



Silencing the New Front: the Emergence of Widespread Torture against the Youth Movement April 2011

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Introduction

Throughout Sudan’s interim period, a marginal amount of space for freedom of expression and association was allowed by the National Congress Party (NCP) in conformance with the democratic transformation platform set forth by the 2005 Comprehensive Peace Agreement (CPA). Significant measures were taken in the drafting of the Interim National Constitution (INC), included in the CPA, to include constitutionally protected rights to the freedom of expression and association, as well as custodial safeguards. The Bill of Rights of the INC aimed to mitigate and remedy the severe repression of the NCP’s early days in power, the *Ingaz* era.

Despite these efforts, genuine attempts at reform proved to be fleeting. Access to political expression alternatively waxed and waned in the North as the NCP struggled to consolidate internal threats while simultaneously faced with power checks by their CPA partners, the Sudan Peoples’ Liberation Movement (SPLM). Due to shifts in openness, civil society remained largely

fragmented and the political opposition split from their constituencies, effectively stemming popular support. Crackdowns in the North created a widespread state of fear amongst communities, and the pervasive use of arbitrary arrest, torture, and incommunicado detention proved to be effective tools in silencing civil society and political opposition and maintaining the status quo.¹

As the NCP negotiated the referendum process and management of internal threats², mass demonstrations began in Tunisia following the self-immolation of a young vendor, with President Zine El Abidine Ben Ali stepping down less than a month later on 14 January. The revolution quickly spread to Egypt, with President Hosni Mubarak abdicating power on 11 February. Both popular uprisings highlighted widespread poverty, unemployment, corruption, and resentment towards longstanding leaders – all relevant to the Sudanese context.

Mobilisation of the Youth for Change Movement

Sudan's demonstrations are different from Egypt and Tunisia's in that they are already occurring at an extremely sensitive political time as they face the loss of the South and the end of the interim period, constitutional revision, and the ongoing conflict in Darfur. Austerity measures imposed in early January to combat the economic impacts of Southern secession has led to huge spikes in the prices of food, petrol, and other commodities.³ However, the youth movement has drawn inspiration from the popular uprisings. A coalition of members of the youth movement from groups such as *Girifna*, *Youth for Change*, *Change Now*, and *Sharara* (the "spark" in Arabic) quickly organised as a mass movement (also known as the Neighbourhood Mobilisation Committee) and planned demonstrations in Khartoum, El Obeid, Wad Medani, and Kosti for 30 January to protest NCP rule.⁴ Event announcements posted on Facebook⁵ explicitly referred to

¹ Despite several crackdowns during the interim period following significant political events, the unity of Sudan signaled a certain degree of protection for many Northern opposition groups in that the NCP would have a counterweight in the Government of National Unity (GoNU). Under the auspices of the GoNU, the opposition had some degree of influence, however marginal, and therefore was unwilling to openly campaign against the NCP. As the NCP was forced to allow for secession and the peaceful conduct of the referendum, internal opposition grew more organised as the culmination of the interim period began, and began openly working against the NCP when they refused to hold a constitutional conference and form a coalitional government.

² As the days to the referendum grew shorter, senior NCP members began to allude to the regimes' earlier days in power. A rift in the NCP between the hardliners, many in President Omar al-Bashir's cabinet and with security backgrounds, and other NCP members developed as the party weighed their options for the future of North Sudan as secession became a reality. Faced with the choice to liberalise and risk loss of power, or retain authority and grow more isolationist, clear signals began to emerge in late 2010 that the NCP intended to maintain power through tightening the little space available for freedom of expression and political participation.

³ As the reality of poverty set in for some Northerners and prices spiked, sporadic and isolated campaigns by activists, unionists, and the Campaign for Independent Students (CIS) gained broader support. Activists were arrested and subjected to torture throughout January for symposiums addressing the economic impacts of the referendum and distributing leaflets.

⁴ Throughout 2010, independent civil society grew more brazen in their approach. The youth movement, journalists, and unions all contributed to a robust campaign to end NCP hegemony, resolve the conflict in Darfur, and end impunity for human rights abuses. Despite their members being routinely arrested, detained, and tortured, the burgeoning movement continued to attract members and gain training and

the uprisings and Sudan's own successful popular revolutions in 1965 and 1985 with Facebook invitations stating "it is the right time to rise against oppression and despair...if the Egyptians and Tunisians can break the fear barrier, so can we. What are we waiting for? Our history says we can!"The demonstrations were endorsed by the opposition⁵, and attended by roughly 2,000 individuals in Khartoum despite the NCP's security organ, the National Security and Intelligence Services (NISS) announcing that any demonstration would be considered "illegal".

