



### **Over 170 dead, including 15 children, and 800 detained as demonstrations spread throughout Sudan**

*Over 170 demonstrators confirmed dead, including 15 children, 500 confirmed injured, and over 800 detained*

(4 October 2013) The African Centre for Justice and Peace Studies (ACJPS) has confirmed the deaths of 170 people since protests began in Sudan on 23 September. At least fifteen of these fatalities are children. Over 500 people have been injured and over 800 arrested in cities through the country by the authorities. ACJPS has strong evidence of the intentional use of lethal force by Sudan's National Intelligence and Security Services (NISS) and Central Reserve Forces (CRF) against demonstrators.

Demonstrations ignited in Sudan's second largest city, Wad Medani, on 23 September, following the announcement made by the Government of Sudan (GoS) on 22 September that subsidies on fuel and other commodities would be lifted.

The demonstrations spread throughout Sudan and continue to take place in Khartoum, Omdurman, Wad Medani, Port Sudan, Atbara, Gadarif, Kosti, Sinnar, and Nyala. The demonstrations quickly transformed from calls for the subsidies to be reinstated to calls for regime change. In Nyala, demonstrations have also focused on the deteriorating security situation in Darfur.

The demonstrations continue to gain momentum and unlike protests staged in 2012 do not appear to have been organised by political or activist groups. Demonstrations held on Friday, 27 September, were referred to as 'Martyr's Friday' to commemorate those killed in the demonstrations.

The ruling National Congress Party (NCP) has portrayed the demonstrations as riots and unauthorised gatherings aimed at looting and damaging property. Authorities have accused the coalition of armed opposition groups, the Sudanese Revolutionary Forces (SRF), and the political opposition of organising them.

### **Arbitrary arrest and detention; cruel and inhumane punishments**

Since 22 September, the National Intelligence and Security Services (NISS) and police have arrested at least 800 people throughout Sudan, including political activists, opposition party members, and human rights defenders.

The exact number of individuals detained in connection with the protests is unknown. In Wad Medani, ACJPS can confirm that over two hundred people have been arrested, with the Governor of Al Jazeera state reporting that 103 people have been detained. The majority of detainees are in NISS custody and have not been charged with any criminal offence.

There are serious concerns for the safety of the detainees. ACJPS documented the widespread use of prolonged incommunicado detention, torture and ill-treatment by the NISS against protestors, activists and perceived political opponents during anti-government

demonstrations last year. According to provisions of the 2010 National Security Act, detainees in NISS custody can be detained for up to four and a half months without charge or judicial review. The National Security Act also permits incommunicado detention without prompt access to a lawyer, and grants immunity for officials in contravention of international law and standards, providing an enabling environment for the perpetration, without accountability, of human rights violations by the NISS.

ACJPS is deeply concerned that one detainee may have died in custody. On 25 September Majid Mohamed Ali, (m), a resident of Althoura in Omdurman, was arrested. The following day his body was found at Omdurman Hospital.

Many known political activists and human rights defenders have been arrested from their homes in an apparent attempt to stop them from documenting violations and curb future mobilisation efforts. These include the following individuals who have been detained by the NISS without access to their families or lawyers and considered to be at risk of ill-treatment:

1. Ibrahim Al Shaik, (m), president of the Sudanese Congress Party.
2. Sidig Yousif, (m), 80 years of age. Mr. Yousif is a member of the Sudanese Communist Party and leader in the coalition National Consensus Forces (NCF). He was arrested at 10pm on 22 September in Omdurman.
3. Adam Suliman, Popular Congress Party, arrested on 24 September.
4. Marghani Atta Almanan, (m), 63 years of age. Mr. Almanan is a member of the Communist Party and a trade unionist. Mr. Almanan was arrested on 23 September from his home in Omdurman.
5. Mohaid Sidig, (m), human rights defender, prominent member of Change Now, 41 years old, arrested by the NISS on 23 September from his house in Al Halfaia neighbourhood, Khartoum Bahri. The NISS raided his house at 9pm. His house was searched and the NISS confiscated his wife's laptop and other personal effects.
6. Amjad Faried, (m), human rights defender, prominent member of Change Now, arrested from his home in Khartoum on 1 October. The NISS have refused visits from friends and relatives.
7. Dalia Alrobi, (f), human rights defender, prominent member of Nafeer, arrested from her home in the Amarat area of Khartoum by the NISS on 30 September.
8. Alfatih Saliem, (m), member of the Arab Nasserist Party. Mr Saliem was arrested on 25 September in Wad Medani.
9. Shiekh Ahmed Altyeb Zain Alabdien, (m), Sheikh of the Alsmania sect of Sufi Muslims.
10. Almahi Mohamed Suliman, (m), member of the Sudanese Congress Party. Mr. Suliman was arrested on 1 October in Sennar, White Nile state, by the NISS.
11. Maha Yahya, (f), member of the Sudanese Congress Party. Ms. Yahya was arrested on 1 October in Sennar, White Nile state, by the NISS.
12. Adam Mohamed Sharif, (m), member of the Sudanese Communist party. Mr. Sharif was arrested at midnight on 26 September from his office in Nyala, South Darfur.
13. Mohamed Hassan Alim, (m), 37 years of age, member of the Ba'athist opposition party. Mr. Alim was arrested from his home in Al Haj Yousef, Khartoum Bahri. Mr. Alim was previously arrested during the anti-regime demonstrations from June – August 2012.

