

Country situation in Sudan June 2022

Executive summary

1. The current situation in Sudan, of political deadlock; of protests met with deadly force and arbitrary arrest, detention and torture; of increasing violence and atrocity crimes in Darfur and other periphery regions; and of economic collapse, will continue for the foreseeable. Sudan is unstable and prone to deteriorating further into complete state failure, especially considering the willingness of military leaders to engage in a fire sale of Sudan's assets, while systematically undermining its institutions, and any system of checks and balances which might deliver justice, fairness, accountability, and counter impunity. While there are many uncertainties, it is clear there is a risk that old patterns of racist discrimination and persecution will resurface against black Africans, i.e. non-Arab Darfuri and Nuba individuals, especially while military actors are reinstating Bashir-era policy-makers and civil service professionals in their posts, and restoring arbitrary powers of arrest, detention, and torture to racist bodies like the General Intelligence Service. It is therefore our belief that black Africans will again be subject to targeting and harassment, as well as harsher treatment under a security system drawing on historic practices of command-and-control. It is our position that individuals returned to Sudan as rejected asylum-seekers would be in danger especially where they are black African. Such individuals are unable to avail themselves of the protection of state authorities, nor reasonably able to internally relocate within Sudan, and especially to Khartoum.

Explanatory note & methodology

2. This report presents country of origin information on Sudan, specifically in relation to the situation facing black African and non-Arab individuals, and particularly those who are rejected asylum-seekers, living in Khartoum (comprising 'Greater Khartoum' or Khartoum, Khartoum North, and Omdurman), and with consideration of the military coup in the country on 25 October 2021. It is intended as a tool to help decision-makers and refugee status determining bodies in assessing asylum applications and appeals, and particularly consideration of the question of safe return and the viability of internal relocation.¹
3. Sections are titled: explanatory note & methodology (page 1); basis of expertise (page 2); pre-25 October 2021 military coup (page 3); treatment of black Africans in Sudan (page 5); post-25 October 2021 military coup – security situation (page 7); Sudan's economic crisis (page 14); international dynamics (page 16); violence in the 'Three Areas' (page 18); risk on return of rejected asylum seekers, including black Africans (page 21); conclusion (page 23).
4. This report forms part of Waging Peace's general reporting on the country situation in Sudan listed on our website, and so should be read in conjunction with earlier research: <https://wagingpeace.info/our-work/research-reports/> and particularly that covering risk on return for rejected asylum-seekers, being 'Risk on return for Darfuris in Sudan' (2019)², as well as earlier reports, 'The Long Arm of the Sudanese Regime' (2014)³ and 'The Danger of Returning Home' (2012).⁴ Some more recent reports that may supplement understanding of the information contained in this report are: a joint submission we made alongside the HUDO

¹ Though not as a substitute for individualised case-specific research where submitted in isolation as evidence to refugee decision-making bodies.

² <https://wagingpeace.info/wp-content/uploads/2019/03/NAD-report-FINAL-18.01.19.pdf>

³ <https://wagingpeace.info/wp-content/uploads/2021/03/The-Long-Arm-of-the-Sudanese-Regime-COMPRESSED.pdf>

⁴ https://wagingpeace.info/wp-content/uploads/pdfs/pdf/Exclusives/2012_09_THE_DANGER_OF_RETURNING_HOME.pdf

Centre (<https://hudocentre.org/>) to Sudan's third cycle Universal Periodic Review (UPR) dated March 2021⁵ as well as a fact sheet⁶ we used for advocacy; and a report on 'The impacts of COVID-19 on human trafficking in Sudan – A case study of pandemic in transition' dated April 2021, undertaken jointly with the Royal United Services Institute (RUSI), University of Nottingham Rights Lab, and Global Partners Governance.⁷

5. In drafting this report, we benefitted from regular dialogue with country policy experts, due to our existing networks, though such conversations are only attributed where express permission was given. We expand on the basis of our expertise below. In this report, we also call on, and at points comment directly on, country of origin information produced by the Home Office, and notably the Country Policy and Information Note titled 'Sudan: Non-Arab Darfuris', published in October 2021, hereafter referred to as CPIN Oct 2021.⁸ We also note the Home Office's production of a CPIN on 'sexual orientation and gender identity expression' published in May 2022.⁹

Basis of expertise

6. Waging Peace is a charity (registered number 1124746) that documents human rights abuses in Sudan, and helps Sudanese refugees and asylum-seekers build meaningful lives in the UK. We have particular expertise on Sudan, having worked with a sole country focus since 2004. During this time, we have taken testimony from hundreds of Sudanese asylum-seekers, and kept updated on the country situation through contacts within the diaspora, but also with policy-makers, politicians, journalists, human rights defenders, and regular citizens in Sudan itself. In November and December 2018, current staff undertook travel to Juba in South Sudan, and then onwards to Yida refugee camp on the border with Sudan, home to individuals who had fled the conflict in the Nuba Mountains. This was current staff's first trip to the region, as the circumstances in Sudan itself have prohibited them from travel to that country, as under the leadership of former President Omar Al-Bashir it was felt that they would be unlikely to be successful in applying for a visa, a condition that likely also holds true today under Sudan's new military coup leadership, discussed further below.
7. Members of the Waging Peace team have served as expert witnesses in 2 Country Guidance cases, on both the non-Arab Darfuri ethnicity, and Nuba ethnicity. Hyperlinks to the relevant reports produced for these cases are as follows: 'Risk to individuals from Nuba Mountains in Sudan' (2018)¹⁰ and 'Risks on return for Darfuris in Sudan' (2019)¹¹, though in both cases additional evidence was submitted privately, including an addendum report in the Nuba case as recently as August 2019, available upon request. Both cases have been determined: see the case of 'KAM (Nuba – return) Sudan CG [2020] UKUT 269 (IAC)' hereafter referred to as 'KAM', and 'AAR & AA (Non-Arab Darfuris - return) Sudan [2019] UKUT 282 (IAC)', hereafter referred to as 'AAR'. Waging Peace is therefore in a strong position to review objective country evidence. Waging Peace staff have also undertaken training specifically in 'Country of Origin Information (COI): Evidencing asylum claims in the UK', offered by Asylos and the ARC Foundation on 13 January 2021.

⁵ <https://wagingpeace.info/wp-content/uploads/2021/10/Joint-submission-by-HUDO-and-Waging-Peace-for-Sudans-third-cycle-UPR-Mar21.pdf>

⁶ <https://wagingpeace.info/wp-content/uploads/2021/10/Universal-Periodic-Review-of-Sudan-3rd-cycle-2021-FINAL-web-high-res.pdf>

⁷ <https://wagingpeace.info/wp-content/uploads/2021/06/FINAL-report-The-Impact-of-COVID19-on-Human-Trafficking-in-Sudan.pdf>

⁸ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1028042/SDN_CPIN_Non-Arab_Darfuris.pdf

⁹ <https://www.gov.uk/government/publications/sudan-country-policy-and-information-notes/country-policy-and-information-note-sexual-orientation-and-gender-identity-expression-sudan-may-2022-accessible>

¹⁰ <https://wagingpeace.info/wp-content/uploads/2018/03/waging-peace-report-for-nuba-country-guidance-case-march-2018.pdf> This report was followed by multiple supplementary reports and addenda, available on request.

¹¹ <https://wagingpeace.info/wp-content/uploads/2019/03/NAD-report-FINAL-18.01.19.pdf>

8. Waging Peace is regularly consulted by those looking for expert comment on Sudan's country situation. We are quoted in the CPIN Oct 2021 itself, as at paragraphs 7.2.12 and 7.3.4. We have before been asked to contribute to the report released by the Belgian Office of the Commissioner General for Refugees and Stateless persons (CGVS) in February 2018, receiving citations throughout, as well as in the CEDOCA June 2021 report which the CPIN Oct 2021 quotes at length.¹² Waging Peace has inputted to country information shared by the Dutch Foreign Ministry for a report titled 'Sudan general country report of October 2019'.¹³ We continue to be engaged by other foreign and home ministries or supportive bodies, for instance by the offices of the UNHCR in Israel and by its governmental Refugee Status Determination Unit, ahead of decisions made there to grant residency status to 2,445 Sudanese individuals, and specifically non-Arab Sudanese, in December 2021. It is interesting to note that the UNHCR views it is 'unreasonable' timing for the Israeli Ministry of Interior to draft new guidelines for examination of non-Arab Sudanese applications.¹⁴
9. Waging Peace also convenes the UK/European-Sudan working group, bringing together 80+ organisations including international NGOs and humanitarian agencies, as well as many more individual policy experts working on or in Sudan. The group serves as a single point of contact for stakeholders including the Foreign Commonwealth and Development Office (FCDO), UN bodies, the US State Department, European External Action Service (EEAS), journalists, and academics. Furthermore, following the 25 October 2021 military coup in Sudan, the UK/European-Sudan working group has met dozens of times alongside counterparts in the United States, to enable information sharing and collaborative working, in meetings often involving direct updates from political and civil society actors in Sudan. Waging Peace is a lynchpin in the Sudan policy and practice community.

Current country situation

Pre-25 October 2021 military coup

10. It is tempting to consider Sudan's current country situation only in relation to events post the military coup on 25 October 2021. However, the origins of the coup were clear even before this date. In fact, as early as October 2020 we wrote, alongside Protection Approaches and REDRESS, that in Sudan "hope for change is high but so too are the risks of a return to violence and mass atrocities."¹⁵ For instance, there had been a coup attempt as recently as September 2021, and there were rising political tensions which were evident to Sudan watchers, with those we speak to describing the situation in Khartoum as strained and tense in the months before October 2021. The first circumstance contributing to the coup was therefore the differing, but tentatively aligned, political ambitions of the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF), led by Abdel Fattah al-Bourhan and Mohamed Hamdan Dagalo or 'Hemetti', respectively. The RSF is most notable for being a rebranded form of the *Janjaweed* (meaning 'devils on horseback'), which conducted the genocidal violence of the Darfur conflict in the early 2000s.
11. However, the broader circumstance of the coup was the failure of the transitional arrangement to deliver on the promises of the 2018-2019 revolution. Progress towards the goals of 'freedom, peace, and justice', which

¹² Office of the Commissioner General for Refugees and Stateless Person, 'COI Focus – Sudan – Risk on return', February 2018, accessed online 15.01.19 https://www.cgra.be/sites/default/files/rapporten/coi_focus_sudan_risk_upon_return_1.pdf and 'The situation of Darfuris and Nuba outside their regions of origin', 28 June 2021, accessed online 28.03.22

https://www.cgrs.be/sites/default/files/rapporten/coi_focus_sudan_the_situation_of_darfuris_and_nuba_outside_their_regions_of_origin_20210628.pdf

¹³ Accessible at <https://www.rijksoverheid.nl/documenten/ambtsberichten/2019/10/04/algemeen-ambtsbericht-sudan-van-oktober-2019>

¹⁴ Email correspondence dated 24 February 2021.

¹⁵ Protection Approaches, REDRESS, Waging Peace, 'A hopeful yet fragile peace – How the UK can support Sudan's democratic transition and pursuit of justice', October 2020, accessed online 07.04.22 <https://wagingpeace.info/wp-content/uploads/2020/10/A-hopeful-yet-fragile-peace-Oct-2020-0001.pdf>

were the rallying cries of protestors, were marginal, and liable to be reversed, particularly as so many agreements were made on paper but not fully implemented, and because needed political institutions were never established.