Demonstrations are Brutally Dispersed and Accompanied by Mass Arrests

On the first day of protests on 30 January, the regime reacted violently, deploying heavily armed riot police who beat demonstrators and targeted journalists and prominent members of the opposition.⁷ The African Centre documented 113 arrests on the first day of demonstrations in Khartoum, and one death. At least three people were severely injured. Thirty eight were arrested and beaten with black pipes in Omdurman. They were released later that day after being charged with rioting. An unknown number were arrested from Kordofan University and Quaran Al Karim University in North Kordofan. The following day, five students were severely beaten in Kosti, and two arrested and held incommunicado. In Khartoum, five student members of the National Alliance were arrested and taken to the NISS Political Affairs Office in Khartoum Bahri, where they were beaten.

In the following days, at least seven opposition leaders were arrested from their homes late at night by dozens of heavily armed police. 17 journalists and staff members of *Al-Midan*, a Communist Party-affiliated newspaper, were arrested at their offices in Khartoum on 2 February. Independent and opposition-affiliated newspapers such as *Ajras Alhurria*, *Al Sahafa*, and *Al-Midan* were prevented from being published. Further demonstrations on 3 February in Khartoum Bahri resulted in ten arrests, with two demonstrators beaten severely.

Widespread and New Tactics of Torture Emerge

Though the movement has failed to gain broad, popular support due to lack of cohesion and fears of the NISS, the brutal and widespread torture of detainees following the 30 January demonstrations and subsequent "days of rage" indicate that the NCP now views the opposition and independent civil society as the next front. While torture remained all too common during

coordination. By the latter portion of 2010, the youth movement and unionists had begun to unite across the North.

⁵ Whereas Tunisia and Egypt blocked internet access to social networking sites, the NCP has encouraged pro-NCP youth to utilise social networks to work against the youth movement. However, these methods have begun to be infiltrated by the NISS: a demonstration arranged by text on 3 February led to arrests, with some activists fearing that the NISS themselves had sent out the message. Detainees have been forced to give their passwords to their e-mail and other social networking sites. Activists have begun to organise via more covert methods of leaflets and new meeting spots.

⁶ Though the opposition was sympathetic to independent civil society and activists, there was never open support to demonstrations and advocacy by mainstream opposition groups. After calls for a constitutional conference and coalitional government went ignored, the opposition began openly supporting the youth movement.

⁷ For a full overview of the demonstrations, see *Sudan Human Rights Monitor, December 2010 – January 2011*.

the interim period⁸, its scope and targets were somewhat subdued to periods of crackdown and following major political events such as the Justice and Equality Movement (JEM) attack on Omdurman and the International Criminal Court's indictment of President Omar al-Bashir. Torture was most prevalent amongst mid-level members of civil society, journalists and members of disenfranchised ethnic groups. Now, the main target of the NISS is the youth movement. It appears that the majority of detainees from the youth movement organised demonstrations were subjected to torture.

The African Centre has documented the testimonies of several released detainees. Torture was so severe that the NISS headquarters in Khartoum Bahri were dubbed "the capital of hell". Those who were willing to speak about their treatment reported severe and widespread torture, often with detainees being targeted on the basis of gender and ethnicity. Members of disfavoured ethnic groups, such as in the case of Taj Al Deen Mohamed Ibrahim (Darfuri) and Louis Aweil Weriak (a Southerner), were often transferred immediately to incommunicado detention and repeatedly referred to as "slaves" and other racial slurs.

Detainees also reported degrading and humiliating treatment while in detention, such as only being allowed to use the restroom for two minutes and while guarded by heavily armed NISS agents. Detainees held at NISS offices in Khartoum North, near Shendi Coach Station, were allowed to use toothbrushes after five days in detention. Many detainees' heads were forcibly shaved, and some were forced to sleep on their backs on tiled floors facing strong lights with the air conditioning on. Detainees were often forced to look down while being interrogated and in transit between different detention centres.

Many of the torture tactics utilised differ from the regular methods of the NISS, or were reported to be utilised much more frequently. Whereas the usage of electric shocks appears to have been relatively rare in the past, several detainees reported being subjected to daily regimens of electric shocks, or were shocked by currents from handheld devices while being beaten. Several detainees and activists reported being threatened with rape and their clothing forcibly removed, and one woman (Safiya Ishag, see Sexual Violence and Threatened Rape) was brutally gang-raped. Rape as a weapon of war by the NCP has been well documented in Darfur and the South, but its transfer to NISS custodies and against political opponents in Sudan's urban centres constitutes a new trend in the NISS' "brutal imagination" and suggests that they now view threats to the NCP's power and civil unrest in the urban centres as a new front.⁹

⁸ Amnesty International, "Agents of Fear: The National Security in Sudan", July 2010. Though there are not explicit directions during training of NISS agents that they should utilise torture, agents generally understand that some force is necessary in order to obtain information. In a report to the UN Security Council, the UN Panel of Experts on Sudan stated that "interlocutors interviewed by the Panel informed it that while ill-treatment or torture are not introduced as part of the curriculum prepared for officers undergoing NISS training, everyone in NISS is left with the impression that some physical violence is acceptable in the process of extracting information from suspects. According to a middle-level NISS officer the dilemma was obvious: 'how else can I extract information from a criminal when I know that he's got it inside of him?'"

