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Summary of Findings

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, 2019 and 2020. 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 was 72 pages long. This was reduced to 52 pages covering events in 2017, 46 pages in 2018, 44 pages in 2019, and 29 pages in 2020. The section most notably reduced in 2017 which continued in subsequent editions was 6. Women in particular the subsection on Reproductive Rights.

**Section headings**

All the changes in section headings are presented in detail in Table 1 below.

Numerous changes were made to section headings, with the majority being made from 2016 to 2017 and then replicated in the 2018, 2019 and 2020 editions. The most significant changes were:

- Replacing the whole subsection on Reproductive Rights in the 2016 report with a new subsection on Coercion in Population Control in the 2017 and subsequent editions, dramatically changing the range of issues addressed in the respective reports (see D. Omissions below for further details).

- Omitting the following subsections and related content from the 2017 and subsequent reports despite publicly available sources continuing to document the issues originally contained in these sections:
  - **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, 2019 and 2020 reports that “UNHCR reported there were countless South Sudanese in the country who were unregistered and at risk of statelessness”. In the 2019 report the subtitle Stateless Persons was re-inserted with an accompanying note “Not
applicable”, whilst in 2020 it now only states “Many South Sudanese refugees in the country not registered with the South Sudanese government risked statelessness”

- **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

Two further notable removal of subsections were observed in the 2018 report’s structure, both of which were repeated in the 2019 and 2020 editions:

- **Amnesty**: The removal of the subsection resulted in the exclusion of 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

No additional removal of subsections was noted in the 2019 report’s structure.

The 2020 edition, however, also omitted the following additional subsections compared to the previous reports:

- **Detainee’s Ability to Challenge Lawfulness of Detention before a Court**: The removal of the subsection resulted in the omission of information in relation to the ability to challenge the legality of detention
- **Temporary Protection**: Information relating to the length it took to register and conduct security checks on asylum seekers was no longer included
- **Political Parties and Political Participation**: The report no longer included information about the political landscape and the Political Parties Affairs Council and its implications on political parties.

In relation to the first two subsections, no or limited information was found amongst the sources consulted documenting these issues continued in 2020.

In one section a heading title was condensed, potentially altering its perceived meaning. The 2016 edition contained the section 2. d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons. In all subsequent reports this was revised to **Freedom of Movement**. Given that this section continued to document issues including access to legal protections and services for refugees, it is considered that the heading no longer fully encompasses all the issues addressed. In 2019 and 2020 new numerical subsections **E. Status and Treatment of Internally Displaced Persons** and **F. Protection of Refugees** were added, which made this distinction clearer.

**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, 2019 and 2020. 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
Examples of softening of language, which may imply an improvement in the situation, included:

- 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 four 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, 2019 and 2020 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”.¹
- Whilst the 2016 report reported that [emphasis added] “Government forces frequently harassed NGOs that received international assistance”, this was lessened in 2017 and 2018 to “Government forces at times harassed NGOs that received international assistance” and again in 2019 to “Bashir government security forces at times harassed NGOs that received international assistance”.

With regards to the subsection dealing with child labor, the 2017, 2018, 2019 and 2020 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, 2018 and 2019 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, this might imply that the situation is less widespread. The 2020 report did not mention ‘incommunicado detention’ at all nor did it include specific examples of such incidences. This has been classified as an omission, which is further discussed at 1.3.4. below.

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. The 2019 and 2020 reports instead stated that

¹ 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
there were no reported political detainees under the Civilian-Led Transitional Government, which is further discussed at 1.3.3 below.

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”, these were no longer included in the 2017, 2018, 2019 and 2020 reports.

Some contextual information, such as the existence of specific laws was omitted in the 2017, 2018, 2019 and 2020 reports.

For additional examples on the above findings see the respective Use of language sections presented below under the sections of the U.S. Department of State’s report.

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”.

By 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”, in 2019 the categorisation was amended to “Significant human rights issues under the Bashir government” and in 2020 to “Significant human rights abuses included”.

This is discussed further in section B. Executive Summary.

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 subsequent editions.

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 (22) were observed in the 2019 report, which were inconsistent with information found in the public domain. Ten additional improvements were observed in the 2020 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 11th April and 20th 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:
  
  o 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.;
  
  o The arrest of NGO-affiliated international human rights and humanitarian workers. For more information see 5.2.1.

- **“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:
  
  o “There were numerous reports the Bashir government or its agents committed arbitrary or unlawful killings”;
  
  o “Peaceful protesters were regularly detained under the Bashir regime”;
  
  o “There were reports of disappearances by or on behalf of Bashir government authorities”;
  
  o “Human rights groups alleged that NISS regularly harassed and sexually assaulted many of its female detainees during the Bashir regime”;
  
  o “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”;
  
  o “Under the Bashir regime authorities rarely conducted proper investigations of credible allegations of mistreatment”;
  
  o “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”;
  
  o “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”;
  
  o “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”;
  
  o “The Bashir regime [...] restricted the movement of citizens in conflict areas”;
  
  o “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”;
  
  o “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 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”.

In 2020, half of the observed improvements were related to section 1. *Respect for the Integrity of the Person* and the other half related to section 2. *Respect for Civil Liberties*. The following are the most notable improvements that were observed despite publicly available sources not supporting their existence:

- “The 2019 constitutional declaration prohibits such practices of torture or inhuman treatment of punishment, and reports of such behavior largely ceased under the civilian-led transitional government (CLTG)” [Sources were found documenting the ongoing torture, beating and harassment, which are unlikely to be classifiable as “largely ceased” isolated incidents];
- “Arbitrary arrest largely ended under the CLTG”
- “The constitutional declaration and relevant laws provide for an independent judiciary, and the government generally respected judicial independence and impartiality” and “There were no known reports of denials of fair trials, but this lack of reports may be partially due to the
closure of the majority of courts between February and July due to strikes and COVID-19 restrictions”
  - “There were no reports of political prisoners or detainees”
  - “Violence and Harassment: Unlike under the prior regime, there were no reports of the CLTG using violence and harassment against journalists”
  - “National Security: In contrast with previous years, there were no reports of authorities using national security as a justification to arrest or punish critics of the government or deter criticism of the government”.

For additional examples on the above findings see the respective Improvements sections presented below under the sections of the U.S. Department of State’s report.

Notable improvements from the Executive Summary of the U.S. Department of State report

Four 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 and one in 2020 compared to the previous edition. In all four instances they were found to be internally inconsistent with the respective sections of the U.S. State Department report.

This is discussed further in section B. Executive Summary.

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 subsequent editions.

D. Omissions

The majority of omitted issues were observed comparing the 2017 report to the 2016 edition. Thirty two issues documented in the 2016 report were omitted from the 2017 edition despite publicly available information continuing to document their existence. Several of these issues continued to be omitted from subsequent reports and for the vast majority of issues, information was found to document their continued existence. An additional thirteen omissions were observed in the 2018 report, a further eight omissions were observed in the 2019 report, and a further 25 in the 2020 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 four 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. and 6.3.2. In March 2021 the U.S. Department of State noted that it “will release an addendum to each 2020 country report that expands the subsection on women in Section 6, entitled “Discrimination, Societal Abuses, and Trafficking in Persons,” to include a broader range of issues related to reproductive rights”.\(^2\) At the time of finalising the review of the 2020 U.S. Department of State country reports, these addendum had not been published yet. As a result, the 2020 reviews did not include research or analysis on the subsection Coercion in Population Control.

- The discriminatory approach by the Sudanese government towards ethnic and religious minorities in 2017, 2018, 2019 and 2020. For further details see 6.3.1.

- Information on the fear faced by LGBTI+ persons for their safety in 2017, 2018 and 2019 (Note: This was omitted from the 2020 report, but no information found amongst other publicly available sources). For further details see 6.3.1.

- The burning and looting of villages in Southern Kordofan and Blue Nile in 2018, 2019 and 2020 (Note: This was also omitted from the 2017 report, but no information found amongst other publicly available sources). For further details see 1.3.1.

- Information on the situation of persons of South Sudanese origin living in Sudan who may face statelessness in 2018 and 2019 (Note: This was also omitted from the 2017 and 2020 reports, but no information was found amongst other publicly available sources). For further details see 2.3.1.

- The implication of the Rapid Support Forces (RSF) in government campaigns against rebel movements resulting in major human rights violations against civilians in 2019 and 2020. For further details see 1.3.3.

Other notable omitted information from the subsection on Women in the 2017 report, all 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;
- Women’s experience of economic discrimination (Note: This was omitted from the 2017 and 2018 reports, but no information found amongst other publicly available sources).

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 (Note: This was also omitted from the 2019 report, but no information found amongst other publicly available sources).

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• 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* and *section 4. Corruption and Lack of Transparency in Government* respectively, all of which continued to be omitted from the 2018, 2019 and 2020 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, all of which were also omitted from the 2019 and 2020 editions, 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 issue omitted included:

• Lack of government response in interethnic fighting or deterring violence crime;

Additional notable omissions from the 2020 report included:

• Arbitrary or unlawful killings that occurred outside of demonstrations;
• Use of lethal excessive force against detainees;
• Incommunicado detention of political opponents;
• Occurrence of so-called ‘ghost houses’ or unregistered detention centers;
• Arbitrary arrests of peaceful protesters, political opponents, human rights defenders, journalists and other professionals;
• Inefficient and corrupt judiciary;
• Denial of fair public trial;
• Abuse faced by IDPs suspected of having links to rebel groups;

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

For additional examples on the above findings see the respective *Omissions* sections presented below under the sections of the U.S. Department of State’s report.

Notable omissions from the *Executive Summary* of the U.S. Department of State 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, 2019 and 2020:

- 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, 2019 and 2020 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.

Comparing the 2020 Executive Summary with the 2019 edition, the following human rights issues were omitted:

- Torture;
- 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;
- Substantial interference with the rights of peaceful assembly and freedom of association, such as overly restrictive nongovernmental organization (NGO) laws;
- lack of accountability in cases involving violence against women, including […] female genital mutilation/cutting (FGM/C);
- Outlawing of independent trade unions.
This is discussed further in section 8. Executive Summary.

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 subsequent editions.

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, some of which repeated in 2020

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:

<table>
<thead>
<tr>
<th>2016</th>
<th>2017, 2018 and 2019 reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>[emphasis added]</td>
<td>[emphasis added]</td>
</tr>
<tr>
<td>There were reports of</td>
<td>There were reports of</td>
</tr>
<tr>
<td>politically motivated</td>
<td>disappearances</td>
</tr>
<tr>
<td>disappearances</td>
<td>by or on behalf of government authorities</td>
</tr>
</tbody>
</table>

The 2020 report stated instead that “There were no reports of disappearances by or on behalf of government authorities”. This has been classified as an improvement and is further discussed in section 1.2.3, below.

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

<table>
<thead>
<tr>
<th>2016</th>
<th>2017, 2018, 2019 and 2020 reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>[emphasis added]</td>
<td>[emphasis added]</td>
</tr>
<tr>
<td>Security forces detained</td>
<td>NISS held some political detainees in isolation cells in regular prisons, and many were held without access to family or medical treatment and reportedly suffered physical abuse</td>
</tr>
<tr>
<td>political opponents</td>
<td></td>
</tr>
<tr>
<td>incommunicado, without</td>
<td></td>
</tr>
<tr>
<td>charge, and tortured them</td>
<td></td>
</tr>
</tbody>
</table>

Firstly, whilst the 2016 edition reported the “torture” of political opponents, this was reduced to “suffered physical abuse” in the 2017, 2018, 2019 and 2020 reports despite all four 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, 2019 and 2020 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”.3

3 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
Moreover, the 2017, 2018, 2019 and 2020 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

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:

<table>
<thead>
<tr>
<th>2016 report</th>
<th>2017, 2018 and 2019 reports [emphasis added]</th>
</tr>
</thead>
<tbody>
<tr>
<td>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</td>
<td>The 2005 Interim National Constitution prohibits torture and cruel, inhuman, and degrading treatment, but security forces reportedly continued to torture, beat, and harass suspected political opponents, rebel supporters, and others</td>
</tr>
<tr>
<td>Torture and other forms of mistreatment included prolonged isolation, exposure to extreme temperature variations, electric shock, and use of stress positions</td>
<td>Reports of torture and other forms of mistreatment included prolonged isolation, exposure to extreme temperature variations, electric shock, and use of stress positions</td>
</tr>
</tbody>
</table>

[Note that the 2020 report stated “The 2019 constitutional declaration prohibits such practices of torture or inhuman treatment of punishment, and reports of such behavior largely ceased under the civilian-led transitional government (CLTG)”. This has been classified as an improvement and is further discussed in section 1.2.4. below.]

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:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Government forces frequently 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</td>
<td>Government forces at times harassed NGOs that received international assistance. Although humanitarian access improved generally, the government sometimes restricted or denied permission for humanitarian assessments, refused to approve technical agreements, changed operational procedures, copied</td>
<td>Bashir government security forces at times harassed NGOs that received international assistance. The Bashir government sometimes restricted or denied permission for humanitarian assessments, refused to approve technical agreements, changed operational procedures, copied NGO files,</td>
</tr>
</tbody>
</table>
humanitarian workers at length and monitored their personal correspondence, restricted travel, and publicly accused humanitarian workers of aiding rebel groups
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
confiscated NGO property, questioned humanitarian workers at length and monitored their personal correspondence, restricted travel, and publicly accused humanitarian workers of aiding rebel groups

The 2020 report omitted this in its entirety, which was consistent with information found in the public domain by other sources.

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.:

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

This was omitted from the 2020 report and has been classified as such, which is further discussed at 1.3.4, below.

It was also observed that the following contextual information found in the 2016 report was no longer included in the 2017, 2018, 2019 and 2020 editions:

<table>
<thead>
<tr>
<th>2016 report [emphasis added]</th>
<th>2017, 2018, 2019 and 2020 reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>Courts denied some women bail, although by law they may have been eligible</td>
<td>[Removed]</td>
</tr>
<tr>
<td>Prison and Detention Center Conditions [...] Independent Monitoring [...] <strong>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</strong></td>
<td>[Removed]</td>
</tr>
</tbody>
</table>

1.1.2. Observations in 2018, most of which repeated in 2019 and 2020

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”:

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

The 2020 report did not mention ‘incommunicado detention’ at all nor did it include specific examples of such incidences. This has been classified as an omission, which is further discussed at 1.3.4, below.

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”.

<table>
<thead>
<tr>
<th>2016 and 2017 report</th>
<th>2018 report</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government security forces (including police, NISS, and SAF Directorate of Military Intelligence (DMI) personnel) beat and tortured physically and psychologically persons in detention, including members of the political opposition, civil society, and journalists, according to civil society activists in Khartoum, former detainees, and NGOs</td>
<td>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</td>
</tr>
</tbody>
</table>

The 2019 report omitted this information all together, which was repeated in the 2020 edition, and which is addressed further below at section 1.3.3.

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

By combining two issues, the 2018, 2019 and 2020 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:

<table>
<thead>
<tr>
<th>2017 report</th>
<th>2018, 2019 and 2020 reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prison health care, heating, ventilation, and lighting were often inadequate [...] Ventilation and lighting conditions differed among prisons</td>
<td>Prison health care, heating, ventilation, and lighting were often inadequate, but varied from facility to facility</td>
</tr>
</tbody>
</table>

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’.

<table>
<thead>
<tr>
<th>2017 report</th>
<th>2018 and 2019 reports</th>
</tr>
</thead>
</table>
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 Khartoum North prisons were known to local activists as “the fridges” due to the extremely cold temperatures and the lack of windows and sunlight.

The 2020 report omitted this sentence all together, which is further discussed at 1.3.4, below.

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’:

<table>
<thead>
<tr>
<th>2017 report</th>
<th>2018 report</th>
</tr>
</thead>
<tbody>
<tr>
<td>Political detainees reported facing harsher treatment</td>
<td>Political detainees reported facing harsher treatment, although many prominent political detainees reported being exempt from abuse in detention</td>
</tr>
</tbody>
</table>

The 2019 and 2020 reports instead stated that there were no reported political detainees under the Civilian-Led Transitional Government, which is further discussed at 1.3.3, below.

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:

<table>
<thead>
<tr>
<th>2017 report</th>
<th>2018 and 2019 reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>Security forces frequently conducted searches without warrants and targeted persons suspected of political crimes</td>
<td>2018: Security forces frequently conducted searches and targeted persons suspected of political crimes 2019: Security forces under the Bashir regime frequently searched and targeted persons suspected of political crimes</td>
</tr>
</tbody>
</table>

The 2020 report omitted this sentence all together, but no or limited information was found amongst the sources consulted documenting that the issue occurred.

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, 2019 and 2020 editions:

<table>
<thead>
<tr>
<th>2017 report</th>
<th>2018, 2019 and 2020 reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>[emphasis added] 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.</td>
<td>[Removed] Note that COI in relation to the continued arrest warrants against former President Bashir is included in the Repository of COI on Sudan: - 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 - 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 - 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 2020</td>
</tr>
<tr>
<td>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</td>
<td>[Removed]</td>
</tr>
<tr>
<td>There was no ombudsman or inspector general specifically designated for prisons</td>
<td>[Removed]</td>
</tr>
<tr>
<td>As such, UNAMID was unable to verify inmates who reportedly were held illegally as political prisoners brought in by NISS, after having undergone no judicial process</td>
<td>2018 and 2019: As such, UNAMID was unable to verify inmates who reportedly were held illegally as political prisoners. [Note that in the 2020 report this was amended to “The Ministry of Interior granted UNAMID access to government prisons in Darfur to monitor, mentor, and advise prison officials”. This has been classified as an improvement and is further discussed at 1.2.4. below]</td>
</tr>
<tr>
<td>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; its officers are shielded from normal prosecution</td>
<td>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</td>
</tr>
</tbody>
</table>
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.

The government separated the posts of attorney general and minister of justice. It was unclear how the new attorney general was selected.

Non-Muslims may adopt only non-Muslim children; a comparable restriction does not apply to Muslim parents.

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.

Other Conflict-related Abuse […] Conflict-related sexual and gender-based violence, especially in Central Darfur, continued to be taboo.

1.1.3. Observations in 2019

There were no notable additional language changes observed in section 1. Respect for the Integrity of the Person across the 2019 report.

1.1.4. Observations in 2020

There were no notable additional language changes observed in section 1. Respect for the Integrity of the Person across the 2020 report.

1.2. Improvements

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

Compared to the 2016 report, the following improvement in the situation in 2017, repeated in 2018 and 2019, was observed that was inconsistent with the situation as reported by other publicly available sources in 2017 and 2018.

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”
[Note: 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]”. In 2020 this whole paragraph was removed all together]
Post-April 2019

[The sources located 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”

[Note: The way this sentence was phrased suggested that post-April 2019 and with the ousting of former President Bashir, this violation ceased. In the 2020 report this sentence was removed and classified as an omission, which is further discussed at section 1.3.4.]

Post-April 2019

[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”

[Note: The way this sentence was phrased suggested that post-April 2019 and with the ousting of former President Bashir, this violation ceased. In the 2020 report the sentence was amended to “There were no reports of disappearances by or on behalf of government authorities” implying a continued improvement of the situation]

Post-April 2019 2020

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

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”

[Note: In 2020 the report noted elsewhere “Demonstrations were largely peaceful; police used nonviolent measures to maintain order. But in August media reported police forcibly dispersed protesters with tear gas”]

Post-August 2019

[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”

[Note: The way this sentence was phrased suggested that post-April 2019 (ousting of former President Bashir) this violation ceased. In the 2020 report this sentence was removed and classified as an omission, but no information found amongst other sources consulted for this report documenting the continued occurrence]

Post-April 2019

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

6. 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.”

[Note: The way this sentence was phrased suggested that post-April 2019 and with the ousting of former President Bashir, this violation ceased. In the 2020 report this sentence was removed and classified as an omission, which is further discussed at section 1.3.4.]

Post-April 2019

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

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

[Note: In the 2020 report this sentence was removed and classified as an omission, which is further discussed at section 1.3.4.]

Post-August 2019

[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 1st March 2020) was located that reported on the continued detention of political prisoners in 2019/2019 and that not all had been released as promised]

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

---

9 ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
10 ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
11 ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019
[Note: The way this sentence was phrased suggested that post-April 2019 and with the ousting of former President Bashir, this violation ceased. In the 2020 report this particular sentence was removed, but information included elsewhere reporting on the investigation of a death in custody due to torture]

**Post-April 2019**

[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**

9. “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”

[Note: The way this sentence was phrased suggested that post-April 2019 and with the ousting of former President Bashir, this violation ceased. In the 2020 report this sentence was removed and classified as an omission, which is further discussed at section 1.3.4.]

**Post-August 2019**

[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]

10. *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”

[Note: The way this sentence was phrased suggested that post-April 2019 and with the ousting of former President Bashir, this violation ceased. In the 2020 report this sentence was removed and classified as an omission, which is further discussed at section 1.3.4.]

**Post-April 2019**

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

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

---

12 ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
13 ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019
14 ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
11. “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”

[Note: The way this sentence was phrased suggested that post-April 2019 and with the ousting of former President Bashir, this violation ceased. In the 2020 report this sentence was removed and classified as an omission, which is further discussed at section 1.3.4.]

Post-April 2019

12. “The Bashir government arrested and harassed lawyers whom it considered political opponents; there were no reports of such arrests under the CLTG in 2019 and “Unlike under the prior regime, there were no reports of lawyers being arrested or harassed by the CLTG” in 2020

Post-August 2019 2020

[Amongst the sources consulted no relevant information was located after August 2019]

1.2.4. Improvements in 2020 (compared to 2019, 2018, 2017 and 2016)

The following five improvements in the situation in 2020, compared to 2019, were observed that were inconsistent with the situation as reported by other publicly available sources.

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

1. Whilst the 2019 report stated “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, although there were isolated reports of intimidation by some potentially rogue elements of the security apparatus, particularly the RSF”, the 2020 report reduced it to “The 2019 constitutional declaration prohibits such practices of torture or inhuman treatment of punishment, and reports of such behavior largely ceased under the civilian-led transitional government (CLTG)”

2020

[Sources were found documenting the ongoing torture, beating and harassment of “suspected political opponents, rebel supporters and others”, which are unlikely to be classifiable as “largely ceased” isolated incidents]

2. Whilst the 2016, 2017, 2018 and 2019 editions reported that UNAMID was not granted “access to any prison or detention center”, the 2020 report stated that “The Ministry of Interior granted UNAMID access to government prisons in Darfur to monitor, mentor, and advise prison officials”

2020

15 ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
16 ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019
[Only one source was located from UNAMID documenting the awareness-raising campaign on COVID-19 preventive measures it held at the Shallah federal prison (North Darfur) suggesting that some access to advise prison officials may have been granted but not necessarily full access to “monitor, mentor, and advise” all prison officials in Darfur]

1.d. Arbitrary arrest or detention

3. “Arbitrary arrest largely ended under the CLTG”

2020

1.e. Denial of fair public trial

4. “The constitutional declaration and relevant laws provide for an independent judiciary, and the government generally respected judicial independence and impartiality” and “There were no known reports of denials of fair trials, but this lack of reports may be partially due to the closure of the majority of courts between February and July due to strikes and COVID-19 restrictions” [Surprisingly within the same section the 2020 report also states “The law provides for the right to a fair and public trial as well as a presumption of innocence; however, this provision was rarely respected”; “The large number of detainees and judicial inefficiency resulted in trial delays”; and “There were problems enforcing domestic and international court orders”]

2020

5. “There were no reports of political prisoners or detainees”

2020

1.3. Omissions

1.3.1. Omissions in 2017 (compared to 2016), most of which repeated in 2018 and all repeated in 2019 and 2020

Six issues documented in the 2016 report were omitted from the 2017 edition despite publicly available information continuing to document their existence in four instances. Five of these issues continued to be omitted from the 2018 edition of which all continued to be documented in other publicly available information. All six issues continued to be omitted from the 2019 and 2020 reports, despite publicly available information continuing to document their existence in five and four instances respectively.

Green indicates issue is reinserted. Years marked in red indicates where little or no information was found. Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

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

2017  2018  2019  2020

[One source was located in 2018, but no sources were located specifically reporting on the beating and torture of religious activists in detention in 2017, 2019 and 2020]

1.g. Abuses in Internal Conflict

2. 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: 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  2020

3. Killings: The 2017, 2018, 2019 and 2020 reports did not include any information on the use of “scorched earth tactics” or “burning” of villages.

[Note: 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  2020

[No information was found in 2020 amongst the sources consulted]

4. 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  2020

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

2017  2018  2019  2020

[Amongst the sources consulted for 2017, 2018, 2019 and 2020 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 and 2020]
6. **Killings**: “The SAF and government-aligned forces also reportedly burned and looted villages in Southern Kordofan and Blue Nile”

2017  2018  2019  2020

[No information was located in 2017 amongst the sources consulted]

### 1.3.2. Omissions in 2018 (compared to 2017 and 2016), all repeated in 2019 and 2020

Five issues documented in the 2017 and 2016 reports were omitted from the 2018 edition despite publicly available information continuing to document their existence in all instances. All five issues continued to be omitted from the 2019 and 2020 reports, despite publicly available information continuing to document their existence in four instances respectively.

Years marked in red indicates where little or no information was found. Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State 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  2020

[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. The only source found in 2020 stated that in October 2019 the Attorney General had “indicated that his office is investigating […] the 2013 […] violent crackdowns on peaceful protests”, but no more recent information was found amongst the sources consulted]

#### 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  2020

[No sources were located reporting on the disappearance of humanitarian workers, and UN and other international personnel in conflict areas in 2019 and 2020 and only one source was located for 2018 reporting on one incident affecting a national staff of an international NGO]
1.3.3. Omissions in 2019 (compared to 2018, 2017 and 2016), some of which repeated in 2020

Eight issues documented in the 2018, 2017 and 2016 reports were omitted from the 2019 edition despite publicly available information continuing to document their existence in seven instances. Five issues continued to be omitted from the 2020 report, despite publicly available information continuing to document their existence in four instances.

Green indicates issue is reinserted. Years marked in red indicates where little or no information was found. Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

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

2019  2020

[No information was found in 2020 amongst the sources consulted]

2. “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  2020

[Note that all sources located covered the period January – July 2019. The sources found in 2020 documented the continuation of torture in detention but did not specify the forms of torture or mistreatment administered]

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. This was repeated in 2020]

3. “The government tightly controlled information about the RSF, and public criticism of the RSF often resulted in arrest or detention”

2019  2020

[No information was found in 2019 amongst the sources consulted]

4. “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”

[Note: The 2020 report included elsewhere some examples of interethnic fighting and where the government tried to intervene]

2019  2020

5. “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: 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”. In 2020 the report stated: “Although impunity was less of a problem than in previous years, some problems with impunity in the security forces remained. The CLTG took strong steps towards reckoning with the crimes perpetrated by the Bashir regime, including opening up investigations into past abuses and working to address legal immunities that would otherwise bar prosecutions for serious crimes”]

2019  2020

[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]

6. “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  2020

7. “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: 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”. In 2020 the report stated: “Although impunity was less of a problem than in previous years, some problems with impunity in the security forces remained. The CLTG took strong steps towards reckoning with the crimes perpetrated by the Bashir regime, including opening up investigations into past abuses and working to address legal immunities that would otherwise bar prosecutions for serious crimes”]

2019  2020

[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]
1.e. Denial of fair public trial

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

2019  2020

[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]

1.3.4. Omissions in 2020 (compared to 2019, 2018, 2017 and 2016)

Nineteen issues documented in the 2019 report were omitted from the 2020 edition despite publicly available information continuing to document their existence.

Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

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”

[Note: The 2020 report omitted to include any reference that the Civilian-Led Transitional Government (CLTG) or its agents committed arbitrary or unlawful killings with the exception of referring to the “use of lethal excessive force against civilians and demonstrators”, though less than in 2019, and referring to “rogue elements of the security apparatus”. Research therefore focused on arbitrary or unlawful killings that occurred outside of demonstrations]

2020

2. “Security forces used lethal excessive force against civilians, demonstrators, and detainees, including in conflict zones (see section 1.g.); such acts significantly decreased under the CLTG”

[Note: The 2020 report omitted to include the use of “lethal excessive force against” detainees. Research therefore focused on that particular profile]

2020

1.b. Disappearance

3. “Security forces [under Bashir] detained political opponents incommunicado and without charge”

2020
4. “Human rights activists asserted that NISS ran “ghost houses” [under Bashir]

2020

[Research focused on the continued occurrence of so-called “ghost houses” or unregistered detention centers under the Civilian-Led Transitional Government (CLTG)]

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

2020

[Research focused on the continued occurrence of detaining peaceful protesters under the Civilian-Led Transitional Government (CLTG)]

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

6. “there were isolated reports of intimidation by some potentially rogue elements of the security apparatus, particularly the RSF”

2020

7. “NISS holding cells in Khartoum North prisons were known to local activists as “the fridges” due to the extremely cold temperatures and the lack of windows and sunlight”

2020

[Only one source was located in 2020 documenting on the coldness of a cell and that prisoners were kept in the basement]

1.d. Arbitrary arrest or detention

8. “During the first few months of the year, authorities, especially NISS, arbitrarily detained political opponents, protesters, human rights defenders, journalists, students, and professionals (see section 1.e.). [...] There were no reports of arbitrary arrest or detentions under the CLTG”

2020

[Sources continued to document the arbitrary arrest of political opponents, protesters, human rights defenders, journalists, and professionals in 2020. Sources also reported on the arbitrary arrest of young people, especially during protests, without specifying whether these were students]

9. “Security forces including police harassed suspected government opponents”

2020
[One source was located in 2020 amongst the sources consulted that reported on the harassment of members of the Resistance Committees]

10. “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. Individuals accused of threatening national security routinely were charged under the national security law rather than the criminal code and frequently detained without charge”

[Note: The 2020 report no longer included whether or not provisions were followed or not with regards to being informed about the reasons for detention]

2020

[The sources found in 2020 reported that individuals continued to be detained without knowing or being informed about the reason for their detention. No information was found on whether individuals accused of threatening national security were charged under the national security law rather than the criminal code]

1.e. Denial of fair public trial

11. “Throughout the year, the judiciary was inefficient and subject to corruption”

2020

12. “In Darfur and other remote areas, judges were often absent from their posts, delaying trials”

2020

[In 2020 one source was located highlighting the insufficient number of judges and prosecutors in several localities in Darfur]

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”

2020

14. “During the Bashir regime, defendants had limited opportunities to meet with counsel and were not always allowed to present witnesses during trial”

[Note: In 2019 this sentence was classified as a possible improvement, but no or limited information was found amongst the sources consulted to refute the improvement. In the 2020 report the sentence was completely omitted]

2020
15. “Government authorities detained Darfuri students and political opponents throughout the year, often reportedly subjecting them to torture”

2020

[One source was found in 2020, but it did not specifically mention Darfuri students and political opponents as those being arbitrary arrested and detained, but did mention members of the Resistance Committees in Darfur, as well as youngsters]

1.g. Abuses in Internal Conflict

16. “Human rights monitors reported the Bashir government’s national arms collection campaign was incomplete and directed at certain groups, while exempting some Arab groups”

2020

17. “Bashir regime forces abused persons detained in connection with armed conflict as well as IDPs suspected of having links to rebel groups”

[Note: In the 2019 report this sentence was included suggesting that the previous regime abused persons detained in connection with the armed conflict as well as IDPs suspected of having links to rebel groups. This was omitted in the 2020 edition. However, information found in the public domain continues to document the abuse faced by IDPs suspected of having links to rebel groups]

2020

18. “The Bashir government continued to use bureaucratic impediments to restrict the actions of humanitarian organizations, delaying the release of food and necessary equipment to UNAMID for prolonged periods. The resulting shortages hampered the ability of UNAMID troops to communicate, conduct robust patrols, and protect civilians and incurred demurrage charges and additional costs for troop- and police-contributing countries and the United Nations. This practice was being reduced under the CLTG”

2020

[Sources continue to document bureaucratic impediments to restrict actions of humanitarian organisations even if to a lesser extent than under the Bashir government]

19. “All states in Darfur were under varying states of emergency”
2. Section 2. Respect for Civil Liberties

2.1. Use of language

2.1.1. Observations in 2017, all repeated in 2018, 2019 and 2020

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, which is discussed further below at section 2.3.1. The following contextual information previously found in the 2016 report was no longer included in the subsequent editions.

<table>
<thead>
<tr>
<th>2016 report</th>
<th>2017, 2018, 2019 and 2020 reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>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</td>
<td>[...] Removed [...]</td>
</tr>
</tbody>
</table>

In 2020 the section ‘G. Stateless Persons’ was re-inserted together with the following information: “Many South Sudanese refugees in the country not registered with the South Sudanese government risked statelessness”. However no additional information was provided.

2.1.2. Observations in 2018

There were no notable additional language changes observed in section 2. Respect for Civil Liberties across the 2018 report.

2.1.3. Observations in 2019

There were no notable additional language changes observed in section 2. Respect for Civil Liberties across the 2019 report.

2.1.4. Observations in 2020

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

The following contextual information previously found in the 2016, 2017, 2018 and 2019 reports was no longer included in the 2020 edition:
---|---
Recognition as refugees allowed South Sudanese to receive more services from UNHCR. At the state level, however, governments still referred to them as “brothers and sisters.” | [...] Removed [...] 

### 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* across the 2017 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

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

There were no notable additional improvements observed in section 2. *Respect for Civil Liberties* across the 2018 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

#### 2.2.3. 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:

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

   [Note: In the 2020 report this sentence was removed and classified as an omission, which is further discussed at section 2.3.4. See also section 2.2.4 below for information in relation to press and media freedoms as well as harassment of journalists]

   *Post-August 2019*

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

   “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]”

---

17 ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019
2.4. 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”

2.4. Improvements in 2020 (compared to 2019, 2018, 2017 and 2016)

The following five improvements in the situation in 2020, compared to the 2016, 2017, 2018 and 2019 reports, were observed that were inconsistent with the situation as reported by other publicly available sources:

2.a. Freedom of speech and press

1. “Freedom of Press and Media, Including Online Media: The CLTG generally respected press and media freedoms and issued a number of media licenses, although media continued to be dominated by former regime loyalists”

“Violence and Harassment: Unlike under the prior regime, there were no reports of the CLTG using violence and harassment against journalists”

“Censorship or Content Restrictions: In contrast with previous years, there were no reports of government censorship or print confiscations. Many journalists, however, practiced self-censorship in reporting on corruption”

---

18 ‘Post-August 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
19 ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
20 ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
[The sources found documenting the situation in 2020 reported that freedom of press and media, including online media were not generally respected and that journalists continued to face arbitrary arrest, detention, violence and harassment]

2. "National Security: In contrast with previous years, there were no reports of authorities using national security as a justification to arrest or punish critics of the government or deter criticism of the government"

2020

3. “The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority”

2020

2.3. Omissions

2.3.1. Omissions in 2017 (compared to 2016), all repeated in 2018, 2019 and 2020

Three issues documented in the 2016 report were omitted from the 2017 edition, despite publicly available information continuing to document their existence in two instances. All of these issues continued to be omitted in 2018 and 2019 despite publicly available information continuing to document their existence in all instances. In 2020 also all of these issues continued to be omitted, but publicly available information continuing to document their existence was only located in one instance.

Green indicates issue reinserted. Years marked in red indicates where little or no information was found. Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

2.a. Freedom of speech and 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  2020

[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  2020

[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 gender assembly meetings” or preventing organizations from holding elections or filling vacant positions”]

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

3. “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: 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” and in the 2020 report that “UNHCR reported there were many South Sudanese in the country who were unregistered and at risk of statelessness” and “Many South Sudanese refugees in the country not registered with the South Sudanese government risked statelessness”]

2017  2018  2019  2020

[No information was located for 2017 and 2020 amongst the sources consulted]

2.3.2. Omissions in 2018 (compared to 2017 and 2016), all repeated in 2019 and 2020

One issue documented in the 2017 and 2016 reports was omitted from the 2018, 2019 and 2020 editions, despite publicly available information continuing to document its existence in 2018 and 2019.

Years marked in red indicates where little or no information was found. Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.
2.a. Freedom of speech and press

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

<table>
<thead>
<tr>
<th>Year</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
</tr>
</thead>
</table>

[Amongst the sources consulted only one relevant source was located for 2018. No information was located in 2020 amongst the sources consulted]

2.3.3. Omissions in 2019 (compared to 2018, 2017 and 2016)

There were no notable additional omissions observed in section 2. Respect for Civil Liberties of the 2019 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

2.3.4. Omissions in 2020 (compared to 2019, 2018, 2017 and 2016)

Three issues documented in the previous four editions were omitted from the 2020 report despite publicly available information continuing to document their existence in all instances.

Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

2.a. Freedom of speech and press

1. “The former regime influenced radio and television reporting through the permit process as well as by offering or withholding regime payments for advertisements, based on how closely affiliated media outlets were with the regime”

   [2020]

2. “The former regime arbitrarily arrested journalists, detaining them and holding them incommunicado, sometimes for weeks”

   [2020]

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

3. “As in previous years, neither the Bashir government nor the CLTG government established formal IDP or refugee camps in Khartoum or the Two Areas”

   [2020]
3. Section 3. Freedom to Participate in the Political Process

3.1. Use of language

3.1.1. Observations in 2017

There were no notable language changes observed in section 3. Freedom to Participate in the Political Process across the 2017 report.

3.1.2. Observations in 2018, all repeated in 2019, most of which repeated in 2020

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, 2019 and 2020 editions:

<table>
<thead>
<tr>
<th>2017 reports [emphasis added]</th>
<th>2018, 2019 and 2020 reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>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</td>
<td>[Removed]</td>
</tr>
<tr>
<td>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</td>
<td>[Removed]</td>
</tr>
<tr>
<td>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</td>
<td>[Removed]</td>
</tr>
<tr>
<td>Political Parties and Political Participation: The NCP dominated the political landscape, controlling all of the regional governorships and holding a two-thirds majority in the National Assembly</td>
<td>[Words in bold removed in 2018 and 2019. Whole paragraph removed in 2020]</td>
</tr>
<tr>
<td>The Political Parties Affairs Council oversees the registration of political parties. The ruling party controls the council; it is not an independent body</td>
<td>[Words in bold removed in 2018 and 2019. Whole paragraph removed in 2020]</td>
</tr>
<tr>
<td>In December 2016 the National Legislature ratified constitutional amendments recommended by the National Dialogue, which concluded in October 2015.</td>
<td>[Removed]</td>
</tr>
</tbody>
</table>
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.

The 2018 report amended the way it described the Republican (Jamhori) Party, repeated in 2019, compared to the 2017 edition [emphasis added]:

<table>
<thead>
<tr>
<th>2017</th>
<th>2018 and 2019 reports [emphasis added]</th>
</tr>
</thead>
<tbody>
<tr>
<td>the Republican (Jamhori) Party, which opposes violent extremism and promotes secularism</td>
<td>the Republican (Jamhori) Party, an Islamic reform movement which promotes justice and equality</td>
</tr>
</tbody>
</table>

The 2020 report omitted this sentence all together, which is further discussed at 3.3.4. below.

### 3.1.3. Observations in 2019

There were no notable additional language changes observed in section 3. *Freedom to Participate in the Political Process* across the 2019 report.

### 3.1.4. Observations in 2020

There were no notable additional language changes observed in section 3. *Freedom to Participate in the Political Process* across the 2020 report.

#### 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* of the 2017 report that were not reflective of the situation as reported by other sources.
3.2.2. Improvements in 2018 (compared to 2017 and 2016)

There were no notable improvements observed in section 3. Freedom to Participate in the Political Process of the 2018 report that were not reflective of the situation as reported by other sources.

3.2.3. Improvements in 2019 (compared to 2018, 2017 and 2016), all repeated in 2020

The following improvement in the situation in 2019, compared to 2016, 2017 and 2018, and repeated in the 2020 edition, was observed that was not reflective of the situation as reported by other 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”

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

Post-April 201921 2020

[Most sources located reported on continued restrictions on political party demonstrations, 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]

3.2.4. Improvements in 2020 (compared to 2019, 2018, 2017 and 2016)

There were no notable improvements observed in section 3. Freedom to Participate in the Political Process of the 2020 report that were not reflective of the situation as reported by other sources.

3.3. Omissions

3.3.1. Omissions in 2017 (compared to 2016)

There were no notable omissions observed in section 3. Freedom to Participate in the Political Process of the 2017 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

3.3.2. Omissions in 2018 (compared to 2017 and 2016), all repeated in 2019 and 2020

Three issues documenting the situation in 2017 were omitted from the 2018 report despite available information documenting all issues. All of these issues continued to be omitted from the 2019 report and information was found documenting the existence of all of these. As for the 2020 report, two of

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21 ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
those issues were also omitted despite publicly available sources continuing to document their existence.

Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State 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”

   [Note: This sentence was also omitted from the 2020 report, but publicly available information suggested that the peace negotiations were no longer ‘stalled’]

   2018   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   2020

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   2020

   [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. Omissions in 2019 (compared to 2018, 2017 and 2016)

There were no additional omissions observed in section 3. Freedom to Participate in the Political Process of the 2019 report that were observed to be inconsistent with the situation on the ground as reported by other publicly available sources.

3.3.4. Omissions in 2020 (compared to 2019, 2018, 2017 and 2016)

One issue documented in the previous four editions was omitted from the 2020 report, despite publicly available information continuing to document its existence.

Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.
Political Parties and Political Participation

1. “The NCP dominated the political landscape, holding well over a two-thirds majority in the former National Assembly. The Original Democratic Unionist Party, the Registered Faction Democratic Unionist Party, and independents held the remaining seats. The Political Parties Affairs Council listed 92 registered political parties [...] The Political Parties Affairs Council oversees the registration of political parties. The ruling party controls the council. The council refused to register the Republican (Jamhori) Party, an Islamic reform movement that promotes justice and equality. The party leader filed an appeal in the Constitutional Court in 2017, which remained pending at year’s end. 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”

[Research focused on any reference to which political parties exist; which political opposition parties exist; which ones had registered; whether the Political Parties Affairs Council continued to oversee registration of parties; whether any parties were refused registration; whether political parties and its members were free to hold meetings, activities etc.]

2020

4.1. Use of language

There were no notable language changes observed in section 4. Corruption and Lack of Transparency in Government across the 2017, 2018, 2019 and 2020 reports.

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 across the 2017 report that were not reflective of the situation as reported by other publicly available sources.

4.2.2. Improvements in 2018

There were no notable additional improvements observed in section 4. Corruption and Lack of Transparency in Government across the 2018 report that were not reflective of the situation as reported by other publicly available sources.

4.2.3. Improvements in 2019 (compared to 2018, 2017 and 2016), all repeated in 2020

The following improvement in the situation in 2019, compared to the 2018, 2017 and 2016 reports, and repeated in 2020, 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 201922 2020

4.2.4. Improvements in 2020

There were no notable additional improvements observed in section 4. Corruption and Lack of Transparency in Government across the 2020 report that were not reflective of the situation as reported by other publicly available sources.

4.3. Omissions

4.3.1. Omissions in 2017 (compared to 2016), all repeated in 2018, 2019 and 2020

22 ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
One issue documented in the 2016 report was omitted from the 2017, 2018, 2019 and 2020 reports despite publicly available information continuing to document its existence.

Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

4. Public Access to Information

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”

[Note: The 2017, 2018, 2019 and 2020 reports had the section and full content removed from its editions]

2017 2018 2019 2020

[The information found amongst the sources consulted mainly confirmed that the 2015 Freedom of Information Law existed in 2017, 2018, 2019 and 2020, but information was scarce on the implication of its implementation, especially in 2017]

4.3.2. Omissions in 2018 (compared to 2017 and 2016)

There were no notable additional omissions observed in section 4. Corruption and Lack of Transparency in Government of the 2018 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

4.3.3. Omissions in 2019 (compared to 2018, 2017 and 2016)

There were no notable additional omissions observed in section 4. Corruption and Lack of Transparency in Government of the 2019 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

4.3.4. Omissions in 2020 (compared to 2019, 2018, 2017 and 2016)

There were no notable additional omissions observed in section 4. Corruption and Lack of Transparency in Government of the 2020 report that were inconsistent with the situation on the ground as reported by other publicly available sources.
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

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

<table>
<thead>
<tr>
<th>2016 report [emphasis added]</th>
<th>2017 report [emphasis added]</th>
</tr>
</thead>
<tbody>
<tr>
<td>The HAC <strong>obstructed</strong> the work of NGOs including in Darfur, the Two Areas, White Nile State, and Abyei</td>
<td>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</td>
</tr>
</tbody>
</table>

In the subsequent reports any mention of the HAC was reduced to a brief sentence in section 1.g. stating that the HAC issued guidelines to “ease restrictions on movement of humanitarian workers” ranging in the subsequent sentence from “the guidelines were not consistently implemented during the year” (2017 and 2018) to “While the guidelines were not consistently implemented, there was marked improvement” (2019) and “While the guidelines were not consistently implemented, there was marked improvement from the Bashir regime” (2020). This is further discussed in section 5.3.2.

5.1.2. Observations in 2018

There were no notable additional language changes observed in section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights across the 2018 report.

5.1.3. Observations in 2019

There were no notable additional language changes observed in section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights across the 2019 report.

5.1.4. Observations in 2020

There were no notable additional language changes observed in section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights across the 2020 report.

5.2. Improvements
5.2.1. Improvements in 2017 (compared to 2016), all repeated in 2018, 2019 and 2020

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 and 2020 reports but amongst the sources consulted no information was found to corroborate or refute its improvement.

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

[Note: 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  2020

[Amongst the sources consulted no information was located for 2019 or 2020]

5.2.2. Improvements in 2018 (compared to 2017 and 2016)

There were no notable additional improvements observed in in section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights across the 2018 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

5.2.3. Improvements in 2019 (compared to 2018, 2017 and 2016), all repeated in 2020

The following improvement in the situation in 2019, compared to 2018, 2017 and 2016, was observed, and repeated in 2020, which was found not to be commensurate with the situation as reported by other publicly available sources:

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  2020

[Information located amongst the sources consulted post-April 2019 and 2020 found that international organisations and UN agencies were given more access and allowed to provide assistance, but in 2019 one source questions whether this extended to human rights groups, whilst in 2020 two sources continued to report “heavy administrative procedures” and “obstacles”, especially in relation to the delivery of humanitarian assistance]

23 ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
5.2.4. Improvements in 2020 (compared to 2019, 2018, 2017 and 2016), repeated in 2020

There were no notable additional improvements observed in section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights across the 2020 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

5.3. Omissions

5.3.1. Omissions in 2017 (compared to 2016), all repeated in 2018, 2019 and 2020

One issue documented in the 2016 report was omitted from the 2017, 2018, 2019 and 2020 reports despite publicly available information continuing to document its existence.

Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

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  2020

   [The sources located for 2017, 2018, 2019 and 2020 continue to report on the sanctions regime imposed on Sudan and its non-compliance with regards to Darfur]

5.3.2. Omissions in 2018 (compared to 2017 and 2016), some of which repeated in 2019 and all repeated in 2020

Three issues documented in the 2017 and 2016 reports were omitted from the 2018 edition, despite publicly available information continuing to document their existence in all instances. Two of these issues continued to be omitted in 2019, despite publicly available information continuing to document their existence in one instance. In 2020 all three issues continued to be omitted, despite publicly available information continuing to document their existence in two instances.

Green indicates issue reinserted. Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

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: The 2018 report mentioned 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. In 2020 there was no mention of the HAC]

2018  2019  2020

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

2018  2019  2020

[Amongst the sources consulted those found covering 2018 did not always mention the reasons of the arrest, whilst no sources were located for 2019 and 2020]

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: The 2019 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. The 2020 report omitted any such information]

2018  2019  2020

5.3.3. Omissions in 2019 (compared to 2018, 2017 and 2016)

There were no notable additional omissions observed in section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights of the 2019 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

5.3.4. Omissions in 2020 (compared to 2019, 2018, 2017 and 2016)

There were no notable additional omissions observed in section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights of the 2020 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

6.1. Use of language


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, 2019 and 2020 editions:

<table>
<thead>
<tr>
<th>2016 report</th>
<th>2017, 2018, 2019 and 2020 reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>Girls generally were cut when they were five to 11 years old. Comprehensive figures were not available.</td>
<td>[Removed]</td>
</tr>
<tr>
<td>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</td>
<td>[Removed in 2017, 2018 and 2019. In 2020 the information was re-inserted in a slightly amended form: The law criminalizes sexual harassment and provides a penalty not to exceed three years’ imprisonment if convicted. Government officials have not enforced sexual harassment law effectively. There were no specific data available on the prevalence of sexual harassment throughout the country]</td>
</tr>
<tr>
<td>In 2013 the government reported that overall female enrolment increased to 69 percent, as the result of a national education strategy focused on girls</td>
<td>[Removed]</td>
</tr>
<tr>
<td>In public schools boys and girls are educated separately in urban areas but often together in rural areas, where resources are more limited</td>
<td>[Removed]</td>
</tr>
<tr>
<td>The government adopted in December 2015 a draft national strategy to promote the abandonment of child marriage</td>
<td>[Removed]</td>
</tr>
</tbody>
</table>

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:

<table>
<thead>
<tr>
<th>2016 report</th>
<th>2017, 2018, 2019 and 2020 reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sexual exploitation of children was less prevalent in nonconflict area</td>
<td>[Removed]</td>
</tr>
<tr>
<td>Child abuse and abduction for ransom were widespread in conflict areas and less prevalent in nonconflict areas</td>
<td>[Removed]</td>
</tr>
</tbody>
</table>

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:

<table>
<thead>
<tr>
<th>2016 report</th>
<th>2017, 2018, 2019 and 2020 reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interethnic fighting in Darfur was between Muslims who considered themselves either Arab or non-Arab and between different Arab tribes</td>
<td>[Removed]</td>
</tr>
<tr>
<td>“National Identity” is one of the six discussion committees of the national dialogue</td>
<td>[Removed]</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>2016 report</th>
<th>2017, 2018, 2019 and 2020 reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>The population includes more than 500 ethnic groups, speaking numerous languages and dialects. Many of these ethnic groups self-identify as Arab, referring to their language and other cultural attributes</td>
<td>The population includes more than 500 ethnic groups, speaking numerous languages and dialects. Some of these ethnic groups self-identify as Arab, referring to their language and other cultural attributes</td>
</tr>
</tbody>
</table>

6.1.2. Observations in 2018, all repeated in 2019 and 2020

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, 2019 and 2020 editions:

<table>
<thead>
<tr>
<th>2017 report</th>
<th>2018, 2019 and 2020 reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>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</td>
<td>[Removed]</td>
</tr>
<tr>
<td>The Interim National Constitution obligates states to combat harmful customs and traditions that undermine the dignity and status of women</td>
<td>[Removed]</td>
</tr>
<tr>
<td>A birth certificate does not automatically qualify a child for citizenship</td>
<td>[Removed]</td>
</tr>
</tbody>
</table>

6. Women / Rape and domestic violence
A statement made by human rights organisations in the 2017 report was no longer included in the 2018, 2019 and 2020 editions:

<table>
<thead>
<tr>
<th>2017 report [emphasis added]</th>
<th>2018, 2019 and 2020 reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>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, <strong>including a substantial gap between the law and its implementation</strong></td>
<td>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</td>
</tr>
</tbody>
</table>

6.1.3. Observations in 2019

There were no notable additional language changes observed in section 6. Discrimination, Societal Abuses, and Trafficking in Persons across the 2019 report.

6.1.4. Observations in 2020

There were no notable additional language changes observed in section 6. Discrimination, Societal Abuses, and Trafficking in Persons across the 2020 report.

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 across the 2017 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

6.2.2. Improvements in 2018 (compared to 2017 and 2016)

There were no notable improvements observed in section 6. Discrimination, Societal Abuses, and Trafficking in Persons across the 2018 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

6.2.3. Improvements in 2019 (compared to 2018, 2017 and 2016)

Two reported improvements in the situation in 2019 compared to the previous editions which was not reflective of the situation on the ground as reported by other publicly available sources was observed. None of these were repeated in 2020.

Green indicates issue is reinserted. Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.
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”

[Note: The 2020 report amended it to state: “The law, including many traditional legal practices and certain provisions of Islamic jurisprudence, continued to discriminate against women”]

Post-April 201924 2020

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”

Post-April 201925

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

6.2.4. Improvements in 2020 (compared to 2019, 2018, 2017 and 2016)

There were no notable additional improvements observed in section 6. Discrimination, Societal Abuses, and Trafficking in Persons in the 2020 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

6.3. Omissions

6.3.1. Omissions in 2017 (compared to 2016), all repeated in 2018, 2019 and 2020

Twenty one issues documented in the 2016 report were omitted from the 2017 edition despite publicly available information continuing to document their existence in twenty instances. All of these issues continued to be omitted from the 2018 reports and information was found documenting the existence of eighteen of these. Again, all twenty one issues continued to be omitted from the 2019 report and information was found documenting the existence of nineteen of these. In March 2021 the U.S. Department of State noted that it “will release an addendum to each 2020 country report that expands the subsection on women in Section 6, entitled “Discrimination, Societal Abuses, and Trafficking in Persons,” to include a broader range of issues related to reproductive rights”.26 At the time of finalising the review of the 2020 U.S. Department of State country reports, these addendum had not been published yet. As a result, the 2020 reviews did not include research or analysis on the subsection Coercion in Population Control. Notwithstanding the above, out of the remaining sixteen issues which were not related to reproductive rights and omitted from the 2017 edition, all of them

24 ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
25 ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
continued to be omitted from the 2020 report and information was found documenting the existence of eleven of these.

Years marked in red indicates where little or no information was found. Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State 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: 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 2020

6. Women / Reproductive Rights

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]

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  2020

8. “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”

2017  2018  2019  2020

[No relevant information was located for 2017 and 2018 amongst the sources consulted]

6. Children / Education

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

2017  2018  2019  2020

[No relevant information was located for 2018 and 2020 amongst the sources consulted]

10. “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  2020

6. Children / Child Abuse

11. “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  2020
Amongst the sources consulted only one source was located for 2017 and 2020 and no relevant information was located for 2019.

6. Children / Early and Forced Marriage:

12. “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 2020

6. Children / Sexual Exploitation of Children

13. “Child prostitution also remained a problem”

2017 2018 2019 2020

[No information was found amongst the sources consulted in relation to 2018, 2019 and 2020]

6. Children / Displaced Children

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

2017 2018 2019 2020

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

15. “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 2020

[No information was found amongst the sources consulted in relation to 2020]

6. Persons with Disabilities

16. “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 2020
[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 2019 and 2020 sources located reported on the number of disabled children out of school and the lack of qualified staff in specifically built facilities]

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

2017  2018  2019  2020

[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. No information was found amongst the sources consulted in relation to 2020]


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

2017  2018  2019  2020

[The U.S. Department of State’s own International Religious Freedom reports on Sudan covering events in 2017, 2018, 2019 and 2020 continued to documents the government’s discriminatory approach against ethnic and religious minorities in depth, which can be accessed here]

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

2017  2018  2019  2020

[Limited information was located amongst the sources consulted covering 2017, 2018 and 2019. No information was found amongst the sources consulted in relation to 2020]

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

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

2017  2018  2019  2020

[Only one source of information was found reporting on 2017, whilst the one source found for 2020 documented the online harassment the LGBTI community experienced]

6. HIV and Aids Social Stigma

21. Any figures post-August 2015 on the number of Sudanese living with HIV/AIDS
[Note: The 2016 report included figures relating to post-August 2015]

2017  2018  2019  2020

6.3.2. Omissions in 2018 (compared to 2017 and 2016), all repeated in 2019

One issue documented in the 2017 report was omitted from the 2018 and 2019 editions despite publicly available information continuing to document its existence. Whilst this issue was also omitted from the 2020 report, no further research was undertaken as at the time of finalising the review of the 2020 U.S. Department of State country report, the planned addendum to each 2020 country report to “include a broader range of issues related to reproductive rights” had not been published yet.27

Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

6. Women / Reproductive Rights


2018  2019

6.3.3. Omissions in 2019 (compared to 2018, 2017 and 2016)

There were no notable additional omissions observed in section 6. Discrimination, Societal Abuses, and Trafficking in Persons across the 2019 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

6.3.4. Omissions in 2020 (compared to 2019, 2018, 2017 and 2016)

The following issue included in the 2016, 2017, 2018 and 2019 reports was omitted from the 2020 report, despite publicly available information continuing to document its existence.

Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

1. “Northern Muslims traditionally dominated the government”

2020

7. Section 7. Worker Rights

7.1. Use of language

7.1.1. Observations in 2017, all repeated in 2018, 2019 and 2020

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

It was observed that the 2017, 2018, 2019 and 2020 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:

<table>
<thead>
<tr>
<th>2016 report [emphasis added]</th>
<th>2017, 2018, 2019 and 2020 reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>According to the Child Act, 12 years old is the minimum age children can be engaged in “light work” […] 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 authorities may exempt persons ages 15 and 16 years old from this restriction. It is illegal to employ children under age 12 years old, 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</td>
<td>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.</td>
</tr>
</tbody>
</table>

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, 2019 and 2020 editions:

<table>
<thead>
<tr>
<th>2016 report</th>
<th>2017, 2018, 2019 and 2020 reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>[Removed]</td>
</tr>
</tbody>
</table>

7.1.2. Observations in 2018

There were no notable additional language changes observed in section 7. Worker Rights across the 2018 report.
7.1.3. Observations in 2019, all repeated in 2020

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 and 2020 editions:

<table>
<thead>
<tr>
<th>2016, 2017 and 2018 reports [emphasis added]</th>
<th>2019 and 2020 reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>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</td>
<td>[Removed]</td>
</tr>
<tr>
<td>The government did not always enforce such laws due to inadequate resources and societal complicity.</td>
<td>During the year, the government did not effectively enforce such laws</td>
</tr>
</tbody>
</table>

7.1.4. Observations in 2020

There were no notable additional language changes observed in section 7. Worker Rights across the 2020 report.

7.2. Improvements

7.2.1. Improvements in 2017 (compared to 2016)

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

7.2.2. Improvements in 2018 (compared to 2017 and 2016)

There were no notable improvements observed in section 7. Worker Rights across the 2018 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

7.2.3. Improvements in 2019 (compared to 2018, 2017 and 2016), all repeated in 2020

The following improvement in the situation in 2019, compared to 2018, 2017 and 2016, was observed, and repeated in 2020, which was found not to be commensurate with the situation as reported by other sources:

7.d. 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 201928 2020

7.2.4. Improvements in 2020 (compared to 2019, 2018, 2017 and 2016)

There were no notable improvements observed in section 7. Worker Rights across the 2020 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

7.3. Omissions

7.3.1. Omissions in 2017 (compared to 2016)

There were no notable omissions observed in section 7. Worker Rights of the 2017 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

7.3.4. Omissions in 2018 (compared to 2017 and 2016)

There were no notable omissions observed in section 7. Worker Rights of the 2018 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

7.3.4. Omissions in 2019 (compared to 2018, 2017 and 2016)

There were no notable omissions observed in section 7. Worker Rights of the 2019 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

7.3.4. Omissions in 2020 (compared to 2019, 2018, 2017 and 2016)

One issue documented in the 2016, 2017, 2018 and 2019 reports was omitted from the 2020 edition despite publicly available information continuing to document its existence.

Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

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

28 ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019
1. “The law under the Bashir regime and the TMC denied trade unions autonomy to exercise the right to organize or to bargain collectively. It defined the objectives, terms of office, scope of activities, and organizational structures and alliances for labor unions” and “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. There were credible reports the government routinely intervened to manipulate professional, trade, and student union elections”

[Sources found in 2020 reported on the dissolution of trade unions in Sudan]
8. Executive Summary of US Department of State 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, 2019 and 2020 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. Department of report. In some instances, a human rights issue was removed from both the Executive Summary and the relevant section of the U.S. Department of State 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”, in 2019 the categorisation was amended to “Significant human rights issues under the Bashir government” and in 2020 to “Significant human rights abuses included”.

All five Executive Summaries further listed specific human rights violations occurring as part of the conflict in Darfur, which in the case of the 2017, 2018, 2019 and 2020 reports was expanded to include the Two Areas i.e. South Kordofan and Blue Nile. In addition, the 2017, 2018, 2019 and 2020 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 and 2020 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 reports’ section 3. Freedom to Participate in the Political Process and subsection Elections and political participation presenting similar information, with the slight exception of the 2020 edition, which is discussed further at 3.3.4.
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 and 2020 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 years. For more discussion on this see 1.3.2.

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 and 2020 Executive Summary not only failed to mentioned 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 2019 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. The 2020 report instead mentions in section 1.d.: “Although impunity was less of a problem than in previous years, some problems with impunity in the security forces remained. The CLTG took strong steps towards reckoning with the crimes perpetrated by the Bashir regime, including opening up investigations into past abuses and working to address legal immunities that would otherwise bar prosecutions for serious crimes”. For more discussion on this see 1.2.3.

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, 2019 and 2020 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. In 2020 the human rights violation ‘torture’ was removed from the Executive Summary in relation to detainees and prisoners,
which was in line with the reported improvement of the treatment of detainees and prisoners in the main body of the report. This is further discussed at 1.2.4. and 1.3.4.

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” or in the case of the 2020 edition with “lack of investigation of and accountability for violence against women”. Thus four 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, which was actually omitted in the 2020 edition.

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, 2019 and 2020 editions narrowed it down to “rape of civilians” committed by paramilitary forces and rebel groups and in the case of the 2020 Executive Summary added ‘sporadically’ at the front suggesting an improvement of the situation which is not fully consistent with the information provided at section 1.g. Abuses in internal conflict. 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.

Whilst the previous Executive Summary noted that “extrajudicial and other unlawful killings” (2016), “extrajudicial killings” (2017), “unlawful or arbitrary killings” (2018 and 2019) occurred, the 2020 Executive Summary included “included distancing language when mentioning these violations by adding [emphasis added] “reports of unlawful or arbitrary killings”, which may imply a questioning of whether such violations occurred.

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. However, in the 2020 Executive Summary these human rights violations were omitted (see further below).

Improvements

It was observed that four reported improvements were suggested across the four 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, which was not repeated in 2020. Instead, the 2020 Executive Summary reported an additional improvement. Three 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 1. Respect for the Integrity of the Person of the reports
Whilst the 2016, 2017, 2018 and 2019 Executive Summary reported on the killing, torture and rape of civilians by forces involved in Darfur and the Two Areas, the 2020 Executive Summary added “sporadically” to these violations, implying that the situation had improved in 2020. However, this appears to be inconsistent with information included in section 1.g. Abuses in Internal Conflict, which continues to document about the ongoing killings, torture and rape of civilians by security forces, paramilitary forces, and rebel groups.

**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”. This human rights issue was omitted from the 2020 Executive Summary.

**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 2020 Executive Summary similarly to 2017 noted the “criminalization of consensual same-sex conduct” as a human rights issue, but omitted that it was linked to “severe penalty”.

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, which includes sources that do not necessarily justify an assessment of “greatly improved” with regards to freedom of assembly. This assessment was removed in the 2020 Executive Summary.

**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 three additional ones compared to the 2016
The same was observed in 2019. In 2020 the original eighteen omitted in the 2017 report continued to be omitted, as well as the two of the additional ones omitted in the 2018 report, and six additional ones. 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 and of which two continued to be omitted in 2020. 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 and 2020;
- “The government ceased its aerial bombardments and scorched-earth tactics in conflict zones” in 2018 and 2020;
- “Abuses perpetrated by NISS with impunity through special security powers given it by the regime” in 2019 and 2020.

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:

- “Discrimination against women” in 2017, 2018, 2019 and 2020;
- “Early childhood marriage” in 2017, 2018, 2019 and 2020;
- “Use of child soldiers” in 2018, 2019 and 2020;
- “Child abuse” in 2017, 2018, 2019 and 2020;
- “Sexual exploitation of children” in 2017, 2018, 2019 and 2020;
- “Discrimination against ethnic and religious minorities” in 2017 and 2020;
- “Persons with disabilities” in 2017, 2018, 2019 and 2020;

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, 2019 and 2020:

- “Beating of civilians”
- “Forced displacement”;
- “Burning of villages”
- “Destroying food stores and other infrastructure necessary for sustaining life”;
- “Attacks on humanitarian targets, including humanitarian facilities and peacekeepers.”
The 2017 Executive Summary further listed human rights violations, of which the following were not repeated in 2018, 2019 and 2020:

- 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, 2019 and 2020.

The 2018 Executive Summary further listed the following three human rights violations, which were repeated in 2019, but omitted in 2020:

- Corruption;
- Forced disappearance;
- Political prisoners

Interestingly, almost all of these omissions in the 2017, 2018, 2019 and 2020 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.

Comparing the 2020 Executive Summary with the 2019 edition, the following human rights issues were omitted:

- Torture;
- 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;
- substantial interference with the rights of peaceful assembly and freedom of association, such as overly restrictive nongovernmental organization (NGO) laws;
- lack of accountability in cases involving violence against women, including […] female genital mutilation/cutting (FGM/C);
- Outlawing of independent trade unions;

These are all described by section of the U.S Department of State reports.

Omitted human rights issues relevant to Section 1. of the reports

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. In 2020 the human rights violation ‘torture’ was removed from the Executive Summary in relation to detainees and prisoners, which was in line with the reported improvement of the treatment of detainees and prisoners in the main body of the report. This is further discussed at 1.2.4 and 1.3.4.

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, 2019 and 2020 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 the 2017, 2018 and 2019 reports stated that “Some former detainees reported security forces held them incommunicado” and all reports stated that “Lengthy pretrial detention was common throughout the year”. For further discussions in relation to 2020, see 1.3.4.

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, 2019 and 2020 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”. In the 2020 Executive Summary this human rights issue was removed altogether. For further discussions see 1.3.4.

The Executive Summary of all five 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, 2019 and 2020 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. Some previously mentioned abuses affecting humanitarian workers were omitted from the main body of the 2017, 2018, 2019 and 2020 reports, but publicly available information continued to document their occurrence. For a discussion on this see 1.2.1., 1.3.1., and 5.2.1. 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 and 2020 Executive Summary.

Compared to 2018 and 2019, the 2020 Executive Summary omitted to mention “political prisoners”, in line with the main body of the report. However, information found in the public domain amongst other sources continued to document the prevalence of political prisoners. For further discussions see 1.2.4. and 1.3.4.
Omitted human rights issues relevant to Section 2 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. In the 2020 Executive Summary this human rights issue was removed altogether. For further discussions see 2.2.4 and 2.3.4.

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 216 and 2017. In the 2020 Executive Summary this human rights issue was removed altogether. For further discussions see 2.2.4 and 2.3.4.

In addition, whilst the 2019 Executive Summary noted the “arrest and intimidation of journalists, censorship, newspaper seizures, and site blocking”, “restrictions on religious liberty” and “substantial interference with the rights of peaceful assembly and freedom of association”, the 2020 omitted these in line with the main body of the report, but not consistent with information found in publicly available sources in 2020. For further discussions see 2.2.4, 2.3.4, and also 6.3.1, and 6.3.4.

Omitted human rights issue relevant to Section 5. Of the reports

All Executive Summary of the 2016, 2017, 2018 and 2019 reports referred to some kind of interference with the rights of peaceful assembly and restrictions faced by NGOs. The 2020 Executive Summary no longer included any such reference. For further discussions see 5.2.3.

Omitted human rights issues relevant to Section 6 of the reports

Despite section 6. Discrimination, Societal Abuses, and Trafficking in Persons in all five reports noting the discrimination experienced by women, the 2017, 2018, 2019 and 2020 Executive Summary failed to list it as a major human rights issue affecting Sudanese women, as the 2016 edition had done. Correspondingly, all four 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 6.3.1.

In the 2020 Executive Summary reference to FGM as continuing to be a human rights issue was omitted, despite section 6. In all five reports mentioning that it remained a problem throughout the country.

In another instance a child-related human rights issue omitted from the 2017, 2018, 2019 and 2020 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.

Despite sections 1.g. Abuses in internal conflict and 6. Discrimination, Societal Abuses, and Trafficking in Persons in all five reports noting the occurrence of child abuse and sexual exploitation of children
in both conflict and non-conflict settings, the 2017, 2018, 2019 and 2020 Executive Summary failed to list these as major human rights issues. Moreover, the 2018, 2019 and 2020 reports no longer listed the “use of child soldiers” as a human rights issue despite its continued reporting in I.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 with 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. In the 2020 Executive Summary discrimination against ethnic and religious minorities (2016), as well as restrictions on religious liberty (2018 and 2019), was removed altogether. For further discussions see 1.3.1 and 6.3.4.

The 2017, 2018, 2019 and 2020 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.

Omitted human rights issue relevant to Section 7. of the report

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 documented 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. For 2019 issues, sources were consulted that reported the situation in 2019 that were published before 11 March 2020, and for 2020 issues, sources were consulted that reported the situation in 2020 that were published before 30 March 2021.

Databases
Asylum’s Research Notes
EASO COI Portal
European Country of Origin Information Network (ECOI)
Google [with specific search terms]
Relief Web
UNHCR Refworld

Media
African Arguments [Sudan pages]
Afrol 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 [LGBT]
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 [LGBTI]
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 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
B. List of issues where no or little information was found amongst the sources consulted

Improvements

The following thirty-six 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\(^{29}\).

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\(^{30}\).

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\(^{31}\).

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\(^{32}\) and 2020.

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\(^{33}\).

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\(^{34}\).

\(^{29}\) ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019

\(^{30}\) ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019

\(^{31}\) ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019

\(^{32}\) ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

\(^{33}\) ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

\(^{34}\) ‘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\(^{35}\) and 2020.

8. **Administration:** “Under the Bashir regime, Shia imams were not allowed to enter prisons to conduct prayers” in post-April 2019\(^{36}\) and 2020.

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\(^{37}\).

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\(^{38}\).

1.**d. Arbitrary arrest**

11. “The 2019 constitutional declaration prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. In contrast to the previous regime, during the year the CLTG generally observed these requirements” in 2020

12. “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\(^{39}\) and 2020.

13. “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]”]

14. **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\(^ {40}\) and 2020.

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\(^{35}\) ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019  
\(^ {36}\) ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019  
\(^ {37}\) ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019  
\(^ {38}\) ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019  
\(^ {39}\) ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019  
\(^ {40}\) ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019
15. **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 and, therefore, were not able to obtain prompt release or compensation if unlawfully detained” in post-April 2019\(^{41}\) and 2020.

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

16. **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\(^{42}\).

17. **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\(^{43}\).

18. **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\(^{44}\) and 2020.

19. **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, 2019 and 2020.

   [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]

20. **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\(^{45}\).

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

21. “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\(^{46}\).

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\(^{41}\) ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

\(^{42}\) ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019

\(^{43}\) ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

\(^{44}\) ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

\(^{45}\) ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019

\(^{46}\) ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019
22. “The law prohibits such actions [interference in privacy, family, home, and correspondence for purposes of maintaining national security], and this type of activity appeared to have ceased, or been dramatically reduced, under the CLTG” in 2020.

1.g. Abuses in Internal Conflict

23. 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 201947.

2.a. Freedom of speech and press

24. “The former regime also curtailed public religious discussion if proselytization was suspected and monitored religious sermons and teachings” in post-April 201948 and 2020.

2.d. Freedom of movement

25. 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 201949.

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

26. “The Bashir regime government harassed some opposition leaders who spoke with representatives of foreign organizations or embassies or travelled abroad” in post-April 201950 and 2020.

4. Corruption and lack of transparency in government

27. “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 201951.

28. “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 201952 and 2020.

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

29. “Unlike in previous years, there were no reports that the government arrested NGO-affiliated international human rights and humanitarian workers” in 2019 and 2020.

47 ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
48 ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
49 ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
50 ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
51 ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
52 ‘Post-August 2019’ refers to events that occurred once the Civilian-Led Transitional Government (CLTG) started governing Sudan in August 2019
6. Children / Displaced Children

30. “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” in 2020.

6. Persons with Disabilities

31. “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\textsuperscript{53} and 2020.

6. Promotion of acts of discrimination

32. “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\textsuperscript{54}.

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

33. “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\textsuperscript{55}.

34. “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\textsuperscript{56}.

7. Prohibition of forced or compulsory labor

35. “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\textsuperscript{57}.

7. Discrimination with respect to employment and occupation

36. “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\textsuperscript{58}.

\textsuperscript{53} ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
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\textsuperscript{57} ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
\textsuperscript{58} ‘Post-April 2019’ refers to events that occurred after the arrest of former President Bashir in April 2019
Omissions

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

1. **Disappearance**

   1. Whilst the 2019 report stated that “During the Bashir regime, government forces, armed opposition groups, and armed criminal elements were responsible for the disappearance of civilians in conflict areas”, the 2020 report omitted any reference to government forces, armed opposition groups and armed criminal events being responsible for the disappearance of civilians in conflict areas [Research focused on the continued occurrence of detaining peaceful protesters under the Civilian-Led Transitional Government (CLTG)] in 2020

   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” in 2019 and 2020

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

   3. “Human rights groups alleged that NISS regularly harassed and sexually assaulted many of its female detainees during the Bashir regime” in 2020 [Note that research focused on the situation in 2020 and under the Civilian-Led Transitional Government]

   4. “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” in 2020.

   5. “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, 2019 and 2020.


   7. “There were numerous reports of violence against student activists’ family members” in 2019 and 2020.

1. **Arbitrary arrest or detention**

   8. “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, 2019 and 2020.

   9. **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.

   10. “The Bashir regime sometimes sought the repatriation of Sudanese citizens living abroad who criticized the government online. This practice reportedly ended under the CLTG” in 2020
1.e. Denial of fair public trial / Political prisoners and detainees


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

12. “Security forces under the Bashir regime frequently searched and targeted persons suspected of political crimes. NISS often confiscated personal computers and other private property. Security forces conducted multiple raids on Darfuri students’ housing throughout the year. During the raids NISS confiscated students’ belongings, including laptops, school supplies, and backpacks. As of year’s end, the students’ belongings had not been returned” in 2020.

13. “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 2020.

1.g. Abuses in Internal Conflict

14. “There were no reports of humanitarian workers being targeted for kidnapping and ransom” in 2020.

15. Killings: “There were reports of physical abuse and violent interrogations of SPLM-N-affiliated individuals in Kadugli Prison and military installations” in 2017, 2018, 2019 and 2020.

16. 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, 2019 and 2020.


19. Killings: The 2017, 2018, 2019 and 2020 reports did not include any information on the use of “scorched earth tactics” or “burning” of villages.


2.a. Freedom of speech and press

21. “The former regime also curtailed public religious discussion if proselytization was suspected and monitored religious sermons and teachings” in 2020.

2.a. Freedom of speech and press / Press and Media freedoms
22. “The former regime controlled media through the National Council for Press and Publications, which administered mandatory professional examinations for journalists and oversaw the selection of editors. The council had authority to ban journalists temporarily or indefinitely. The registration of journalists was handled primarily by the Sudanese Journalists Network, which estimated there were 7,000 registered journalists in the country, although fewer than 200 of them were believed to be actively employed as journalists. The remainder were members of the former regime and security forces working on media issues who received automatic licenses” in 2020


2.4. Freedom of speech and press / Internet freedom

24. “Cybercafes lacked privacy and were subject to intrusive government surveillance” in 2017, 2018, 2019 and 2020.

2.6. Freedom of association

25. "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” in 2020.

26. “The Bashir regime denied permission to Islamic orders associated with opposition political parties, particularly the Ansar (National Umma Party) and the Khatmiya (Democratic Unionist Party), to hold large gatherings in public spaces, but parties regularly held opposition rallies on private property. Bashir government security agents occasionally attended opposition meetings, disrupted opposition rallies, or summoned participants to security headquarters for questioning after meetings. Opposition political parties claimed they were almost never granted official permits to hold meetings, rallies, or peaceful demonstrations” in 2020

27. “NISS and police forces regularly arrested Darfuri students at various universities for publicly addressing civilians” in 2020

28. “Former regime security forces arbitrarily enforced legal provisions that strictly regulated an organization’s ability to receive foreign financing and register public activities. The former regime maintained its policy of “Sudanization” of international NGOs” in 2020

29. “Many organizations reported they faced administrative difficulties if they refused to have proregime groups implement their programs at the state level” in 2020

30. "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, 2019 and 2020.

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

31. “The government waived regular entry visa requirements for Yemenis throughout the year” in 2020
32. “Temporary Protection: The government claimed to register asylum seekers as soon as it could and, if the first point of entry was in East Sudan, then registration normally would take place in 72 hours. Asylum seekers underwent a security check by NISS (later GIS) that could take one to two months” in 2020

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

33. “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

34. “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 and 2020.

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

35. “Authorities continued to arrest and detain members of UNAMID’s staff on allegations of espionage [...]” in 2019 and 2020.

5. The United Nations or Other International Bodies


6. Women / Rape and Domestic Violence

37. “Underreporting remained prevalent, however, and UNAMID reported the figures were not representative of the reality on the ground” in 2017, 2018, 2019 and 2020.

6. Women / Discrimination

38. “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
39. “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

40. “In Darfur few children outside of cities had access to primary education due to its high cost” in 2018 and 2020.

6. Children / Child Abuse

41. “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.

42. “NGOs reported social stigma and lack of cooperation from some families prevented cases of child abuse from being referred to police authorities” in 2019 and 2020.

6. Children / Sexual Exploitation of Children

43. “Child prostitution also remained a problem, although the government denied the phenomenon existed in the country” in 2018, 2019 and 2020.

44. “NGOs reported, however, that social stigma prevented many families from pursuing legal cases of sexual exploitation of children against perpetrator” in 2019 and 2020.

6. Children / Displaced Children

45. “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” in 2020.

6. Children / Institutionalized Children


47. “All children in the camps, including non-Muslims, had to study the Quran” in 2020.

6. Persons with Disabilities

48. “Persons with disabilities reported it was difficult to access or afford necessary equipment, such as wheelchairs” in 2020.

49. “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, 2019 and 2020.

50. “In conflict areas there were reports persons of South Sudanese origin experienced societal discrimination” in 2020.


52. “Other tribes self-identify, or are identified by the broader society as African” in 2017, 2018, 2019 and 2020.

53. “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, 2019 and 2020.

54. “The Zaghawa ethnic group in Darfur maintained a caste system that discriminated against persons of lower castes” in 217, 2018, 2019 and 2020.


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

56. “LGBTI individuals expressed concern for their safety and did not identify themselves publicly” in 2020.

57. “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, 2019 and 2020.

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

58. “The law required all strikes in nonessential sectors to receive prior approval from the government after satisfying a set of legal requirements. Specialized labor courts adjudicated standard labor disputes, but the Ministry of Labor had the authority to refer a dispute to compulsory arbitration. Disputes also may have been referred to arbitration if indicated in the work contract. The law did not prohibit antiunion discrimination by employers” in 2020.

59. “Police could break up any strike conducted without prior government approval. There were several strikes reported during the year” in 2020.

60. “Court sessions involved additional significant delays and costs when labor grievances were appealed” in 2020.
61. “According to the International Trade Union Confederation, in oil-producing regions, police and secret service agents, in collusion with oil companies, closely monitored workers’ activities” in 2020

7.e. Acceptable conditions of work

62. “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.

63. “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 and 2020.
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

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- Change of numerical order in 2020.
- Changed numerical order and title in 2020.
- New subsection in the 2018 edition, repeated in the 2019 and 2020 reports. Information included had been previously included in the 2017 and 2016 reports in the in-country Movement subsection.
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The 2020 report no longer included such a sub-heading and information previously included has been omitted. See Appendix B.

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 Protection of Refugees. For more discussion on this see 2.3.1. In 2020 the subsection heading was repeated and some information included.

Omission of section in 2017, 2018, 2019 and 2020 reports, thereby omitting to include any information on the 2015 Freedom of Information Law. For more discussion on this see 4.3.1.

Minor change in title in 2020.
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<th>Rape and Domestic Violence</th>
<th>Female Genital Mutilation/Cutting (FGM/C)</th>
<th>Other Harmful Traditional Practices</th>
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<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td><strong>d. Discrimination with Respect to Employment and Occupation</strong></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td><strong>e. Acceptable Conditions of Work</strong></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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<td></td>
</tr>
</tbody>
</table>
### Table 2: Comparative analysis of how the Sudan Executive Summary categorises human rights issues

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</tr>
</thead>
<tbody>
<tr>
<td><strong>The three most significant human rights problems were</strong></td>
<td><strong>The most significant human rights issues included</strong></td>
<td><strong>Human rights issues included</strong></td>
<td><strong>Significant human rights issues under the Bashir government included:</strong></td>
<td><strong>Significant human rights abuses included:</strong></td>
<td>2016 distinguished between “most significant”, “The NISS continued to show […]” and “societal abuses […]”, whilst the 2017, 2018, 2019 and 2020 reports did not have such distinguishing paragraphs and only listed all human rights violation under one long list</td>
</tr>
<tr>
<td>inability of citizens to choose their government,</td>
<td>X</td>
<td>restrictions on political participation;</td>
<td>restrictions on political participation;</td>
<td>X</td>
<td>2017: Omitted one of the three most significant human rights violations identified in 2016 report.</td>
</tr>
<tr>
<td></td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>2018 and 2019: Re-named to “restrictions on political participation”.</td>
</tr>
<tr>
<td>X</td>
<td>X</td>
<td>corruption;</td>
<td>Widespread corruption;</td>
<td>X</td>
<td>2020: Omitted. For further discussions see § 3.3.4.</td>
</tr>
<tr>
<td>aerial bombardments of civilian areas by military forces and attacks on civilians by government and other armed groups in conflict zones,</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>2017 Executive Summary 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 § 1.3.1. The 2020 Executive Summary mentions elsewhere “reports of unlawful or arbitrary killings, and cases of cruel, inhuman and degrading treatment by reportedly rogue elements of the security apparatus, especially in conflict zones” and “serious abuses in internal conflicts, including killings, abductions, torture</td>
</tr>
</tbody>
</table>

---

The table details the three most significant human rights issues categorized by the Sudan Executive Summary during the Bashir government. Observations highlight the differences in how these issues are reported and categorized over the years, including the introduction of new issues and the omission of previously reported ones.
and abuses perpetrated by NISS with impunity through special security powers given it by the regime.

<table>
<thead>
<tr>
<th>Date</th>
<th>2017, 2018, 2019 and 2020: Omitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017 &amp; 2018 reports: Mention impunity in Executive Summary elsewhere and special powers in section 1.d.</td>
<td></td>
</tr>
</tbody>
</table>
| 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 1.2.3. The 2020 section 1.d. mentions “Although impunity was less of a problem than in previous years, some problems with impunity in the security forces remained. The CLTG took strong steps towards reckoning with the crimes perpetrated by the Bashir regime, including opening up investigations into past abuses and working to address legal immunities that would otherwise bar prosecutions for serious crimes”.

The NISS continued to show a pattern of widespread disregard for rule of law, committing major abuses, such as

<table>
<thead>
<tr>
<th>Date</th>
<th>2017-2018-2019: Minor language change in how this violation is termed</th>
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<tbody>
<tr>
<td>2020: Inclusion of ‘reports of’ (distancing language) before listing all human rights violations, which may imply a questioning of their veracity.</td>
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</tbody>
</table>

extrajudicial and other unlawful killings;

|------------|-------------------------------------------------------------------------------------------------------------------------------|

forced disappearance,

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</thead>
<tbody>
<tr>
<td>Issue</td>
<td>2017</td>
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<tr>
<td>----------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>Torture, beatings, rape and other cruel or inhuman treatment or</td>
<td>Torture, beatings, rape and other cruel or inhuman treatment or</td>
</tr>
<tr>
<td>punishment;</td>
<td>punishment of detainees and prisoners;</td>
</tr>
<tr>
<td></td>
<td>torture;</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Arbitrary arrest and detention by security forces;</td>
<td>Arbitrary detention by security forces;</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Harsh and life-threatening prison conditions;</td>
<td>Harsh and life-threatening prison conditions;</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Incommunicado detention;</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Prolonged pretrial detention;</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td></td>
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</tbody>
</table>

104
<table>
<thead>
<tr>
<th>Year</th>
<th>Credit</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>X</td>
<td>Sections 1.b. and 1.d. included this information</td>
</tr>
<tr>
<td>2018</td>
<td></td>
<td>Sections 1.b., 1.d., and 1.e. included this information</td>
</tr>
<tr>
<td>2019</td>
<td></td>
<td>Sections 1.b. and 1.d. included this information</td>
</tr>
<tr>
<td>2020</td>
<td></td>
<td>Sections 1.b. and 1.d. included this information</td>
</tr>
<tr>
<td>2020</td>
<td></td>
<td>Omission. For further discussion see 1.2.4. and 1.3.4.</td>
</tr>
</tbody>
</table>

**Political prisoners;**

- 2017, 2018, 2019 and 2020: Omitted

**serious problems with politicization of the judiciary by holdovers from the previous regime, prompting mass dismissals by the civilian-led transitional government;**

- 2017, 2018, 2019 and 2020: Omitted

**obstruction of humanitarian assistance;**

- 2017, 2018, 2019 and 2020: Omitted

**restrictions on freedom of speech, press, assembly, association, religion, and movement;**

- 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

**arrests and intimidation of journalists, censorship, newspaper seizures, and site blocking;**

- 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

**restrictions on religious liberty**

- 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

**substantial interference with the rights of peaceful assembly and freedom of association**
<table>
<thead>
<tr>
<th>Societal abuses included</th>
<th>×</th>
<th>×</th>
<th>×</th>
<th>2016: Noted the following 13 human rights issues as “societal abuses” though some perpetrated by state actors.</th>
</tr>
</thead>
<tbody>
<tr>
<td>sexual violence; lack of accountability in cases involving violence against women, including rape</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>2017, 2018, 2019 and 2020: Omission reference to ‘sexual violence’ and instead renamed it ‘lack of investigation of sexual violence’. Reduce occurrence of sexual violence as a state/societal abuse, to only focusing on lack of investigation and accountability.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>and intimidation and closure of human rights and nongovernmental organizations (NGOs);</th>
<th>intimidation and closure of human rights and nongovernmental organizations (NGOs);</th>
<th>substantial interference with the rights of peaceful assembly and freedom of association, such as overly restrictive nongovernmental organization (NGO) laws;</th>
<th>X</th>
<th>2018 &amp; 2019: Language change suggests improvement with regards to situation for NGOs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Societal abuses included</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>2016: Noted the following 13 human rights issues as “societal abuses” though some perpetrated by state actors.</td>
</tr>
<tr>
<td>sexual violence; lack of accountability in cases involving violence against women, including rape</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>2017, 2018, 2019 and 2020: Omission reference to ‘sexual violence’ and instead renamed it ‘lack of investigation of sexual violence’. Reduce occurrence of sexual violence as a state/societal abuse, to only focusing on lack of investigation and accountability.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>serious abuses in internal conflicts, including killings, abductions, torture and use of child soldiers by rebel groups;</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Societal abuses included</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>2016: Noted the following 13 human rights issues as “societal abuses” though some perpetrated by state actors.</td>
</tr>
<tr>
<td>sexual violence; lack of accountability in cases involving violence against women, including rape</td>
<td>×</td>
<td>×</td>
<td>×</td>
<td>2017, 2018, 2019 and 2020: Omission reference to ‘sexual violence’ and instead renamed it ‘lack of investigation of sexual violence’. Reduce occurrence of sexual violence as a state/societal abuse, to only focusing on lack of investigation and accountability.</td>
</tr>
<tr>
<td>female genital mutilation/cutting (FGM/C); lack of accountability in cases involving violence against women, including [...] female genital mutilation/cutting (FGM/C);</td>
<td>lack of accountability in cases involving violence against women, including [...] female genital mutilation/cutting (FGM/C);</td>
<td>lack of accountability in cases involving violence against women, including [...] female genital mutilation/cutting (FGM/C);</td>
<td>x</td>
<td>2017, 2018, 2019 and 2020: Omission reference “FGM” and instead in 2017, 2018 and 2019 focus on lack of accountability. Mention of prevalence of FGM as remaining a problem throughout the country mentioned in all reports in section 6.</td>
</tr>
<tr>
<td>early childhood marriage;</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>use of child soldiers;</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>child abuse;</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>sexual exploitation of children;</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>trafficking in persons; trafficking in persons; trafficking in persons; trafficking in persons;</td>
<td>trafficking in persons; trafficking in persons; trafficking in persons; trafficking in persons;</td>
<td>trafficking in persons; trafficking in persons; trafficking in persons; trafficking in persons;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>discrimination against ethnic and religious minorities, restrictions on religious liberty; restrictions on religious liberty;</td>
<td>restrictions on religious liberty; restrictions on religious liberty;</td>
<td>restrictions on religious liberty; restrictions on religious liberty;</td>
<td>x</td>
<td>2017, 2018 and 2019: Omission of “discrimination against ethnic minorities” which is representative of omitted info in those reports but not of publicly available info. For further discussion see 1.3.1.</td>
</tr>
<tr>
<td>persons with disabilities,</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>and</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>persons with HIV/AIDS; denial of workers’ rights;</td>
<td>outlawing of independent trade unions; outlawing of independent trade unions;</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
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<td>---</td>
<td></td>
<td></td>
</tr>
<tr>
<td>and child labor. denial of workers’ rights to associate with independent trade unions; and child labor.</td>
<td>and child labor. and child labor.</td>
<td>and child labor.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>X criminalization of same sex conduct with severe penalty; X</td>
<td>criminalization of consensual same-sex conduct;</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[Darfur specific] Attacks on villages often included</td>
<td>Respect for human rights, in particular fundamental freedoms of expression, assembly, and religion, greatly improved after the CLTG [civilian-led transitional government] took power.</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[Kordofan &amp; Darfur specific] In the internal conflict areas of Darfur and the Two Areas, security forces, paramilitary forces, and rebel groups continued to</td>
<td>[Kordofan &amp; Darfur specific] In Darfur and the Two Areas, paramilitary forces and rebel groups continued to</td>
<td>[Kordofan &amp; Darfur specific] In Darfur and the Two Areas, paramilitary forces and rebel groups continued to</td>
<td></td>
<td></td>
</tr>
<tr>
<td>killing and beating of civilians; commit killings [...] and torture of civilians [...]</td>
<td>commit killings [...] and torture of civilians [...] There were reports of both progovernment</td>
<td>sporadically to commit killings, [...] and torture of civilians. [...] There were reports militias [...] killed civilians.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Event/Action</td>
<td>2017</td>
<td>2018</td>
<td>2019</td>
<td>2020</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>There were reports of both progovernment and antigovernment militias […] killing civilians</td>
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<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
</tr>
<tr>
<td>and antigovernment militias […] killing civilians</td>
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<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
</tr>
<tr>
<td>2020: Adding of ‘sporadically’ indicating an improved situation, which is not consistent with information included in section 1.g.</td>
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<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
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<tr>
<td>sexual and gender-based violence;</td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
</tr>
<tr>
<td>commit […] rape […] of civilians […] There were reports of both progovernment and antigovernment militias […] raping […] civilians</td>
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<td><img src="https://via.placeholder.com/15" alt="X" /></td>
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<tr>
<td>commit […] rape […] of civilians […] There were reports of both progovernment and antigovernment militias […] raping […] civilians</td>
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<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
</tr>
<tr>
<td>sporadically to commit […] rape […] of civilians. […] There were reports militias […] raping […] civilians</td>
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<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
</tr>
<tr>
<td>2017, 2018, 2019 and 2020: Omission of ‘sexual and gender-based violence’ and reducing it to ‘rape’</td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
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<tr>
<td>forced displacement;</td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
</tr>
<tr>
<td>2017, 2018 and 2019: Omission of “forced displacement” despite sections 1.g. and 2.e. continuing to document this.</td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
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</tr>
<tr>
<td>looting and burning entire villages;</td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
</tr>
<tr>
<td>There were reports of both progovernment and antigovernment militias looting […] civilians</td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
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<td>There were reports of both progovernment and antigovernment militias looting […] civilians</td>
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<td>There were reports of both progovernment and antigovernment militias looting […] civilians</td>
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<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
</tr>
<tr>
<td>2017, 2018 and 2019: Omission of “burning entire villages” despite info publicly available and also 2018 report mentioning it. Omission continued in 2020 but in line with what found in the public domain.</td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
</tr>
<tr>
<td>destroying food stores and other infrastructure necessary for sustaining life;</td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
</tr>
<tr>
<td>and attacks on humanitarian</td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
</tr>
<tr>
<td>2017, 2018, 2019 and 2020: Omission, despite section 1.g. of all four reports continuing to mention livestock theft and farmers being prevented from working on their fields.</td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
</tr>
<tr>
<td>2017, 2018, 2019 and 2020: Omission, despite section 1.g. and 4. For further discussion see also 1.3.1.</td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
<td><img src="https://via.placeholder.com/15" alt="X" /></td>
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targets, including humanitarian facilities and peacekeepers.  

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</thead>
<tbody>
<tr>
<td></td>
<td>X</td>
<td>Banditry, criminality, and intercommunal violence were main causes of insecurity in Darfur […]</td>
<td>Intercommunal violence spawned from land tenure and resource scarcity resulted in high death tolls, particularly in East, South, and North Darfur […]</td>
<td>Intercommunal violence originating from land-tenure disputes and resource scarcity continued to result in civilian deaths, particularly in East, South, and North Darfur.</td>
<td>Added in 2017. Repeated in 2018, 2019 and 2020.</td>
</tr>
<tr>
<td></td>
<td>X</td>
<td>Abduction was also seen as a lucrative business by both militias and various tribes in Darfur.</td>
<td>X</td>
<td>X</td>
<td>2018, 2019 and 2020: Omission, despite same COI in section 1.g.</td>
</tr>
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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

1.2.1. Improvements in 2017

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.25 [...]

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. 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 and under the aegis of the Khartoum Process, notably in Italy, Belgium, France, the Netherlands, and the United Kingdom. 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), are highly problematic in terms of their compatibility with the Covenant, and may have violated the principle of refoulement. Sudan bears responsibility, as a party to the Covenant, for the protection of those returned to its territory [...] 

12 See note 2. 
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 
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.dienstterugkeerenvertrek.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-communique 
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/ecrh-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: 

113
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"\(^{193}\)

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

1.2.2. Improvements in 2018

**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**
  1. **Introduction [...]**
  2. **Operating environment**
  3. **Attacks and threats of attacks targeting African Union-United Nations Hybrid Operation in Darfur, United Nations and humanitarian personnel**

- **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**
  1. **Introduction [...]**
  2. **Security situation [...]**
  3. **Humanitarian situation [...]**

1.2.3. Improvements in 2019

**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**
  1. 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.” [...]
“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 protestors. 

[...] 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 protestors. 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 protestors 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 protestors 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. […]


[...] 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 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.

[...] 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, 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.

❖ 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-Obeid.

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.11 Protesters were also beaten and detained, subjected to rape, including gang rape, and other forms of intimidation and humiliation.12

  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.13 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.14 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.15 [...]

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Authorities detained peaceful protesters post-April 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 protestors. 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. [...]
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.

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.

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 the night of 3 June, the Rapid Support Forces (RSF) and National Intelligence and Security Service (NISS) surrounded the sit-in area. After an initial attempt by men in police uniforms to move a barricade, 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.

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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

  [...] 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. [...] 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. [...] 55. 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.

- **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 3.133 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.134 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.135 A lawyer initiated legal proceedings to open investigations into cases of 11 missing people.136 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.137 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.138 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.139 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.”140 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.141 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.142 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.143 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.144 A video posted on social media shows Hamato, with other protesters, running as RSF and police forces shot at them.145 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. [...]
August 6, 2019

Ous uniformed elements of Sudan’s security forces were responsible for extrajudicial disappearances of 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.\(^{11}\) 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.\(^{12}\) In addition, there have been allegations that the security forces forcibly disappeared\(^{13}\) dozens of protesters detained on or around June 3.\(^{14}\)

[...] 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. [...]

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.

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 places 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.

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.

- **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.47 Hundreds were arrested, and while many were released an unknown number remain missing. […]


**Reports of disappearances by the authorities in 2020**

- **African Centre for Justice and Peace Studies, Sudan: Urgent call for an investigation into the disappearance and custodial death of Mr. Baha Eldeen Nory Mohamed Ali, 30 December 2020**
  
  […] On 16 December 2020, two armed men dressed in plainclothes picked up Mr. Baha Eldeen from a local market in Kalakla Sangaat neighbourhood in Khartoum and took him away in a Toyota Hilux without a number plate. He was taken to an RSF detention centre in Alsafia neighbourhood in Khartoum North. Following his detention, Mr. Baha Eldeen’s family went looking for him and inquired at various police stations and detention centres but his whereabouts were unknown. The following day, 17 December, his family filed a case and reported his disappearance at the police station in Kalakla Sangaat neighbourhood. […]

- **Human Rights Watch, Sudan: Unlawful Detentions by Rapid Support Forces, 1 March 2021**
  
  […] Sudan’s Rapid Support Forces (RSF), acting without lawful authority, arbitrarily detained dozens of civilians, including political activists, in the capital, Khartoum during 2020, Human Rights Watch said today. The detainees were held incommunicado or in circumstances constituting enforced disappearances. The authorities should take urgent steps to ensure that the RSF stops acting outside the law, and that all civilian detainees are immediately released.

  […] One of the detainees, 25, said that RSF soldiers handcuffed him while he received treatment at the RSF medical unit in Khartoum North:

  An RSF officer ordered his soldiers to handcuff and shackle us while we were receiving treatment. They even handcuffed and shackled a detainee who had heart problems and was already connected to a heart monitor. They left us in a cell with the handcuffs for 24 hours. It was a cold room. We complained to the guard saying the handcuffs were too tight, but the guards didn’t care.

  He said his family spoke to the police and the attorney general’s office to get information about his whereabouts but received no information. Detention by state agents followed by a refusal to provide information about the detention or concealing information on the whereabouts of the detainee constitutes an enforced disappearance, a crime under international law. […]
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

  [...] 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. 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.”

  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.”145

[...] 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.”150 [...]


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.

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.

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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**

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127
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Freedom House, Freedom in the World 2020 – Sudan, 4 March 2020

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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.77 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”.80 It was reported that these students were subjected to torture and/or ill-treatment whilst in detention. […]


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-Rhad 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.

States of emergency post-April 2019

- **Sudan Tribune, Sudan’s extends state of emergency for three months, 11 October 2019**
  
  "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 Dagalo 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. [...]”

Evidence of the harassment and/or arrest of lawyers in 2020

- **Frontline Defenders, Arbitrary detention of human rights defender Madani Ali Abdel Rahman, 24 June 2020**
  
  [...] On 20 July 2020, human rights defender Madani Ali Abdel Rahman was detained by the authorities of North Darfur while carrying out his work as a human rights lawyer.

  Madani Ali Abdel Rahman is a human rights lawyer, and a member of the Darfur Bar Association, an organisation of lawyers across Sudan who provide legal aid to civil and political activists. Their work is centred around human rights, victims of torture, cases of arbitrary detention and issues regarding freedom of expression. Through his work as a human rights lawyer, Madani Ali Abdel Rahman has focused on cases regarding the Emergency Regulations in Sudan, which are routinely used to target human rights defenders.

  On 20 July 2020, the authorities in the state of North Darfur detained Madani Ali Abdel Rahman in Kutum city before he was due to meet the Public Prosecutor. The defender was due to submit a request for the whereabouts of the persons detained on 13 July during a protest against reported human rights violations in the Fata Borno IDP camp in Kutum, to be disclosed. He was then questioned and detained for one day before being transferred on 21 July to Al-Fasher Intelligence detention centre, where he is being held at the time of writing. Madani Ali Abdel Rahman is being detained under the Emergency Regulations, which deprives detainees of some of their fundamental rights.

  Front Line Defenders is deeply concerned regarding the arbitrary detention of human rights defender Madani Ali Abdel Rahman, as it believes he is being detained as a result of his peaceful and legitimate human rights work in Sudan. [...]”

- **Frontline Defenders, Madani Ali Abdel Rahman Released, 28 July 2020**
  
  [...] On 26 July 2020, human rights defender Madani Ali Abdel Rahman was released from arbitrary detention, since being detained on 20 July.

  Whilst detained, the defender was subjected to severe torture by the Kutum Military Intelligence officers who initially detained him, and police officers in Al-Fasher. He was severely beaten and subjected to electric shocks, and as a result of the torture he faced, Madani Ali Abdel Ragman is suffering with multiple injuries.

  The defender was held in arbitrary detention for six days, after being detained whilst carrying out his work as a human rights lawyer. [...]”

- **Frontline Defenders, Urgent Appeal: Sudan: Arbitrary detention of woman human rights defender Hala Khalid Abugroun, 26 August 2020**
  
  [...] On 17 August 2020, woman human rights defender Hala Khalid Abugroun was detained for several hours at Khartoum Central Police Station after attempting to report human rights abuses carried out by NISS officers against protestors during a peaceful protest in the capital. She was interrogated for several hours and reported being subject to severe physical abuse, which may amount to torture, by police and security officers.

  Hala Khalid Abugroun is a woman human rights defender and lawyer. She is a member of the ‘No to Women’s Oppression’ initiative, as well as a member of the Collation of Democratic lawyers, an organisation of lawyers across Sudan who support democratic transformation and provide legal aid to victims of human rights violations.

  On 17 August 2020, National Intelligence Service (NISS) officers harassed and threatened Hala Khalid Abugroun and her colleagues while they were documenting arbitrary arrests and incidents of violence against protestors carried out by officers of the NISS. The protestors were reportedly lashed by the NISS officers during a peaceful demonstration in Khartoum, marking the anniversary of the signing the
Constitutional Declaration. The defender and her two colleagues immediately went to the police station in Khartoum to file a report against the NISS officers involved in the abuses against them and the protestors. Whilst in the police station, Hala Khalid Abugroun was detained for over five hours by three NISS officers and a number of police officers but her colleagues were allowed to leave. During this time, she reported being subject to severe physical abuse causing injuries to her right eye and knee which resulted in the defender being hospitalised. Police officers also tried to forcibly seize her mobile phone and searched her handbag. Hala Khalid Abugroun was not given the reasons behind her detention during this time. She was eventually released and no charges were brought against her.

Since being arbitrarily detained and subject to physical abuse on 17 August 2020, Hala Khalid Abugroun has attempted to open a file against the officers involved. There has been no progress in this process, and the defender has subsequently received verbal threats from unknown persons indirectly, warning her to cease her attempts to take legal action against the officers involved. [...]
ACJPS has reliable been informed that close neighbours ran to Halima’s house when they heard her crying loudly. They found out that Halima had been raped. The neighbours took the victim to the military base and informed the commander of the armed forces and there after reported the incident to the police station in Nerteti. The police filed a case of rape against the perpetrator and then the military police arrested the officer and surrendered him to Nerteti police station. [...]

African Centre for Justice and Peace Studies, Sudan: Continued violations of human rights by the Sudanese Armed forces and the Rapid Support Forces, 14 May 2020

[...] Many believed that the practice of arbitrary arrest and torture manifested in al Bashir’s regime had come to end, however, a monitoring report by the African Centre for Justice and Peace Studies (ACJPS) between March to May 2020 indicates that the Sudanese Armed forces (SAF) and the Rapid Support forces (RSF) have continued to violate human rights of civilians. The African Centre for Justice and Peace Studies has documented the assault of 2 people including a Judge by the SAF and RSF, and the arbitrary arrest and detention of two civilians in Khartoum, Blue Nile, White Nile and Algadareef. [...] Armed officers assault civilian at a petrol station

On May 4, 2020, Mr. Alagib Mohamed Ali, a 45 year old rider of a motorcycle locally known as “Toktok” was beaten by a group of ten soldiers from SAF and RSF using sticks. The incident took place at a fuel station located in Kenan. Mr. Alagib was beaten after he complained about the mistreatment of civilians by SAF officers who were deployed to maintain law and order at the fuel station. At the time, there were long queues due to the low fuel supply. Following the beating, Mr Alagib was also forced out of the queue where he had spent about four hours waiting. [...]


[...] 2.1 Arbitrary Arrests
[...] Arrest in Blue Nile
2.1.4 Mr. Edriss Elbur Repeatedly Arrested by RSF [Rapid Support Forces] in Damazin

On 9th April 2020 morning hours, a group of RSF soldiers in Damazin arrested Mr. Edriss Elbur Ahmed (40 years old) a trader and social activist. He was arrested from his shop at Damazin market and taken to RSF detention cell at Ashara Beiut neighbourhood where he was confined with other nine (9) RSF soldiers who were breaching military laws. [...]

Re-arrest: On 27th April 2020, Mr. Edriss Elbur was arrested again from his shop by RSF soldiers and detained at RSF office in Damazin town. While being there, he was interrogated and physically tortured (beaten) by RSF Captain/ Gouja. [...]

Frontline Defenders, Madani Ali Abdel Rahman Released, 28 July 2020

[...] On 26 July 2020, human rights defender Madani Ali Abdel Rahman was released from arbitrary detention, since being detained on 20 July. Whilst detained, the defender was subjected to severe torture by the Kutum Military Intelligence officers who initially detained him, and police officers in Al-Fasher. He was severely beaten and subjected to electric shocks, and as a result of the torture he faced, Madani Ali Abdel Ragman is suffering with multiple injuries. The defender was held in arbitrary detention for six days, after being detained whilst carrying out his work as a human rights lawyer. [...]

Frontline Defenders, Urgent Appeal: Sudan: Arbitrary detention of woman human rights defender Hala Khalid Abugroun, 26 August 2020

[...] On 17 August 2020, woman human rights defender Hala Khalid Abugroun was detained for several hours at Khartoum Central Police Station after attempting to report human rights abuses carried out by NISS officers against protestors during a peaceful protest in the capital. She was interrogated for several hours and reported being subject to severe physical abuse, which may amount to torture, by police and security officers. [...] On 17 August 2020, National Intelligence Service (NISS) officers harassed and threatened Hala Khalid Abugroun and her colleagues while they were documenting arbitrary arrests and incidents of violence against protestors carried out by officers of the NISS. The protesters were reportedly lashed by the NISS officers during a peaceful demonstration in Khartoum, marking the anniversary of the signing the
Constitutional Declaration. The defender and her two colleagues immediately went to the police station in Khartoum to file a report against the NISS officers involved in the abuses against them and the protestors. Whilst in the police station, Hala Khalid Abugroun was detained for over five hours by three NISS officers and a number of police officers but her colleagues were allowed to leave. During this time, she reported being subject to severe physical abuse causing injuries to her right eye and knee which resulted in the defender being hospitalised. Police officers also tried to forcibly seize her mobile phone and searched her handbag. [...] 

- **Human Rights Watch, Sudanese Artists Imprisoned for Pro-Democracy Chants, 21 September 2020**
  
  [...] On September 18, a court in Khartoum sentenced five Sudanese artists to two months in prison and made them pay a fine of 5,000 Sudanese pounds (USD $90) on charges of “disturbing public peace” and “public nuisance,” for chanting pro-democracy slogans at the police station. The case exposes serious flaws in Sudan’s legal, criminal justice, and judicial systems. [...] The case underscores how police, prosecutors, and judges are still operating as they did under former president Omar al-Bashir, using vague provisions that give wide discretionary powers for authorities to restrict basic rights and freedoms. The case also highlights the abusive tactics used by police and security officials. At the police station, an officer assaulted Duaa Tarig when she objected to him recording the arrests on his phone. She says that she filed a complaint, but authorities have yet to take action. At the prison, officers also beat Hajooj Kuka, an internationally-acclaimed filmmaker and activist, and cut part of his hair—a well-known humiliation tactic under al-Bashir’s government, which authorities used during the government’s bloody crackdown on protestors in Khartoum in June 2019. [...] 

- **International Federation of Journalists, Sudan: Security forces attack journalists and obstruct reporting on protests, 26 October 2020**
  
  [...] Security forces attacked journalists and prevented them from covering protests in Sudan’s capital Khartoum on 21 October. The International Federation of Journalists (IFJ) joins its affiliate, the Sudanese Journalists Union (SIU), in condemning the attacks on journalists and urges the government to stop harassing journalists and guarantee their freedom to work. [...] The SIU reported two incidents against journalists covering the protests. Security forces wearing plain clothes and carrying batons surrounded Saad Eddin Hassan, a correspondent for the Al-Arabiya network, in an attempt to prevent him from reporting on a demonstration taking place in the centre of Khartoum. The second incident took place in the South of the city, where photographers for Sky News Arabia were attacked by security forces while covering a peaceful march. According to media reports, the security forces beat a photographer and erased all pictures he took during the protests. The Culture and Information Ministry confirmed the incidents. [...] During the Covid-19 pandemic, the government has further tightened its grip on Sudanese media. It introduced new legal provisions that allow for heavy punishment of critical reporting, several media outlets were closed and journalists increasingly face harassment, including arrests and the removal of press accreditations. [...] 

  
  [...] II. Situation in Darfur
  
  [...] C. Fighting involving armed movements
  
  [...] 12. From 5 to 16 September, a total of 392 female-headed households, were reportedly displaced from the Sortony gathering site for internally displaced persons in North Darfur to the Savanga and Toga gathering sites in the vicinity of Rockero and Golo, respectively, in Central Darfur. This new displacement reportedly followed the detention of several internally displaced persons accused by a commander of the Rapid Support Forces against internally displaced persons of being part of SLA/AW [Sudan Liberation Army-Abdul Wahid]. Some of the women reported physical assaults by members of the Forces, while the Forces had also arrested a dozen other internally displaced persons on the pretext of anti-crime campaigns. Internally displaced persons have also reported several incidents of assault, detention and harassment by the Sudanese Armed Forces at the Savanga site. (p. 4)
27. Of the 179 cases of human rights violations and abuses documented between May and October 2020, 36 cases of human rights violations in Darfur were attributed to members of the State security forces, including the Rapid Support Forces, Sudanese Armed Forces and Sudanese police forces. […]

African Centre for Justice and Peace Studies, Sudan: Urgent call for an investigation into the disappearance and custodial death of Mr. Baha Eldeen Nory Mohamed Ali, 30 December 2020

[...] Sudanese authorities should urgently investigate the reported abduction, torture, and custodial death of Mr. Baha Eldeen Nory Mohamed Ali. On 16 December, Mr. Baha Eldeen was picked up by two armed men and later detained at a Rapid Support Forces (RSF) detention centre in Alsafia neighbourhood in Khartoum North. On 21 December, Mr. Baha Eldeen’s family refused to receive his body after noticing signs of torture.

Sudanese authorities, including RSF, are known to use ill-treatment and torture for purposes of intimidation and extraction of confessions. The use of torture in Sudan is exacerbated by a weak legal framework to ensure the prohibition of torture.

[...] On 16 December 2020, two armed men dressed in plainclothes picked up Mr. Baha Eldeen from a local market in Kalakla Sangaat neighbourhood in Khartoum and took him away in a Toyota Hilux without a number plate. He was taken to an RSF detention centre in Alsafia neighbourhood in Khartoum North. Following his detention, Mr. Baha Eldeen’s family went looking for him and inquired at various police stations and detention centres but his whereabouts were unknown. The following day, 17 December, his family filed a case and reported his disappearance at the police station in Kalakla Sangaat neighbourhood.

Five days later, on 21 December, his family received an anonymous call informing them that Mr. Baha Eldeen had been taken to Omdurman hospital and asked them to go and receive his body. However, his family refused to receive his body without an autopsy to ascertain the cause of death. Reliable sources reported that his body showed signs of torture, including wounds on his head, hands and feet that possibly caused by both hard and sharp objects. An initial medical report claimed that the cause of death was hypertension however the deceased’s family requested another autopsy be carried out. A second medical report stated that the deceased was tortured.

On 27 December 2020, another autopsy was carried out by a committee of experts formed by the Forensic Medicine Authority based on a request from the Public Prosecution. The following day, 28 December, the Public Prosecution received the Committee’s report confirming that the deceased suffered multiple injuries that led to his death. The Public Prosecution went ahead to file a criminal case, file no. 494/2020, under charges of murder (Article 130) and joint acts of conspiracy (Article 21) of the 1991 Criminal Act. Three public prosecutors headed by a chief prosecutor have been assigned to this case. […]

African Centre for Justice and Peace Studies, Sudan: Urgent call for investigation into the death of Ezz El-Din Hamid Ali in Omdurman, 8 January 2021

[...] Sudanese authorities should urgently and effectively investigate the circumstances leading to the death of Mr. Ezz El-Din Hamid Ali, a 22-year-old, who died a day after release from police custody in Omdurman. A reliable source told ACIPS that the deceased had serious injuries on his body after he was released from detention and had to be taken to hospital for treatment. Unfortunately, he did not make it out of hospital alive.

On 17 December 2020, Mr. Ezz El-Din Hamid Ali was arrested by police detectives from Umbada Al-Hara No. 15 police station on suspicion of stealing a vehicle. About four months ago, on 25 August 2020, the owner of the missing vehicle had reported the theft of his vehicle. Mr. Ezz El-din was later charged with theft under article 174 of the 1991 Criminal Act before the Doha Police Station, in Omdurman.

After his health deteriorated while in detention, Mr. Ezz El-Din was released on bail. He arrived home with severe injuries on his body that needed to be treated. He was then taken to Shifa Al-Ail Modern Medical Hospital in Umbada Al-Hara No 20, but he died there on Saturday 26 December 2020. An inquiry to ascertain the cause of death in accordance with article 51 of the Criminal Procedure Act, 1991, was initiated and the body of the deceased was transferred to the forensic facility for an autopsy. The medical report stated that the deceased was beaten severely with solid objects.

