legal age of marriage in Africa [...]

❖ [OCHA, Humanitarian Needs Overview: Sudan, January 2020](#)

[...] Child marriage is also high – 12 per cent of women were first married before age 15, and 38 per cent before age 18.

[...] According to UNICEF, Sudan has the 16th highest rate of child marriage in the world, with approximately 34 per cent of girls married before the age of 18, and 12 per cent married before the age of 15. Child marriage is most prevalent in South and East Darfur (56 per cent of girls), Central Darfur (55 per cent), Blue Nile (50 per cent) and Gedaref (49 per cent). [...]

## Child prostitution remained a problem in 2017

❖ [UN Security Council, Report of the Secretary-General on the situation in Abyei, 31 July 2017](#)

[...] I. Introduction

[...] The present report provides an update on the situation and the activities of UNISFA in Abyei, and on the operations of the Joint Border Verification and Monitoring Mechanism since the issuance of my previous report (S/2017/312) on 11 April 2017, and covers the period until 24 July 2017 [...]

II. Abyei Security [...]

6. There has been consistent movement of people from South Sudan into Abyei. With renewed conflict in July 2016 in South Sudan and the spread of violence to Western Bahr el-Ghazal, 3,000 Ngok Dinka have returned to Abyei. As a result of displacement, a sizeable influx of people from South Sudan into the area of the Amiet common market has been noted. As a result, the market is under strain in terms of water and certain other basic resources. Coupled with this, members of the peace committee reported an increase in drugs and cases of prostitution associated with the two activities of the common market. This reportedly includes prostitution of underage girls, many of whom are allegedly from Twic County, South Sudan [...]

❖ [Dr. Hassan A. Abdel Ati, CHR. Michelin Institute, Human Smuggling and Trafficking in Eastern Sudan, September 2017](#)

[...] 6. The process of human smuggling and trafficking

[...]6.2.5 Transitional hubs

a. The Khartoum hub

[...] For women, however, the situation is entirely different. The few who travel with male relatives may be consensual participants on the desert journey from Khartoum to Libya, but the rest are almost certainly victims of trafficking. For example, during our interviews, we learned that at least nine houses and flats in Al Daim are confirmed points where immigrants are kept waiting to be smuggled to Libya (usually via the Dongola area). Each of these residences accommodates 20–30 individuals, and most of them are young females. Locals observe a continuous change in the occupants of these residences, as well as the faces of those who sell tea nearby. During the period of waiting in Khartoum, smuggled individuals are completely under the control of smugglers, who require them to work in prostitution, tea selling and other jobs to pay for their trip forward. Because of their deprivation of liberty and exploitation, these smuggled women in essence become victims of human trafficking.<sup>25</sup>

In fact, nearly all trafficking victims in Khartoum are women. Generally, they are Eritrean or Ethiopian women, although a few other nationalities have been reported, including Syrian. These women are classified into three categories: (i) the youngest, who are forced into sex work; (ii) the smart and lively, who are forced to live and work in cafeterias and restaurants; and (iii) the rest, who are used as domestic workers. The women are kept in well-guarded houses and prevented from movement outside, including contact with relatives living in Khartoum or Sudanese individuals. Their documents are also confiscated, creating an incentive to avoid escape. [...]

25 Several interviewees referred to a specific hotel, said to be used by a traffickers' network. The hotel was historically linked to the leadership of the Eritrean People's Liberation Front (EPLF) during Eritrea's war of independence. We were unable to obtain any material evidence to link the hotel to the trafficking business. Some also noted that the areas of Athene, Sahara Hotel, and Tigani Yousif Beshir Park are the key areas for kidnapping trafficking victims, and that internet cafes in Al Sahafa are used for the exchange of victims and communications between victims and their families. Again, we were unable to obtain information to verify these third party accounts.

## Number of unaccompanied IDPs and those reunited with their families in 2017

❖ [UNICEF, Humanitarian Situation Report – Sudan, April 2017, 12 May 2017](#)

[...] Highlights [...]

681 unaccompanied or separated children (UASC) have either been reunified with their families in 8 emergency affected states or been placed in alternative care arrangements through UNICEF's and its partner's family tracing and reunification (FTR) efforts [...]

## Number of unaccompanied IDPs and those reunited with their families in 2018

❖ [UNICEF, Humanitarian Action for Children 2019 – Sudan, 29 January 2019](#)

[...] Results from 2018 [...]

Nearly 4,900 unaccompanied and separated internally displaced and refugee children were reunified with their families or placed in alternative care arrangements [...]

### Number of unaccompanied IDPs and those reunited with their families in 2019

#### ❖ [UNICEF, Sudan Humanitarian Situation Report – 2019, December 2019](#)

[...] A total of 8,011 children (1,134 in quarter four - 408 girls) were reunified with their families or placed in appropriate alternative family care. This is an achievement of 104 percent, which is higher than funding would suggest. This is due to outreach activities run via community based networks and strengthened government systems of family tracing and reunification (FTR) services enabling UNICEF to reach more children for less. [...]

