

Sudan in transition: A window of hope?

12th June 2019

Sudan stands at a crossroads. Former President Bashir, who orchestrated genocide in Darfur, is gone but massacres of innocent protesters on the streets of Khartoum appear to be escalating. It is vital that the international community, including the UK, upholds its collective responsibilities to prevent further atrocities and protect vulnerable populations.

Peaceful and popular protest across the country brought hundreds of thousands of people onto the streets and forced an end to Bashir's regime. These civilian protesters are now victim to brutal violence in the capital and in the conflict areas of Darfur, South Kordofan and Blue Nile, where early reports suggest scores of further deaths in recent days. Given Sudan's recent history of mass killings, especially in Darfur - which involved the deaths of at least 300,000 people and the displacement of more than 2.6 million - the increasing threat of large-scale identity-based violence deserves urgent attention.

Since early June
reports from
Khartoum indicate...

at least
124
civilians have
been killed

at least
700
civilians have
been injured

at least
70
rapes have been carried
out by paramilitaries

Civilian protesters and other historically vulnerable groups are at imminent risk from Sudan's entrenched military authorities and paramilitary groups. If the political situation deteriorates further, human rights abuses will only become more widespread and systematic. There is a narrowing window of opportunity to avert this predictable crisis.

As a guarantor of the Comprehensive Peace Agreement signed in 2005, Britain has made a signatory commitment to peace in Sudan. It remains an influential member of the peace process Troika, alongside the US and Norway. Moreover, the British government, working together with other key regional and international actors, has a responsibility to help protect Sudan's vulnerable groups from atrocity crimes. This responsibility to protect is first and foremost a responsibility to prevent. Her Majesty's Government must therefore ensure that all UK engagement with Sudan is viewed through how best to prevent widespread identity-based violence against any of Sudan's ethnic, religious, political, and other at-risk populations.

Recent negotiations between the self-appointed Transitional Military Council (TMC) and opposition Declaration of Freedom and Change Forces (DFCF) have been derailed by the military after early progress. The same individuals responsible for previous atrocities in Sudan are now active and powerful within the TMC and pose a serious risk to the prospects of any successful peaceful transition to civilian rule. It is essential that the international community supports the continuation of genuinely inclusive and constructive talks which adhere to the preconditions set out by the DFCF.

Immediate recommendations for Her Majesty's Government

- **Continue to issue clear public statements condemning the use of excessive force against demonstrators.** These should be unequivocal in identifying perpetrators - namely the Rapid Support Forces and National Intelligence and Security Services - but emphasise that the TMC currently bears full responsibility for protecting the rights of demonstrators
- **Use all diplomatic means to safeguard the transfer of power to a legitimate civilian-led transitional authority.** These efforts must involve engaging with key states and the African Union - which has recently suspended Sudan's membership - and ensure inclusion of women, Sudan's diverse demography, those from conflict areas and the country's youth
- **Lead efforts at the UN Human Rights Council to convene a special session on the situation in Sudan and establish a fact-finding mission into events since December 2018**
- **Halt all deportations and removals to Sudan, updating Home Office country policy and information sensitively, in consultation with relevant NGOs and civil society actors**

Need for a clear atrocity prevention policy

Despite fierce criticism from human rights organisations and Sudanese diaspora groups, HMG adopted a policy of 'phased engagement' towards Sudan in March 2016. This involved biannual meetings on issues of shared concern including migration, counter-terrorism intelligence, and trade. The new policy reduced the UK's leverage and neglected the ongoing perpetration of atrocities by the Sudanese regime, greatly reducing British legitimacy in the eyes of human rights defenders and civil society groups in Sudan and among the diaspora. This policy was at odds with the UK's stated commitments to atrocity prevention and the responsibility to protect. Once again, the absence of a clear and cross-cutting approach to mass atrocity crimes left HMG ill-equipped to predict or respond to events. In recognition of the emerging shift in UK policy since the fall of Bashir, HMG should now:

- Undertake urgent cross-departmental analysis of current UK policy on Sudan, to ensure that all future engagement integrates an understanding and ongoing monitoring of identity-based divisions and indicators of potential violence
- Consult with relevant civil society organisations on atrocity prevention and civilian protection issues, including through the UK Atrocity Prevention Working Group coordinated by Protection Approaches, and engagement with the UK-Sudan advocacy group and network of diaspora contacts coordinated by Waging Peace

The case for urgently adopting a comprehensive atrocity prevention approach towards Sudan is clear; indicators of identity-based mass violence are worsening by the day.

UK leadership in supporting transition

Learning from past mistakes in Myanmar, the UK should adopt an holistic cross-departmental strategy to support inclusive peaceful and sustainable transition.

The UK should lead diplomatic efforts to ensure that any new timetable for elections allows:

- Sufficient time and capacity for civilian forces to build truly representative institutions and begin to dismantle established 'deep state' networks
- De-escalation and safe retreat of state and pseudo-state armed actors, particularly paramilitary groups implicated in past atrocity crimes

The UK should continue to work at all levels of the UN in New York and Geneva to ensure sustained multilateral support for Sudan

- Any such efforts should include seeking successful renewal of the upcoming mandate for the peacekeeping mission in Darfur, responding to the decision to remove UN staff from Khartoum, and pursuing a full independent investigation of recent and historic crimes

Effective and timely prevention of identity-based mass violence requires consistent and constant effort. The UK should integrate its responsibility to help protect the Sudanese people throughout its activities and programmatic development, from UK aid, to diplomacy, to trade.

UK leadership in supporting justice

Any pathway towards reconciliation will require support from the international community in the pursuit of justice and accountability. The UK should therefore:

- Fund secure documentation of evidence by supporting and engaging civil society groups tracking human rights abuses, in order to preserve such evidence for transitional justice mechanisms, including future prosecutions, and as historically important archival records
- Prevent the UK from becoming a haven for Sudanese genocidaires and war criminals by committing to prosecute suspects here in Britain. This should be supported by domestic instruments such as Unexplained Wealth Orders, Asset Freezing Orders, and repatriation to prevent the UK financial system being used to harbour stolen or diverted state assets
- Support the International Criminal Court in arresting and prosecuting those with open warrants for arrest for the situation in Darfur, including Bashir

For more information

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