In a statement, the spokesperson of the Sudanese Police Force announced that the police officers who were involved in the detention and torture of Mr Ezz El-Din were arrested and detained and that an investigation led by the Public Prosecution office was being conducted. Accordingly, the police officers were charged with Article 21 (joint acts of conspiracy) and 130 (murder) of the Criminal Act under file number 4107/ 2020 before the Central Omdurman police station. […]

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- **African Centre for Justice and Peace Studies, A female human rights defender faces one year imprisonment for Facebook video, 13 January 2021**

  [...] On 8 November 2020, at about 2:30 p.m., Ms. Waad went to a fuel station in Al-Amarat neighborhood, Street No 15 in Khartoum to refuel her car. While in the queue that was designated for women, she noticed some soldiers abusing and harassing some ladies in front of her. The officers removed number plates from a car belonging to one of the ladies. Ms. Waad also noticed that the women’s queue was not moving forward whilst the men’s queue was moving, and they were able to refuel their cars. Upon inquiry, she was told that the fuel station would not refuel for women. Ms. Waad asked to speak with the person in charge of the fuel station and then some officers came and told her that they were in charge. She tried to talk them out of prohibiting women from refueling their cars, but they rejected her plea and instead insulted her. Afterwards, Ms. Waad narrated the incident through a live video chat on her personal Facebook account. She highlighted discrimination and unequal treatment the women at the petrol station were being subjected to. [...] 


  [...] Final Report of the Panel of Experts on the Sudan [...] VIII. International humanitarian law and human [...] B. Protection of civilians 

  79. During the reporting period, cases of rape, killings, intimidation, physical assaults and attacks on internally displaced persons, looting and arson were widespread. These incidents were mostly attributed to armed nomadic tribesmen, Government of the Sudan security forces — Sudanese Armed Forces, police and Rapid Support Forces — and militias. [...] C. Sexual and gender-based violence 

  [...] 83. On 28 November, a 14-year-old girl with a mental disability was allegedly raped at gunpoint by a Sudanese Armed Forces soldier near Thur market (Central Darfur). The incident was reported to the local military commander, who reportedly took no action, angering locals who felt that the perpetrator was not held accountable. [...] On 13 September, a woman was physically assaulted and a 15-year-old girl raped by a Rapid Support Forces member at their home in the Bargo internally displaced persons camp in Tawila (North Darfur). Their home was targeted on account of the family’s alleged affiliation with the SLA/AW [Sudan Liberation Army-Abdul Wahid] faction. No arrests were made by the Sudan Police Force in Tawila. (pp. 26-27) 

  [...] F. Human rights violations by Government security forces 

  91. The Panel received several reports of lack of professionalism, human rights violations and abuse by security forces. The Resistance Committee in Abu Karinka (East Darfur) issued a press statement in August condemning the behaviour of the Rapid Support Forces. It claimed that women and girls were harassed at the markets and in cafes and men beaten randomly, and that they forcibly shaved the head of some youths.22 

  [...] 92. In October, UNAMID reported widespread human rights violations and abuse against internally displaced persons and other civilians in Sortony and surrounding areas by Sudanese Armed Forces commander Al-Sadiq Foka. Cases of arbitrary arrest and detention, inhumane treatment amounting to torture, kidnap for ransom, expulsion of internally displaced persons, extortion and intimidation were highlighted. Most victims were suspected of affiliation with SLA/AW. In one incident, a woman who had reported the unlawful detention of her brother to authorities in Zalingei was herself arbitrarily detained on 14 October by Foka’s men. She was released after paying a ransom of 25,000 Sudanese Pounds. A 25-year-old Fur man was reportedly taken from his home at the Sortony internally displaced persons camp on 18 September to nearby Borgo village where, for two days, he was tied and hung from a tree with stones weighted on his back while being beaten. The victim’s family secured his release on 10 October after paying 45,000 Sudanese pounds. The victim was reportedly denied medical attention and the incident was not reported to authorities, Al-Sadiq Foka being the sole authority in Sortony, according to the report. Similarly, a 31-year-old man who was arrested by Sudanese Armed Forces soldiers for violating curfew orders at Deba Nyra, near Golo, was temporarily detained at a nearby Sudanese Armed Forces base. His hands and feet were tied, and he was left hanging from a tree for several hours and beaten repeatedly with rifle butts. [...] (pp. 29-30)

[... ] Arbitrary Detentions

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

Human Rights Watch, Sudan: Unlawful Detentions by Rapid Support Forces, 1 March 2021

[... ] Human Rights Watch documented multiple unlawful detentions of civilians in 2020 in Khartoum by the Rapid Support Forces, which has been responsible for serious abuses against civilians in Darfur and other conflict zones. Between September 2020 and February 2021, Human Rights Watch interviewed four former detainees, two family members, and a lawyer in cases in which the RSF [Rapid Support Forces] had unlawfully held civilians.

The former detainees said that the security forces held them incommunicado and denied them access to lawyers and their families throughout their detention, which ranged from a week to over a month. Two detainees said RSF guards physically ill-treated them.

[... ] Sudan’s armed forces, including the RSF, do not have legal authority to detain civilians or carry out law enforcement functions, thus making detentions of civilians illegal, Human Rights Watch said. Following the death, while in RSF custody, of 45-year-old Baha al-Din Nouri in Khartoum in December, the attorney general on January 21, 2021 issued an instruction explicitly limiting the powers of arrest and detention of civilians to the police and prosecutors, making clear that any detention by other forces is considered unlawful. Human Rights Watch was unable to confirm what, if any, steps the attorney general has taken to ensure the terms of the instruction are enforced, such as inspecting unlawful detention sites.

Mohamed Nouri, Baha al-Din Nouri’s brother, told Human Rights Watch that witnesses saw him being abducted by armed men in civilian clothes in southern Khartoum on December 16. Five days later, the family received a call informing them that Baha al-Din had died and that his body was at a hospital morgue in Omdurman. “Another relative went to the morgue and saw visible bruises on Baha al-Din’s body,” his brother said. “The morgue director pressured us to accept the body and his autopsy report suggesting that Nouri died due to sickness, but we refused.”

On December 27, forensic examiners conducted a second autopsy on instructions from the attorney general. The second autopsy report documented injuries, including brain hemorrhage caused by impact with a blunt object, that are consistent with beatings and that led to Baha al-Din Nouri’s death. On the same day, the RSF in a statement admitted that Baha al-Din had died in RSF intelligence custody and that it had revoked the immunity of the officials involved and handed them over to the attorney general. The attorney general also ordered the arrest of the morgue’s director, including on obstruction of justice charges related to this case. Names and ranks of the people arrested have not been made public.

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

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

United Nations Security Council, Situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan Report of the Secretary-General, 1 March 2021

[... ] Human rights situation

25. The human rights situation was characterized by a continuation of protests around the date of the second anniversary of the 2018 revolution and a surge in violence, especially in the Darfur region. Popular protests calling on the transitional Government to expedite investigations into gross violations and to hold alleged perpetrators accountable intensified following the alleged torture and killing of Sudanese activist Bahaa el-Din Nouri in a detention centre of the Rapid Support Forces on 21 December 2020. [...]

Freedom House, Freedom in the World 2021: Sudan, 3 March 2021

Are there free and independent media? 1/4

Journalists reportedly received threats that they would be prosecuted if they did not stop criticizing the military and delete critical reports. In May, two reporters were harassed by intelligence officers in North Darfur State for investigating and reporting on the COVID-19 pandemic.

Rule of Law

Does due process prevail in civil and criminal matters? 0/4

In one high-profile case in August, the authorities arrested and charged 11 artists, including filmmaker Hajooj Kuka, with creating a public disturbance while rehearsing a play—and by chanting pro-democracy slogans at the police station once in custody. The artists reported beatings and other mistreatment in detention, and five of them were sentenced to two months in jail and fines in September, but an appeals court ordered all 11 released in October.

Evidence that UNAMID given full access to government prisons in Darfur, including to monitor, mentor and advise prison officials, and access to specific files, records and prisoners

UNAMID, UNAMID Covid-19 Media Update, 18 June 2020

In North Darfur, on 9 June 2020, UNAMID in collaboration with the International Committee for the Red Cross (ICRC), conducted an awareness-raising campaign on COVID-19 preventive measures for 615 inmates and 40 prison officers at the Shallah federal prison.

Evidence of the continuation of arbitrary arrests in 2020

African Centre for Justice and Peace Studies, Sudan: Continued violations of human rights by the Sudanese Armed forces and the Rapid Support Forces, 14 May 2020

Many believed that the practice of arbitrary arrest and torture manifested in al Bashir’s regime had come to end, however, a monitoring report by the African Centre for Justice and Peace Studies (ACJPS) between March to May 2020 indicates that the Sudanese Armed forces (SAF) and the Rapid Support forces (RSF) have continued to violate human rights of civilians.

The African Centre for Justice and Peace Studies has documented the assault of 2 people including a Judge by the SAF and RSF, and the arbitrary arrest and detention of two civilians in Khartoum, Blue Nile, White Nile and Algradareef.

 Arbitrary arrest and detention

On March 5, 2020, a RSF officer in Khartoum arrested human rights defender, Mr. Abdul Malik Musa Saleh at the Arabic Market in Khartoum. Mr. Saleh was arrested while he was heading to seek legal consultation from a lawyer regarding the case of Musa Hilal and 250 border guard forces detained and charged between August and December 2017. Mr. Musa Hilal was released after a group of lawyers submitted a complaint to the office of the Attorney General in Khartoum.

On April 8 2020, a group of RSF officers of Alta Damon locality in Blue Nile State arrested Mr. Idris Albur Ahmed, a 37 year old blogger and member of Baath Political party from the village of Alslilk. Mr. Idris was arrested after sharing a post on his Facebook account where he accused the management of a petrol station owned by Mr. Faiz Balla, an RSF officer for hiking fuel prices above the official prices set by the Sudanese authorities. Mr Idris was detained at the RSF headquarters and released on April 11, 2020 but was re-arrested after he attempted to file a complaint about his arrest at the office of the attorney general in Blue Nile.


On 20 July 2020, human rights defender Madani Ali Abdel Rahman was detained by the authorities of North Darfur while carrying out his work as a human rights lawyer.

Madani Ali Abdel Rahman is a human rights lawyer, and a member of the Darfur Bar Association, an organisation of lawyers across Sudan who provide legal aid to civil and political activists. Their work is
centred around human rights, victims of torture, cases of arbitrary detention and issues regarding freedom of expression. Through his work as a human rights lawyer, Madani Ali Abdel Rahman has focused on cases regarding the Emergency Regulations in Sudan, which are routinely used to target human rights defenders.

On 20 July 2020, the authorities in the state of North Darfur detained Madani Ali Abdel Rahman in Kutum city before he was due to meet the Public Prosecutor. The defender was due to submit a request for the whereabouts of the persons detained on 13 July during a protest against reported human rights violations in the Fata Borno IDP camp in Kutum, to be disclosed. He was then questioned and detained for one day before being transferred on 21 July to Al-Fasher Intelligence detention centre, where he is being held at the time of writing. Madani Ali Abdel Rahman is being detained under the Emergency Regulations, which deprives detainees of some of their fundamental rights.

Front Line Defenders is deeply concerned regarding the arbitrary detention of human rights defender Madani Ali Abdel Rahman, as it believes he is being detained as a result of his peaceful and legitimate human rights work in Sudan. […]


2.1 Arbitrary Arrests

Arrests in South Kordufan

2.1.1 Arresting of youth from a Public demonstration in Kadogli

On 5th January 2020, there was a peaceful demonstration in Kadogli calling for the dismissal of some high ranking officials from the public service for hindering reforms because they were members of the former regime party (NCP). The demonstration was dispersed by police using tear gas and four (4) youth were arrested by the MI. They were detained at a police cell and released the next day (6th January 2020) without any charges. […]

2.1.2 Arrest and intimidation of Suliman by MI [military intelligence] in Rashad

On 12th February 2020 morning hours, three (3) soldiers of Sudan Armed Forces (SAF) arrested Mr. Suliman Adam Suliman (63 years old) from his tailoring/work place in Rashad town. They took him to MI office at Rashad military base. While there, he was interrogated about his past political activities of 2011 when he was a member of Sudan People Liberation Movement (SPLM) and Rashad’s candidate for South Kordufan State legislative council (2011) elections. The same day (evening hours), Mr. Suliman was released after being threatened that he will be arrested and tortured if he expresses any kind of association with Sudan People Liberation Army – North (SPLA-N).

2.1.3 Arrest of Mr. Elsafi Eldegain by SAF in Aleri Ghareib

On the night of 11th April 2020 around 08:30 PM, eight (8) armed soldiers of Sudan Armed Forces (SAF) came on land cruiser vehicle to the house of Mr. Elsafi Eldegain (42 years old) the farmer based in Aleri Ghareib/ Aleri West town and arrested him without giving a reason. They took him to their base in the town where he spent the night. The following day (12th April 2020), Mr. Elsafi was transferred to Talodi military base. He was not allowed to be accessed by visitors including family and lawyers. His prolonged detention raises the fear that he could be undergoing torture. Since then Mr. Elsafi has been held incommunicado until recently (10th June 2020) when he was allowed once to communicate (via phone) with his family. The reason for Mr. Elsafi’s arrest was related to his past political activities when he was a member of Sudan People Liberation Movement–North (SPLM-N). […]

2.1.4 Mr. Edriss Elbur Repeatedly Arrested by RSF [Rapid Support Forces] in Damazin

On 9th April 2020 morning hours, a group of RSF soldiers in Damazin arrested Mr. Edriss Elbur Ahmed (40 years old) a trader and social activist. He was arrested from his shop at Damazin market and taken to RSF detention cell at Ashara Beit neighbourhood where he was confined with other nine (9) RSF soldiers who were breaching military laws.

Re-arrest: On 27th April 2020, Mr. Edriss Elbur was arrested again from his shop by RSF soldiers and detained at RSF office in Damazin town. While being there, he was interrogated and physically tortured (beaten) by RSF Captain/ Gouja. […]

African Centre for Justice and Peace Studies, West Darfur: Arbitrary arrests and incommunicado detention of 72 people on allegations of human smuggling and illegal immigration, 29 July 2020
The African Centre for Justice and Peace Studies (ACJPS) expresses deep concern for the physical safety and well-being of 72 people arbitrarily arrested and detained incommunicado without charge by the Rapid Support Forces (RSF). Detainees were arrested at the Sudanese border with the Republic of Chad while on transit to the city of Al-Tina, in the Republic of Chad. All are under RSF custody in Aljenaina, West Darfur state.

On 29 June 2020, the Governor of West Darfur State issued Resolution No. 94 of 2020, in accordance with the Emergency Law of 1997. The Resolution stipulated that these persons should be imprisoned for a period of six months, on suspicion of committing crimes of human smuggling, illegal immigration and looting.

[...] The detainees who have been in custody since 29 June 2020 have not been formally charged or brought before a court of law to challenge the legality of their detention. [...]  

Frontline Defenders, Urgent Appeal: Sudan: Arbitrary detention of woman human rights defender Hala Khalid Abougroun, 26 August 2020

[...] On 17 August 2020, woman human rights defender Hala Khalid Abougroun was detained for several hours at Khartoum Central Police Station after attempting to report human rights abuses carried out by NISS officers against protestors during a peaceful protest in the capital. She was interrogated for several hours and reported being subject to severe physical abuse, which may amount to torture, by police and security officers.

[...] On 17 August 2020, National Intelligence Service (NISS) officers harassed and threatened Hala Khalid Abougroun and her colleagues while they were documenting arbitrary arrests and incidents of violence against protestors carried out by officers of the NISS. The protestors were reportedly lashed by the NISS officers during a peaceful demonstration in Khartoum, marking the anniversary of the signing the Constitutional Declaration. The defender and her two colleagues immediately went to the police station in Khartoum to file a report against the NISS officers involved in the abuses against them and the protestors. Whilst in the police station, Hala Khalid Abougroun was detained for over five hours by three NISS officers and a number of police officers but her colleagues were allowed to leave. During this time, she reported being subject to severe physical abuse causing injuries to her right eye and knee which resulted in the defender being hospitalised. Police officers also tried to forcibly seize her mobile phone and searched her handbag. [...]  

Sudanese Human Rights and Development Organisation (HUDO), Arrest and Release of Seven Youth by SAF in Roseries, Sudan, 28 August 2020

[...] On 25th August 2020, a group of SAF soldiers arrested seven youth from Ganees market in Roseries town of Blue Nile State. They were arrested because of attempting to conduct a public address meeting at the market, the arrest was before the start of the event. The arrested youth were detained at SAF headquarters in Roseries. During their detention, they were insulted, threatened and warned not to try it again otherwise they will be arrested and tortured. They were later released late in the evening. The names of the arrested youth are: Ahmed Eltayeeb Abu-Jameila (26 years old), Khatab Mohammed Farajalla (25 years old), Ali Babikir (25 years old), Noureldin Ali Babikir (27 years old), Sabri Khaleefa (33 years old), Abduelsheafa Desomi (28 years old) and Ahmed Omer Saadalla (29 years old). All of them are members of Sudan People Liberation Movement – North (SPLM-N)

One of the arrested youth informed HUDO that, the public address was planned to be about the peace process and the current political status. [...]  

Sudanese Human Rights and Development Organisation (HUDO), Peaceful Demonstrators Arrested and Discharged by SAF in Abu-Jibaia, Sudan, 27 September 2020

[...] On 23rd September 2020, residents of Abu-Jibaia launched a public demonstration in support of the peace framework agreement signed in Addis Ababa by Sudan prime minister/Abdalla Hamdouk and Sudan People Liberation Army – North (SPLA-N) chairperson/Abduelaziz Elhelu. The Sudan Armed Force soldiers came on nine (9) vehicles and obstructed the demonstration march and randomly arrested thirty one (31) people and took them to Abu-Jibaia military base. The gathering of demonstrators followed them up to the gate of the military base and demanded for the release of the arrested people. After waiting for six hours, the detained people were released. [...]

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UN General Assembly, Joint written statement submitted by African Centre for Democracy and Human Rights Studies, Centre du Commerce International pour le Développement, Rencontre Africaine pour la defense des droits de l’homme, non-governmental organizations in special consultative status, 1 October 2020

[...] Situation of Human Rights in Sudan

[...] Meanwhile, there are reports about intimidation and arrests and detention as well as ill-treatment of protesters, including members of the Resistance Committees, mainly in Darfur and other peripheries. On 17 August 2020, thousands of demonstrators went onto the streets of Khartoum to mark the first anniversary of the signing of the Constitutional Document and to remind the TA [Transitional Authority] about the deteriorating living conditions and the unfulfilled promises of the December 2019 Revolution. Authentic reports indicated that during confrontation between the demonstrators and the police, several individuals were injured or asphyxiated by teargas used by police, while a number of others were violently arrested by plainclothes security agents. The Resistance Committees, which are composed of thousands of pro-democracy activists and youngsters, played an instrumental role in overthrowing the former authorities and unwarranted targeting of their members could lead to further political unrest and instability. [...]
Arbitrary Detentions

Security officials continued to arbitrarily detain civilians. Throughout the year Rapid Support Forces (RSF) reportedly detained several members of the Mahamid Arab tribe due to their links to Musa Hilal, the former pro-government militia leader who is subject to UN sanctions for his role in Darfur atrocities. RSF officials detained Abdulmalik Musa Saleh, a political activist and a relative of Hilal, several times during the year in Khartoum, and Osama Mohamed al-Hassan, 40, also an activist, from July 5 until September 17. At time of writing, while neither man is in custody, neither have they been charged with any offence and were never brought to court throughout their detention.

Hilal has been detained since November 2017 and is reportedly facing charges by a military court for crimes against government forces in Darfur. On June 29, the former military governor of West Darfur ordered the imprisonment of 72 men and boys for six months under the emergency law, which allows authorities to detain people without judicial oversight. They were among a group of 122 arrested by the RSF in the preceding weeks during counter migration operations in Darfur. Authorities charged them with crimes including looting, illegal migration, and illegal possession of firearms. They were never brought to trial.

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

Final Report of the Panel of Experts on the Sudan

92. In October, UNAMID reported widespread human rights violations and abuse against internally displaced persons and other civilians in Sortony and surrounding areas by Sudanese Armed Forces commander Al-Sadiq Foka. Cases of arbitrary arrest and detention, inhumane treatment amounting to torture, kidnap for ransom, expulsion of internally displaced persons, extortion and intimidation were highlighted. Most victims were suspected of affiliation with SLA/AW. In one incident, a woman who had reported the unlawful detention of her brother to authorities in Zalingei was herself arbitrarily detained on 14 October by Foka’s men. She was released after paying a ransom of 25,000 Sudanese Pounds. A 25-year-old Fur man was reportedly taken from his home at the Sortony internally displaced persons camp on 18 September to nearby Borgo village where, for two days, he was tied and hung from a tree with stones weighted on his back while being beaten. The victim’s family secured his release on 10 October after paying 45,000 Sudanese pounds. The victim was reportedly denied medical attention and the incident was not reported to authorities, Al-Sadiq Foka being the sole authority in Sortony, according to the report. Similarly, a 31-year-old man who was arrested by Sudanese Armed Forces soldiers for violating curfew orders at Deba Nyr, near Golo, was temporarily detained at a nearby Sudanese Armed Forces base. His hands and feet were tied, and he was left hanging from a tree for several hours and beaten repeatedly with rifle butts. [...] (pp. 29-30)


Unlawful Detentions by Rapid Support Forces

[...] Human Rights Watch documented multiple unlawful detentions of civilians in 2020 in Khartoum by the Rapid Support Forces, which has been responsible for serious abuses against civilians in Darfur and other conflict zones. Between September 2020 and February 2021, Human Rights Watch interviewed four former detainees, two family members, and a lawyer in cases in which the RSF [Rapid Support Forces] had unlawfully held civilians.
The former detainees said that the security forces held them incommunicado and denied them access to lawyers and their families throughout their detention, which ranged from a week to over a month. Two detainees said RSF guards physically ill-treated them. The authorities should credibly investigate reported arbitrary arrests, incommunicado detentions, enforced disappearances, and other abuse in custody, including the death of one detainee, Human Rights Watch said.

Sudan’s armed forces, including the RSF, do not have legal authority to detain civilians or carry out law enforcement functions, thus making detentions of civilians illegal, Human Rights Watch said. Following the death, while in RSF custody, of 45-year-old Baha al-Din Nouri in Khartoum in December, the attorney general on January 21, 2021 issued an instruction explicitly limiting the powers of arrest and detention of civilians to the police and prosecutors, making clear that any detention by other forces is considered unlawful. Human Rights Watch was unable to confirm what, if any, steps the attorney general has taken to ensure the terms of the instruction are enforced, such as inspecting unlawful detention sites.

Mohamed Nouri, Baha al-Din Nouri’s brother, told Human Rights Watch that witnesses saw him being abducted by armed men in civilian clothes in southern Khartoum on December 16. Five days later, the family received a call informing them that Baha al-Din had died and that his body was at a hospital morgue in Omdurman. “Another relative went to the morgue and saw visible bruises on Baha al-Din’s body,” his brother said. “The morgue director pressured us to accept the body and his autopsy report suggesting that Nouri died due to sickness, but we refused.” On December 27, forensic examiners conducted a second autopsy on instructions from the attorney general. The second autopsy report documented injuries, including brain hemorrhage caused by impact with a blunt object, that are consistent with beatings and that led to Baha al-Din Nouri’s death. On the same day, the RSF in a statement admitted that Baha al-Din had died in RSF intelligence custody and that it had revoked the immunity of the officials involved and handed them over to the attorney general. The attorney general also ordered the arrest of the morgue’s director, including on obstruction of justice charges related to this case. Names and ranks of the people arrested have not been made public. […]

Evidence that the government did not respect judicial independence and impartiality in 2020;
Evidence that the judiciary was corrupt in 2020

- Human Rights Watch, Q&A: Justice for Serious International Crimes Committed in Sudan, 22 June 2020
  [...] What changes are needed to foster fair trials?
  [...] Sudan’s judiciary, under the former regime, was long known to be subject to political interference. The Constitutional Charter provides that the judiciary should operate independently. But putting this principle into practice is likely to require major reforms.
  The Constitutional Charter provides for key steps to reform the judiciary, including the formation of a judicial reform commission, which can bolster the judiciary’s independence through new procedures in the selection and appointment of judges. The commission is yet to be established. […]
  [...] There are major gaps in fair trial protections under Sudanese law.
  [...] At the same time, there is a lack of clarity as to when access to a lawyer begins. The right to a lawyer is not guaranteed from the start of criminal proceedings and has not been implemented in practice.
  [...] One Sudanese legal expert told Human Rights Watch that in practice, victims are often blocked from participating in criminal proceedings by judges and prosecutors. […]

- African Centre for Justice and Peace Studies, Sudan: Urgent call for review of cases handled by the 151 judges dismissed from office, 1 September 2020
  […] On 23 August 2020, the Sudanese Dismantle Committee of the 30 June 1989 regime issued a resolution that dismissed 151 judges from service. The committee, chaired by General Yasir Abdul Rahman Alatta was established in 2019 by way of a resolution from the Sovereign Council. The committee is mandated among others to oversee the dissolution of the National Congress Party, through which al Bashir’s regime ruled the country. The committee is also responsible for seizing the
party’s assets for the benefit of the government, and for dismantling all fronts and affiliates associated with the party or with any person or entity in a position of power with support of the party. The judges were dismissed after the committee reviewed their performance and appointment documents on file. Those dismissed include: 35 high court judges, 38 appeal court judges, 30 general court judges, 18 first district court judges, 4 second district court judges, 5 third district court judges and 17 expert judges attached to judiciary on individual contracts.

A reliable source has informed ACJPS that findings of the dismantle committee mentioned the abuse of office by the judges based on their affiliations with the past regime. Further, some of the dismissed judges were found to be security agents with the National Intelligence Security Services (now known as the General Intelligence Security Services). The NISS is known for their active role in the suppression of dissent under the former regime. Some dismissed judges were found to have attended military training related to the use of military weapons.

The committee further found some dismissed judges were involved in securing facilities owned by the National Congress Party. Some judges were found be corrupt or were appointed to their offices through corruption. For example, the dismantle committee found that expert judges were appointed because of their affiliations with the past regime and/or social relations with high-level judicial officers. The past regime treated the judiciary like one of its political wings as opposed to an independent arm of the Government. Some judges occupied both ministerial and judicial positions based on their affiliation with former regime. […]

- **Freedom House, Freedom in the World 2021: Sudan, 3 March 2021**
  - […] Civil Liberties
  - […] F Rule of Law
  - F1 0-4 pts
  - Is there an independent judiciary? 1/4

  The interim constitution envisages the establishment of an independent judiciary to replace the politically influenced judiciary of the al-Bashir era. The first senior appointments were announced in October 2019, following large protests calling for an acceleration of judicial reform. The new chief justice appointed that month, Nemat Abdullah Khair, became the first woman to hold the position in Sudan’s history. The replacement of incumbent judicial officials continued during 2020. In August, the government committee tasked with dismantling the former regime dismissed 151 judges and 21 prosecutors. […]

**Evidence of political prisoners or detainees in 2020**

- **Human Rights Watch, Sudan: Progress on Rights, Justice, Key to Transition, 20 February 2020**
  - […] 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. […]

- **Radio Dabanga, Sudan’s RAC claims ‘detainee tortured to death’, 27 February 2020**
  - […] The Revolutionary Awakening Council (RAC) led by former janjaweed leader Musa Hilal claims that one of its members has died in the prison of El Obeid, capital of North Kordofan, while another detained member has become completely blind through torture, ill-treatment, and denial of health care.

  According to the RAC, about 513 of its members, including chairman Musa Hilal, are currently detained in various Sudanese detention centres, including the military prison in Omdurman, offices of the General Intelligence Service (GIS), and secret detention for more than two years.
“Their only crime has been that they were against the defunct regime which was overthrown in the December revolution,” Mohamed Khaddam, Political secretary of the RAC told Radio Dabanga on Wednesday.

He said that the detainees are subjected to torture and ill-treatment, which led to the death of one of them in El Obeid.

Khaddam strongly denounced the prolonged detention without trial, calling it a fragrant violation of human rights. He added they received information two weeks ago that Hilal himself was transferred to the Sudan Heart Centre.

“The RAC holds the transitional government fully responsible for the health and safety of the detained head and members of the Council.” Khaddam appealed to all regional and international organisations to urgently and promptly intervene to visit the detainees to determine their general condition, to allow their families and their relatives to visit them, and release them unconditionally.

He said that the 513 detainees are held in Kober Prison in Khartoum North, in the infamous Shala Prison in El Fasher, in El Hadi, Badman, El Obeid, Port Sudan, Wad Madani, in the GIS detention centre near the Shendi bus station in Khartoum North, in Military Intelligence offices, as well as in unknown secret detention centres. […]

African Centre for Justice and Peace Studies, Sudan: Continued violations of human rights by the Sudanese Armed forces and the Rapid Support Forces, 14 May 2020

[...] Many believed that the practice of arbitrary arrest and torture manifested in al Bashir’s regime had come to end, however, a monitoring report by the African Centre for Justice and Peace Studies (ACJPS) between March to May 2020 indicates that the Sudanese Armed forces (SAF) and the Rapid Support forces (RSF) have continued to violate human rights of civilians.

The African Centre for Justice and Peace Studies has documented the assault of 2 people including a Judge by the SAF and RSF, and the arbitrary arrest and detention of two civilians in Khartoum, Blue Nile, White Nile and Algodareef.

Arbitrary arrest and detention

On March 5, 2020, a RSF officer in Khartoum arrested human rights defender, Mr. Abdul Malik Musa Saleh at the Arabic Market in Khartoum. Mr. Saleh was arrested while he was heading to seek legal consultation from a lawyer regarding the case of Musa Hilal and 250 border guard forces detained and charged between August and December 2017. Mr. Musa Hilal was released after a group of lawyers submitted a complaint to the office of the Attorney General in Khartoum.

On April 8 2020, a group of RSF officers of Alta Damon locality in Blue Nile State arrested Mr. Idris Albur Ahmed, a 37 year old blogger and member of Baath Political party from the village of Alslilk. Mr. Idris, was arrested after sharing a post on his Facebook account where he accused the management of a petrol station owned by Mr. Faiz Balla, an RSF officer for hiking fuel prices above the official prices set by the Sudanese authorities. Mr Idris was detained at the RSF headquarters and released on April 11, 2020 but was re-arrested after he attempted to file a complaint about his arrest at the office of the attorney general in Blue Nile. […]


[...] On 20 July 2020, human rights defender Madani Ali Abdel Rahman was detained by the authorities of North Darfur while carrying out his work as a human rights lawyer.

Madani Ali Abdel Rahman is a human rights lawyer, and a member of the Darfur Bar Association, an organisation of lawyers across Sudan who provide legal aid to civil and political activists. Their work is centred around human rights, victims of torture, cases of arbitrary detention and issues regarding freedom of expression. Through his work as a human rights lawyer, Madani Ali Abdel Rahman has focused on cases regarding the Emergency Regulations in Sudan, which are routinely used to target human rights defenders.

On 20 July 2020, the authorities in the state of North Darfur detained Madani Ali Abdel Rahman in Kutum city before he was due to meet the Public Prosecutor. The defender was due to submit a request for the whereabouts of the persons detained on 13 July during a protest against reported human rights violations in the Fata Borno IDP camp in Kutum, to be disclosed. He was then questioned and detained for one day before being transferred on 21 July to Al-Fasher Intelligence detention centre, where he is being held at the time of writing. Madani Ali Abdel Rahman is being detained under the Emergency Regulations, which deprives detainees of some of their fundamental rights.
Front Line Defenders is deeply concerned regarding the arbitrary detention of human rights defender Madani Ali Abdel Rahman, as it believes he is being detained as a result of his peaceful and legitimate human rights work in Sudan. […]

  
  1.4 Statement of the problem
  
  [...] Rights were violated in form of arbitrary arrests (security of persons), unlawful killing, denying people rights to fair trial (court) and rights of civilians within conflict areas (insecurity, abuse of authority and excessive use of power). Many times, the authorities (police in particular) refused or failed to carry out investigations of cases brought before them especially where RSF [Rapid Support Force] and PDF [People Defense Force] were involved. This is a challenge to good governance, rule of law and an indication of impunity. (p. 6)
  
  [...] 2.1 Arbitrary Arrests
  
  Arrests in South Kordufan
  
  2.1.1 Arresting of youth from a Public demonstration in Kadogli
  
  On 5th January 2020, there was a peaceful demonstration in Kadogli calling for the dismissal of some high ranking officials from the public service for hindering reforms because they were members of the former regime party (NCP). The demonstration was dispersed by police using tear gas and four (4) youth were arrested by the MI. They were detained at a police cell and released the next day (6th January 2020) without any charges.
  
  [...] 2.1.2 Arrest and intimidation of Suliman by MI in Rashad
  
  On 12th February 2020 morning hours, three (3) soldiers of Sudan Armed Forces (SAF) arrested Mr. Suliman Adam Suliman (63 years old) from his tailoring/work place in Rashad town. They took him to MI office at Rashad military base. While there, he was interrogated about his past political activities of 2011 when he was a member of Sudan People Liberation Movement (SPLM) and Rashad’s candidate for South Kordufan State legislative council (2011) elections. The same day (evening hours), Mr. Suliman was released after being threatened that he will be arrested and tortured if he expresses any kind of association with Sudan People Liberation Army – North (SPLA-N). […]
  
  2.1.3 Arrest of Mr. Elsafi Eldegain by SAF in Aleri Ghareib
  
  On the night of 11th April 2020 around 08:30 PM, eight (8) armed soldiers of Sudan Armed Forces (SAF) came on land cruiser vehicle to the house of Mr. Elsafi Eldegain (42 years old) the farmer based in Aleri Ghareib/Aleri West town and arrested him without giving a reason. They took him to their base in the town where he spent the night. The following day (12th April 2020), Mr. Elsafi was transferred to Talodi military base. He was not allowed to be accessed by visitors including family and lawyers. His prolonged detention raises the fear that he could be undergoing torture. Since then Mr. Elsafi has been held incommunicado until recently (10th June 2020) when he was allowed once to communicate (via phone) with his family. The reason for Mr. Elsafi’s arrest was related to his past political activities when he was a member of Sudan People Liberation Movement–North (SPLM-N). […]

- **Frontline Defenders, Urgent Appeal: Sudan: Arbitrary detention of woman human rights defender Hala Khalid Abugroun, 26 August 2020**
  
  [...] On 17 August 2020, woman human rights defender Hala Khalid Abugroun was detained for several hours at Khartoum Central Police Station after attempting to report human rights abuses carried out by NISS officers against protestors during a peaceful protest in the capital. She was interrogated for several hours and reported being subject to severe physical abuse, which may amount to torture, by police and security officers.
  
  Hala Khalid Abugroun is a woman human rights defender and lawyer. She is a member of the ‘No to Women’s Oppression’ initiative, as well as a member of the Collation of Democratic lawyers, an organisation of lawyers across Sudan who support democratic transformation and provide legal aid to victims of human rights violations.
  
  On 17 August 2020, National Intelligence Service (NISS) officers harassed and threatened Hala Khalid Abugroun and her colleagues while they were documenting arbitrary arrests and incidents of violence against protestors carried out by officers of the NISS. The protestors were reportedly lashed by the NISS officers during a peaceful demonstration in Khartoum, marking the anniversary of the signing the Constitutional Declaration. The defender and her two colleagues immediately went to the police station in
Khartoum to file a report against the NISS officers involved in the abuses against them and the protestors. Whilst in the police station, Hala Khalid Abugroun was detained for over five hours by three NISS officers and a number of police officers but her colleagues were allowed to leave. During this time, she reported being subject to severe physical abuse causing injuries to her right eye and knee which resulted in the defender being hospitalised. Police officers also tried to forcibly seize her mobile phone and searched her handbag. Hala Khalid Abugroun was not given the reasons behind her detention during this time. She was eventually released and no charges were brought against her.

Since being arbitrarily detained and subject to physical abuse on 17 August 2020, Hala Khalid Abugroun has attempted to open a file against the officers involved. There has been no progress in this process, and the defender has subsequently received verbal threats from unknown persons indirectly, warning her to cease her attempts to take legal action against the officers involved. [...]
1.3.1 Omissions in 2017

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 [...]

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 auxiliary 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 being 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

UN 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 […]


  [...] 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 […]

UNAMID figures relating to female victims of conflict-related sexual violence in 2020

  - Annex I
  - Report on African Union-United Nations Hybrid Operation in Darfur pursuant to Security Council resolution 2525 (2020) [Reporting period 1 June to 31 August 2020]
  - [...] II. Update on the situation in Darfur and implementation of the mandate of the African Union-United Nations Hybrid Operation in Darfur
  - [...] E. Human rights situation
  - 19. From June to August, UNAMID documented 93 alleged human rights violations and abuses, involving 403 victims, including 40 women and 28 minors, which reflects an increase relative to the 97 cases involving 299 victims that were documented between March and May 2020. Owing to various factors, including the impact of COVID-19 restrictions, these may not be the actual numbers.
  - 20. Women continued to be particularly vulnerable to human rights violations and abuses. The Operation documented 20 cases of sexual and gender-based violence and conflict-related sexual violence involving 28 survivors, which represents an increase of 10 cases compared with the same period in the previous year. The cases included the assault and rape of two Fur women, allegedly by nomads, on 25 June near Belle el-Sereif village in Central Darfur, and the rape of two women on 16 July in the Tiga farming area in North Darfur. […]

  - [...] II. Situation in Darfur
  - [...] D. Intercommunal violence
  - [...] Incidents of conflict-related sexual violence reported to UNAMID from May to August 2020 increased by 10.5 per cent compared with the same period in 2019. (p. 5)
  - [...] III. Protection of civilians
  - [...] B. Rule of law and human rights
  - [...] 28. In June 2020, UNAMID documented 11 cases of conflict-related sexual violence in North, West and Central Darfur, with nine of the victims being gang-raped. This was a significant increase compared with June 2019, when two cases of conflict-related sexual violence were documented. In July 2020, there were nine cases of conflict-related sexual violence in North and Central Darfur, six of which involved child victims. The perpetrators were identified as uniformed armed men, persons described as nomads and SLA/AW [Sudan Liberation Army-Abdul Wahid] members. Most of the survivors of the conflict-related sexual violence committed in 2020 were girls under the age of 18. […]

- United Nations Security Council, Situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, Report of the Secretary-General, 1 December 2020
  - [...] Annex
  - [...] II. Update on the situation in Darfur and implementation of the mandate of the African Union-United Nations Hybrid Operation in Darfur
... E. Human rights situation

... 24. Women and children continued to be vulnerable to human rights violations and abuses, particularly sexual violence and conflict-related sexual violence. During the reporting period, [1 September to 23 November 2020] UNAMID documented 21 cases of sexual and gender-based violence and conflict-related sexual violence affecting 22 survivors, compared with 20 cases affecting 28 survivors from 1 June to 31 August 2020. Access to comprehensive services for survivors of sexual violence continues to be challenging owing to stigma, access constraints for remote areas and reluctance by survivors to report incidents. UNAMID verified 17 incidents of grave violations affecting 36 children, of whom 14 were girls, which reflected a decrease in the number of children affected by intercommunal violence compared with the 364 incidents of grave violations affecting 77 children, including 40 girls, during the previous reporting period (1 June –31 August 2020). The documented human rights incidents may not reflect the actual number of possible cases owing to several factors, including the impact of COVID-19-related restrictions on fact-finding and community engagement activities. [...]
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, 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. 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 Kabbabiyah, 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 conveys 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 [...]
polypropylene 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
[…] 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 Graida, 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 Graida 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. [...]
Attacks on humanitarian conveys and compounds in 2020

- **UNAMID, UN Strongly Condemns the Harassment of Humanitarian Staff and Looting of Humanitarian Premises in North Darfur, 23 January 2020**
  
  [...] “This emerging trend of harassment of UN and NGO staff and subsequent looting and vandalization of UN and NGO premises and assets is not only very disturbing but totally uncalled for. UN and NGO staff are in Darfur to provide critical humanitarian and peacekeeping support in the region and deserve the full support and appreciation from the communities they serve,” UNAMID’s Joint Special Representative/Joint Chief Mediator, Jeremiah Mamabolo stated in response to reports received about the wanton destruction of property in Kabkabiya, North Darfur.

  On 22 January, a large crowd of men, women and children harassed staff from the International Organization of Migration (IOM) who were on mission to distribute non-food items to victims of flooding that occurred in Kabkabiya, North Darfur last October. The distribution commenced on 20 January at the premises of an implementing partner and was supposed to conclude on 22 January. However, towards the end of the distribution program, some looters attacked the IOM staff alleging that they were not included in the distribution matrix. It was later reported that the premises of five other local NGOs were also looted. Later in the day, government security forces intervened whilst UNAMID’s Pakistan Contingent based in the area, also secured the World Food Programme (WFP) premises and four local staff remaining in the offices.

  “We appeal to both federal and state government authorities to thoroughly investigate above incidents and bring all persons responsible for these unwarranted actions to book,” JSR Mamabolo added.

  The Humanitarian Coordinator in Sudan, Gwi-Yeop Son, condemned the attacks on humanitarian offices, assets and looting of humanitarian supplies in Kabkabiya, North Darfur. [...]


  [...] Annex I


  [...] II. Update on the situation in Darfur and implementation of the mandate of the African Union-United Nations Hybrid Operation in Darfur

  B. Security situation

  [...] Incidents against United Nations personnel and installations

  11. A total of 65 mostly criminal incidents targeted at UNAMID, United Nations and humanitarian personnel and premises were recorded during the review period. [...]

- **UN OCHA, Sudan Humanitarian Needs Overview 2021, December 2020**

  [...] 1.2 Shocks and Impact of the Crisis

  [...] Impact on humanitarian access

  [...] Inter-communal conflict, civil unrest and criminality continued in some parts of the country delaying humanitarian assistance, with Darfur, East Sudan and South Kordofan being the most affected states. In September in West Darfur, armed men ambushed a humanitarian convoy on its way to Masterei, looted personal effects of the passengers and temporarily detained the passengers. [...]

- **United Nations Security Council, Situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, Report of the Secretary-General, 1 December 2020**

  [...] Annex


  [...] II. Update on the situation in Darfur and implementation of the mandate of the African Union-United Nations Hybrid Operation in Darfur

  [...] B. Security situation

  [...] Incidents against United Nations personnel and installations
12. During the reporting period, 12 mostly criminal incidents were recorded in which United Nations and humanitarian personnel and premises were targeted, a noticeable reduction from the 65 incidents reported from 1 June to 31 August 2020. The decrease may be due to several factors. One is that demonstrations in June and July, in Nyala in South Darfur, El Geneina in West Darfur and Ed Daein in East Darfur by security guards of a private security company contracted by United Nations agencies, funds and programmes may have contributed to the higher number of criminal attacks during the previous period. Another may be the positive impact of the ongoing firearms collection campaign conducted by Sudanese authorities.

13. On 16 November, outside the logistics base in El Fasher, North Darfur, a group of former members of UNAMID national staff who had been protesting against a perceived lack of payment of financial entitlements since 10 August 2020 blocked all entry and exit gates. The following day, protesters attacked UNAMID police removing vehicles blocking the gates. UNAMID police fired tear gas and six officers sustained minor injuries. […]

United Nations Security Council, Situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan Report of the Secretary-General, 1 March 2021

II. Update on the drawdown of the African Union-United Nations Hybrid Operation in Darfur pursuant to Security Council resolution 2559 (2020)

5. Nevertheless, UNAMID has faced challenges in the movement of its convoys. On 11 December 2020, a convoy carrying supplies for UNITAMS was detained en route from El Fasher to Khartoum and delayed for several days by customs officials. On 18 December, military intelligence authorities prevented a UNAMID convoy from leaving the Kutum team site in North Darfur to go to El Fasher. The convoy was unable to move until 31 December, following the completion of negotiations with federal and North Darfur State authorities. Again, on 15 January 2021, a UNAMID-contracted convoy on its way to the Khor Abeche team site in South Darfur was stopped by the Sudan Police Force and instructed to return to El Fasher. On 21 January, a consignment of contingent-owned equipment and assets being transferred to UNITAMS was seized by North Darfur State customs authorities for several days. Such incidents have resulted in financial losses for the Operation and delays in the conduct of critical drawdown activities.

6. In some instances local communities and local authorities have resisted efforts to remove assets or equipment from the sites, insisting that they should be left for their use. The sale of scrap and other commodities to local contractors, which is required under the Financial Regulations and Rules of the United Nations, has also been opposed by some local communities and local authorities.

11. Criminal incidents targeting UNAMID personnel and premises have escalated during the drawdown period. These have included incidents of armed robbery, carjacking, intrusion on premises and theft. On 20 December 2020, armed individuals highjacked a UNAMID vehicle at gunpoint in El Fasher, North Darfur, and on 22 December 2020, two United Nations staff members were robbed and a United Nations vehicle was stolen in Kabkabiyah, North Darfur. On 8 January 2021, a power cable to the perimeter security lights of the UNAMID super camp in Zalingei was cut and the perimeter fence was damaged in an attempted intrusion. On 3 February, another attempt at forceful entry into the super camp was made by people claiming compensation for road traffic accidents involving UNAMID vehicles. Two days later, a group of 150 people blocked the movement of a logistics convoy with similar demands.

12. Concerns remain that such incidents could increase further as the withdrawal progresses. In some cases, where the removal of assets from the closure of team sites has been opposed by local communities or authorities, mutual agreements between local communities, state authorities and UNAMID may be necessary in order to ensure a smooth handover. […]
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 [...]

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/harrassment (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 [...] 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,21 in May 2019, clashes between various SLA/AW factions (between commanders Salah Borso and Mubarak Waldook, 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 [...]

Government forces, armed militias and individuals raided IDP camps in 2020

African Centre for Justice and Peace Studies, Darfur: Two people killed and a woman raped by armed militia in Central Darfur, 2 July 2020

[...]

The African Centre for Justice and Peace Studies (ACJPS) has documented two incidents of attack against civilians by armed militia in Central Darfur state. The attacks left two civilians killed, two officers of Sudanese armed force injured and a young woman raped. One incident occurred on 14 June 2020 whilst the other occurred on 28 June 2020 following a raid by armed militias in Khor Ramla internally displaced person’s (IDP) camp, Western Nerteti in Central Darfur.
Raid in Khor Ramla displaced people’s camp.

On 28 June 2020, armed militia raided Khor Ramla internally displaced person’s (IDP) camp and killed two civilians. Two officers of the Sudanese armed forces who happened to be inside the camp at the time were injured during an exchange of gun fire with the militia. Following the raid, thousands of people demonstrated in Nierteti against the deterioration of security situation in Nerteti and the surrounding villages. The peaceful demonstrators have gathered in a sit-in in front of the municipality building since 28 June to this date. They are demanding the local government to put an end to the daily attacks by armed militias against civilians, and to record complaints filed by victims of crimes. The peaceful demonstrators at the sit-in have also asked the authorities to disarm the militias and to arrest the perpetrators and hold them to account beside the removal of the current security forces and the Rapid Support Forces (RSF) from the Nerteti municipality. [...]

UNAMID, UNAMID is Deeply Concerned About Violent Incidents in Kutum Town and Fata Borno IDPs Camp in Darfur, 14 July 2020

[...]

UNAMID is deeply concerned about the violent incidents that erupted in Kutum town on 12 July and the attack by unidentified armed men on the Fata Borno IDP Camp on the morning of 13 July 2020 which left 9 IDPs dead and 20 injured. The Mission condemns the loss of life, and injuries and regrets the physical damage to Government buildings and private property caused by such violent acts. While the farming seasons in Darfur have witnessed such occurrences in the past, it is regrettable that these incidents have taken place while the transitional Government of Sudan and the armed movements are close to concluding negotiations expected to bring peace and stability, and the promise of prosperity to the Darfur region and the whole of Sudan.
The Mission has been working closely with the relevant Sudanese authorities and communities to de-escalate tensions in order to prevent further loss of life. The Mission has further dispatched additional Formed Police Units to the area, intensified patrols in and around the hot spots areas to ensure the safety and protection of the IDPs. The Mission has also been engaging community leaders, urging them and all parties to exercise restraint.

On 13 July, an UNAMID patrol team from Kutum managed to enter the Fata Borno IDP camp, and, recovered the remains of nine people and found up 20 injured people. The Mission’s FPU evacuated the injured by road to the Kutum team site where, they were admitted at the Level-1 hospital overnight for stabilization and further assessment.

Upon the request of the Government UNAMID dispatched an Air Medical Team to Kutum to stabilize and evacuate 13 critically injured individuals to El Fasher. [...]

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  [...] Annex I
  [...] II. Update on the situation in Darfur and implementation of the mandate of the African Union-United Nations Hybrid Operation in Darfur
  B. Security situation
  [...] Intercommunal conflict and land issues
  [...] In North Darfur, internally displaced persons at Fata Borno camp were attacked on 13 July by nomad militias, killing nine. [...] 

  [...] III. Protection of civilians
  A. National plan for the protection of civilians
  [...] In the Hamadiya camp, UNAMID responded to the increase in violent attacks and casualties relating to factional infighting by ensuring the round-the-clock presence of one of its formed police units supported by a military quick reaction force starting on 3 August 2020. [...] 

  [...] Crackdown on protestors
  [...] In North Darfur, armed militia attacked a sit-in in Fata Borno, a displaced persons camp near Kutum, in North Darfur, on July 13, killing at least nine. [...] 

- Freedom House, Freedom in the World 2021: Sudan, 3 March 2021
  [...] Political Rights
  [...] C Functioning of Government
  [...] Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -2
  [...] Also in July, militias connected with security forces attacked an internally displaced persons (IDPs) camp in North Darfur, killing nine and injuring 20. [...] 

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 are 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 [...] July 2018 Delami


[...] 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 [...] 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: 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 [...] The SAF and government-aligned forces burned and looted villages in Southern Kordofan and Blue Nile in 2020

Radio Dabanga Sudan, Sudan: Five killed in attack on Kadugli neighbourhood, 15 May 2020

[...] Witnesses told Radio Dabanga from Kadugli that men wearing uniforms of the Rapid Support Forces raided the El Amara district in the eastern part of the town at about 3 am on Thursday. They beat the residents and chased them from their homes. A number of houses were torched. At least five people were killed, and an unknown number of others were wounded.
Many people fled to the mountain tops in the area, and took refuge in caves. “They are now living in extremely complicated humanitarian conditions without water or food,” the witnesses said. “All their belongings burned to ashes, as they had to leave them behind while fleeing.”

1.4 Statement of the problem
The violations in conflict areas continued mainly because of the presence of the fully armed/equipped RSF [Rapid Support Forces] and PDF [People Defense Force] and the absence of the central government. The former regime agents/members who used to ignore abuse and violations are still active within the public administration. RSF and PDF killed and injured many people/civilians by shooting them directly and sometimes they looted or confiscated property from civilians. But, in Khartoum the violations reduced significantly. (p. 6)

2.4.4 Miserable conditions of the recently displaced people in Kadogli
On 13th May 2020, armed group of Rapid Support Force (RSF) soldiers came on four land-cruiser vehicles with some motorbikes and invaded Albardab village. On arrival, they started to ask about the ethnicity of the residents they came across and it turned out that they were targeting the Nuba. Whoever said that they were from Nuba ethnicity had to be assaulted / beaten or killed and their houses had to be looted and burnt down.

As a result, nine (9) people were killed (they were buried by Sudan Red Crescent on 16th May 2020), more than two hundred (200) huts/houses were burnt down and more than two thousand people were displaced. The displaced people settled in two schools near the military base of Sudan Armed Forces (SAF) in Kadogli town while others went to al-Kewaik and Dameek village in search of protection. The government officials requested the IDPs to return home without offering any protection or rehabilitation. Yet the attackers are still threatening to attack again. [...] (p. 27)

1.3.2. Omissions in 2018

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 [...] (p. 27)

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 [...] (p. 27)

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 [...] (p. 27)

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.

  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, 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.

  147 Amnesty International meeting in Khartoum with September 2013 and December 2018 martyrs, 12 September 2019.
  
  

Information published in 2020 on the investigation and possible prosecution and compensation for victims of the violence during the 2013 protests

- **Human Rights Watch, Q&A: Justice for Serious International Crimes Committed in Sudan, 22 June 2020**
  
  3. How should justice efforts be pursued? What kinds of cases are needed?

  Attorney General Tajelsir El Hibir, who took up his post in October, has indicated that his office is investigating several cases involving past human rights abuses for possible prosecution: the torture and death of Dr. Ali Fadul in response to his participation in a doctors’ strike in 1990; the 1998 al-Eilafoun military camp murders; the killing of unarmed protesters in 2005 at Port Sudan; the violent breakup of protests against Kajbar dam; the 2013 and 2018-19 violent crackdowns on peaceful protestors; and the more recent violence in Southern Kordofan, Blue Nile, and Darfur.

  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 [...] 

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 (HUWO) 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 NISSL 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. [...] 

Detention of individuals in 2020 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


[...] 2.1 Arbitrary Arrests
Arrests in South Kordofan

[...] 2.1.2 Arrest and intimidation of Suliman by MI [military intelligence] in Rashad

On 12th February 2020 morning hours, three (3) soldiers of Sudan Armed Forces (SAF) arrested Mr. Suliman Adam Suliman (63 years old) from his tailoring/work place in Rashad town. They took him to MI office at Rashad military base. While there, he was interrogated about his past political activities of 2011 when he was a member of Sudan People Liberation Movement-North (SPLM) and Rashad’s candidate for South Kordofan State legislative council (2011) elections. The same day (evening hours), Mr. Suliman was released after being threatened that he will be arrested and tortured if he expresses any kind of association with Sudan People Liberation Army – North (SPLA-N).

2.1.3 Arrest of Mr. Elsafi Eldegain by SAF in Aleri Ghareib

On the night of 11th April 2020 around 08:30 PM, eight (8) armed soldiers of Sudan Armed Forces (SAF) came on land cruiser vehicle to the house of Mr. Elsafi Eldegain (42 years old) the farmer based in Aleri Ghareib/ Aleri West town and arrested him without giving a reason. They took him to their base in the town where he spent the night. The following day (12th April 2020), Mr. Elsafi was transferred to Talodi military base. He was not allowed to be accessed by visitors including family and lawyers. His prolonged detention raises the fear that he could be undergoing torture. Since then Mr. Elsafi has been held incommunicado until recently (10th June 2020) when he was allowed once to communicate (via phone) with his family. The reason for Mr. Elsafi’s arrest was related to his past political activities when he was a member of Sudan People Liberation Movement–North (SPLM-N). [...] 

Sudanese Human Rights and Development Organisation (HUDO), Arrest and Release of Seven Youth by SAF in Roseries, Sudan, 28 August 2020

[...] On 25th August 2020, a group of SAF soldiers arrested seven youth from Ganees market in Roseries town of Blue Nile State. They were arrested because of attempting to conduct a public address meeting at the market, the arrest was before the start of the event. The arrested youth were detained at SAF headquarters in Roseries. During their detention, they were insulted, threatened and warned not to try it again otherwise they will be arrested and tortured. They were later released late in the evening.

