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The Stalemate in South Kordofan and Blue Nile: Averting Further Implosion

The conflicts in South Kordofan and Blue Nile states, two of Sudan’s “three areas” that received special provisions under the 2005 Comprehensive Peace Agreement (CPA), continue with no sign of resolution. There has been no visible progress made on establishing a forum for negotiations between the ruling Northern National Congress Party (NCP) and the Sudan Peoples’ Liberation Movement – North (SPLM-N) on political and security arrangements for the two regions. Aerial bombing and clashes among ground forces continue and humanitarian access remains obstructed by both parties.

The conflicts in the two states have followed similar patterns of aerial assaults followed by ground attacks, the mobilization of paramilitary groups, arrests, harassment and extrajudicial killings of perceived SPLM-N supporters, and denial of humanitarian access. The African Centre documented examples of these types of violations in a recent report entitled “[*Continuing Violations of Human Rights in South Kordofan and Blue Nile States: 24 August – 8 September*](#)”. Due to restrictions on humanitarian access, it has not been possible to independently verify displacement figures in the two states. As of late August, Human Rights Watch and Amnesty International both reported that over 150,000 people had been displaced since June in South

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Kordofan.² A UN report cited figures provided by the Sudanese Red Crescent Society (one of the only humanitarian NGOs with access in Blue Nile) that in the early days of fighting in Blue Nile, 115,000 thousand were displaced from their homes in the El Damazein area, while roughly 20,000 more people were displaced in the Western portion of the state.³ The most recent update from the UN Office for the Coordination of Humanitarian Affairs update cites UNHCR figures indicating that over 25,000 people have fled Blue Nile into Ethiopia as of 3 October.⁴ The fighting has jeopardized access to food, medicine and shelter for thousands of civilians in both areas.

It seems that neither the NCP nor the SPLM-N is anxious to negotiate a resolution to the conflict. With the loss of the South, the Government of Sudan is being forced to grapple with the party's future while the state is being redefined on its most fundamental levels. As noted by Sudan expert Gerard Prunier in his recent testimony to the US Congress, the NCP is faced with a decision whether to further entrench the status quo, which will likely lead to intensified conflict with the self-identified "marginalized" populations in Sudan and risk further fracturing of the country and potential war with the South, or accept a new democratic political framework.⁵ Thus far, signals from the NCP indicate that the choice has been made to pursue further conflict.

Following the Government's rejection of the June Addis Ababa agreement shortly after it was negotiated and the start of conflict in Blue Nile, the SPLM-N seems to have decided that regime change in Khartoum is the only way to resolve the current conflicts in Sudan.

Pursuing a Policy of Brinkmanship

The 28 June Framework Agreement signed in Addis Ababa, recognizing the right of the SPLM-N to exist as a political entity and outlining provisions for gradual disarmament of the SPLM-N, fell apart within days when President Bashir denounced the agreement saying that the government refused to negotiate with "arms carriers."⁶ Since that day, the Government of Sudan has eschewed a negotiated resolution to the conflicts in the contested two areas and has intensified its campaign to eliminate the SPLM-N.

A day after invading Blue Nile⁷ on 1 September, the Government of Sudan declared the SPLM-N illegal, closed their offices all over the country, and arrested several of their members across the North, effectively terminating it as a functional political party.⁸ President Bashir then declared a

² IRIN, "Sudan-South Sudan: What the Analysts are Saying Post-Secession", 3 October 2011

³ UN OCHA, "Sudan: South Kordofan and Blue Nile Situation Report no. 21", 12 September 2011

⁴ Radio Miraya, "UN Opens Refugee Camp in Ethiopia as Violence Continues in Troubled Sudanese State", 8 October 2011

⁵ The Atlantic Council, "Prepared Statement of Dr. Gérard Prunier before the United States House of Representatives Committee on Foreign Affairs, Subcommittee on Africa, Global Health, and Human Rights" 4 October 2011

⁶ "Xinhuanet, "Sudanese president rejects framework agreement on South Kordofan, Blue Nile" 07 July 2011.

⁷ Ministry of Interior, "A Tale of Two States: the Agreement on South Kordofan and Blue Nile States and the Path of Implementation and the Recent Security Developments", 3 October 2011. The NCP stated that they planned the surprise attack after the formation of the Kaudah Alliance in August as well as after hearing rumours that Blue Nile Governor Malik Agar was planning to support the SPLM-N in Blue Nile.

⁸ For more information, see the African Centre for Justice and Peace Studies, "Perceived SPLM-Northern Sector Supporters Arrested throughout Northern Sudan", 6 September 2011. The party was declared illegal on the basis that many of its members are "foreigners", i.e. Southerners. The SPLM-N officials

state of emergency in Blue Nile⁹, suspended the Interim National Constitution, and sacked the only SPLM-N Governor in the country, Malik Agar. In the weeks that followed the attack, President Bashir announced the creation of a Special Court for Blue Nile¹⁰ and appointed Lieutenant General Al-Hadi Bushra the new Governor of Blue Nile.

Simultaneously NCP leaders have been sending clear signals that the party intends to crush the SPLM-N militarily rather than engage in negotiations. Vice President and the NCP's Ali Osman Taha announced to the SAF in El Damazein on 17 September that "peace and justice will only be achieved when the enemy is totally defeated...your national duty is to subjugate the enemy and clear the state of traitors".¹¹ President Bashir mimicked this sentiment when he declared at a public rally in Gedarif that the SAF would pray in Kormuk and "expel all the rebels and outlaws", implying that the army would take the SPLM-N stronghold by force.¹²

The SPLM-N Strategy

The SPLM-N was born in March 2011 when its leading members announced a split from the Sudan People's Liberation Movement (SPLM) following Southern Sudan's vote for secession from Sudan in the January 2011 referendum on self-determination. The SPLM-N is largely composed of the former members of the SPLM from Northern Sudan. Blue Nile Governor Malik Aggar assumed the position of Chairperson of the new party, Abdelaziz Al-Hilu the role of Deputy Chairperson, and Yasir Arman, the role of Secretary General. In the wake of the recent fighting in the two states, the SPLM-N strategy that has emerged appears to be focused on organizing and supporting an alliance with other armed opposition in Sudan and galvanizing the international community to further isolate the National Congress Party¹³, having concluded that negotiations will not yield any resolutions to the conflict after the failure of the June Addis Ababa Agreement.