⁹ No to Women's Oppression Coalition, "Sudan Security Services Intensify New Tools of Rape and Sexual Assault to Punish Women who Express Their Political Opinion", 1 March 2011

At times, different torture methods occurred in conjunction with each other. Monitoring by the African Centre documented the following types of psychological and physical torture against detainees:

Physical	Psychological
<i>Rape</i>	<i>Threats of Execution while in Transport</i>
<i>Electric Shocks</i>	<i>Threats of Rape</i>
<i>Pouring of hot water on detainees bodies' and genital organs</i>	<i>Threats to Torture Relatives and Friends</i>
<i>Sleep Deprivation</i>	<i>Detainees told that their Friends in Custody had been Killed</i>
<i>Forced Hard Exercise</i>	<i>Torture of Detainees in Front of their Friends in Custody</i>
<i>Beating and Kicking</i>	<i>Sexual Insults and Degrading Language, including alleging sexual relationships between detainees</i>
<i>Preventing detainees from taking medication</i>	<i>Use of Ethnic and Racial Epithets</i>
<i>Detainees being forced to stay in the sun</i>	<i>Detainees being forced to blindfold themselves</i>
<i>Detainees being forced to sit or stand against the wall for long periods</i>	<i>Detainees being forced to look down during interrogation and transfer</i>
	<i>Stripping of detainees and tearing of women's clothing</i>
	<i>Shaving of heads</i>

Several detainees interviewed at various times after their release expressed extreme concern of the plight of other detainees still in custody, and particularly those being held incommunicado, with no accountability and devoid of monitoring or adherence to international standards. As of early-March, it was estimated by Amnesty International that at least 12 detainees remained in custody.¹⁰

Legal Framework

Sudan's human rights obligations apply to all, regardless of race, gender, or age, and are guided by core principles such as freedom of discrimination and equality before the law under Article 31 of the INC. Torture, arbitrary arrest, and incommunicado detention are all constitutionally forbidden by Sudan's INC and its international commitments, but continue to occur at alarming levels throughout Sudan. In some cases human rights guarantees under Sudan's INC are contradicted by other legislation. Though these laws were meant to be reformed in the duration of the interim period, there was never a truly open dialogue amongst the partners to the CPA about democratic transformation, and as such efforts to reform legislation concerning custodial safeguards, torture, and arbitrary arrest were never accomplished. Vagueness and lack of clarity of existing legislation renders civil society, opposition supporters, and members of disfavoured ethnic groups incredibly susceptible to arbitrary arrest and detention. Those held in pre-trial detention are at the most risk for torture, as they are entirely in the power of authorities, many of who perceive torture as the fastest way to obtain information or a confession and the easiest

¹⁰ Amnesty International, "Sudan: Crackdown on Peaceful Protest Continues", 9 March 2011

way to exercise physical and mental control over detainees, particularly for those arrested through indiscriminate arrests.¹¹

Torture

Torture is defined by the 1984 UN Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment (CAT) and its Optional Protocol as the following:

“any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions”.

This definition extends to psychological torture, both through psychological torture tactics and the anxiety imposed by physical abuse. Rape and the threat of rape have both been recognised as torture due to the severe mental anguish that accompanies it.

Though Sudan has signed, but not ratified, the CAT and its Optional Protocol, the CAT’s definition of torture has been recognised as customary and as a signatory to the CAT, Sudan is obligated not to undermine it. Sudan is not a signatory to the Convention of the Elimination of all Forms of Discrimination Against Women (CEDAW).

Sudan’s ratified international commitments, all of which were promulgated into domestic law under Article 27(3) of the INC, include protections against torture. Article 7 of the International Covenant on Civil and Political Rights (ICCPR) and Article 5 of the Universal Declaration of Human Rights (UDHR) forbid torture and all other forms of cruel, inhumane, or degrading treatment. Article 10 of the ICCPR recognises the right of all persons deprived of their liberty to humane treatment. Sudan is also a member to the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) and the Convention on the Rights of the Child (CRC), both of which forbid torture. Torture is also forbidden under Article 5 of the African Charter. Domestically, Sudan’s INC explicitly prohibits torture under Article 33, and Article 30 guarantees humane conditions of detention.

Regrettably, NISS agents, police, and the military are all protected by broad immunities. Other existing legislation in place abrogates from the constitutional ban on torture to a much more casual perspective: under Article 10 of the Law of Evidence (1993), “evidence is not dismissed solely because it has been obtained through an improper procedure, if the court is satisfied that it is independent and admissible”. Though many of the detainees were released without charge, those with charges are legally guaranteed to a fair trial under Articles 10 and 11 (1) of the UDHR, Article 14 of the ICCPR, and Article 7 of the African Charter. Sudan’s INC guarantees these rights

¹¹ Open Society Justice Initiative, “Summary of the forthcoming Report: Pretrial detention and torture”

under Article 34 (3) of the INC. These rights elucidate that individuals have the right not to be compelled to confess and any evidence elicited as a result of torture must be excluded.