The names of the arrested youth are: Ahmed Eltayeeb Abu-Jameila (26 years old), Khatab Mohammed Farajalla (25 years old), Ali Babikir (25 years old), Noureldin Ali Babikir (27 years old), Sabri Khaleda (33
years old), Abduelshafae Desomi (28 years old) and Ahmed Omer Saadalla (29 years old). All of them are members of Sudan People Liberation Movement – North (SPLM-N). One of the arrested youth informed HUDO that, the public address was planned to be about the peace process and the current political status. [...] **Sudanese Human Rights and Development Organisation (HUDO), Civilians Detained for Two Days by SAF in Al-Abbasiya, Sudan, 9 December 2020** [...] On 3rd Dec 2020, Peace Activist Group (PAG) organized a public address in Gambaraya village where they were talking about peace process. Suddenly, a group of armed soldiers some dressed in Sudan armed force (SAF) uniform and others in Rapid Support Force (RSF) uniform raided the gathering. The soldiers came on eleven vehicles mounted with machine guns, they shot bullets in the air, arrested twelve people including an underage and took them to Al-Abbasiya military base where they had been confined for two days. During detention, they were intimidated and verbally insulted by calling them “NYAKAT” (it is a local word used by those in authority against Nuba people referring to them as rebels). They were also interrogated on accusations of being affiliated to SPLM-N [Sudan People’s Liberation Movement-North]. They were released on 5th Dec 2020 after being threatened and warned not to organize or participate in such gatherings anymore. Otherwise, they will be arrested and tortured. [...] **Sudanese Human Rights and Development Organisation (HUDO), Arrest of Civilians by MI in Talodi, Sudan, 28 December 2020** [...] On 18th December 2020, SAF/MI in Talodi arrested Mr. Taj-Elsir Abdalla Meseibeil and Mr. Hussein Ibrahim Abu-Jarra. The reason for their arrest was not given/unknown. They have been kept incommunicado and detained in poor conditions since then, this raised fear that they could be under torture. On 17th December 2020, Mr. Taj-Elsir Abdalla Meseibeil and Mr. Hussein Ibrahim Abu-Jarra arrived in Talodi town from Mandi village accompanying their blind and sick uncle Mr. Elbasheir Meseibeil Adam. They came to Talodi town in order to send their sick Uncle to Khartoum for treatment. They were hosted at the house of Mr. Eltayeb Musa Eltayeb in Talodi. On 18th December 2020, four (4) armed Sudan Armed Force (SAF) soldiers arrested both Taj-Elsir and Hussein from Mr. Eltayeb’s house and took them to SAF’s military base and detained them under poor conditions. They are only served one meal per day and are not allowed to access their lawyers or relatives to visit them. This raised the fear that they could be undergoing torture. It’s presumed that the reason for their arrest is because they were coming from the area controlled by Sudan People Liberation Army – North (SPLA-N) to the governmental territory. [...] **United Nations Security Council, Letter dated 13 January 2021 from the Panel of Experts on the Sudan addressed to the President of the Security Council, 13 January 2021** [...] VIII. International humanitarian law and human [...] F. Human rights violations by Government security forces [...] 92. In October, UNAMID reported widespread human rights violations and abuse against internally displaced persons and other civilians in Sortony and surrounding areas by Sudanese Armed Forces commander Al-Sadiq Foka. Cases of arbitrary arrest and detention, inhumane treatment amounting to torture, kidnap for ransom, expulsion of internally displaced persons, extortion and intimidation were highlighted. Most victims were suspected of affiliation with SLA/AW [Sudan Liberation Army-Abdul Wahid]. [...] 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. 147
  [...] 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, 153 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.154 [...] 

147 Amnesty International meeting in Khartoum with September 2013 and December 2018 martyrs, 12 September 2019.
Information published in 2020 on the investigation and possible prosecution and compensation for victims of the violence during the 2013 protests

- **Human Rights Watch, Q&A: Justice for Serious International Crimes Committed in Sudan, 22 June 2020**
  
  [...] 3. How should justice efforts be pursued? What kinds of cases are needed? [...] Attorney General Tajelsir El Hibir, who took up his post in October, has indicated that his office is investigating several cases involving past human rights abuses for possible prosecution: the torture and death of Dr. Ali Fadul in response to his participation in a doctors’ strike in 1990; the 1998 al-Eilafoun military camp murders; the killing of unarmed protesters in 2005 at Port Sudan; the violent breakup of protests against Kajbar dam; the 2013 and 2018-19 violent crackdowns on peaceful protestors; and the more recent violence in Southern Kordofan, Blue Nile, and Darfur. [...] 

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 [...]


[...] 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.14 [...]

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. [...] 14 See 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. [...]  

Amnesty provisions/pardons issued in 2020

The New Arab, Burhan issues a general amnesty for all arms carriers in Sudan, 13 November 2020

[...] Sudan’s top general Abdel-Fattah Al-Burhan has issued a general pardon "for everyone who has carried weapons", The New Arab's Arabic-language outlet reported Friday. Burhan, who is chairman of Sudan's Sovereign Council, announced the amnesty a week before several rebel leaders arrive in Khartoum to celebrate the landmark peace deal signed last month. The amnesty extends to "anyone who carried weapons, participated in any of the military or war operations, or contributed to any act or statement related to combat operations," the news outlet reported quoting Sudanese News Agency.
But the decision excludes anyone facing criminal charges, charges for the crime of genocide, or for whom arrest warrants have been issued by the International Criminal Court (ICC). According to Sudanese law, the unauthorised carrying of weapons can be punished by 10 years imprisonment. [...]
1.3.3. Omissions in 2019

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, Darfuri 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. 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”. It was reported that these students were subjected to torture and/or ill-treatment whilst in detention. [...] 


- **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-’Abassiyya 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 were arrested. These students descended from Shiqaa Caro in Darfur and were residing in the neighborhood of Al-’Abbasiiyya in Omdurman. During the crackdown on the students in Ad-Durushab suburb, Salih Yagoub Omar, a student studying Political Science in Alzaieem 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. [...]

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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. [...]
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. [...] 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. [...] 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. [...] 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. [...] 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. [...] 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. 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. 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. 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.12 [...]  


- 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, Darfuri 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.77 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”.80 It was reported that these students were subjected to torture and/or ill-treatment whilst in detention. [...]  


- 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 Abdul 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 thumbprinted 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 mosquitoes 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. 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.

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 movements19).

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 [...]
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.11 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.12 In addition, there have been allegations that the security forces forcibly disappeared13 dozens of protesters detained on or around June 3.14 [...] 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.79 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,132 beating them if they tried to move to the shade of the nearby Blue Nile Bridge.133 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.134 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.”135

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.” [...]
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.”

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.”

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. 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.

[...] 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. A day before his visit NISS started to round up activists. They arrested a number of protesters. 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 protesters. 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 protesters] hop around the NISS courtyard like a rabbit and I was also beaten at that time.”

73 Amnesty International Interviewed Emad on 29 January 2019.
74 Amnesty International Interviewed Emad on 29 January 2019.
Government security forces tortured persons in detention in 2020, 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.

**Radio Dabanga, Sudan’s RAC claims ‘detainee tortured to death’, 27 February 2020**

[...] The Revolutionary Awakening Council (RAC) led by former Janjaweed leader Musa Hilal claims that one of its members has died in the prison of El Obeid, capital of North Kordofan, while another detained member has become completely blind through torture, ill-treatment, and denial of health care.

According to the RAC, about 513 of its members, including chairman Musa Hilal, are currently detained in various Sudanese detention centres, including the military prison in Omdurman, offices of the General Intelligence Service (GIS), and secret detention for more than two years.

“Their only crime has been that they were against the defunct regime which was overthrown in the December revolution,” Mohamed Khaddam, Political secretary of the RAC told Radio Dabanga on Wednesday.

He said that the detainees are subjected to torture and ill-treatment, which led to the death of one of them in El Obeid.

Khaddam strongly denounced the prolonged detention without trial, calling it a fragrant violation of human rights. He added they received information two weeks ago that Hilal himself was transferred to the Sudan Heart Centre.

“The RAC holds the transitional government fully responsible for the health and safety of the detained head and members of the Council.” Khaddam appealed to all regional and international organisations to urgently and promptly intervene to visit the detainees to determine their general condition, to allow their families and their relatives to visit them, and release them unconditionally.

He said that the 513 detainees are held in Kober Prison in Khartoum North, in the infamous Shala Prison in El Fasher, in El Hadi, Badman, El Obeid, Port Sudan, Wad Madani, in the GIS detention centre near the Shendi bus station in Khartoum North, in Military Intelligence offices, as well as in unknown secret detention centres. [...]
- **African Centre for Justice and Peace Studies, Sudan: Continued violations of human rights by the Sudanese Armed forces and the Rapid Support Forces, 14 May 2020**

  [... Many believed that the practice of arbitrary arrest and torture manifested in al Bashir’s regime had come to an end, however, a monitoring report by the African Centre for Justice and Peace Studies (ACJPS) between March to May 2020 indicates that the Sudanese Armed forces (SAF) and the Rapid Support forces (RSF) have continued to violate human rights of civilians.

  The African Centre for Justice and Peace Studies has documented the assault of 2 people including a Judge by the SAF and RSF, and the arbitrary arrest and detention of two civilians in Khartoum, Blue Nile, White Nile and Algadareef.

  [...] Armed officers assault civilian at a petrol station

  On May 4, 2020, Mr. Alagib Mohamed Ali, a 45 year old rider of a motorcycle locally known as “Toktok” was beaten by a group of ten soldiers from SAF and RSF using sticks. The incident took place at a fuel station located in Kenan. Mr. Alagib was beaten after he complained about the mistreatment of civilians by SAF officers who were deployed to maintain law and order at the fuel station. At the time, there were long queues due to the low fuel supply. Following the beating, Mr Alagib was also forced out of the queue where he had spent about four hours waiting. [...]


  [... 2.1 Arbitrary Arrests

  [... Arrest in Blue Nile

  2.1.4 Mr. Edriss Elbur Repeatedly Arrested by RSF [Rapid Support Forces] in Damazin

  On 9th April 2020 morning hours, a group of RSF soldiers in Damazin arrested Mr. Edriss Elbur Ahmed (40 years old) a trader and social activist. He was arrested from his shop at Damazin market and taken to RSF detention cell at Ashara Beiut neighbourhood where he was confined with other nine (9) RSF soldiers who were breaching military laws.

  [...] Re-arrest: On 27th April 2020, Mr. Edriss Elbur was arrested again from his shop by RSF soldiers and detained at RSF office in Damazin town. While being there, he was interrogated and physically tortured (beaten) by RSF Captain/ Gouja. [...]

- **Frontline Defenders, Madani Ali Abdel Rahman Released, 28 July 2020**

  [... On 26 July 2020, human rights defender Madani Ali Abdel Rahman was released from arbitrary detention, since being detained on 20 July.

  Whilst detained, the defender was subjected to severe torture by the Kutum Military Intelligence officers who initially detained him, and police officers in Al-Fasher. He was severely beaten and subjected to electric shocks, and as a result of the torture he faced, Madani Ali Abdel Ragman is suffering with multiple injuries.

  The defender was held in arbitrary detention for six days, after being detained whilst carrying out his work as a human rights lawyer. [...]

- **Frontline Defenders, Urgent Appeal: Sudan: Arbitrary detention of woman human rights defender Hala Khalid Abugroun, 26 August 2020**

  [... On 17 August 2020, woman human rights defender Hala Khalid Abugroun was detained for several hours at Khartoum Central Police Station after attempting to report human rights abuses carried out by NISS officers against protestors during a peaceful protest in the capital. She was interrogated for several hours and reported being subject to severe physical abuse, which may amount to torture, by police and security officers.

  [... On 17 August 2020, National Intelligence Service (NISS) officers harassed and threatened Hala Khalid Abugroun and her colleagues while they were documenting arbitrary arrests and incidents of violence against protestors carried out by officers of the NISS. The protestors were reportedly lashed by the NISS officers during a peaceful demonstration in Khartoum, marking the anniversary of the signing the Constitutional Declaration. The defender and her two colleagues immediately went to the police station in Khartoum to file a report against the NISS officers involved in the abuses against them and the protestors.

  Whilst in the police station, Hala Khalid Abugroun was detained for over five hours by three NISS officers and a number of police officers but her colleagues were allowed to leave. During this time, she reported being subject to severe physical abuse causing injuries to her right eye and knee which resulted in the
defender being hospitalised. Police officers also tried to forcibly seize her mobile phone and searched her handbag. [...]

- **Human Rights Watch, Sudanese Artists Imprisoned for Pro-Democracy Chants, 21 September 2020**
  
  [...] On September 18, a court in Khartoum sentenced five Sudanese artists to two months in prison and made them pay a fine of 5,000 Sudanese pounds (USD $90) on charges of “disturbing public peace” and “public nuisance,” for chanting pro-democracy slogans at the police station. The case exposes serious flaws in Sudan’s legal, criminal justice, and judicial systems. 
  
  [...] The case underscores how police, prosecutors, and judges are still operating as they did under former president Omar al-Bashir, using vague provisions that give wide discretionary powers for authorities to restrict basic rights and freedoms. The case also highlights the abusive tactics used by police and security officials. At the police station, an officer assaulted Duaa Tariq when she objected to him recording the arrests on his phone. She says that she filed a complaint, but authorities have yet to take action. At the prison, officers also beat Hajooj Kuka, an internationally-acclaimed filmmaker and activist, and cut part of his hair – a well-known humiliation tactic under al-Bashir’s government, which authorities used during the government’s bloody crackdown on protesters in Khartoum in June 2019. [...]

- **International Federation of Journalists, Sudan: Security forces attack journalists and obstruct reporting on protests, 26 October 2020**
  
  [...] Security forces attacked journalists and prevented them from covering protests in Sudan’s capital Khartoum on 21 October. The International Federation of Journalists (IFJ) joins its affiliate, the Sudanese Journalists Union (SJU), in condemning the attacks on journalists’ and urges the government to stop harassing journalists and guarantee their freedom to work. 
  
  [...] The SJU reported two incidents against journalists covering the protests. Security forces wearing plain clothes and carrying batons surrounded Saad Eddin Hassan, a correspondent for the Al-Araibiya network, a correspondent for the Al-Arabiya network, in an attempt to prevent him from reporting on a demonstration taking place in the centre of Khartoum. The second incident took place in the South of the city, where photographers for Sky News Arabia were attacked by security forces while covering a peaceful march. According to media reports, the security forces beat a photographer and erased all pictures he took during the protests. The Culture and Information Ministry confirmed the incidents. 
  
  [...] During the Covid-19 pandemic, the government has further tightened its grip on Sudanese media. It introduced new legal provisions that allow for heavy punishment of critical reporting, several media outlets were closed and journalists increasingly face harassment, including arrests and the removal of press accreditations. [...]

  
  [...] II. Situation in Darfur 
  
  [...] C. Fighting involving armed movements 
  
  [...] 12. From 5 to 16 September, a total of 392 female-headed households, were reportedly displaced from the Sortony gathering site for internally displaced persons in North Darfur to the Savanga and Toga gathering sites in the vicinity of Rockero and Golo, respectively, in Central Darfur. This new displacement reportedly followed the detention of several internally displaced persons accused by a commander of the Rapid Support Forces against internally displaced persons of being part of SLA/AW [Sudan Liberation Army-Abdul Wahid]. Some of the women reported physical assaults by members of the Forces, while the Forces had also arrested a dozen other internally displaced persons on the pretext of anti-crime campaigns. Internally displaced persons have also reported several incidents of assault, detention and harassment by the Sudanese Armed Forces at the Savanga site. (p. 4)

  [...] III. Protection of civilians 
  
  [...] B. Rule of law and human rights 
  
  [...] 27. Of the 179 cases of human rights violations and abuses documented between May and October 2020, 36 cases of human rights violations in Darfur were attributed to members of the State security forces, including the Rapid Support Forces, Sudanese Armed Forces and Sudanese police forces. [...]

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African Centre for Justice and Peace Studies, Sudan: Urgent call for an investigation into the disappearance and custodial death of Mr. Baha Eldeen Nory Mohamed Ali, 30 December 2020

[...] Sudanese authorities should urgently investigate the reported abduction, torture, and custodial death of Mr. Baha Eldeen Nory Mohamed Ali. On 16 December, Mr. Baha Eldeen was picked up by two armed men and later detained at a Rapid Support Forces (RSF) detention centre in Alsafia neighbourhood in Khartoum North. On 21 December, Mr. Baha Eldeen’s family refused to receive his body after noticing signs of torture.

Sudanese authorities, including RSF, are known to use ill-treatment and torture for purposes of intimidation and extraction of confessions. The use of torture in Sudan is exacerbated by a weak legal framework to ensure the prohibition of torture.

[...] On 16 December 2020, two armed men dressed in plainclothes picked up Mr. Baha Eldeen from a local market in Kalakla Sangaat neighbourhood in Khartoum and took him away in a Toyota Hilux without a number plate. He was taken to an RSF detention centre in Alsafia neighbourhood in Khartoum North. Following his detention, Mr. Baha Eldeen’s family went looking for him and inquired at various police stations and detention centres but his whereabouts were unknown. The following day, 17 December, his family filed a case and reported his disappearance at the police station in Kalakla Sangaat neighbourhood.

Five days later, on 21 December, his family received an anonymous call informing them that Mr. Baha Eldeen had been taken to Omdurman hospital and asked them to go and receive his body. However, his family refused to receive his body without an autopsy to ascertain the cause of death. Reliable sources reported that his body showed signs of torture, including wounds on his head, hands and feet that possibly caused by both hard and sharp objects. An initial medical report claimed that the cause of death was hypertension however the deceased’s family requested another autopsy be carried out. A second medical report stated that the deceased was tortured.

On 27 December 2020, another autopsy was carried out by a committee of experts formed by the Forensic Medicine Authority based on a request from the Public Prosecution. The following day, 28 December, the Public Prosecution received the Committee’s report confirming that the deceased suffered multiple injuries that led to his death. The Public Prosecution went ahead to file a criminal case, file no. 494/2020, under charges of murder (Article 130) and joint acts of conspiracy (Article 21) of the 1991 Criminal Act. Three public prosecutors headed by a chief prosecutor have been assigned to this case. [...]
On 8 November 2020, at about 2:30 p.m., Ms. Waad went to a fuel station in Al-Amarat neighborhood, Street No 15 in Khartoum to refuel her car. While in the queue that was designated for women, she noticed some soldiers abusing and harassing some ladies in front of her. The officers removed number plates from a car belonging to one of the ladies. Ms. Waad also noticed that the women’s queue was not moving forward whilst the men’s queue was moving, and they were able to refuel their cars. Upon inquiry, she was told that the fuel station would not refuel for women. Ms. Waad asked to speak with the person in charge of the fuel station and then some officers came and told her that they were in charge. She tried to talk them out of prohibiting women from refueling their cars, but they rejected her plea and instead insulted her. Afterwards, Ms. Waad narrated the incident through a live video chat on her personal Facebook account. She highlighted discrimination and unequal treatment the women at the petrol station were being subjected to. […]


VIII. International humanitarian law and human rights violations by Government security forces [pp. 26-27]

F. Human rights violations by Government security forces

91. The Panel received several reports of lack of professionalism, human rights violations and abuse by security forces. The Resistance Committee in Abu Karinka (East Darfur) issued a press statement in August condemning the behaviour of the Rapid Support Forces. It claimed that women and girls were harassed at the markets and in cafes and men beaten randomly, and that they forcibly shaved the head of some youths.22

92. In October, UNAMID reported widespread human rights violations and abuse against internally displaced persons and other civilians in Sortony and surrounding areas by Sudanese Armed Forces commander Al-Sadiq Foka. Cases of arbitrary arrest and detention, inhumane treatment amounting to torture, kidnap for ransom, expulsion of internally displaced persons, extortion and intimidation were highlighted. Most victims were suspected of affiliation with SLA/AW. In one incident, a woman who had reported the unlawful detention of her brother to authorities in Zalingei was herself arbitrarily detained on 14 October by Foka’s men. She was released after paying a ransom of 25,000 Sudanese Pounds. A 25-year-old Fur man was reportedly taken from his home at the Sortony internally displaced persons camp on 18 September to nearby Borgo village where, for two days, he was tied and hung from a tree with stones weighted on his back while being beaten. The victim’s family secured his release on 10 October after paying 45,000 Sudanese pounds. The victim was reportedly denied medical attention and the incident was not reported to authorities, Al-Sadiq Foka being the sole authority in Sortony, according to the report. Similarly, a 31-year-old man who was arrested by Sudanese Armed Forces soldiers for violating curfew orders at Deba Nyra, near Golo, was temporarily detained at a nearby Sudanese Armed Forces base. His hands and feet were tied, and he was left hanging from a tree for several hours and beaten repeatedly with rifle butts. […]

Arbitrary Detentions

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

Human Rights Watch documented multiple unlawful detentions of civilians in 2020 in Khartoum by the Rapid Support Forces, which has been responsible for serious abuses against civilians in Darfur and other conflict zones. Between September 2020 and February 2021, Human Rights Watch interviewed four former detainees, two family members, and a lawyer in cases in which the RSF [Rapid Support Forces] had unlawfully held civilians.

The former detainees said that the security forces held them incommunicado and denied them access to lawyers and their families throughout their detention, which ranged from a week to over a month. Two detainees said RSF guards physically ill-treated them.

Sudan’s armed forces, including the RSF, do not have legal authority to detain civilians or carry out law enforcement functions, thus making detentions of civilians illegal, Human Rights Watch said. Following the death, while in RSF custody, of 45-year-old Baha al-Din Nouri in Khartoum in December, the attorney general on January 21, 2021 issued an instruction explicitly limiting the powers of arrest and detention of civilians to the police and prosecutors, making clear that any detention by other forces is considered unlawful. Human Rights Watch was unable to confirm what, if any, steps the attorney general has taken to ensure the terms of the instruction are enforced, such as inspecting unlawful detention sites.

Mohamed Nouri, Baha al-Din Nouri’s brother, told Human Rights Watch that witnesses saw him being abducted by armed men in civilian clothes in southern Khartoum on December 16. Five days later, the family received a call informing them that Baha al-Din had died and that his body was at a hospital morgue in Omdurman. “Another relative went to the morgue and saw visible bruises on Baha al-Din’s body,” his brother said. “The morgue director pressured us to accept the body and his autopsy report suggesting that Nouri died due to sickness, but we refused.”

On December 27, forensic examiners conducted a second autopsy on instructions from the attorney general. The second autopsy report documented injuries, including brain hemorrhage caused by impact with a blunt object, that are consistent with beatings and that led to Baha al-Din Nouri’s death. On the same day, the RSF in a statement admitted that Baha al-Din had died in RSF intelligence custody and that it had revoked the immunity of the officials involved and handed them over to the attorney general. The attorney general also ordered the arrest of the morgue’s director, including on obstruction of justice charges related to this case. Names and ranks of the people arrested have not been made public.

In 2020, RSF detained people associated with Musa Hilal, the Darfuri militia leader and former Janjaweed leader implicated in serious crimes in Darfur between 2002 and 2005, who has been in detention since 2017. He is facing charges before a military court related to the Darfur armed conflict. The RSF detained Abdulmalik Musa Salih, 27, a relative of Hilal’s, twice in 2020. In March, the RSF detained and held him for 33 days in a basement in al-Manshiya. He said that on the day of his release he was moved to al-Riyadh compound, where he was beaten and kicked by several RSF soldiers for about 30 minutes.

The human rights situation was characterized by a continuation of protests around the date of the second anniversary of the 2018 revolution and a surge in violence, especially in the Darfur region. Popular protests calling on the transitional Government to expedite investigations into gross violations and to hold alleged perpetrators accountable intensified following the alleged torture and killing of Sudanese activist Bahaa el-Din Nouri in a detention centre of the Rapid Support Forces on 21 December 2020.

Civil Liberties

Freedom of Expression and Belief
D1 0-4 pts
Are there free and independent media? 1/4
[...] Journalists reportedly received threats that they would be prosecuted if they did not stop criticizing the military and delete critical reports. In May, two reporters were harassed by intelligence officers in North Darfur State for investigating and reporting on the COVID-19 pandemic. [...] 
[...] F Rule of Law
[...] F2 0-4 pts
Does due process prevail in civil and criminal matters? 0/4
[...] In one high-profile case in August, the authorities arrested and charged 11 artists, including filmmaker Hajooj Kuka, with creating a public disturbance while rehearsing a play—and by chanting prodemocracy slogans at the police station once in custody. The artists reported beatings and other mistreatment in detention, and five of them were sentenced to two months in jail and fines in September, but an appeals court ordered all 11 released in October. [...] 

Evidence that public criticism of the Rapid Support Forces (RSF) resulted in arrest or detention in 2020

- **African Centre for Justice and Peace Studies, Sudan: Continued violations of human rights by the Sudanese Armed forces and the Rapid Support Forces, 14 May 2020**
  [...] Many believed that the practice of arbitrary arrest and torture manifested in al Bashir’s regime had come to end, however, a monitoring report by the African Centre for Justice and Peace Studies (ACJPS) between March to May 2020 indicates that the Sudanese Armed forces (SAF) and the Rapid Support forces (RSF) have continued to violate human rights of civilians.
  The African Centre for Justice and Peace Studies has documented the assault of 2 people including a Judge by the SAF and RSF, and the arbitrary arrest and detention of two civilians in Khartoum, Blue Nile, White Nile and Algadareef.
  Arbitrary arrest and detention
  [...] On April 8 2020, a group of RSF officers of Alta Damon locality in Blue Nile State arrested Mr. Idris Albur Ahmed, a 37 year old blogger and member of Baath Political party from the village of Alslilk. Mr. Idris, was arrested after sharing a post on his Facebook account where he accused the management of a petrol station owned by Mr. Faiz Balla, an RSF officer for hiking fuel prices above the official prices set by the Sudanese authorities. Mr Idris was detained at the RSF headquarters and released on April 11, 2020 but was re-arrested after he attempted to file a complaint about his arrest at the office of the attorney general in Blue Nile. [...] 

  [...] 2.1 Arbitrary Arrests
  [...] Arrest in Blue Nile
  2.1.4 Mr. Edriss Elbur Repeatedly Arrested by RSF in Damazin
  On 9th April 2020 morning hours, a group of RSF soldiers in Damazin arrested Mr. Edriss Elbur Ahmed (40 years old) a trader and social activist. He was arrested from his shop at Damazin market and taken to RSF detention cell at Ashara Beitut neighbourhood where he was confined with other nine (9) RSF soldiers who were breaching military laws. His arrest was under the direct orders of Major/ Faiz Balla the commander of RSF in Blue Nile State and a former locality governor during Al-Bashir regime.
  During detention, Mr. Elbur was interrogated about the social media article (that he had posted on Facebook) criticizing the acts of RSF commandant for not respecting the procedures during fuel distribution exercise in one of the petrol stations in town [...]. Mr. Elbur was intimidated and warned not to write/post such articles again, and then he was released on 11th April 2020. Re-arrest: On 27th April 2020, Mr. Edriss Elbur was arrested again from his shop by RSF soldiers and detained at RSF office in Damazin town. While being there, he was interrogated and physically tortured (beaten) by RSF Captain/ Gouja. The following day (28th April 2020) Mr. Elbur was released with threats of being re-arrested again. The cause of the second arrest was because he opened a case against RSF for having arrested him illegally. Basing on the interrogation, the second arrest was meant to intimidate him so that he drops the case. But he insisted on following the due course of the law [...] supported by some volunteer lawyers. [...]
Interethnic fighting and societal violence and the government’s response to prevent or deter violent crime in 2019

Human Rights Watch, Sudan: Unlawful Detentions by Rapid Support Forces, 1 March 2021

[...] In 2020, RSF detained people associated with Musa Hilal, the Darfuri militia leader and former Janjaweed leader implicated in serious crimes in Darfur between 2002 and 2005, who has been in detention since 2017. He is facing charges before a military court related to the Darfur armed conflict. The RSF detained Abdulmalik Musa Salih, 27, a relative of Hilal’s, twice in 2020. In March, the RSF detained and held him for 33 days in a basement in al-Manshiya. He said that on the day of his release he was moved to al-Riyadh compound, where he was beaten and kicked by several RSF soldiers for about 30 minutes:

They [RSF] did not tell me why they were arresting me at the beginning. A couple of officers later told me that I am a traitor because I posted on Facebook criticizing the RSF and their leadership. They also ignored my requests to have a lawyer or to be taken to the police if they have a case against me.

The RSF detained him again in July and held him in a basement for 14 days in al-Riyadh. He has not been charged with any offense. [...]
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. [...]
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 Graida 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. [...]
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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
IIDPs 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. [...]
“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 herdsmen near Gireida, South Darfur, on Tuesday. A relative of the victims told Radio Dabanga that the incident occurred when herdsmen 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 herdsmen shot at them. Abdullah 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. […]


[...] 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 Naluba/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 Tuniur, while in Kabkabiya, 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 Dulaq 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. [...]
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 causalities, are expected in the coming months. UNISFA and humanitarian partners on the ground are monitoring the situation. […]

  […] On 28 December 2019, violence erupted between communities in and around El Geneina, West Darfur. At least 54 people were reportedly kill.ed 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. 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 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. [...]
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. [...]
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.186 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. [...] 


17 Constitutional Declaration 2019 (n 10), Article 7(16).
18 ibid.
[...] 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 Khassm 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. [...]

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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.17 PHR welcomes official reports that victims and family members of the dead will be provided access to justice through the legal system,18 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.19 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.20

[...] 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.22 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 had 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);179 for the military under Article 42(2) of the Armed Forces Act (2007);180 and for the National Security Services under Article 52 of the National Security Act (NSA) (2010).181 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 immunit y phase.182

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 Dabanga, October 30, 2019, tinyurl.com/rb9f4q The Sudanese Attorney General confirmed continued investigations into the reports of the martyrs of the revolution,” Al Bawab News, December 8, 2019, albawabnews.com/3826577; See also “Sudanese Public Prosecutor announces the lifting of immunity for those accused of killing protesters,” Al Alam News Network, December 8, 2019, tinyurl.com/w7c5gsa Note that Attorney General Taj Alisir 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. See also African Centre for Justice and Peace Studies (ACIPS), International Federation for Human Rights (FIDH), and
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.\(^\text{156}\) 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.\(^\text{157}\) The National Security Act 2010,\(^\text{158}\) 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.\(^\text{159}\) [...]  

156 Amnesty International meeting with two Attorney General staff on 23 October 2019.  
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.  

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 protestors, 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 on19 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.


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. They also arrested Mohamed Ismat, a senior member of the FFC [Forces of Freedom and Change] on 8 June. [...]


Arrest or temporary detention of opposition members in 2020

- Human Rights Watch, Sudan: Progress on Rights, Justice, Key to Transition, 20 February 2020
  [...] 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. [...]

- Radio Dabanga, Sudan’s RAC claims ‘detainee tortured to death’, 27 February 2020
  [...] The Revolutionary Awakening Council (RAC) led by former janjaweed leader Musa Hilal claims that one of its members has died in the prison of El Obeid, capital of North Kordofan, while another detained member has become completely blind through torture, ill-treatment, and denial of health care.
According to the RAC, about 513 of its members, including chairman Musa Hilal, are currently detained in various Sudanese detention centres, including the military prison in Omdurman, offices of the General Intelligence Service (GIS), and secret detention for more than two years.

“Their only crime has been that they were against the defunct regime which was overthrown in the December revolution,” Mohamed Khaddam, Political secretary of the RAC told Radio Dabanga on Wednesday.

He said that the detainees are subjected to torture and ill-treatment, which led to the death of one of them in El Obeid.

Khaddam strongly denounced the prolonged detention without trial, calling it a fragrant violation of human rights. He added they received information two weeks ago that Hilal himself was transferred to the Sudan Heart Centre.

“The RAC holds the transitional government fully responsible for the health and safety of the detained head and members of the Council.” Khaddam appealed to all regional and international organisations to urgently and promptly intervene to visit the detainees to determine their general condition, to allow their families and their relatives to visit them, and release them unconditionally.

He said that the 513 detainees are held in Kober Prison in Khartoum North, in the infamous Shala Prison in El Fasher, in El Hadi, Badman, El Obeid, Port Sudan, Wad Madani, in the GIS detention centre near the Shendi bus station in Khartoum North, in Military Intelligence offices, as well as in unknown secret detention centres. […]

  2.1 Arbitrary Arrests […]
  2.1.3 Arrest of Mr. Elsafi Eldegain by SAF in Aleri Ghareib
  On the night of 11th April 2020 around 08:30 PM, eight (8) armed soldiers of Sudan Armed Forces (SAF) came on land cruiser vehicle to the house of Mr. Elsafi Eldegain (42 years old) the farmer based in Aleri Ghareib/Aleri West town and arrested him without giving a reason. They took him to their base in the town where he spent the night. The following day (12th April 2020), Mr. Elsafi was transferred to Talodi military base.
  He was not allowed to be accessed by visitors including family and lawyers. His prolonged detention raises the fear that he could be undergoing torture. Since then Mr. Elsafi has been held incommunicado until recently (10th June 2020) when he was allowed once to communicate (via phone) with his family. The reason for Mr. Elsafi’s arrest was related to his past political activities when he was a member of Sudan People Liberation Movement–North (SPLM). […]

  […] II. Significant developments
  […] Political situation
  […] On 29 June, on the eve of mass protests, former National Congress Party leaders, including Ibrahim Ghandour, former Minister for Foreign Affairs of the Sudan, were arrested.

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

  […] 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. [...] Amnesti 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 protesters 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 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. [...]
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. […]


[...] 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, 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.

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. Sheikh 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 Geredia 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. […]

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 2020

Radio Dabanga, Sudan: Five killed in attack on Kadugli neighbourhood, 15 May 2020
[...] Witnesses told Radio Dabanga from Kadugli that men wearing uniforms of the Rapid Support Forces raided the El Amara district in the eastern part of the town at about 3 am on Thursday. They beat the residents and chased them from their homes. A number of houses were torched. At least five people were killed, and an unknown number of others were wounded. Many people fled to the mountain tops in the area, and took refuge in caves. “They are now living in extremely complicated humanitarian conditions without water or food,” the witnesses said. “All their belongings burned to ashes, as they had to leave them behind while fleeing.”

The sources reported “a severe tension” in the town, “while flames and smoke continued to be seen at the El Amara district. All people are confined to their homes. No one dares to leave their home, and go to the market to buy their needs.”

They added that members of the Rapid Support Forces, Sudan’s main government militia, and other militiamen deployed at the roads regularly assault passers-by. [...]
The RSF militia, set up by the ousted Al Bashir regime in 2013, was officially integrated into the Sudan Armed Forces in August last year. At the same time however, the militia stays a force unto itself, commanded by ‘Hemeti’, who also is Deputy President of Sudan’s Sovereign Council. 


1.4 Statement of the problem

Rights were violated in the reporting period January to June 2020 in form of arbitrary arrests, unlawful killing, denying people rights to fair trial and rights of civilians within conflict areas. Many times, the authorities refused or failed to carry out investigations of cases brought before them especially where RSF and PDF were involved. This is a challenge to good governance, rule of law and an indication of impunity.

2.1 Arbitrary Arrests

2.1.4 Mr. Edriss Elbur Repeatedly Arrested by RSF in Damazin

On 9th April 2020 morning hours, a group of RSF soldiers in Damazin arrested Mr. Edriss Elbur Ahmed a trader and social activist. He was arrested from his shop at Damazin market and taken to RSF detention cell where he was confined with other nine RSF soldiers who were breaching military laws. His arrest was under the direct orders of Major/ Faiz Balla the commander of RSF in Blue Nile State and a former locality governor during Al-Bashir regime.

During detention, Mr. Edriss was interrogated about the social media article that he had posted on Facebook criticizing the acts of RSF commandant for not respecting the procedures during fuel distribution exercise in one of the petrol stations in town. Mr. Elbur was intimidated and warned not to write/post such articles again, and then he was released on 11th April 2020. Re-arrest: On 27th April 2020, Mr. Edriss Elbur was arrested again from his shop by RSF soldiers and detained at RSF office. While being there, he was interrogated and physically tortured by RSF Captain/ Gouja. The following day (28th April 2020) Mr. Elbur was released with threats of being re-arrested again. The cause of the second arrest was because he opened a case against RSF for having arrested him illegally. Basing on the interrogation, the second arrest was meant to intimidate him so that he drops the case. But, he insisted on following the due course of the law supported by some volunteer lawyers.

2.2 Unlawful Killing

2.2.11 Civilian murdered by RSF because of his ethnicity

On 21st May 2020, Mr. Awad Elwakeel Musa together with three others were travelling on a vehicle from Al-kewaik to Kadogli town. When they reached near a place known as Albardab, five armed men dressed in Rapid Support Force (RSF) uniform obstructed them. The armed men ordered them to come down and they interrogated them about their ethnic background. When Mr. Awad revealed that he was a Nuba/ Reika, the armed men shot him immediately and allowed the other travelers to continue with their journey. The dead body was later taken to Kadogli hospital and buried at Kadogli town. The murder case was filed at Kadogli police against anonymous.

2.2.13 Murder of three farmers by RSF in Kadogli

On 5th June 2020, six (6) farmers from Nuba ethnicity in Murta of Kadogli were preparing their land for cultivation when they were attacked by Rapid Support Force (RSF) soldiers. Some of the Rapid Support Force (RSF) soldiers came on a vehicle with RSF number plate and other four came on camels. The six farmers ran away but, the attackers/ RSF shot one of them (Mr. Michael Khamees, 33 years old) on his head and he died immediately. Then they pursued the other five farmers and caught two of them (Mr. Musa Yousif, 37 years old) and (Mr. Osman Elamein Kuku, 49 years old). They tied them with ropes, tortured and shot them dead. The three surviving farmers ran up to the town and reported to police. Later, the dead bodies were taken to Kadogli hospital by their relatives together with the community members and buried after. One of the survivors informed HUDO Centre that, he recognized three of the attackers and he knows them by name, that he mentioned their names in his testimony to police but up to date, not a single perpetrator has been arrested or interrogated.

2.2.15 RSF murdered and injured policemen on duty in Kadogli

On 15th June 2020, three policemen were on duty guarding one of Areeba/ MTN telecom masts/ antenna site about 13 km North of Kadogli town. Four armed soldiers dressed in Rapid Support Force (RSF) uniform
came to this site and attempted to steal fuel but they were surprised to find the police guards who obstructed them. When their RSF plans were thwarted, they moved apart a little and two of them shot at the policemen on guard. As a result, one policeman by names of Mr. Abdulmoneim Abduelfadil Kodi (48 years old) died instantly, another policeman (Mr. Adil Hamid Mohammed 27 years old) was seriously injured. The third policeman survived the shootings. This case was filed at Kadogli police. The two surviving policemen recognized the RSF soldiers and they were able to tell their names. But, up to the time of publishing this report, police had not arrested any of the perpetrators. (pp. 16-19)

 [...] 2.4.4 Miserable conditions of the recently displaced people in Kadogli

On 13th May 2020, armed group of Rapid Support Force (RSF) soldiers came on four land-cruiser vehicles with some motorbikes and invaded Albardab village. On arrival, they started to ask about the ethnicity of the residents they came across and it turned out that they were targeting the Nuba. Whoever said that they were from Nuba ethnicity had to be assaulted / beaten or killed and their houses had to be looted and burnt down.

As a result, nine (9) people were killed (they were buried by Sudan Red Crescent on 16th May 2020), more than two hundred (200) huts/houses were burnt down and more than two thousand people were displaced. The displaced people settled in two schools near the military base of Sudan Armed Forces (SAF) in Kadogli town while others went to al-Kewaik and Dameek village in search of protection. The government officials requested the IDPs to return home without offering any protection or rehabilitation. Yet the attackers are still threatening to attack again. [...] (p. 27)

9 Elheejra school and Lewaa El-Islam school

- **Human Rights Watch, Sudanese School Closed by Pandemic, Kept Closed by Armed Forces, 29 July 2020**

  [...] On vehicles mounted with machine guns, armed paramilitaries took over a girls’ primary school on June 14, 2020, according to a local human rights organization. The armed men, from Sudan’s Rapid Support Forces, dug a trench around the school, which is in Kadugli, the capital of Sudan’s Southern Kordofan state, and began using it as a training base. Luckily, the school was not in use at the time. Like countless others around the world, it is currently closed due to the Covid-19 pandemic. However, the school was supposed to reopen for students to sit secondary-school entrance exams. The paramilitaries have still not let residents near the school, and the state governor has taken no action. [...] 


  [...] H. Human rights situation in conflict-affected areas
  [...] 2. South Kordofan and Blue Nile

  62. The Independent Expert received information that a tribal armed conflict erupted in the city of Kadugli in South Kordofan on 11 May between the Nuba (Angolo) and the Dar-Naela Arab tribe that allegedly resulted in the killing of more than 60 people, including 15 soldiers from the Rapid Support Forces, and 19 injured. Sources suggest that the death of 15 soldiers were allegedly the result of clashes between the Sudan Armed Forces and the Rapid Support Forces who intervened, each aligning itself with one of the tribal groups across ethnicity lines. [...] 

- **ACLED, Danse Macabre: Revolution and Counter-Revolution in Post-Oil Sudan, 12 October 2020**

  [...] The near-unchecked power of the Rapid Support Forces (RSF) paramilitaries under their charismatic leader, Lt. Gen Mohamed Hamdan Dagalo (a.k.a. ‘Hemedti’), introduces great uncertainty at the seat of power in Sudan. How Hemedt engages with the military and political establishment of Khartoum will be decisive in regulating levels of violence in the country.

  [...] Suppression of protests has continued since the fall of Bashir and the 3 June massacre, with the RSF and SAF [Sudan Armed Forces] responsible for a greater number of interventions in demonstrations and sit-ins [...]. There has been a substantial decline in repression by regular police forces since Bashir’s removal, though this has begun to rise in 2020. [...]

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[...] III. Protection of civilians
[...] B. Rule of law and human rights
[...] 27. Of the 179 cases of human rights violations and abuses documented between May and October 2020, 36 cases of human rights violations in Darfur were attributed to members of the State security forces, including the Rapid Support Forces, Sudanese Armed Forces and Sudanese police forces. (p. 8) [...] Another welcome development is that the Rapid Support Forces continue to collaborate with UNAMID for the establishment of its own human rights and child protection unit. [...]
connects the western and eastern parts of the town. At this intersection, security forces consisting of the Central Reserve Police (CRP), the Rapid Support Forces (RSF), and the Sudan Armed Forces (SAF) tried to stop the protesters by firing live ammunition and teargas into the air. After the initial confrontation, police officers who had been stationed on a side street, fired directly at protesters killing two, including Abdalla Hussein Abubaker, 16.

[...] The second stand-off happened outside the hospital where wounded protestors were being treated. CRP forces fired teargas at crowds gathered outside the hospital, many of whom came to donate blood. One witness said that teargas canisters were shot into the hospital. In response, protestors erected barricades at the approach to the hospital entrance.

Shortly afterward, three RSF vehicles, one of which carried the body of a dead soldier, sought access to the hospital, but protestors refused to allow the vehicles to approach the building entrance, a journalist interviewed said. Tensions mounted. Two videos, analyzed by Human Rights Watch, show the RSF vehicles reversing to move out of a crowd of protestors. One vehicle begins to turn around while people inside the vehicle can be seen shooting in the direction of the protestors. Witnesses said five people were killed.

[...] A 37-year-old activist said he saw people begin to erect roadblocks on the approach to the hospital. At around 1 p.m. three witnesses said, three RSF military vehicles approached the roadblocks. A local journalist who had been interviewing wounded protestors said that he attempted to defuse escalating tensions between protestors and the RSF officers, who instructed protestors to move away and remove the roadblocks:

I approached an RSF officer and recognized his rank to be a major. I identified myself to him as a journalist and told him that it is better if they leave the area to avoid further escalation. The officer said they were carrying a body of a dead RSF soldier and wanted to be allowed to access the hospital. I suggested that he take the body to the military hospital. He asked me to tell the protestors not to throw stones at them. He then said they were leaving. The vehicle started to reverse. I moved few steps and turned to address the protestors. Before I opened my mouth, the RSF started shooting.

A witness said: “I saw three people get shot. I saw an old man shot in the back and fall to the ground.” Another witness added:

The old man was asking protestors not to throw stones at the RSF as they were leaving. He had his back to the RSF and was talking to the protestors. The next thing, shots were fired. I saw him on the ground. Some of the protestors joined me to reach his body to move it inside the hospital. He was already dead.

[...] Human Rights Watch obtained and verified four videos from this incident. Two show the three RSF vehicles near the hospital with protestors gathering near the vehicles. The videos, filmed from different angles a few meters apart, show a crowd of protestors shouting at the RSF, the RSF vehicles reversing, and then suddenly gunshot sounds. Three military pick-up trucks, each with a heavy machine gun mounted on the back can be seen reversing down the street outside the hospital. The last pick-up truck in this convoy stops to allow four military personnel to get into the vehicle, each carrying a Kalashnikov-type assault rifle.

[...]
The Panel received several reports of lack of professionalism, human rights violations and abuse by security forces. The Resistance Committee in Abu Karinka (East Darfur) issued a press statement in August denouncing the behaviour of the Rapid Support Forces. It claimed that women and girls were harassed at the markets and in cafes and men beaten randomly, and that they forcibly shaved the head of some youths.22 […] (pp. 29-30)


Human Rights Watch, Sudan: Unlawful Detentions by Rapid Support Forces, 1 March 2021

 […] Sudan’s Rapid Support Forces (RSF), acting without lawful authority, arbitrarily detained dozens of civilians, including political activists, in the capital, Khartoum during 2020, Human Rights Watch said today. The detainees were held incommunicado or in circumstances constituting enforced disappearances. The authorities should take urgent steps to ensure that the RSF stops acting outside the law, and that all civilian detainees are immediately released.

“Sudan’s transitional government should rein in the Rapid Support Forces, which is assuming ever increasing power without any legal basis,” said Laetitia Bader, Horn of Africa director at Human Rights Watch. “It is completely unacceptable for military forces to hold civilians in custody instead of handing them over to civilian authorities or releasing them if that is not possible.”

Human Rights Watch documented multiple unlawful detentions of civilians in 2020 in Khartoum by the Rapid Support Forces, which has been responsible for serious abuses against civilians in Darfur and other conflict zones. Between September 2020 and February 2021, Human Rights Watch interviewed four former detainees, two family members, and a lawyer in cases in which the RSF had unlawfully held civilians. The former detainees said that the security forces held them incommunicado and denied them access to lawyers and their families throughout their detention, which ranged from a week to over a month. Two detainees said RSF guards physically ill-treated them.

 […] Under Sudan’s transitional constitutional charter, the RSF has been designated a regular military force. The force led the violent crackdown on protesters on June 3, 2019 in Khartoum neighborhoods and neighboring Bahri and Omdurman, which left at least 120 people dead and hundreds injured. The transitional government has continued to use RSF officers in crowd control and law enforcement operations.

Sudan’s armed forces, including the RSF, do not have legal authority to detain civilians or carry out law enforcement functions, thus making detentions of civilians illegal, Human Rights Watch said. Following the death, while in RSF custody, of 45-year-old Baha al-Din Nouri in Khartoum in December, the attorney general on January 21, 2021 issued an instruction explicitly limiting the powers of arrest and detention of civilians to the police and prosecutors, making clear that any detention by other forces is considered unlawful. Human Rights Watch was unable to confirm what, if any, steps the attorney general has taken to ensure the terms of the instruction are enforced, such as inspecting unlawful detention sites.

Mohamed Nouri, Baha al-Din Nouri’s brother, told Human Rights Watch that witnesses saw him being abducted by armed men in civilian clothes in southern Khartoum on December 16. Five days later, the family received a call informing them that Baha al-Din had died and that his body was at a hospital morgue in Omdurman. “Another relative went to the morgue and saw visible bruises on Baha al-Din’s body,” his brother said. “The morgue director pressured us to accept the body and his autopsy report suggesting that Nouri died due to sickness, but we refused.”

On December 27, forensic examiners conducted a second autopsy on instructions from the attorney general. The second autopsy report documented injuries, including brain hemorrhage caused by impact with a blunt object, that are consistent with beatings and that led to Baha al-Din Nouri’s death. On the same day, the RSF in a statement admitted that Baha al-Din had died in RSF intelligence custody and that it had revoked the immunity of the officials involved and handed them over to the attorney general. The attorney general also ordered the arrest of the morgue’s director, including on obstruction of justice charges related to this case. Names and ranks of the people arrested have not been made public.

[…] The Sudanese Professionals Association (SPA), an umbrella association of 17 Sudanese trade unions that largely spearheaded the 2019 protests against the ousted government, has initiated a campaign with other protest groups calling for an end to unlawful detentions by the RSF and urging the attorney general to investigate broader RSF detention practices.
 […] The authorities should investigate all reports of arbitrary detention of civilians by forces such as the RSF, hold those responsible to account, and speed up the much-needed process of security sector reform as stipulated in the transitional government’s constitutional charter, Human Rights Watch said.

The transitional government should move ahead with plans envisioned under the constitutional charter to establish a National Human Rights Commission in line with international standards, Human Rights Watch said. The mandate of such a commission should include access to RSF facilities and the authority to report publicly on findings and abuses. Additionally, the government should allow relevant international organizations, including the Office of the United Nations High Commissioner for Human Rights (OHCHR), access to all RSF facilities and ratify without reservations the International Convention for the Protection of All Persons from Enforced Disappearance and the United Nations Convention against Torture.

“If the transitional government is committed to breaking from the nation’s abusive past, it must ensure that RSF operates within the law,” Bader said. “The authorities should make it clear that members of the security forces will be held accountable under it if they contravene the law.”

For details regarding Rapid Support Forces (RSF) detention of civilians, please see below.

Human Rights Watch interviewed four former detainees unlawfully detained by the RSF in 2020. They said that the RSF detained them in two locations in eastern Khartoum, neither of which are legal or even acknowledged detention sites, consisting of converted office and living spaces rather than cells. One reported location, believed to belong to what the RSF describes as its intelligence branch, is in the al-Manshia residential area, and the other is in the al-Riyadh compound at the former headquarters of the National Intelligence and Security Service (NISS) operations unit. Three of the former detainees said their captors identified themselves as affiliated with the RSF intelligence branch.

Two of the men said they were arrested by unidentified armed men on August 22, 2020 and taken to the RSF intelligence premises in al-Manshiya and later moved to al-Riyadh. Both spent about a week in RSF custody before being transferred to the police. They have been charged with terrorism-related offenses but have been released on bail.

One of the detainees, 25, said that RSF soldiers handcuffed him while he received treatment at the RSF medical unit in Khartoum North:

An RSF officer ordered his soldiers to handcuff and shackle us while we were receiving treatment. They even handcuffed and shackled a detainee who had heart problems and was already connected to a heart monitor. They left us in a cell with the handcuffs for 24 hours. It was a cold room. We complained to the guard saying the handcuffs were too tight, but the guards didn’t care.

He said his family spoke to the police and the attorney general’s office to get information about his whereabouts but received no information. Detention by state agents followed by a refusal to provide information about the detention or concealing information on the whereabouts of the detainee constitutes an enforced disappearance, a crime under international law.

A 33-year-old former detainee said the RSF refused to disclose the reasons for detaining him. He said RSF denied him access to a lawyer. He spent eight days in the al-Riyadh and al-Manshiya locations before being transferred to al-Huda federal prison.

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

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

They [RSF] did not tell me why they were arresting me at the beginning. A couple of officers later told me that I am a traitor because I posted on Facebook criticizing the RSF and their leadership. They also ignored my requests to have a lawyer or to be taken to the police if they have a case against me.

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

 […] The 2017 RSF Act broadly defines the force’s tasks, including to carry out any orders from competent authorities, which has resulted in its involvement in intercepting migrants and a crackdown on economic crimes. But since al-Bashir was ousted as the country’s ruler in April 2019, the force has increasingly taken on a role in crowd control, resulting in abuses. […] Human Rights Watch also found that the RSF was responsible for killing five protesters in the town of Kassala in eastern Sudan on October 15, 2020. […]

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United Nations Security Council, Situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan Report of the Secretary-General, 1 March 2021

[...] Human rights situation

25. The human rights situation was characterized by a continuation of protests around the date of the second anniversary of the 2018 revolution and a surge in violence, especially in the Darfur region. Popular protests calling on the transitional Government to expedite investigations into gross violations and to hold alleged perpetrators accountable intensified following the alleged torture and killing of Sudanese activist Bahaa el-Din Nouri in a detention centre of the Rapid Support Forces on 21 December 2020.

[...] Children and armed conflict

[...] Furthermore, the country task force on monitoring and reporting also verified the killing of three boys and the maiming of two boys, all by the Rapid Support Forces, in Kass, South Darfur, on 28 December 2020. It has been reported that two of the children who were killed were between 14 and 16 years of age and that they were robbed, shot and then killed while on their way to school. No accountability actions are known to have been taken in these cases. [...]
“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. […]
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.

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.

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.

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.

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.


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. [...]
[...] 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) 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. 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 nationwide 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.

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, account-ability 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.15

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.17

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.18 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.19 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).20

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).21 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, pre-venting investigation without the approval of the Commander in Chief,40 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.”184 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 protestors since April 2019. Immunity can be waived by a simple majority of members of the Legislative Council.185

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.186

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. [...]
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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.” [...]
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. 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.76

[...] 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.107 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.146

[...] 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.147

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.148 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].”149

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.150 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 2019.151 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.152

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.155 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.156 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. The National Security Act 2010, 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.

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.

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. 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. 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.

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
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
Evidence that the Sudanese Armed Forces and the Rapid Support Forces continued to be involved in arbitrary or unlawful killings in 2020

- **Radio Dabanga, Sudan: Five killed in attack on Kadugli neighbourhood, 15 May 2020**
  
 [...] Witnesses told Radio Dabanga from Kadugli that men wearing uniforms of the Rapid Support Forces raided the El Amara district in the eastern part of the town at about 3 am on Thursday. They beat the residents and chased them from their homes. A number of houses were torched. At least five people were killed, and an unknown number of others were wounded.


**1.4 Statement of the problem**

The violations in conflict areas continued mainly because of the presence of the fully armed/equipped RSF [Rapid Support Forces] and PDF [People Defense Force] and the absence of the central government. The former regime agents/members who used to ignore abuse and violations are still active within the public administration. RSF and PDF killed and injured many people/civilians by shooting them directly and sometimes they looted or confiscated property from civilians. But, in Khartoum the violations reduced significantly. (p. 6)

**2.2 Unlawful Killing**

Unlawful Killing in South Kordufan

- **[...] Two people murdered and others injured by SAF [Sudanese Armed Forces] soldier in Dilling Locality**

On 1st May 2020, an armed soldier named Kamal Tartur, dressed in Sudan Armed Forces (SAF) uniform, obstructed the way of Mr. Saeed Nasir (42 years old) at Helat Elfaki village. This happened when the family members were riding on a tuktuk coming back to their village/ Elsebai from the weekly market of Al-Farshaya village. Soon after stopping them, he shot at them with his gun and disappeared. This resulted in the immediate death of Mr. Saeed Nasir and his infant son Mohammed Saeed Nasir (20 months). The following people were seriously injured:

1. Ms. Halima Hamid Fatees (47 years) mother of the injured child/ Mubark
2. Ms. Hawa Kowa (26 years)
3. Mubarak Mohammed Hussein (4 years).

The injured people were taken to Dilling hospital and on 2nd May 2020, they were transferred to Khartoum hospital where they received further treatment.

The case was filed at Dilling police office and the perpetrator was apprehended by Dilling military on 3rd May 2020 after two days from the incident date.

[...] 2.2.11 Civilian murdered by RSF because of his ethnicity
On 21st May 2020, Mr. Awad Elwakeel Musa (33 years old) together with three others were travelling on a vehicle from Al-kewaik to Kadogli town. When they reached near a place known as Albardab, five (5) armed men dressed in Rapid Support Force (RSF) uniform obstructed them. The armed men ordered them to come down and they interrogated them about their ethnic background. When Mr. Awad revealed that he was a Nuba/ Reika, the armed men shot him immediately and allowed (let) the other travelers to continue with their journey. The dead body was later taken to Kadogli hospital and buried at Kadogli town. The murder case was filed at Kadogli police against anonymous.

[...] 2.2.13 Murder of three farmers by RSF in Kadogli
On 5th June 2020, six (6) farmers from Nuba ethnicity in Murta of Kadogli were preparing their land for cultivation when they were attacked by Rapid Support Force (RSF) soldiers. Some of the Rapid Support Force (RSF) soldiers came on a vehicle with RSF number plate and other four came on camels. The six farmers ran away but, the attackers/ RSF shot one of them (Mr. Michael Khamees, 33 years old) on his head and he died immediately. Then they pursued the other five farmers and caught two of them (Mr. Musa Yousif, 37 years old) and (Mr. Osman Elamein Kuku, 49 years old). They tied them with ropes, tortured and shot them dead. The three surviving farmers ran up to the town and reported to police. Later, the dead bodies were taken to Kadogli hospital by their relatives together with the community members and buried after. One of the survivors informed HUDO Centre that, he recognized three of the attackers and he knows them by name, that he mentioned their names in his testimony to police but up to date, not a single perpetrator has been arrested or interrogated.

[...] 2.2.15 RSF murdered and injured policemen on duty in Kadogli
On 15th June 2020, three policemen were on duty guarding one of Areeba/ MTN telecom masts/ antenna site (about 13 km North of Kadogli town). Four armed soldiers dressed in Rapid Support Force (RSF) uniform came to this site and attempted to steal fuel but they were surprised to find the police guards who obstructed them. When their /RSF plans were thwarted, they moved apart a little and two of them shot at the policemen on guard. As a result, one policeman by names of Mr. Abdelmoneim Abdulfadil Kosti (48 years old) died instantly, another policeman (Mr. Adil Hamid Mohammed 27 years old) was seriously injured. The third policeman survived the shootings. This case was filed at Kadogli police. The two surviving policemen recognized the RSF soldiers and they were able to tell their names. But, up to the time of publishing this report, police had not arrested any of the perpetrators.