In early August, the leadership of the SPLM-N met with the head of several Darfuri rebel movements that rejected the Doha peace process, including the Sudan Liberation Army factions

reported that as of 15 September, over 149 members were detained across Sudan, with the majority in Blue Nile and Khartoum.

⁹ The current state of emergency in Blue Nile also allows the Blue Nile Governor powers of arrest and unlimited detention, as well as delegation of his powers to the police commissioner, head of military, and the National Intelligence and Security Services (NISS). Official community leaders in Blue Nile can also arrest people and file cases under emergency law.

¹⁰ Sudanese Chief of the Judiciary Jalal Aldeen Mohamed Osman enacted a resolution allowing for the formation of an independent court in El Damazein on the situation in Blue Nile on 14 September. Albalola Abdelfraj Abolgasim was appointed judge of the court with the authorization of the General Court Class. The Court is empowered under the 1991 Sudanese Criminal Code, the Sudanese Anti-Terrorism Law of 2001, the Emergency and Safety laws of 1997, and any other laws determined by the Chief of Judiciary in Khartoum or Blue Nile State to be applicable. Many aspects of the Blue Nile Court's formation are questionable – appeals can only be submitted once to the Anti-Terrorism Appeal Court, rather than the process under the 1991 Criminal Code where appeals can be taken to the local court, the High Court and subsequently the Constitutional Court. The resolution also empowers the Chief of the Judiciaries in Khartoum and Blue Nile to apply any criminal law they find relevant, potentially allowing for criminal charges to be pressed retroactively.

¹¹ Sudan Tribune, "South Kordofan and the Blue Nile: Wars by Second Intention", 20 September 2011

¹² Sudan Tribune, "Bashir says Sudan's army to "liberate" rebels' bastion in Blue Nile, 29 September 2011.

¹³ African Arguments, "The NCP Regime is Destroying the North Says Yasir Arman, Secretary General, SPLM-North", 4 October 2011

of Abdul Wahid and Minni Minawi, (the SLA/AW and SLA/MM, respectively) and the Justice and Equality Movement (JEM) in Kauda, South Kordofan. On 7 August, the SPLM-N, SLM/AW, and SLA/MM announced the formation of the Sudan Revolutionary Front Alliance (also known as the Kauda Alliance) to unite political and military efforts to change the regime in Khartoum by force and popular uprising.¹⁴ The JEM allegedly did not sign on to the initial agreement due to disagreements over the nature of the state as “secular”. However, JEM spokesperson Ahmed Hussein Ahmed affirmed on 10 October JEM’s commitment to the Alliance and rejected the idea of imposing an Islamic state.¹⁵ According to the International Crisis Group, armed components of the Democratic Unionist Party and the Beja Congress subsequently joined the Kauda Alliance.¹⁶

Secretary General of the SPLM-N Yasir Arman has recently toured a number of international capitals to mobilize international support for the SPLM-N. In his speeches, he has outlined a clear SPLM-N platform focused on the removal of the NCP and the establishment of a new democratic political dispensation in Sudan. In testimony given to the US Congress Human Rights Commission, Arman stated that following the failure of the Addis Ababa talks; the SPLM-N concluded that the only way to resolve the conflicts in Sudan was to overthrow Bashir and the ruling regime. Arman also called on the US government to establish a no-fly zone from Darfur to Blue Nile in an effort to protect civilians from the government and to support Sudanese efforts to organize a democratic alternative to the current regime.¹⁷

While militarily strong in the Nuba Mountains and Southern Blue Nile, the SPLM-N’s capacity to organize its constituency in the North beyond these areas is limited as it is simultaneously fighting two wars and dealing with the effects of being banned - including the closure of its offices, freezing of its assets, and many of its members having been arrested.

The Way Forward

Although the Government of Sudan has largely framed the conflicts in Blue Nile and South Kordofan as internal rebellions that will be quickly eliminated, it has been unable to defeat the SPLM-N. Protracted conflict in Blue Nile and South Kordofan will lead to further alienation of the populations in the Nuba Mountains and Southern Blue Nile. The Kauda Alliance threatens coordination between armed movements in Darfur, Blue Nile and South Kordofan in addition to a potential re-emergence of conflict in Eastern Sudan. All of this comes in the context of increased political fragility of the regime due to the significant loss of revenue brought by the secession of the South, protests in Khartoum, and a constitutional revision process that will raise questions about the governing framework in Sudan and the role of *Sharia*.

The government of Sudan would be wise to quickly enter into good faith negotiations to find resolutions to the political and security issues at the heart of the conflicts in Blue Nile and South Kordofan and the other conflicts in Sudan. Negotiations will likely be arduous as truly effective

¹⁴ Sudan Tribune, “SPLM-SLM alliance is not yet sealed, talks continue to include JEM”, 10 August 2011. The NCP slammed the negotiations between the SPLM-N and the Darfuri rebel groups for their cooperation after the signing of the Doha peace agreement in July between the Government and Liberation and Justice Movement (LJM). Presidential Assistant Nafie Ali Nafie accused the movement of collaborating with the international community to harm the government, while other officials openly accused the SPLM of supporting the negotiations between the SPLM-N and Darfuri rebel groups.

¹⁵ Sudan Tribune, “JEM Reaffirms its position against religious state”, 10 October 2010

¹⁶ ICG report.