While immunities make it extremely difficult to access justice and reparations for torture and ill-treatment, torture is also extremely difficult to prove under Sudanese law. Detainees are only entitled to a medical examination if the NISS feels it relevant to their investigation, though international standards dictate that detainees should be examined as soon as possible to deter from torture and establish custodial responsibility for detainees.

The UN Human Rights Committee's General Comment no. 20 specified that prolonged solitary confinement can amount to torture or ill-treatment as defined by Article 7 of the ICCPR. Protection from torture and other ill-treatment extends beyond the legal prohibition of torture to an obligation of states to investigate any allegation of torture and ill-treatment and prosecute where necessary. This right can neither be derogated from nor immunities given, and protection from torture includes an obligation of states to provide reparations when necessary.

Sudan is also bound by a number of regional and international human rights guidelines that protect detainees, such as:

- UN Basic Principles for the Treatment of Prisoners
- UN Body of Principles for the Protection of All Persons Under Any Form of Detention or Imprisonment.
- The Robben Island Guidelines and Measures for the Prohibition and Prevention of Torture, Cruel, Inhumane or Degrading Treatment in Africa

Many of these guidelines are not legally binding and are applied by consensus through the UN General Assembly and African Commission.

Arbitrary Arrest and Incommunicado Detention

Article 9 of the UDHR, Article 9 of the ICCPR, and Article 6 of the African Charter guarantee that no one be subjected to "arbitrary arrest, detention or exile", though the ICCPR does not contain a definition of arbitrary or unlawful detention. Both the African Commission for Human and Peoples' Rights (ACHPR) and the Human Rights Committee have established that the term "arbitrary" needs to be interpreted broadly to include elements of inappropriate detention, injustice, and lack of predictability. Article 29 of the INC guarantees every person "the right to liberty and security of person; no person shall be subjected to arrest, detention, or deprivation of their liberty except for reasons and in accordance with procedures prescribed by law". Article 34 also guarantees detainees' right to be immediately informed of the reasons of the reasons of their arrest and charges promptly brought against them.

The UN Working Group on Arbitrary Detention has identified three broad categories of arbitrary detention; a) there is no legal basis for the deprivation of liberty, b) when the deprivation of liberty is a result of the exercise of human rights guaranteed by the UDHR and ICCPR, including the freedom of movement, expression and association, conscience, and religion, peaceful assembly, and c) when the non-observance of international trial standards is so grave that deprivation of liberty takes an arbitrary character.

Sudan has not signed on to the International Convention for the Protection of All Persons from Enforced Disappearances, but many of its provisions on torture, cruel, inhumane, and degrading treatment are also recognised by the ICCPR and included in the INC.

Sudan's National Security Act 2010

The 2010 National Security Act contradicts many of Sudan's international commitments, and includes many of the same broad powers of arrest and detention as did its predecessor, the 1999 National Security Act. NISS members are immune from prosecution; Article 52(3) of the National Security Act provides immunity for members of the NISS for all acts committed in the course of their work as long as their immunity was not waived by the National Security Director. Article 52 (1) states that any act committed by the NISS while pursuing their duties and with "good intention" should not be considered criminal.

The 2010 National Security Act also maintains the powers of arrest and detention of the NISS. There is no right to challenge the grounds of arrest. Detention without judicial review can last up to four and a half months under Article 50, with three instances of internal review by the NISS, one in which the Director of National Security assesses if the detainee appears to be a threat to the safety and security of the people, or is plotting against the country. Other items include the disruption of peace, and political violence. Article 51 (1) allows for access to a court if detainees are kept longer than the period specified in Article 50.

Monitoring Report

Lack of Access to Medication

- On 31 January, Adil Karrar, an engineer, was arrested from a bookshop in Omdurman. He suffers from back pain, but was not allowed to see a doctor.
- On 31 January, Kamal Mohamed Osman, a student and political activist, was arrested in front of the Umma Party headquarters in Omdurman. He was been subjected to sleep deprivation, and has not been allowed to see a doctor.

Physical Abuse and Humiliation

- On 3 February, Farouq Osama Abdul Rahman Al Nur was arrested near Agrab Square, where he was severely beaten with a thick black hose.
- Both Abdul Aziz Kambali and Abdulla Aidaroose, both political activists, were subject to severe beating, degrading verbal insults, and ill-treatment on an unknown date.
- On 14 February, Ali Mohamed Osman, an unemployed Khartoum University graduate, was severely beaten by over ten NISS agents on Al Mawrada Street near Al Nilain Mosque in Omdurman with two friends, Abdul Rahman Ahmed Hasan (see Abuses on the Basis of Race and Ethnicity) and Haseeb. The three were then arrested and taken to a house in Al Shuhada neighbourhood of Omdurman, where they were detained for over two hours. They were then transported in an unmarked van and ordered to cover their heads with their shirts. Shortly after 11 PM, they arrived at an unknown location and were initially asked for their personal information.