[...] Unlawful Killing in Blue Nile
2.2.19 Killing of a civilian by SAF in Roro
On 16th March 2020, while organizing the distribution of fuel at petrol station in Roro under observation of Roro resistance committee and number of SAF soldiers headed by First Lieutenant, a verbal argument came up between a civilian and one of the SAF soldiers. The First Lieutenant shot two bullets from his pistol and the other SAF soldiers started to shoot on air and towards the civilians. Three civilians were injured by direct gunshots, one of them died two days after due to gunshot injuries. His name was Mr. Ahmed Bakheit. No investigation was carried out up to date. [...]
family members reported the case at Dallami police but the police has not arrested the culprit, the military commandant in Dallami also did not hand in the soldier/culprit to police. This caused tension between civilians and soldiers in Dallami. […]

**Sudanese Human Rights and Development Organisation (HUDO), Two Farmers Shot Dead and One Injured by RSF Near Kadogli, Sudan, 7 December 2020**

[…] On 2nd December 2020, two farmers were shot dead and another one was seriously injured by RSF soldiers at Elefain village near Kadogli. They were killed because they did not allow the perpetrators to graze cattle on their gardens. The case was reported at Kadogli police but the police did not take any action. On 2nd December 2020 morning hours, the farmers (cultivators) in Elefain village found cattle grazing on their crops. They pushed the cattle out of their farms to the cattle holding site (Zareiba). On their way back, a group of armed people dressing in Rapid Support Force (RSF) uniform shot at them with guns and killed two people/farmers. The names of the dead are Mr. Nasir Nimir Teeya and Mr. Abdalla Kanu. The third farmer (Mr. Hassan Kanu) was badly injured in the neck and right thigh. A case was filed at Kadogli police against anonymous but police did not even investigate. […]

**Amnesty International, Sudan: UN must extend Darfur peacekeepers mandate by at least six months, 9 December 2020**

[…] Rapid Support Forces implicated

Amnesty International has interviewed witnesses to various attacks between July and September in Fata Borno in North Darfur state, Masterie in West Darfur state, and Nertiti in Central Darfur state.

 […] In Fata Borno, approximately 10,000 Internally Displaced People (IDPs) began a sit-in protest on 6 July to demand better security, protection of their crops and the sacking of officials affiliated with former President Omar Al-Bashir. A week later an armed group attacked the protesters, killing at least nine and injuring at least 17.

 […] Adam, also not his real name, said the attack came after a delegation from the North Darfur state had come to see the protesters and insulted them. “…armed men wearing Sudan Armed Forces and Rapid Support Forces uniforms attacked us from all directions and killed about nine people and injured 17 or 18 people. They are some people still missing. They looted and burnt houses and the market. Now we have no food or anything. The government sent some security forces at 5pm. I told them you came too late. All the government officials in the locality could not be reached during the attack,” Adam told Amnesty International. […]

**Radio Dabanga, RSF kill university student in North Darfur, 21 December 2020**

 […] In North Darfur, a university student was killed by members of Sudan’s paramilitary Rapid Support Forces (RSF) on Wednesday.

A relative of student Imran Jaralnabi told Radio Dabanga that a group of RSF members, led by a captain, intercepted the student while he was riding a motorbike from Tina in Tawila locality to Karnoi. They shot him dead, with the intention of stealing his motorbike and possessions, according to the relative. The North Darfur state security committee said that it has taken steps to reduce levels of crime in the localities of Tawila and Kutum following the death of Jaralnabi. […]

**African Centre for Justice and Peace Studies, Sudan: Urgent call for an investigation into the disappearance and custodial death of Mr. Baha Eldeen Nory Mohamed Ali, 30 December 2020**

 […] Sudanese authorities should urgently investigate the reported abduction, torture, and custodial death of Mr. Baha Eldeen Nory Mohamed Ali. On 16 December, Mr. Baha Eldeen was picked up by two armed men and later detained at a Rapid Support Forces (RSF) detention centre in Alsafia neighbourhood in Khartoum North. On 21 December, Mr. Baha Eldeen’s family refused to receive his body after noticing signs of torture.

Sudanese authorities, including RSF, are known to use ill-treatment and torture for purposes of intimidation and extraction of confessions. The use of torture in Sudan is exacerbated by a weak legal framework to ensure the prohibition of torture.

 […] On 16 December 2020, two armed men dressed in plainclothes picked up Mr. Baha Eldeen from a local market in Kalakla Sangaat neighbourhood in Khartoum and took him away in a Toyota Hilux without a number plate. He was taken to an RSF detention centre in Alsafia neighbourhood in Khartoum North. Following his detention, Mr. Baha Eldeen’s family went looking for him and inquired at various police
stations and detention centres but his whereabouts were unknown. The following day, 17 December, his family filed a case and reported his disappearance at the police station in Kalakla Sangaat neighbourhood. Five days later, on 21 December, his family received an anonymous call informing them that Mr. Baha Eldeen had been taken to Omdurman hospital and asked them to go and receive his body. However, his family refused to receive his body without an autopsy to ascertain the cause of death. Reliable sources reported that his body showed signs of torture, including wounds on his head, hands and feet that possibly caused by both hard and sharp objects. An initial medical report claimed that the cause of death was hypertension however the deceased’s family requested another autopsy be carried out. A second medical report stated that the deceased was tortured.

On 27 December 2020, another autopsy was carried out by a committee of experts formed by the Forensic Medicine Authority based on a request from the Public Prosecution. The following day, 28 December, the Public Prosecution received the Committee’s report confirming that the deceased suffered multiple injuries that led to his death. The Public Prosecution went ahead to file a criminal case, file no. 494/2020, under charges of murder (Article 130) and joint acts of conspiracy (Article 21) of the 1991 Criminal Act. Three public prosecutors headed by a chief prosecutor have been assigned to this case. […]

African Centre for Justice and Peace Studies, Sudan: Urgent call for investigation into the death of Ezz El-Din Hamid Ali in Omdurman, 8 January 2021

[...] Sudanese authorities should urgently and effectively investigate the circumstances leading to the death of Mr. Ezz El-Din Hamid Ali, a 22-year-old, who died a day after release from police custody in Omdurman. A reliable source told ACJPS that the deceased had serious injuries on his body after he was released from detention and had to be taken to hospital for treatment. Unfortunately, he did not make it out of hospital alive.

On 17 December 2020, Mr. Ezz El-Din Hamid Ali was arrested by police detectives from Umbada Al-Hara No. 15 police station on suspicion of stealing a vehicle. About four months ago, on 25 August 2020, the owner of the missing vehicle had reported the theft of his vehicle. Mr. Ezz El-din was later charged with theft under article 174 of the 1991 Criminal Act before the Doha Police Station, in Omdurman.

After his health deteriorated while in detention, Mr. Ezz El-Din was released on bail. He arrived home with severe injuries on his body that needed to be treated. He was then taken to Shifa Al-Alil Modern Medical Hospital in Umbada Al-Hara No 20, but he died there on Saturday 26 December 2020. An inquiry to ascertain the cause of death in accordance with article 51 of the Criminal Procedure Act, 1991, was initiated and the body of the deceased was transferred to the forensic facility for an autopsy. The medical report stated that the deceased was beaten severely with solid objects.

In a statement, the spokesperson of the Sudanese Police Force announced that the police officers who were involved in the detention and torture of Mr Ezz El-Din were arrested and detained and that an investigation led by the Public Prosecution office was being conducted. Accordingly, the police officers were charged with Article 21 (joint acts of conspiracy) and 130 (murder) of the Criminal Act under file number 4107/ 2020 before the Central Omdurman police station. […]


[...] VIII. International humanitarian law and human
[...] B. Protection of civilians

79. During the reporting period, cases of rape, killings, intimidation, physical assaults and attacks on internally displaced persons, looting and arson were widespread. These incidents were mostly attributed to armed nomadic tribesmen, Government of the Sudan security forces – Sudanese Armed Forces, police and Rapid Support Forces – and militias. Some of the peaceful protests over poor services, insecurity and lack of justice turned violent and resulted in further human rights abuse. […]

Human Rights Watch, Sudan: Unlawful Detentions by Rapid Support Forces, 1 March 2021

[...] Human Rights Watch documented multiple unlawful detentions of civilians in 2020 in Khartoum by the Rapid Support Forces, which has been responsible for serious abuses against civilians in Darfur and other conflict zones. Between September 2020 and February 2021, Human Rights Watch interviewed four former detainees, two family members, and a lawyer in cases in which the RSF [Rapid Support Forces] had unlawfully held civilians.
The former detainees said that the security forces held them incommunicado and denied them access to lawyers and their families throughout their detention, which ranged from a week to over a month. Two detainees said RSF guards physically ill-treated them.

The authorities should credibly investigate reported arbitrary arrests, incommunicado detentions, enforced disappearances, and other abuse in custody, including the death of one detainee, Human Rights Watch said. Sudan’s armed forces, including the RSF, do not have legal authority to detain civilians or carry out law enforcement functions, thus making detentions of civilians illegal, Human Rights Watch said. Following the death, while in RSF custody, of 45-year-old Baha al-Din Nouri in Khartoum in December, the attorney general on January 21, 2021 issued an instruction explicitly limiting the powers of arrest and detention of civilians to the police and prosecutors, making clear that any detention by other forces is considered unlawful. Human Rights Watch was unable to confirm what, if any, steps the attorney general has taken to ensure the terms of the instruction are enforced, such as inspecting unlawful detention sites.

Mohamed Nouri, Baha al-Din Nouri’s brother, told Human Rights Watch that witnesses saw him being abducted by armed men in civilian clothes in southern Khartoum on December 16. Five days later, the family received a call informing them that Baha al-Din had died and that his body was at a hospital morgue in Omdurman. “Another relative went to the morgue and saw visible bruises on Baha al-Din’s body,” his brother said. “The morgue director pressured us to accept the body and his autopsy report suggesting that Nouri died due to sickness, but we refused.”

On December 27, forensic examiners conducted a second autopsy on instructions from the attorney general. The second autopsy report documented injuries, including brain hemorrhage caused by impact with a blunt object, that are consistent with beatings and that led to Baha al-Din Nouri’s death. On the same day, the RSF in a statement admitted that Baha al-Din had died in RSF intelligence custody and that it had revoked the immunity of the officials involved and handed them over to the attorney general. The attorney general also ordered the arrest of the morgue’s director, including on obstruction of justice charges related to this case. Names and ranks of the people arrested have not been made public. […]

Evidence that the Sudanese Armed Forces and the Rapid Support Forces continued to use lethal excessive force against detainees 2020

- **Dabanga Sudan**, Sudan’s RAC claims ‘detainee tortured to death’, 27 February 2020
  [...] The Revolutionary Awakening Council (RAC) led by former janjaweed leader Musa Hilal claims that one of its members has died in the prison of El Obeid, capital of North Kordofan, while another detained member has become completely blind through torture, ill-treatment, and denial of health care. According to the RAC, about 513 of its members, including chairman Musa Hilal, are currently detained in various Sudanese detention centres, including the military prison in Omdurman, offices of the General Intelligence Service (GIS), and secret detention for more than two years. “Their only crime has been that they were against the defunct regime which was overthrown in the December revolution,” Mohamed Khaddam, Political secretary of the RAC told Radio Dabanga on Wednesday.

He said that the detainees are subjected to torture and ill-treatment, which led to the death of one of them in El Obeid. […]

- **African Centre for Justice and Peace Studies**, Sudan: Urgent call for an investigation into the disappearance and custodial death of Mr. Baha Eldeen Nory Mohamed Ali, 30 December 2020
  [...] Sudanese authorities should urgently investigate the reported abduction, torture, and custodial death of Mr. Baha Eldeen Nory Mohamed Ali. On 16 December, Mr. Baha Eldeen was picked up by two armed men and later detained at a Rapid Support Forces (RSF) detention centre in Alsafia neighbourhood in Khartoum North. On 21 December, Mr. Baha Eldeen’s family refused to receive his body after noticing signs of torture.

Sudanese authorities, including RSF, are known to use ill-treatment and torture for purposes of intimidation and extraction of confessions. The use of torture in Sudan is exacerbated by a weak legal framework to ensure the prohibition of torture. […] On 16 December 2020, two armed men dressed in plain clothes picked up Mr. Baha Eldeen from a local market in Kalakla Sangaat neighbourhood in Khartoum and took him away in a Toyota Hilux without a number plate. He was taken to an RSF detention centre in Alsafia neighbourhood in Khartoum North. Following his detention, Mr. Baha Eldeen’s family went looking for him and inquired at various police
stations and detention centres but his whereabouts were unknown. The following day, 17 December, his family filed a case and reported his disappearance at the police station in Kalakla Sangaat neighbourhood. Five days later, on 21 December, his family received an anonymous call informing them that Mr. Baha Elddeen had been taken to Omdurman hospital and asked them to go and receive his body. However, his family refused to receive his body without an autopsy to ascertain the cause of death. Reliable sources reported that his body showed signs of torture, including wounds on his head, hands and feet that possibly caused by both hard and sharp objects. An initial medical report claimed that the cause of death was hypertension, however the deceased’s family requested another autopsy be carried out. A second medical report stated that the deceased was tortured.

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  In a statement, the spokesperson of the Sudanese Police Force announced that the police officers who were involved in the detention and torture of Mr Ezz El-Din were arrested and detained and that an investigation led by the Public Prosecution office was being conducted. Accordingly, the police officers were charged with Article 21 (joint acts of conspiracy) and 130 (murder) of the Criminal Act under file number 4107/ 2020 before the Central Omdurman police station. […]

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  The former detainees said that the security forces held them incommunicado and denied them access to lawyers and their families throughout their detention, which ranged from a week to over a month. Two detainees said RSF guards physically ill-treated them.

  The authorities should credibly investigate reported arbitrary arrests, incommunicado detentions, enforced disappearances, and other abuse in custody, including the death of one detainee, Human Rights Watch said. Sudan’s armed forces, including the RSF, do not have legal authority to detain civilians or carry out law enforcement functions, thus making detentions of civilians illegal, Human Rights Watch said. Following the death, while in RSF custody, of 45-year-old Baha al-Din Nouri in Khartoum in December, the attorney general on January 21, 2021 issued an instruction explicitly limiting the powers of arrest and detention of civilians to the police and prosecutors, making clear that any detention by other forces is considered
unlawful. Human Rights Watch was unable to confirm what, if any, steps the attorney general has taken to ensure the terms of the instruction are enforced, such as inspecting unlawful detention sites. Mohamed Nouri, Baha al-Din Nouri’s brother, told Human Rights Watch that witnesses saw him being abducted by armed men in civilian clothes in southern Khartoum on December 16. Five days later, the family received a call informing them that Baha al-Din had died and that his body was at a hospital morgue in Omdurman. “Another relative went to the morgue and saw visible bruises on Baha al-Din’s body,” his brother said. “The morgue director pressured us to accept the body and his autopsy report suggesting that Nouri died due to sickness, but we refused.”

On December 27, forensic examiners conducted a second autopsy on instructions from the attorney general. The second autopsy report documented injuries, including brain hemorrhage caused by impact with a blunt object, that are consistent with beatings and that led to Baha al-Din Nouri’s death. On the same day, the RSF in a statement admitted that Baha al-Din had died in RSF intelligence custody and that it had revoked the immunity of the officials involved and handed them over to the attorney general. The attorney general also ordered the arrest of the morgue’s director, including on obstruction of justice charges related to this case. Names and ranks of the people arrested have not been made public. […]

Evidence of political prisoners being held incommunicado in 2020

- **Human Rights Watch, Sudan: Progress on Rights, Justice, Key to Transition, 20 February 2020**
  [...] 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. […]

- **Radio Dabanga, Sudan’s RAC claims ‘detainee tortured to death’, 27 February 2020**
  [...] The Revolutionary Awakening Council (RAC) led by former janjaweed leader Musa Hilal claims that one of its members has died in the prison of El Obeid, capital of North Kordofan, while another detained member has become completely blind through torture, ill-treatment, and denial of health care. According to the RAC, about 513 of its members, including chairman Musa Hilal, are currently detained in various Sudanese detention centres, including the military prison in Omdurman, offices of the General Intelligence Service (GIS), and secret detention for more than two years.
  “Their only crime has been that they were against the defunct regime which was overthrown in the December revolution,” Mohamed Khaddam, Political secretary of the RAC told Radio Dabanga on Wednesday.
  He said that the detainees are subjected to torture and ill-treatment, which led to the death of one of them in El Obeid. Khaddam strongly denounced the prolonged detention without trial, calling it a fragrant violation of human rights. He added they received information two weeks ago that Hilal himself was transferred to the Sudan Heart Centre.
  “The RAC holds the transitional government fully responsible for the health and safety of the detained head and members of the Council.” Khaddam appealed to all regional and international organisations to urgently and promptly intervene to visit the detainees to determine their general condition, to allow their families and their relatives to visit them, and release them unconditionally.
  He said that the 513 detainees are held in Kober Prison in Khartoum North, in the infamous Shala Prison in El Fasher, in El Hadi, Badman, El Obeid, Port Sudan, Wad Madani, in the GIS detention centre near the Shendi bus station in Khartoum North, in Military Intelligence offices, as well as in unknown secret detention centres. […]

2.1 Arbitrary Arrests
Arrests in South Kordufan

2.1.3 Arrest of Mr. Elsafi Eldegain by SAF in Aleri Ghareib

On the night of 11th April 2020 around 08:30 PM, eight (8) armed soldiers of Sudan Armed Forces (SAF) came on land cruiser vehicle to the house of Mr. Elsafi Eldegain (42 years old) the farmer based in Aleri Ghareib/Aleri West town and arrested him without giving a reason. They took him to their base in the town where he spent the night. The following day (12th April 2020), Mr. Elsafi was transferred to Talodi military base.

He was not allowed to be accessed by visitors including family and lawyers. His prolonged detention raises the fear that he could be undergoing torture. Since then Mr. Elsafi has been held incommunicado until recently (10th June 2020) when he was allowed once to communicate (via phone) with his family. The reason for Mr. Elsafi’s arrest was related to his past political activities when he was a member of Sudan People Liberation Movement–North (SPLM-N).

[Human Rights Watch, Sudan: Unlawful Detentions by Rapid Support Forces, 1 March 2021]

[... Sudan’s Rapid Support Forces (RSF), acting without lawful authority, arbitrarily detained dozens of civilians, including political activists, in the capital, Khartoum during 2020, Human Rights Watch said today. The detainees were held incommunicado or in circumstances constituting enforced disappearances. The authorities should take urgent steps to ensure that the RSF stops acting outside the law, and that all civilian detainees are immediately released. [...]

Evidence of the continued existence of 'ghost houses' [i.e. secret/unofficial places of detention] in 2020

[Radio Dabanga, Sudan’s RAC claims ‘detainee tortured to death’, 27 February 2020]

[...] The Revolutionary Awakening Council (RAC) led by former janjaweed leader Musa Hilal claims that one of its members has died in the prison of El Obeid, capital of North Kordofan, while another detained member has become completely blind through torture, ill-treatment, and denial of health care.

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[Committee to Protect Journalists, Sudan tightens cybercrime law as army pursues “fake news”, 23 November 2020]

[...] Nasif Saleh, a former journalist for Al-Jazeera Arabic, told CPJ that he fears the RSF [Rapid Support Forces] could use the law against him. He is currently the founder and operator of MonteCarro, a platform for Sudanese citizen journalists that is frequently sourced by local media and Al-Jazeera Arabic. Saleh said that the outlet is still ad hoc and self-financed, but that it adheres to professional standards of journalism. However, fervent RSF supporters regularly accuse him of publishing false news on the social media pages of MonteCarro, he said. One example accusation reviewed by CPJ came from an account that frequently
posted support for the RSF. Saleh said that accusations have become more frequent since he published an article on September 19 alleging that a secret RSF prison was functioning outside government oversight. […]

- **Human Rights Watch, Sudan: Unlawful Detentions by Rapid Support Forces, 1 March 2021**
  
  [...] Sudan’s Rapid Support Forces (RSF), acting without lawful authority, arbitrarily detained dozens of civilians, including political activists, in the capital, Khartoum during 2020, Human Rights Watch said today. [...] Human Rights Watch interviewed four former detainees unlawfully detained by the RSF in 2020. They said that the RSF detained them in two locations in eastern Khartoum, neither of which are legal or even acknowledged detention sites, consisting of converted office and living spaces rather than cells. One reported location, believed to belong to what the RSF describes as its intelligence branch, is in the al-Manshiya residential area, and the other is in the al-Riyadh compound at the former headquarters of the National Intelligence and Security Service (NISS) operations unit. Three of the former detainees said their captors identified themselves as affiliated with the RSF intelligence branch. Two of the men said they were arrested by unidentified armed men on August 22, 2020 and taken to the RSF intelligence premises in al-Manshiya and later moved to al-Riyadh. Both spent about a week in RSF custody before being transferred to the police. They have been charged with terrorism-related offenses but have been released on bail. […]

Evidence that peaceful protesters were detained in 2020

  
  [...] 2.1 Arbitrary Arrests
  
  2.1.1 Arresting of youth from a Public demonstration in Kadogli
  
  On 5th January 2020, there was a peaceful demonstration in Kadogli calling for the dismissal of some high ranking officials from the public service for hindering reforms because they were members of the former regime party (NCP). The demonstration was dispersed by police using tear gas and four (4) youth were arrested by the MI. They were detained at a police cell and released the next day (6th January 2020) without any charges. [...]  

  
  [...] II. Significant developments
  
  [...] 7. On 17 August, the one-year anniversary of the signing of the Constitutional Declaration, the resistance committees launched a new campaign of demonstrations in Khartoum with similar demands to those voiced at the protests of 30 June. The protesters clashed with police, which used tear gas and reportedly arrested 77 people. [...]  

- **Sudanese Human Rights and Development Organisation (HUDO), Peaceful Demonstrators Arrested and Discharged by SAF in Abu-Jibaiha, Sudan, 27 September 2020**
  
  [...] On 23rd September 2020, residents of Abu-Jibaiha launched a public demonstration in support of the peace framework agreement signed in Addis Ababa by Sudan prime minister/ Abdalla Hamdouk and Sudan People Liberation Army – North (SPLA-N) chairperson/ Abduelaziz Elhelu. The Sudan Armed Force soldiers came on nine (9) vehicles and obstructed the demonstration march and randomly arrested thirty one (31) people and took them to Abu-Jibaiha military base. The gathering of demonstrators followed them up to the gate of the military base and demanded for the release of the arrested people. After waiting for six hours, the detained people were released. [...]  

- **UN General Assembly, Joint written statement submitted by African Centre for Democracy and Human Rights Studies, Centre du Commerce International pour le Développement, Rencontre Africaine pour la defense des droits de l'homme, non-governmental organizations in special consultative status, 1 October 2020**
Meanwhile, there are reports about intimidation and arrests and detention as well as ill-treatment of protesters, including members of the Resistance Committees, mainly in Darfur and other peripheries. On 17 August 2020, thousands of demonstrators went onto the streets of Khartoum to mark the first anniversary of the signing of the Constitutional Document and to remind the TA [Transitional Authority] about the deteriorating living conditions and the unfulfilled promises of the December 2019 Revolution. Authentic reports indicated that during confrontation between the demonstrators and the police, several individuals were injured or asphyxiated by teargas used by police, while a number of others were violently arrested by plainclothes security agents. […]

Human Rights Watch, UN Human Rights Council Should Continue Scrutiny of Sudan, 2 October 2020

[...] Now in its second year of a three-year transition, Sudan faces enormous challenges. Protests have continued across the country over lack of progress on accountability and reform. In some instances, government forces used lethal violence to disperse them, including in Darfur where security forces continued to arbitrarily detain activists without charge. […]

Sudanese Human Rights and Development Organisation (HUDO), Civilians Detained for Two Days by SAF in Al-Abbasiya, Sudan, 9 December 2020

[...] On 3rd Dec 2020, twelve (12) civilians including an underage were arrested by SAF [Sudanese Armed Forces] and RSF [Rapid Support Force] soldiers in Al-Abbasiya of Nuba Mountains. They were arrested for participating in a public address gathering at Gambaraya village talking about peace process. They were intimidated before being released on 5th Dec 2020. On 3rd Dec 2020, Peace Activist Group (PAG) organized a public address in Gambaraya village where they were talking about peace process. Suddenly, a group of armed soldiers some dressed in Sudan armed force (SAF) uniform and others in Rapid Support Force (RSF) uniform raided the gathering. The soldiers came on eleven vehicles mounted with machine guns, they shot bullets in the air, arrested twelve people including an underage and took them to Al-Abbasiya military base where they had been confined for two days. During detention, they were intimidated and verbally insulted by calling them “NYAKAT” (it is a local word used by those in authority against Nuba people referring to them as rebels). They were also interrogated on accusations of being affiliated to SPLM-N [Sudan People’s Liberation Movement-North]. They were released on 5th Dec 2020 after being threatened and warned not to organize or participate in such gatherings anymore. Otherwise, they will be arrested and tortured. […]


[...] Final Report of the Panel of Experts on the Sudan
[...] VIII. International humanitarian law and human
[...] F. Human rights violations by Government security forces
[...] Also in August, 10 members of the South Darfur Resistance Committees were arrested and detained for three weeks without charges by joint security forces, allegedly for their participation in protests in Kass locality. […]


[...] Crackdown on protestors
[...] Protesters continued calling for faster reforms and accountability. In some instances, government security forces dispersed them violently.
[...] On August 17, on the anniversary of the power-sharing deal, police used tear gas and whips against protestors gathered in front of the prime minister’s office, arresting and injuring many.
In North Darfur, armed militia attacked a sit-in in Fata Borno, a displaced persons camp near Kutum, in North Darfur, on July 13, killing at least nine. The day before, government forces dispersed a protest in Kutum, arresting, beating and detaining dozens suspected of organizing the protests, witnesses told Human Rights Watch.
[...] Arbitrary Detentions
[...] Government security forces arrested and detained civilians in Kutum, North Darfur, and Kass, South Darfur, following protests in both locations. At least one of the released detainees from Kutum held by
military officials told Human Rights Watch he was subjected to ill-treatment that could amount to torture while in detention. […]

- **Freedom House, Freedom in the World 2021: Sudan, 3 March 2021**
  - [...] E Associational and Organizational Rights
  - E1 0-4 pts
  - Is there freedom of assembly? 1/4
  - [...] In August, neighborhood resistance committees launched demonstrations throughout Khartoum that led to clashes with police and the arrest of 77 people. […]

- **Christian Solidarity Worldwide (CSW) and CSW-Nigeria (CSW-N), Submission to the 39th session of the UN Universal Periodic Review, 29 March 2021**
  - [...] Challenges to transitional justice
  - [...] 13. On 17 August 2020 protestors in Khartoum demonstrated in front of the Ministries’ Council, calling for the implementation of the FFC’s [Forces of Freedom and Change] Declaration and the Constitutional Charter. Police used excessive force, seriously injuring some protesters and detaining many. Khartoum Governor Aynam Nimir had promised to protect the demonstrations but failed to do so. […]

Evidence of intimidation by rogue elements of the security apparatus, particularly the Rapid Support Force, in 2020

- **Frontline Defenders, Urgent Appeal: Sudan: Harassment against women human rights defenders Lana Awad and Aida Abdel Qader, 5 June 2020**
  - [...] Since 29 May 2020, women human rights defenders Lana Awad and Aida Abdel Qader have been subjected to several harassments following an article they published on 26 May in the South Darfur News, defending the health rights of citizens in Al-Fashir city. In the context of COVID-19, Al-Fashir city has reported an alarming number of deaths, according to research published by Al- Fashir University, the Sudanese Government and the UN.
  
Lana Awad and Aida Abdel Qader are women human rights defenders and journalists. Both women are members of the Darfur Journalists Association and their work focuses primarily on promoting women’s rights and defending health rights in Sudan. Lana Awad had worked for the Ministry of Health and Social Development, but was dismissed as a result of the article she wrote with Aida Abdel Qader.

On 29 May 2020, Lana Awad and Aida Abdel Qader received several phone calls from unknown individuals, threatening that they would be arrested and tortured by the Military Intelligence Agency, in response to an article the two women published. The article details the high fatality rate in Al- Fashir city during COVID-19 and the shortage of personal protective equipment among health workers and residents in the city. On 31 May 2020, a military officer stopped the two women human rights defenders in the street and aggressively attempted to arrest them, but the women managed to get away. On 2 June, the Public Prosecutor opened an investigation against the two defenders in relation to the article. They are at risk of being charged with defamation and the spreading of false news. On 27 May, the Media News Agency of North Darfur falsely published an article under Lana Awad’s name, which denied the information in the initial article written by the two WHRDs.

Both Lana Awad and Aida Abdel Qader have frequently been harassed in relation to their human rights work in the past. They are also facing increased risks due to the fact that they are working in a conflict zone.

Front Line Defenders is deeply concerned regarding the harassment of women human rights defenders Lana Awad and Aida Abdel Qader. It believes that they are being harassed as a result of their peaceful and legitimate human rights work and exercising their freedom of expression. […]

  - [...] 2.1 Arbitrary Arrests
  - Arrests in South Kordufan
  - [...] 2.1.2 Arrest and intimidation of Suliman by MI [military intelligence] in Rashad
On 12th February 2020 morning hours, three (3) soldiers of Sudan Armed Forces (SAF) arrested Mr. Suliman Adam Suliman (63 years old) from his tailoring/work place in Rashad town. They took him to MI office at Rashad military base. While there, he was interrogated about his past political activities of 2011 when he was a member of Sudan People Liberation Movement (SPLM) and Rashad’s candidate for South Kordofan State legislative council (2011) elections. The same day (evening hours), Mr. Suliman was released after being threatened that he will be arrested and tortured if he expresses any kind of association with Sudan People Liberation Army – North (SPLA-N).

[...] Arrest in Blue Nile

2.1.4 Mr. Edriss Elbur Repeatedly Arrested by RSF in Damazin

On 9th April 2020 morning hours, a group of RSF soldiers in Damazin arrested Mr. Edriss Elbur Ahmed (40 years old) a trader and social activist. He was arrested from his shop at Damazin market and taken to RSF [Rapid Support Forces] detention cell at Ashara Beiut neighbourhood where he was confined with other nine (9) RSF soldiers who were breaching military laws. His arrest was under the direct orders of Major/ Faiz Balla the commander of RSF in Blue Nile State and a former locality governor during Al-Bashir regime. During detention, Mr. Elbur was interrogated about the social media article (that he had posted on Facebook) criticizing the acts of RSF commandant for not respecting the procedures during fuel distribution exercise in one of the petrol stations in town [...]. Mr. Elbur was intimidated and warned not to write/post such articles again, and then he was released on 11th April 2020.

Re-arrest: On 27th April 2020, Mr. Edriss Elbur was arrested again from his shop by RSF soldiers and detained at RSF office in Damazin town. While being there, he was interrogated and physically tortured (beaten) by RSF Captain/ Gouja. The following day (28th April 2020) Mr. Elbur was released with threats of being re-arrested again. The cause of the second arrest was because he opened a case against RSF for having arrested him illegally. Basing on the interrogation, the second arrest was meant to intimidate him so that he drops the case. But, he insisted on following the due course of the law [...] supported by some volunteer lawyers. [...]
those in authority against Nuba people referring to them as rebels). They were also interrogated on accusations of being affiliated to SPLM-N [Sudan People’s Liberation Movement-North]. They were released on 5th Dec 2020 after being threatened and warned not to organize or participate in such gatherings anymore. Otherwise, they will be arrested and tortured. 


[...] Final Report of the Panel of Experts on the Sudan

Summary

[...] Sexual and gender-based violence remained endemic in Darfur and was unaddressed, although growing awareness and acknowledgement of the issue by the new Government of the Sudan authorities can be considered progress. Acts of sexual and gender-based violence continue to be committed on a daily basis, in particular on women and girls conducting livelihood activities, by various perpetrators, including members of the security forces, armed members of nomad communities and some SLA/AW [Sudan Liberation Army-Abdul Wahid] fighters. [...] (p. 3)

[...] VIII. International humanitarian law and human rights

A. Overview

[...] Women and girls remained highly vulnerable to attacks and sexual violence, including while trying to engage in livelihood activities. The absence of fully functioning law enforcement and rule of law institutions, in particular in remote areas, exacerbated protection gaps for civilians and made the environment conducive for perpetrators to operate with impunity. Most incidents stemmed from the root causes of the Darfur conflict, in particular the availability of weapons and conflict over land, which remained largely unaddressed. Fighting between SLA/AW rebel factions and between SLA/AW and Government of the Sudan forces in the Jebel Marra areas resulted in killings, injury and secondary displacement. Punitive measures were meted out against civilians by security forces, who also committed grave child rights.

[...] B. Protection of civilians

79. During the reporting period, cases of rape, killings, intimidation, physical assaults and attacks on internally displaced persons, looting and arson were widespread. These incidents were mostly attributed to armed nomadic tribesmen, Government of the Sudan security forces – Sudanese Armed Forces, police and Rapid Support Forces – and militias. [...] (p. 26)

19 This section is based on interviews and telephone interviews with various Darfuri sources, including victims, community leaders, internally displaced persons and local human rights monitors.

Evidence of the continued use of ‘fridge’ cells/prisons (i.e. cold-controlled or lacking windows and sunlight) in 2020

- Human Rights Watch, Sudan: Unlawful Detentions by Rapid Support Forces, 1 March 2021

[...] Sudan’s Rapid Support Forces (RSF), acting without lawful authority, arbitrarily detained dozens of civilians, including political activists, in the capital, Khartoum during 2020, Human Rights Watch said today.

[...] One of the detainees, 25, said that RSF soldiers handcuffed him while he received treatment at the RSF medical unit in Khartoum North:

An RSF officer ordered his soldiers to handcuff and shackles us while we were receiving treatment. They even handcuffed and shackled a detainee who had heart problems and was already connected to a heart monitor. They left us in a cell with the handcuffs for 24 hours. It was a cold room. We complained to the guard saying the handcuffs were too tight, but the guards didn’t care.

[...] In 2020, RSF detained people associated with Musa Hilal, the Darfuri militia leader and former Janjaweed leader implicated in serious crimes in Darfur between 2002 and 2005, who has been in detention since 2017. He is facing charges before a military court related to the Darfur armed conflict. The RSF detained Abdulmalik Musa Salih, 27, a relative of Hilal’s, twice in 2020. In March, the RSF detained and held him for 33 days in a basement in al-Manshiya. He said that on the day of his release he was moved to al-Riyadh compound, where he was beaten and kicked by several RSF soldiers for about 30 minutes:

[...] The RSF detained him again in July and held him in a basement for 14 days in al-Riyadh. He has not been charged with any offense. [...]
Evidence of arbitrary arrests of individuals, including political opponents, protesters, human rights defenders, journalists, students and professionals in 2020

- **African Centre for Justice and Peace Studies, Sudan: Continued violations of human rights by the Sudanese Armed forces and the Rapid Support Forces, 14 May 2020**
  
  [...] Many believed that the practice of arbitrary arrest and torture manifested in al Bashir’s regime had come to end, however, a monitoring report by the African Centre for Justice and Peace Studies (ACJPS) between March to May 2020 indicates that the Sudanese Armed forces (SAF) and the Rapid Support forces (RSF) have continued to violate human rights of civilians.

  The African Centre for Justice and Peace Studies has documented the assault of 2 people including a Judge by the SAF and RSF, and the arbitrary arrest and detention of two civilians in Khartoum, Blue Nile, White Nile and Algadareef.

  **Arbitrary arrest and detention**

  On March 5, 2020, a RSF officer in Khartoum arrested human rights defender, Mr. Abdul Malik Musa Saleh at the Arabic Market in Khartoum. Mr. Saleh was arrested while he was heading to seek legal consultation from a lawyer regarding the case of Musa Hilal and 250 border guard forces detained and charged between August and December 2017. Mr. Musa Hilal was released after a group of lawyers submitted a complaint to the office of the Attorney General in Khartoum.

  On April 8 2020, a group of RSF officers of Alta Damon locality in Blue Nile State arrested Mr. Idris Albur Ahmed, a 37 year old blogger and member of Baath Political party from the village of Alslilk. Mr. Idris, was arrested after sharing a post on his Facebook account where he accused the management of a petrol station owned by Mr. Faiz Balla, an RSF officer for hiking fuel prices above the official prices set by the Sudanese authorities. Mr Idris was detained at the RSF headquarters and released on April 11, 2020 but was re-arrested after he attempted to file a complaint about his arrest at the office of the attorney general in Blue Nile. [...]

- **Frontline Defenders, Arbitrary detention of human rights defender Madani Ali Abdel Rahman, 24 June 2020**

  [...] On 20 July 2020, human rights defender Madani Ali Abdel Rahman was detained by the authorities of North Darfur while carrying out his work as a human rights lawyer.

  Madani Ali Abdel Rahman is a human rights lawyer, and a member of the Darfur Bar Association, an organisation of lawyers across Sudan who provide legal aid to civil and political activists. Their work is centred around human rights, victims of torture, cases of arbitrary detention and issues regarding freedom of expression. Through his work as a human rights lawyer, Madani Ali Abdel Rahman has focused on cases regarding the Emergency Regulations in Sudan, which are routinely used to target human rights defenders.

  On 20 July 2020, the authorities in the state of North Darfur detained Madani Ali Abdel Rahman in Kutum city before he was due to meet the Public Prosecutor. The defender was due to submit a request for the whereabouts of the persons detained on 13 July during a protest against reported human rights violations in the Fata Borno IDP camp in Kutum, to be disclosed. He was then questioned and detained for one day before being transferred on 21 July to Al-Fasher Intelligence detention centre, where he is being held at the time of writing. Madani Ali Abdel Rahman is being detained under the Emergency Regulations, which deprives detainees of some of their fundamental rights.

  Front Line Defenders is deeply concerned regarding the arbitrary detention of human rights defender Madani Ali Abdel Rahman, as it believes he is being detained as a result of his peaceful and legitimate human rights work in Sudan. [...]


  [...] 1.4 Statement of the problem

  [...] Rights were violated [in the reporting period January to June 2020 and in the Two Areas] in form of arbitrary arrests (security of persons), unlawful killing, denying people rights to fair trial (court) and rights of civilians within conflict areas (insecurity, abuse of authority and excessive use of power). Many times, the authorities (police in particular) refused or failed to carry out investigations of cases brought before them especially where RSF [Rapid Support Force] and PDF [People Defense Force] were involved. This is a challenge to good governance, rule of law and an indication of impunity. (p. 6)
2.1 Arbitrary Arrests

Arrests in South Kordufan

2.1.1 Arresting of youth from a Public demonstration in Kadogli

On 5th January 2020, there was a peaceful demonstration in Kadogli calling for the dismissal of some high ranking officials from the public service for hindering reforms because they were members of the former regime party (NCP). The demonstration was dispersed by police using tear gas and four (4) youth were arrested by the MI. They were detained at a police cell and released the next day (6th January 2020) without any charges.

2.1.2 Arrest and intimidation of Suliman by MI in Rashad

On 12th February 2020 morning hours, three (3) soldiers of Sudan Armed Forces (SAF) arrested Mr. Suliman Adam Suliman (63 years old) from his tailoring/work place in Rashad town. They took him to MI office at Rashad military base. While there, he was interrogated about his past political activities of 2011 when he was a member of Sudan People Liberation Movement (SPLM) and Rashad’s candidate for South Kordufan State legislative council (2011) elections. The same day (evening hours), Mr. Suliman was released after being threatened that he will be arrested and tortured if he expresses any kind of association with Sudan People Liberation Army – North (SPLA-N).

2.1.3 Arrest of Mr. Elsafi Eldegain by SAF in Aleri Ghareib

On the night of 11th April 2020 around 08:30 PM, eight (8) armed soldiers of Sudan Armed Forces (SAF) came on land cruiser vehicle to the house of Mr. Elsafi Eldegain (42 years old) the farmer based in Aleri Ghareib/ Aleri West town and arrested him without giving a reason. They took him to their base in the town where he spent the night. The following day (12th April 2020), Mr. Elsafi was transferred to Talodi military base. He was not allowed to be accessed by visitors including family and lawyers. His prolonged detention raises the fear that he could be undergoing torture. Since then Mr. Elsafi has been held incommunicado until recently (10th June 2020) when he was allowed once to communicate (via phone) with his family. The reason for Mr. Elsafi’s arrest was related to his past political activities when he was a member of Sudan People Liberation Movement – North (SPLM-N).

Arrest in Blue Nile

2.1.4 Mr. Edriss Elbur Repeatedly Arrested by RSF in Damazin

On 9th April 2020 morning hours, a group of RSF soldiers in Damazin arrested Mr. Edriss Elbur Ahmed (40 years old) a trader and social activist. He was arrested from his shop at Damazin market and taken to RSF detention cell at Ashara Beiut neighbourhood where he was confined with other nine (9) RSF soldiers who were breaching military laws. His arrest was under the direct orders of Major/ Faiz Balla the commander of RSF in Blue Nile State and a former locality governor during Al-Bashir regime.

During detention, Mr. Elbur was interrogated about the social media article (that he had posted on Facebook) criticizing the acts of RSF commandant for not respecting the procedures during fuel distribution exercise in one of the petrol stations in town [...]. Mr. Elbur was intimidated and warned not to write/post such articles again, and then he was released on 11th April 2020. Re-arrest: On 27th April 2020, Mr. Edriss Elbur was arrested again from his shop by RSF soldiers and detained at RSF office in Damazin town. While being there, he was interrogated and physically tortured (beaten) by RSF Captain/ Gouja. The following day (28th April 2020) Mr. Elbur was released with threats of being re-arrested again. The cause of the second arrest was because he opened a case against RSF for having arrested him illegally. Basing on the interrogation, the second arrest was meant to intimidate him so that he drops the case. But, he insisted on following the due course of the law [...] supported by some volunteer lawyers.

Arrest among IDP

2.1.5 Passenger detained and insulted at a checkpoint in Kosti

On 17th February 2020, Mr. Hassan Elamein Suliman (29 years old) a university graduate from Teera tribe/ Nuba was traveling from Abu-Gebaiha town of South Kordufan/ Nuba Mountains to Khartoum with public transport (a bus). When the bus stopped at the western checkpoint of Kosti town, three security personnel in civilian clothes entered the bus for the regular checks. On reaching Mr. Hassan’s seat, one of them (security personnel) started bullying him by asking questions like, “why are you so black”, “are you a Sudanese” e.t.c? Thereafter, Mr. Hassan showed them his identity card but they insisted on taking him to their office. While at their office, he was insulted further and was referred to as a slave (Abid). He was detained at the security checkpoint office for two hours. He was released after the passengers and their bus had refused to go/ leave without him.

Now days, the checkpoints are manned (managed) by Sudan Armed Force (SAF) and Rapid Support Force (RSF) soldiers. [...]

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African Centre for Justice and Peace Studies, West Darfur: Arbitrary arrests and incommunicado detention of 72 people on allegations of human smuggling and illegal immigration, 29 July 2020

[...] The African Centre for Justice and Peace Studies (ACJPS) expresses deep concern for the physical safety and well-being of 72 people arbitrarily arrested and detained incommunicado without charge by the Rapid Support Forces (RSF). Detainees were arrested at the Sudanese border with the Republic of Chad while on transit to the city of Al-Tina, in the Republic of Chad. All are under RSF custody in Aljenaina, West Darfur state.

On 29 June 2020, the Governor of West Darfur State issued Resolution No. 94 of 2020, in accordance with the Emergency Law of 1997. The Resolution stipulated that these persons should be imprisoned for a period of six months, on suspicion of committing crimes of human smuggling, illegal immigration and looting.

[...] The detainees who have been in custody since 29 June 2020 have not been formally charged or brought before a court of law to challenge the legality of their detention. [...]
Sudanese Human Rights and Development Organisation (HUDO), Peaceful Demonstrators Arrested and Discharged by SAF in Abu-Jibaiha, Sudan, 27 September 2020

[...] On 23rd September 2020, residents of Abu-Jibaiha launched a public demonstration in support of the peace framework agreement signed in Addis Ababa by Sudan prime minister/ Abdalla Hamdouk and Sudan People Liberation Army – North (SPLA-N) chairperson/ Abduelaziz Elhelu. The Sudan Armed Force soldiers came on nine (9) vehicles and obstructed the demonstration march and randomly arrested thirty one (31) people and took them to Abu-Jibaiha military base. The gathering of demonstrators followed them up to the gate of the military base and demanded for the release of the arrested people. After waiting for six hours, the detained people were released. [...] UN General Assembly, Joint written statement submitted by African Centre for Democracy and Human Rights Studies, Centre du Commerce International pour le Développement, Rencontre Africaine pour la defense des droits de l'homme, non-governmental organizations in special consultative status, 1 October 2020

[...] Situation of Human Rights in Sudan

[...] Meanwhile, there are reports about intimidation and arrests and detention as well as ill-treatment of protesters, including members of the Resistance Committees, mainly in Darfur and other peripheries. On 17 August 2020, thousands of demonstrators went onto the streets of Khartoum to mark the first anniversary of the signing of the Constitutional Document and to remind the TA [Transitional Authority] about the deteriorating living conditions and the unfulfilled promises of the December 2019 Revolution. Authentic reports indicated that during confrontation between the demonstrators and the police, several individuals were injured or asphyxiated by teargas used by police, while a number of others were violently arrested by plainclothes security agents. The Resistance Committees, which are composed of thousands of pro-democracy activists and youngsters, played an instrumental role in overthrowing the former authorities and unwarranted targeting of their members could lead to further political unrest and instability. [...]
The Sudanese Journalists Union called on world press freedom and human rights groups to “pressure the Sudanese authorities to end their prosecution of journalists and to immediately and unconditionally release (...) Ishaq Ahmed Fadlallah, and to drop the spurious charges against him and assume responsibility for his safety.”

IFJ General Secretary Anthony Bellanger said: “We call for the release of Ishaq Ahmed Fadlallah. A critical stand towards executive, legislative and judicial activities is a basic aspect of journalism and contributes to the functioning of a society. This essential function of journalism is repeatedly undermined in Sudan and we demand the authorities to stop punishing journalists for doing their job.”

  
  [...] Final Report of the Panel of Experts on the Sudan
  
  [...] VIII. International humanitarian law and human rights violations by Government security forces
  
  [...] 92. In October, UNAMID reported widespread human rights violations and abuse against internally displaced persons and other civilians in Sortony and surrounding areas by Sudanese Armed Forces commander Al-Sadiq Foka. Cases of arbitrary arrest and detention, inhumane treatment amounting to torture, kidnap for ransom, expulsion of internally displaced persons, extortion and intimidation were highlighted. Most victims were suspected of affiliation with SLA/AW [Sudan Liberation Army-Abdul Wahid]. In one incident, a woman who had reported the unlawful detention of her brother to authorities in Zalingei was herself arbitrarily detained on 14 October by Foka’s men. She was released after paying a ransom of 25,000 Sudanese Pounds. A 25-year-old Fur man was reportedly taken from his home at the Sortony internally displaced persons camp on 18 September to nearby Borgo village where, for two days, he was tied and hung from a tree with stones weighted on his back while being beaten. The victim’s family secured his release on 10 October after paying 45,000 Sudanese pounds. The victim was reportedly denied medical attention and the incident was not reported to authorities, Al-Sadiq Foka being the sole authority in Sortony, according to the report. Similarly, a 31-year-old man who was arrested by Sudanese Armed Forces soldiers for violating curfew orders at Deba Nyra, near Golo, was temporarily detained at a nearby Sudanese Armed Forces base.

  
  [...] Arbitrary Detentions
  
  Security officials continued to arbitrarily detain civilians. Throughout the year Rapid Support Forces (RSF) reportedly detained several members of the Mahamid Arab tribe due to their links to Musa Hilal, the former pro-government militia leader who is subject to UN sanctions for his role in Darfur atrocities. RSF officials detained Abdulmalik Musa Saleh, a political activist and a relative of Hilal, several times during the year in Khartoum, and Osama Mohamed al-Hassan, 40, also an activist, from July 5 until September 17. At time of writing, while neither man is in custody, neither have they been charged with any offence and were never brought to court throughout their detention. Hilal has been detained since November 2017 and is reportedly facing charges by a military court for crimes against government forces in Darfur.
  
  On June 29, the former military governor of West Darfur ordered the imprisonment of 72 men and boys for six months under the emergency law, which allows authorities to detain people without judicial oversight. They were among a group of 122 arrested by the RSF in the preceding weeks during counter migration operations in Darfur. Authorities charged them with crimes including looting, illegal migration, and illegal possession of firearms. They were never brought to trial.
  
  Government security forces arrested and detained civilians in Kutum, North Darfur, and Kass, South Darfur, following protests in both locations. At least one of the released detainees from Kutum held by military officials told Human Rights Watch he was subjected to ill-treatment that could amount to torture while in detention.

- **Human Rights Watch, Sudan: Unlawful Detentions by Rapid Support Forces, 1 March 2021**
  
  [...] Sudan’s Rapid Support Forces (RSF), acting without lawful authority, arbitrarily detained dozens of civilians, including political activists, in the capital, Khartoum during 2020, Human Rights Watch said today.
The detainees were held incommunicado or in circumstances constituting enforced disappearances. The authorities should take urgent steps to ensure that the RSF stops acting outside the law, and that all civilian detainees are immediately released.

“Sudan’s transitional government should rein in the Rapid Support Forces, which is assuming ever increasing power without any legal basis,” said Laetitia Bader, Horn of Africa director at Human Rights Watch. “It is completely unacceptable for military forces to hold civilians in custody instead of handing them over to civilian authorities or releasing them if that is not possible.”

Human Rights Watch documented multiple unlawful detentions of civilians in 2020 in Khartoum by the Rapid Support Forces, which has been responsible for serious abuses against civilians in Darfur and other conflict zones. Between September 2020 and February 2021, Human Rights Watch interviewed four former detainees, two family members, and a lawyer in cases in which the RSF had unlawfully held civilians.

[...] Sudan’s armed forces, including the RSF, do not have legal authority to detain civilians or carry out law enforcement functions, thus making detentions of civilians illegal, Human Rights Watch said. [...] 

Freedom House, Freedom in the World 2021: Sudan, 3 March 2021

[... Civil Liberties
[... F Rule of Law
[... F2 0-4 pts
Does due process prevail in civil and criminal matters? 0/4

[...] Although the interim constitution enshrines the right to due process, it also contains a provision allowing the government to invoke emergency powers and suspend parts of the document. In practice, security forces continued to engage in arbitrary arrests and detentions during 2020, including in response to protests.

In one high-profile case in August, the authorities arrested and charged 11 artists, including filmmaker Hajooj Kuka, with creating a public disturbance while rehearsing a play—and by chanting prodemocracy slogans at the police station once in custody. The artists reported beatings and other mistreatment in detention, and five of them were sentenced to two months in jail and fines in September, but an appeals court ordered all 11 released in October. [...] 

Evidence that security forces, including the police, harassed suspected government opponents in 2020

UN General Assembly, Joint written statement submitted by African Centre for Democracy and Human Rights Studies, Centre du Commerce International pour le Développement, Rencontre Africaine pour la defense des droits de l'homme, non-governmental organizations in special consultative status, 1 October 2020

[...] Situation of Human Rights in Sudan
[...] Meanwhile, there are reports about intimidation and arrests and detention as well as ill-treatment of protesters, including members of the Resistance Committees, mainly in Darfur and other peripheries. On 17 August 2020, thousands of demonstrators went onto the streets of Khartoum to mark the first anniversary of the signing of the Constitutional Document and to remind the TA [Transitional Authority] about the deteriorating living conditions and the unfulfilled promises of the December 2019 Revolution. Authentic reports indicated that during confrontation between the demonstrators and the police, several individuals were injured or asphyxiated by teargas used by police, while a number of others were violently arrested by plainclothes security agents. The Resistance Committees, which are composed of thousands of pro-democracy activists and youngsters, played an instrumental role in overthrowing the former authorities and unwarranted targeting of their members could lead to further political unrest and instability. [...] 

Evidence that arrest procedures have not improved in 2020 and that reasons for detention continue to remain unknown


[...] 2.1 Arbitrary Arrests
Arrests in South Kordufan
2.1.3 Arrest of Mr. Elsafi Eldegain by SAF in Aleri Ghareib

On the night of 11th April 2020 around 08:30 PM, eight (8) armed soldiers of Sudan Armed Forces (SAF) came on land cruiser vehicle to the house of Mr. Elsafi Eldegain (42 years old) the farmer based in Aleri Ghareib/Aleri West town and arrested him without giving a reason. [...]

Frontline Defenders, Urgent Appeal: Sudan: Arbitrary detention of woman human rights defender Hala Khalid Abugroun, 26 August 2020

 [...] On 17 August 2020, woman human rights defender Hala Khalid Abugroun was detained for several hours at Khartoum Central Police Station after attempting to report human rights abuses carried out by NISS officers against protestors during a peaceful protest in the capital. She was interrogated for several hours and reported being subject to severe physical abuse, which may amount to torture, by police and security officers.

Hala Khalid Abugroun is a woman human rights defender and lawyer. She is a member of the 'No to Women’s Oppression’ initiative, as well as a member of the Collation of Democratic lawyers, an organisation of lawyers across Sudan who support democratic transformation and provide legal aid to victims of human rights violations.

On 17 August 2020, National Intelligence Service (NISS) officers harassed and threatened Hala Khalid Abugroun and her colleagues while they were documenting arbitrary arrests and incidents of violence against protestors carried out by officers of the NISS. The protestors were reportedly lashed by the NISS officers during a peaceful demonstration in Khartoum, marking the anniversary of the signing the Constitutional Declaration. The defender and her two colleagues immediately went to the police station in Khartoum to file a report against the NISS officers involved in the abuses against them and the protestors. Whilst in the police station, Hala Khalid Abugroun was detained for over five hours by three NISS officers and a number of police officers but her colleagues were allowed to leave. During this time, she reported being subject to severe physical abuse causing injuries to her right eye and knee which resulted in the defender being hospitalised. Police officers also tried to forcibly seize her mobile phone and searched her handbag. Hala Khalid Abugroun was not given the reasons behind her detention during this time. She was eventually released and no charges were brought against her.

Since being arbitrarily detained and subject to physical abuse on 17 August 2020, Hala Khalid Abugroun has attempted to open a file against the officers involved. There has been no progress in this process, and the defender has subsequently received verbal threats from unknown persons indirectly, warning her to cease her attempts to take legal action against the officers involved. [...]

Evidence that the government did not respect judicial independence and impartiality / Evidence that the judiciary was corrupt/ Evidence that the judiciary was not independent in 2020

Human Rights Watch, Q&A: Justice for Serious International Crimes Committed in Sudan, 22 June 2020

 [...] What changes are needed to foster fair trials?
 [...] Sudan’s judiciary, under the former regime, was long known to be subject to political interference. The Constitutional Charter provides that the judiciary should operate independently. But putting this principle into practice is likely to require major reforms.

The Constitutional Charter provides for key steps to reform the judiciary, including the formation of a judicial reform commission, which can bolster the judiciary’s independence through new procedures in the selection and appointment of judges. The commission is yet to be established. [...] Sudan’s judiciary, under the former regime, was long known to be subject to political interference. The Constitutional Charter provides that the judiciary should operate independently. But putting this principle into practice is likely to require major reforms.

The Constitutional Charter provides for key steps to reform the judiciary, including the formation of a judicial reform commission, which can bolster the judiciary’s independence through new procedures in the selection and appointment of judges. The commission is yet to be established. [...]
On 23 August 2020, the Sudanese Dismantle Committee of the 30 June 1989 regime issued a resolution that dismissed 151 judges from service. The committee, chaired by General Yasir Abdul Rahman Alatta was established in 2019 by way of a resolution from the Sovereign Council. The committee is mandated among others to oversee the dissolution of the National Congress Party, through which al Bashir’s regime ruled the country. The committee is also responsible for seizing the party’s assets for the benefit of the government, and for dismantling all fronts and affiliates associated with the party or with any person or entity in a position of power with support of the party.

The judges were dismissed after the committee reviewed their performance and appointment documents on file. Those dismissed include: 35 high court judges, 38 appeal court judges, 30 general court judges, 18 first district court judges, 4 second district court judges, 5 third district court judges and 17 expert judges attached to judiciary on individual contracts.

A reliable source has informed ACJPS that findings of the dismantle committee mentioned the abuse of office by the judges based on their affiliations with the past regime. Further, some of the dismissed judges were found to be security agents with the National Intelligence Security Services (now known as the General Intelligence Security Services). The NISS is known for their active role in the suppression of dissent under the former regime. Some dismissed judges were found to have attended military training related to the use of military weapons.

The committee further found some dismissed judges were involved in securing facilities owned by the National Congress Party. Some judges were found be corrupt or were appointed to their offices through corruption. For example, the dismantle committee found that expert judges were appointed because of their affiliations with the past regime and/or social relations with high-level judicial officers. The past regime treated the judiciary like one of its political wings as opposed to an independent arm of the Government. Some judges occupied both ministerial and judicial positions based on their affiliation with former regime.