12. The most notable transition priority never enacted was the Transitional Legislative Council. This means that although there were some elite appointments, including of Darfuris, into the transitional government, including to the cabinet, these were broadly non-representative of the wider Darfuri population, and just represented the leaders of armed movements who were signatories to the Juba Peace Agreement (JPA), which was signed into effect on 3 October 2020, rather than any democratic election or appointment process. This means Darfuri and other marginalised or black African representation in government was never more than skin-deep, and certainly fell far short of meaningful proportional representation in appointments to ministries, ambassadorial positions, diplomatic missions, commissions, government agencies, government-owned companies, managers and intermediate jobs.
13. On justice and accountability efforts, progress has been limited. Despite high-profile visits of the International Criminal Court (ICC) to Sudan, most indictees, including former President Omar Al-Bashir, remain imprisoned but only in Sudan, and so have not faced accountability for historic crimes. Sudan has signed but not yet ratified the Rome Statute of the ICC, an important omission which calls into question other engagement, for instance the signing of a Memorandum of Understanding with the Court regarding individuals issued with arrest warrants in August 2021. Moreover, throughout the transition period, there were increasing delays to the publication of findings of the national commission established to investigate the massacre allegedly conducted by the RSF on 3 June 2019, and it was widely criticised on the grounds of transparency and accessibility, especially for sexual violence victims.¹⁶
14. Importantly, violence against those perceived to be protesting or resisting military actors, or just simply neutral bystanders, continued to be a feature of life even throughout the transitional period. To give just 2 examples: on 3 April 2021 Mohamed Ismail attended a silent vigil in Khartoum and was reported missing following the event. An autopsy report later completed by the Investigative Committee of Disappeared individuals confirmed that Mohamed's body was found in the al-Tamayuz Morgue, showing signs of torture.¹⁷ In a separate incident, on 11 May 2021, 18-year-old Sudanese-British citizen, Osman Ahmed, was killed by Sudanese authorities when simply attempting to drive past protests in Khartoum.¹⁸ Life for many even during the transition period was characterised by unlawful use of arbitrary violence, and a legal system that failed to deliver justice and accountability for victims.
15. Moreover, there was a huge rise in violence in the periphery zones of Sudan, like Darfur, South Kordofan, and Blue Nile, during the transitional period. For instance, it is estimated that 422,000 people were displaced by conflict in Darfur in 2021, more than 5 times the figure for 2020 and the highest since 2014, and swelling the numbers of internally displaced to 3.2 million.¹⁹ This already builds on an existing pattern of escalating conflict, attacks in Darfur “doubled during the second half of 2020 compared to the same period in 2019”, according to the UN.²⁰ Although some have blamed this violence on intercommunal tensions between black African and

¹⁶ Waging Peace ‘Justice and Accountability in Sudan’, 11 June 2020, accessed online 07.04.22 <https://wagingpeace.info/wp-content/uploads/2020/06/Briefing-Justice-and-Accountability-in-Sudan.pdf>

¹⁷ REDRESS, ‘Sudan News Updates, 15 - 28 May 2021’, Justice and Conflict Updates from Sudan, ‘Enforced disappearance victim’s body found in morgue’, accessed online 21.06.21 <https://redress.org/wp-content/uploads/2021/09/Sudan-News-Updates-15-28-May-2021.pdf>

¹⁸ Radio Dabanga, ‘Two dead, dozens wounded as Sudanese commemorate June 3 massacre’, 13 May 2021, accessed online 07.04.22

¹⁹ Internal Displacement Monitoring Centre, ‘Global Report on Internal Displacement 2022’, accessed online 23.06.22 <https://www.internal-displacement.org/global-report/grid2022/>

²⁰ United Nations Office for the Coordination of Humanitarian Affairs, ‘Inter-communal Violence Increased in Darfur during the Second Half of 2020,’ 17 January 2021, accessed online 09.05.22 <https://reports.unocha.org/en/country/sudan/card/1R5yoxqxpR>

Arab groups, it is crucial to know that Arab groups appeared to be supported, including materially, by the RSF.²¹

Treatment of black Africans in Sudan

16. Before turning to a discussion of the post-coup environment, we wish to summarise factors relating to the treatment of black Africans in Sudan, and provide some context for future political, economic, and international topics. We do so because so little current human rights reporting from Sudan takes this as its focus, perhaps necessarily given the weight of other abuses on which to focus. But in understanding the risks to non-Arab Darfuris, Nuban, and other groups, in Khartoum, or elsewhere in Sudan, it is essential to foreground this subject.
17. Racism was rampant in Sudan prior to the coup. After all, one of the rallying cries of the 2018-2019 revolution explicitly tied racism to Bashir's violent practices in Darfur, and general push to establish an Arab-dominant governance model under the banner of 'Arabisation'. 2019's protestors chanted, "*ya onsri wa maghroor kol albalad Darfur*" or "Oh you arrogant racist, the whole country is Darfur." The protest movement at that time was also pushing back against associations of black African groups with armed rebel movements, in a recognition that these groups had imputed political opinion.
18. Nonetheless, the revolution and unseating Bashir was not enough to banish racism, and attitudes persisted, especially in the absence of any law-making by the transitional government to criminalise racism; nor attempts to review, for instance, civil service employment criteria through an equitable nationwide system. Systematic discrimination has continued in this permissive legal vacuum.
19. For instance, during the transition period, in the summer of 2020, a prominent member of Khartoum's human and women's rights community compared a black African citizen to a 'missing link' on the evolutionary ladder between humans and monkeys. This rights campaigner was forced to apologise and removed from key positions, which is a welcome step towards some form of consequence for such behaviour, but indicates racist attitudes are pervasive even among the rights and advocacy community. This may impact what information is gathered by such individuals and the human rights community at large, i.e. they may not think to consider what the racial or ethnic breakdown is of the current prison population in public reporting, or to disaggregate data on this basis to see if, for instance, black African detainees are subject to more extreme torture methods, or face additional restrictions on their freedom of movement upon release. In the absence of the collection of such data, it is hard to draw firm conclusions about what racism looks like in practice for the most marginalised in Sudan's society.
20. A key demonstration of racism in practice in Sudan is the widespread use of the term *abid*, meaning slave. This word is used openly to those of non-Arab Darfuri, Nuban, or other black African backgrounds, and mostly said by those from (self-perceived) Arab backgrounds. Post-coup, the term, and racist attitudes more broadly, have come to the fore given events during a trial hearing in the case against Bashir. Bashir's defence team were caught on microphone in April 2022 complaining about journalist Lukman Ahmed, who had just been fired as director of Sudan's state-owned broadcaster the Sudanese General Corporation for Radio and Television, saying, "This 'slave' [*abid*] with his ugly nose irritates me." The lawyer's comments went viral on social media, with many suggesting they cast light on broader racist societal attitudes.²²

²¹ Middle East Eye, 'Sudan: Locals trapped inside as bodies lie in streets after Darfur violence', 14 April 2021, accessed online 07.04.22 <https://www.middleeasteye.net/news/sudan-darfur-geneina-civilians-clashes>

²² BBC, 'Sudan anger over racist slur caught on air at Bashir trial', 21 April 2022, accessed online 23.06.22 <https://www.bbc.co.uk/news/world-africa-61112459>

21. For a good background on the legacy of racism in Sudan, read journalist Zeinab Mohammed Salih's 'Viewpoint from Sudan – where black people are called slaves' on the BBC.²³ It is also important to read the reporting of organisation Rights for Peace, who have documented rising racist and identity-based hate speech and incitements to violence in regions of Sudan including post-coup.²⁴
22. To give another concrete example, the targeting of someone with longer, more 'African' hair, including dreadlocks, in Sudan is something we have mentioned to us frequently, especially in Khartoum. In an incident following the coup, a female member of the diaspora told us she breathed a sigh of relief when a well-known activist was released from detention in Sudan after his arrest with his dreadlocks intact, as it meant his treatment could not have been that poor, and because if he had been forcibly shaved this would have incited further protest action for the unjust move.
23. In his report, the UN Designated Expert on the situation of human rights in Sudan, whose work is discussed further below, mentioned this tactic of "humiliating persons who had been arrested by forcefully shaving their heads, either on the street or near detention facilities" additionally listing an incident on 13 November 2021 in which 2 protestors were forcefully shaved while being forced to jump up and down for half an hour.²⁵
24. A case study is provided by the arrest of well-known filmmaker Hajooj Kuka, based on an incident from August 2020 when he, alongside other artists and activists, was arrested at Civic Lab, a community hub and cultural space in Khartoum. Kuka had his dreadlocks cut during his period of detention.²⁶ Others report that their hair is spontaneously cut or shaved when captured by security forces in Sudan. In an article, a protestor with dreadlocks was quoted as saying, "Security routinely cut off our hair, with frequent beatings."²⁷
25. It is also worth noting the discrimination and poorer life chances afforded to black African individuals. This is even in an environment characterised by general state collapse discussed further below, i.e. insecurity, prohibitive costs for essential drugs and medicines, including medical help relating to mental health,²⁸ and impingements on social and economic rights, as well as the right to education, across the board, let alone for the poorest and most marginalised in Sudanese society. For instance, a lack of educational opportunities may limit a black African individual's chances of certain forms of paid employment or career advancement, especially if they have lived at some time in the 'Three Areas' of Darfur, South Kordofan or Blue Nile and are now living in Khartoum as Internally Displaced Persons (IDPs). Therefore, the problem for many black Africans who have been displaced by war and who are vulnerable, is how to survive. A contact who lived on the outskirts of Khartoum told us "there is no hope to generate income due to the barriers for qualified persons, and there

²³ BBC, 'Viewpoint from Sudan – where black people are called slaves', 26 July 2020, accessed online 07.04.22

<https://www.bbc.co.uk/news/world-africa-53147864>

Also see Humanitarian Aid Relief Trust, 'Guest Blog: An Overview of Racism in Sudan', 26 March 2021, accessed online 24.06.22

<https://www.hart-uk.org/blog/an-overview-of-racism-in-sudan/>

²⁴ Rights for Peace, 'Discrimination and Hate Speech Fuel Violence in Sudan', March 2021, accessed online 23.06.22

https://www.rightsforpeace.org/files/ugd/b476a0_13c2e4d22a8e481bafd3cfe390430140.pdf

Rights for Peace, 'Can we prevent the spread of renewed atrocities?', May 2022, accessed online 23.06.22

https://www.rightsforpeace.org/files/ugd/33dd6b_14877d4dd49d4c8db525c8bf88cb902c.pdf

²⁵ 'Situation of human rights in the Sudan – Report of the United Nations High Commissioner for Human Rights (A/HRC/50/22)', 9 May 2022, accessed online 23.06.22 <https://reliefweb.int/report/sudan/report-office-united-nations-high-commissioner-human-rights-situation-human-rights-sudan-ahrc5022-enar>