The group was ordered to stand with their hands against the wall. Mr. Osman was ordered to do hard physical exercise, and beaten with a hose for half an hour when he could no longer continue. Throughout his detention, he was subjected to insults and offensive and humiliating language. After his beating, he was forced to remain standing against the wall from midnight to ten AM the following morning, when he was taken for interrogation.

Mr. Osman's interrogation focused on what the NISS agent referred to as a "plan to mobilise the public against the government". He was interrogated until 4 PM, during the course of which he was ordered to remain standing and was frequently beaten. He was not allowed to use the washroom, and was given only a sandwich to eat and no water. Mr. Osman insisted repeatedly that he had only taken place in a public campaign to ensure the release of detainees following the 30 January demonstrations. When the interrogation ended, he was forced to sit on a chair facing the wall until the following morning, when he was interrogated again by an Eastern Sudanese NISS officer, named Al-Tahir, until midnight on 16 February, who accused him of "mobilising the street against the government", and demanded that he tell the NISS "the plan".

Mr. Osman was released at 1 AM on the morning of 17 February, and ordered to report back the following morning. When he left, he realised that the facility was east of the Republican Palace, near Al Jam'aa Street. Before leaving, he was made to sign an oath to not participate in any political activities. The NISS agents told him that what had happened to him was just the "tip of the iceberg" and that if he spoke of his arrest he would be arrested again and "left in the detention centre for years without anyone knowing where he was".

Electric Shock Regimens

- On 3rd February, Ahmed Mahmoud Ahmed, 24, a student at the Sudan University for Science and Technology, was arrested in Agrab Square alongside seven others. The group was severely beaten and verbally insulted before they were taken in an unmarked van to another location. They were ordered to look down in the car, and beaten while in transit. The other members of the group are:
 - Ali Al Naeem Al Basheer, a Khartoum University student (see his account below)
 - Bakri Mohamed Omer, a Khartoum University student (see his account below)
 - Abdul Fattah Tibin, a Ahlia University student (see Abuses on the Basis of Race and Ethnicity)
 - Mohamed Balla, a worker at a café near Agrab Square
 - Mohamed Al Sadig, a Gaziera University unemployed graduate
 - Hamad Al Neel Al Shaikh, a Nilain University student
 - Marwa Al Tijani, a Khartoum University student (see Sexual Violence)

When they arrived at NISS offices, their possessions were confiscated, including their mobile phones and cameras. Before being placed in a cell they were photographed and asked for personal information about their families and political affiliations. The group was then moved a second time to NISS premises near Shendi Coach Station in Khartoum North at 7 PM. Mr. Ahmed, who has long hair, was taunted by NISS agents who inquired if he was a man or a woman. One officer slapped Ahmed and ordered another agent to shave his head.

The group was then taken to the top floor of the building, where they were severely beaten for 3-4 hours in an “honorary reception”. They were then asked about their personal lives and political activities. Members of the group who denied any political affiliation were beaten and accused of being Communists.

Mr. Ahmed was called for another interrogation in a separate room, and made to lie on the floor, where he was beaten with a thick black hose. When he tried to grasp the hose to stop the beating, he was electrified with a black-stun gun like device.

He was asked about his relationship to another one of the female detainees, Ms. Al Tijani (see Sexual Violence section). He replied to his interrogator that she was a friend. The interrogator slapped him, saying that he should have said “colleague” in keeping with “Sudanese morals”. The interrogator then asked Ahmed “How many times have you had sex with her? What type of sex do you have with her? Do you only kiss and fondle her, or do you have sexual intercourse?” Every time Ahmed denied the relationship, he was beaten. He was then taken from his cell to Ms. Al Tijani’s, where he was beaten in front of her.

Mr. Ahmed spent 12 days in isolation and was interrogated daily before being released on 15 February. During his detention, he was taken away in the evenings while the rest of the detainees slept and forced to wear only his underwear. Electric shocks were administered three times daily for a week in an attempt to make him sign into his facebook account. Mr. Ahmed denied having an account.

- On 3 February, Ali Al Naeem Al Basheer, 21, and a University of Khartoum Student, was arrested from Agrab Square in Khartoum North alongside Mr. Ahmed and the others. He attempted to escape, but was apprehended by the NISS and members of the public who believed he was thief. The group was initially taken to a nearby house, where he was beaten and kicked by 3 security agents.

Mr. Basheer was then transferred alongside the other detainees to NISS offices near Shendi Coach Station at Hillat Khojali, Khartoum North. He was beaten again and interrogated about his political affiliation and why he joined the demonstrations. He was ordered to sign into his Facebook account, but refused.

Mr. Basheer was then transferred to NISS headquarters in Khartoum Bahri, where he was asked for the names, addresses, and phone numbers of his brothers. He was beaten with a thick hose and batons, and given electric shocks during his interrogation. When he tried to raise his head, he was kicked. Mr. Basheer is asthmatic, but was not allowed to take his medication. After being interrogated until midnight, he was taken to a small room guarded by uniformed men, who ordered him to stand with his hands against the wall.