Evidence that in Darfur and other remote areas judges were absent, thereby delaying trials in 2020

The interim constitution envisages the establishment of an independent judiciary to replace the politically influenced judiciary of the al-Bashir era. The first senior appointments were announced in October 2019, following large protests calling for an acceleration of judicial reform. The new chief justice appointed that month, Nemat Abdullah Khair, became the first woman to hold the position in Sudan’s history. The replacement of incumbent judicial officials continued during 2020. In August, the government committee tasked with dismantling the former regime dismissed 151 judges and 21 prosecutors.

Evidence of state of emergencies in 2020

On 13 July 2020, a high-level delegation from the government of North Darfur state, including members of the state’s security committee visited the Fata Borno sit-in that started since 6 July 2020. The main
demands of the sit-in protesters are better security, protection of crops, and the dismissal of officials affiliated with the regime of deposed President, Omar Al Bashir. [...]

The security committee further stated that some of the protestors called for an orientation meeting with the security committee but some disagreed thus the security committee cancelled the meeting and returned to El Fashir by plane. The rest of the delegation from the media and members of the security forces travelled back by vehicle, and upon entering the Kotoum city, they found streets blocked by protesters. Vehicles carrying the delegation were surrounded by protesters from all sides with demonstrators throwing stones which led to the injury of some of members of the delegation. The delegation sought refuge at Kutoum police headquarters but protesters burned down the police station and 4 vehicles. A reliable source informed ACJPS that the reason protesters blocked the delegation was because the delegation first visited villages occupied by the Arab armed militias who have violently attacked them for years. On the same day, armed militias on four wheel drive vehicles, motorcycles and horse backs raided Fata Barno and fired indiscriminately live ammunition at the protesters at the sit-in killing 12 people and injuring 14 others. Nine of the deceased have been buried in El Fashir and another in Fata Barno. A state of emergency has since been declared in the state until further notice. [...]


- Al Jazeera, Sudan declares 3-month state of emergency over deadly floods, 7 September 2020
- The Africa Report, Sudan declares an economic state of emergency, 15 September 2020

Evidence that defendants had more opportunities to meet with counsel and were allowed to present witnesses during trial in 2020

- Human Rights Watch, Q&A: Justice for Serious International Crimes Committed in Sudan, 22 June 2020
- Human Rights Watch, Sudan: Unlawful Detentions by Rapid Support Forces, 1 March 2021
Human Rights Watch documented multiple unlawful detentions of civilians in 2020 in Khartoum by the Rapid Support Forces, which has been responsible for serious abuses against civilians in Darfur and other conflict zones. Between September 2020 and February 2021, Human Rights Watch interviewed four former detainees, two family members, and a lawyer in cases in which the RSF had unlawfully held civilians. The former detainees said that the security forces held them incommunicado and denied them access to lawyers and their families throughout their detention, which ranged from a week to over a month. [...]

Evidence of the arrest of Darfuri students and political opponents / Evidence of torture of arrested Darfuri students and political opponents in 2020

UN General Assembly, Joint written statement submitted by African Centre for Democracy and Human Rights Studies, Centre du Commerce International pour le Développement, Rencontre Africaine pour la defense des droits de l'homme, non-governmental organizations in special consultative status, 1 October 2020

Meanwhile, there are reports about intimidation and arrests and detention as well as ill-treatment of protesters, including members of the Resistance Committees, mainly in Darfur and other peripheries. On 17 August 2020, thousands of demonstrators went onto the streets of Khartoum to mark the first anniversary of the signing of the Constitutional Document and to remind the TA [Transitional Authority] about the deteriorating living conditions and the unfulfilled promises of the December 2019 Revolution. Authentic reports indicated that during confrontation between the demonstrators and the police, several individuals were injured or asphyxiated by teargas used by police, while a number of others were violently arrested by plainclothes security agents. The Resistance Committees, which are composed of thousands of pro-democracy activists and youngsters, played an instrumental role in overthrowing the former authorities and unwarranted targeting of their members could lead to further political unrest and instability. [...]

Evidence of the continuation of Bashir’s national arms collection campaign and if so evidence it was incomplete and directed at certain groups (e.g. exempting Arab groups) in 2020


Disarmament of civilians has been advanced by the Government of the Sudan to be the ultimate solution to the security situation and continued armed attacks on civilians. [...]

121. During the reporting period, various Government of the Sudan authorities in Darfur announced some local weapons collection initiatives. In November, the Governor of Central Darfur announced plans for the forced collection of unauthorized weapons, to be led by “qualified technical teams equipped with modern detectors and trained police dogs.” According to the Panel’s meetings with the Governor and the Sudanese Armed Forces in November in Zalingei, this followed a spate of security incidents which led them to acknowledge that insecurity persisted in a number of areas, despite the deployment of additional security forces. The Central Darfur authorities also stressed to the Panel that international support would be needed to complete the collection campaign successfully.

122. Structural obstacles remained in the way of a comprehensive collection of weapons. For example, some of the Government of the Sudan forces in charge of the collection displayed bias towards certain tribes. This resulted in the selective collection of weapons, targeting some tribes and sparing others, which, instead of improving the security situation, had the opposite effect of entrenching the dominance of some tribes over others and thus exacerbating the existing tensions. In response to the clashes between Fulani and Rizeigat, mostly from the Awlad Mansur clan, in Tulus in May 2020, the Government authorities launched a weapons collection campaign in the area. However, Fulani leaders complained to the Panel that the campaign, conducted by the Rapid Support Forces, targeted the Fulani only, as the Rapid Support Forces had a strong
bias towards the Awlad Mansur (Hemetti and many Rapid Support Forces commanders hail from this community), and that the result was to consolidate the superiority of Awlad Mansur in the area.

123. In addition, many groups of armed men roamed around in rural areas, where they continued to commit attacks on farmers and returnees. The vastness of the terrain to be covered, the very light footprint of the security forces in those areas, the strong firepower of these groups, their mobility, as well as, in some cases, their connections with the security forces, mean that a significant surge in the capability of the Government of the Sudan will be necessary to disarm them.

124. Porous borders and relations between communities across borders also make disarmament more complicated. During the aforementioned 2017–2018 weapons collection campaign, the Panel was aware that, in South Darfur, members of some communities straddling the Darfur-Central African Republic border temporarily handed over their weapons to their kinsmen on the Central African Republic side of the border to escape the campaign.

125. The signing of the Agreement offers an opportunity to comprehensively address the issue of disarmament of not only the armed groups but all the militias currently existing in Darfur. One of the conditions for achieving a meaningful disarmament would be the support of the international community. [...] (pp. 36-37)


Evidence of security services abusing IDPs suspected of having links to rebel groups in 2020


  [...] II. Situation in Darfur
  [...] C. Fighting involving armed movements
  [...] 12. From 5 to 16 September, a total of 392 female-headed households, were reportedly displaced from the Sortony gathering site for internally displaced persons in North Darfur to the Savanga and Toga gathering sites in the vicinity of Rockero and Golo, respectively, in Central Darfur. This new displacement reportedly followed the detention of several internally displaced persons accused by a commander of the Rapid Support Forces against internally displaced persons of being part of SLA/AW [Sudan Liberation Army-Abdul Wahi]. Some of the women reported physical assaults by members of the Forces, while the Forces had also arrested a dozen other internally displaced persons on the pretext of anti-crime campaigns. Internally displaced persons have also reported several incidents of assault, detention and harassment by the Sudanese Armed Forces at the Savanga site. [...] (pp. 36-37)


  [...] VIII. International humanitarian law and human rights violations
  [...] C. Sexual and gender-based violence
  [...] On 13 September, a woman was physically assaulted and a 15-year-old girl raped by a Rapid Support Forces member at their home in the Bargo internally displaced persons camp in Tawila (North Darfur). Their home was targeted on account of the family’s alleged affiliation with the SLA/AW [Sudan Liberation Army-Abdul Wahid] faction. No arrests were made by the Sudan Police Force in Tawila.

  [...] F. Human rights violations by Government security forces
  [...] 92. In October, UNAMID reported widespread human rights violations and abuse against internally displaced persons and other civilians in Sortony and surrounding areas by Sudanese Armed Forces commander Al-Sadiq Foka. Cases of arbitrary arrest and detention, inhumane treatment amounting to torture, kidnap for ransom, expulsion of internally displaced persons, extortion and intimidation were highlighted. Most victims were suspected of affiliation with SLA/AW. In one incident, a woman who had reported the unlawful detention of her brother to authorities in Zalingei was herself arbitrarily detained on 14 October by Foka’s men. She was released after paying a ransom of 25,000 Sudanese Pounds. A 25-year-old Fur man was reportedly taken from his home at the Sortony internally displaced persons camp on 18 September to nearby Borgo village where, for two days, he was tied and hung from a tree with stones weighted on his back while being beaten. The victim’s family secured his release on 10 October after paying...
45,000 Sudanese pounds. The victim was reportedly denied medical attention and the incident was not reported to authorities, Al-Sadiq Foka being the sole authority in Sortony, according to the report. [...] (pp. 27-30)

[... ] H. Situation of internally displaced persons
[... ] 2. Security situation in internally displaced persons camps
[... ] 3. Harassment of internally displaced persons by signatories to the Juba Peace Agreement

102. In meetings with the Panel in November in Central Darfur, various internally displaced person interlocutors complained about harassment by members to the Juba signatory groups. They claimed that members of the Rapid Support Forces, of SLA/TC, of JEM and unknown persons from outside the internally displaced persons camps, referred to as the “peace supporters”, had arrived in the camps in the last few months and started intimidating people to accept the Agreement. According to them, the “peace supporters” abducted or killed some internally displaced persons who did not agree with the Agreement. Some internally displaced persons claimed that the ultimate goal of this intimidation campaign was to dismantle the internally displaced persons camps. The interlocutors asked the United Nations “to stop the activities of the Agreement supporters, who are committing crimes inside the camps”. [...] 

Evidence that bureaucratic impediments were used to restrict the actions of humanitarian organizations including UNAMID in 2020

❖ Center for Strategic & International Studies, Sudan at a Crossroads: A Humanitarian Opening?, 5 August 2020
[... ] Access Challenges
Despite cautious optimism regarding the civilian component of the Sudanese government’s commitment to unfettered humanitarian access, and the increased attention and funding offered by donors, the humanitarian situation remains precarious. Aid organizations continue to deal with a “challenging operational environment.” Interviews with multiple stakeholders operating in the country have confirmed that while the WFP and other UN agencies have substantially increased freedom of movement, restrictions remain for local and international NGOs. Access to South Kordofan continues to be a challenge from Khartoum. While the Humanitarian Aid Commission (HAC) in Khartoum has demonstrated exceptional openness to assist in the reregistering of NGO’s expelled under al-Bashir, HAC offices in the southern states report directly to state governors (previously appointed directly by the military) and have been much less receptive to the renewed presence of international and domestic organizations. Bureaucratic impediments, a legacy of al-Bashir’s regime, continue to be a challenge for lower-profile NGOs.

Institutionally, while the HAC has been more open toward foreign agencies federally, the legacy of a heavy bureaucratic structure remains. The agility of the civil service structure to manage a complicated humanitarian response in the south and west, as well as the FSP [Family Support Programme], remains uncertain. Furthermore, the lack of access for international and local NGO’s also highlights the lack of data on the scope of needs, especially in areas that have been historically inaccessible. A legacy of al-Bashir’s regime is a trust deficit with international organizations, especially in terms of information sharing and data. Humanitarian organizations have to rely on thin data that only offers estimates of the scope of need, reinforcing the need for technical support to civilian authorities to improve data collection and sharing. Furthermore, concerns abound regarding transparency for humanitarian funding, especially as legacy elements of al-Bashir’s government remain in positions of authority.

The increase in the presence of the WFP and other UN humanitarian agencies is also complicated by debate over the drawdown for the United Nations–African Union Mission in Darfur (UNAMID), generating a sense of competition within the United Nations for funding, pitting civilian protection concerns against hunger and other assistance priorities. There is clearly a greater rhetorical commitment to humanitarian action under the new civilian authorities. [...] 

[... ] II. Situation in Darfur
[... ] E. Access restrictions
19. From June to October 2020, there were two incidents in which access was denied on security grounds. On 7 August, the planning team for the United Nations Integrated Transition Assistance Mission in the Sudan
(UNITAMS) was denied access to Golo. On 4 September, a UNAMID police patrol accompanying a non-governmental organization was denied access at a checkpoint of the Sudanese Armed Forces in the vicinity of Golo. [...]
security forces travelled back by vehicle, and upon entering the Kotoum city, they found streets blocked by protesters. Vehicles carrying the delegation were surrounded by protesters from all sides with demonstrators throwing stones which led to the injury of some of members of the delegation. The delegation sought refuge at Kutoum police headquarters but protesters burned down the police station and 4 vehicles. A reliable source informed ACJPS that the reason protesters blocked the delegation was because the delegation first visited villages occupied by the Arab armed militias who have violently attacked them for years.

On the same day, armed militias on four wheel drive vehicles, motorcycles and horse backs raided Fata Barno and fired indiscriminately live ammunition at the protesters at the sit-in killing 12 people and injuring 14 others. Nine of the deceased have been buried in el fashir and another in fata Barno. A state of emergency has since been declared in the state until further notice.[…]


[...] 1.3 A Brief Background
[...] The visibility of the transitional government is generally limited to Khartoum but the other parts of Sudan are still governed by the same state governors of the former regime. For instance the “state of emergency” declared by the former president (Al-Bashir) is still on in the states/regions under conflict and the violations are still going on mainly committed by RSF [Rapid Support Forces] and other governmental militias like PDF [People Defense Force]. (p. 6)

[...] 1.8 Limitations and challenges
[...] The government’s imposition of state of emergency in the two states and the insecurity hindered the field monitors in gathering information […]

Al Jazeera, Sudan declares 3-month state of emergency over deadly floods, 7 September 2020

[...] Authorities in Sudan have declared a national state of emergency for three months and designated the country a natural disaster zone after flooding that has killed dozens of people.

Lena el-Sheikh, Sudan’s minister of labour and social development, said in addition to 99 deaths, floods this year have injured 46 people, inflicted damage on more than half a million people and caused the total and partial collapse of more than 100,000 homes. […]

The Africa Report, Sudan declares an economic state of emergency, 15 September 2020

[...] Battered by worsening inflation, Sudan declared an economic state of emergency on 10 September, triggered by what it called a “systematic vandalism” of its currency.

The declaration follows months of accusations by the transitional government that its opponents have been actively sabotaging the economy by artificially inflating currency exchange rates and gold prices. […]

2.2.3. Improvements in 2019

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 Hamdock, 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 firsts 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 Jareeda, 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. Ashoroq 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 Ashoroq 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, Breifing [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 where 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. [...]}


[...] 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.

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 [...] 

  **Evidence that press and media freedoms were not respected in 2020 (incl. free to report; no arrests of journalists; no detention of journalists; no controlling or influencing media; no harassment or violence against journalists; confiscation of media or censorship)**

- **International Federation of Journalists, Sudan: Government seizes four private media outlets, 8 January 2020**

  [...] In a new move to curb press freedom, the Sudanese government announced the seizure of four independent media houses, including two newspapers and TV-channels. Their offices have been occupied by security forces and all employees have been ordered to leave. The International Federation of Journalists (IFI), together with its affiliate, the Sudanese Journalists Union (SUJ), have denounced this latest blatant attack on Sudanese media.

  On Tuesday, January 7, the Sudanese Anti-Corruption Committee announced the seizure of all accounts and assets of daily newspapers al-Sudani, Al-Rai al-Aam, and satellite TV channels, Al-Shrooq and Tayba. According to news reports, this was done in order to scrutinise accounts and identify the owners. [...]
[...]

Reporters Without Borders, Sudan closes four media outlets that supported former regime, 13 January 2020

[...] Reporters Without Borders (RSF) condemns the new Sudanese government’s sudden closure of four media outlets that supported the former regime and asks it to show concern for the fate of their more than 200 journalists. Instead of closing media outlets, the authorities should make sure the Sudanese media comply with a code of ethics, RSF said.

Until the four media outlets were closed by police on 8 January, the impact of Omar al-Bashir’s removal last April and the creation of a transitional government headed by a civilian had been positive for media freedom, drastically reducing the number of arrests of journalists and suspensions of newspapers.

The four newly closed media outlets – Ashorooq TV, Taiba TV and two newspapers, Alray Alamet and El Sudani – were all affiliated to the Bashir government. The committee that ordered their closure said the aim was to examine their bank accounts and establish whether they were still being financed by members of the former regime.

“The dismantling for the former ruling party should not result in a witch-hunt and the sudden closure of media outlets,” RSF said. “If they disappear, they will have no opportunity to learn to conform to good ethical practices and professional conduct, or to contribute to an overhaul of the Sudanese media landscape and the emergence of quality journalism that respects a diversity of viewpoints.”

Despite Bashir’s ouster, many media outlets have continued to be controlled by representatives of the former regime. At the same time, the “Cyber Jihadists Unit” – an army of trolls created by the Sudanese intelligence services during the Arab spring to intervene in the online information flow – continues to be very active, monitoring and infiltrating the Internet, and spreading fake news and propaganda.

The four media outlets were closed as part of a broader effort to dismantle the former ruling National Congress Party and all affiliated entities. [...]

[...]

Reporters Without Borders, Sudan: Press freedom still in transition a year after Omar al-Bashir’s removal, 10 April 2020

[...] The National Intelligence and Security Service (NISS) no longer raids newspapers or their printing presses to control the content of their articles or to confiscate entire issues as they come off the press. Institutional censorship has declined dramatically without disappearing altogether. News control is now exercised more insidiously, sometime from within newsrooms, as was seen with Lubna Abdella’s dismissal by the newspaper Al Sudani Al Dawlia after an investigative story about corruption within the human rights commission. “Most of the 18 daily newspapers that cover politics continue to be affiliated or close to supporters of the former regime and economic condition prevent the arrival of new actors,” said Hassan Ahmed Berkia, a member of the executive secretariat of the Sudanese Journalists Network (SJN).

[...] The interests of the former regime and its allies are defended online and on messaging services by the Cyber Jihadist Unit, a troll army that the intelligence services created after the Arab Spring in 2011 to spy on the opposition and journalists. It pumps out disinformation designed to defend former regime figures and has been included in RSF’s list of Digital Predators of Press Freedom.

[...] The authorities have let it be known that they are drafting legislation but they have not consulted the media outlets and journalists’ organizations that were most critical of the former regime. The 2007 cybercrime law, the 2009 press law and the 2010 national security law are all still in effect and continue to pose a major threat to journalism in Sudan. [...]

[...]

Radio Dabanga, PM Hamdok: Sudan press freedom still needs work, 4 May 2020

[...] Although progress has been made, the press freedom situation in Sudan is “still below the standards set by the transitional government, that was founded on freedom, peace and justice,” PM Hamdok said on World Press Freedom Day (May 3).

Prime Minister Abdallah Hamdok pledged to foster the press and freedom of expression in Sudan. The Ministry of Culture and Information welcomed the progress made by Sudan on the list of the countries that respect press freedom, compiled by Reporters Without Borders (see below). No longer being at the absolute bottom of this list “constitutes a motivation to further improve press freedom in Sudan”.

[...] The Sudanese Journalists Network called on the state to create press institutions that are “satiated with the values of the December revolution”.

The network pointed out that the vast majority of the press institutions still don’t have health insurance for their journalists and other employees. Publishers still violate labour laws, illegally depriving journalists of money, the network claims. [...]

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Frontline Defenders, Urgent Appeal: Sudan: Harassment against women human rights defenders Lana Awad and Aida Abdel Qader, 5 June 2020

[...] Since 29 May 2020, women human rights defenders Lana Awad and Aida Abdel Qader have been subjected to several harassments following an article they published on 26 May in the South Darfur News, defending the health rights of citizens in Al-Fashir city. In the context of COVID-19, Al-Fashir city has reported an alarming number of deaths, according to research published by Al-Fashir University, the Sudanese Government and the UN.

Lana Awad and Aida Abdel Qader are women human rights defenders and journalists. Both women are members of the Darfur Journalists Association and their work focuses primarily on promoting women’s rights and defending health rights in Sudan. Lana Awad had worked for the Ministry of Health and Social Development, but was dismissed as a result of the article she wrote with Aida Abdel Qader. On 29 May 2020, Lana Awad and Aida Abdel Qader received several phone calls from unknown individuals, threatening that they would be arrested and tortured by the Military Intelligence Agency, in response to an article the two women published. The article details the high fatality rate in Al-Fashir city during COVID-19 and the shortage of personal protective equipment among health workers and residents in the city. On 31 May 2020, a military officer stopped the two women human rights defenders in the street and aggressively attempted to arrest them, but the women managed to get away. On 2 June, the Public Prosecutor opened an investigation against the two defenders in relation to the article. They are at risk of being charged with defamation and the spreading of false news. On 27 May, the Media News Agency of North Darfur falsely published an article under Lana Awad’s name, which denied the information in the initial article written by the two WHRDs.

Both Lana Awad and Aida Abdel Qader have frequently been harassed in relation to their human rights work in the past. They are also facing increased risks due to the fact that they are working in a conflict zone. Front Line Defenders is deeply concerned regarding the harassment of women human rights defenders Lana Awad and Aida Abdel Qader. It believes that they are being harassed as a result of their peaceful and legitimate human rights work and exercising their freedom of expression. [...]
“Sudanese Union of Journalists main office in Khartoum is still occupied by security forces, all assets were confiscated, top officials in the government are threatening us with prison from time to time, but we do not surrender, we are still fighting,” said the SUJ. [...] 

Radio Dabanga, Sudanese journalists denounce army accusations, 21 July 2020

[...] The Sudanese Journalists Network (SJN) has strongly condemned the verbal attack on journalist Adil Ibrahim (better known as Adil Kolor) by an army officer in a TV programme on Sunday. The journalist participated in an episode of the programme ‘The Army between Abuse and the Right to Criticism’ on Sudania 24 satellite channel.

In a discussion on Sudan’s military dealing with weapons and explosives during the 1989-2019 regime of ousted President Omar Al Bashir, the journalist spoke about the US missile attack on the El Shifa pharmaceutical factory in Khartoum North in 1998. He also pointed to the air strikes of 2009 allegedly conducted by Israel against Iranian arms being smuggled through Sudan to Gaza, a missile attack on a land cruiser in Port Sudan in 2011, the 2012 bombing of the Yarmouk ammunition factory in southern Khartoum, which was carried out by Israeli bombers, Sudan said at the time, and the interception of a ship carrying weapons by the Israeli navy in the Red Sea in 2014.

Maj Gen Amin Ismail reacted to the remarks of Kolor in a later TV programme on Sunday by saying that an official complaint would be filed against the journalist concerning the disclosure of military secrets. He accused Kolor of terrorism, and warned him not to reveal such military details again.

In a statement on Monday, the SJN strongly condemned the threatening of Kolor and “all other attempts to silence journalists and media workers, and keep them from fulfilling their role in informing the public”.

According to the network, “these threats are not different from the targeting of journalists [during the reign of Omar Al Bashir]”. [...]

International Federation of Journalists, Sudan: Army threatens journalists and activists with lawsuits, 22 July 2020

[...] The Sudanese army has threatened activists and journalists with lawsuits for “insulting the military” on 18 July. The International Federation of Journalists (IFJ) had condemned the blanket threat and called on military forces to stop intimidating the press and respect freedom of expression.

A statement issued on 18 July by the military said “Legal action would be taken against activists, journalists and others both inside and outside Sudan.” The armed forces took this decision after “systematic insults and accusations crossed the bounds of patience”, which they argued formed “part of a plan targeting the country’s army and security system.”

The threat is a response to activists and rights groups in Sudan accusing the army of blocking investigation into the killing of scores of protesters on 3 June 2019 when the security forces broke up a sit-in outside the defence ministry. The army had denied these allegations and insisted that those who committed offenses would be punished.

The General Secretary of the IFJ, Anthony Bellanger, said that the Sudanese army’s statement is “a blanket threat to freedom of expression, media freedom and the citizens’ right to access information in Sudan. The statement in its entirety is overloaded with threats against activists and journalists and this is unacceptable. It is clear that the military intends to intimidate and harass activists and journalists to silencing them.” [...] 


[...] IV. Main human rights challenges
[...] D. Press freedom and harassment of journalists

[...] The Independent Expert also welcomes the authorization of new licenses for 15 television and radio stations by the Broadcast Licensing Committee of the Ministry of Culture and Information, as announced on 16 July 2020. Such a step is vital for the promotion of media pluralism.
41. Despite these developments, the Independent Expert is concerned by new legal developments that restrict freedom of expression and impose harsh penalties. On 31 May 2020, the Joint Council passed the Law for Protecting Doctors, Medical Personnel and Health Facilities of 2020, with a view to deterring the repeated assaults on doctors and health workers in the Sudan amid the COVID-19 pandemic. While noting the Government’s intention to protect medical personnel, the law also restricts freedom of expression. Under the heading of “crimes and punishments”, the law stipulates that publishing misleading or incorrect information that affects the performance of medical personnel can be punishable with imprisonment for up to 10 years.

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


❖ Committee to Protect Journalists, Sudanese authorities in North Darfur state harass 2 journalists reporting on COVID-19, 31 July 2020

[...] Between May 29 and May 31, 2020, local authorities harassed journalists Aida Abdel Qadir and Lena Sabeel in the Sudanese state of North Darfur as they were reporting on the COVID-19 pandemic, according to the independent outlet Radio Dabanga and a representative of the independent Sudanese Journalists Network, who spoke with CPJ via messaging app. The network also posted about the harassment on Facebook.

In interviews via messaging app between July 21 and 27, Abdel Qadir told CPJ that the authorities have opened a preliminary investigation into the two reporters’ journalistic work, and that they have been forced to relocate. Abdel Qadir did not specify for what offenses the two journalists are being investigated. CPJ was unable to reach authorities to independently confirm the investigation.

According to Radio Dabanga, Sabeel and Abdel Qadir were both reporting on coronavirus deaths in the North Darfur capital of El-Fasher, Sabeel on her personal Facebook page, and Abdel Qadir for local outlet Darfur 24. Sabeel told Darfur 24 that an officer from military intelligence called her several times on May 29 and May 30 and ordered her to appear at the local intelligence division. Sabeel told the outlet that when she refused to go, he said she would “compel” her to report to the office.

Then on the morning of May 31, the two journalists were together in El-Fasher’s market when a plainclothes military intelligence official identified himself to them and ordered them to come with him to the local intelligence office, Abdel Qadir told Darfur 24. She told the publication that they refused to go.

Radio Dabanga quoted North Darfur Governor Malik Khojali, who is also a major general in the Sudanese military, claiming the state has been “affected” by “unsubstantiated reports” that “exaggerated” the health situation in the state. According to the outlet, he said that authorities “will resort to legal means against anyone reporting false information in North Darfur.”

Sabeel defended her reporting in a post on her Facebook page.

Radio Dabanga reported that Sudanese Minister of Information Faisal Mohamed Saleh discussed the incidents regarding the two journalists with Khojali over the phone. The outlet said Saleh told the general he respected the state’s right to pursue legal means but that the state should not violate human rights.
Radio Dabanga said that Saleh has been in touch with the journalists and reassured them that he would follow up on their case. Abdel Qadir told CPJ that the minister had made contact with her. [...] 

International Federation of Journalists, Sudan: 105 Journalists, media workers to be dismissed by August 31, 11 August 2020

[...] More than 100 workers employed by the Tayba media group are to lose their jobs by the end of August following a decision of the government-appointed administrator. The media company is caught up in a row over payments made by the country’s former leader to support the networks and this latest decision comes eight months after the Disempowerment Committee, tasked with the removal of employees and affiliates of the former regime, decided to shut down Tayba Channel television and Tayba radio station and seized its headquarters in Khartoum on 7 January, 2020. The Government Officer appointed by the Disempowerment Committee as Administrative Supervisor of Tayba Satellite Channel and Tayba Radio, Amher Abu Ai Jokh, has issued a declaration to dismiss 105 journalists and media workers by August 31. The International Federation of Journalists (IFJ) joined its affiliate, the Sudanese Journalists Union (SJU) in calling for action to save jobs and ensure workers’ rights are respected. IFJ General Secretary, Anthony Bellanger, said that the unilateral decision taken by Amber Abu Ai Jokh violates the labour rights of the workers as protocols demand that the workers or their representatives should have been consulted. The IFJ called on the President of the Sovereignty Council and the Prime Minister to intervene and put a halt to this arbitrary decision and to respect the labour rights of workers as well as to guarantee the safety and security of journalists and media workers in Sudan. [...] 

Radio Dabanga, Sit-in against Sudan’s Information Law, 4 September 2020

[...] Members of the Resistance Committees active in El Diyoum El Shargiya neighbourhood in the Sudan capital of Khartoum organised a protest vigil in front of the Information Crimes Court yesterday to condemn harsher penalties in the Information and Cybercrime Law. Chief Justice Nemat Abdallah has instructed the protection of witnesses prepared to testify about violence used against protestors in the December revolution. A number of members of Resistance Committees are on trial after a complaint by an officer that they posted a report on social media accusing the officer of corruption. According to the activists, the prosecutor was reluctant to follow up the procedures. They said in a statement that the Information and Cybercrime Law was developed by the former regime to silence opposition voices. “It targets revolutionaries with the aim to prevent the opening of corruption files.” The Resistance Committees call for amending the law, including the punishments, as the law provides for a prison sentence ranging from four to six years in addition to heavy fines. As reported by Radio Dabanga yesterday, the Port Sudan prosecutor has arrested journalist Osman Hashim on charges related to ‘information crimes’. Hashim was later released on bail. Activists told Radio Dabanga that one of the former governors filed a complaint against Hashim, who frequently contributes to Radio Dabanga, about posts on his Facebook page about alleged corruption that occurred during the former governor’s rule. They clarified that the former governor concerned is facing trial in Red Sea state in several cases of corruption. [...] 

Human Rights Watch, The Human Rights Council should support systemic human rights reforms in Sudan, 10 September 2020

[...] The civic and democratic space has opened, with Sudanese citizens, including HRDs [human rights defenders] and civil society, enjoying greater respect for their rights to freedom of opinion and expression (including freedom of the media and access to information), freedom of peaceful assembly and association, and freedom of movement. [...] 

International Federation of Journalists, Sudan: Journalists of suspended newspaper protest against non-payments, 17 September 2020

[...] The staff of the Al-Rai al-Aam newspaper, suspended by the Sudanese authorities in January 2020, are protesting against the newspaper’s suspension and demanding the payment of outstanding salaries. The
International Federation of Journalists (IFJ) and the Sudanese Union of Journalists (SUJ) stand in solidarity with the journalists and urge the authorities to lift the suspension and guarantee journalists’ salaries. [...] The staff of the Al-Rai al-Aam newspaper, suspended by the Sudanese authorities in January 2020, are protesting against the newspaper’s suspension and demanding the payment of outstanding salaries. The International Federation of Journalists (IFJ) and the Sudanese Union of Journalists (SUJ) stand in solidarity with the journalists and urge the authorities to lift the suspension and guarantee journalists’ salaries. The newspaper’s workers organized a protest in front of the Council of Ministers on 16 September. They claim they have not been paid for three months and that their professional future looks uncertain since the newspaper was suspended without legal justification. On January 7, the Sudanese Empowerment Committee announced the seizure of the daily newspapers Al-Rai al-Aam and al-Sudani and the TV channels Al-Shrooq and Tayba. Security forces occupied the offices, and all employees were forced to leave. The Committee, which is tasked with removing the those allegedly affiliated with the former regime from positions of power, argued the suspensions were necessary to investigate the financial status of these media and claims they were established or bought using public money. In August, a government-appointed supervisor announced the dismissal of 105 journalists and media workers of the Tayba media group. The Empowerment Committee’s actions not only call in to question commitments to press freedom but it has also blatantly targeted union rights. It dissolved various trade unions, including the Sudanese Journalists Union (SJU) in December 2019. Authorities issued an arrest warrant for SJU president Al Sadig Al Rezegy on August 16. He had refused to hand over the union’s assets and properties and was charged for continuing to run the banned union. [...] United Nations Security Council, Report of the Secretary-General on the situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, 17 September 2020 [...] II. Significant developments [...] Human rights situation [...] Although amendments were made to the cybercrime prevention act, including the abolition of corporal punishment, the Joint Council doubled the custodial penalties for certain online activities by journalists and media workers, thereby impinging on the civic space and the protections of the freedom of expression, the right to access information, the right to privacy, and due process, all of which are crucial to a democratic transition. [...] Freedom House, Freedom on the Net: Sudan, 14 October 2020 [...] A Obstacles to Access A two-day shutdown was reported in the city of Kassala in May 2020 and Port Sudan in August 2019, both times following fatal clashes between Beni Amer and Nuba tribespeople. [...] A3 0-6 pts Does the government exercise technical or legal control over internet infrastructure for the purposes of restricting connectivity? 1/6 [...] Mobile internet services were suspended for three days in May 2020 in the city of Kassala. Activists suggested that the Kassala state government restricted connectivity in order to maintain calm during a TSC [Transitional Sovereign Council] delegation visit. A week before, clashes between Nuba and Beni Amer tribespeople left 11 people dead. Residents using mobile service providers Zain and MTN were chiefly affected, although the shutdown may have affected other providers. Fixed-line internet services were not affected.15 [...] B Limits on Content [...] B2 0-4 pts Do state or nonstate actors employ legal, administrative, or other means to force publishers, content hosts, or digital platforms to delete content? 2/4 The Sudanese government does not systematically use legal or administrative means to force publishers and content hosts to delete legitimate content. Instead, the authorities use intimidation to coerce internet users to delete content (see C7). This practice became more common after the protests began in December 2018 and continued into June 2019, though the practice then reportedly subsided. However, in May 2020, security forces threatened and intimidated journalists Lana Awad and Aida Abel Qader (see C7). The journalists published reports, including on Facebook, about high death rates among elderly
people in North Darfur hospitals as the COVID-19 pandemic took hold. The General Intelligence Service (GIS) and individuals affiliated with the government harassed and intimidated users to delete content they objected to from Facebook groups.

 [...] B5 0-4 pts
Are online sources of information controlled or manipulated by the government or other powerful actors to advance a particular political interest? 0/4

 [...] While Sudan has a vibrant online media landscape, the government has frequently manipulated internet content to advance its agenda, spreading disinformation and manipulating social media discussion through a so-called cyberjihadist unit.

 [...] After the al-Bashir regime’s ouster, the Khartoum Electronic Media Center, which housed the unit, closed its website and social media pages. The unit reportedly maintains offices in Khartoum as well as a presence in countries including Turkey and Qatar. Fraudulent pictures, videos, and stories were notably circulated on social media platforms during the coverage period.

 The cyberjihadist unit has engaged in disinformation campaigns surrounding COVID-19, reportedly sharing stories claiming that the virus has not reached Sudan and that the transitional government was using the pandemic lockdown to stifle dissent. The unit reportedly sought to mobilize people to protest the lockdown.

 [...] C Violations of User Rights
The transitional government’s interim constitution safeguards freedom of expression, freedom of the press, and access to the internet. The systemic offline harassment by security forces of protesters and activists for their online activity has largely ceased. However, security forces continue to arrest, intimidate, and harass people for their online activities, particularly people expressing critical opinions.

 [...] C2 0-4 pts
Are there laws that assign criminal penalties or civil liability for online activities? 1/4
Sudanese law can be used to penalize online activists, journalists, and ordinary users in retaliation for legitimate content. The justice minister is reportedly expected to repeal these laws as part of the transitional government’s plan for legal reforms, though little was shared with the media on what this reform will look like.

 In July 2020, after the coverage period, Prime Minister Abdalla Hamdok signed amendments to the Law on Combating Cybercrimes of 2018, which introduced criminal penalties for the spread of fake news online in June 2018 and is based on the Informatic Offenses (Combating) Act of 2007. The July 2020 amendments increase the penalties for many activities specified in the original law, including online defamation, online extortion, hacking of government websites, and sharing false information on social media. Also in July, military officials announced that a new cybercrime commissioner would monitor and prosecute “insults” about the army.

 [...] C7 0-5 pts
Are individuals subject to extralegal intimidation or physical violence by state authorities or any other actor in retribution for their online activities? 2/5
Score Change: The score improved from 1 to 2 as systemic offline harassment by security forces of protesters and activists for their online activity has largely subsided, though online and offline harassment remains common, particularly for women.

Online journalists and activists often face extralegal intimidation, harassment, and violence in retaliation for their online activities. The frequency of such incidents decreased during the coverage period, in comparison to the many protesters who reported harassment from security agents after posting on social media around the mass demonstrations in early 2019.

In May 2020, security forces threatened and intimidated journalists Lana Awad and Aida Abel Qader for their coverage of hospital deaths that were likely related to the COVID-19 pandemic in North Darfur. Both women reported that individuals who identified themselves as military intelligence officers requested that
they attend an interview at their headquarters, and threatened to compel them to do so, over the course of three days in El Fasher.130

[...]. Though security forces have not systematically harassed protesters for their online activity during the coverage period, activists and protesters reported that the authorities did make attempts to restrict their online activities. Demonstrators reported that security forces who violently repressed an April 2020 protest confiscated the phones of activists and journalists.132

[...]. Activists and protesters detained during the coverage period often experienced long pretrial detentions and torture by the authorities. Nine young people arrested in the aftermath of the Khartoum massacre were reportedly detained for more than three months,133 while a prominent activist was sentenced to four months’ detention for criticizing a police officer.134 Activists reported numerous cases of violent arrest by security forces and torture while in custody.135

Social media influencers and minority groups such as the LGBT+ community are frequent targets of online harassment. Female activists are often subjected to threats and smear campaigns on social media. For instance, in July 2020, after the coverage period, high school student Ludan Tariq experienced bullying and harassment online, including criticism that she was not covering her hair, after a video of Tariq criticizing the military went viral. [...]


50 Anonymous local sources, interviews with author. [...]. It should be noted that activists rarely use the term “Cyber Jihad Unit.” [...]. Interview with S.A, a Sudanese investigative journalist, April 17, 2020. 66 Interview with S.A, a Sudanese investigative journalist, April 17, 2020. 67 Interview with S.A, a Sudanese investigative journalist, April 17, 2020.

105 Abdelgadir Mohammed Abdelgadir, Fences of Silence: Systematic Repression of Freedom of the Press, Opinion and Expression in Sudan, International Press Institute, 2012, https://www.mediasupport.org/report-need-for-press-freedom-reform-in-su; “According to Section 4, crimes against public order and morality Sudan cyber law, of Sudan’s Cybercrime Law (2007), intentional or unintentional producing, preparing, sending, storing, or promoting any content that violates public order or morality, makes the offender liable to imprisonment of 4 to 5 years or a fine or both. The maximum penalty for committing both crimes is 7 years or fine or both. Also, under the same section, creating, promoting, using, website that calls for, or promote, ideas against public law or morality is punished by 3 years in prison or fine or both. Cyber defamation crimes necessitate 2 years in prison or fine or both. Public order is not defined clearly in the law. Subsequently, most of the opposition content online falls under this section making online activists liable under this law.


107 Nabeel Biajo, “Sudan Army’s Plan Is to Return to ‘Dark Days,’ Journalists Say,” Voice of America News, August 6, 2020, https://www.voanews.com/press-release/sudan-army’s-plan-return-dark-days; “According to Section 4, crimes against public order and morality Sudan cyber law, of Sudan’s Cybercrime Law (2007), intentional or unintentional producing, preparing, sending, storing, or promoting any content that violates public order or morality, makes the offender liable to imprisonment of 4 to 5 years or a fine or both. The maximum penalty for committing both crimes is 7 years or fine or both. Also, under the same section, creating, promoting, using, website that calls for, or promote, ideas against public law or morality is punished by 3 years in prison or fine or both. Cyber defamation crimes necessitate 2 years in prison or fine or both. Public order is not defined clearly in the law. Subsequently, most of the opposition content online falls under this section making online activists liable under this law.

International Federation of Journalists, Sudan: Security forces attack journalists and obstruct reporting on protests, 26 October 2020

[...] Security forces attacked journalists and prevented them from covering protests in Sudan’s capital Khartoum on 21 October. The International Federation of Journalists (IFJ) joins its affiliate, the Sudanese Journalists Union (SJU), in condemning the attacks on journalists’ and urges the government to stop harassing journalists and guarantee their freedom to work.

[...] The SJU reported two incidents against journalists covering the protests. Security forces wearing plain clothes and carrying batons surrounded Saad Eddin Hassan, a correspondent for the Al-Arabiya network, in an attempt to prevent him from reporting on a demonstration taking place in the centre of Khartoum. The second incident took place in the South of the city, where photographers for Sky News Arabia were attacked by security forces while covering a peaceful march. According to media reports, the security forces beat a photographer and erased all pictures he took during the protests. The Culture and Information Ministry confirmed the incidents. Security forces also closed the bridges leading to the centre of Khartoum early in the morning, thereby preventing journalists from reaching the demonstration sites. The protests that took place in Khartoum and across the country were aimed at drawing attention to worsening living conditions in Sudan and the crackdown on protests. Tribal clashes in Eastern Sudan the week before had left 15 people dead.

The SJU said in a statement: “The General Union of Sudanese Journalists considers the repressive practices of the security forces against journalists and reporters an extension of the transitional government's arbitrary approach towards the press and freedom of expression in the country.”

[...] During the Covid-19 pandemic, the government has further tightened its grip on Sudanese media. It introduced new legal provisions that allow for heavy punishment of critical reporting, several media outlets were closed and journalists increasingly face harassment, including arrests and the removal of press accreditations. IFJ General Secretary Anthony Bellanger said: “The assaults on journalists and the obstruction of journalistic work show once again that authorities in Sudan do not respect basic principles of media freedom. In this dangerous environment, it becomes even more important that journalists have union representation to support them and protect their rights. We call again on the Sudanese government to stop restricting media freedom and to reverse its ban on the SJU.”

International Federation of Journalists, Sudan: Journalist arrested for reporting on anti-corruption committee, 17 November 2020

[...] Prominent columnist Ishaq Ahmed Fadlallah was arrested on 12 November after writing an article criticizing the practices of a member of the Empowerment Removal and Anti Corruption Committee. The International Federation of Journalists (IFJ) supports its affiliate the Sudanese Journalists Union (SJU) in calling for an immediate and unconditional release of Fadlallah. The police force which implements decisions by the Empowerment Removal and Anti Corruption Committee arrested Fadlallah. He was charged with “work to undermine the regime” and placed in a detention center in Khartoum.

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

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

The Sudanese Journalists Union called on world press freedom and human groups to “pressure the Sudanese authorities to end their prosecution of journalists and to immediately and unconditionally release (...) Ishaq Ahmed Fadlallah, and to drop the spurious charges against him and assume responsibility for his safety.”

IFJ General Secretary Anthony Bellanger said: “We call for the release of Ishaq Ahmed Fadlallah. A critical stand towards executive, legislative and judicial activities is a basic aspect of journalism and contributes to the functioning of a society. This essential function of journalism is repeatedly undermined in Sudan and we demand the authorities to stop punishing journalists for doing their job.”

Committee to Protect Journalists, Sudan tightens cybercrime law as army pursues “fake news”, 23 November 2020

[...] Dura Qambo was on vacation in Egypt in July when a friend called to warn her to stop criticizing the Sudanese army online, she told CPJ. Earlier that day, the army had announced on Facebook that it had appointed a Special Commissioner in May to sue anyone who insults or defames the military on the internet.

“My friend told me to take care because he heard from a contact in the intelligence service that the military was targeting me and other journalists with this statement,” said Qambo, a 42-year-old Sudanese writer and former reporter who wrote for BBC Arabic before going freelance.

The army’s announcement coincided with a spate of threats to prosecute journalists under Sudan’s cybercrime law, according to CPJ interviews. That law—a relic from the repressive era of former President Omar Al Bashir—criminalized spreading false information online.

Sudan’s joint civilian and military transitional government made the law more punitive in an amendment this summer. Military officials and their supporters frequently dismiss reporting that puts them in a bad light as “fake news,” and Sudanese journalists and activists told CPJ that they fear the army is weaponizing the charge to silence criticism, rather than fight disinformation.

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

“The problem is that journalists don’t speak out about these threats. They only talk about these incidents to their close friends,” said Nyala.

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

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

“If you spread fake news or rumors about the military with the intention of harming the organization, then yes, there could be a problem and legal repercussions,” he said.

The army has not disclosed the identity of its new commissioner to CPJ or human rights groups, and it’s not clear if the appointment has resulted in specific prosecutions. CPJ contacted Taher Abu Hagar, the spokesperson for the Sudanese army, for comment, and provided written questions at his request, but received no response.

[...] But observers say that enhancing protections in the cybercrime legislation would also help safeguard journalists and freedom of expression. Mohammad Osman, a researcher monitoring Sudan for Human Rights Watch, told CPJ that the law needs definitions for terms like upholding public order and morality.

Osman added that the law doesn’t clarify how intent is defined or recognized and could easily be abused by the police and Rapid Support Forces (RSF), a powerful paramilitary that was subsumed by the state after spearheading mass killings in Darfur, according to news reports, analysts, and rights groups.

“The RSF hasn’t made a public stunt like the army. It has remained very quiet. The same thing with the police, but clearly there is a law they can utilize at any moment,” Osman said.
Nasif Saleh, a former journalist for Al-Jazeera Arabic, told CPJ that he fears the RSF could use the law against him. He is currently the founder and operator of MonteCarro, a platform for Sudanese citizen journalists that is frequently sourced by local media and Al-Jazeera Arabic. Saleh said that the outlet is still ad hoc and self-financed, but that it adheres to professional standards of journalism.

However, fervent RSF supporters regularly accuse him of publishing false news on the social media pages of MonteCarro, he said. One example accusation reviewed by CPJ came from an account that frequently posted support for the RSF. Saleh said that accusations have become more frequent since he published an article on September 19 alleging that a secret RSF prison was functioning outside government oversight.

“RSF officers never slander me themselves. The threats always come from civilian personalities,” he told CPJ.

At the moment, Saleh lives abroad but declined to disclose his location for fear of reprisal from opponents. He intends to return to Sudan, he said, but he is afraid of being sued for spreading false news.

Other journalists say that Sudan’s restrictive laws won’t deter them from criticizing authorities. Dura Qambo, the ex-BBC reporter, told CPJ that she has allies in the streets and in the government. Most journalists, she insisted, weren’t intimidated by the army’s warning. […]

International Federation of Journalists, Sudan: 84 broadcast workers fired over alleged loyalty to former regime, 15 December 2020

[...] On 10 December, 84 journalists of the state National Authority of Radio and TV were dismissed due to alleged loyalty to the regime of former president Omar Al-Bashir and administrative irregularities in their hiring process. The International Federation of Journalists (IFJ) and its affiliate, the Sudanese Journalists Union (SJU) condemn this decision and demand the immediate re-integration of all the media workers.

[...] According to media reports, 60 TV employees, 19 radio workers and 5 broadcasting journalists received their dismissal letters by Sudan’s Empowerment Removal Committee on 10 December. Many of them claimed that the decision had no basis and that they were given no opportunity to defend themselves.

Some journalists told the media they would appeal the decision. This is not the first time media workers in Sudan are dismissed. On 31 August, 105 journalists of Tayba media group lost their jobs following a decision of the government-appointed administrator. The decision came eight months after the Disempowerment Committee had decided to shut down Tayba channel and radio station and seized its headquarters.

SJU said: “The dismissal is in line with the repressive practices of the anti-corruption committee on press freedom, which takes the form of constant prosecution of journalists. We are also astonished by the silence of the Minister of Culture and Information and the Directorate of the Radio and Television Authority about this new attack against journalists. We call on the IFJ and international and regional federations and all organizations active in freedom and human rights to support and defend the dismissed journalists and to put pressure on the Sudanese authorities to put an end to these decisions”.

IFJ Secretary General, Anthony Bellanger, said: “Journalists shouldn’t be fired for their political views. We support SJU and our colleagues in calling for all fired journalists to be reintegrated. We warn the Sudanese government against any attempt to undermine press freedom and intimidate journalists.” […]

African Centre for Justice and Peace Studies, A female human rights defender faces one year imprisonment for Facebook video, 13 January 2021

[...] On 18 July 2020, the Sudanese Armed Forces appointed a commissioner for the Armed Forces who is specialized in information and cyber-crimes. His role is to file cases and follow up complaints under the supervision of the Military Prosecutor and the membership of legal officers from the Military Judiciary whose duties are to monitor all abuses against armed forces with all its components and to take the necessary legal procedures. These procedures might affect groups of activists, media professionals and others inside and outside Sudan. […]


[...] Freedom of Expression and Assembly

In September, 11 artists were sentenced to two months in prison for being a “public nuisance” and “disturbing public peace,” in part because of pro-democracy chants they shouted while in the police station. In July, the transitional government amended the 2007 Cybercrimes Act, increasing its penalties rather than repealing vaguely worded offenses criminalizing the “spread of false news” and publication of “indecent
materials.” On July 18, the Sudanese army appointed a special commissioner to bring lawsuits against individuals who “insult” the military online, both inside and outside the country.

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

**Freedom House, Freedom in the World 2021: Sudan, 3 March 2021**

- **Civil Liberties**
  - D Freedom of Expression and Belief
  - D1 0-4 pts
  - Are there free and independent media? 1/4

The interim constitution guarantees freedom of the press, and the transitional government has pledged to draft legislation that increases protections for journalists. However, a number of repressive statutes—including a 2007 information offenses law, the 2009 press law, and the 2010 national security law—are still in effect, and the government in July 2020 amended the 2018 Law on Combating Cybercrimes to increase the prison sentences for crimes such as disseminating false information.

Journalists have expressed concern that individuals connected with al-Bashir’s regime retained positions at media outlets in the country, and key newspapers continued to be closely affiliated with former officials and other political parties. In January 2020, the government committee tasked with recovering assets from the former ruling party suspended the newspapers Al-Rai al-Am and Al-Sudani and the television channels Ashoroog and Teiba. In December 2020, more than 80 state media workers were fired for their alleged loyalty to al-Bashir’s regime.

Intelligence officers no longer raid and censor newspapers or interfere with printing presses, and institutional censorship in general has declined. However, in July 2020 the military announced that it had appointed a commissioner to bring legal cases against online journalists who insult the armed forces. Journalists reportedly received threats that they would be prosecuted if they did not stop criticizing the military and delete critical reports. In May, two reporters were harassed by intelligence officers in North Darfur State for investigating and reporting on the COVID-19 pandemic.

- **Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2/4**

The interim constitution affirms the right to privacy, including citizens’ right to engage in private correspondence without interference. The transitional government has begun to dismantle the surveillance apparatus associated with the former regime, notably by replacing the NISS with the GIS—which has narrower powers and responsibilities—in 2019. However, the government’s decision to increase penalties for disseminating false information and other such offenses in July 2020, and the military’s threats to take legal action in response to online insults, raised new doubts about the authorities’ commitment to freedom of personal expression. Ongoing violence by security forces and nonstate actors during the year also served to deter unfettered discussion and criticism among ordinary citizens. […]

**African Centre for Justice and Peace Studies, A female human rights defender faces trial for online publication of “false news” under the Cybercrimes Act, 2018, 26 March 2021**

- **[…]** African Centre for Justice and Peace Studies (ACJPS) expresses deep concern over the targeting of Sudanese citizens by the authorities for their online activity. ACJPS has documented an incident where a Sudanese human rights defender has been charged with publishing false news under Article 24 the Cybercrime Act, 2018 based on Facebook post discussing the health situation in Sudan.

Over the years, social media platforms have been increasingly used by Sudanese citizens to voice concerns over the governance of their country, among others. Given the restrictive space, the online platforms are used as a medium to freely express concerns and commentary on different issues affecting the ordinary citizen. Various media houses in Sudan have also launched online news sites that have made it possible to publish articles on topics that might have otherwise been deemed red line topics and exposed them to pre-print or post print censorship and other restrictive tactics used by the authorities. However, the Government has extended its repressive tactics and carried out arrests and interrogation of individuals for their online activity and relied on crimes under the Cybercrimes Act to charge individuals for their social media activity.
On the evening of 29 November 2020, two policemen riding on a tuk tuk came to the house of human rights defender, Ms. Khadeeja Aldewaihi in Al-izba neighborhood in Khartoum. They met one of her relatives at the main gate and lied about being former colleagues of Ms. Khadeeja from the Al Shorouk TV channel. The officers were let in and when Ms Aldewaihi met them, she did not recognize any of them. One of the told her that they knew her contract with Al Shorouk TV had ended but they had something for her. He then handed her a document summoning her to appear for questioning at the police station on 30 November 2020 in relation to a criminal a complaint under article 24 of the Cybercrimes Act (Publishing false news online).

On 30 November 2020, Ms Aldewaihi went to the police station with her sister. She was interrogated about posts on her Facebook account written on 13 May 2020 concerning the health situation in Sudan. Ms Aldewaihi admitted that it was her Facebook account and that she wrote the post. The investigator questioned her why she wrote about health issues when she is an agricultural engineer.

She was released that same day but on the morning of 14 December 2020, the investigator again summoned her to come at 12 noon to the Office of the Prosecutor to complete the investigation. The investigation began with basic information and repeating of the previous questions in addition to a question about her political affiliation and her engagement with the Sudanese communist party. Ms. Aldewaihi stated that she shared posts on Facebook in her personal capacity. She was summoned again on Wednesday, 16 December 2020 and was interrogated about her relationship with the Graduate Association and their Facebook account. She denied any relationship with this association.

On 18 March 2021, the Prosecutor in charge of cybercrimes charged Ms. Khadeeja with publishing false news online under articles 24 and 25 of Cyber Crimes Act, 2018 and issued an order to refer the case to the court for trial. No court session has been held yet, but she will be summoned before a court at any given time.

Evidence that the authorities used national security as a justification to arrest or punish critics of the government or deter criticism of the government in 2020

- **Reporters Without Borders, Sudan: Press freedom still in transition a year after Omar al-Bashir’s removal, 10 April 2020**
  
  [...] The authorities have let it be known that they are drafting legislation but they have not consulted the media outlets and journalists’ organizations that were most critical of the former regime. The 2007 cybercrime law, the 2009 press law and the 2010 national security law are all still in effect and continue to pose a major threat to journalism in Sudan. [...] 

- **International Federation of Journalists, Sudan: Army threatens journalists and activists with lawsuits, 22 July 2020**
  
  [...] The Sudanese army has threatened activists and journalists with lawsuits for “insulting the military” on 18 July. The International Federation of Journalists (IFJ) had condemned the blanket threat and called on military forces to stop intimidating the press and respect freedom of expression.

  A statement issued on 18 July by the military said “Legal action would be taken against activists, journalists and others both inside and outside Sudan.” The armed forces took this decision after "systematic insults and accusations crossed the bounds of patience", which they argued formed " part of a plan targeting the country's army and security system."

  The threat is a response to activists and rights groups in Sudan accusing the army of blocking investigation into the killing of scores of protesters on 3 June 2019 when the security forces broke up a sit-in outside the defence ministry. The army had denied these allegations and insisted that those who committed offenses would be punished.

  The General Secretary of the IFJ, Anthony Bellanger, said that the Sudanese army's statement is "a blanket threat to freedom of expression, media freedom and the citizens’ right to access information in Sudan. The statement in its entirety is overloaded with threats against activists and journalists and this is unacceptable. It is clear that the military intends to intimidate and harass activists and journalists to silencing them." [...]

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Radio Dabanga, Sit-in against Sudan’s Information Law, 4 September 2020

[...] Members of the Resistance Committees active in El Diyoum El Shargiya neighbourhood in the Sudan capital of Khartoum organised a protest vigil in front of the Information Crimes Court yesterday to condemn harsher penalties in the Information and Cybercrime Law. Chief Justice Nemat Abdallah has instructed the protection of witnesses prepared to testify about violence used against protestors in the December revolution.

A number of members of Resistance Committees are on trial after a complaint by an officer that they posted a report on social media accusing the officer of corruption. According to the activists, the prosecutor was reluctant to follow up the procedures. They said in a statement that the Information and Cybercrime Law was developed by the former regime to silence opposition voices. “It targets revolutionaries with the aim to prevent the opening of corruption files.”

The Resistance Committees call for amending the law, including the punishments, as the law provides for a prison sentence ranging from four to six years in addition to heavy fines. As reported by Radio Dabanga yesterday, the Port Sudan prosecutor has arrested journalist Osman Hashim on charges related to ‘information crimes’. Hashim was later released on bail. Activists told Radio Dabanga that one of the former governors filed a complaint against Hashim, who frequently contributes to Radio Dabanga, about posts on his Facebook page about alleged corruption that occurred during the former governor’s rule. They clarified that the former governor concerned is facing trial in Red Sea state in several cases of corruption. [...]