¹⁷ Testimony by Yasir Arman to the Tom Lantos Human Rights Commission, September 22, 2011.

negotiations have to focus on the need for further autonomy and democratization, which will fundamentally alter existing systems of governance in Sudan that have traditionally concentrated power in the hands of relatively ethnically homogenous elite in Khartoum and led to the marginalization of persons on the periphery. Intense pressure should also be placed on the NCP to agree to an immediate legal and political reform process, as well as a wider dialogue on constitutional review, that supports more inclusive and democratic governance in Sudan.

The SPLM-N should quickly find their way to the negotiation table as well as continued fighting will lead to further civilian deaths and misery for the populations it claims to represent.

Political Developments

Abyei and UNISFA Updates

On 14 October the SAF declared yet again that it will not withdraw its troops from Abyei before the full deployment of the UN Interim Security Force for Abyei.¹⁸ The UN has deployed 1,798 out of 4,250 troops and police and expects to deploy an additional 900 in the coming month. In an 6 October briefing to the UN Security Council on the most recent Secretary General's Report on the situation in Abyei, UN Under-Secretary-General for Peacekeeping Operations Hervé Ladsous informed the Council that neither side had complied with their obligation to withdraw their troops, and warned that the remaining troops could lead to further tensions in the disputed area as the migration period begins in the coming weeks.

The Secretary General noted in his report that the two parties have yet to come to an agreement on the creation of the Abyei Area Administration, leaving a vacuum of civilian authority in the area and effectively obstructing the processes of returns and reconciliation. The UNSC is considering a proposal made by the SG to amend the mandate of UNISFA to include border-monitoring activities pursuant to the 30 July agreement between the Government of Sudan and the Government of South Sudan to create a joint border monitoring mechanism.

The Governments of Sudan and South Sudan are meeting under the facilitation of President Mbeki in Juba starting on October 18 to continue discussions on a number of CPA implementation issues, including Abyei.

Mandate of the Independent Expert Renewed at the Human Rights Council

The Independent Expert (IE) on the situation of human rights in Sudan, Mohamed Chande Othman, presented his latest report to the Human Rights Council on 19 September at the 18th session of the Council in Geneva. The IE noted the progress made in the successful conduct of the referendum and Southern secession but emphasized continuing concerns over the role of the NISS in Sudan, the challenges faced by South Sudan in its transition to statehood and the situation in Darfur, among others. Member states were divided on the future of the mandate of the Independent Expert with some members of the Council wanting to reward the Government of Sudan for allowing Southern secession by lessening the scrutiny of the Council and others

¹⁸ Sudan Tribune, "Sudan's Army Says no Pullout from Abyei unless deal is fully implemented", 14 October 2011

arguing for maintaining the IE position in the context of renewed conflict in the border areas of Sudan and South Sudan.

The Human Rights Council renewed the mandate of the Independent Expert on 23 September, establishing a joint mechanism wherein the IE will be responsible for reporting on both countries. However the Council agreed to a slight weakening of the mandate of the IE by authorizing a mandate that emphasizes the capacity-building role of the IE rather than reporting and monitoring,¹⁹ an area which is now a critical gap following UNMIS' mandate expiration in July 2011.²⁰ A separate resolution was passed on South Sudan on 27 September. The IE's mandate for South Sudan is similar to that for Sudan, with an emphasis on capacity building and technical assistance to the Government to promote and protect human rights. The resolution also called for strengthened cooperation between the UN Mission in South Sudan and the Government on the prevention of violence against civilians.²¹

Withdrawal of the Umma and Democratic Unionist Parties from Talks with the NCP; Protests in Khartoum

Leading opposition parties, the Umma and Democratic Unionist (DUP), withdrew from talks with the NCP about forming a national government in early October citing a deadlock over cabinet positions.²² The talks were believed to be an effort by the NCP to reduce domestic political tensions and quell popular dissent in the wake of the secession of the South and rising prices in Khartoum. The government aimed to gain legitimacy by bringing the DUP and Umma parties into the government. When the Umma party withdrew, it stated that the NCP was treating the dialogue as a process of negotiating for ministerial positions solely and that this was insufficient. The Umma party's objective to participating in the talks was securing agreement on a "national agenda" establishing a new governance regime including the restructuring national institutions and comprehensive solutions to all the conflict in Sudan.

The DUP party announced that although it agreed with the agenda for the negotiations, the party withdrew because it was not offered adequate cabinet positions. Following this announcement, one DUP leader, Al tom Hago led a faction within DUP to declare that the party should not participate in further negotiations as regime change is the only solution to Sudan's problems. At a public rally organized by the DUP in Khartoum on 17 October to discuss the negotiations with the government, supporters of the DUP interrupted DUP leaders shouting phrases like "no negotiating with liars" and "regime change in Sudan."

In a rare critical moment, a senior NCP member and Minister of Science and Technology, Ibrahim Ahmad Omar, called for the party to reassess its strategy and openness to dialogue with opposition parties.²³

¹⁹ A/HRC/18/L.4. "Technical assistance for the Sudan in the field of human rights", 23 September 2011

²⁰ FIDH and ACJPS, "Sudan: the UN Human Rights Council weakens the Independent Expert's mandate for the Sake of Consensus", 30 September 2011

²¹ A/HRC/18/L.5/Rev. "Technical assistance for South Sudan in the field of human rights", 27 September 2011

²² Sudan Tribune, "Opposition Party Quits Power Sharing Talks", 5 October 2011. The DUP stated that they will leave "windows open" for other areas of negotiation.