#### ❖ [OCHA, Humanitarian Needs Overview: Sudan, January 2020](#)

[...] During the first half of 2019, 9,338 unaccompanied and separated children (45 of whom were female) (UASC) were recorded by child protection workers. This number has more than doubled since the same period in 2018. Nearly 3 per cent (13,000) of refugee children living in Sudan are unaccompanied or separated, and about half are girls. These children are in urgent need of individual case management and access to targeted services, including financial assistance. Large numbers of UASC arrive each month through Sudan's eastern border, many of them moving onward, becoming vulnerable to criminal networks involved in smuggling and trafficking of people and exposed to various forms of exploitation that can result in human rights violations.

[...] About 10,000 boys and girls are living outside of a family environment as either unaccompanied or separated children, in addition to 13,000 unaccompanied or separated refugee children who are in need of protection support. [...]

### Number of children who arrived from South Sudan in 2017

#### ❖ [UN OCHA, Humanitarian Needs Overview, February 2018](#)

[...] Sep 2017: Since Dec 2013, over 455,000 South Sudanese refugees have arrived in Sudan.

[...] The South Sudanese refugee emergency is the largest refugee crisis in Africa and Sudan hosts the second-largest number of South Sudanese refugees in the region. Sudan has experienced a dramatic spike in the number of new arrivals since the start of 2017, with over 185,000 arriving, as of October.

[...] Among the South Sudanese refugees arriving in Sudan, 88 per cent are women and children

[...] An estimated 200,000 South Sudanese refugee are anticipated to arrive in Sudan in 2018.

[...] Nearly 65 per cent of refugees in Sudan are children, with an estimated 15,000 UASC [unaccompanied asylum seeking children] [...]

### Number of children who arrived from South Sudan in 2018

#### ❖ [UNHCR, Sudan: Population & Operational Update: South Sudanese Refugee Response \(1 - 31 October 2018\), 31 October 2018](#)

[...] Refugees from South Sudan

[...] Total number of refugees: 764,400 (Additional sources estimate a total of 1.3 million South Sudanese refugees in Sudan; however, data require verification.)

[...] Total arrivals in 2018: 30, 420 (as of 31 October 2018)

[...] School-aged children (6-17 years old). Primary (6-13 years old): 28%. Secondary (14-17 years old): 9%.

[...]

### Number of children who arrived from South Sudan in 2019

#### ❖ [IOM \(International Organization for Migration\) and DTM \(Displacement Tracking Matrix\), DTM Sudan — Registration and Flow Monitoring Quarterly Overview \(January-March 2019\), 30 March 2019](#)

[...] DTM's flow monitoring point in Abyei, from where South Sudanese are registered upon arrival into Sudan, registered a total number of 2,536 individuals (665 households) between January and March 2019.

[...] Sixty-six per cent of the total population count adults (over the age of 18 years) – 1,683 individuals – whilst whilst 562 individuals were between the ages of five and 17 291 individuals were aged four and younger. [...]

- ❖ [IOM \(International Organization for Migration\) and DTM \(Displacement Tracking Matrix\), DTM Sudan — Registration and Flow Monitoring Quarterly Overview \(April-June 2019\), 30 June 2019](#)  
[...] DTM's flow monitoring point in Abyei, where South Sudanese are registered upon arrival into Sudan, registered a total number of 2,747 individuals (637 households) between April and June 2019. [...] Sixty per cent of the total population count (1,657 individuals) were adults at a workable age (over the age of 18 years), whilst 1,025 individuals (37%) were youth between the ages of zero and 17 years. Sixty-five individuals were aged 60 and older. [...]
- ❖ [IOM \(International Organization for Migration\) and DTM \(Displacement Tracking Matrix\), DTM Sudan — Registration and Flow Monitoring Quarterly Overview \(July-September 2019\), September 2019](#)  
[...] DTM's flow monitoring point in Abyei, from where South Sudanese are registered upon arrival into Sudan, registered a total number of 1,564 individuals (415) – 628 were registered in July, 458 in August, and 478 in September. [...] The vast majority of registered South Sudanese were between the ages of 18 and 59 (75%), with less than one per cent over the age of 60 and 24 per cent younger than 18. [...]
- ❖ [UNICEF, Sudan Humanitarian Situation Report – 2019, December 2019](#)  
[...] 438,184 children<sup>3</sup> among 811,452 South Sudanese refugees. [...]