²⁶ VICE News, 'The Arrest and Release of Filmmaker Hajooj Kuka Shows Sudan's Revolution Is Not Over', 1 October 2020, accessed online 07.04.22 <https://www.vice.com/en/article/935xbz/the-arrest-and-release-of-filmmaker-hajooj-kuka-shows-sudans-revolution-is-not-over>

²⁷ Mail & Guardian, 'Tireless Sudanese protestors take on the generals – again', 22 January 2022, accessed online 07.04.22

<https://mg.co.za/africa/2022-01-22-tireless-sudanese-protesters-take-on-the-generals-again/>

²⁸ Waging Peace reporting on this https://wagingpeace.info/wp-content/uploads/pdfs/Mental_health_in_Sudan_-_the_psychiatric_infrastructure.pdf

is no chance whatsoever for those who are non-qualified”.²⁹ Many are forced into informal employment as ‘*farisha*’ or ‘street vendors’, but such work can also leave them open to the predations of state security and periods of imprisonment, as discussed further below in relation to the targeting of women in these professions.³⁰

26. Most black African individuals in Khartoum are forced to live in the ‘black belt’ area at the edges of the city, known for densely populated shacks with little or no heat, and no running water. Residents organise to combat insecurity and reject joint army and police force raids targeting vulnerable groups. One senior source in Khartoum state, who preferred to speak off-the-record, defended measures carried out by his local authorities towards *farisha*, stressing that the practices carried out by the security services “is intended to organise markets and flight slums”, adding that “we take into account the circumstances of sellers, most of whom are victims of war and low income”.³¹
27. Several contacts have confirmed to us that the ‘black belt’ would be the only area in which rejected asylum-seekers from black African tribes returned to Sudan could find accommodation. This is especially the case if an individual wanted to try and evade identification by the security services, for reasons we outline later in this report. It was expressed to us that where a returnee is educated and has qualifications, they may obtain a position with a small private business. However, they will still be subjected to continuous raids by security forces or criminal individuals from military groups - holding military ID cards, wearing uniforms, or possessing firearms. In such cases, non-compliance with the handover of money or goods can be met with violence, beatings, arrest, detention, or more serious harm.
28. Moreover, such accommodation is sadly not even assured or permanent, as the lack of land use rights or deeds for properties in the ‘black belt’ mean that land can be assumed by the authorities and repurposed at any time, for instance for development plots, with economic gains going to military companies or political figures.
29. This systematic impoverishment by the authorities of those living in the ‘black belt’ is intentional to keep marginalised groups, being black Africans from war-torn areas of Sudan, in perpetual insecurity. Business ventures fail under these constraints and the authorities do not provide financial support as a means of crippling any resistance. Civil society groups are not allowed to provide support to people in the ‘black belt’ as the authorities do not consider such areas as ‘refugee camps’, or shelters for IDPs.

Post-25 October 2021 military coup

Security situation

30. The 25 October 2021 military coup further deteriorated the country situation in Sudan, and reversed any even tentative steps towards progress during the transitional period. The coup itself was orchestrated primarily by the SAF and RSF. The coup was accomplished by the SAF and RSF placing under house arrest former Prime Minister Abdalla Hamdok; arresting senior members of the cabinet and political grandees, as well as notably those who led committees tasked with dismantling the business interests of military actors; the shutdown of internet services; and violent repression of attempts to protest.

²⁹ WhatsApp conversation with contact, April 2022

³⁰ The Sudan Tribune, ‘Removal campaigns for stores in central Khartoum anger the sellers and turn into violence’, 30 March 2022, accessed online 05.04.22 <https://sudantribune.net/article257123/>

³¹ *Ibid.*

31. In a conversation with a senior political figure who was detained during this initial wave of political arrests, we were told that the manner in which this was conducted was violent. Military intelligence units stopped the car in which they were travelling, and a heavily armed force got out, and threatened them to give themselves up for arrest. One of their fellow travellers was struck by a bullet, and the person we spoke to described feeling like this could be the end of their life. While detained, they were kept in solitary confinement, in a tactic described as being intended to stop all political figures from speaking to one another.³²
32. Elsewhere, other forms of communication were curtailed, notably the internet, which was shut down to prevent easy communication with the outside world. Internet monitoring bodies note that there was a state-sanctioned internet and telecommunication shutdown from 25 October 2021, with fuller connectivity only partially re-established almost a month later, from 18 November 2021, despite there being court orders for such access to be fully restored from 11 November. The most recent disruption was recorded by the UN Designated Expert on the situation of human rights in Sudan as occurring on 6 January 2022.³³ This has been interpreted as, “providing cover for the military’s violent takeover and hijacking of a possible democratic future for Sudan.”³⁴
33. The military coup has to date held firm, with Bourhan and Hemetti remaining in power. Hamdok was initially restored to his position as Prime Minister in a deal struck with the military on 21 November 2021, which in theory would also lead to the release of political prisoners, and the return of the constitutional declaration as the basis for a political transition. However, this deal was widely rejected by anti-coup groups, being viewed as a form of elite compromise which ran counter to their ‘3 nos’ stance of “no legitimacy, no negotiation, no partnership” towards the military. In any case, Hamdok publicly resigned on 2 January 2022, leaving the military as sole owners of the institutions of the state. However, it is not to be understood that Sudan has a government as such, and in any case certainly not a legitimate one. Even the United Nations have been briefed on the fact that “The country has been without a functioning government since the coup of 25 October”.³⁵
34. The military’s efforts to quell almost daily massive street protests³⁶ has led to the death of 102 individuals and injuries to thousands, according to the Central Committee of Sudan Doctors.³⁷ There have also been instances of rape and sexual violence targeting female protestors, or women near the sites of protest.³⁸ Protests have been met by the use of live bullets at close range, allegedly including internationally banned scattered gunshot or cartridge rifles,³⁹ deliberate running over of protestors by vehicles, and deployment of tear gas and stun grenades. For unique aerial drone footage of what the crackdown on protests looks like, it is recommended that readers watch ‘The Spider-Man of Sudan’.⁴⁰

³² In-person conversation with anonymous senior opposition political figure, May 2022

³³ ‘Situation of human rights in the Sudan – Report of the United Nations High Commissioner for Human Rights (A/HRC/50/22)’, 9 May 2022, accessed online 23.06.22 <https://reliefweb.int/report/sudan/report-office-united-nations-high-commissioner-human-rights-situation-human-rights-sudan-ahrc5022-enar>

³⁴ Access Now, ‘Internet shutdowns and blockings continue to hide atrocities of military cup in Sudan’, 23 November 2021, accessed online 09.05.22 <https://www.accessnow.org/update-internet-shutdown-sudan/>

³⁵ UNITAMS, ‘UNITAMS SRSG Mr. Volker Perthes Remarks to the Security Council’, 28 March 2022 accessed online 07.04.22 <https://unitams.unmissions.org/en/unitams-srsg-mr-volker-perthes-remarks-security-council>

³⁶ For mapping of protests see <https://storymaps.arcgis.com/stories/d97c91b96b6646c5b312f5f5db73e114>

³⁷ Figure correct as of 23 June 2022. Reporting by the CCSD can be found at <https://www.facebook.com/Sudandoctorscommittee/> and https://twitter.com/SD_DOCTORS

³⁸ BBC, ‘Sudan: BBC investigation shows abuse of female demonstrators’, 22 March 2022, accessed online 06.04.22 <https://www.bbc.co.uk/news/av/world-africa-60514266>

³⁹ Sudan Tribune, ‘Internationally banned Cartridge weapon killed 8 protestors in Sudan: group’, 18 June 2022, accessed online 23.06.22 <https://sudantribune.com/article260387/>

⁴⁰ The Guardian, ‘The Spider-Man of Sudan’, May 2022, accessed online 23.06.22 <https://www.theguardian.com/world/ng-interactive/2022/may/17/the-spider-man-of-sudan-the-real-life-superhero-of-the-protest-movement>

35. There has also been a widespread series of arrests, including of those responsible for political organising, and sometimes conducted in these individuals' places of residence, work, or other known gathering places; but by our understanding also arrests of those either simply protesting, or simply in the vicinity of a protest who may have been targeted based on other identifying factors, among which race and ethnicity likely feature. Bystanders are not free from risk in Sudan, and in fact 3 deaths of bystanders were listed in the report of the Designated Expert on Sudan to the Human Rights Council, discussed further below.⁴¹
36. The treatment of protesters has been so egregious that the Central Reserve Police (CRP) had its activities sanctioned as an entity by the US Treasury.⁴² The CRP's behaviour cannot be understood in isolation, but forms part of a fragmented military architecture that relies on Bashir-era command-and-control practices. Such command-and-control practices were originally designed to be centrally directed whilst allowing individual units and militarised bodies to cover their tracks and escape accountability. So, we note that the CRP's pattern of targeting, arrest, and enforced disappearances seems to more clearly match the tactics employed by the former National Intelligence and Security Services, now re-branded as the General Intelligence Service (GIS). And in fact, in a briefing prepared by the human rights organisation REDRESS, it was highlighted that the CRP maintains close operational ties to GIS, and in fact reports directly to GIS leadership, notably General Al-Shami Abdallah Mohamed Abdoun who in turns reports to General Husham Hussein, deputy head of the GIS. REDRESS describes this as "a continuation of Bashir-era practices."⁴³ They also mention that the CRP has formerly incorporated members of the *janjaweed* into its ranks, and contributed directly to counterinsurgency campaigns in Darfur and South Kordofan, and it stands accused of human rights violations and possible crimes against humanity there.⁴⁴ Its former commander is also former *janjaweed* leader Ali Mohamed Ali Abd-Al-Rahman or 'Ali Kushayb', whose trial at the ICC for 31 charges of war crimes and crimes against humanity in relation to Darfur began on 5 April 2022.
37. Also emboldening GIS is the fact that it had its powers of arrest, and immunity from prosecution, reinstated following the coup and during a declared State of Emergency, under Emergency Order No. 3/2021, issued 24 December 2021. The state of emergency was technically lifted on 29 May 2022, though no date of termination was indicated in the initial announcement of this order, breaching the requirement of international notification established under the International Covenant on Civil and Political Rights (ICCPR), and it is unclear that the extra allowances and immunity granted to GIS have in fact been reversed. In fact, the Designated Expert said in a statement on 4 June 2022 that he wanted "clear and public confirmation" that this decree was no longer valid.⁴⁵ This Order had a shaky and uncertain legal basis to begin with, covering those who participate "in a crime related [to the state of emergency]" and it was used broadly to punish coup opponents, and perceived activists. Tactics in prisons seem to hark back to the brutal measures deployed by then NISS, including torture. In a briefing jointly prepared by the People's Legal Aid Centre (PLACE), the Darfur Bar Association, the Emergency Lawyers Group and REDRESS, they outline patterns of arbitrary detentions to suppress dissent, and ill-treatment and torture, including indefinite detention incommunicado which may constitute enforced

⁴¹ 'Situation of human rights in the Sudan – Report of the United Nations High Commissioner for Human Rights (A/HRC/50/22)', 9 May 2022, accessed online 23.06.22 <https://reliefweb.int/report/sudan/report-office-United-nations-high-commissioner-human-rights-situation-human-rights-sudan-ahrc5022-enar>

⁴² U.S. Department of the Treasury, 'Treasury Sanctions Sudanese Central Reserve Police for Serious Human Rights Abuse', accessed online 28.03.22 <https://home.treasury.gov/news/press-releases/jy0668#:~:text=The%20CRP%20is%20a%20militarized,to%20suppress%20demonstrations%20across%20Khartoum>.