²³ Sudan Tribune, "Sudan's former PM renews calls for national government", 12 October 2011

Anti-government protests began in Khartoum on 26 September and continued to gain support in October. In recent weeks, the demonstrations erupted in several towns across the country and in a variety of different neighborhoods in Khartoum. The demonstrators have been calling for regime change and protesting against spiraling prices, also a main factor in the youth demonstrations throughout Sudan in early 2011. The National Consensus Forces (NCF), a coalition of opposition parties, openly supported the protests. Farouq Abu Issa, the Chair of the NCF, was briefly detained and questioned on 13 October in Khartoum by the National Intelligence and Security Services (NISS) following his alleged request to the Dutch Government for support for opposition efforts to overthrow the regime through demonstrations.²⁴

The demonstrations seem more organized and resilient than the protests in Sudan in January and have featured participation by a wider segment of the population. Women and youth have been playing a significant role in the recent demonstrations. In a protest in El Hamadab in the far north, nearly 2000 people took place in demonstrations calling for regime change, with strong leadership from women and youth. In Masaudia in Central Sudan, thousands of people took place in demonstrations calling for regime change.

Antiriot police and security forces dispersed all of the demonstrations using excessive force and teargas. Many demonstration participants have been arrested including youth activists in particular.

Appointment of First Darfur Vice President

President Bashir appointed Darfuri member of the NCP, al-Haj Adam Youssef as Vice President on 13 September after promoting Ali Osman Taha to the position of First Vice President. With his appointment, Mr. Youssef will be the third most senior member of the government, following President Bashir and First Vice President Ali Osman Taha. Several Darfuri rebel groups have rejected the appointment, calling it an empty gesture that has the potential to contribute to further “Arabisation” of Darfur.²⁵ Although Sudan’s partners in the Doha process, the Liberation and Justice Movement (LJM), welcomed the move as part of the implementation of the Doha peace process, they also decried the lack of consultation with the Darfur Regional Authority.²⁶ One week later, President Bashir appointed LJM leader, Tijani el-Sissi as the head of the Darfur Regional Authority.²⁷ According to the Doha Darfur Peace Document (DDPD) the body is tasked with implementing the Doha Framework agreement reached on 14 July. As outlined by the DDPD, el-Sissi’s position falls just under the Vice Presidents and is senior to the Assistants to the President.

JEM Leader Khalil Ibrahim Returns to Darfur

JEM leader Khalil Ibrahim returned to Darfur from Libya on 11 September. Ibrahim was allowed entry to Libya in mid-2010 following the refusal of Chad to allow him entry as part of the normalisation of relations between Chad and Sudan. When the NATO campaign in Libya began, JEM expressed concern over the security of their leader, which was compounded when the

²⁴ Radio Dabanga, “Opposition Leader Briefly Detained in Khartoum”, 14 October 2011

²⁵ Reuters, “Sudan’s Bashir Names First Darfur Vice President”, 13 September 2011

²⁶ Radio Dabanga, “Adam Youssef Appointed Vice President”, 14 September 2011

²⁷ Sudan Tribune, “Sudan’s President Appoints LJM Leader as head of Darfur Regional Authority”, 21 September 2010

Sudanese government claimed that Darfuri rebel groups were fighting alongside Colonel Muammar Gaddafi's forces.

A convoy of vehicles crossed through Chad to bring Dr. Ibrahim safely to Darfur. The JEM denied reports of a joint attack by Sudan/Chad, with Dr. Ibrahim stating that he looked forward to a "cooperative relationship" with Chad's president Idriss Déby Itno (who is also a member of the Zaghawa ethnic group).²⁸

President Salva Kiir Addresses the UN General Assembly

South Sudan's President Salva Kiir addressed the UN General Assembly for the first time as the President of an independent state on 23 September. President Kiir thanked the UN for welcoming South Sudan as its 193rd member and the IGAD countries and members of the Troika for their respective roles in mediating the CPA. Kiir called for tangible development assistance to the newly independent country, stating that "even before the ravages of war could set in, our country never had anything worth rebuilding...although nature has endowed our country with abundant resources, notably oil and other mineral wealth, we hardly produce anything for ourselves, at least not yet".²⁹ Kiir outlined the SPLM's commitment to pluralism and good governance through the formation of a broad-based government and the drafting of bills aimed at curbing corruption. Kiir vowed to solve outstanding post-referendum issues, including border demarcation, "expeditiously" to ensure a mutually beneficial relationship between the two states.

SPLM-Democratic Change leader Lam Akol Returns to South Sudan

On 2 October controversial Southern Sudanese politician and the head of the opposition SPLM-Democratic Change (SPLM-DC) party, Lam Akol, returned to South Sudan after holding talks with President Salva Kiir in Nairobi.³⁰ Akol has twice split with the ruling SPLM, in 1991 as a leader of the "Nasir coup" and a second time in 2009, when the SPLM-DC was formed ahead of the April 2010 elections. In early 2011, Akol was accused by senior members of the SPLM of providing support for rebel movements in South Sudan, particularly the Shiluk militia led by Captain Oliny that attacked the SPLA in Malakal area in March 2011. In September 2011, several senior SPLM-DC members resigned after accusing Akol of undemocratic policies and supporting militias.³¹

Akol's return could signify progress towards political pluralism in South Sudan as the SPLM-DC is the only official opposition party in the National Assembly in South Sudan. Akol vowed to cooperate with the government and said that he would continue his role as chairman of the SPLM-DC, refuting allegations that he would attempt to rejoin the SPLM.³²

Monitoring Report

Freedom of Expression

²⁸ Sudan Tribune, "Exclusive: JEM Leader says he has arrived in Darfur", 11 September 2011

²⁹ "The Statement of HE Gen. Salva Kiir Mayardit, President of the Republic of South Sudan". 66th UN General Assembly, 23 September 2011.