3 The number of children among South Sudanese refugee (SSR) children is calculated based on 54 per cent of the number of the total population of SSRs. Total number of SSR is 811,452 as of 30 November 2019, (Source: UNHCR Sudan population Dashboard, <https://reliefweb.int/sites/reliefweb.int/files/resources/72839.pdf>).

## Children with disabilities attended public schools or other specialized educational institutions in 2017

- ❖ [ADD International et al., Joint report on the situation of persons with disabilities, submitted by the NGOs ADD International, Sudan Autism Organization, Association of Women with Disabilities and others, 2017](#)  
[...] There are no specific concrete measures for fighting such practices as stigmatization, exclusion and subjection to hiding for children with disabilities. And although the Child Act 2010 dedicated a whole chapter to children with disabilities, the provisions under that chapter have never been implemented. Not to mention that issues of children with disabilities are not included in programs dedicated to children in general.  
[...] There is a lack of legislations or general inclination from the state to switch from segregated to inclusive education. The General Education Act does not guarantee access by children with disabilities to all stages of inclusive education. There is a lack of legal provisions that prohibits denial of inclusive education for children with disabilities. Furthermore, the law doesn't consider denial of reasonable accommodations constitutes a form of discrimination on basis of disability, and this leads to that children with disabilities continue to get excluded from public schools. And for those who do not get excluded, support services are hardly there for them at the level of the general education system. Availability of support services is restricted to students enrolled in segregated institutions of education. In fact, education for persons with disabilities in Sudan is very poor and most of them get excluded from education on basis of their disabilities. The lack of legislations for protecting rights of students with disabilities to inclusive education apparently has led to prevalence of such kind of practice. And this has been because of social and physical barriers that bar their inclusion in mainstream schools against the backdrop of that they pump into prejudice and stigmatization along with stereotyping in addition to the lack of accessible physical environments and curriculums compounded by the lack of the necessary support services, not to mention the lack of accessible transportation and other similar barriers. What's more, teachers in mainstream schools never receive the necessary training to ensure that students with disabilities will get the same level of schooling on equal basis with their counterparts. And even if such training is provided, it tends to be very weak.

In the meantime, while there are no improvements towards inclusive educations, segregated schools and institutes also do not receive much of the necessary support. Pupils with intellectual disabilities for example in such institutions hardly have access to materials they can easily deal with, and the physical environments again in those schools are inaccessible.

At the level of schools for the deaf, teaching staffs vary in terms of level of sign language proficiency, and most of them lack the necessary training and qualification. What's more, teaching aids tend to be weak and are not obtainable in most of those institutions. Not to mention that those institutions are small in numbers and restricted to limited geographical areas, namely they are based in the capital, Khartoum and other four cities.

Even though free education for pupils with disabilities is legally provided for, the principle of free education has not been observed for there are still schools that require from pupils with disabilities payment of tuition fees at the level of the basic school stage, most notably in schools for education of pupils with intellectual disabilities, which are in most of the cases established through popular grassroots efforts and which receive no financial support from the state. Hence attendance of those schools is basically at the pupils' family's expense. [...]

### Children with disabilities attended public schools or other specialized educational institutions in 2018

#### ❖ [UN Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of the Sudan, 10 April 2018](#)

[...] Children with disabilities (art. 7)

15. The Committee is concerned about: [...]

(c) The prevalence of stigma, discrimination against and harmful stereotypes of children with disabilities, and the persistence of traditional attitudes to seclusion and institutionalization [...]

Education (art. 24)

47. While noting the progress made in the Persons with Disabilities Act of 2017 regarding access to education, the Committee is concerned about:

(a) The low school enrolment and retention rates of children with disabilities;

(b) The continuing approach to segregated schools, which results in the

exclusion of children and persons with disabilities from the mainstream educational system on the basis of impairment;

(c) Discrimination against children with psychosocial and/or intellectual impairments in access to education;

(d) The limited support for learners with disabilities, including in the areas of vocational training and tertiary education.

48. In line with the Committee's general comment No. 4 (2014) on the right to inclusive education and targets 4.5 and 4.8 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Take prompt measures to ensure that all children with disabilities have access to inclusive, high-quality and free primary and secondary education, and provide reasonable accommodation to ensure that education is available for such children;

(b) Take measures to establish an inclusive education system at all levels, to include preschool, primary, secondary and tertiary education and vocational training, without discrimination and on an equal basis with others;

(c) Remove the barriers to access to education and promote retention for children with psychosocial and/or intellectual impairments by, inter alia, establishing a permanent programme for the training of teachers in inclusive education and the development of methodological tools for teaching, together with the resources necessary for its implementation;

(d) Implement initiatives and public-private partnerships to design accessible pedagogical tools and teaching methods and to provide students with disabilities with access to new technologies and the Internet;

(e) To explicitly and immediately enforce the prohibition of exclusion of learners with disabilities from regular schools on the basis of their impairments. [...]

