



## Sudan Human Rights Monitor December 2014 – January 2015

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### Feature

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#### **Human Rights Situation in Sudan deteriorates as National General Elections loom**

In the months leading up to general elections scheduled to take place on 13 April 2015, the human rights situation in Sudan has deteriorated significantly. Past months have seen increased censorship of the media and journalists, harassment and intimidation - including closures - of civil society organisations, and the arbitrary arrest and detention of perceived critics of the ruling National Congress Party (NCP).

From 1 January – 17 February 2015, ACJPS documented the confiscation by national security personnel of at least 33 entire print runs of 15 newspapers. The restrictions are believed to be a tactic by the National Intelligence and Security Service (NISS) to circumscribe the already restricted space for the freedom of expression and prevent the dissemination of news deemed critical to the ruling party ahead of elections. Tactics frequently used by the NISS, such as the seizure of consecutive newspaper editions

and the harassment of journalists have continued, as well as the pressing of criminal charges against journalists for publishing on “red line” issues.

Daily print runs of Al Midan newspaper, affiliated with the Sudanese Communist Party, were confiscated ten times between January and February. Its Chief Editor, Madiha Abdalla, was charged under articles 50 (Undermining the Constitutional System), 63 (Calling for Opposition to Public Authority by use of Violence or Criminal Force), and 66 (Publication of False News) of the 1991 Sudanese Penal Code. The charges are believed to be related to articles published by Al Midan that cited the opinions of Abdelaziz Al Hilu from the Sudanese Peoples’ Liberation Movement – North (SPLM-N) and on the burning of palm trees by the government to clear land in Northern Sudan. Article 50 of the Penal Code falls under the category of crimes against the state and carries the death penalty.

Whilst the seizure by security agents of print runs before morning distribution has become increasingly familiar to Khartoum’s media houses, recent confiscations – including the entire print run of 14 newspapers on 16 February alone – point to a changing dynamic ahead of the elections. The increasingly blurry non-official “red lines” over which publishers cannot cross are unwritten, and often no rationale for confiscation is given by the NISS. On 16 February the print runs of 14 newspapers were confiscated by the NISS without any formal reasons being given. Media sources speculated that the confiscation could have been linked to the publication of articles on 15 February which reported military gains made by the SPLM-N in battle with the Sudanese Armed Forces, and news of scores of containers with radioactive materials reportedly found at Port Sudan.<sup>1</sup>

Many of the newspapers confiscated on 16 February were owned by prominent NCP members, indicative of growing rifts within the ruling party and attempts by President Omar al Bashir to assert his authority within the NCP. The confiscations also indicate Bashir’s control over the NISS.

Civil society groups have also faced restrictions. On 18 and 29 January the Registrar of Cultural Groups within the Ministry of Culture ordered the closures of the Mahmoud Mohamed Taha Centre<sup>2</sup> and the Sudanese Writers’ Union<sup>3</sup> respectively. No reason for closure was provided in either case. The previous month, on 21 December 2014, the NISS raided the offices of the Sudanese Human Rights Monitor (SHRM), a human rights organisation in Khartoum, whilst a workshop on the Universal Periodic Review of Sudan was taking place. One journalist was arrested and released the same day without charge and a number of laptops and documents were confiscated. The organisation received no formal notification about the reasons for the raid, though it was likely connected to the arrest and detention of its founder, Dr. Amin Mekki Medani.

Dr. Medani<sup>4</sup> was detained just before midnight on 6 December 2014 after returning from the “Sudan Call” negotiations held in Addis Ababa that he had attended as a civil society representative. The “Sudan

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<sup>1</sup> ACJPS, “Sharp increase in media restrictions 5 weeks before Sudanese General Elections”, 26 February 2015.

<sup>2</sup> ACJPS, “Sudan’s Security Services raid and order closure of Mahmoud Mohamed Taha Cultural Centre”, 23 January 2015.

<sup>3</sup> ACJPS, “Sudan’s Ministry of Culture orders the closure of the Sudanese Writer’s Union”, 3 February 2015.