The Sudanese Minister of Justice, Mohamed Bushara Dousa, reportedly announced that no detainees arrested by the police in connection with the demonstrations will be granted bail.

Where charges have been levied against individuals, they do not appear to be consistent with international law standards and fail to guarantee procedural rights. In one case on 24 September, the Omdurman Central Criminal Court sentenced eight demonstrators without legal representation under articles 67 (disturbance of public peace) and 77 (public nuisance)

of the 1991 Sudanese Penal Code. The group was sentenced to twenty lashes and a fine of 200 Sudanese pounds. The sentence was carried out immediately. The group was arrested from demonstrations in the Al Abassia area of Omdurman the evening before. Two minors were also referred to a juvenile court.

### **Excessive Use of Force**

Sudanese security forces have met the demonstrations with excessive use of force and have used live ammunition to disperse demonstrators. ACJPS has confirmed that 170 demonstrators have been killed from gunshot wounds since the protests began on 23 September and continues to receive reports of deaths and serious injuries. At least fifteen of these fatalities are children. Other sources have put the number of fatalities much higher. ACJPS has further received reliable reports that there is a shortage of blood in Khartoum hospitals due to the amount used and needed for blood transfusions for seriously injured demonstrators.

There is also strong evidence of the use of intentional lethal use of force. Corroborated information documented by ACJPS, including visits to morgues, hospitals and testimonies from witnesses and relatives of victims, shows that Sudan's Central Reserve Forces and the NISS have used excessive and disproportionate force, including live ammunition and tear gas, to disperse demonstrators. The majority of deaths resulted from bullet wounds to the upper torso and head. A reliable source reported to ACJPS that he saw two bodies with gunshots to the back, suggesting that the deceased had been shot while running away.

On 26 September, Musab Mustafa, (m), 29 years of age, and an artist, was shot and killed in Banat area of Omdurman. He was reportedly filming the demonstrations when he was shot. Eyewitnesses reported that the NISS officer who shot Musab approached his body and shot him again twice at close range. In another case on 25 September, Ayman Salah Ibrahim, (m), 14 years of age, was shot at a demonstration in Khartoum Bahri. When demonstrators rushed to help him, police reportedly prevented them from providing aid or approaching him until he was dead. In other cases bystanders not involved in the demonstrations have been shot and killed by security forces at their workplaces in areas where the demonstrations have been taking place. A mechanic working in the Althawra area of Omdurman was shot and killed on 24 September and a food vendor of Ethiopian nationality working in the Alshajara neighbourhood of Khartoum was killed on 26 September.

ACJPS has received reports of the Government of Sudan (GoS) deploying military vehicles and joint forces of the Central Reserve Forces and the NISS to residential neighbourhoods after demonstrations have been dispersed.

ACJPS has also received reports of the NISS and CRF blocking access to Khartoum hospitals, or arresting injured demonstrators and their family or friends on their way to the hospital, deterring people from accessing medical treatment or verifying reported injuries and deaths. Two medical doctors in Kosti, Dr. Adil Sidig (m), and Dr. Omer Fagiry (m), were arrested and detained by the NISS on 25 September while on their way to the hospital to treat students injured by tear gas and rubber batons during the demonstrations. ACJPS received reports that the family of one male protestor shot in the Alkalka district of Khartoum refused to take him to the hospital owing to fears that he would be arrested and detained. Private doctors learned of his case and treated him in his home.