³⁰ The New Nation, "Dr. Lam Akol Returns to South Sudan", 2 October 2011

³¹ Sudan Tribune, "Probe Lam Akol over Rebel Links, S. Sudan MPs tell MPs", 4 October 2011

³² Sudan Tribune, "Lam Akol Brushes aside speculations of returning to SPLM's fold", 1 October 2011

- On 7 and 8 August, the NISS prevented *Alathdath* from distribution.
- On 8 August the NISS confiscated *Al Sahafa* newspaper.
- On 20 – 22 August, *Aljareeda* was prevented from distribution, causing an estimated \$10,000 loss in revenue. Distribution was again prevented on 4 September. NISS officials also threatened to further punish *Aljareeda* if they employed any *Ajras Alhurria* journalists following the newspaper’s closure on 8 July. In a press release issued on 22 August condemning the NISS’ actions, *Aljareeda* stated “we have our redlines too, which is the respect of the freedom of expression...we are not concerned if our editorial team is disliked by the NISS, but we are concerned that such practice should be supervised by the Judiciary”.
- On 24 August, the journalist Abuzar Ali Al Amin, the Deputy Editor in Chief of *Rai Al Shaab*, was released from prison without charge, after a year and a half in prison. Mr. Al Amin was arrested by the NISS on 15 May 2010 for an article he wrote criticizing the government in the 9 May 2010 issue of the newspaper. The following day, the NISS Director, Mohamed Atta, suspended *Rai Al Shaab* newspaper. The paper remains suspended.
- On 24 August Abdelwahab Jumma, a journalist with *Al Sahafa* newspaper, was arrested in Omdurman area for participating in a peaceful demonstration calling for improved access to drinking water in the area. Police dispersed the demonstration, arresting 30 participants. They were released after 3 hours in jail from the Central Police Station in Khartoum and ordered to sign attestations that they would no longer participate in political events that caused public nuisances.
- On 27 August President Bashir issued an amnesty resolution authorizing the release of all journalists from NISS custody. Jafaar Alsabki, a journalist with *Al Sahafa* and arrested in November 2010 in conjunction with the Radio Dabanga case, was released from Kober prison.
- On 5 September NISS arrested members of Youth for Change in Wad Medani town in Central Sudan for participating in a demonstration. The following persons were arrested.
 - Murwan Abdullah
 - Alsadig Aljah Yousif
 - Loai Mohamed Ahmed
 Those arrested have been released.
- On 15 September the Sudanese Political Parties’ Council of Affairs enacted a resolution suspending 17 political parties from activities in Sudan on the basis that they have become foreign entities, or are led by Southern Sudanese, following the secession of the South. The Council made its ruling under Articles 12 and 14 of the Political Parties’ Law of 2007, stating that the parties’ presence in Sudan contradicts the CPA. The Council also advised that political parties check their members’ lists and drop any Southern Sudanese members. The suspended parties are:
 1. Sudan Peoples’ Liberation Movement, led by Salva Kiir
 2. SPLM-DC, led by Lam Akol
 3. Union of Democratic Rescue Front
 4. Sudanese National Labour Party
 5. National Justice Movement
 6. National African Congress
 7. South Sudan Union
 8. Democratic Front Union
 9. Sudanese African Union Party
 10. Sano National Party
 11. South Sudan Democratic Party

12. Democratic Union Party
 13. South Democratic Alliance
 14. South Sudan Democratic Front
 15. Union Democratic Rescue Front (original party)
 16. Union Democratic Front
 17. National Democratic Front
- On 4, 6, and 8 September, distribution of *Al Midan* was halted with little to no explanation. It was again prevented from publishing on 13 September. Since the paper publishes three times per week, these stoppages resulted in the loss of one week's worth of revenue for the paper.
 - On 11 September the pro-government *Akhbar Alyoum* was confiscated.
 - On 12 September the Press and Publications Council enacted a resolution preventing six sports newspapers from publication. The Council sent official letters to each newspaper informing them that they would not be allowed to publish till they conformed to administrative and professional standards required by the media law. The closed papers are the following.
 - *Habib Albalad*
 - *Almusahid*
 - *Alzaiem*
 - *Almrikh*
 - *Supper*
 - *Alalm Alngoum*
 - On 7 September the SAF beat and verbally abused the *Al Jazeera* correspondent in Blue Nile state, Osama Sayed Ahmed, on the grounds that he was publishing false news about the situation in Blue Nile. He was ordered to leave the state.
 - On 14 September the NISS ordered all newspapers to stop reporting on rebel groups' activities and printing their statements.
 - On 18 September the Press and Publications Court of Khartoum upheld the decision of the Press and Publications Council in the closure of *Ajras Al Hurria* newspaper.
 - On 21 September the NISS arrested Dr. Mohamed Abdel Razziq, chairperson of the Specialists' Doctors Association of Sudan, while he was on his way to a meeting organized by the Association to protest against the transfer of government hospitals in Khartoum from the Federal Ministry of Health to the State.
 - On 21 September police in El Gedarif locality, Gedarif State, ordered members of the Bani Amar tribe to evacuate a piece of land. The local authorities stated that they had issued previous warnings, but the Bani Amar had refused to comply. Police arrived later in the day and arrested a number of the protestors and shot and killed two men and injured four other people. The following persons were shot.
 - Musa Mohamed Musa, age 25, killed. The police claimed that Mr. Musa was resisting arrested and attempted to attack the police.
 - Bara Hamid Suleiman, age 15, killed. Mr. Suleiman was shot dead as he was running away from the demonstration.
 - Salih Bakhiet Bishy
 - Adreis Mohamed Bakhiti
 - Two other unidentified individuals

Subsequent demononstrations were quickly organised to protest police brutality and the police dispersed the demonstrations with teargas.

- On 27 September NISS officials raided *Aljazeera* offices in Khartoum. After ordering all employees to leave the premises, NISS officers posted guards at the main gates and locked the doors. Chief Editor Mr. Saad Aldeen Ibrahim and the Chair of the newspaper's Board, Mr. Awad Mohamed Awad, were ordered to report the next day at the NISS offices. The following day, on 28 September, NISS officials interrogated Mr. Ibrahim and Mr. Awad about the previous day's front-page headline, *The Sudanese Military Forces Refuse to Withdraw from Abyei*. The security officials informed them that such articles have the potential to incite war. The paper remains closed and has not received notice about the length of closure or when it will be allowed to re-open.
- On 27 September, following two days of demonstrations against rising food prices in Buri district of Khartoum, the NISS and police arrested a number of demonstrators, who were immediately fined 100 Sudanese pounds. The following day, the NISS invaded homes in Buri district and arrested six people, including a 70-year old woman.