After five days in detention, Mr. Basheer and his fellow detainee Mr. Omer were taken to a room together and severely beaten. They were told that they would be tortured for a further day as they had admitted no political affiliation. They then admitted allegiance to the ‘Haq’, a splinter of the Communist Party. They were ordered to shout “I am a communist dog...I am a dog affiliated to the Haq’. They were then questioned about their work with the Haq and offered work as NISS informants. When they refused, their interrogator threatened them with 2 years in prison.

Mr. Basheer was released after 15 days in detention. He was ordered to sign an undertaking not to participate in any demonstrations in the future.

Abuses on the Basis of Race and Ethnicity

- On 30 January, Taj Al Deen Mohamed Ibrahim, 24, and a Khartoum University student, was arrested at 11 AM in front of the Faculty of Medicine, University of Khartoum. He was then taken to a NISS office near North Khartoum Police Station. He was severely beaten with thick black hoses when arrested and while in detention by five NISS agents. Due to his appearance, he was accused of being a member of the Darfuri armed movements.

He was then taken on a bus with 50 other detainees, who were all forced to blindfold themselves with their own shirts. He overheard the driver being asked to drive to the “execution site”. The bus took them to NISS headquarters in Khartoum North. The detainees were made to sit under the hot sun for three hours, and were interrogated while being beaten. Mr. Ibrahim’s interrogation focused on his political affiliation and his alleged ties to the Darfuri rebel movements. He was threatened with electric shocks unless he admitted his relationship with Abdul Wahid Al Nur of the Sudan Liberation Army and the Justice and Equality Movement. He was asked “how come you slaves want to rule the Sudan?” Mr. Al Deen was released the following day, and was made to sign an oath that he would not participate in future demonstrations.

- On 30 January, Louis Aweil Weriak, a Southerner and a member of the Faculty of Pharmacy at the University of Khartoum, was arrested and held incommunicado away from the other members of the group, where he was reportedly severely tortured.
- On 3 February, Abdul Fattah Tibin, a Darfuri student at Ahlia University, was detained near Agrab Square, Khartoum North. He was subjected to severe beating and electric shocks while accused of being affiliated with the Darfuri armed movements.
- On 16 February, Abdul Rahman Ahmed Hasan, a 35-year unemployed engineering graduate from Nyala Technical College, was arrested alongside his friends Haseeb and Ali Mohamed Osman. He was taken to a house near Masjid Al Khaleefa (Al Khaleefa Mosque) in Omdurman. He was initially asked about his name, tribe and ethnic origin. When the interrogator learned that Mr. Hasan is Darfuri, he told him: “Do you think you are human beings? Do you want to topple the government? As long as we are in the government, you will remain as low as you are”.

At about 11 PM, the group was taken in a NISS truck to a building east of the Republican Palace. Mr. Hasan was subjected to the same torture as his friends. He was also interrogated by the same Eastern Sudanese NISS officer, Al Tahir, who said “Do you want to topple the government? Do you want to mobilize the street? We are ready to liquidate and annihilate you because you are powerless.” Mr. Hasan’s interrogation continued for an hour and a half, in which he was forced to stand. He was not beaten during this period.

Mr. Hasan and Haseeb were then taken to the Al Khaleefa Mosque, and allowed to enter. Mr. Osman was made to stand outside the mosque gate.

At 4 AM, Mr. Hasan heard Mr. Osman being beaten and interrogated as to whether he was a communist. Mr. Hasan asked to use the washroom, and when he past Mr. Ali's cell saw him on his knees with his hands up while two other NISS agents beat him. The beating continued for an hour and a half, and then there was silence and Mr. Osman's voice could no longer be heard. A group of NISS agents entered Mr. Hasan and Haseeb's cell and told them that they had killed Ali and that they were next.

Around mid-day, Mr. Hasan was blindfolded and taken to another place, where two officers made him sign an oath not to participate in any political activities and not to disclose his torture to anyone. He was released 16 February, when he discovered that he had been held near NISS headquarters by Shendi Coach Station in Khartoum North.

Arrest and Torture of Journalists

- On 30 January, Hamza Balole, a journalist with *Al Ahdath* and *Al Sharq* newspapers, was arrested with other journalists at Al Qasr Street and taken to NISS offices. They were interrogated and ordered to delete the demonstration photos they had taken. They were severely beaten and accused of "disloyalty".