## Children with disabilities attended public schools or other specialized educational institutions in 2019

- ❖ [UNICEF, Sudan Humanitarian Situation Report – 2019, December 2019](#)  
[...] Children with disabilities are among the most vulnerable, with some 450,000 disabled children out of school. Around 1.8 million people need specialized protection services, and of these 80 percent are children. [...]
- ❖ [OCHA, Humanitarian Needs Overview: Sudan, January 2020](#)  
[...] Additionally, children with disabilities are particularly at risk, with a lack of well-equipped learning facilities with qualified staff to work with children with disabilities, and their vulnerability has increased further with the deteriorating economic situation. [...]

## Persons with disabilities reported it was difficult to access or afford necessary equipment, such as wheelchairs, in 2017

- ❖ [ADD International et al., Joint report on the situation of persons with disabilities, submitted by the NGOs ADD International, Sudan Autism Organization, Association of Women with Disabilities and others, 2017](#)  
[...] There have been some endeavors made to facilitate access to assistive technologies and assistive devices for persons with disabilities at affordable prices. However, it must be noted that things are different in reality: assistive devices and prosthetic limbs, hearing aids, visual aids and aids for persons with intellectual disabilities are very expensive and only few people with disabilities can afford them. It must also be noted that such devices and aids are not subsidized by the state.  
As for personal mobility and freedom to move, transport companies are not obliged to make sure that their transport means are accessible and easy to use to facilitate movement of persons with disabilities.  
[...] Prospects for inappropriate medical interventions are high due to that in hospitals there are no sign language interpretation services and other communication methods for the deaf, the blind and for ones with intellectual disabilities. And this is compounded by that medical staffs in general lack the necessary awareness about rights of persons with disabilities.  
Persons with disabilities who have medical needs related to their impairments have no access to the health care services they need at affordable rates. And even availability of such health care services is restricted to limited geographical areas and sometimes the facilities and equipment required are not obtainable in Sudan. Besides, health care service providing points have no respect for rights of persons with disabilities, for instance there is a lack of accessibility facilities, e.g. (sign language; information in accessible format like braille and simple language, etc.). [...]

## Persons with disabilities reported it was difficult to access or afford necessary equipment, such as wheelchairs, in 2018

- ❖ [UN Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of the Sudan, 10 April 2018](#)  
[...] Personal mobility (art. 20) [...]  
41. The Committee notes the efforts undertaken by the State party to promote access to assistive devices but is concerned about the challenges faced by persons with disabilities in acquiring necessary mobility aids and assistive devices, including assistance technologies, as their cost remains prohibitive. [...]  
Health (art. 25)  
49. The Committee is concerned about the overall lack of accessibility of mainstream health services. In particular, it is concerned at:  
[...] (e) The limited availability of specialized health-care services relating to disabilities and the high cost of obtaining access to them. [...]

Persons with disabilities reported it was difficult to access or afford necessary equipment, such as wheelchairs, in 2019

❖ [OCHA, Humanitarian Needs Overview: Sudan, January 2020](#)

[...] Children with disabilities, 15 per cent of the child population, continue to experience physical and social barriers in accessing essential services, and are more vulnerable to violence, exploitation and abuse. [...]

South Sudanese continued to feel discriminated against in Sudan in finding employment and experienced wider societal discrimination, as well as government forces suspecting them of supporting anti-government forces in Abyei and the Two Areas in 2017

❖ [ACCORD, Darfur COI Compilation, September 2017](#)

[...] 6.2 Access to documentation

According to the senior researcher at HRW, “there have been cases of people of South Sudanese origin reporting difficulties obtaining official documents, since Sudan keeps changing its policy on whether they should be considered citizens, non-citizens or refugees. Regarding a person of Sudanese origin, there is no reason why this person would not be issued documents such as an ID, unless the Sudanese state considers him a persona non grata. While discrimination of non-Arab ethnic groups exists throughout the government and administration, it does not likely reach the extent that non-Arab Sudanese are turned away solely because of his or her ethnicity when applying for personal documentation.” (HRW senior researcher, 19 July 2017) [...]

Sources (all sources accessed 30 August 2017) [...]

HRW senior researcher, phone conversation, 19 July 2017 [...]

South Sudanese continued to feel discriminated against in Sudan in finding employment and experienced wider societal discrimination, as well as government forces suspecting them of supporting anti-government forces in Abyei and the Two Areas in 2018

❖ [UK Home Office, Country Policy and Information Note, Sudan: Non-Arab Darfuri, September 2018](#)

[...] Annex B: Landinfo response to UK Home Office query

Landinfo response to UK Home Office query to EU Member States, circulated by the European Asylum Support Office, 9 April 2018 [...]