⁴³ REDRESS, 'Sudan: Central Reserve Police – Briefing (March 2022)', accessed online 06.04.22 <https://redress.org/wp-content/uploads/2022/03/Briefing-Central-Reserve-Police.pdf>

⁴⁴ *Ibid.*

⁴⁵ UN Sudan, 'Statement by Adama Dieng, UN Designated Expert on the situation of human rights in Sudan, at the end of his visit to the country on 4 June 2022', 4 June 2022, accessed online 23.06.22 <https://sudan.un.org/en/184863-statement-adama-dieng-un-designated-expert-situation-human-rights-sudan-end-his-visit>

disappearance.⁴⁶ The Designated Expert additionally listed tactics such as being “severely beaten with water hose pipes, sticks, wooden bars and batons, and [being] kicked by members of the security forces wearing boots, including when already restrained.”⁴⁷

38. 2 notable cases have reached front pages, being the detention, torture and solitary confinement of Mohamed Adam, known as ‘Tupac’, and Mohamed Mustafa-Fateh, accused of killing a police officer.⁴⁸ This torture has occurred despite Sudan’s ratification during the transitional period of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT), International Convention for the Protection of All Persons from Enforced Disappearance (ICCPED), and the aforementioned ICCPR, among other conventions and instruments. But security forces’ continued violations of such conventions call into question Sudan’s ongoing commitment to legal and institutional changes made during the transitional period.
39. It is important to note that the profile of the prison population is unknown, as is the actual number of individuals detained, or the basis on which these individuals have been detained, as cases do not follow a stable or linear path or timescale from detention to the pressing of criminal charges. In early March 2022, the Joint Human Rights Office in Khartoum reported that between 25 October 2021 and 3 March 2022 there had been 1,000 people arrested,⁴⁹ but in the PLACE et al. report, they speculate that figures are likely higher.⁵⁰ In May 2022, the Designated Expert put this figure at 1,293 people, including 143 women and 157 children (including 2 girls). However, he qualified that this number does not represent those held for short periods and released without charge, and elsewhere in his report he describes “a pattern of mass arrest and short-term detention of protestors and bystanders” with individuals being held for less than 24 hours and not informed of the reason for their arrest, with belongings like mobile phones being confiscated.⁵¹
40. It is also key to note that such figures only mention the Khartoum prison population. Reporting from other areas suggests a similar wave of arrests, but in these areas also it becomes clear that the total prison population is unknown. In a report prepared by the documentation organisation HUDO Centre, we read that one individual entering detention in Blue Nile found 10 other individuals detained in similar circumstances, without legal directive, and facing false threats from the police that they had been charged with 6 months’ imprisonment. Such cases would not have been reported had this 1 gentleman not raised the alarm with HUDO Centre,

⁴⁶ REDRESS, PLACE, Darfur Bar Association, and the Emergency Lawyers’ Group, “‘Taken from Khartoum’s Streets’ – Arbitrary arrests, incommunicado detentions, and enforced disappearances under Sudan’s emergency laws’, March 2022, accessed online 07.04.22 <https://redress.org/wp-content/uploads/2022/03/Emergency-Measures-in-Sudan-EN.pdf>

⁴⁷ ‘Situation of human rights in the Sudan – Report of the United Nations High Commissioner for Human Rights (A/HRC/50/22)’, 9 May 2022, accessed online 23.06.22 <https://reliefweb.int/report/sudan/report-office-united-nations-high-commissioner-human-rights-situation-human-rights-sudan-ahrc5022-enar>

⁴⁸ Amnesty International, ‘Sudan: Teenage Protestors Detained and Tortured – Urgent Action’, accessed online 28.03.22 <https://www.amnesty.org.uk/urgent-actions/teenage-protestors-detained-and-tortured> The trial began on 29 May but was adjourned until 12 June to allow for the collection of forensic medical examination of all defenders due to reports of torture and ill-treatment, see <https://twitter.com/atafmohamed3/status/1531000304585654273?s=20&t= 51CNX R4WT70J5KI04O4w>

⁴⁹ OHCHR, ‘Human Rights Council Discusses the Situation of Human Rights in Nicaragua and in Sudan’, 7 March 2022, accessed online 07.04.22 <https://www.ohchr.org/en/press-releases/2022/03/human-rights-council-discusses-situation-human-rights-nicaragua-and-sudan>

⁵⁰ REDRESS, PLACE, Darfur Bar Association, and the Emergency Lawyers’ Group, “‘Taken from Khartoum’s Streets’ – Arbitrary arrests, incommunicado detentions, and enforced disappearances under Sudan’s emergency laws’, March 2022, accessed online 07.04.22 <https://redress.org/wp-content/uploads/2022/03/Emergency-Measures-in-Sudan-EN.pdf>

⁵¹ ‘Situation of human rights in the Sudan – Report of the United Nations High Commissioner for Human Rights (A/HRC/50/22)’, 9 May 2022, accessed online 23.06.22 <https://reliefweb.int/report/sudan/report-office-united-nations-high-commissioner-human-rights-situation-human-rights-sudan-ahrc5022-enar>

suggesting our estimates for the prison population of Sudan, including those detained without legal or judicial oversight, are woefully under-representative.⁵²

41. The make-up of those detained, and the manner in which they were identified as someone to be arrested and detained, is therefore unknown. However, given NISS's history of systematic persecution against members of ethnic groups coming from the conflict areas, it is likely that GIS will rely on established racist methods of identifying those to harass, violate, persecute, and treat more harshly when in detention, being black African groups. It is hard to know if this is happening as human rights monitors do not routinely record the ethnicity of a detained individual, nor are there, to our knowledge, monitors or organisations who specifically report on abuses in the 'black belt' of Khartoum where such arrests of black Africans would occur were we considering the prison population of Greater Khartoum. One piece of reporting does stand out to report authors, being a press release from 5 June 2022 by the Sudanese Congress Party reporting on security campaigns being conducted on the outskirts of the capital, Khartoum, with the aim of 'fighting crime'. The Sudanese Congress Party labelled this campaign a widespread attack and explicitly highlighted its ethnic basis, considering the proportion of those displaced from conflict and war in the areas being targeted.⁵³
42. Release of any prisoners has normally coincided with high-profile visits or interest shown by members of the international community, for instance coinciding with the 21 February 2022 visit of the UN Designated Expert on the human rights situation in Sudan to the country. However, re-arrest often follows at a later date. In fact, in a recent press conference, lawyers identified 88 specifically political detainees, and also mentioned that tactics of torture had been used, including burning with car mufflers leading to 3rd degree burns, and torture that had even robbed some detainees of the ability to speak.⁵⁴ This is despite promises from the military leaders to release political detainees to build confidence ahead of planned political negotiations, discussed further below.
43. Emergency Order No. 3 importantly allowed security figures including GIS to enter or search any premises or persons, seize any goods, objects or other items, and prohibit the movements of persons or their activity in any area, and exercise any other powers deemed necessary, additionally granting immunity from legal measures to these forces. The declaration of a nationwide state of emergency also placed limitations on individuals' freedom of movement. This suggests that the surveillance under which individuals were placed during the Bashir-era was again a feature of daily life in Khartoum, including fear of being physically seen and targeted by security figures, but also fear of any online expression. The picture painted was of an extremely securitised capital, in which the exercise of freedoms – of expression, of gathering, of protest, of movement – is highly curtailed.
44. Sadly, such a picture remains, as there is little evidence of a change in behaviour following the lifting of the state of emergency. We were told by an activist who recently visited Khartoum, returning 19 June 2022, that "there is no government to take care or responsibility of anyone or anything, no security in Khartoum or elsewhere in the country, the rapid response forces and several armed groups from those who signed Juba agreement and other unknown forces are all roaming the capital on 4W pick up trucks robbing Sudanese citizens during the day of their simplest and modest properties. // God knows what happens at night because I was warned not to dare leave our house after 6pm on my own. // People get stopped, searched and arrested

⁵² HUDO Centre, 'Arrest of Mr. Adam and Others in Damazin, Sudan', 22 April 2022, accessed online 09.05.22 <https://hudocentre.org/arrest-of-mr-adam-and-others-in-damazin-sudan/>

⁵³ Sudanese Congress Party, Twitter press statement, 5 June 2022, accessed online 23.06.22 <https://twitter.com/scpsudan/status/1533354341020712961?s=24&t=62PBea9H5s2dASWTEIHZbQ>

⁵⁴ Sudan Tribune, '88 political detainees are still in jail: Sudanese lawyers', 9 May 2022, accessed online 09.05.22 <https://sudantribune.com/article258432/>

for no reason whatsoever and then go missing... and no one cares to ask or say anything because they will be next in line if they dared.”

45. The situation for women is particularly egregious. There is widespread evidence of sexual violence, including 13 specific incidents verified to have occurred in the context of the protests against the coup during the Designated Expert’s reporting period until 10 April 2022.⁵⁵ In addition, there is the return of Bashir-era repressive laws based on Islamist doctrine. For instance, the eastern Kassala University in late May 2022 warned students against wearing t-shirts and issued a regulation obligating female students to cover their body and head using the hijab.⁵⁶ In a ‘Gender Alert’ report issued by the SIHA Network on 9 June 2022⁵⁷ they mention that Omdurman women’s prison is filled, with their estimates at 1,000 women detainees including those from marginalised backgrounds, in a facility designed to accommodate half that many. They say women are being targeted for charges that are gender-biased, for instance allegations of producing local alcohol, undertaking sex work, or failures of morality and dress that hark back to the Bashir-era Public Order Laws, further indicating that being forced into the informal economy is a risk factor.
46. It is important to note that one of the key human rights instruments Sudan did not sign up to, even during the transitional period of joint civilian-military rule, was the Convention on the Elimination of All Forms of Discrimination against Women, as reservations were forwarded which nullified the meaningful purpose of the Convention. A particularly prominent women’s rights defender, Amira Osman, was arrested from her home in Khartoum by more than 30 heavily armed security forces personnel on 22 January 2022,⁵⁸ and held until 6 February 2022.
47. It is also important to note that some of the most immediate repression was targeted at those who had pre-coup been tasked with investigating illicit financial holdings by the military, such as the Committee for Dismantling the June 30 1989 Regime, Removal of Empowerment and Corruption, and Recovering Public Funds (Dismantlement and Empowerment Removal Committee, DERC) or *tamkeen* committee, which was formally suspended and its members targeted. For instance, Wagdi Salih, a lawyer and prominent member of the DERC, and El Tayeb Osman, the DERC’s rapporteur were arrested on 9 February 2022; Mohamed al-Faki, co-chair of the DERC and former Sovereignty Council member was arrested on 13 February 2022; and Taha Osman Ishag, another lawyer and prominent member of the DERC, was arrested on 19 February 2022. These 5 leaders and 15 other members of the DERC were being held incommunicado. Lawsuits are being prepared against them under Section 177(2) of the Sudanese Criminal Act 1991 handling criminal breaches of trust by public servants, the punishment of which can involve the death sentence.⁵⁹ On 27 April 2022, 11 prominent members of the DERC were released on bail, following a legal drama after the authorities initially refused to release them even after having the decision of a Sudanese judge to do so.⁶⁰ The continued