Doctors have also been harassed by authorities when making statements regarding those killed and injured during the demonstrations. Dr. Ussama, the medical director of Omdurman

hospital, was summoned by the NISS after he gave an interview to the media about the number of dead and injured in his hospital. He was released later that day.

### **Restrictions on Media and the Freedom of Expression**

The authorities have also severely increased restrictions on freedom of expression in what has effectively resulted in a media blackout that has also affected traditionally pro-government newspapers. Editors of several newspapers were summoned by the NISS on 25 September and ordered not to publish any articles related to the demonstrations or the rise in fuel prices unless their sources came from the police or the NISS.

Three newspapers, *Al Ayaam*, *Al Garar*, and *Al Gerida*, stopped publishing for three days from 25 – 27 September in protest of the censorship. The NISS confiscated printed copies of *Al Sudani* on 26 September and *Al Mijhur* and *Al Watan* on 27 September. Three *Al Sahafa* journalists resigned after the NISS ordered the newspaper not to publish anything on the demonstrations.

On 28 September the NISS suspended the pro-government *Al Intibaha* newspaper indefinitely without providing a reason.

ACJPS is particularly concerned for the safety of two journalists who are currently detained in NISS custody without access to their lawyers or families. Journalist Abdelatif Aldaw, (m), was arrested at 8pm on 28 September from the home of Gaffar Khidir in Al Gadarif, North Kordofan state. Gaffar, a member of the Alshroog Organization for Social and Culture Development, had been arrested on 24 September but released under house arrest that day. Amal Habani, (f), a freelance journalist and 39 years of age, arrested by the NISS from street 60 in Khartoum whilst participating in a demonstration on 28 September.

The NISS has also summoned several journalists for questioning. On 24 September the NISS in Khartoum summoned Tarig Altigani, the international correspondent for Arabic Sky News. On 27 September the NISS summoned Saad Eldein Hassan, the international correspondent of Al Arabiya TV in Khartoum.

Political parties have additionally not been allowed to hold meetings at their offices and their headquarters have been raided.

ACJPS calls on the Government of Sudan to:

- Unequivocally and publicly condemn the excessive use of force by the police and order an immediate, independent and impartial investigation into all allegations of excessive use of force, ill-treatment and torture by police and NISS
- Protect the injured victims of these recent incidents from further violence or reprisals and ensure they have access to appropriate medical services.
- confirm the whereabouts of all individuals arrested since 22 September 2013 and ensure that they are protected from torture and other ill-treatment, and order their immediate release in the absence of valid legal charges that are consistent with international law and standards or, if such charges exist, bring them promptly before an impartial, independent and competent tribunal and guarantee their procedural rights at all
- Guarantee all detainees access to lawyers of their choice, their families and any necessary medical treatment
- Stop the harassment and intimidation of human rights defenders, peaceful activists and journalists, and enable the free exercise of the freedom of expression.

## **Background**

Over the past two years, ACJPS has documented several cases of excessive use of force, arbitrary arrest and detention, torture, and extra-judicial killings.

ACJPS documented the widespread use of arbitrary detention and torture and ill-treatment against detainees held in connection with anti-government demonstrations which were held throughout the country between June and August last year. ACJPS documented the names of over 300 people detained in one 6 week period alone, between 16 June and 1 August 2012. The track record of the NISS, in addition to the cases of ill-treatment and torture documented by ACJPS during the demonstrations last year, give rise to strong concerns for the safety of all detainees held in connection with the current demonstrations.

Over the past year, ACJPS has also documented the excessive use of force by the Sudanese authorities, leading to the deaths of people attending public gatherings and demonstrations, in cities across Sudan including Nyala, Wad Medani and Khartoum. On 6 and 7 December 2012, four students were found dead in an irrigation channel on the campus of Al Jazeera University, following a joint action by the Central Reserve Police and the NISS, joined by an NCP-affiliated student militia, to break up a student meeting concerning tuition fees for Darfuri students on 5 December. The exact circumstances of the deaths are unclear and authorities have not yet made public the findings of an inquiry announced into the incident

The GoS has repeatedly failed to effectively investigate or publish the findings of committees of inquiry established to investigate similar excessive use of force by government forces and government aligned militias against civilians.