Committee to Protect Journalists, Sudan tightens cybercrime law as army pursues “fake news”, 23 November 2020

[...] Dura Qambo was on vacation in Egypt in July when a friend called to warn her to stop criticizing the Sudanese army online, she told CPJ. Earlier that day, the army had announced on Facebook that it had appointed a Special Commissioner in May to sue anyone who insults or defames the military on the internet. “My friend told me to take care because he heard from a contact in the intelligence service that the military was targeting me and other journalists with this statement,” said Qambo, a 42-year-old Sudanese writer and former reporter who wrote for BBC Arabic before going freelance.

The army’s announcement coincided with a spate of threats to prosecute journalists under Sudan’s cybercrime law, according to CPJ interviews. That law—a relic from the repressive era of former President Omar Al Bashir—criminalized spreading false information online. Sudan’s joint civilian and military transitional government made the law more punitive in an amendment this summer. Military officials and their supporters frequently dismiss reporting that puts them in a bad light as “fake news,” and Sudanese journalists and activists told CPJ that they fear the army is weaponizing the charge to silence criticism, rather than fight disinformation.

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The army has not disclosed the identity of its new commissioner to CPJ or human rights groups, and it’s not clear if the appointment has resulted in specific prosecutions. CPJ contacted Taher Abu Hagar, the spokesperson for the Sudanese army, for comment, and provided written questions at his request, but received no response.
But observers say that enhancing protections in the cybercrime legislation would also help safeguard journalists and freedom of expression. Mohammad Osman, a researcher monitoring Sudan for Human Rights Watch, told CPJ that the law needs definitions for terms like upholding public order and morality. Osman added that the law doesn’t clarify how intent is defined or recognized and could easily be abused by the police and Rapid Support Forces (RSF), a powerful paramilitary that was subsumed by the state after spearheading mass killings in Darfur, according to news reports, analysts, and rights groups.

“The RSF hasn’t made a public stunt like the army. It has remained very quiet. The same thing with the police, but clearly there is a law they can utilize at any moment,” Osman said.

Nasif Saleh, a former journalist for Al-Jazeera Arabic, told CPJ that he fears the RSF could use the law against him. He is currently the founder and operator of MonteCarro, a platform for Sudanese citizen journalists that is frequently sourced by local media and Al-Jazeera Arabic. Saleh said that the outlet is still ad hoc and self-financed, but that it adheres to professional standards of journalism.

However, fervent RSF supporters regularly accuse him of publishing false news on the social media pages of MonteCarro, he said. One example accusation reviewed by CPJ came from an account that frequently posted support for the RSF. Saleh said that accusations have become more frequent since he published an article on September 19 alleging that a secret RSF prison was functioning outside government oversight.

“RSF officers never slander me themselves. The threats always come from civilian personalities,” he told CPJ.

At the moment, Saleh lives abroad but declined to disclose his location for fear of reprisal from opponents. He intends to return to Sudan, he said, but he is afraid of being sued for spreading false news.

Other journalists say that Sudan's restrictive laws won’t deter them from criticizing authorities. Dura Qambo, the ex-BBC reporter, told CPJ that she has allies in the streets and in the government. Most journalists, she insisted, weren’t intimidated by the army’s warning.

Evidence that the government restricted and disrupted access to the internet or censor online content in 2020 / Evidence that the government monitored private online communications illegally in 2020

- **Radio Dabanga Sudan, ‘Precautionary’ mobile internet slowdown in Sudan’s Kassala, 17 May 2020**
  
  [...] Mobile internet services were suspended or severely limited in the Sudanese town of Kassala from Thursday till Saturday. Activists suggest it was an attempt to maintain calm in the town after inter-tribal violence that claimed eight lives last week.

  A Radio Dabanga reporter in Kassala told the newsdesk that the internet services provided by Zain and MTN in Kassala were cut off at around noon on Thursday noon. The service of a Sudanese provider was also noticeably weak, although wired ADSL services continued as normal, he said.

  He confirmed that service ‘returned to normal’ on Saturday evening and that the situation in the town has returned to an uneasy calm.

  While there have been no official statements from the government or service providers, curtaining the internet has been used by Sudanese authorities as a strategy in the past to hamper communications.

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

Freedom House, Freedom on the Net: Sudan, 14 October 2020

[...]

A two-day shutdown was reported in the city of Kassala in May 2020 and Port Sudan in August 2019, both times following fatal clashes between Beni Amer and Nuba tribespeople. 

[...] A3 0-6 pts

Does the government exercise technical or legal control over internet infrastructure for the purposes of restricting connectivity? 1/6

[...] Mobile internet services were suspended for three days in May 2020 in the city of Kassala. Activists suggested that the Kassala state government restricted connectivity in order to maintain calm during a TSC [Transitional Sovereign Council] delegation visit. A week before, clashes between Nuba and Beni Amer tribespeople left 11 people dead. Residents using mobile service providers Zain and MTN were chiefly affected, although the shutdown may have affected other providers. Fixed-line internet services were not affected.15

[...] B Limits on Content

[...] B2 0-4 pts

Do state or nonstate actors employ legal, administrative, or other means to force publishers, content hosts, or digital platforms to delete content? 2/4

The Sudanese government does not systematically use legal or administrative means to force publishers and content hosts to delete legitimate content. Instead, the authorities use intimidation to coerce internet users to delete content (see C7). This practice became more common after the protests began in December 2018 and continued into June 2019, though the practice then reportedly subsided. However, in May 2020, security forces threatened and intimidated journalists Lana Awad and Aida Abel Qader (see C7). The journalists published reports, including on Facebook, about high death rates among elderly people in North Darfur hospitals as the COVID-19 pandemic took hold. The General Intelligence Service (GIS) and individuals affiliated with the government harassed and intimidated users to delete content they objected to from Facebook groups.50

[...] C Violations of User Rights

[...] C5 0-6 pts

Does state or surveillance of internet activities infringe on users’ right to privacy? 1/6

Unchecked surveillance of information and communication technologies (ICTs) is a grave concern in Sudan, where the government is known to actively monitor communications on social media platforms and surveil online activists and journalists during politically sensitive periods.

[...] C6 0-6 pts

Are service providers and other technology companies required to aid the government in monitoring the communications of their users? 0/6

Service providers are required to aid the government in the surveillance of their users, though no such incidents were publicly reported during the coverage period. [...]
Prominent local sources, interviews with author.

- **Freedom House, Freedom in the World 2021: Sudan, 3 March 2021**
  - Civil Liberties
  - Freedom of Expression and Belief
  - D 1/4 pts
  - Are there free and independent media? 1/4
  - Intelligence officers no longer raid and censor newspapers or interfere with printing presses, and institutional censorship in general has declined. However, in July 2020 the military announced that it had appointed a commissioner to bring legal cases against online journalists who insult the armed forces. Journalists reportedly received threats that they would be prosecuted if they did not stop criticizing the military and delete critical reports. In May, two reporters were harassed by intelligence officers in North Darfur State for investigating and reporting on the COVID-19 pandemic. [...] Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2/4
  - The interim constitution affirms the right to privacy, including citizens’ right to engage in private correspondence without interference. The transitional government has begun to dismantle the surveillance apparatus associated with the former regime, notably by replacing the NISS with the GIS—which has narrower powers and responsibilities—in 2019. However, the government’s decision to increase penalties for disseminating false information and other such offenses in July 2020, and the military’s threats to take legal action in response to online insults, raised new doubts about the authorities’ commitment to freedom of personal expression. Ongoing violence by security forces and nonstate actors during the year also served to deter unfettered discussion and criticism among ordinary citizens. [...] 

- **African Centre for Justice and Peace Studies, A female human rights defender faces trial for online publication of “false news” under the Cybercrimes Act, 2018, 26 March 2021**
  - [...] African Centre for Justice and Peace Studies (ACJPS) expresses deep concern over the targeting of Sudanese citizens by the authorities for their online activity. ACJPS has documented an incident where a Sudanese human rights defender has been charged with publishing false news under Article 24 the Cybercrime Act, 2018 based on Facebook post discussing the health situation in Sudan.
  - Over the years, social media platforms have been increasingly used by Sudanese citizens to voice concerns over the governance of their country, among others. Given the restrictive space, the online platforms are used as a medium to freely express concerns and commentary on different issues affecting the ordinary citizen. Various media houses in Sudan have also launched online news sites that have made it possible to publish articles on topics that might have otherwise been deemed red line topics and exposed them to pre-print or post print censorship and other restrictive tactics used by the authorities. However, the Government has extended its repressive tactics and carried out arrests and interrogation of individuals for their online activity and relied on crimes under the Cybercrimes Act to charge individuals for their social media activity.
  - [...] On the evening of 29 November 2020, two policemen riding on a tuk tuk came to the house of human rights defender, Ms. Khadeeja Aldewaihi in Al-izba neighborhood in Khartoum. They met one of her relatives at the main gate and lied about being former colleagues of Ms. Khadeeja from the Al Shorouk TV channel. The officers were let in and when Ms Aldewaihi met them, she did not recognize any of them. One of the told her that they knew her contract with Al Shorouk TV had ended but they had something for her. He then handed her a document summoning her to appear for questioning at the police station on 30 November 2020 in relation to a criminal a complaint under article 24 of the Cybercrimes Act (Publishing false news online).
  - On 30 November 2020, Ms Aldewaihi went to the police station with her sister. She was interrogated about posts on her Facebook account written on 13 May 2020 concerning the health situation in Sudan. Ms Aldewaihi admitted that it was her Facebook account and that she wrote the post. The investigator questioned her why she wrote about health issues when she is an agricultural engineer.
  - She was released that same day but on the morning of 14 December 2020, the investigator again summoned her to come at 12 noon to the Office of the Prosecutor to complete the investigation. The investigation began with basic information and repeating of the previous questions in addition to a question about her political affiliation and her engagement with the Sudanese communist party. Ms.
Aldewaihi stated that she shared posts on Facebook in her personal capacity. She was summoned again on Wednesday, 16 December 2020 and was interrogated about her relationship with the Graduate Association and their Facebook account. She denied any relationship with this association. On 18 March 2021, the Prosecutor in charge of cybercrimes charged Ms. Khadeeja with publishing false news online under articles 24 and 25 of Cyber Crimes Act, 2018 and issued an order to refer the case to the court for trial. No court session has been held yet, but she will be summoned before a court at any given time.

 [...] In July 2020, the Sovereign Council signed into law the Cybercrime Prevention (Amendment) Act 2020. These amendments relate to the 2018 Cybercrimes Act. The amendments increased terms of imprisonment for various penalties including the online publication of false news whose maximum prison term raised to four years from one year. [..]

2.3.1. Omissions in 2017

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. 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. 
  
  In the past year, Cyber Jihadists worked to thwart the so-called “bread protests” that took place in early 2018. 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 [...]
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

- **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. [...] Security agents still on the prowl

- **Reporters Without Borders, Sudan closes four media outlets that supported former regime, 13 January 2020**
  
  [...] Despite Bashir’s ouster, many media outlets have continued to be controlled by representatives of the former regime. At the same time, the “Cyber Jihadists Unit” – an army of trolls created by the Sudanese intelligence services during the Arab spring to intervene in the online information flow – continues to be very active, monitoring and infiltrating the Internet, and spreading fake news and propaganda. [...] Security agents still on the prowl

- **Reporters Without Borders, Sudan: Press freedom still in transition a year after Omar al-Bashir’s removal, 10 April 2020**
  
  [...] The interests of the former regime and its allies are defended online and on messaging services by the Cyber Jihadist Unit, a troll army that the intelligence services created after the Arab Spring in 2011 to spy on the opposition and journalists. It pumps out disinformation designed to defend former regime figures and has been included in RSF’s list of Digital Predators of Press Freedom. [...] Security agents still on the prowl

- **Freedom House, Freedom on the Net: Sudan, 14 October 2020**
  
  [...] B Limits on Content
Are online sources of information controlled or manipulated by the government or other powerful actors to advance a particular political interest? 0/4

[...] While Sudan has a vibrant online media landscape, the government has frequently manipulated internet content to advance its agenda, spreading disinformation and manipulating social media discussion through a so-called cyberjihadist unit.61

[...] After the al-Bashir regime’s ouster, the Khartoum Electronic Media Center, which housed the unit, closed its website and social media pages. The unit reportedly maintains offices in Khartoum as well as a presence in countries including Turkey and Qatar.65 Fraudulent pictures, videos, and stories were notably circulated on social media platforms during the coverage period.66

The cyberjihadist unit has engaged in disinformation campaigns surrounding COVID-19, reportedly sharing stories claiming that the virus has not reached Sudan and that the transitional government was using the pandemic lockdown to stifle dissent. The unit reportedly sought to mobilize people to protest the lockdown.67[...]

61 It should be noted that activists rarely use the term “Cyber Jihad Unit.”

65 Interview with S.A, a Sudanese investigative journalist, April 17, 2020.

66 Interview with S.A, a Sudanese investigative journalist, April 17, 2020.

67 Interview with S.A, a Sudanese investigative journalist, April 17, 2020.

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 fulfill 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

  [...] 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 antiNGO 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 [...]

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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 [...]

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 Alhasheisa, 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 filled 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.243 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.244 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.245 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 [...]

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 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 [...]

### 2.3.2. Omissions in 2018

**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. [...]  

  [...] 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. [...] 

2.3.4. Omissions in 2020

Evidence that radio and television reporting were subject to influence by the government in 2020

- **International Federation of Journalists, Sudan: Media crackdown escalates amid Covid-19 pandemic, 10 June 2020**
  [...] According to SUJ [Sudanese Union of Journalists], the government currently controls several media outlets through appointed “administrative supervisors,” while national media organizations are being heavily penalized, with more than 500 journalists likely to be dismissed soon, according to a plan drawn up by the Empowerment Removal Committee (ERC), created to dismantle former president Bashir’s system. [...] 

- **UNESCO, Media Reform Roadmap for Sudan, 1 September 2020**
  [...] Gaps to be addressed
  Legal and regulatory framework
  The Interim Constitutional Declaration has weak guarantees of the right to freedom of expression and the legal and regulatory framework currently in place is not consistent with those guarantees or with international human rights standards including treaties to which Sudan is a signatory. Substantial reform is needed to align Sudan’s media laws with international standards including amendment or repeal of existing laws and the introduction of new laws. The authorization of new radio and television services and the regulation of broadcasting in Sudan remains under government control. The Sudanese Radio and Television Corporation lacks a statutory legal framework to assure editorial independence. [...] 

- **Freedom House, Freedom on the Net: Sudan, 14 October 2020**
  [...] B Limits on Content
  [...] B6 0-3 pts
  Are there economic or regulatory constraints that negatively affect users’ ability to publish content online? 0/3
  There are a number of economic and regulatory constraints that negatively affect users’ ability to publish content online. Tight government control of the media environment has prevented independent online news outlets and journalists from becoming economically viable. Polarization further constrains the development of sustainable independent journalism.71
  In February 2020, the government appointed Lukman Ahmed, a former BBC journalist, as director of the Sudanese General Corporation for Radio and Television Transmission.72 The corporation primarily regulates broadcast media, which are also an important source of news in the online media space. Ahmed and other officials indicated that they would seek to liberalize the media environment and reduce state control of broadcasters.73
  In January 2020, the TSC closed two newspapers, Al-Sudani and Al-Rai al-Am, and two satellite channels, Al-Shorouk and Taiba TV, citing a need to recover state funds and alleging corruption. The four outlets purportedly received funding from the al-Bashir regime.74 Al-Shorouk began broadcasting again in April 2020.75 Al-Sudani and Al-Shorouk had popular digital media platforms; Al-Shorouk in particular served as an archive of decisions by the government and extensively covered digital media and cybercrimes.
  Amendments to the Media Law passed in 2018 (see C2) require online news outlets to register with the Journalism Council, which has the power to suspend publications and prevent online journalists from
Evidence that the government continued to arbitrarily arrest and detain journalists in 2020

- **Radio Dabanga Sudan, Sit-in against Sudan’s Information Law, 4 September 2020**

  [...] Members of the Resistance Committees active in El Diyoun El Shargiya neighbourhood in the Sudan capital of Khartoum organised a protest vigil in front of the Information Crimes Court yesterday to condemn harsher penalties in the Information and Cybercrime Law. Chief Justice Nemat Abdallah has instructed the protection of witnesses prepared to testify about violence used against protestors in the December revolution.

  A number of members of Resistance Committees are on trial after a complaint by an officer that they posted a report on social media accusing the officer of corruption.

  According to the activists, the prosecutor was reluctant to follow up the procedures.

  They said in a statement that the Information and Cybercrime Law was developed by the former regime to silence opposition voices. “It targets revolutionaries with the aim to prevent the opening of corruption files.”

  The Resistance Committees call for amending the law, including the punishments, as the law provides for a prison sentence ranging from four to six years in addition to heavy fines.

  As reported by Radio Dabanga yesterday, the Port Sudan prosecutor has arrested journalist Osman Hashim on charges related to ‘information crimes’. Hashim was later released on bail.

  Activists told Radio Dabanga that one of the former governors filed a complaint against Hashim, who frequently contributes to Radio Dabanga, about posts on his Facebook page about alleged corruption that occurred during the former governor’s rule.

  They clarified that the former governor concerned is facing trial in Red Sea state in several cases of corruption. [...]
Journalists Union (SJU), in condemning the attacks on journalists' and urges the government to stop harassing journalists and guarantee their freedom to work.

[...] The SJU reported two incidents against journalists covering the protests. Security forces wearing plain clothes and carrying batons surrounded Saad Eddin Hassan, a correspondent for the Al-Arabiya network, in an attempt to prevent him from reporting on a demonstration taking place in the centre of Khartoum. The second incident took place in the South of the city, where photographers for Sky News Arabia were attacked by security forces while covering a peaceful march. According to media reports, the security forces beat a photographer and erased all pictures he took during the protests. The Culture and Information Ministry confirmed the incidents.

[...] During the Covid-19 pandemic, the government has further tightened its grip on Sudanese media. It introduced new legal provisions that allow for heavy punishment of critical reporting, several media outlets were closed and journalists increasingly face harassment, including arrests and the removal of press accreditations. [...]
[Note that the following sources include maps that indicate ‘refugee settlements’ in South Kordofan and Blue Nile, but not formal refugee camps: https://reporting.unhcr.org/sites/default/files/UNHCR%20Sudan%20-%20South%20Sudanese%20Refugees%20State%20Level%20-%2003SEP20.pdf


- **UNHCR, Sudan Country Refugee Response Plan, January – December 2021, 30 March 2021**
  [...] Refugees in Urban Areas
  [...] By the end of 2021, there will be an estimated 300,000 refugees and asylum-seekers living in Khartoum State and targeted for assistance, including refugees from Eritrea, DRC, Somalia, Syria, and Yemen as well as an estimated 190,000 refugees from South Sudan. Urban refugees in Khartoum live within the host community neighbourhoods. The majority face obstacles travelling to Khartoum due to movement limitation for refugees coming from the East and other parts of Sudan. Additionally, there are an estimated 95,000 Syrian and Yemeni refugees living in Khartoum. [...] (p. 14)

- **UNHCR, Sudan Covid-19 Update, 11 June 2020**
  [...] Built around the CCCM (Camp Coordination and Camp Management) approach, it aims to ensure multi-sectoral coordination in the IDP camps in Darfur, Kordofan and Blue Nile for COVID-19 preparedness and response. [...]

- **UNHCR, Sudan Fact Sheet: As of 24 February 2020, February 2020**
  [...] Main Refugee Groups and IDPs
  [...] As of 31 January 2020, Khartoum hosts close to 284,000 South Sudanese refugees, with an estimated 155,000 refugees living in nine sites called ‘open areas’ characterized with high needs and limited assistance. [...]

### 3.2.3. Improvements in 2019

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. [...]

[...] 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
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.103 They also arrested Mohamed Ismat, a senior member of the FFC [Forces of Freedom and Change] on 8 June. [...] 


Restrictions on political party meetings, activities and demonstrations, as well as arrest of opposition party members in 2020

-Radio Dabanga, Sudan’s RAC claims ‘detainee tortured to death’, 27 February 2020

[..] The Revolutionary Awakening Council (RAC) led by former janjaweed leader Musa Hilal claims that one of its members has died in the prison of El Obeid, capital of North Kordofan, while another detained member has become completely blind through torture, ill-treatment, and denial of health care. According to the RAC, about 513 of its members, including chairman Musa Hilal, are currently detained in various Sudanese detention centres, including the military prison in Omdurman, offices of the General Intelligence Service (GIS), and secret detention for more than two years. “Their only crime has been that they were against the defunct regime which was overthrown in the December revolution,” Mohamed Khaddam, Political secretary of the RAC told Radio Dabanga on Wednesday.

He said that the detainees are subjected to torture and ill-treatment, which led to the death of one of them in El Obeid.

Khaddam strongly denounced the prolonged detention without trial, calling it a fragrant violation of human rights. He added they received information two weeks ago that Hilal himself was transferred to the Sudan Heart Centre.

“The RAC holds the transitional government fully responsible for the health and safety of the detained head and members of the Council.” Khaddam appealed to all regional and international organisations to urgently and promptly intervene to visit the detainees to determine their general condition, to allow their families and their relatives to visit them, and release them unconditionally.

He said that the 513 detainees are held in Kober Prison in Khartoum North, in the infamous Shala Prison in El Fasher, in El Hadi, Badman, El Obeid, Port Sudan, Wad Madani, in the GIS detention centre near the Shendi bus station in Khartoum North, in Military Intelligence offices, as well as in unknown secret detention centres. [...] 

-African Centre for Justice and Peace Studies, Sudan: Continued violations of human rights by the Sudanese Armed forces and the Rapid Support Forces, 14 May 2020

[..] Arbitrary arrest and detention [...] 

On April 8 2020, a group of RSF officers of Alta Damon locality in Blue Nile State arrested Mr. Idris Albur Ahmed, a 37 year old blogger and member of Baath Political party from the village of Alsilk. Mr. Idris, was arrested after sharing a post on his Facebook account where he accused the management of a petrol station owned by Mr. Faiz Balla, an RSF officer for hiking fuel prices above the official prices set by the Sudanese authorities. Mr Idris was detained at the RSF headquarters and released on April 11, 2020 but was re-arrested after he attempted to file a complaint about his arrest at the office of the attorney general in Blue Nile. [...]

[...] II. Significant developments
[...] Political situation
[...] On 29 June, on the eve of mass protests, former National Congress Party leaders, including Ibrahim Ghandour, former Minister for Foreign Affairs of the Sudan, were arrested.
[...] 7. On 17 August, the one-year anniversary of the signing of the Constitutional Declaration, the resistance committees launched a new campaign of demonstrations in Khartoum with similar demands to those voiced at the protests of 30 June. The protesters clashed with police, which used tear gas and reportedly arrested 77 people. [...] (p. 2)

Human Rights Watch, Sudan: Unlawful Detentions by Rapid Support Forces, 1 March 2021

[...] Sudan’s Rapid Support Forces (RSF), acting without lawful authority, arbitrarily detained dozens of civilians, including political activists, in the capital, Khartoum during 2020, Human Rights Watch said today. The detainees were held incommunicado or in circumstances constituting enforced disappearances. The authorities should take urgent steps to ensure that the RSF stops acting outside the law, and that all civilian detainees are immediately released. [...] (p. 2)

Freedom House, Freedom in the World 2021: Sudan, 3 March 2021

[...] Political Rights
[...] B Political Pluralism and Participation
B1 0-4 pts
Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1/4
[...] In June 2020, the government arrested former NCP [National Congress Party] leader and foreign minister Ibrahim Ghandour. [...] (p. 2)

3.3.2. Omissions in 2018

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 [...] (p. 2)
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 [...] (p. 2)

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) [...] (p. 2)

Peace negotiations for the Two Areas and Darfur continued to stall in 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. [...]
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. [...]
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 b 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. […]

  
  [...] 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 Darfuriyan 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 Darfuri 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 Darfuriyan 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 Darfuriyan 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, 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. [...]
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. [...] 

Information on whether Sudan or South Sudan made any progress towards a resolution on the final status of Abyei in 2020

- **UNHCR, Sudan: Country Refugee Response Plan, January - December 2021, 30 March 2021**
  
  [...] Abyei region: Final status of the Abyei area is not yet determined. [...] 

- **UN News, As pandemic encroaches on Abyei, tensions rise over disputed territory straddling Sudan, South Sudan, 28 April 2020**
  
  [...] Jean-Pierre Lacroix, Under-Secretary-General for Peacekeeping Operations, updating the Council on the work of the UN Interim Security Force for Abyei (UNISFA), said at the local level, the security situation remains volatile. The mission is mandated to protect civilians and humanitarians operating in the area. He pointed to rising tensions between the pastoral Ngok Dinka and nomadic Misseriya communities, as well growing criminality and the presence of armed elements, including some that have exchanged gunfire with UNISFA troops. Despite improving relations between Sudan and South Sudan, he added, it is very unlikely that progress will be made in determining the final status of the disputed territory that is administered in effect, as part of both States, given that the African Union Commission and the African Union’s High-Level Implementation Panel are stretched dealing with other priorities. [...] 

- **United Nations Security Council, Situation in Abyei: Report of the Secretary-General, 15 October 2020**
  
  [...] II. Abyei 
  Political developments 
  [...] 3. In parallel, in Juba, on 27 August 2020, senior officials of the Sudan and South Sudan expressed their willingness to relaunch the political process on the final status of Abyei. At the request of the President of South Sudan, Salva Kiir, the Presidential Adviser for National Security, Tut Gatluak, the Minister for East African Affairs, Deng Alor, and the Co-Chair for South Sudan of the Abyei Joint Oversight Committee, Deng Arop, travelled to Khartoum during the third week of September and met with the Sudanese authorities to discuss the final status of Abyei and other border areas. 
  4. Notwithstanding the continued rapprochement between the Sudan and South Sudan, the peace process has made little progress in Abyei. The main developments at the local level were the appointment by the authorities in Juba and Khartoum of the countries’ respective chief administrators. On 29 June 2020, the President of South Sudan appointed Lieutenant General Kuol Diem Kuol as Chief Administrator for the Abyei Special Administrative Area. On 20 August, the Chair of the Sovereign Council of the Sudan, Lieutenant General Abdel Fattah Abdelrahman al-Burhan, signed a decree appointing Gumaa Dawood Musa Hamdan as Chief Administrator for the Abyei Administrative Area. This is the first time that Abyei has two chief administrators. 
  5. As part of his familiarization tour, the acting Head of Mission/Force Commander visited Khartoum from 6 to 10 September 2020. In addition to introducing himself and the incoming Chief of the Joint Border Verification and Monitoring Mechanism to relevant counterparts, he discussed issues raised during the expanded Joint Political and Security Mechanism meeting held in Juba on 19 February. These included the operationalization of the Abyei airstrip, measures to enhance security in Abyei and the resumption of the meetings of the Abyei Joint Oversight Committee. 
  6. On 8 September 2020, the acting Head of Mission/Force Commander met with the Chair of the Sovereign Council of the Sudan. The Chair welcomed the role played by UNISFA [United Nations Interim Security Force for Abyei] in ensuring security and stability in the Abyei Area and gave assurances that UNISFA had the support of the Chief Administrator appointed by the Sudan for its efforts on the ground. He also noted that
the appointment of a civilian Deputy Head of Mission would go against the spirit of the 2011 Agreement, as would the operationalization of the Athony airstrip, and announced that a team would be established to study the matter.

7. On 8 and 9 September 2020, the acting Head of Mission/Force Commander met with the new Co-Chair for the Sudan of the Abyei Joint Oversight Committee, retired Major General Ezedin Osman. The Co-Chair gave the assurance that he fully supported the rapid resumption of Committee meetings and of the peace conferences that UNISFA had proposed to organize at the local level with representatives of the Ngok Dinka and Misseriya communities.

8. The acting Head of Mission/Force Commander visited Juba from 21 to 25 September 2020, where he interacted with the Minister for Foreign Affairs, Beatrice Wani Noah, the Minister of Defence, Angelina Teny, and the Chief of Staff of the South Sudan People’s Defence Forces and the South Sudanese Deputy Co-Chair of the Abyei Joint Oversight Committee. UNISFA welcomed the discussions being held in Khartoum between the parties on the future of Abyei and noted its continued availability to facilitate similar discussions at the local level. The interlocutors expressed confidence that the visit by the Presidential Adviser for National Security and the Minister for East African Affairs to Khartoum would pave the way for a timely agreement on the final status of Abyei and other border areas, including the 14 Mile Area. In their view, with the signing of the peace agreement in Juba on 3 October, the conditions were in place for fruitful discussions on Abyei to be held.

9. UNISFA reminded its interlocutors of the decisions arising from the meeting of the Joint Political and Security Mechanism held on 19 February 2020, some of which were pending, including the call for the Abyei Joint Oversight Committee to resume regular meetings. UNISFA noted that some of those pending decisions could usefully be addressed within the Committee, as could more recent matters, in particular the appointment of two chief administrators for Abyei and the need to agree on how they would work together in the interest of the local communities. UNISFA also reiterated its invitation to South Sudan to take part, alongside Sudanese counterparts, in the development of a road map for the establishment of the Abyei police service in early October. Lastly, UNISFA announced its intention to convene a peace meeting before the end of the year between community representatives in Abyei, in part to ensure a peaceful upcoming migration cycle, and called upon the parties to support those efforts.

10. On 29 September 2020, the acting Head of Mission/Force Commander engaged virtually with the Special Envoy of the Secretary-General for the Horn of Africa, Parfait Onanga-Anyanga, to debrief him on the security and political situation in Abyei and on his meetings in Khartoum and Juba. The peace process was also discussed, as was the need for enhanced engagement with the African Union High-level Implementation Panel. [...]
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.
  
  [...] Traditional and cultural factors limiting the participation of women in political life in 2020

- Ayin Network, The struggle for Sudanese women’s rights: gains at home, losses abroad, August 2020
  
  [...] Society and Transformation
  
  The three decades with the National Congress Party (NCP) in power had converted many elements in Sudanese society to oppose attempts to support women’s rights. Some communities are not embracing the changes proposed by the revolution and the transitional government – even breaking laws to continue outlawed practices such as FGM.
  
  The legacy of the former government has built opposition from certain groups to these legal reforms, says Mohamed Osman. “For people to truly embrace the law amendments, the Legislative Council along with committees such as transitional justice committee, human rights, and legal reform committee should be formed to lead the transformation”, he says. Fagiri, however, is confident society is ready for change.
  
  “Sudanese society is very different from Sudanese politicians who push women aside from decision-making positions and turn their heads away from their rightful demands”, she told Ayin.
  
  “The revolution had sparked a change in the level of awareness among people – especially women as women were actively participating and leading in the revolution,” she adds.
  
  [...] Modern “Hareem”
  
  As the negligence of women in decision making continues, feminists and women rights advocates are relating the issue less to authorities and more to a social mentality and archaic belief system that women are, simply put, beneath men.
  
  Ihsan says Sudanese women are still viewed in a traditional image, an image that cannot fathom women as politicians. “They are basically telling us to stay in our place, the Hareem yard, away from men.” The “Hareem” Ihsan refers to is the traditional section of the house devoted to women, separated from the decision-makers in the house, the men.
  
  Attitudinal change and more legal reform are required before Sudanese women are able to hold office on an equal playing field with men. “Women cannot participate in politics freely and efficiently unless they are treated as politicians first,” writes feminist blogger, Yosra Fuad. The Personal Status Law in Sudan, for example, still allows male relatives control over their female counterparts in almost areas of life, including education, work, marriage and divorce. Only the lucky few women who marry progressive male guardians or have fought long battles to free themselves from their social shackles are able to pursue political careers. Issues such as male-guardianship, however, are not being discussed in politics – partly due to a lack of awareness and since lobbying for such social change is politically unpopular. Fuad believes the way forward is to tackle the issue from the root. “Without eliminating the male-guardianship system, women involvement in politics will be limited to those with privilege,” adding that politics will remain an all-men club with extremely limited female participation.
Despite these setbacks, a sense of change is, albeit gradually, emerging in terms of women’s rights in Sudan at least for mothers like Sahar who fought for so long; “I will finally be able to give my children the life they deserve,” Sahar said, “and live somewhere safe without being constantly afraid of their father or his family coming after us.” [

3.3.4. Omissions in 2020

Evidence to political parties and political opposition parties: Which ones existed; which ones were registered; did the Political Parties Affairs Council exist and what was its role; where any political parties refused registration; were political parties and its members free to hold meetings and activities

[Note that the following source of May 2020 includes a useful infographic of political parties in Sudan: https://ecfr.eu/publication/bad_company_how_dark_money_threatens_sudans_transition/]

- African Democracy Encyclopaedia Project, Sudan: Electoral System, last reviewed February 2020
  [...] Legal and institutional framework
  [...] Political parties
  Party registration is undertaken by the Council whose job is to register political parties, issue certificates confirming registration.  
  Party funding: The Political Parties Act states that sources of private funding shall be transparent and public, but no mechanisms exist to regulate this funding. Public funding is enabled but not mandatory and would be approved in the general budget of the state.  

8 Political Parties Act of 2007, 10(1).
9 Political Parties Act 2007, 14(d), 21(1).

- Human Rights Watch, Sudan: Progress on Rights, Justice, Key to Transition, 20 February 2020
  [...] 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.  

- African Centre for Justice and Peace Studies, Sudan: Continued violations of human rights by the Sudanese Armed forces and the Rapid Support Forces, 14 May 2020
  [...] On April 8 2020, a group of RSF officers of Alta Damon locality in Blue Nile State arrested Mr. Idris Albur Ahmed, a 37 year old blogger and member of Baath Political party from the village of Alsilk.  

- Outbound, Framing the New Sudan(s): Sudan’s Transition as an Art Exhibition, 17 June 2020
  [Note that this source also contains a very comprehensive infographic of all the political parties operating in Sudan]

  [...] Sharp divisions emerge inside the Sovereign Council, inside the ruling coalition which backs the transitional government, inside the military apparatus, inside the opposition, as well as inside the Islamist political parties and the armed groups that make up that ‘opposition’. There has been no lack of attempts to create common fronts across such divisions. The ‘Forces of Freedom and Change’ (FFC) among anti-Bashir parties and civil groups (2019) and the ‘Sudan Revolutionary Front’ (SRF) among armed groups (2011) are just two of such instances. Yet, in neither there has been shortage of internal tensions and defections too. Disputes have recently erupted in the FFC, with al-Mahdi’s Umma Party suspending its membership and the Sudanese Professionals Association suffering from growing internal strife. Similarly, the attempt by the SRF to approach the peace negotiations with a unique front of armed groups was quite soon met by obstacles, as first al-Hilu’s SPLM-N [Sudan People’s Liberation Movement-North] faction and then Minni Minnawi’s SLM [Sudan Liberation Movement] faction opted for separate negotiations with the government. [...]
ACLED, CDT Spotlight: Demonstrations in Sudan, 26 June 2020

[...] There has also been an increasing number of demonstrations from supporters of the outlawed National Congress Party. [...] 

ACLED, Danse Macabre: Revolution and Counter-Revolution in Post-Oil Sudan, 12 October 2020

[...] These military and paramilitary elites – who now represent the upper echelons of the sprawling and unevenly powerful security apparatus – have continued to dominate the transitional government and Sovereign Council. These institutions had been formalized on 17 August 2019 with the Forces for Freedom and Change (FFC), a loose conglomeration of labor and activist groups conjoined with several establishment opposition political parties (see Corda, 2020 for a striking set of visualizations). 

[... The FFC’s greatest strength is also its most acute weakness. It is a very broad church, comprising neighborhood-level Resistance Committees that were clandestinely formed during protests in 2013; labor groups of various political leanings, most prominently the SPA [Sudanese Professionals Association], which represents salaried, middle class professions; operating alongside civil society and opposition political parties, including the conservative NUP [National Unionist Party] of former Prime Minister Sadiq el-Mahdi as well as the Communist Party. As such it has links to a considerable number of constituencies, and more than any one element of the alliance could reach by itself. Unfortunately, this comes at the expense of coherence and unity, making the entity as a whole vulnerable to dissensus, deadlock, and co-optation. Since the coup, power within the FFC has shifted away from the SPA and Resistance Committees that led the anti-government protests and towards established political parties, in a process which has seen the different elements turn against one another (Gallopin, 2020). [...] 

In a serious blow to the progressive credentials of the FFC, the center-left SPA withdrew from the alliance altogether on 25 July of this year, entering into an alternative alliance with the Abdelaziz al-Hilu faction of the Sudan People’s Liberation Movement-North rebel group, who did not sign the Juba peace agreement. This leaves an increasingly marginalized and wary Communist Party to represent a progressive voice in the FFC, and Resistance Committees on the streets. Resistance Committees have taken a prominent role in protests over the past three months, which have been partially directed against the failings of the FFC. However, the benefits accrued and burdens shouldered by different branches of the Resistance Committees are largely determined by the existing class order of Sudan, preventing more radical elements from accessing national power. [...] 

United Nations Security Council, Situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, Report of the Secretary-General, 1 December 2020

[...] II. Significant developments
[...] Political and security situation
[...] 8. Against that backdrop, the Sudanese political landscape continued to undergo realignments among political forces. On 5 November, a grouping of nine resistance committees, and a splinter faction of the Sudanese Professionals Association (SPA) allied with the Sudanese Communist Party, issued separate statements criticizing FFC [Forces of Freedom and Change]. While the committees rejected the distribution of parliamentary seats among the signatories of the Juba Peace Agreement that FFC was proposing, the SPA faction took issue with the composition of the FFC central council, among other issues. On 7 November, the Sudanese Communist Party announced its withdrawal from FFC, the National Consensus Forces and all their affiliated bodies. 

9. Tensions escalated in Khartoum on 21 October during demonstrations called for by a group of political parties, members of the FFC and SPA to commemorate the 1964 revolution. Demonstrators demanded government reform and the reversal of the amendments to the Constitutional Document. [...] 

Freedom House, Freedom in the World 2021: Sudan, 3 March 2021

[...] Political Rights
[...] B Political Pluralism and Participation
B1 0-4 pts
Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1/4
The transitional constitution guarantees the right to form political parties, subject to legal regulation. In practice, the FFC [Forces of Freedom and Change] and a number of separate parties have continued to operate. However, transitional authorities have arrested high-ranking NCP [National Congress Party] members associated with the former regime, and in November 2019 the TSC [Transitional Sovereign Council] disbanded the NCP altogether and established a committee to seize its assets. In June 2020, the government arrested former NCP leader and foreign minister Ibrahim Ghandour. Divisions among political parties and activists emerged during 2020. In April, the Umma Party froze its participation in the FFC. A faction of the Sudanese Professionals Association (SPA), which played a crucial role in the 2019 protest movement, withdrew from the FFC in June, and the Sudanese Communist Party did so in November.

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

Political groupings that were excluded from government under al-Bashir secured participation in the TSC in 2019 and have maintained varying degrees of influence during subsequent negotiations. The transition process more broadly has raised the possibility of future transfers of power through elections. […]

- Christian Solidarity Worldwide (CSW) and CSW-Nigeria (CSW-N), Submission to the 39th session of the UN Universal Periodic Review, 29 March 2021
  [...] Challenges to transitional justice
  [...] 8. The Forces of Freedom and Change (FFC), the political incubator, is extremely divided. In June 2020, the Sudanese Professional Association (SPA) split following an election. The FFC refused to accept the newly elected members and promises to reform the council, which all agree requires reform. Subsequently, the elected SPA withdrew from all FFC committees and called for committee reforms.

- 9. The two main political groups, Sudan Call and the National Consensus Forces (NCF), have differing goals and approaches, but agreed on the Declaration of Freedom and Change in January 2019. That said, their multiple disagreements resulted in the transitional government initially taking decisions without considering the FFC’s opinion. The multiple disagreements, coupled with the dire economic situation, has allowed the army to extend its control and weakened the civilian government. […]

4.2.3. Improvements in 2019

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 […]
Journalists who reported on government corruption faced sometimes intimidation, detention and interrogation by security services in 2020

- **Reporters Without Borders, Sudan: Press freedom still in transition a year after Omar al-Bashir’s removal, 10 April 2020**
  
  [...] The National Intelligence and Security Service (NISS) no longer raids newspapers or their printing presses to control the content of their articles or to confiscate entire issues as they come off the press. Institutional censorship has declined dramatically without disappearing altogether. News control is now exercised more insidiously, sometime from within newsrooms, as was seen with Lubna Abdella’s dismissal by the newspaper Al Sudani Al Dawlia after an investigative story about corruption within the human rights commission. [...]  

- **Radio Dabanga Sudan, Sit-in against Sudan’s Information Law, 4 September 2020**
  
  [...] Members of the Resistance Committees active in El Dihya El Shargiya neighbourhood in the Sudan capital of Khartoum organised a protest vigil in front of the Information Crimes Court yesterday to condemn harsher penalties in the Information and Cybercrime Law. Chief Justice Nemat Abdallah has instructed the protection of witnesses prepared to testify about violence used against protestors in the December revolution.  
  
  A number of members of Resistance Committees are on trial after a complaint by an officer that they posted a report on social media accusing the officer of corruption.  
  
  According to the activists, the prosecutor was reluctant to follow up the procedures. They said in a statement that the Information and Cybercrime Law was developed by the former regime to silence opposition voices. “It targets revolutionaries with the aim to prevent the opening of corruption files.”  
  
  The Resistance Committees call for amending the law, including the punishments, as the law provides for a prison sentence ranging from four to six years in addition to heavy fines.  
  
  As reported by Radio Dabanga yesterday, the Port Sudan prosecutor has arrested journalist Osman Hashim on charges related to ‘information crimes’. Hashim was later released on bail.  
  
  Activists told Radio Dabanga that one of the former governors filed a complaint against Hashim, who frequently contributes to Radio Dabanga, about posts on his Facebook page about alleged corruption that occurred during the former governor’s rule. They clarified that the former governor concerned is facing trial in Red Sea state in several cases of corruption. [...]  

- **International Federation of Journalists, Sudan: Journalist arrested for reporting on anti-corruption committee, 17 November 2020**
  
  [...] Prominent columnist Ishaq Ahmed Fadlallah was arrested on 12 November after writing an article criticizing the practices of a member of the Empowerment Removal and Anti Corruption Committee. The International Federation of Journalists (IFJ) supports its affiliate the Sudanese Journalists Union (SJU) in calling for an immediate and unconditional release of Fadlallah.  
  
  The police force which implements decisions by the Empowerment Removal and Anti Corruption Committee arrested Fadlallah. He was charged with “work to undermine the regime” and placed in a detention center in Khartoum.  
  
  The arrest of Fadlallah is an extension of the Empowerment Removal and Anti Corruption Committee’s repression of journalistic activity that criticizes the committee’s illegal practices, according to the SJU. The Empowerment Removal and Anti Corruption Committee was originally tasked with deconstructing political and economic powers after the change of regime in Sudan but now interferes with freedom of expression and press freedom.  
  
  The clampdown on the media in Sudan has been intensifying, especially after the government introduced new legal provisions to heavily punish critical journalism during the Covid-19 pandemic. Media outlets face closures and journalists are arrested, harassed or have their press accreditations removed. The Sudanese Journalists Union called on world press freedom and human groups groups to “pressure the Sudanese authorities to end their prosecution of journalists and to immediately and unconditionally release (...) Ishaq Ahmed Fadlallah, and to drop the spurious charges against him and assume responsibility for his safety.”
IFJ General Secretary Anthony Bellanger said: “We call for the release of Ishaq Ahmed Fadlallah. A critical stand towards executive, legislative and judicial activities is a basic aspect of journalism and contributes to the functioning of a society. This essential function of journalism is repeatedly undermined in Sudan and we demand the authorities to stop punishing journalists for doing their job.” [...] 

4.3.1. Omissions in 2017

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]

  [...] 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. [...] 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 [...]

  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). 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.”

Chapter III: Freedom of Expression and the Right to Information in the International Conventions

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.86

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 [...]
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. […]

Information on the 2015 Freedom of Information law and its implications in 2020

- UNESCO, Media reform in Sudan: The beginning of a new era for freedom of expression, 2 June 2020
  
  […] For a long time, the lack of democracy did not allow media actors to “play [their] true role, which is to reflect the problems faced by the Sudanese citizens”, explains Ms. Lubna Abdalla, the President of the Sudanese Women Journalists Association. She recalls the difficulties faced by journalists trying to obtain information from governmental institutions. Ms. Abdalla hopes that the current shift will mean “access to information for all journalists and the development of laws that protect democracy and press freedom, which will inevitably contribute to the progress of society.” […]

- UNESCO, Media Reform Roadmap for Sudan, 1 September 2020
  
  […] Gaps to be addressed
  Legal and regulatory framework
  […] There is no functional access to information law. […]

  
  […] II. Significant developments
  […] Human rights situation
  […] Although amendments were made to the cybercrime prevention act, including the abolition of corporal punishment, the Joint Council doubled the custodial penalties for certain online activities by journalists and media workers, thereby impinging on the civic space and the protections of the freedom of expression, the right to access information, the right to privacy, and due process, all of which are crucial to a democratic transition. […]

5.2.1. Improvements in 2017

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 Alardeeiba 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 on 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. Improvements in 2019

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. [...] 


[...] 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. [...] 


[...] 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. [...] 

Government response to domestic and international human rights organisations in 2020

Center for Strategic & International Studies, Sudan at a Crossroads: A Humanitarian Opening?, 5 August 2020

[...] Access Challenges

Despite cautious optimism regarding the civilian component of the Sudanese government’s commitment to unfettered humanitarian access, and the increased attention and funding offered by donors, the humanitarian situation remains precarious. Aid organizations continue to deal with a “challenging operational environment.” Interviews with multiple stakeholders operating in the country have confirmed that while the WFP and other UN agencies have substantially increased freedom of movement, restrictions remain for local and international NGOs. Access to South Kordofan continues to be a challenge from Khartoum. While the Humanitarian Aid Commission (HAC) in Khartoum has demonstrated exceptional openness to assist in the reregistration of NGO’s expelled under al-Bashir, HAC offices in the southern states report directly to state governors (previously appointed directly by the military) and have been much less receptive to the renewed presence of international and domestic organizations. Bureaucratic impediments, a legacy of al-Bashir’s regime, continue to be a challenge for lower-profile NGOs. Institutionally, while the HAC has been more open toward foreign agencies federally, the legacy of a heavy bureaucratic structure remains. The agility of the civil service structure to manage a complicated humanitarian response in the south and west, as well as the FSP [Family Support Programme], remains uncertain. Furthermore, the lack of access for international and local NGO’s also highlights the lack of data on the scope of needs, especially in areas that have been historically inaccessible. A legacy of al-Bashir’s regime is a trust deficit with international organizations, especially in terms of information sharing and data. Humanitarian organizations have to rely on thin data that only offers estimates of the scope of need,
reinforcing the need for technical support to civilian authorities to improve data collection and sharing. Furthermore, concerns abound regarding transparency for humanitarian funding, especially as legacy elements of al-Bashir’s government remain in positions of authority.

The increase in the presence of the WFP and other UN humanitarian agencies is also complicated by debate over the drawdown for the United Nations–African Union Mission in Darfur (UNAMID), generating a sense of competition within the United Nations for funding, pitting civilian protection concerns against hunger and other assistance priorities. There is clearly a greater rhetorical commitment to humanitarian action under the new civilian authorities. […]

**UN OCHA, Sudan Humanitarian Needs Overview 2021, December 2020**

[...] 1.2 Shocks and Impact of the Crisis
[...] Impact on humanitarian access
[...] In 2020, there have been improvements in humanitarian access as the transitional Government continues to reform the humanitarian framework in Sudan. This has allowed humanitarian partners to reach people in areas previously inaccessible. The Government has committed to improve coordination between government agencies to remove obstacles to humanitarian procedures, facilitate access to areas under control of armed movements, and establish a notification system for the movement of humanitarian personnel instead of issuing travel permits. However, heavy administrative procedures continue to present obstacles to the provision of timely and quality humanitarian assistance. Administrative measures vary considerably between federal and state levels authorities, and among states. This results in a disjointed administration of humanitarian access and difficulties for the aid agencies to execute their programs as planned. […]

5.3.1. Omissions in 2017

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 Darfuri 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 Darfuri 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 Darfuri armed actors involved, abuses against migrants and smuggling routes in Darfur, among other aspects.

Darfuri 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, Darfuri 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 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 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 [...] 

Compliance with UN Resolution 1591 and the Darfur sanctions regime in 2020


[...] Final Report of the Panel of Experts on the Sudan

Summary 

[...] During the reporting period, [14 March 2020 – December 2020] the Government of the Sudan continued to transfer arms and other military material into Darfur in violation of the arms embargo. Since the embargo has been in place, the Government has submitted no arms embargo exemption requests or notifications to the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan. For its part, the Libyan National Army and its backers provided the armed groups in Libya with significant numbers of military vehicles and weapons, in violation of the arms embargo. Porous borders and the easy availability of small arms in Darfur and the region meant that illicit flows of weapons in and out of Darfur continued, posing a threat to security and stability, in both Darfur and neighbouring countries, in particular in eastern Chad, the north-east of the Central African Republic and Libya. (p. 3) 

[...] IX. Arms and border control 

A. Arms embargo 

1. Government of the Sudan 

114. Since the arms embargo imposition in 2004 and further amendments by, inter alia, resolution 1591 (2005), the Panel continued to monitor the implementation of the arms embargo on Darfur. Over the reporting period, the Panel received information on the movement of arms into Darfur in violation of the arms embargo by the Government of the Sudan, without prior notification or request for exemption from the arms embargo addressed to the Committee. For example, after the intercommunal clashes in West Darfur of July 25 2020, the Government of the Sudan deployed joint forces comprising the Sudanese Armed Forces, Rapid Support Forces and police, with “about 150 vehicles from Khartoum to bolster security in the area”.31 The Panel notes that it is fully within the rights and duties of the Government of the Sudan to provide security to its citizens, but for movement of arms into Darfur, the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan requires advance notification of such movements. Similarly, the Darfurian armed groups in Libya continued to receive weapons and armed vehicles from the Libyan warring factions during the reporting period. 

[...] 4. Weapons dissemination
118. The main drivers of the continued violations of the embargo and dissemination of weapons in Darfur were the following:
(a) Some local armed militias, and SLA/AW [Sudan Liberation Army-Abdul Wahid] in particular, were not part of the Agreement;
(b) SLA/AW continued to operate in Jebel Marra and amassed more resources to procure weapons. Various SLA/AW factions were fighting each other, with massive negative implications for the civilian population;
(c) There has been a recent increase in armed intercommunal fighting, in particular in West and South Darfur, resulting, according to various sources, in increased demand for arms;
(d) During the reporting period, there were increased intercommunal clashes between cross-border tribes in border areas of Chad and Darfur. Clashes by Chadian Zaghawa gunmen and Arabs over cattle theft in West Darfur in early December 2020 claimed at least 2 casualties, while similar cross-border clashes in the same area claimed 16 lives in late July. These movements of armed men across the border also resulted in sporadic spikes in tensions between Chadian and Sudanese security forces;
(e) While Darfurian groups in Libya are preparing for peace and, in some cases, return to the Sudan, they bolstered their capability considerably and are now sizeable forces. If the Agreement, in particular the security arrangements, is not implemented properly, and the Sudanese transition is derailed, there is a chance that these weapons and equipment acquired in Libya end up being used in clashes in Darfur;
(f) Some members of the security forces continued to target civilians (see sect. VIII);
(g) The proliferation of weapons continues and has not been addressed adequately by previous weapons collection campaigns.
119. Additionally, although fighting between the security forces and the rebels remains largely circumscribed to some areas of Jebel Marra, there were continued reports of numerous security incidents and attacks throughout Darfur in which firearms were routinely used. In particular, in the last two years, there has been an indication of a rise in criminality and attacks against civilians, including internally displaced persons and returnees, according to various statistics, including those of UNAMID.\(^{32}\) (pp. 35-36)
[...]
X. Travel ban and asset freeze
A. Implementation by Member States
131. The Panel continued to monitor the implementation of the asset freeze and travel ban measures imposed by the Security Council through paragraphs 3 (d) and 3 (e) of resolution 1591 (2005) by Member States.
B. Implementation by the Government of the Sudan
132. The Government of the Sudan had yet to submit an implementation report on the steps taken to implement a travel ban and asset freeze. In November 2014, the Government had expressed its inability to implement the asset freeze measure. In 2017, 2018 and 2019, the Panel had requested the Government to provide an update regarding the implementation of the asset freeze measures. However, the Government had provided no response on the matter, although two of the designated individuals, Musa Hilal Abdalla Alnsiem and Gaffar Mohammed Elhassan (permanent reference numbers SDi 002 and SDI001, respectively), remain in the Sudan.
133. Through a letter dated 17 June 2020, the Panel requested an update on the issue from the Government of the Sudan. The Panel is awaiting the official response.
134. Since the inception of targeted sanction measures, the Government of the Sudan has consistently conveyed its inability to implement the asset freeze and travel ban measures in the absence of court orders (see S/2015/31, para. 214). The Government further stated that implementation of these measures may breach the provisions of the International Covenant on Civil and Political Rights, and that the designated individuals were not provided with an opportunity to defend themselves, which the Government considered to be a potential violation of their human rights.
135. The Government of the Sudan, through a letter dated 31 August 2020 addressed to the Committee, submitted a request for the delisting of the four designated individuals. The request for delisting was put on hold by several members of the Committee, who requested additional time to consider the proposal. [...] 138. Gaffar Mohammed Elhassan is a retired military officer. The Government of the Sudan neither requested, nor received, an exemption from the asset freeze from the Committee to make pension or allowance payments to him.
C. Ongoing travel ban investigations
139. In 2014, 2017, 2018, 2019 and again in June 2020, the Panel requested the Government of Chad to examine certain instances of possible travel ban violations pertaining to Musa Hilal and Jibril Abdulkarim Ibrahim Mayu “Tek” (permanent reference number: SDi 004) relating to their visits to Chad during the period 2011–2014. No response was received.
140. Various reliable sources indicated that, throughout the reporting period, Jibril Abdulkarim Ibrahim Mayu “Tek” was based in Libya, where he was participating in the conflict on the side of the Libyan National Army in Abdullah Banda’s group [...]. (pp. 38-39)

32 Panel’s meetings with UNAMID in February, October and November 2020.

5.3.2. Omissions in 2018

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’—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 [...]

- **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]**
  - 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 [...]
  - 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 [...] 

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 2020

  [...] IV. Main human rights challenges
  [...] C. Civic space [reporting period 27 September 2019 to 16 July 2020]
  [...] 35. The Voluntary and Humanitarian Work Act of 2006 remains in force and allows the Humanitarian Aid Commission to broadly control civil society activities. This Act severely limits civil society participation through the imposition of strict conditions for registration and through the appointment by the Commissioner of the Commission of a Registrar, who is empowered to terminate or refuse the registration of any organization. The Independent Expert notes that rejecting the registration of an organization may be appealed to the Minister of Labour and Social Development, within 15 days of the decision. The Act also provides for the annual renewal of registration for civil society organizations. The Act empowers the Commission to engage in the approval process of any externally funded projects. Many civil society organizations find the Act obstructive to their work, as it not only regulates humanitarian and charitable work, but extends control over wider civil society pursuits, including work on the promotion of human rights. The Humanitarian Aid Commission also insists that civil society organizations register at both the federal and state levels, which creates an administrative burden on those organizations.
  36. The Independent Expert takes note of information received on consultations organized by the Ministry of Labour and Social Development with civil society on 9 and 10 March 2020, with a focus on reforming the Humanitarian Aid Commission. Reforming the Commission will be a significant step towards protecting civic space.9 [...] (p. 7)

9 The information was provided by a civil society partner who participated in the workshop and is a member of the Steering Committee formed for the purpose of the workshop.

- Center for Strategic & International Studies, Sudan at a Crossroads: A Humanitarian Opening?, 5 August 2020
  [...] Access Challenges
  Despite cautious optimism regarding the civilian component of the Sudanese government’s commitment to unfettered humanitarian access, and the increased attention and funding offered by donors, the humanitarian situation remains precarious. Aid organizations continue to deal with a “challenging operational environment.” Interviews with multiple stakeholders operating in the country have confirmed that while the WFP and other UN agencies have substantially increased freedom of movement, restrictions remain for local and international NGOs. Access to South Kordofan continues to be a challenge from Khartoum. While the Humanitarian Aid Commission (HAC) in Khartoum has demonstrated exceptional openness to assist in the reregistering of NGO’s expelled under al-Bashir, HAC offices in the southern states report directly to state governors (previously appointed directly by the military) and have been much less receptive to the renewed presence of international and domestic organizations. Bureaucratic impediments, a legacy of al-Bashir’s regime, continue to be a challenge for lower-profile NGOs.
  Institutionally, while the HAC has been more open toward foreign agencies federally, the legacy of a heavy bureaucratic structure remains. The agility of the civil service structure to manage a complicated humanitarian response in the south and west, as well as the FSP [Family Support Programme], remains uncertain. Furthermore, the lack of access for international and local NGO’s also highlights the lack of data
on the scope of needs, especially in areas that have been historically inaccessible. A legacy of al-Bashir’s regime is a trust deficit with international organizations, especially in terms of information sharing and data. Humanitarian organizations have to rely on thin data that only offers estimates of the scope of need, reinforcing the need for technical support to civilian authorities to improve data collection and sharing. Furthermore, concerns abound regarding transparency for humanitarian funding, especially as legacy elements of al-Bashir’s government remain in positions of authority.