Response: My answers are based on working on Sudan since 2008, together with my colleague [...] (who has worked on Sudan since the 1990s). We have conducted five fact finding missions to Sudan:

- April-May 2008 [...]
- September-October 2012 [...]
- October 2014 [...]
- November 2015 [...]
- November 2017 [...]

All fact findings were to the capital Khartoum, they lasted a week each, and had a focus on patterns of persecution, the situation for political activists, religious minorities and women.<sup>124</sup> As people with origins in the conflict zones (Darfur more than South Kordofan, and very few from Blue Nile) have constituted a large percentage of the Sudanese asylum seekers in Norway for more than a decade, their situation both in the conflict zones and in the capital area has been of particular concern to us. During our trips, we have especially tried to interview local organisations and activists, as they have important perspectives on the situation, and often don't have the necessary resources to distribute information online. They have also been exceptionally open and direct, especially considering the repressive regime ruling Sudan and the pervasive surveillance conducted by the omnipresent National Intelligence and Security Service (NISS) [...]

Since South Sudan seceded in 2011, Sudanese sources have called Nubans and non-Arab groups from Blue Nile “the new South Sudanese”, i.e. the ones filling the position of “anti-pole” to the “Arab ideal”.<sup>133</sup> [...]

124 We have also looked at other topics, such as documents, border control, military conscription, etc [...]

133 Of course there is still a fairly large people of South Sudanese origin in Sudan, but they are now classified as foreigners [...]

❖ [UK Home Office, Report of a fact-finding mission to Khatoum, Sudan, Conducted between 10 and 17 August 2018, November 2018](#)

[...] Second Secretary Political, British Embassy  
British Embassy, 13 August 2018 [...]

There has been no recent census but some reports put Khartoum's population at 10 million, up from around 5 million only 10-15 years ago. This can be seen in the growth of the shanty towns. In these you see 2 groups who are the poorest: South Sudanese and people from the Nuba mountains [...]

There is no overriding racism or discrimination against Darfuris. However, Arabs do look down upon other groups such as the Nuba and people from South Sudan. Nuba and South Sudanese face problems but the Darfuris are not a group apart from other Sudanese groups [...]

[South Sudanese continued to feel discriminated against in Sudan in finding employment and experienced wider societal discrimination, as well as government forces suspecting them of supporting anti-government forces in Abyei and the Two Areas in 2019](#)

❖ [UNHCR, Sudan Emergency Flash Update, Issue No. 2, 12 June 2019](#)

[...] Khartoum

UNHCR has confirmed that at least 320 South Sudanese families have relocated to Bantiu 'open area', following the 5-6 June attacks in Omdurman. UNHCR has also received rape reports from survivors. UNHCR is following up to ensure survivors have access to support services.

There is risk of more attacks on South Sudanese refugees in Khartoum. Refugees in other 'open areas' in Omdurman and Bahri have reported that host communities are accusing them of being responsible for the increased criminality in Khartoum and have demanded that refugees leave their settlements. On 10 June, the media reported that three South Sudanese refugees were killed and seven injured in an attack by armed men in Kalakla area. Survivors report that the attackers demanded money from the refugees and told them to leave Sudan. The South Sudanese ambassador to Sudan made a statement that the attackers were arrested and survivors were being treated in hospital. UNHCR is verifying the report and will continue to monitor the situation [...]

White Nile

Approximately 200 South Sudanese refugees who survived the 5-6 June attacks in Omdurman, Khartoum have moved to Um Sangour camp [...]

❖ [Freedom House, Freedom in the World 2020 – Sudan, 4 March 2020](#)

[...] Refugees and asylum seekers residing in Sudan have also been subject to poor treatment, despite legislation passed in 2014 that was meant to strengthen the rights of asylum seekers. The UNHCR surveyed refugees from the Central African Republic (CAR), Eritrea, and South Sudan living in nine states in Sudan throughout 2018, before publishing the results in July 2019; participants reported pervasive insecurity, restrictions on freedom of movement, and poor access to public services. [...]

[LGBTI individuals expressed concern about their safety in 2017](#)

❖ [Freedom House, Freedom in the World 2020 – Sudan, 4 March 2020](#)

[...] F4 0-4 pts [...]

Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0/4 [...]

Official and societal discrimination against LGBT (lesbian, gay, bisexual, and transgender) individuals is widespread [...]

[LGBTI individuals expressed concern about their safety in 2018](#)

❖ [76 crimes, '400 million LGBT people in jeopardy worldwide', 28 March 2018](#)

[...] The climate of homophobia—especially in the countries of Sudan, Somalia, Nigeria and Mauritania that retain the death penalty for same-sex conduct—makes social organizing all but impossible [...]

❖ [Home Office, Report of a fact-finding mission to Khartoum, Sudan Conducted between 10 and 17 August 2018, November 2018](#)

[...] Dr Ahmed Eltoum Salim, European & African Centre (EAC) British Embassy, 12 August 2018 [...]

there are no rights for the LGBT community [...]