<sup>4</sup> Dr. Medani is a prolific member of the Sudanese human rights movement. He was the Chairperson of the organisation Sudanese Human Rights Monitor, FIDH member organisation in the country, and is currently an Executive Board member of over six non-governmental human rights organizations and legal associations. Dr Medani has also worked for various international organisations including as the head of the OHCHR in the West Bank, Gaza and Croatia and as a legal adviser to the Special Representative of the U.N. Secretary-General in Iraq and Afghanistan.

Call” negotiations between political opposition and rebel groups led to the adoption of a “Political Declaration on the Establishment of a State of Citizenship and Democracy”. The document, signed on 3 December 2014, calls for the dismantling of the one-party state regime and the installation of a state founded on equal citizenship, and was signed by representatives from the rebel coalition the Sudanese Revolutionary Forces (SRF), the opposition coalition the National Consensus Forces, the National Umma Party, and the Alliance of Sudanese Civil Society Organisations. It commits signatories to work towards the end of the conflicts raging in different regions of Sudan, and also pledges to work towards legal, institutional, and economic reforms.

Two prominent political activists were also detained the same night after their return from the Sudan Call negotiations. Mr. Farouq Abu Eissa,<sup>5</sup> Chairperson of the National Consensus Forces (NCF) and Dr. Farah Ibrahim Mohamed Alagar,<sup>6</sup> former NCP Chairperson in Blue Nile state, were arrested by the NISS from their homes during the same night. The three men were detained incommunicado at NISS offices in Khartoum for 15 days before they were transferred to Kober prison and permitted family visits on 21 December. On 12 February 2015 Dr. Medani and Abu Eissa were charged under Articles 50 (undermining the constitutional system), 51 (Waging war against the State), 63 (Calling for opposition to public authority by use of violence or criminal force), 64 (Provoking hatred against or amongst sects) and 65 (Criminal and terrorist organizations) of the Criminal Act of 1991. Both were also charged under Articles 5 and 6 of the Anti-terrorism Act of 2001 concerning incitement to terrorism. Articles 50 and 51 of the 1991 Criminal Act and the crimes under the Anti-Terrorism Act are punishable with life imprisonment or the death penalty. The trial began on 23 February 2015 and is ongoing as of late March 2015. A complaint was submitted to the African Commission on Human and Peoples’ Rights (ACHPR) on 20 February 2015 on behalf of Dr. Medani and Abu Eissa expressing concern about their prolonged incommunicado detention, other ill-treatment, and the grounds for their detention.<sup>7</sup>

Dr. Alagar remains detained without charge at Kober prison.

In the backdrop of the current human rights environment, it is clear that the current push for elections by the ruling NCP will only serve to consolidate NCP control over the country and preserve the political status quo. The announced “hibernation” of the ICC case concerning the situation in Darfur that included the issuance of arrest warrants for three senior government officials and a pro-government militia leader has been seized by Bashir, who has framed it as a victory against the ICC whilst the conflicts in Darfur, South Kordofan, and Blue Nile rage on.<sup>8</sup> Civilians in these areas will not be able to participate in the electoral process in any meaningful or inclusive way. The last general elections held in

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<sup>5</sup> Mr Farouq Abu Eissa, m, 78 years of age, is the Chairperson of the National Consensus Forces, an umbrella of political opposition groups in Sudan, and has a long history of political activism. He has been one of the most preeminent voices in calls by Sudan’s opposition parties for democratic transformation in Sudan. He is the former Secretary General of the Arab Lawyers’ Union and the National Democratic Alliance.

<sup>6</sup> Dr Alagar, m, 60 years of age, is a retired officer from the Sudan Armed Forces and was formally the chairperson of the National Congress Party (NCP) in Blue Nile state. He was dismissed from the ruling party in December 2012, reportedly because he expressed views diverging from the official NCP line, including on the possibility of power sharing in Blue Nile state between the NCP and Sudan Peoples’ Liberation Movement-North (SPLM-N). He was later engaged in April 2014 as an independent conflict resolution expert by the SPLM-N to attend ongoing peace talks in Addis between the SPLM-N and the Government of Sudan.

<sup>7</sup> ACJPS, FIDH, OMCT and REDRESS Trust, “African Commission should call on Sudan to release prominent activists facing stiff penalties in national security trial”, 20 February 2015.