⁵⁵ ‘Situation of human rights in the Sudan – Report of the United Nations High Commissioner for Human Rights (A/HRC/50/22)’, 9 May 2022, accessed online 23.06.22 <https://reliefweb.int/report/sudan/report-office-united-nations-high-commissioner-human-rights-situation-human-rights-sudan-ahrc5022-enar>

⁵⁶ Regulations received privately via email, 28 May 2022

⁵⁷ Received via email 9 June 2022

⁵⁸ Al Jazeera, ‘Sudanese women’s rights activist Amira Osman arrested in raid’, 23 January 2022, accessed online 23.06.22 <https://www.aljazeera.com/news/2022/1/23/sudanese-womens-rights-activist-amira-osman-detained-in-raid>

⁵⁹ Al Jazeera, Nasredeen Abdulbari, Sudan’s former Minister of Justice, ‘Sudan: Anti-coup voices being silenced to subdue the resistance’, 22 April 2022, accessed online 25.04.22 <https://www.aljazeera.com/opinions/2022/4/22/sudan-anti-coup-voices-being-silenced-to-subdue-the-resistance>

⁶⁰ Radio Dabanga, ‘Sudan anti-graft committee leader released on bail’, 28 April 2022, accessed online 09.05.22 <https://www.dabangasudan.org/en/all-news/article/sudan-anti-graft-leader-released-on-bail>

detention for nearly 9 months without trial of one member is alleged to be an attempt to get him to waive corruption lawsuits he has filed against former regime leaders.⁶¹

48. Also targeted were those investigating past human rights abuses, including the committee investigating the 3 June 2019 massacre committed by RSF members.⁶² A raid on the committee's offices has additionally led to fears that witnesses to this tribunal could be targeted in future. The head of this committee has said work is not possible in the current political context, so the committee is currently suspended.⁶³ As well as this, civil servants who have even privately raised complaints about the military's actions post-coup have faced legal action. For instance, Sulima Ishaq, head of the Combating Violence Against Women Unit in the Ministry of Social Affairs, was interrogated by security services, and accessed on 'leaking state secrets' under Article 47 of Sudan's criminal act, after she was identified as having communicated with the UN political mission and its envoy regarding incidents of rape of female protestors.⁶⁴
49. Many of those who had been stripped of their positions prior to the coup and under the transitional government were also simply re-instated to their former roles. This can be interpreted as a sign that Bourhan and Hemetti were trying to evade justice and accountability efforts in order to buy personal loyalty, and also reinvigorate an Islamist deep state.
50. This forms part of a wider pattern initiated by the military to reverse appointments made during the transitional period, for instance issuing decrees with no oversight or scrutiny, many of which are aimed at removing administrators who were first assigned to their posts following the 2018-2019 revolution. By just November 2021, so 1 month after the coup, we were hearing that as many as 400 such decrees had been issued.⁶⁵ This is understood to be an attempt by the coup leaders to entrench pro-military political networks. Therefore, it is key in Sudan to look beyond the top-level political figures, as the system itself is becoming more Islamist and aligned to the former National Congress Party (NCP) of Omar Al-Bashir. In fact, on 7 April 2022, a Sudanese court acquitted close allies of Bashir, including former members and leaders of the deposed NCP, as well as former foreign minister Ibrahim Ghandour, in a move many interpreted as politically motivated by Bourhan as an attempt to appeal to Islamists to shore up his regime.⁶⁶
51. Another key arena in which such political manoeuvring has occurred is Embassy appointments. For instance, Sudan's legitimate representative in Geneva, Ambassador Ali Ibn Abi Talib Abdelrahman Mahmoud, was summarily removed from his post ahead of UPR session hosted on 9 February 2022. This was despite widespread opposition that this UPR process should be postponed or else risk legitimating the coup leaders and their new Geneva appointment, as in this letter featuring 54 signatories, including prominent Sudanese civil society groups.⁶⁷ The worry is that Embassies globally are now aligned to the views of the military junta.

⁶¹ Sudan Tribune, 'Detention of former Sudanese police officer aims for dropping corruption lawsuits', 19 June 2022, accessed online 23.06.22 <https://sudantribune.com/article260418/>

⁶² Al Jazeera, 'Sudanese authorities raid offices of 2019 massacre tribunal', 9 March 2022, accessed online 07.04.22 <https://www.aljazeera.com/news/2022/3/9/sudanese-authorities-raid-offices-of-2019-massacre-tribunal>

⁶³ Radio Dabanga, 'June 3 Massacre investigation committee forced to suspend its activities', 20 May 2022, accessed online 23.06.22 <https://www.dabangasudan.org/en/all-news/article/june-3-massacre-investigation-committee-forced-to-suspend-its-activities>

⁶⁴ Al Jazeera, 'Sudan investigates social worker for 'leaking state secrets' to UN', 18 April 2022, accessed online 09.05.22 <https://www.aljazeera.com/features/2022/4/18/sudan-investigates-social-worker-fo-leaking-state-secrets-to-un>

⁶⁵ Figure provided in private oral briefing offered by Sudan policy expert, online, 11 November 2021

⁶⁶ Africa News, 'Sudan: Court acquits Bashir-era figures accused of plotting against transition', 7 April 2022, accessed online 11.04.22 <https://www.africanews.com/2022/04/07/sudan-court-acquits-bashir-era-figures-accused-of-plotting-against-transition/>

⁶⁷ 'Letter to Permanent Representatives of Member and Observer States of the UN Human Rights Council', 26 January 2022, accessed online 07.04.22 <https://www.csw.org.uk/2022/01/26/report/5561/article.htm>

52. Such firings and reappointments, as well as the wider human rights situation, have not been held up to due scrutiny because of ongoing crackdowns on media freedom. For instance, there has been the banning of a talk show dealing with issues related to the revolution, as well as the firing of a network director perceived not to be representing the military's position adequately.⁶⁸ Al Jazeera has had claims its reporting was unprofessional, leading to the revocation of its broadcasting license, and other media bodies like Al-Araby have had team members physically assaulted and arrested.⁶⁹ In addition, in May 2022 we received reports that 3 journalists had remained detained for over 1 month, after being arrested by military intelligence officers on 5 April 2022. They had not had the reason for their arrests disclosed, nor any charges made against them, and they had been denied access to lawyers and families.⁷⁰ The arrest and detention of 1 of these individuals, Mohamed Suliman, was described as an "enforced disappearance" by his lawyer.⁷¹ These post-coup changes occur against a backdrop of a tightening of restrictions on online activity, aimed at social media and other forms of online civic space, even during the transitional period. The Cyber Crime Prevention (Amendment) Act of 2020 increased the length of prison sentences for cybercrime.

Sudan's economic crisis

53. The protests have been exacerbated by a dire economic situation. The coup was met with the halting of various processes designed to relieve an already ailing economy, for instance packages of relief from the United States following their lifting of Sudan from the States Sponsors of Terrorism list. In addition, the World Bank and International Monetary Fund (IMF) paused Sudan's journey to Heavily Indebted Poor Countries decision point and on 15 June 2022 formally announced the suspension of the debt cancellation process as a result of the coup.⁷²

54. For those living in Sudan, the situation is disastrous, as the gap between the official and black-market rate for the Sudanese pound widens. The military tried to combat this by floating the exchange rate on 7 March 2022, though there is still hyperinflation, with *The Economist* citing an official figure of 260%, though speculating that the real figure is way higher.⁷³ The Central Bank of Sudan recently announced it was issuing a 1,000 Sudanese pound note.⁷⁴ Rates for basic goods including food and fuel are rising, especially considering the Russia-Ukraine war and the removal of subsidised wheat from market circulation. As ever, the poor, notably IDPs, and those from marginalised areas like Darfur who most regularly engage with the informal economy (due to discrimination in engaging in formal education, accessing services and gaining regular employment) are likely to be hardest hit. Meanwhile, companies held by those allied to the military are able to move money out of the country, and escape the worst economic hardships.

⁶⁸ Sudan Tribune, 'Sudan TV banks political talk show on army directive', 15 April 2021, accessed online 09.05.22

<https://sudantribune.com/article257703/>

⁶⁹ 'Situation of human rights in the Sudan – Report of the United Nations High Commissioner for Human Rights (A/HRC/50/22)', 9 May 2022, accessed online 23.06.22 <https://reliefweb.int/report/sudan/report-office-united-nations-high-commissioner-human-rights-situation-human-rights-sudan-ahrc5022-enar>

⁷⁰ Committee to Protect Journalists, 'Sudanese military holding at least 3 journalists since early April', 4 May 2022, accessed online 09.05.22 <https://cpi.org/2022/05/sudanese-military-holding-at-least-3-journalists-since-early-april/>

⁷¹ International Press Association of East AFRICA, 'IPAEA calls for the release of Sudanese journalist Mohamed Suliman', 20 April 2022, accessed online 09.05.22 <https://ipaea.org/latest/ipaea-calls-for-the-release-of-sudanese-journalist-mohamed-suliman>

⁷² Sudan Tribune, 'Paris Club suspends Sudan's debt relief process as Khartoum seeks Arab funds', 17 June 2022, accessed online 23.06.22 <https://sudantribune.com/article260341/>

⁷³ The Economist, 'Sudan faces collapse three years after the fall of its dictator', 9 April 2022, accessed online 23.06.22 <https://www.economist.com/middle-east-and-africa/2022/04/09/sudan-faces-collapse-three-years-after-the-fall-of-its-dictator>

⁷⁴ Radio Dabanga, 'New 1000 Sudanese Pound banknote amidst rising inflation', 7 June 2022, accessed online 23.06.22 <https://www.dabangasudan.org/en/all-news/article/new-1000-sudanese-pound-banknote-amidst-rising-inflation>