Even those who want rid of the regime do not have a good human rights record themselves – at least on paper; they condemn LGBT persons [...]

❖ [Freedom House, Freedom in the World 2019 – Sudan, 4 February 2019](#)

[...] Official and societal discrimination against LGBT (lesbian, gay, bisexual, and transgender) individuals is widespread [...]

### LGBTI individuals expressed concern about their safety in 2019

❖ [Chr. Michelsen Institute \(CMI\), Blog from Sudan: The Sudanese revolution: A fight for LGBTQI + rights?, 8 May 2019](#)

[...] The LGBTQI+ community has never been recognized in Sudan and is still to a great extent denied any form of rights to freedom, peace and justice. Because of your sexual orientation or gender identity, you risk being denied access to health services and education, to lose your job and being subject to hate crimes. This is part of your everyday life as a LGBTQI+ persons in Sudan. The burden is even harder for LGBTQI+ persons who are women, of dominant African descent and belonging to a religious minority as these groups have been targeted by the regime we are now protesting against [...]

The Sudanese LGBTQI+ community still worries about being identified as being LGBTQI+ in public, including at protests and sit-ins. There is a real danger of being harassed or attacked. [...]

[...] Because of your sexual orientation or gender identity, you risk being denied access to health services and education, to lose your job and being subject to hate crimes. This is part of your everyday life as a LGBTQI+ persons in Sudan. [...]

Many women's rights defenders and human rights defenders in Sudan are very conservative when it comes to the LGBTQI+ community, and homophobic attitudes are widespread even within those groups [...]

❖ [Netherlands Ministry of Foreign Affairs, Country Report 2019: Sudan, October 2019](#) [unofficial translation provided by a COI researcher]

[...] Mistreatment of LGBTI people occurs also by relatives.<sup>819</sup> Many homosexuals hide their orientation, also from family and friends, and lead a double life.<sup>820</sup> [...]

819 According to a confidential source, an LGBTI person is rejected by his family in the very best scenario. The source said LGBTIs in some cases are forced by their family members to be "treated" by a sheikh. Violence is involved in the "treatment". Confidential source, 26 February 2019.

820 Freedom House, Freedom in the World 2019, Sudan; US Department of State, Human right report 2018, March 2019; Confidential source, 26 February 2019; Confidential source, 6 July 2017 [...]

❖ [Freedom House, Freedom in the World 2020 – Sudan, 4 March 2020](#)

[...] B4 0-4 pts [...]

Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? ¼ [...]

LGBT+ Sudanese remain at risk of lashings, imprisonment, and the death penalty for engaging in same-sex relations, which were outlawed in 1991. Almost no LGBT+ groups exist in Sudanese civil society to address their concerns [...]

Availability of post-August 2015 figures in 2017 on the number of Sudanese living with HIV/AIDS

- ❖ [UNAIDS, Sudan, Undated](#) [see link provided for figures and tables]

Availability of post-August 2015 figures in 2018 on the number of Sudanese living with HIV/AIDS

- ❖ [UNAIDS, Miles to go: the response to HIV in the Middle East and North Africa, 18 July 2018](#) [see p. 3 of the report for figure showing the 'Distribution of new HIV infections and AIDS-related deaths by country, Middle East and North Africa, 2017' and country chapter starting from p. 30]
- ❖ [UNAIDS, Sudan, Undated](#) [see link provided for figures and tables]

Availability of post-August 2015 figures in 2019 on the number of Sudanese living with HIV/AIDS

- ❖ [The Global Fund, Audit Report, Global Fund Grants in the Republic of Sudan, 29 April 2019](#)  
[...] HIV/AIDS: HIV prevalence in the general population is relatively low at less than 1%, but is slightly higher among key populations, who remain stigmatized and in some cases criminalized. Prevalence among Female Sex Workers and Men who have Sex With Men is 1.2% and 1.1% respectively.<sup>10</sup>  
The country adopted UNAIDS' ambitious treatment target to help end the epidemic (90-90-90) and WHO's test and treat policy in 2016. The number of people receiving antiretroviral treatment has doubled in the last two years. [...]