On 2 February, 17 journalists, staff and visitors were arrested from *Al-Midan* after their office was raided and coverage of the 30 January demonstrations confiscated. Members of the group were held incommunicado after being taken to NISS headquarters in Khartoum North, and several members were forced to open their e-mail and facebook accounts. The following journalists and employees were subjected to torture while in NISS custody:

- Muawya Abu Hashim, employee: Mr. Hashim was forced to stand on his toes, facing the wall, with his hands up while he was threatened with beating. Mr. Hashim and Mr. Karrar were ordered alongside the group to do hard exercise ("rabbit jumps") for one hour. They were also subjected to sleep deprivation. Mr. Hashim was released after 11 days without charges.
- Kamal Karrar, deputy chief editor: Alongside the rest of the group in transit to NISS headquarters, Mr. Karrar was ordered to blindfold himself with his shirt and to lie face down on the floor of the van. NISS agents put their shoes on the detainees' heads. Upon arrival at NISS headquarters in Khartoum North, they were subjected to severe beating. Mr. Karrar Mr. Hashim, and Mr. Mirghani were released after 11 days in detention without charges.
- Ibrahim Mirghani, journalist, political section: was severely beaten and subjected to degrading treatment alongside the group. Mr. Mirghani was prevented from taking his medication, and was released after 11 days in detention without charges.
- Al Sadig Omer, journalist: Mr. Omer was severely beaten and prevented from taking his medication. Alongside the other journalists, he was interrogated on his political affiliation, family, personal address and phone number. He and others were made to draw maps to their homes.
- Ahmed Ali, journalist: Mr. Ali was abducted separately from the group on Mohamed Najeeb Street while on his way home. He was beaten and kicked, then forced to blindfold himself with his own shirt before being taken to NISS offices in Khartoum North, where he was intimidated and verbally abused. He was asked for personal information and made to draw a map to his home. He was threatened with rape, beaten, punched and kicked, and hot

water was poured on his back. Mr. Ali was also subjected to sleep deprivation before being released after 11 days in detention.

- Samir Salah Al Deen, a trainee journalist: Mr. Al Deen was subjected to severe beating and electric shocks.
- Other detained journalists who suffered torture include:
 - Rashid Abdul Wahab, *Ajras Al Huriya* newspaper
 - Ali Haj Al Ameen *Ajras Al Huriya* newspaper

Sexual Violence and Threatened Rape

- On 30 January in Khartoum, Samah Mohamed Adam, a Baath Party activist, was forced into a NISS van by 14 agents. She was violently dragged by her clothes, and one of the agents tore her blouse, exposing her breasts. Another agent pressed himself against her saying that if she did not want “this to happen she wouldn’t have gone out to the street in the first place”. While trying to cover her chest with a head scarf another NISS agent said: “...there is nothing today but fucking”. Samah was taken to NISS offices until 2 AM, where she was repeatedly beaten with a black hose and threatened with rape before she was released.
- On 2 February, Najat Al Haj, a leading member of the Democratic Unionist Party, was arrested after attending a National Alliance Forces meeting. During her arrest she was forced to cover her face with her *tobe* (a long cloak-like garment) and was forced into a NISS car with a gun pointed to her head. Ms. Al Haj reported that when she was taken to NISS offices she found four blindfolded women journalists facing a wall while being collectively interrogated. They were all insulted and mocked about their “morals” during the interrogation. While searching her handbag, a NISS agent found some medication and said “these are contraceptives...You can sleep outside your house and it’s normal, no? and now you are accompanying young men who carry condoms!” Ms. Al Haj also reported that the interrogator asked her “where is your husband? If you had a husband you would not have been here”. She was released late in the evening and told that “she must be used to returning home at such a late time”.
- On 3 February, Marwa Al Tijani, a member of the Youth movement, was arrested at about 4:00 PM near Agrab Square alongside six others (see electric shock section). The group was forced into a NISS car at gunpoint. They were first taken to NISS offices in Khartoum North, and then to another location she couldn’t identify, where she reported seeing women being obscenely insulted and whipped. She was made to undress and repeatedly beaten on her back and legs with a thick black hose. Marwa and the other female detainees were threatened by NISS agents with detention in the women’s prison “with liquor makers and prostitutes”. They were also threatened with being photographed with other prisoners alleged to be prostitutes, and the photos sent to her family. Ms. Al Tijani was accused of having a sexual relationship with Mr. Ahmed, who was also detained after the demonstration. Ms. Al Tijani asserted that while detained she was never asked about any political issues.
- On 10 February, Suad Abdallah Jummaa, a member of the Communist Party, was arrested from a public bus after the bus was ordered to stop by security. When she refused to give the NISS her phone’s SIM card, she was beaten and verbally abused. She was able to protect herself by crouching between two chairs in the NISS office. One of the agents told the others to “leave her with me for three minutes only and she will admit where the memory card is

and get it out on her own". She reported that this terrified her, as she had heard about abuse and rape of women in NISS detention centres.

- On 13 February, Safiya Ishag, a *Girifna* activist, was in a bookshop when she was forced into a car by two NISS agents. At around 10pm, she was taken to NISS offices in Khartoum North, where she was raped. She was interrogated about her political affiliations, alleged leaflet distribution and inciting others to demonstrate. She was forcibly stripped of her clothes, and repeatedly beaten and subjected to obscene verbal abuse. Ms. Ishag fell unconscious, and when she regained consciousness found one of the NISS agents raping her. All three agents raped her while the others watched. Official medical reports, including a prosecutor report, also confirmed that she had been repeatedly raped, though at first the NISS refused to file the reports. Ms. Ishag went public with her testimony.¹²
- On 16 February, at a press conference organized by the Popular Congress Party (PCP) at its headquarters, Asmaa Hasan Al Turabi reported that NISS forces brutally dispersed a peaceful protest by female activists calling for the release of Hasan Al Turabi and other members of the PCP arrested in January. Ms. Turabi reported abusive and aggressive behavior by the NISS, who reportedly threatened to strip the women of their *tobes*.