<sup>8</sup> ACJPS and FIDH, “Joint Q and A by FIDH and ACJPS on the 10<sup>th</sup> Anniversary of the Darfur Referral to the ICC”, 31 March 2015.

March 2010 were marred by procedural and electoral irregularities and widely discredited as neither free nor fair.<sup>9</sup> The controversial 2008 national census is still in place, and the elections regulatory body, the National Elections Commission, is appointed by the NCP. A statement made in early March 2015 by the Confederation of Sudanese Civil Society Organisations noted that there have been reports of the NCP promising parliamentary seats to its allies. Amendments made to the National Electoral Law in 2014 failed to include public consultation and address concerns remaining from the 2010 elections.<sup>10</sup> The amendments were never made publicly available, which would have increased voter confidence and increased transparency of the electoral process.

Sudanese opposition forces have called for a postponement to the upcoming general elections until after an inclusive national dialogue has taken place and a transitional government has been formed. The NCP has rejected calls for a postponement, stating that the election is a constitutional requirement that must be met.<sup>11</sup> Speaking to crowds in Kadugli, South Kordofan, President Bashir stated that “the current year will witness the realization of peace in all parts of the country, whether peacefully or through war”.<sup>12</sup>

A number of Sudan Call signatories have rejected participation in the national dialogue process, stating that the dialogue is intended solely to legitimise the NCP, particularly ahead of elections.<sup>13</sup> In February the Sudan Call forces set out their position on a preparatory meeting for the National Dialogue to be organized by the AUHIP. They agreed to take part in the preparatory meeting but set out key pre-requisites, including a postponement of the elections and an investigation into the protest killings of 2013.

In March, twenty-three Sudanese, African, and Arab civil society organisations sent a letter calling on the African Union (AU) to insist on a postponement of the elections until the completion of a genuine and inclusive national dialogue and to refrain from sending an election monitoring mission to Sudan that might provide inadvertent support an electoral process that breaches the African Charter on Democracy, Elections and Governance.<sup>14</sup> Additionally, conducting the elections will undermine progress made by the AU High Level Implementation Panel (AUHIP) and its role as a peacemaker for the conflicts in Sudan if the AUHIP is seen as lending tacit support to the flawed electoral process.

On 1 April 2015 the AUHIP suspended the preparatory meeting indefinitely after the GoS refused to take part.<sup>15</sup>

Meanwhile, conflict in the areas of Darfur, South Kordofan and Blue Nile rage on. Talks with the Darfur rebels started on 23 November 2014 for the first time under the AUHIP mediation in Addis Ababa. Talks planned under the auspices of the AUHIP on South Kordofan and Blue Nile have been postponed.

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<sup>9</sup> ACJPS, “Shifting through Shattered Hopes: Assessing the Electoral Process in Sudan”, April 2015.

<sup>10</sup> Confederation of Sudanese Civil Society Organisations, “Statement on the Sudanese elections scheduled for April 2015”, 5 March 2015.

<sup>11</sup> Sudan Tribune, “Sudanese government rejects opposition calls to postpone elections”, 1 March 2015.

<sup>12</sup> Xinhua, “Sudan to achieve peace in 2015 via talks or war: president”, 2 March 2015.

<sup>13</sup> The Guardian, “Sudan’s political opposition unites under new call for democracy”, 11 December 2014.

<sup>14</sup> “23 NGOs call on AU to halt support to Sudan’s elections in line with the African Charter on Democracy, Elections and Governance”, 27 March 2015.

<sup>15</sup> AUHIP, “AUHIP Comment on Suspended Sudanese Pre-Dialogue Meeting”, 1 April 2015.

Mediators had hoped to merge the talks and achieve a synchronized cessation of hostilities but the government refused, calling on the Darfur rebels to join the Doha Peace Deal.<sup>16</sup>

## Legal and Political Developments

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### ***Sudan's National Assembly passes Constitutional amendments without consultation***

On 4 January 2015 the Sudanese National Assembly, headed by Mrs. Badria Suleiman, unanimously adopted several constitutional amendments to the Interim National Constitution (INC) of 2005. The amendments were proposed by the Executive, with the Extra-Ordinary Committee of Parliament adding several other amendments to be considered.