10 Integrated Bio-Behavioral HIV Surveillance Survey (IBBS)2015, Sudanese National AIDS Program (SNAP)

- ❖ [UNAIDS, Global AIDS Update 2019: Communities at the Centre, 10 December 2019](#)  
[...] 90–90–90 country scorecard, Middle East and North Africa, 2018  
[...] First 90: percentage of people living with HIV who know their HIV status  
All Years: 27  
Women (15 years or older): 28  
Men (15 years or older): 28  
[...] Second 90: percentage of people living with HIV who know their status and who are on treatment  
All Years: 56  
Women (15 years or older): 54  
Men (15 years or older): 54 [...]
- ❖ [UNAIDS, Sudan, Undated](#) [see link provided for figures and tables]

### 6.3.2. New omissions in 2018 (compared to 2017), all omitted in 2019

Availability of updated estimates on maternal mortality and contraceptive prevalence in 2018

- ❖ [UNFPA, The Power of Choice: Reproductive Rights and the Demographic Transition, 17 October 2018](#)  
[...] Monitoring ICPD goals: selected indicators  
[...] Sudan  
Contraceptive prevalence rate, women aged 15–49 (2018). Any method: 16. Modern method: 15  
Unmet need for family planning, women aged 15–49 (2018): 28  
Proportion of demand satisfied, with modern methods, women aged 15–49 (2018): 35 [p.135]

[...] Percentage of married women using a modern contraceptive method, rural (2%) versus urban (11%)  
[...] [This was an unmarked graph so the percentages are an estimate...]

- ❖ [WHO, UNICEF, UNFPA, World Bank Group and the United Nations Population Division, Trends in maternal mortality 2000 to 2017: estimates by WHO, UNICEF, UNFPA, World Bank Group and the United Nations Population Division, 2019](#) [see the link provided for figures and tables up to 2017 on maternal mortality]

#### Availability of updated estimates on maternal mortality and contraceptive prevalence in 2019

- ❖ [FP2020, Data, Undated](#) [see the link provided for figures and tables for 2019 on contraception]
- ❖ [FP2020, Sudan, FP2020 Core Indicator Summary Sheet: 2018-2019 Annual Progress Report, Undated](#) [see the link provided for figures and tables for 2019 on contraception]
- ❖ [UNFPA, State of the World Population 2019, 10 April 2019](#) [see the link provided for table on contraception prevalence and maternal mortality rates for Sudan in 2019 on p. 162]

#### 6.3.3. New omissions in 2019 (compared to 2018, 2017 and 2016)

##### Women experienced economic discrimination in access to employment, equal pay for substantially similar work, credit, and owning or managing businesses in 2019

- ❖ [OECD, Social Institutions & Gender Index 2019, Undated](#) [Last accessed: 5 October 2020]  
[...] 3. Restricted Access to productive and financial resources [...]  
b) Secure access to formal financial resources  
According to the Interim National Constitution of the Republic of Sudan (2005) “the equal rights of men and women to the enjoyment of all civil and political rights and all social, cultural and economic rights, including the right of equal pay for equal work, shall be ensured”(Article 32). The Interim National Constitution therefore assures women the same rights as men to open a bank account and access to credit (International Bank for Reconstruction and Development and The World Bank 2016). The Government’s Women’s Empowerment Policy (2007), however states that women may face challenges in obtaining assets and credit.  
c) Workplace rights  
Sudan has not ratified ILO Conventions 156, 183 and 189 on Workers with Family Responsibilities, Revision of Maternity Protection and Domestic Workers (International Labour Organization, 2017).  
The right to equal pay is enshrined in the Interim National Constitution (2005: Article 32.1). However, the law does not mandate non-discrimination on the basis of sex in employment. Under the Labour Code (1997) women are prohibited to work “in occupations which are hazardous, arduous or harmful to their health, such as carrying weights or assigning women to perform jobs under ground or under water or jobs which may expose them to poisonous material or to temperatures exceeding the normal limits borne by” (Article 19). Women also face further restrictions in the hours they can work as they are not allowed to work between 10pm and 6am with the exception of women in administrative, professional, technical work or health services (Article 20). Under the Muslim Personal Law Act (1991) married Muslim women can be denied the right to work outside the home by their husbands (Article 75.d).  
The Interim National Constitution (2005) stipulates that “The State shall provide maternity and child care and medical care for pregnant women (Article 32.4)”. Women have further legal rights to paid maternity leave under the Labour Code (Article 46). The entitlement is 8 weeks to be paid at full salary (Article 46.1). The Labour Code also protects women’s employment rights and security when on maternity leave (Article 46.2), but does not prohibit the employer to ask about a woman’s pregnancy or her intention to have children during the recruitment or promotion process. The Labour Code does not allow for paid paternity leave or parental leave [...]

❖ [Liv Tønnessen, Women at Work in Sudan: Marital Privilege or Constitutional Right?, October 2019](#)

Abstract

This article explores how working women in Sudan's capital negotiate legal constraints placing them under the guardianship of their husbands, imposing strict public dress and behavioral codes upon them, and upholding occupational segregation in the workplace. Upper- and middle-class women of different political ideological standpoints see constraints as well as advantages with the Islamist approach to women's economic empowerment. While the restrictive legal framework enables Sudanese working women to make independent economic choices, the economic resources gained through wage work have had limited transformative potential in relation to the larger structures constraining various aspects of women's lives [...]