The increase in the presence of the WFP and other UN humanitarian agencies is also complicated by debate over the drawdown for the United Nations–African Union Mission in Darfur (UNAMID), generating a sense of competition within the United Nations for funding, pitting civilian protection concerns against hunger and other assistance priorities. There is clearly a greater rhetorical commitment to humanitarian action under the new civilian authorities. [..]

**UN OCHA, Sudan Response Plan 2021, January 2021**

[...] 1.5 Planning Assumptions, Access and Operational Capacity

[...] Humanitarian Access

Since taking office in 2019, the civilian transitional government has stated and shown commitment to facilitate vulnerable peoples’ access to humanitarian assistance, including in areas previously not accessible to humanitarian organizations. The engagement of the government with humanitarian partners has been strengthened - regular meetings of the Humanitarian Affairs Commission (HAC) with NGO Steering Committee and UN agencies for example -, easing some bureaucratic impediments to humanitarian access. [..]

**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 [...]

  - 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. [...]

- **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 atrocities 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

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. [...]
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 2020

- **France 24, Sudan agrees to transfer ‘those indicted by the ICC’ to the Hague, 2 February 2020**
  
  [...] The Hague-based ICC has charged Bashir and three of his former aides with genocide, crimes against humanity and war crimes in Sudan’s western region of Darfur, which was the site of a brutal conflict that began in 2003.
  
  [...] Bashir refuses to deal with ICC
  
  Responding to the announcement, a lawyer for Bashir told Reuters that his client refuses to deal with the ICC as it is a "political court" and that Sudan's judiciary is capable of dealing with his case.
  
  Bashir has said the allegations made by the ICC, the world’s first permanent court for prosecuting war crimes, are part of a Western conspiracy.
  
  [...] The Hague-based court issued its first arrest warrant for Bashir in 2009 – its first for a sitting head of state – and a year later issued a second one.
  
  Bashir faces five counts of crimes against humanity for murder, forcible transfer, extermination, torture and rape; two counts of war crimes for attacks against civilians; and three counts of genocide for killings and creating conditions meant to bring about the destruction of the targeted group, allegedly committed between 2003 and 2008 in Darfur. [...]  

- **International Criminal Court, Situation in Darfur (Sudan): Ali Kushayb is in ICC custody, 9 June 2020**
  
  [...] Today, 9 June 2020, Ali Muhammad Ali Abd-Al-Rahman ("Ali Kushayb") is in the custody of the International Criminal Court (ICC) after surrendering himself voluntarily in the Central African Republic on account of an ICC arrest warrant issued on 27 April 2007. Mr Kushayb is suspected of war crimes and crimes against humanity allegedly committed in Darfur (Sudan). The initial appearance of Mr Kushayb before the ICC Pre-Trial Chamber II will take place in due course.
  
  [...] Five ICC warrants of arrest are still pending in the context of this situation against MM Harun, Al Bashir, Banda, and Hussein. [...]  

- **Human Rights Watch, Q&A: Justice for Serious International Crimes Committed in Sudan, 22 June 2020**
  
  [...] In February 2020, Sudanese authorities expressed their commitment to cooperate with the International Criminal Court (ICC), which had outstanding arrest warrants for five Sudanese individuals, including al-Bashir, for alleged genocide, war crimes, or crimes against humanity committed in Darfur.
  
  [...] Steps by Sudanese officials in support of justice are important and positive. But much more is needed for Sudanese authorities to seize the opportunity the transition offers to make a break from the country’s past of widespread atrocity crimes committed with impunity.
  
  [...] 3. How should justice efforts be pursued? What kinds of cases are needed?
  
  To bring about comprehensive accountability for serious international crimes committed in Sudan, it will be necessary for national authorities to develop prosecutorial strategies aimed at maximizing the positive impact of justice efforts. This should include cooperation with the ICC on its Darfur cases.
  
  Countries often have to set priorities about which cases to pursue, particularly given the scope of crimes committed in Sudan. This should include focusing on those bearing greater degrees of responsibility and bringing charges that are representative of the breadth and brutality of crimes committed.
  
  The International Criminal Court opened an investigation into crimes committed in Darfur in 2005, after the United Nations Security Council referred the situation to the ICC under Resolution 1593.
  
  Five Sudanese individuals face ICC charges for war crimes, crimes against humanity, or genocide in Darfur: al-Bashir; Ahmed Haroun, former state minister for humanitarian affairs and former governor of Southern Kordofan state; Abdulraheem Mohammed Hussein, the former defense minister; Abdallah Banda Abakaer, leader of the rebel Justice and Equality Movement in Darfur; and Kosheib, who was a leader of the “Janjaweed” militia who also held commanding positions in Sudan’s auxiliary Popular Defense Forces and Central Reserve Police.
  
  Al-Bashir, Haroun, and Hussein are in Sudanese custody. Two other Sudanese rebel leaders were charged with crimes related to an attack on an African Union base in Darfur, but one of them, Saleh Mohammed Jerbo Jamus, died, and the ICC judges declined to confirm charges for the other, Bahar Idriss Abu Garda.
In 2005, Sudan created a Special Criminal Court on the Events in Darfur, but the court focused primarily on ordinary crimes, as opposed to atrocity crimes, and has been inactive. The Sudanese government appointed various prosecutors but their work failed to bring justice for grave crimes in which the authorities were implicated. A member of Sudan’s Sovereign Council indicated in February that a new special criminal court to try crimes committed in Darfur would be established as a transitional justice mechanism for Darfur alongside the ICC, but further details have not yet been made available.

[...] What should happen with the ICC’s cases?

Sudan’s former government refused to cooperate with the ICC, impeding the court’s ability to advance its cases. While it is not an ICC member, Sudan is under an obligation to cooperate with the court by virtue of UN Security Council resolution 1593 (2005). Invoking Chapter VII of the UN Charter, which bestows enforcement authority on the Security Council, the resolution provides that “the Government of Sudan and all other parties to the conflict in Darfur shall cooperate fully with and provide any necessary assistance to the Court and the Prosecutor pursuant to this resolution.” Therefore the fact that Sudan has not ratified the Rome Statue, which created the ICC, is not a reason for the authorities to refuse to hand over suspects.

In February 2020, Mohammed Hassan al-Taishi, a member of Sudan’s ruling sovereign council, announced that Sudanese authorities would cooperate with the ICC. He told journalists at peace negotiations to end Sudan’s civil wars that the parties had agreed the ICC would be among the four mechanisms for transitional justice in Darfur.

“We agreed that everyone who had arrest warrants issued against them will appear before the ICC. I’m saying it very clearly,” he was quoted saying. Prime Minister Abdalla Hamdok and the Sovereign Council confirmed the government’s commitment to cooperate with the ICC during meetings in Khartoum with Human Rights Watch on February 12.

General Abel Fattah al-Burhan, who chairs the Sovereign Council, told Human Rights Watch: “We agreed no one is above the law, and that people will be brought to justice, be it in Sudan or outside Sudan with the help of the ICC.” He added: “[O]ur colleague announced yesterday...we will cooperate fully with the ICC.” More than three months later, the authorities have yet to make good on that commitment. The ICC prosecutor told the UN Security Council on June 10 that the Office of the Prosecutor (OTP) has not been informed by the competent authorities of Sudan what actions they intend to take in relation to the ICC suspects. She asked the authorities of the government of Sudan to intensify dialogue with her office to ensure accountability for the crimes that have taken place in Darfur.

On June 16, the Sudanese attorney general reaffirmed the need for cooperation with the ICC, but also indicated it might be necessary for proceedings to be held in Sudan. Under Article 3 of the Rome Statute and Rule 100 of its Rules of Procedure and Evidence, the ICC can hold proceedings outside its headquarters in The Hague when the court decides to do so. Domestic authorities that are genuinely trying ICC cases before their domestic courts can also challenge the ICC’s authority to continue its cases, which is discussed in question 5.

Sudan’s authorities should contact the ICC without delay to begin discussions on cooperation, including transferring the suspects to ICC custody. They should liaise with the ICC on what else it may need for its existing ICC investigations given the previous government’s obstruction. Allowing the ICC unhindered access to safely conduct investigative activities in Sudan could be particularly important. Providing documents or other evidence may also be needed.

[...] What should be the next steps?

Sudanese authorities should act on their public commitments to secure justice for past atrocity crimes, by taking concrete steps to advance these efforts, such as:

- Contact the ICC without delay to begin discussions on cooperation, including to coordinate transferring suspects to ICC custody, and providing the ICC with any cooperation it may need for its cases, including unhindered access to conduct investigative steps in Sudan; [...]
indicted by the International Criminal Court, surrendered himself to the authorities in the Central African Republic and was transferred to the custody of the Court on 9 June 2020. (p. 3)

V. National accountability mechanisms
A. Investigations on cases against leaders of former regime

[...]

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

[...]

74. The Independent Expert also urges the Government to take action to ensure the implementation of its declared commitments on cooperation with the International Criminal Court with regard to the Sudanese nationals indicted by the Court on charges of war crimes and crimes against humanity in Darfur. [...]
Human Rights Watch, The Human Rights Council should support systemic human rights reforms in Sudan, 10 September 2020

[...] Al-Bashir and other ICC indictees are yet to be transferred to The Hague to face justice, despite the recent surrender of Ali Kushayb to authorities in the Central African Republic (CAR) and his subsequent transfer to the ICC. [...] 


[...] II. Significant developments
[...] Human rights situation
[...] Arrest warrants issued by the Court against four other Sudanese individuals, including former President Al-Bashir, are outstanding. [...] 

Al Arabiya, Sudan’s PM Hamdok offers support to ICC over Darfur war crimes cases, 18 October 2020

[...] Bashir is in jail in Khartoum, but is wanted by the ICC to face charges of genocide and crimes against humanity. [...] 


[...] Accountability
[...] On February 11, a member of the sovereign council, a collective presidency body composed of both civilians and military, publicly announced the government’s commitment to cooperate with the ICC, which officials reaffirmed throughout the year. 

On June 9, the ICC prosecutor announced that a Janjaweed militia leader, Ali Mohamed Ali (“Kosheib”), surrendered to the ICC in the Central African Republic and is currently facing charges at the Hague. ICC arrest warrants for al-Bashir, two former officials, and a rebel leader are outstanding. Al-Bashir and the two former officials are detained in Khartoum. 

The ICC prosecutor visited Khartoum in October and discussed with Sudanese officials modalities of cooperation, including on the execution of outstanding arrest warrants. Ex-President al-Bashir is currently standing trial alongside other former officials for undermining the constitutional order due their role in the 1989 coup against Sudan’s last elected government. [...] 

Freedom House, Freedom in the World 2021: Sudan, 3 March 2021

[...] Political Rights
[...] C Functioning of Government
[...] Former president al-Bashir faces outstanding arrest warrants from the ICC on charges of war crimes, crimes against humanity, and genocide in Darfur, where an insurgency by members of local ethnic minority groups began in 2003. [...] 

[...] During peace talks in February 2020, the government reached an agreement with Darfuri rebel groups to turn over to the ICC the five Sudanese suspects accused of war crimes, including al-Bashir. Prime Minister Hamdok reaffirmed this position in August. In June, Ali Kushayb, one of the five suspects, voluntarily surrendered in the Central African Republic. The Sudanese government welcomed and met with ICC representatives in Khartoum in October, but al-Bashir and other suspects remained in Sudanese custody at year’s end. [...] 

Human Rights Watch, Sudan Took Important Step, But Now Should Send the ICC Suspects to The Hague, 19 March 2021

[...] Sudanese authorities concluded a Memorandum of Understanding with the International Criminal Court (ICC) in February in its investigation of Ali Kushayb. This much needed step is expected to allow ICC investigators access to Sudan ahead of ICC judges’ deliberations in May to assess whether there is sufficient evidence to send his case to trial. 

[...] Sudan’s transitional government has promised to cooperate with the ICC, and welcomed the ICC prosecutor to Sudan for the first time in October. This is in marked contrast to the previous government of
Omar al-Bashir – who is also sought by the ICC, for alleged genocide, war crimes, and crimes against humanity committed in Darfur – which actively blocked the ICC’s efforts. But the transitional government can and should take its cooperation further by surrendering the four remaining ICC fugitives, three of whom, including al-Bashir, are already in Sudanese custody. It is important to note that there is no legal basis for the Sudanese authorities to hold on to the ICC fugitives, and they are in fact under an international obligation to surrender them. The UN Security Council resolution that referred the situation in Darfur to the ICC in 2005 expressly requires Sudan to cooperate with the ICC. It was adopted under Chapter VII of the UN Charter, meaning it carries with it the council’s enforcement authority. [...] And, if the Sudanese authorities are pursuing charges for any of the ICC suspects for crimes other than those brought by the ICC, they can negotiate an opportunity for the suspects to face those charges back in Sudan. ICC procedures also potentially allow suspects to serve sentences in their own countries, if desired. Sudan should not hold onto ICC fugitives in defiance of international obligations because they aspire to one day try them on Darfur crimes. This serves neither the victims nor the government, which could gain a lot of support for the transition with a prompt handover and could benefit from having greater resources to devote to the many other cases involving serious crimes that should be prosecuted. [...] 


6.2.3. Improvements in 2019

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. [...]

6.3.1. Omissions in 2017

**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 [...] 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, 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 […]

  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 […]

  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

  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 […]

  […] 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 [...]

**UNAMID figures relating to female victims of conflict-related sexual violence in 2020**


[...] Annex I

Report on African Union-United Nations Hybrid Operation in Darfur pursuant to Security Council resolution 2525 (2020) [Reporting period 1 June to 31 August 2020]

[...] II. Update on the situation in Darfur and implementation of the mandate of the African Union-United Nations Hybrid Operation in Darfur

[...] E. Human rights situation

19. From June to August, UNAMID documented 93 alleged human rights violations and abuses, involving 403 victims, including 40 women and 28 minors, which reflects an increase relative to the 97 cases involving 299 victims that were documented between March and May 2020. Owing to various factors, including the impact of COVID-19 restrictions, these may not be the actual numbers.

20. Women continued to be particularly vulnerable to human rights violations and abuses. The Operation documented 20 cases of sexual and gender-based violence and conflict-related sexual violence involving 28 survivors, which represents an increase of 10 cases compared with the same period in the previous year. The cases included the assault and rape of two Fur women, allegedly by nomads, on 25 June near Belle el-Sereif village in Central Darfur, and the rape of two women on 16 July in the Tiga farming area in North Darfur. [...]


[...] II. Situation in Darfur

[...] D. Intercommunal violence

[... ] Incidents of conflict-related sexual violence reported to UNAMID from May to August 2020 increased by 10.5 per cent compared with the same period in 2019. (p. 5)

[...] III. Protection of civilians

[...] B. Rule of law and human rights

[...] 28. In June 2020, UNAMID documented 11 cases of conflict-related sexual violence in North, West and Central Darfur, with nine of the victims being gang-raped. This was a significant increase compared with June 2019, when two cases of conflict-related sexual violence were documented. In July 2020, there were nine cases of conflict-related sexual violence in North and Central Darfur, six of which involved child victims.
The perpetrators were identified as uniformed armed men, persons described as nomads and SLA/AW [Sudan Liberation Army-Abdul Wahid] members. Most of the survivors of the conflict-related sexual violence committed in 2020 were girls under the age of 18. […]

- **United Nations Security Council, Situation in the Sudan and the activities of the United Nations Integrated Transition Assistance Mission in the Sudan, Report of the Secretary-General, 1 December 2020**


  [...] II. Update on the situation in Darfur and implementation of the mandate of the African Union-United Nations Hybrid Operation in Darfur

  [...] E. Human rights situation

  [...] 24. Women and children continued to be vulnerable to human rights violations and abuses, particularly sexual violence and conflict-related sexual violence. During the reporting period, [1 September to 23 November 2020] UNAMID documented 21 cases of sexual and gender-based violence and conflict-related sexual violence affecting 22 survivors, compared with 20 cases affecting 28 survivors from 1 June to 31 August 2020. Access to comprehensive services for survivors of sexual violence continues to be challenging owing to stigma, access constraints for remote areas and reluctance by survivors to report incidents. UNAMID verified 17 incidents of grave violations affecting 36 children, of whom 14 were girls, which reflected a decrease in the number of children affected by intercommunal violence compared with the 364 incidents of grave violations affecting 77 children, including 40 girls, during the previous reporting period (1 June –31 August 2020). The documented human rights incidents may not reflect the actual number of possible cases owing to several factors, including the impact of COVID-19-related restrictions on fact-finding and community engagement activities. […]

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


  [...] 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. […]


  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.32 [...] 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.14 [...] 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.39 [...]
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. […]

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.

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.

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.

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.

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. 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. 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. 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. 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.
The actual extent of unsafe abortions is unknown in Sudan, due in part to the illegality of abortion. 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. 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 fornication (rape). Sudan is unique in the MENA region, for pregnancy among unmarried women is considered sufficient evidence for the crime of fornication (rape). 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]


[... 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]


[... 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. 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. 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. 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. The actual extent of unsafe abortions is unknown in Sudan, due in part to the illegality of abortion. 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. Family planning has been perceived by conservative political and religious actors as undermining women’s natural and primary role in reproduction. Traditional methods for self-inducing abortion include drinking herbs, ingesting various drugs and poisons, and inserting objects into the uterus. 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).
[...] 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.²⁸ 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. [...]
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 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. According to the 2018 HERAMS survey, only 35 per cent of health facilities in Darfur provides basic emergency obstetric care.

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**OCHA, Sudan: Situation Report, 6 February 2020**

[...] The reproductive health working group—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. [...]
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. […]

  
  **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.14
  
  [...] 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.39 [...]

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.


- **20 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.31 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.32 [...] [p. 81]

32 UNFPA, Sudan, 2019 Reproductive Healthcare

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%.51

51 [...] 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.52

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.53

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.54
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.53

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.56 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.57 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.58 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.59 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.60

[...]

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. [...]

[...]
34 MICS 2014, p.144.
37 OCHA Sudan, 2019b, op. cit.


[...] 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.5 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.10 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.\(^{11}\) Legal abortion after rape is almost impossible to obtain, but emergency contraceptives are distributed by international organizations in conflict areas.\(^{21}\) 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.\(^{24}\)


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.\(^{35}\) 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.\(^{36}\)

[...] Women of reproductive age\(^{41}\), 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)\(^{42}\). 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\(^{43}\). [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\(^{48}\) 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\(^{49}\). According to the
2018 HERAMS survey, only 35 per cent of health facilities in Darfur provides basic emergency obstetric care50. [...] 

35 Federal ministry of health data from the expansion project 
[...] 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 

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 
Unmet need for family planning, women aged 15–49 (2018): 28 
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

  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
  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 [...]

[...] 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...]
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
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.28 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.29 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.30 [...]

29 https://www.hrw.org/report/2017/05/22/no-control-no-choice/lack-access-reproductive-healthcare-sudans-rebel-held


[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. [...]


[...] 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) [...]

Maternal and Newborn Health

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). 42 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. 43 [...]  

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. 7 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. 8 In addition, 69 per cent of women receive their tetanus toxoid vaccination. [...]  

8 Simple Spatial Survey Method (S3M-II), 2018  

Reasons provided for maternal mortality in 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. [...]  

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. 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. 

[ [...] 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 delivery 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%. 51
  
  [...] 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.\textsuperscript{53} 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.\textsuperscript{54}

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 who only have a primary level of education are married, as opposed to 2.4% of those with higher education.\textsuperscript{55}

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.\textsuperscript{56} 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.\textsuperscript{57} […]

\textsuperscript{51} Secondary Analysis, pp.139–140.
\textsuperscript{52} MICS 2014, pp.152–153.
\textsuperscript{53} MICS 2014, pp.154–155.
\textsuperscript{54} MICS 2014, p.144.
\textsuperscript{55} MICS 2014, p.206.
\textsuperscript{57} OCHA Sudan, 2019b, op. cit.

[...] 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.\textsuperscript{9} […] [p.2]


[...] 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.\textsuperscript{1} In the Middle East and Northern Africa (MENA) region, only Tunisia and Turkey have legalized abortion on demand during the first trimester.\textsuperscript{2} Most abortion laws in the region are punitive, and legal services are restricted.\textsuperscript{3} 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.\textsuperscript{4} […] 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.\textsuperscript{9} 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. 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. [...]

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. [...]

3. Ibid.
6. 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. 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. Women of reproductive age[41] 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)[42]. 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[41]. [...] 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 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. According to the 2018 HERAMS survey, only 35 per cent of health facilities in Darfur provides basic emergency obstetric care. [...] 35 Federal ministry of health data from the expansion project 36 Simple, Spatial, Survey Method (S3M) for Sudan 2018-2019. 37 [...] 38 MDTS report, FMOH 2018 43 IAWG MISP for RH calculator 2019 44 IAWG MISP for RH calculator, 2019 49 Emergency obstetric and neonatal (EmONC) care survey in Sudan, FMOH, 2017 50 HeRAMS report, December 2018 [...] 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 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. [...] 29 According to religious wisdom, mahar 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. 21
  
  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. 22
  
  A woman may also divorce through *khul’a*, in exchange for returning the dowry to the husband. 23 [...] 

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 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. [...]
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. [...]

It continued to be easier for men than for women to initiate legal divorce proceedings in 2020

Freedom House, Freedom in the World 2021: Sudan, 3 March 2021

 [...] G Personal Autonomy and Individual Rights
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? 1/4
Sharia-based laws deny women equal rights in marriage and divorce. Among other restrictions, a Muslim woman cannot marry a non-Muslim man. [...]

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 [...]
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 (CFSV/A) 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), CFSV/A 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 KhartoumSudan, 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. 2070
- 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. 2071

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: West Darfur Koran Student Abducted by Chad Soldiers,” Radio Dabanga, October 31, 2017.
2071 “Gunmen kill two teachers in West Kordofan,” Radio Dabanga, November 10, 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 Yabos Payam were opened. 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 [...]
Recent reports show that there are approximately 255,000 children in the Two Areas, with little or no access to trained teachers or schools...

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.

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...

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...

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.

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 [...]

Post-2015 reasons provided in 2020 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)
approximately 7,000 teachers in the region are unqualified. Unfortunately, many teachers across Sudan are untrained and unsupervised, teaching curriculum with little educational value. Furthermore, the environment of many schools is often not conducive to learning and perpetuate negative social attitudes. The education of women in many schools is not taken seriously or encouraged. This is worsened by the poor standard of sanitation and hygiene in many schools which is particularly damaging to the education and retention of young women and girls.

Another issue which limits educational progression and achievement is the retention of students in secondary education. The majority of students who complete the first eight years of primary education do not continue on. Many are required to work, whilst others do not have access to secondary education in their local area.

- **Human Rights Watch, Sudanese School Closed by Pandemic, Kept Closed by Armed Forces, 29 July 2020**
  
  [...] On vehicles mounted with machine guns, armed paramilitaries took over a girls’ primary school on June 14, 2020, according to a local human rights organization. The armed men, from Sudan’s Rapid Support Forces, dug a trench around the school, which is in Kadugli, the capital of Sudan’s Southern Kordofan state, and began using it as a training base. Luckily, the school was not in use at the time. Like countless others around the world, it is currently closed due to the Covid-19 pandemic. However, the school was supposed to reopen for students to sit secondary-school entrance exams. The paramilitaries have still not let residents near the school, and the state governor has taken no action. [...] Girls everywhere are at a heightened risk of not resuming their education following school closures. They face unique pressures including gender bias, child marriage, and sexual violence and harassment in schools. In Sudan, these factors, among others, have kept 49 percent of primary school-age girls out of class. The prolonged closure of this school, first because of the pandemic, and now because of the military, means some girls may never go back to their classrooms again. [...] 

  
  [...] IV. Main human rights challenges [Reporting period: 27 September 2019 to 16 July 2020]
  
  A. Economic, social and cultural rights
  
  [...] 19. Long-standing discrimination and inequality continues to plague Sudanese society, negatively impacting the enjoyment of economic, social and cultural rights. Disparities in the enjoyment of these rights remain high, with the conflict-affected regions being particularly disadvantaged, as extreme poverty remains widespread and access to food, education, health services and safe drinking water are limited. These disparities have remained root causes of civil unrest and conflicts in the Sudan. [...] 

- **UN OCHA, Sudan Humanitarian Needs Overview 2021, December 2020**
  
  [...] 1.4 Humanitarian Conditions and Severity of Needs
  
  [...] Limited access to education
  
  [...] More than 2.9 million of vulnerable children need life-sustaining humanitarian support in education. There are 1.8 million vulnerable children at schools experiencing crisis, emergency or catastrophic levels of food insecurity. These children are at high risk of dropping out of school or having their educational attainment curtailed if they are not adequately supported. Lack of quality education also affects refugees, with children being particularly vulnerable. Nine out of ten secondary school aged refugee children are not receiving any formal education, with refugees from South Sudan particularly affected. Many refugee children work outside the home to supplement the family’s income.

  In 2020, these risks were exacerbated by the negative impact of COVID-19, including long periods of school closure, which will likely continue into 2021. According to the education sector, this is significantly worse for nomadic communities, with already more than three quarters of nomadic children out of school prior to school closures. The difficulty to cover basic needs is often accompanied with negative coping mechanisms including school drop-outs, child labour, social tensions with host communities, early/child marriage and GBV issues. (pp. 26-27)

  [...] 3.1 Education
In 2020, the education of 9.6 million children was affected by COVID-19 when all schools were closed in March and the scheduled reopening of schools in September was postponed to 2021. While previously the academic calendar included a ‘Group B’ schedule running during the dry season when nomads remain in seasonal settlement areas, for the 2020-2021 academic year, Sudan is transitioning to a standard academic calendar starting in September during the rainy season, putting nomadic children at an even higher risk of dropping out of school. There were also challenges transitioning to a new academic calendar and curriculum for the 2020-2021 academic year, which was compounded by flooding damaging more than 570 schools and rendering unusable an additional 70 schools that were used to shelter displaced families.

In the first half of 2020, child protection risks were already on the rise, with a reported 24 per cent increase in early marriage (girls more affected than boys) and a 35 per cent increase in child labour (boys more affected than girls). Without adequate support, including remote and accelerated learning opportunities to mitigate against long periods of absence from school, many children may never return to formal education. In Sudan, a third of schools do not have latrines and fewer than half of schoolchildren have access to soap and water for hand washing at school.

Affected Population

The population groups most in need of humanitarian assistance to continue their education include IDPs, refugees and returnees, host community members facing severe food insecurity, nomadic populations, children with disabilities and, in some communities, girls.

More than 631,000 IDP children are currently out of school, with an additional 55,000 IDP children facing severe food insecurity. The five Darfur states in addition to South and West Kordofan are currently hosting the highest numbers of school aged IDP children. Many of these children have endured protracted conflict and continue to be exposed to ongoing clashes. Conflict-affected children need psychosocial support, a protective learning environment and the normality of a school routine. However, due to large influx and frequent displacements in some localities, many of the learning spaces are extremely overcrowded or become dysfunctional. Children have reduced access to learning supplies, seating and latrines and the pupil to teacher ratio is often over a hundred to one.

Approximately seven out of ten primary school aged and nine out of ten secondary school aged refugee children are not receiving any formal education, with refugees from South Sudan particularly affected. About 70 per cent of refugees in Sudan are living outside of camps and do not have adequate access to life-sustaining goods and services. Refugees from Eritrea, Ethiopia and South Sudan face additional barriers to accessing education due to the language of instruction in Sudan differing from that of their country of origin, making it challenging for them to integrate into the Sudanese national education system. Additionally, families of refugee children are often unable to cover school fees and associated costs such as school uniforms. Many refugee children work outside the home to supplement the family’s income.

There are currently 1.8 million non-displaced children in Sudan enrolled at school who are experiencing crisis, emergency or catastrophic levels of food insecurity. These children are at high risk of dropping out of school or having their educational attainment curtailed if they are not adequately supported through a full package of educational interventions, including school feeding. These risks are expected to be further exacerbated in 2021 due to long periods of school closure during 2020 as well as increased food insecurity due to Sudan’s deepening economic crisis.

Nomadic and pastoral children in Sudan face significant challenges accessing education as they are unable to attend a static school during the usual daytime hours of a conventional school year. Additionally, the high costs of schooling, limited educational facilities within a safe walking distance and the perception that education is not useful, particularly for girls, all present barriers to nomadic and pastoral children fulfilling their right to education. More than three quarters of nomadic children were out of school prior to school closures (compared to 27 per cent of children out of school across all population groups).

Although there is limited data available on children with disabilities in Sudan, it is estimated that 15 per cent of children have at least one disability, which translates to 2 million school-aged children (ages 6-16) living with disability. Children with disabilities are often out of school and require specialized support to access, and then remain, in education. For these children, school environments can offer an additional layer of protection and help them access specialized community support services.

Overall, there is a high degree of gender parity across Sudan in terms of access to education. However, in some specific states, most notably West Darfur and West Kordofan, girls’ primary school enrolment is significantly lower than boys (22 and 20 per centage points lower in those two states respectively). The gender gap becomes even wider at secondary school level, and particularly so for rural areas where only 20 per cent of secondary school aged girls attend school. (pp. 51-52)

[...] 3.5 b Child Protection - Area of Responsibility
[...] Affected Population
[...] Boys and girls recruited by armed groups are subject to detention, separation from their families, and experience acute psychosocial distress. The also face challenges with reintegration into their communities, and barriers in access to education and other services. [...] 

loit 60 per cent of the available classrooms in government schools are permanent with an 
chool fees also negatively affect 
ion, resulting in an inadequate number of schools, shortage of qualified teachers, 
considerable rate. While the young population of Sudan presents a great socio 
Adolescents and youth present a new series of challenges: Sudan has a youthful population that grows at a 
needs for the future.
The newly installed Minister of Education has made it a priority to revise curricula to be more s 
lections gives priority to theory but remains weak in providing practical and pedagogical skills for instruction.
There is an acute shortage of qualified teachers in Sudan with just over a quarter of teachers in primary 
Furthermore, there is a high level of violence within the classroom setting due to the high 
fences was also linked to availability of teachers, who preferred to teach in schools with a fence.
property including learning materials or 
Safe and secure learning environments are often absent and thus a challenge in Sudan. More than 370,000 learners are enrolled in schools without any water supply with 
Water supply, access to seats. Separate sanitation facilities for girls and boys and access to clean and safe water is a 
There is a shortage of basic school infrastructure, notably classrooms, school furniture, water and sanitation 
There is a shortage of basic school infrastructure, notably classrooms, school furniture, water and sanitation 
facilities: On 
The quality of education is generally poor: Findings from the 2018 National Learning Assessment (NLA) on 
Toilet to pupil ratios estimated at 1:91 for girls and 1:102 for boys, which is 
senior sanitation facilities, which affects both 
unpaved water network. The average toilet to pupil ratio was estimated at 1:91 for girls and 1:102 for boys, which is 
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 co child 
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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.
Low government expenditure in education: Sudan spent only around nine per cent of its total public 
 expenditure on education, resulting in an inadequate number of schools, shortage of qualified teachers, 
insufficient instructional materials. This also resulted in inadequate facilities in schools with regards to 
toilets, drinking water, school fencing and learners’ desks, affecting adversely both access and retention.
The quality of education is generally poor: Findings from the 2018 National Learning Assessment (NLA) on 
learning outcomes among grade three learners showed that while there had been some improvement in literacy levels, overall learning remained poor. Still many children struggled to read simple familiar words 
and less than half could comprehend what they read. For mathematics, less than half of the children 
correctly carried-out level one addition exercises and even fewer were able to carry-out level two addition 
There is a shortage of basic school infrastructure, notably classrooms, school furniture, water and sanitation 
facilities: Only 60 per cent of the available classrooms in government schools are permanent with an 
average classroom pupil ratio of 1:76. This resulted in overcrowded classrooms, open air classes under trees, 
or children learning in unsafe temporary classrooms. Only two thirds of learners in basic education have 
access to seats. Separate sanitation facilities for girls and boys and access to clean and safe water is a 
challenge in Sudan. More than 370,000 learners are enrolled in schools without any water supply with 
significant variations between states. Nationally, only 50 per cent of the schools are connected to the piped 
water network. The average toilet to pupil ratio was estimated at 1:91 for girls and 1:102 for boys, which is 
much higher than the recommended acceptable ratios (1:30 for girls and 1:60 for boys).
School environments are often unsafe, with cases of bullying, gender-based violence, abuse, and corporal 
punishment happening in schools, but seldom officially reported: School fencing is one of the recommended 
safety measures for securing learners, as well as codes of conduct for teachers, and community advocacy 
around positive parenting. Half of primary schools are not fenced. There have been cases of schools losing 
property including learning materials or occupation of schools by militia groups. The absence of school 
fences was also linked to availability of teachers, who preferred to teach in schools with a fence. 
Furthermore, there is a high level of violence within the classroom setting due to the high acceptance of 
corporal punishment and other forms of violence within communities and families.
 There is an acute shortage of qualified teachers in Sudan with just over a quarter of teachers in primary 
schools meeting the minimum requirement for teaching: Moreover, the curricula followed in education 
studies gives priority to theory but remains weak in providing practical and pedagogical skills for instruction. 
The newly installed Minister of Education has made it a priority to revise curricula to be more suited to skill 
needs for the future.
Adolescents and youth present a new series of challenges: Sudan has a youthful population that grows at a 
considerable rate. While the young population of Sudan presents a great socio-economic potential, if
properly equipped with relevant skills for a healthy and productive life, it also exerts pressure on government resources. Investment in young people starts with life skills, citizenship and skills training. However, for skills training to be effective, basic literacy should be addressed first. (pp. 6-7)

RESULTS
OUTPUT 1

The economic situation deteriorated during 2020, negatively impacting family’s ability to pay for the informal costs of schooling, which was compounded by a number of emergencies.

Education – both primary and secondary – in Sudan is intended to be free of cost. Yet teaching and learning materials are not provided and can be an obstacle for children to attend school. Most Sudanese parents have insufficient income to buy essential learning materials for their daughters and sons. [...] (pp. 6-7)

UNICEF, Sudan: Gender 2020, March 2021

The economic situation deteriorated during 2020, negatively impacting family’s ability to pay for the informal costs of schooling, which was compounded by a number of emergencies.

Vulnerable communities have resorted to reducing meals, switching to cheaper and less nutritious foods, selling livelihood and household assets, to the detriment of future generations and at the risk of creating poverty traps. Others have spent less on health and education and have for example withdrawn their children from schools.

The rising food basket cost – as a percentage of the average income – is manifested in widespread malnutrition rates, especially in the central and eastern states, the number of out-of-school children climbed to over three million children as parents were forced to choose between food, schooling, health and other necessities. Girls were particularly affected. Gold mining came late as new a livelihood and much in relation to child marriage causing high drop out among boys and girls. Boys who earn extra they get a girl child to marry. (pp. 5-6)

Girls’ Secondary Education and Skills

Decades of effort in the area of girls education in Sudan have resulted in near parity in access to primary education. In some states and localities, girls’ retention rates are even higher than boys’ retention rates in secondary school owing to the fact many of boys tend to leave school to enter the labour market for economic and socio-cultural reasons. However, this near parity hides serious and persisting disparities that mostly affects the families living in poverty in rural areas. This is further compounded by limited government invested in education.

Girls’ relative disadvantage in Sudan lies in the complex interrelations between the overall (i) economic and policy related factors, (ii) household and socio-cultural factors compounded by poverty, and (iii) school level factors. All of these factors interact and plays against girls in each specific setting.

Poverty and submission to socio-cultural norms and obligations are common to most if not all, and poor and rural girls are the ones suffering the most. Long standing and persistent gender disparities born out of tradition continue due to persisting issues summarised in three categories; a) Policies and legal framework and supply b) Household-level c) School-level barriers. [...] (p. 10)

3 Impact of economic crisis: household economic situation and coping mechanisms: Khartoum state.

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 KhartoumSudan, in Open Journal of Social Sciences, 5, 1 September 2017

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 [...]

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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 particularly, 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 send 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 [...]

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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 2020

- **UNICEF, Sudan: Gender 2020, March 2021**
  
  [...] The Situation in Sudan
  [...] Gender
  [...] Children living on the streets of Khartoum and in other cities – both girls and boys, and most of them displaced as a result of conflict or poverty – are especially at-risk of becoming victims of violence, exploitation and abuse. [...] 

Evidence and statistics on the extent of child marriage in 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.62 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 childbirth with attendant health risks and disrupts or ends a girl’s formal schooling.63 Sudan’s law allows marriage at 14 years for both boys and girls [...] 


- **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 mentions 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-Husseini 2014, 19) [...]
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 Al-Gadaref. 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-Hussemi, 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 Algadaref State

In Algadaref State, there are a number of actors working to end child marriage: the Algadaref 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 [...]
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 USCRIIF’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/registrar 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.9 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 [...] 


- **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). [...] 

Evidence and statistics on the extent of child marriage in 2020

- UN OCHA, Sudan Humanitarian Needs Overview 2021, December 2020
  [...] According to a recent child protection assessment conducted across 16 states, child protection risks were already on the rise in the first half of 2020 compared with the same period in 2019, with a reported 24 per cent increase in child marriage (girls more affected than boys) and a 35 per cent increase in child labour; boys more affected than girls.
  [...] Affected Population
  [...] According to UNICEF, approximately 38 per cent of girls in Sudan are married before the age of 18, and 12 per cent of them are married before their 15th birthday. 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). [...] 

- Freedom House, Freedom in the World 2021: Sudan, 3 March 2021
  [...] Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1/4
  [...] Child marriage is not outlawed, and roughly a third of adult women married before reaching the age of 18. [...] 

- UNICEF, Sudan: Gender 2020, March 2021
  [...] Data on child marriage shows an increasing trend of children marrying before their fifteenth birthday, with the highest prevalence in South Darfur state with 36 per cent. The increase might be due to factors such as rising poverty, and family honour. Nationally, around 38 per cent of girls marries before their eighteenth birthday, however recent numbers from the Simple Spatial Survey Method (S3M, 2018), show that 64 per cent of women with children younger than five years were married when still a child. Further, one fifth of women, aged 20-24, in Sudan had her first child before she reached eighteen years. [...]
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.  

  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

  
  [...] 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
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

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.

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.

Due to COVID-19 and conflict, during the first half of 2020, the number of children requiring family tracing and reunification services reached 65,000 (40 per cent female).

About 10,000 boys and girls are living outside of a family environment as either unaccompanied or separated children and need protection.

Despite the many challenges in 2020, UNICEF managed to achieve the following key results:

4,132 unaccompanied and separated children (537 girls) were reached with family tracing and reunification or age-appropriate alternative family care. (p. 4)

A total of 4,132 unaccompanied and separated children (13 per cent girls) against a target of 8,618 children (31 per cent girls) were identified and reunified with their families or placed in alternative family care, which roughly aligns with initial planning assumptions. Internal displacement from internal conflict and violence in Central, North and West Darfur made up the majority of cases while the influx of Ethiopian refugees from the Tigray region caused around 848 children to be identified as unaccompanied or separated but these children are yet to be verified and included in the data.

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 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.

  - 438,184 children among 811,452 South Sudanese refugees.

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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 subjecting 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 based on 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 grassroot efforts and which receive no financial support from the state. Hence attendance of those schools is basically at the pupils’ family’s expense. [...]
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

  [...] 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. [...] 

Children with disabilities attended public schools or other specialized educational institutions in 2020

- **UNICEF, Dreaming of a Sudan where people with special needs can fulfill their dreams, 15 July 2020**
  [...] Enas Youssef is deaf, as are two of her brothers. "One of the difficulties that we faced while working in the implementation of this project was that the information, we got was not sufficient. We need to get support for those who are deaf, and to provide them with appropriate educational curricula, because most of those who are deaf leave school due to the inadequacy of the curricula, and sometimes due to the economic situation," said Enas. [...] 

- **UNESCO, Signing the Country Agreement for the Project “Making School Inclusive 2”, 1 October 2020**
  [...] On 14 September 2020, the Sudanese Ministry of Education (MoE) and UNESCO signed the Agreement for supporting the 2nd phase of the project “Making Schools Inclusive” funded by the UN Partnership for
Promoting Rights of People with Disabilities (UNPRPD). The ceremony took place in the Ministry of Education, the Office of the Undersecretary, and was honored by H.E. Ms. Tumadur El Tiraifi, the Undersecretary in the MoE, H.E. Mr. Pavel Kroupkine, the UNESCO Representative to Sudan, H.E. Mr. Gianluigi Vassallo, the Ambassador of Italy to Sudan, H.E. Mr. Alfonso Herrero, the Deputy Head of Spanish Mission to Sudan, Ms. Faiza Ahmed, the Director of the Special Needs Department in MoE, and other distinguished people.

The ceremony started with exchange of information about different aspects of help to Sudanese with disabilities, where the participants were involved. H.E. Mr. Gianluigi Vassallo and H.E. Mr. Alfonso Herrero, representing co-chairs of the Group of Friends of Sudanese with Disabilities expressed their appreciation for the starting project. Amb. Vassallo briefed participant about other Italian initiatives for people with disabilities in Sudan, one of which exactly links with supporting the Special Needs Department in its strategic activities. Mr. Aiman Badri, the project manager, explained the project, which aim to further increasing an accessibility of Sudanese schools for children with disabilities via delivering training materials for relevant teacher assistants in schools, adjusted curricula for the steps 1-3, resource boxes, and pilot all these in Khartoum and Nyala. Dr. Tumadur El Tiraifi expressed her gratitude to all supporters for educating children with disabilities, and encouraged the participants to make more in Sudan. […]

❖ Al Fanar Media, For Students With Disabilities, the Pandemic Adds Another Barrier, 8 October 2020

[...] Barriers in Sudan

People with disabilities represent about 4.8 percent of Sudan's population, according to the National Coordination for Persons with Disabilities in Sudan, and about 14.4 percent of the disabled live in the state of Khartoum, where many Sudanese, including those with disabilities, migrate in search of education, work and services.

Fakhr El-Din Awad, head of the National Council for Persons with Disabilities in Sudan, says institutions specialized in educating people with disabilities can only accommodate 1 percent of all students with disabilities. "Even for those who are absorbed, many obstacles stand before them, preventing them from continuing in education."

Muhammad Siddiq, 22, a student at the Faculty of Arts at Omdurman Islamic University, who suffered from polio at an early age, says there are no wheelchair ramps or elevators on the campus. "What hurts me the most is my sense that I am placing a heavy burden on my colleagues and overburdening them with the process of moving around in the classroom," Siddiq says.

[...] In Sudan, Aisha Malik, an 18-year-old blind student, was unable to enroll in a public university’s college of education. “I was born blind and got grades that would qualify me to join the college of education,” she says, “but they refused this under the pretext of the lack of educational means for me and my inability to practice the teaching profession because of my disability.”

Awad, the head of the Sudanese council for people with disabilities, believes that private universities represent a bigger problem for students with disabilities, as there are usually no facilities at private universities designated for such students. Public universities also suffer from the lack of facilities with older buildings that lack wheelchair ramps, wide door frames and similar accommodations. […]

❖ UN OCHA, Sudan Humanitarian Needs Overview 2021, December 2020

[...] 1.2 Shocks and Impact of the Crisis

[...] Impact on Services and Systems

[...] Access to education, healthcare, and income is less likely for people with disabilities, and these inequalities are intensified by COVID-19. Approximately 15 per cent of Sudan’s population are people with disabilities, and there are no legislative measures ensuring equitable access to services for them. Data and information on their specific needs and protection concerns, including those emerging from or exacerbated by COVID-19, are not currently available. [...] (p. 16)

[...] 3.1 Education

[...] Affected Population

Although there is limited data available on children with disabilities in Sudan, it is estimated that 15 per cent of children have at least one disability, which translates to 2 million school-aged children (ages 6-16) living with disability. Children with disabilities are often out of school and require specialized support to access, and then remain, in education. For these children, school environments can offer an additional layer of protection and help them access specialized community support services. [...]

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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.). [...]
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 Khartum, they lasted a week each, and had a focus on patterns of persecution, the situation for political activists, religious minorities and women. 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”. [...] 133 Of course there is still a fairly large people of South Sudanese origin in Sudan, but they are now classified as foreigners [...] 124 We have also looked at other topics, such as documents, border control, military conscription, etc [...]

✓ **UK Home Office, Report of a fact-finding mission to Khartoum, 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**


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.

LGBTI individuals expressed concern about their safety in 2017

LGBTI individuals expressed concern about their safety in 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.

LGBTI individuals expressed concern about their safety in 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. 819 Many homosexuals hide their orientation, also from family and friends, and lead a double life. 820 […]

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 [...] 

LGBTI individuals expressed concern about their safety in 2020

- Freedom House, Freedom on the Net: Sudan, 14 October 2020

 [...] C Violations of User Rights [...] C7 0-5 pts Are individuals subject to extralegal intimidation or physical violence by state authorities or any other actor in retribution for their online activities? 2/5 [...] Social media influencers and minority groups such as the LGBT+ community are frequent targets of online harassment. [...] 

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]
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. 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

- 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 [...] 10

- UNAIDS, Sudan, Undated [see link provided for figures and tables]

Availability of post-August 2015 figures in 2020 on the number of Sudanese living with HIV/AIDS

- UNAIDS, AIDSinfo: People living with HIV - All ages, 2019
  [...] Sudan: 2019: 46 000 [39 000 - 56 000] [...] 10

- UNAIDS, AIDSinfo: AIDS-related deaths - All ages, 2019
  [...] Sudan: 2019: 2300 [1800 - 3000] [...] 10

6.3.2. Omissions in 2018

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
  Unmet need for family planning, women aged 15–49 (2018): 28
  [...] 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...]

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. Omissions in 2019

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 [...]

- **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 UNC, 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.**

  According to Article 43 of the UNC, 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. [...]
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 [...]

Women experienced economic discrimination in access to employment, equal pay for substantially similar work, credit, and owning or managing businesses in 2020

- **Humanitarian Aid Relief Trust, Blog: Education in Sudan, 15 April 2020**
  
  [...] Women are doubly affected by cultural attitudes. Many Sudanese communities believe the traditional role of the woman is to stay at home. They see little benefit in educating young women. Many young women are also forced to marry young and produce children of their own, further preventing them from receiving an education. [...]  

  
  [...] IV. Main human rights challenges
  [...] F. Women’s rights
  [...] 48. In conflict-affected regions, women are deprived of equal rights with regard to decision-making, access to education, control of family resources and employment opportunities. [...]  

- **United Nations (UN), UN Human Settlements Programme (UN-Habitat), and Global Land Tool Network (GLTN), Darfur Land Administration Assessment: Analysis and Recommendations, August 2020**
  
  [...] CHAPTER 2 - DARFUR LAND TENURE SYSTEM
  [...] 2.2 Customary land tenure
  [...] Women’s land rights under customary tenure

Women’s land rights under customary tenure

Women's access to customary land rights is problematic and hampered by severe gender inequalities and violations, particularly regarding land ownership. During the development of this report, the information collected on the subject was insufficient to address the complexity of women’s land issues exhaustively, and dedicated, more detailed research is needed, highlighting the specificities that exist in the different Darfur’s tribes. From the available information, it clearly emerges that women are the major workforce in Darfur, particularly in agricultural production, even if men hold the customary tenure rights for houses and all the land. The only customary tenure rights held by women are kitchen gardens and small farms attached to the house which are fenced by trees and associated with the house, called jobraka or najjadh. Women own this land and fields alongside men.

Tribal culture is the key reason for women’s limited land tenure rights. It is customarily understood that any land allocated to a woman will be transferred to another tribe through marriage, whereas the prevailing culture is to keep the tribal land within the tribe. There are a few examples of women owning customary land that they obtained through inheritance (mirath) or as a dower (mahar). Women usually raise crops and livestock on the land for the family to prepare for the rainy season before the agricultural production from the large fields arrives. Women are also allowed to harvest from the jobraka and sell products in the village or the seasonal markets. Due to overuse, most jobraka land is degraded.

- **Legal framing of family and women’s land rights**

  [...] According to the Civil Transaction Law of 1984, families, rather than individuals, should get the available registered residential leases wherever possible, which ensures that most leases are held as joint ownership by husband and wife. Courts take cognisance of this and even when a man has acquired land before marriage, the property is considered as belonging to the whole family and the man cannot sell the property without his wife’s consent. When land is made available through ‘site and service’ schemes (a common form of land delivery), the allocation should be made through a points system that prioritizes married people...
with children. Families are not allowed to own more than one registered land as property. The only way for an individual to acquire a registered lease is by way of exception, if they are widowed, or by buying an existing lease, or through the auction of residential land. In the case of divorce, the property is registered in the wife’s name together with the sons and daughters. [...] 

**Freedom House, Freedom in the World 2021: Sudan, 3 March 2021**

[... Civil Liberties [...] G Personal Autonomy and Individual Rights [...] G 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 rights to property and inheritance under laws based on Sharia (Islamic law) and through discriminatory customary practices. [...] 

Evidence that mostly northern Muslims dominate the current government

**Christian Solidarity Worldwide (CSW) and CSW-Nigeria (CSW-N), Submission to the 39th session of the UN Universal Periodic Review, 29 March 2021**

[...] Challenges to transitional justice

[...] There is a marked absence of non-Muslims in the transitional process, with no minister or governor appointed from a minority faith community. The only Christian candidate for South-Kordofan was dropped for unknown reasons. Dr Rudwan al-Neel Konda was the only candidate the FFC in South-Kordofan agreed on. He was also the only Christian among 18 candidates for the previous cabinet. On 22 July 2020 the Democratic New Forces Movement released a statement highlighting his exclusion as religious discrimination, and accused Lieutenant General Shams-Eddin Kabashi, a member of the Sovereign Council, of rejecting his candidature. [...] 

7.2.3. Improvements in 2019

**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. [...] 

**Situation of female tea sellers in 2020**

**Sudanese Women Rights Action (SUWRA), In Sudan, women are still facing deadly threat of the military, 5 October 2020**

[...] On 1 September 2020, Nora Rihan, a tea seller in Kadugli in Southern Kordofan was shot dead by an army officer after she refused to serve him before others. The officer took refuge in the army base in the city, and police wasn’t able to arrest him to date despite the number of witnesses who saw the incident. [...] 

7.3.4. Omissions in 2020
Evidence of the autonomy of trade unions to exercise the right to organise or to bargain collectively in 2020 / Evidence that government respected freedom of association and did not intervene to manipulate professional, trade, and student union elections

- International Federation of Journalists, Sudan: Government seizes four private media outlets, 8 January 2020
  [...] The Sudanese government is following up on its announcement made on December 14, 2019, to dissolve all trade unions in the country. This includes the Sudanese Journalists Union, an affiliate of the Federation of African Journalists and the IFJ. This move was strongly condemned by the FAJ and the IFJ in a statement on December 16, 2019.
  The government of Sudan plans to install its own new leadership of all unions and hand over the offices to their appointed leaders. The SUJ has not yet handed over any information about its assets or accounts. This may result in a travel ban and “legal proceedings” against the union.
  The Sudanese Journalists Union has declared that “the move reflects a new phase of violation against freedom of press and expression; muzzling voices, confiscation of all rights of freedom of expression, and violation of all international conventions on freedom of the press.”
  IFJ General Secretary, Anthony Bellanger, said: “We are deeply concerned with the Sudanese government meddling in independent media outlets and the dissolution of trade unions. This is a grave assault on press freedom and the fundamental right of freedom of association. It is against the most fundamental human rights for the government to pick and choose its own union leaders.” [...] 

- International Federation of Journalists, Sudan: IFJ condemns warrant for arrest of union leader, 17 August 2020
  [...] The Sudanese authorities have issued an arrest warrant for Al Sadig Al Rezegy President of Sudanese Journalists Union following their decision to dissolve the union last year. The IFJ has condemned the arrest warrant and the attempts to seize the assets of the SJU and called for the authorities to engage in an open dialogue with the SJU and IFJ.
  The warrant was issued on Sunday 16 August after Al Rezegy refused to hand over the property and assets of the SJU which was disbanded by the authorities earlier this year.
  Among the charges against Al Rezegy, who is also President of the Federation of African Journalists, is claims that he continued to run the union and be active after it had been outlawed and that he attended meetings of the IFJ, FAJ and other international bodies representing the banned SJU.
  A Police officer from Empowerment Removal Committee called Al Rezegy by phone three times on Sunday asking him to surrender himself. He refused.
  In a statement, the SJU said it rejected “these grave attacks by the Sudanese government and calls on all regional and international journalists’ unions, all human rights organizations to condemn this irrational behaviour against trade union freedom in Sudan”. [...] 

- International Trade Union Confederation, ITUC demands cancellation of the warrant of arrest issued against Sadiq Ibrahim Ahmed, 19 August 2020
  [...] Dear Prime Minister,
  I am writing on behalf of the International Trade Union Confederation (ITUC), which represents 200 million workers in 163 countries, including Sudan, to condemn the issuing of a warrant of arrest against Mr Sadiq Ibrahim Ahmed, who is the president of the Sudanese Journalists Union (SJU), following his alleged refusal to hand over union property to government.
  We are reliably informed that on 16 August 2020, the Office of Prosecutor General issued a warrant of arrest against Sadiq Ibrahim Ahmed for offences of presiding over an “illegal” union, exercising “illegal” works as president of a dissolved union and representing an “illegal” union in regional and International activities of the International Federation of Journalists, the Federation of African Journalists and the Federation of Arab Journalists.
  As earlier stated in our protest letters of 17 December 2019 and 30 June 2020, we reiterate that your government’s actions to dissolve trade unions and confiscate trade union property – and now the intention to arrest trade union representatives – is a continuation of violations by your government of its international obligation to protect the right to freedom of association and the right to organize. [...]
Leaders of the global trade union movement have called on the Sudanese government to immediately halt the forced dissolution of trade unions and cancel the arrest warrant issued against a union leader. The move comes after the Empowerment Committee, established by the new government to remove elements of the former regime from positions of authority, dissolved unions, including the Sudanese Journalists Union, and issued an arrest warrant for its head, Sadiq Al Rezegy for refusing to hand over the union’s assets and continuing to carry out “illegal” activities as head of a banned union.

In its letter the ITUC said: “Your government’s action’s to dissolve trade unions and confiscate trade union property – and now the intention to arrest trade union representatives – is a continuation of violations by your government of its international obligations to protect the right to freedom of association and the right to organize”.

The ITUC called on the authorities to cancel the arrest warrant and dissolution orders and “stop the acquisition by force of trade union assets”. They accused the government of following the “dictatorial tendencies” of the former regime and urged them to engage in social dialogue – a call welcomed by the IFJ.

IFJ President Younes M’Jahed said: “The IFJ cannot accept in any way the methods used by the authorities in Sudan. The dissolution of the journalists’ union is an illegal act. It is the Sudanese journalists themselves who have to decide their representation and make their choice, the authorities cannot decide for them”.

“Dissolving trade unions, seizing their assets and threatening arrests are not the actions of a government committed to democracy and rights. We urge the Sudanese government to stop the attacks on unions and engage in urgent dialogue. The IFJ stands ready to meet the government to resolve this situation”.

One of the pillars of the ILO is tripartism, in which governments, trade unions and employer’s organizations are coming together in full freedom to discuss and take decisions on an equal footing. Previously in Sudan, the labour laws allowed for the existence of only one trade union federation and one employer’s federation. This means that a basic principle of the ILO, that all workers and employers have the right to establish and join an organization of his or her own choosing, was never realized in Sudan. The transformation from a totalitarian towards a democratic regime however did take its toll on the existing employer’s and worker’s federations which were dissolved by a special law.

ILO principles on freedom of association however specify that such dissolution is the prerogative of a court of justice. To overcome this impasse, the worker’s federation filed a complaint with the ILO Committee on Freedom of Association, emphasizing the need for finding an amicable settlement and pave the way for effective social dialogue.

Is there freedom for trade unions and similar professional or labor organizations? 1/4

The interim constitution affirmed workers’ right to form and join trade unions. However, as part of the transitional government’s efforts to dismantle the former ruling party and affiliated institutions, it dissolved the SWTUF [Sudan Workers’ Trade Unions Federation] and the Sudan Journalists Union in late 2019. The International Trade Union Confederation’s Africa branch criticized the decision as a violation of freedom of association.