Many of the women above subjected to sexual violence and threatened with rape went public with their testimonies in efforts to halt the NISS' use of rape and reduce stigma surrounding sexual violence. Some of these testimonies were published by *Hurriyat* newspaper and by the Sudan Democracy First Group.¹³

Male detainees were also threatened with rape and were forcibly stripped and tortured. On 2 February, Abdul Gadir Abdul Rahmen, a Khartoum University student, was arrested near Agrab Square, Khartoum North. While in custody, he was beaten with a thick black hose and subjected to electric shocks. He was stripped and hot water poured on his genital organs. He was then threatened with rape.

Torture and abuse continued to have explicit sexual connotations and threats following the initial round of arrests after the 30 January demonstrations and as the youth movement continued to organise demonstrations. On the way to a subsequent demonstration on 21 March, Widad Abd-Elrahman Dirweesh, 27, a human rights defender and volunteer with the Sudan Organisation for Non-Violence and Development, was arrested alongside Muhanad Nagm Aldin and Manal at 3 PM near Khartoum Stadium. Four plainclothes NISS officers knocked Ms. Dirweesh to the concrete street, and two other officers dragged her through stagnant water. Ms. Dirweesh cut her head badly when she fell, and began to bleed profusely. She was pulled up by two NISS agents, one of whom held her face with his two hands and moved his face close to her and began verbally abusing her, saying that she looked ready and prepared to sleep outside her house as she had a backpack of clothes with her.

The group was taken in a pickup truck to a NISS office in Buri, Khartoum. Throughout the journey Ms. Dirweesh was bleeding, and fainted when she arrived at the office. She received no medical care when she arrived, but was allowed to use the washroom to wash blood from her face. She was then interrogated.

¹² See *Girifna*, "Rape of an Activist" at http://www.girifna.com/blog-girifna/?page_id=1696

¹³ See Sudan Democracy First Group, "Sudan: War Against Women is the New Front", 25 February 2011. Available online at <http://www.wluml.org/node/6982>

When her condition worsened, the NISS offered to take her to a Police Hospital. When she refused, she was taken to a Civil Public Hospital where she received stitches. After treatment, she was taken to the Khartoum North Police Station and charged under Article 66 (publication of false news). Ms. Dirweesh was released at 1 AM on bail and tried in the following days. Both Ms. Dirweesh and her lawyer were not allowed to address the court, and they declined her request to adjourn the trial on account of her injuries. Ms. Dirweesh was convicted and fined to 500 Sudanese pounds (\$200 dollars).

Conclusions and Recommendations

Despite the challenges, the youth movement and civil society has remained critically engaged and hopeful. Demonstrations on the 8 and 9 of March organised by the No to Women's Oppression Initiative and opposition supporters in solidarity with Libya, respectively, were brutally dispersed before they could begin, and several demonstrators arrested and later released. Several opposition demonstrators were charged with Articles 77 (public nuisance), and 67 (rioting) of the 1991 Criminal Code. Some demonstrators participated in both demonstrations and were arrested twice. Protests planned by the Youth for Change for 21 March never materialised as planned, as riot police positioned themselves throughout the city and universities beginning in the early morning. Still, the movement has remained determined, with one group posting on Facebook that the "the breeze of freedom has started to waft into Sudan from Egypt and Tunisia".¹⁴ More protests are planned.

The North will undertake a process of constitutional revision in July 2011, when the CPA and INC expire. Renewed efforts are urgently need to combat repressive elements of Sudan's legal and policy framework, and ensure the establishment of rights-respecting guarantees that enable the full exercise of all Sudanese's rights to freedom of expression and association.

Therefore, the African Centre makes the following recommendations to the Government of Sudan:

- Allow for greater access to the freedom of expression and association for members of the youth movement
- Release all detainees still in custody or charge with an internationally recognised offence
- Ratify the CAT
- Include provisions for civil and political Rights in the Constitutional Revision Process, as well as custodial safeguards
- Reform the National Security Act 2010 to bring it into line with the current Bill of Rights enshrined in the INC and reduce powers to detain for prolonged periods
- Repeal immunities for the NISS established under the National Security Act 2010
- Establish an independent oversight body for the NISS and monitoring of detention centres
- Amend the 1993 Evidence Act to be in conformity with Sudan's INC and make the evidence from torture inadmissible
- Allow for international monitoring of detention facilities

¹⁴ Sudan Tribune, "Youth Groups Escalate Calls for Popular Uprising", 4 March 2011