55. Those who have remaining cash and also any family ties or connections are reported to simply be leaving the country, primarily to Egypt. An activist with whom we are in touch said that this movement to live in Egypt permanently is something they have not seen in their lifetime.⁷⁵ But obviously, such a choice is limited to those with the money and connections to make such a move viable. For the average person, the consequence of the economic situation, according to a local activist, is that it “Will make life a living hell for people in Sudan.”⁷⁶ We have been told people simply do not leave their houses at night any longer due to their fears about the security situation, and because they lack the funds to do anything. As stated in *The Economist*, “Few Sudanese can remember a time when their country was in such a bleak state.”⁷⁷
56. There is also some evidence that, having failed to right the Sudanese economy while in transition, Bourhan and Hemetti are forced to rely on what one political analyst recently claimed during a sector meeting was a mortgaging or fire sale of Sudan’s assets.⁷⁸ For instance, although the United Arab Emirates (UAE) has recently promised a cash injection for Sudan, this was not a blank cheque, but instead was agreed on the basis of ‘economic partnerships’ in key sectors. One recent gain for the UAE is clear following the announcement that they will build a new port on Sudan’s Red Sea coast, as well as a large agricultural project linked by a road to this new port.⁷⁹ Similarly, Hemetti undertook a trip to Russia (actually on the day of that country’s invasion of Ukraine), and likely negotiated some financial and political backing, though in exchange for agreements pertaining to Russia operating a Red Sea military base in Sudan, and having access to the country’s substantial gold reserves, from which Hemetti personally profits. The destabilising influence of Russia in Sudan was mentioned by representatives of the US, Britain, and Norway (the ‘Troika’) in a March 2022 newspaper article, which claimed Russia’s mercenary Wagner Group “spreads disinformation on social media and engages in illicit activities connected to gold mining”.⁸⁰ Furthermore, reporting in *The New York Times* further highlighted Wagner’s presence in Sudan and claimed they had given direct military aid to Hemetti and the RSF.⁸¹ Wagner’s Yevgeniy Prigozhin was actually sanctioned for his actions in Sudan by the US Treasury on 15 July 2020.⁸² Sudanese military leader Gibril Ibrahim recently re-stated the depth of relations between Sudan and Russia at an event held on 12 June 2022.⁸³
57. The economic crisis creates pressure on all actors in Sudan, from the military who may no longer have the resources to pay patronage networks, though the impacts are felt more by Bourhan, who relies to a slightly larger extent on official economic networks, than Hemetti, who is cash-rich, and whose resources are almost entirely off-book. It also creates a shortened timeline, beyond which Sudan may no longer ever qualify for World Bank or IMF support, which will anger western countries who pushed hard to get Sudan to the HPIC decision point. However, with this deadline now receding in the Paris Club’s rear-view mirror, it is clear that no fiscal deadline can accommodate Sudanese political realities, which need time, resources, and political will to solve. There are worries that western countries, including the Troika, will prefer simply to negotiate a quick

⁷⁵ WhatsApp conversation with activist, 20 June 2022

⁷⁶ Remark shared at UK/European-Sudan working group meeting held 14.03.22

⁷⁷ The Economist, ‘Sudan faces collapse three years after the fall of its dictator’, 9 April 2022, accessed online 23.06.22

<https://www.economist.com/middle-east-and-africa/2022/04/09/sudan-faces-collapse-three-years-after-the-fall-of-its-dictator>

⁷⁸ Remark shared at UK/European-Sudan working group meeting held 14.03.22

⁷⁹ Reuters, ‘UAE to build Red Sea port in Sudan in \$6 billion investment package’, 20 June 2022, accessed online 23.06.22

<https://www.reuters.com/world/middle-east/exclusive-uae-build-red-sea-port-sudan-6-billion-investment-package-2022-06-20/>

⁸⁰ US Embassy Khartoum Twitter post 21 March 2022, accessed online 07.04.22

<https://twitter.com/USEmbassyKRT/status/1505897823442817027>

⁸¹ The New York Times, ‘Putin Ally Mines Gold and Plays Favorites in Sudan’, 5 June 2022, accessed online 23.06.22

<https://www.nytimes.com/2022/06/05/world/africa/wagner-russia-sudan-gold-putin.html?referringSource=articleShare>

⁸² U.S. Department of the Treasury, ‘Treasury Targets Financier’s Illicit Sanctions Evasion Activity’, accessed online 28.03.22

<https://home.treasury.gov/news/press-releases/sm1058>

⁸³ Sudan news agency Facebook post, 12 June 2022, accessed online 23.06.22

<https://www.facebook.com/139111706275112/posts/1790699797782953/?d=n>

elite deal incorporating Bourhan and Hemetti and other SAF and RSF actors, to one which is based on broader consultation but takes longer. There are also worries that the differing responses of Bourhan and Hemetti speak to wider tensions between the SAF and RSF, which could come to a head and result in civil war. Warnings that the United Nations have heard on this score have been dire, with comments to the effect that actors in Sudan are “concerned about the stability and the very existence of their country” and that “Sudan could descend into conflict and divisions as seen in Libya, Yemen or elsewhere, in a region already beset by instability.”⁸⁴

International dynamics

58. To date, the international reaction to the coup has focused on condemning the coup, though sometimes in muted terms. For instance, the African Union suspended Sudan’s membership of that body immediately following the coup on 26 October 2021. And the Human Rights Council on 5 November 2021 adopted a resolution concerned with the coup, and implementing a Designated Expert to report on the human rights situation in the country until the “restoration of its civilian-led Government”,⁸⁵ though the fulfilment of his mandate has at times been made more difficult by access constraints placed on him by military actors. His report on the ‘Situation of human rights in the Sudan’ dated 9 May 2022, and covering the period 25 October 2021 to 10 April 2022, listed abuses under the categories of excessive force and unlawful killings, arbitrary arrest and detention, torture and ill-treatment, enforced disappearance, sexual and gender-based violence, attacks on hospitals and medical staff, violations of rights to freedom of opinion and expression and of peaceful assembly and association, violations of economic, social and cultural rights, a rise in intercommunal violence and attacks against civilians, and a failure to deliver on promises of accountability.⁸⁶ We, along with 52 other signatories, and ahead of the 50th session of the Human Rights Council lasting from 13 June – 8 July 2022, called for the adoption of a resolution that ensured continued attention to Sudan’s human rights situation through enhanced interactive dialogues, but this does appear forthcoming.⁸⁷
59. International actors also moved to start a process of negotiation between actors, eventually calling on the United Nations Integrated Mission in Sudan (UNITAMS) to act as the coordinating body. As a side note, it is important to mention that UNITAMS is a replacement mission for the former UN-African Union hybrid peacekeeping mission, UNAMID. Importantly, as a political mission, UNITAMS does not have ‘protection of civilians’ in its mandate. And though in theory the transitional government in Sudan implemented its own ‘National Action Plan on the Protection of Civilians’, rising violence in Darfur, South Kordofan and Blue Nile including failure to address its root causes or investigate abuses, as well as violent repression of protest in the capital, rather suggests that any such plan is not yet implemented. Although UNITAMS is leading the political negotiation process currently (as part of a tripartite mechanism discussed further below), it is worth mentioning that other capitals are also seeking to have influence over the outcome, which opens up the possibility of ‘forum shopping’, for instance some groups may favour processes held in Juba, Cairo, or in Abu Dhabi, which further confuses the political situation.
60. On 28 February 2022, UNITAMS reported back from its post-coup consultation period, during which it held over 110 consultation meetings with more than 800 individuals to find points of convergence and divergence

⁸⁴ UNITAMS, ‘UNITAMS SRSG Mr. Volker Perthes Remarks to the Security Council’, 28 March 2022 accessed online 07.04.22

<https://unitams.unmissions.org/en/unitams-srsg-mr-volker-perthes-remarks-security-council>

⁸⁵ Human Rights Council resolution S-31/1 adopted on 5 November 2021, situation of human rights in Sudan, accessed online 24.06.22

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/319/08/PDF/G2131908.pdf?OpenElement>

⁸⁶ ‘Situation of human rights in the Sudan – Report of the United Nations High Commissioner for Human Rights (A/HRC/50/22)’, 9 May 2022, accessed online 23.06.22 <https://reliefweb.int/report/sudan/report-office-united-nations-high-commissioner-human-rights-situation-human-rights-sudan-ahrc5022-enar>

⁸⁷ Human Rights Watch, ‘Sudan: Ensure continued public debates on the human rights situation’, 19 May 2022, accessed online 23.06.22

<https://www.hrw.org/news/2022/06/01/sudan-ensure-continued-public-debates-human-rights-situation>

in political matters and on how to chart a path forward.⁸⁸ However, this process was mostly boycotted by Neighbourhood Resistance Committees (NRCs, the bedrock of the pro-democracy, anti-coup street protests), and many of the individual Committees instead released their own political charter, with a view to creating a nationwide unified charter in due course.

61. Following the publication of UNITAMS' report, international actors scrambled to consider what a future negotiated political process might look like, and eventually a 'Tripartite' group including UNITAMS, alongside the African Union and the Intergovernmental Authority on Development, were determined as mediators. But the process faced, and continues to face, fierce opposition from the street to any direct or indirect negotiation with coup leaders,⁸⁹ notably because military actors have failed to undertake minimal confidence-building measures like releasing political detainees. The military have at times even been deliberately obstructive to UN processes. For instance, UNITAMS' head Volker Perthes was criticised by military actors for his forthright and rights-heavy statement to the United Nations Security Council delivered on 28 March 2022.⁹⁰ In response, Sudan's foreign ministry said in a statement that UNITAMS should "focus on the other basic aspects of its mandate".⁹¹ Going a step further, the editor-in-chief of the SAF Colonel Ibrahim al-Houri, also called for a jihad against the head of mission, Perthes, prompting UNITAMS to call on the coup leadership to hold accountable hate speech promoters.⁹² Sudan's military actors have also denied visas to key experts for the UN in Sudan, such as for Dame Rosalind Marsden, a former British Ambassador and former EU Special Representative to Sudan.⁹³ While the UNITAMS mission was eventually renewed on 3 June 2022 for another year under UNSCR 2636, this was described as a 'technical rollover', and no new language was added to the mandate to describe the coup and its aftermath, after pressure was brought to bear by Sudan on the mission penholder, the UK.⁹⁴
62. In addition, key political parties have refused to participate in tripartite negotiations in current circumstances. Even UNITAMS conceded that "critical political forces were absent from participating in" a preparatory meeting on 8 June 2022, including "the Forces of Freedom and Change Central Committee, the Umma Party, the Sudanese Communist Party, the Women's Rights Group, Sudanese Professional Associations, and Resistance Committees"⁹⁵. African Union envoy Mohamed Hassan Lebatt said, "We don't envision a political solution without the participation of those who are absent."⁹⁶ Most recently, the African Union representative in Sudan on 21 June 2022 suspended his participation in the tripartite mechanism in protest for his exclusion from direct meetings on 9 June 2022 between members of the Forces for Freedom and Change (representing some political groups, but not all) and military actors, which had been brokered by the Kingdom of Saudi Arabia

⁸⁸ UNITAMS, 'Consultations on a political process for Sudan', February 2022, accessed online 23.06.22

<https://unitams.unmissions.org/en/consultations-political-process-sudan>

⁸⁹ Sudan Tribune, 'Khartoum Resistance Committees sign political charter to topple Sudan's military regime', 12 May 2022, accessed online 17.05.22 <https://sudantribune.com/article258568/>

⁹⁰ 'UNITAMS SRSG' Mr. Volker Perthes Remarks to the Security Council, 28 March 2022 [EN/AR]', 28 March 2022, accessed online 23.06.22

<https://reliefweb.int/report/sudan/unitams-srsg-mr-volker-perthes-remarks-security-council-28-march-2022-enar>

⁹¹ Radio Dabanga, 'Sudan Foreign Ministry: 'UNITAMS should concentrate on basic aspects of mandate, not just politics'', 30 March 2022, accessed online 07.04.22 <https://www.dabangasudan.org/en/all-news/article/sudan-foreign-ministry-unitams-should-concentrate-on-basic-aspects-on-mandate-not-just-politics>

⁹² Sudan Tribune, 'UNITAMS calls to curb promoters of anti-Volker's speech', 19 April 2022, accessed online 09.05.22

<https://sudantribune.com/article257808/>

⁹³ UNITAMS, 'Statement attributed to UNITAMS Spokesperson', 23 May 2022, accessed online 23.06.22

<https://unitams.unmissions.org/en/light-news-reports-incorrectly-highlighted-issue-ms-dame-rosalind-marsden-visa-situation-sudan-and>

⁹⁴ Security Council Report, 'Sudan: Vote on UNITAMS mandate renewal', 2 June 2022, accessed online 23.06.22

<https://www.securitycouncilreport.org/whatsinblue/2022/06/sudan-vote-on-unitams-mandate-renewal-2.php>

⁹⁵ UNITAMS Twitter page, 8 June 2022, accessed online <https://twitter.com/UNITAMS/status/1534638053863702536>

⁹⁶ Reuters, 'Sudanese talks kick off amid boycott by pro-democracy groups', 8 June 2022, accessed online 23.06.22

<https://www.reuters.com/world/africa/sudanese-talks-kick-off-amid-boycott-by-pro-democracy-groups-2022-06-08/>

and the United States. These were aimed at agreeing needed confidence-building measures, but a bilateral dialogue has been heavily and widely criticised from other quarters.