Arbitrary Arrest

- On 14 August the Khartoum Central Criminal Court ordered the release of Bushra Gamar, a member of the Nuba ethnic group and human rights activist who was initially arrested in Omdurman by the NISS on 25 June. Mr. Gamar had previously acted as the Director of the Sudan Social Development Organisation (SUDO) and the Executive Director for the Human Rights and Development Organisation (HUDO) in South Kordofan. Mr. Gamar was immediately re-arrested and taken back into NISS custody.
- On 17 August the NISS in Nyala, South Darfur, re-arrested Abdallah Haroun Adam and Salah Balbiker immediately after the Nyala Court ordered that they be released. Mr. Adam is a university graduate and member of the Maasalit ethnic group, and Mr. Babiker is a university student and member of the Fur ethnic group. Both men were arrested in April 2011 in Nyala for distributing pamphlets in markets calling for regime change, shortly after the 30 January movement mobilised throughout the country. When the Court heard their case on 17 August, the judge ordered the charges against the defendants dropped and their release under Article 141 of the 1991 Criminal Procedures Act, which enables the Court to drop the case if there is insufficient evidence. Mr. Haroun and Mr. Babiker were immediately re-arrested. Mr. Haroun was released later in the same day and Mr. Babiker remains in NISS custody.
- On 28 August the NISS arrested and interrogated Mr. Nowja after he distributed clothes alongside a group of activists to IDPs from South Kordofan in Khartoum before Eid. Mr. Nowja is also from the Nuba Mountains.
- On 1 September the NISS in Shande town, River Nile State arrested members of the Sudan Organisation for Research and Development (SORD) when they attempted to conduct advocacy around a draft proposal by SORD on the Sudanese Family Law. The NISS arrived at their offices at 10 AM and released the group at 10 PM after searching their laptops and phone. They were forced to stand in the sun all day and interrogated as to SORD's sources of funding, their bank account details, and bank balance. The persons arrested are the following:
 - Mohamed Abdelgadir, SORD accountant
 - Gazafi Jebreel, driver
 - Mohamed Hamd
 - Karima Fath Abdelrahman
 - Hussam Alketiabi
 - Mohamed Awad

- On 2 September Abdelmoniem Raham, a well-known Sudanese intellectual and activist was arrested in El Damazein, Blue Nile. His whereabouts are currently unknown. Mr. Raham's arrest coincided with President Bashir's declaration of a state of emergency in Blue Nile. Following the signing of the CPA, Mr. Raham returned to Sudan. Most recently in 2010, he served as a government advisor for cultural affairs in Blue Nile state. Raham was the founder and chairperson of Sudana, an organization devoted to promoting the indigenous arts and literature of marginalized communities in the peripheries of Sudan. An active member of Sudan's journalist community, he was both a co-founder and administrative director of *Ajrass Alhurria* (Bells of Freedom) newspaper.
- On 5 September, *Sharara*, the Youth Movement coalition, released a press statement reporting that three of its members had been arrested for distributing flyers calling for regime change in Medani, Al Jazeera state. The persons arrested are the following.
 - Al Sadiq Al Haj Yousif
 - Morwan Abdalla
 - Laue Mohamed Ahmed Yousif
- On 21 September the NISS arrested Mohamed Abdel Razziq, the Chairperson of a Specialist Doctors' Association in Sudan, shortly before a demonstration organised by the Association protesting against the administrative transfer of Government Hospitals in Khartoum from the Federal Ministry of Health to the State Ministry of Health.
- On 27 and 28 September, two days after demonstrations on rising food prices in Buri district (approximately 3 kilometres east of Khartoum centre), the NISS and police raided several homes in Buri, arresting six people. One was a 70 year old woman. The group was fined 100 Sudanese pounds. Their names are unknown.

Torture and Sexual Violence

Thuria Yousef Yagoub, 19, Kosti Town, White Nile State

In the early morning hours of 14 July, eight armed police officers in plainclothes uniform arrived at Ms. Yagoub's home in a police landcruiser. She was taken to Western Police Station, where she was asked what happened near her home the previous day. When Ms. Yagoub replied that she heard some noise, but didn't know its source and had remained in her home all day, she was taken into custody. In the evening, a police officer came and asked her the same question, and Ms. Yagoub gave the same answer. She would later find out that a policeman had been killed some 200 metres from her home.

At 10 AM on 15 July, the same group of police who arrested her took her in the same vehicle from the police custody to her home, where they arrested one of her younger brothers, age 15, and then went to the local market and arrested her second younger brother, age 17. A neighbor was able to identify the policemen. They are:

- Bakri
- Sanwsi
- Mohamed Teiah
- Abdalla Sarour
- Muhanad
- Alaa Aldein
- Hassan
- Musa

The group was taken to the Central Police Station, and Ms. Yagoub was again interrogated. This time she was told about the policeman's murder. The police demanded to know the identity of the murderer, and when Ms. Yagoub repeated that she didn't know anything, they threatened to rape and torture her. She was taken back to Western Police Station, and in the evening she was asked for the third time by the police what had happened. She was then taken in the same car and driven southwest of the town.