The process by which the amendments were passed breached regulations set out in the INC. Article 224 of the INC provides that constitutional amendments shall not be made unless they “are approved by three-quarters of all the members of each Chamber of the National Legislature sitting separately, and only after introduction of the draft amendment at least two months prior to deliberations.”

The amendments of January 2015 were tabled just a few days before the vote, and were adopted during a joint sitting of the two chambers of the National Legislature (the National Assembly and Council of States), without the required quorum of either chamber in breach of Article 224 of the INC. The amendments took civil society by surprise: the general public, political parties and constitutional law experts were not consulted on the proposals. Reportedly, no record of votes in favour, against, or abstentions was kept.

Under Article 58 (functions of the president) of the INC, the President is mandated to “initiate constitutional amendments and legislations and assent to laws”, but it is the National Legislature under Article 224 (amendment of the constitution) that is empowered to amend the Constitution. There is no provision in the INC for the introduction of amendments by an extra-ordinary Committee of the Parliament.

The content of the amendments have received widespread criticism. Of particular concern are amendments that appear aimed at consolidating NCP control over decentralised state governance, enshrined in the INC, and amendments related to the mandate of the National Intelligence and Security Service (NISS).

Article 179 (1) was amended to allow for the appointment of Walis (state governors) by the President of the Republic, positions that had previously been subjected to election “by the people in the state”. The amendment undermines the spirit of Article 24 and Article 179 of the INC which provide for a decentralised system of governance. Though all current Walis are already NCP members, some have diverged from NCP lines in the past and argued that their mandate is to serve the people of the state rather than the President. The amendment ensures NCP control over Walis.

Article 151 (the National Security Service) clauses (2) and (3) were repealed and replaced with three new clauses that together transform the mandate of the NISS. New Clause 151 (2) stipulates (by unofficial translation) that “[t]he National Security and Intelligence Agency is a regular force to oversee the

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<sup>16</sup> International Crisis Group, “Crisis Watch: Sudan”, 1 November 2014.

internal and external security of the country, monitor relevant events, analyse their impact and danger, and adopt preventive measures against them". New clause 151(3) stipulates that "[t]he National Security and Intelligence Agency shall work to combat all political, military, economic and social threats as well as trans-national crime in co-ordination with other regular forces." New clause 151(4) provides that "the law shall establish the NISS courts and specify its specialty, powers, procedures, and its legal services".

The old Article 151 provided that the NISS "mandate shall focus on information gathering, analysis and advice to the appropriate authorities." Whilst NISS courts existed prior to the adoption of these amendments, they had no constitutional standing.

The NISS amendments may have been adopted, in part, to legitimise the military operations of the Rapid Support Forces (RSF) that were introduced in late 2013 to support counter-insurgency offenses in conflict zones in Darfur, South Kordofan and Blue Nile states. The RSF operates under the auspices of the NISS but is led by a Sudanese Armed Forces (SAF) Commander, the former Janjawid militia leader Mohamed "Hamdan" Hemeti. The RSF has come under fire for perpetrating widespread human rights and humanitarian law violations in conflict zones with several commentators querying their mandate to take part in military operations alongside the SAF. Although human rights groups including ACJPS have documented joint military operations of the SAF and RSF, senior SAF officials have sought to publicly distance themselves from the RSF.

### ***ICC "hibernates" Darfur Investigation***

On 12 December 2014 the Prosecutor of the International Criminal Court (ICC) Fatou Bensouda, during her [twentieth report to the UN Security Council](#) (UNSC), made an emphatic plea for increased support to her office for the arrest and surrender of Darfur suspects and announced a suspension of all new investigations into Darfur.<sup>17</sup>

The Darfur case was first referred by the UNSC in 2005 under Resolution 1593, referring to the findings of the International Commission of Inquiry on Darfur. Under the Rome Statute establishing the ICC,<sup>18</sup> the UNSC can use its mandate under Chapter VII of the UN Charter to request the ICC to investigate a situation of concern to UNSC member states. This power can be used, as it was in the Darfur case, to refer a situation for investigation by the ICC that is taking place in a state that is not a party to the Rome Statute such as Sudan.