63. It is hard to see what might break the political impasse and allow all actors to find common ground towards a new political settlement, beyond an elite compromise simply imposed on the Sudanese people from outside. But as summarised in a research paper released by REDRESS and the School of Oriental and African Studies Centre for Human Rights Law in June 2022, given serious human rights violations committed by the military since the coup, they are disqualified from being viewed as equal partners in a future transitional period in Sudan – legitimacy cannot simply be re-conferred through a flawed mediation process.⁹⁷ The other potential political future involves movements towards promised elections held by the military in July 2023 which would in any case lack broad political consensus or participation. All options would likely be met with fierce street protests and continued repression. Prospects are bleak for a negotiated settlement to Sudan's political crisis.
64. In lieu of a political settlement, many actors are calling for more punitive economic measures, and the use of targeted and network sanctions. For instance, in an op-ed by Human Rights Watch's Mohamed Osman, who is quoted at length in the CPIN Oct 2021, he calls for global action and says, "What we are seeing in Sudan isn't the work of a few bad apples but the actions of a well-managed apparatus bent on denying people's basic rights, trying to break the will of the protest movement while also buying time to cement their power."⁹⁸

Violence in the 'Three Areas'

65. The violence in the capital is matched and in fact superseded by violence outside of Khartoum, with a rise in violence and displacement in all states, notably the 'Three Areas' of Darfur, South Kordofan,⁹⁹ and Blue Nile, but particularly in the North and West Darfur localities, in attacks which routinely kill hundreds and displace tens of thousands of individuals. It is important however not to ignore violence elsewhere in the country. For instance, there is increasing violence in Abyei, a disputed area between Sudan and South Sudan.¹⁰⁰
66. When looking to North and West Darfur, there were killings of at least 129 persons from 1 to 10 December 2021 in the Jebel Moon area, and then again killings of 35 in March 2022.¹⁰¹
67. Following this, and starting on 22 April 2022, in Kreinik, a village east of Geneina, in West Darfur, violence erupted between Arab groups and the local Massaleit community, though it later spiralled to include RSF fighters. In fact the local unit mandated to protect civilians, made up of the police, army, and armed movements who signed the JPA, allegedly withdrew from its positions before the attack, in a move also coordinated with a mobile network shutdown. The attacks have killed at least 165 people and injured 136 according to local authorities, though the Central Committee of Sudan Doctors put the figure higher, at 177, also noting the

⁹⁷ REDRESS, SOAS Centre for Human Rights Law, 'Sudan's Democratic Transition on Life Support', June 2022, accessed online 23.06.22 <https://redress.org/wp-content/uploads/2022/06/Sudans-Democratic-Transition-on-Life-Support-EN.pdf>

⁹⁸ The Guardian, 'Sudan's military is brutally suppressing protests – global action is needed', accessed online 28.03.22 <https://www.theguardian.com/global-development/2022/mar/22/sudan-military-brutally-suppressing-protests-global-action-needed>

⁹⁹ UNOCHA, 'Sudan: Conflict in Abu Jubayhah locality, South Kordofan. Flash Update No. 1 (14 June 2022), 14 June 2022, accessed online 23.06.22 <https://reports.unocha.org/en/country/sudan/flash-update/4QSZlprm8krqezHIG59ms/>

¹⁰⁰ African Centre for Justice and Peace Studies, 'Urgent call for investigations into the killing of 21 people in Abyi area', 24 May 2022, accessed online 23.06.22 <http://www.acjps.org/urgent-call-for-investigations-into-the-killing-of-21-people-in-abyi-area/>

¹⁰¹ 'Situation of human rights in the Sudan – Report of the United Nations High Commissioner for Human Rights (A/HRC/50/22)', 9 May 2022, accessed online 23.06.22 <https://reliefweb.int/report/sudan/report-office-united-nations-high-commissioner-human-rights-situation-human-rights-sudan-ahrc5022-enar>

closure of Geneina's hospital, and other reporting says the death toll is over 200.¹⁰² For instance, at an event held at The Wiener Holocaust Library on 22 June 2022 a representative of the Massaleit community, Afaf Mohammed, said this figure of 200 deaths also included many children.¹⁰³ It led to the displacement of 98,000-125,000 people according to different reports. This was the 3rd prominent attack of Geneina since the 2018-2019 revolution.

68. The 4th was a series of attacks in Kulbus, north of Geneina from 6-11 June 2022, which killed over 125 individuals, and saw 25 villages be fully or partially burnt.¹⁰⁴ This followed a similar pattern of an alleged tribal dispute spiralling into violence in which the Arab tribe members involved call on the weapons, resources and support of the RSF militia. UNOCHA estimated 50,000 people were displaced.¹⁰⁵ Furthermore, the violence spread from Kulbus to North Darfur, leading to the displacement of a further 19,000 people.¹⁰⁶ It also delayed a humanitarian assessment of UNOCHA in the Kreinik locality.
69. Members of the Massaleit community are scheduled to meet with Parliamentarians for a dedicated briefing on violence in 'Dar Massaleit' in West Darfur on Monday 4 July. In a Parliamentary Question replied to prior to the latest attacks in Kreinik and Kulbus, the UK government noted that 89,000 people had been displaced in Darfur since October 2021, while also mentioning an increase in levels of sexual violence.¹⁰⁷ We are looking at a massive escalation in violence and displacement in Darfur post-coup, despite an existing increase throughout 2021 which was already being described as at the highest levels since 2014, as mentioned above.
70. It is interesting to note that such reporting in these cases is not as detailed or generally agreed upon as information about deaths and injuries in Khartoum, either due to the lack of information and monitoring from Darfur, or due to the lack of interest in such issues among those in the capital, which may hint further at racist attitudes towards black African civilians, discussed above. In an act of self-reflection, a Sudanese activist recently shared with us that in comparison to deaths in Khartoum which are reported instantaneously, it had taken her a week to find a list of 40 individuals who had died in Darfur.¹⁰⁸
71. In any case, we reject the characterisation of such violence as 'inter-communal' or as seasonal disputes between farmers and pastoralists, including in the CPIN Oct 2021 as at 2.4.24. A spokesperson for Darfur's refugees and IDPs, Adam Rojal, recently said violence in recent months was "carried out in a very orderly and

¹⁰² BBC, 'Darfur: Why are Sudan's Janjaweed on the attack again?', 26 April 2022, accessed online 09.05.22

<https://www.bbc.co.uk/news/world-africa-61217999>

UN OCHA Sudan, 'Inter-communal conflict – Kereneik & Ag Geneina, West Darfur Flash Update No. 04 (9 May 2022)', accessed online 09.05.22

<https://reports.unocha.org/en/country/sudan/flash-update/2d8UfJwQj7vHwrmc6JD2C/>

The Guardian, 'Janjaweed militia blamed for attacks that left at least 200 dead in Darfur', 26 April 2022, accessed online 09.05.22

<https://www.theguardian.com/global-development/2022/apr/26/janjaweed-militia-blamed-for-attacks-that-left-at-least-200-dead-in-darfur>

African Centre for Justice and Peace Studies, 'West Darfur: 201 people killed and hundreds injured in Krinik locality following an intercommunal conflict', 9 May 2022, accessed online 23.06.22 <http://www.acjps.org/west-darfur-201-people-killed-and-hundreds-injured-in-krinik-locality-following-an-intercommunal-conflict/>

¹⁰³ The Wiener Holocaust Library, 'Hybrid event: Panel discussion for Refugee Week 2022: What does it mean to welcome refugees?', 22 June 2022, accessed online 23.06.22 <https://wienerholocaustlibrary.org/event/panel-discussion-for-refugee-week-2022-what-does-it-mean-to-welcome-refugees/>

¹⁰⁴ UNOCHA, 'Sudan: Conflict in Kulbus locality, West Darfur, Flash Update No. 1 (14 June 2022)', 14 June 2022, accessed online 23.06.22

<https://reports.unocha.org/en/country/sudan/flash-update/14YZq4z32BE7vxjiKeIHAT/>

¹⁰⁵ *Ibid.*

¹⁰⁶ UNOCHA, 'Sudan: Conflict in North Darfur. Flash Update No. 01 (14 June 2022)', 14 June 2022, accessed online 23.06.22

<https://reports.unocha.org/en/country/sudan/flash-update/2kF64iE5duxtGSZPNjoLo/>

¹⁰⁷ UK Parliament, 'Darfur: Internally Displaced People – Question for Foreign, Commonwealth and Development Office', tabled by Lord Alton of Liverpool on 28 March 2022, answered by Lord Goldsmith of Richmond Park 7 April 2022, accessed online 09.05.22 <https://questions-statements.parliament.uk/written-questions/detail/2022-03-28/HL7372>

¹⁰⁸ UK/European-Sudan working group meeting held 14.03.22

systematic manner, using weapons and vehicles from the state's warehouses . . . [t]his is not a tribal war. It is the state which kills, rapes and displaces its citizens and cloaks it as a tribal conflict."¹⁰⁹ In a report titled, 'Darfur after Bashir: Implications for Sudan's Transition and for the Region', released in April 2022, author Jérôme Tubiana in fact said: "The government continued to use such language to downplay these incidents. However, the obvious pattern of attacks suggests repeated violence by Arab militias against non-Arab civilians, including IDPs."¹¹⁰