The car stopped beside a tree and the officers asked her again about the events of 13 July. When Ms. Yagoub reiterated that she didn't know anything, Sawnsi and Abdallah Sarour began to remove her clothes and forced her to lie down. Sawnsi forced her legs up to her shoulders, and the other police began beating her feet. Alaadein suggested that the group rape Ms. Yagoub, but Mohamed Teiah suggested instead inserting a pepsi bottle from the car into Ms. Yagoub. Sanwsi and Abdallah Sarour began to separate Ms. Yagoub's legs but Musa asked them to stop as he was sure that Ms. Yagoub was now ready to confess. Abdallah Sarour dropped her legs and only Sawnsi was still holding her. He burnt her hand with a matchbox while calling her a prostitute. He told her that the police had killed her brothers after they discovered that she was having sex with them. She was beaten for one hour before being taken back to Western Police Station, where she met two other girls in custody. She was not able to move and the two girls helped her to the toilet to wash her burns and beatings.

At 8 PM on 16 July, the same policemen and five others (including two men called Ahmed and Mohamed Yousef) took Ms. Yagoub in a police vehicle and they picked up Mutaz Mohamed Alhassan, another person they suspected of involvement in the killing of the police officer. They drove to the same location and dropped Mr. Mutaz by the same tree and drove Ms. Yagoub some distance away. Bakri began hitting her in the face and kicking her all over her body. When the car stopped, Ahmed asked her to remove her clothes and the other policemen began forcing her to take her off her *tobe*, a cloaklike garment that covers the entire body. Ahmed asked her to remove her clothing and underwear underneath but Ms. Yagoub refused. They opened the backdoor of the landcruiser and forced her to lie on her back with half of her body outside the car. Bakri pressed hard on Ms. Yagoub's breasts and Mohamed Yousef and Ahmed continued to beat her feet one by one. The group continued to shout at her that she was a prostitute and she must confess or else they would rape her. After 15 minutes, Ms. Yagoub fell unconscious. She was taken to Eastern Police Station for three days before she was taken back to Western Police Station. She was unable to move and walk due to the beatings on her feet and the same girl helped her again to the toilet. The police refused to take Ms. Yagoub to the hospital. On 30 July she was released on bail. Her 17 year-old-brother has now been accused of murdering the police officer.

Mohamed Ahmed Ibrahim Eltahir, 35, Married, Rabak, White Nile

On 31 July Mr. Eltahir was in a bus station in El Obeid, North Kordofan travelling to Kosti. A man named Hassan came onto the small bus Mr. Eltahir was travelling on and asked where he was going. When Mr. Eltahir said Kosti, Hassan offered him a ride in his car.

They were stopped by three men carrying guns near Um Rwaba town. The men asked Hassan to open the boot. When he did, they found *bango* (a drug similar to marijuana). Hassan admitted it was his. When they asked Mr. Eltahir if he owned any of it, he said that he didn't know anything about it. They called him a liar and said that must be Hassan's partner. They hit Hassan's face with the butt of their gun, knocking out one of his teeth. They pushed Mr. Eltahir

down, asking if he was Hassan's partner. When he replied no, they began beating him on the back with black water pipes and kicking him until the sun set. One of them continued to beat him and confess to being Hassan's partner. When he replied no, they kicked him in the mouth and took his wedding ring, 50 Sudanese pounds, and his mobile phone.

They were forced into the men's landcruiser and their hands tied behind their back. They were taken to Kosti's Public Order Police and then the police hospital. A police doctor rinsed Mr. Eltahir's mouth out with salt and water and said that he had no serious injuries. They were then taken to Public Order custody in Kosti, and later the Judge of Kosti's Public Order Court. Mr. Eltahir told the Judge how he had admitted to being Hassan's partner while being tortured.

On 12 August, Mr. Eltahir was brought before the Public Order Court without a defense lawyer. His lawyer had withdrawn from the case because the prosecutor blocked his multiple attempts to visit Mr. Eltahir. Despite Hassan testifying that the *bango* was his and he was simply giving Mr. Eltahir a ride, the three policemen and prosecutor refused to accept that Mr. Eltahir was not Hassan's associate. Mr. Eltahir was sentenced to 20 years in prison on 22 August.

Freedom of Religion

On 29 July 2011, 150 people were arrested by police in Hay Mayo, South Khartoum. All are members of the Hausa ethnic group and from Darfur. While 21 individuals (children and the elderly) were immediately released, 129 were subsequently charged with apostasy, disturbance of the public peace, and being a public nuisance under Articles 126, 69 and 77 of the 1991 Sudanese Penal Code respectively (Case No. 2157/2011). The most serious of these charges, apostasy, carries a maximum sentence of death. The case was being tried in Al Nasar Criminal Court, Hay Mayo, South Khartoum and was presided over by Judge Ussma Ahmed abd Alla.

In a hearing on the case, which was brought by the police and represented by Ahmed Abdulla, the plaintiff testified that the defendants follow only the Quran and ignore the Sunna (words and deeds of the Prophet Mohamed). The judge saw 50 defendants on 14 September before announcing that the next session would be scheduled for 19 September 2011. The majority of the defendants were released on bail. However the following persons were refused bail:

- Yahaya Omer Ibrahm Adam
- Sluiman Mohmed Ibrahim
- Zakaria Abd Alla
- Mohamed Musa Omer

According to Article 126, an apostate includes anyone "who propagates for renunciation of the creed of Islam or publicly declares his renouncement thereof by an express statement or conclusive act." If found guilty of the above offense, accused persons would be given the opportunity to repent. Failure to repent could result in the application of the maximum sentence, which is the death penalty. The other charges carry less severe, though harsh sentences. Under Article 69, the maximum sentence is a prison term not to exceed three months, with a fine or a whipping, not exceeding 20 lashes.

On 22 September, the Court dropped the charges after the group repented in front of a representative of the Sudan Scholars.