❖ [28 Too Many, Country Profile FGM in Sudan, November 2019](#)

Executive Summary [...]

Women have the right to employment and to own property; however, they usually lack sufficient economic resources to purchase land [...]

Resources and Entitlements [...]

Women in Sudan are able to take up employment, and the proportion of women working rose from 12% to 28% between 1993 and 2008. When women do participate in the labour force, it tends to be within the informal economy; for instance, selling street food. Many women work in sectors where they do not obtain social nor workplace protections, such as agriculture or domestic service. The protection of female workers has been provided for within the INC, the Labour Act 1997 and the National Civil Service Act 2007. Many acts and regulations aim to enforce equal pay, promotions based on achievement and maternity leave and ensure that women are not subjected to dangerous work. Under the Labour Act, working mothers are granted nursing periods alongside maternity leave, although problems do arise for mothers as there is no legislation against the dismissal of pregnant women<sup>21</sup> According to Article 43 of the INC, women have the right to own property, and government-owned land is available for rent by both men and women; however, women usually lack sufficient economic resources and therefore cannot in practice purchase land. Alongside this, private land is often registered in the name of the head of the household, which goes to the male of the family, based on longstanding custom.<sup>22</sup> [...]

21 Secondary Analysis, p.41.

22 Secondary Analysis, p.41. [...]

❖ [FIDH/African Centre for Justice and Peace Studies, Will There Be Justice For Darfur? Persisting impunity in the face of political change, Fact finding mission report, December 2019](#)

Executive Summary [...]

In the camps the situation of women and girls is of particular concern. Many women are victims of polygamy and have to run their households alone in extreme poverty, given the lack of access to employment and increasing restrictions on humanitarian assistance services [...]

A / Women as sole householders and poverty [...]

Polygamy, which is prevalent in Darfuri culture, is perpetuated in the camps and exacerbates women's poverty. Polygamy is also legal in Chad<sup>108</sup> in violation of the UN Convention on the Elimination of all forms of Discrimination Against Women (CEDAW Convention).<sup>109</sup> Besides its profound discriminatory nature, polygamy is also contrary to the dignity of women and girls and negatively impacts women's physical and mental health, social well-being, economic and material situation, as it increases poverty in the family.<sup>110</sup> In humanitarian settings, where employment and resources are particularly scarce, this practice has disastrous effects on the financial situation of households and can create conflicts. Men, who can barely contribute to the expenses of one household, in most cases don't have the capacity to provide for several families [...]

109. Polygamy breaches the provisions of articles 5 (a) and 16 of the CEDAW Convention.

110. Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices, CEDAW/C/GC/31-

CRC/C/GC/18, 14 Novembre 2014, §25-28, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N14/627/78/PDF/N1462778.pdf?OpenElement>. See also CEDAW Committee, General recommendation No. 29 on article 16 of the Convention on the Elimination of All Forms of Discrimination against Women (Economic consequences of marriage, family relations and their dissolution), 2013, CEDAW/C/GC/29, §27-28; CEDAW Committee, General recommendation No. 21: Equality in marriage and family relations, 1994, §14 [...]

❖ [UN Security Council, Special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the African Union-United Nations Hybrid Operation in Darfur and a follow-on presence, 12 March 2020](#)

[...] IV. Options for a follow-on presence [...]

Overall political objectives [...]

51. One of the pre-eminent existential challenges facing the Government of the Sudan and its transitional programme is the continued economic crisis. Addressing the economy is a political imperative, since the failure to improve the living conditions will render the transitional Government exposed to internal and external shocks. [...]

The economic empowerment of women requires specific attention, as does the economic empowerment of young people, who would benefit from access to information, quality education and employment opportunities [...]

## 7. Section 7. Worker Rights

### 7.2. Improvements

#### 7.2.3. New improvements in 2019 (compared to 2016, 2017 and 2018)

##### Situation of female tea sellers post-August 2019

❖ [The National, Sudan's tea ladies hope for better life in post-Bashir Khartoum, 4 September 2019](#)

[...] One of these women is Haleema, a 35-year-old mother of four who makes tea and coffee on Nile street, a scenic Khartoum thoroughfare that runs along the bank of the Blue Nile. [...] But despite the hardship, Haleema acknowledges that life has been easier since Mr Al Bashir's government was overthrown.

Using the vernacular Sudanese Arabic for a police raid, she declares: "No *kasha* now."

❖ [The Irish Times, Sudan repeals public order law restricting women's behaviour, 29 November 2019](#)

[...] Wini Omer, a prominent Sudanese activist who has been charged twice under public order laws, said there is much more to do before the situation for women improves.

[...] She said women are still being arrested, harassed and exploited on the streets, particularly those who work as tea sellers and food vendors – one of the limited ways women in need can earn money. [...]