72. In addition, such violence is in fact enabled by a lack of accountability for actions undertaken by the RSF and other security actors. The RSF's presence in Khartoum and supremacy in government is key to understanding this. In accounts provided to us in individual testimonies, it is mentioned that in Darfur, all security personnel are referred to as either 'the *janjaweed*', showing that individuals fail to distinguish the activities of security officials from those who formerly committed atrocities in the region, not least as it is often the same individuals involved, and who have never been held accountable for past abuses. Another term used to refer to the security services is *mushtaraqa*, which shows that these actors, even where they include the police and even Darfuri or Nuba armed movements, are viewed as a monolithic bloc determined to repress and violate the rights of Darfuri or black African groups. This shows that the JPA's goal of security sector reform remains largely unachieved. We also draw attention to our submission to the UPR process, in which we highlight that routine violations by armed actors are not investigated adequately and justice is not delivered, even where an issue has been reported to the police or other authorities. For instance, about 40% of cases reported in the relevant period by the HUDO Centre were filed against known people, but police partially investigated only 15% of the incidents, without serious efforts to arrest perpetrators.¹¹¹ This makes it misjudged to say the least when the Sudanese government reaction to serious abuses has been to deploy a joint security force drawn from the SAF, RSF, police, and CRP, even when such actors are accused of being involved in the perpetration of attacks.
73. Additionally, the JPA failed to include the Sudan Liberation Army-Abdul Wahid (SLA-AW), which still commands a following in Darfur and among some Darfuri people, as well as the Sudan People's Liberation Movement-North (SPLM-N) Abdelaziz al-Hilu faction. It is important to note that following the decision by some of these JPA signatories, notably Minni Minawi who leads the Sudan Liberation Army-Minni Minawi faction (SLA/MM), and Gibril Ibrahim as the leader of the Justice and Equality Movement (JEM), to remain part of the military leadership post-coup, they have been widely rejected by the pro-democracy movement in Sudan. Their alliance with the SAF and RSF is understood by many Sudan watchers to be an uneasy, unnatural and opportunistic *entente* between these actors, capitalising on the armed movement leaders' frustrations with civilian politicians involved in the transitional government, whom they simply saw as a new incarnation of the riverine Khartoum elite that has dominated Sudan politics since independence in 1956, and a reaction to feeling largely sidelined by revolutionary actors during the 2018-2019 revolution.
74. In any case, it is not clear that Darfuri leaders' presence in the coup leadership has any bearing on the treatment of black African individuals in Sudan as a whole. This is also because in particular Gibril's Islamist background, and that of his deceased brother Dr Khalil Ibrahim, to some extent supersedes the understanding of him as Darfuri. However, and to some extent, Minni and Gibril's leadership has it seems led to some anti-Darfuri sentiments being shared, especially considering Hemetti also has Darfuri roots, and it is clear that both Hemetti and the JPA signatory armed groups including SLA/MM and JEM have formed a small alliance within the coup leadership, to the exclusion of Bourhan and the SAF. For instance, Hemetti was accompanied to

¹⁰⁹ People's Dispatch, "Security situation in Darfur remains very dangerous", 30 May 2022, accessed online 23.06.22 <https://peoplesdispatch.org/2022/05/30/security-situation-in-darfur-remains-very-dangerous/>

¹¹⁰ United States Institute of Peace, 'Darfur after Bashir: Implications for Sudan's Transition and for the Region', April 2022, accessed online 09.05.22 <https://www.usip.org/publications/2022/04/darfur-after-bashir-implications-sudans-transition-and-region>

¹¹¹ <https://wagingpeace.info/wp-content/uploads/2021/10/Universal-Periodic-Review-of-Sudan-3rd-cycle-2021-FINAL-web-high-res.pdf>

Moscow by a Minister for Mining aligned with Minni. Some argue that Darfuris are returning to the capital to try and enact revenge for their earlier marginalisation, and some predict future violence and bloodshed by Darfuris against Khartoum-based and Arab groups, though it is clear to an external observer that such fears are based in unfounded prejudice and racism, rather than political reality.

75. Either way, political Sudan watchers note the importance of what happens in Darfur for the rest of the country, and also with regards to regional relationships, including with Chad and Libya, as well as internationally. Violence in Darfur cannot be dismissed as an issue affecting just that region, Darfur is instead to be understood as a theatre for political conflict more widely. In his April report, author Jérôme Tubiana in fact declared that the fate of the region would likely determine whether Sudan as a whole reached a lasting peace, or deteriorated into war between the centre and peripheries, and predicted that violence would intensify following the October 2021 coup, further saying that conflicts in the Three Areas, “are a stark reminder of the national dimension of local tensions and how they may undermine the national transitional project.”¹¹²
76. A final point to raise is that there are also worries that Sudan’s humanitarian sector will not be able to meet the demands of the major relief operations needed to meet massive humanitarian needs resulting from Darfur’s conflicts, given Bashir-era practices are resurfacing involving attempts to increase the ‘cost of doing business’ for civil society. This is seen as a way to extract profit and interfere in INGO procurements, partly as humanitarian organisations are seen as lucrative sources for revenue for cash-strapped civil servants.¹¹³ There is a real risk of large-scale unmet humanitarian needs in Sudan further compounding all other political and economic crises.

Risk on return of rejected asylum seekers, including black Africans

77. We have long maintained that arrival at Khartoum International Airport (KIA) creates risks for those returned as rejected asylum-seekers. In our report prepared ahead of AAR,¹¹⁴ we mentioned that this is a risky manner of (re-)entry to the country for several reasons: firstly, the sizeable security presence at the airport; secondly, the political profile assigned to returning rejected asylum-seekers; and thirdly, the potential for information gained through surveillance networks overseas being used against returnees.
78. On the first point, we hear about a continued sizeable security presence at KIA. The fact that they are profiling those who enter the country is clear from actions taken to stop some individuals from entering Sudan. For instance, on 27 December 2020, researcher Jean-Baptiste Gallopin documented that he had travelled to Sudan only to discover he had been placed on a security list, and so was returned on the first flight out of Khartoum.¹¹⁵
79. Among the cohort of asylum-seekers and refugees who reach the UK who were forced to travel through the airport, we have heard of the lengths one must go to in order to avoid being detained by the security officials. In one notable instance, a gentleman who had been supported to return to the United Kingdom faced a gun battle between opposing forces within the airport itself, and described to us how his return was only possible because the individual who scrutinised his passport and documentation on the day was distracted. He felt that

¹¹² United States Institute of Peace, ‘Darfur after Bashir: Implications for Sudan’s Transition and for the Region’, April 2022, accessed online 09.05.22 <https://www.usip.org/publications/2022/04/darfur-after-bashir-implications-sudans-transition-and-region>

¹¹³ Devex, ‘Sudanese authorities accused of INGO cash shakedown amid aid freeze’, 15 April 2022, <https://www.devex.com/news/sudanese-authorities-accused-of-ingo-cash-shakedown-amid-aid-freeze-103024>

¹¹⁴ <https://wagingpeace.info/wp-content/uploads/2019/03/NAD-report-FINAL-18.01.19.pdf>

¹¹⁵ Tweet by Jean-Baptiste Gallopin, 27 December 2020, accessed online 07.04.22 <https://twitter.com/jbgallopin/status/1343255340872314883>

if another individual had been on the desk that day, and if there was not an ongoing crisis at that very moment, then he would not have made it through the security checks.¹¹⁶

80. As we understand it, the appointments to the security positions and desks at the airport are also political, and post-coup there was a widespread changing of the guard at the airport to those sympathetic with the military, as there had been in other departments, ministries, and offices, as mentioned above.¹¹⁷
81. A returnee would be known to security as a rejected asylum-seeker for several reasons, not least their possession of an emergency travel document (ETD), but also potentially their accompaniment by a security detail, having non-medical scarring on the body, including tribal scarring pertaining to ethnicity, being black African i.e. non-Arab Darfuri or Nuban, or potentially through information shared by the relevant Embassy team ahead of an individual's arrival in-country. Interestingly, and perhaps even counterintuitively, in the many interviews conducted ahead of our report for AAR, the relatively low political profile of an individual in concert with the above factors, might increase their chances of being targeted. It was expressed to us that those with active profiles as human rights defenders or political activists were assumed to have contacts who would eventually advocate for their better treatment and release from detention, whereas those with a lower political profile were less protected from the harshest treatment and questioning. Simply having stayed out of Sudan for a year or more was identified as a factor increasing someone's interest to the security services.
82. Another dynamic to mention is that Sudanese Embassies abroad gather evidence about the activity of members of the diaspora, including asylum-seekers, and those with even nominal political or social profile prior to leaving Sudan, and can use information to harass those returned to Sudan. Evidence received by email from a Sudanese activist in January 2021 details that 6 former Bashir-era regime figures had been found in the United Kingdom working as undercover spies for the Sudanese security whilst acting as "assistants of the Military Attaché" within the Sudan Embassy, located in London.¹¹⁸ Given the process of installing Embassy staff friendly to the military and its aims for Sudan mentioned above, we suspect this trend has continued.
83. Similar cases of Sudanese diaspora surveillance, and notably of asylum-seekers, have occurred in countries like Belgium¹¹⁹ and Norway,¹²⁰ as well as other cases on which we have elaborated in our reporting ahead of AAR. Sudanese refugees were deported back to Sudan after information was leaked, and then detained and tortured upon their arrival. These cases show the danger that occurs for returned asylum-seekers as a result of third country surveillance by security figures.
84. A human rights defender from Sudan told us that once a returned individual is understood to be a "suspected activist", they can expect to be treated in the following ways: to be blackmailed and treated as a source of financial income by the security forces; to be recruited for gathering information as a spy or become a source of information, infiltrating activists groups or political parties; to be blackmailed by threats of harm to family members unless they testify as a witness against someone or confess to something themselves; to face potential recruitment by security forces to join militias such as the RSF and forced to commit human rights

¹¹⁶ The Guardian, 'Sudanese asylum seeker flown back to UK after Khartoum gunfight delay, 17 January 2020, accessed online 07.04.22 <https://www.theguardian.com/uk-news/2020/jan/17/wrongly-deported-sudanese-asylum-seeker-flown-back-to-uk>

¹¹⁷ Information shared as part of anonymous individual's testimony, former government minister, 6 April 2022

¹¹⁸ Sudanese activist email to Waging Peace 28.01.21

¹¹⁹ Koert Debeuf, EU Observer, October 2020, "Belgium's collaboration with Sudan's secret service: my story" accessed online 13.07.2021 [Belgium's collaboration with Sudan's secret service: my story \(euobserver.com\)](https://euobserver.com/belgium-s-collaboration-with-sudan-s-secret-service-my-story)

¹²⁰ BBC News, October 2012, 'Sudan expels Norway diplomat in spying row', accessed online 13.07.21 [Sudan expels Norway diplomat in spying row - BBC News](https://www.bbc.com/news/world-africa-2012-10)

violations; or to be executed without any trace such as drowned in a bathroom or their bodies dropped in the River Nile and framed as suicide, said to be common practice.¹²¹

Conclusion

85. It is our position that individuals returned to Sudan as rejected asylum-seekers would be in danger especially where they are black African i.e. non-Arab Darfuri, and for imputed political opinion. Such individuals are unable to avail themselves of the protection of state authorities nor reasonably to internally relocate in Sudan, including outside of Darfur, and especially to Khartoum.
86. Sudan is in an incredibly fragile moment of potential transition. Conflict plus instability in myriad other forms mentioned within this report have the real potential of pulling the country to breaking point, not least because of the military stronghold that still holds the balance of power. Sudan's recent history illustrates this in 1969 and 1989 respectively with military coups returning the country to authoritarian rule after short-lived efforts towards democratisation. There are still former regime and Bashir loyalists that remain in positions of power, and the military and security sectors have not reformed enough to ensure safety for activists and/or those of black African ethnicity such as those of the non-Arab Darfuri and Nuba groups. At a minimum, Sudan should be understood as a country likely to descend into further political uncertainty in the future.

¹²¹ WhatsApp conversation with human rights defender, 6 April 2022