Public Order Laws

- In Tandaly town, North Kordofan, the Public Order Court Judge Muhsien Suliman Abuzid has issued a number of sentences that go beyond the punishments prescribed by the 1991 Sudanese Criminal Code for drinking alcohol. For example, 40 lashes for drinking alcohol is listed under the 1991 Criminal Code and Judge Abuzid has been known to sentence those convicted of drinking alcohol to 80 lashes, a fine of 400 Sudanese pounds, and imprisonment for up to 6 months. Below is a brief synopsis of cases in which the punishment authorized by Judge Abuzid exceeded the penalty prescribed by law.
 - Mohamed Hamad Abdelaziz (Muslim): On 11 September, Mr. Abdelaziz was tried before the Public Order Court under case no. 2020 of 2011 for drinking alcohol. He was sentenced to 80 lashes (which was implemented immediately), and given a choice between a fine of 400 Sudanese pounds or six months in prison for non-payment.
 - Mohamed Ahmed Yousef (Muslim): Mr. Yousef was found guilty of drinking alcohol on 8 September in case no. 2030 of 2011. He was sentenced to 75 lashes and given a choice between a fine of 400 Sudanese pounds or six months in prison for non-payment.
 - Yaie Deng Mulim (Christian): Mr. Mulim was found guilty on 11 September of drinking alcohol under case no. 2023. He was sentenced to 80 lashes (implemented immediately), and a fee of 400 Sudanese pounds or six months in prison for non-payment. A Christian, Mr. Mulim should not have been subjected to *sharia* punishment.
 - Adam Alzubir Adam (Muslim): Mr. Adam was sentenced on 8 September under case file no. 2023 for drinking alcohol. He was sentenced to 75 lashes and a fee of 400 Sudanese pounds or six months in prison for non-payment.
- In late September, the Criminal Court in Hai Al Naser Mayo sentenced a young Southern man to 40 lashes, a fine of 200 Sudanese pounds, and one month in prison after he was found guilty of watching immoral movies on his mobile phone.

Fair Trial Standards and Updates

- In May the Centre reported on the arrest of 6 IDPs (three who were under 18) in Abu Shouk IDP camp in North Darfur after they peacefully demonstrated against a new World Food Programme aid distribution policy in which contracts would be given to local businessmen to distribute food as partners inside IDP camps. Following the demonstrations, police and NISS officers entered the camp, arresting a number of participants and taking them to NISS offices in El Fashir. They were later all transferred to Shalla prison, where the Central Police pressed charges under Articles 67 (rioting), 69 (disturbance of public peace), 50 (undermining the constitutional system), 63 (calling for opposition to public authority by criminal force), and 66 (false news) of the 1991 Sudanese Criminal Code. The group was later transferred to Khartoum, where they were subjected to torture for seven days in NISS detention before being transferred to police custody.

The first Court hearing on the case was scheduled for late August. The NISS representative who pressed charges did not appear. The prosecutor maintained the charges and added charges under Article 51 (crimes against the death), which carries capital sentencing. The Prosecutor also ordered the police investigator to send one of the detainees' cameras to the

Criminal Laboratory for evidence, but the police investigator refused to do so. Those arrested are still in Shalla Prison in North Darfur.

- On 25 August a special court in Kadugli sentenced Hammad Tutu, a political and military leader of the JEM, to death by hanging. The court session lasted only two hours and Mr. Tutu's lawyer was ordered to not talk to his client or participate in the hearing.
- In September, a court in El Gedarif, Eastern Sudan, sentenced 24 people to death and another individual to three years in prison and payment of *diya* for the death of 9 people in clashes between the Alkuahla and Alaglieen tribes in Alfo area in 2009. Nineteen of those sentenced to death were from the Alaglieen ethnic group, and five from the Alkuahla ethnic group. The entire group was charged under Article 130 ("murder") of the Sudanese Criminal Code of 1991. Those sentenced to death from the Alaglieen tribe are:

- | | |
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| 1. Ahmed Algneed Abdalla | 16. Alshareed Abdelwhab Ahmed |
| 2. Mohamed Awad Alkreem
Mohamed Salih | 17. Alfadul Ibrahim Mohamed
Saeed |
| 3. Abdelagi Mohamed Abdalla | 18. Ahmed Ibrahim Mohamed
Saeed |
| 4. Mohamed Ahmed Haj Alamin | 19. Mohamed Abdalla Ahmed
Ibrahim |
| 5. Ibrahim Mohamed Saeed
Ibrahim | |
| 6. Frah Rahmahalla Taha | |
| 7. Salih Ibrahim Mohamed Ali | |
| 8. Saeed Mohamed Ahmed Saeed | |
| 9. Taha Abdalla Altayeb | Members of the Alkuahla tribe sentenced to
death are: |
| 10. Altahir Rhamtala Altahir | 1. Ahmed Alemam Ahmed
Algadaa |
| 11. Alawad Altahir Taha | 2. Ali Adam Fadlala Adam |
| 12. Aldaful Ibrahim Mohamed
Saeed | 3. Mohamed Fadlalla Ali Adam |
| 13. Mohamed Zin Ahmed Algneid | 4. Mohamed Alemam Mohamed
Fadlalla |
| 14. Abdalla Mohamed Abdalla
Ahmed | |
| 15. Ahmed Mohamed Abdalla
Ahmed | |

- On 21 September the Court of Port Sudan began the trial of 6 Red Sea University students arrested on 25 May after they attempted to resolve a dispute between Red Sea University students and guards following demonstrations. The disputes were largely ethnically fuelled, with students accusing the University of doing little to prevent students from using racially motivated speech against members of the Beni Amir ethnic group, a tribe from Eastern Sudan. Those facing trial are the following.
 - Kamal Idriss Ahmed
 - Mohamed Osman Ahmed
 - Salih Ibrahim
 - Abobakr Suleiman
 - Hashim Osman Himd
 - Daoud Mohamed

The group is being tried under Article 22 (joint acts without criminal conspiracy), 69 (disturbance of public peace), 77 (public nuisance), and 182 (criminal mischief) of the 1991 Sudanese Criminal Code. They are all members of the Beni Amir ethnic group. On 20 September, the groups'

lawyer, Hassan El Tayeb, had his office broken into a day before the trial. The Red Sea University students' regulation was stolen, and the office computer turned on with several files open.