To date, ICC judges have issued four arrest warrants against three high-level officials of the government of Sudan, and one government-sponsored militia leader. All four remain at large, with President Omar al Bashir having been able to travel relatively freely within Africa and the Middle East.

States Parties to the Rome Statute are required to cooperate fully with the ICC in the investigation and prosecution of crimes within its jurisdiction, including by providing support for the arrest and surrender ICC suspects. Referring to "a stalemate that can only embolden perpetrators to continue their brutality," Bensouda pleaded for UN Security Council support to apprehend Bashir, a "fugitive from justice". For its

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<sup>17</sup> International Criminal Court, Twentieth Report of the Prosecutor of the International Criminal Court to the UN Security Council pursuant to the UNSC 1593 (2005), 15 December 2014, online: <http://www.icc-cpi.int/iccdocs/otp/20th-UNSC-Darfur-report-ENG.PDF>.

<sup>18</sup> Rome Statute of the International Criminal Court, adopted entry into force 1 July 2002.

part, the African Union has called for non-cooperation by its member states with the ICC, citing its belief in the immunity from prosecution of “sitting Heads of State and other senior officials during their tenure in office” in addition to concern that the prosecution of Bashir would disrupt the [ongoing peace processes in Darfur](#). Bensouda’s remarks to the UNSC came amidst a campaign led by Uganda for the AU to pull out of the ICC following the collapse of the case against Kenyan President Uhuru Kenyatta.<sup>19</sup>

In 2007 the ICC issued an indictment for war crimes and crimes against humanity against the Janjaweed leader Ali Kushayb and former Minister of the Interior and current governor of North Kordofan Ahmed Harun. In 2009 the ICC indicted President Omar al Bashir for five counts of crimes against humanity and two counts of war crimes. Immediately following the ICC indictment, Sudan expelled ten international and three national NGOs from the country. In 2010 three counts of genocide were added to the charges against Bashir. A fourth case was filed against the current Defense Minister Abdel Rahim Mohammed Hussein in 2012 who was charged with war crimes and crimes against humanity.

War crimes charges were also confirmed by the ICC in 2011 against Abdallah Banda, commander in chief of the Justice and Equality Movement – Collective Leadership.

In a passionate appeal to the UNSC for support in the arrest and surrender of the Darfur suspects, Bensouda told the UNSC that “it is becoming increasingly difficult for me to appear before you and purport to be updating you when all I am doing is repeating the same things I have said over and over again”.<sup>20</sup> Bensouda continued, saying “given this council’s lack of foresight on what should happen in Darfur, I am left with no choice but to hibernate investigative activities in Darfur as I shift resources to other cases”.<sup>21</sup>

Bensouda highlighted that some of the ICC indictees continue to be implicated in atrocities in Darfur, citing mass displacement in Darfur during 2014. Bensouda referred to the reports of mass rape in Tabit, North Darfur on 30 October 2014, stating that the “recent allegations of rape of approximately 200 women and girls in Tabit should shock this Council into action”.<sup>22</sup>

Following the reported attack, the UN African Union Peacekeeping Mission in Darfur, UNAMID, was not allowed access to Tabit by the Sudanese authorities until 9 November 2014.<sup>23</sup> Following UNAMID’s investigation, the Sudanese authorities asked UNAMID to close its human rights office in Khartoum.<sup>24</sup> A leaked internal report by UNAMID suggested that residents of Tabit had been intimidated by the the Government of Sudan from disclosing reports about the rape. A report by Human Rights Watch in February 2015 found that at least 221 women and girls were raped in Tabit over 36 hours beginning on 30 October 2014.<sup>25</sup>

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<sup>19</sup> Al Jazeera, “ICC prosecutor halts Darfur war – crimes probe”, 13 December 2014.

<sup>20</sup> BBC, “ICC prosecutor shelves Darfur war crimes inquiries”, 12 December 2014.

<sup>21</sup> ICC Prosecutor Statement to the UN Security Council on the Situation in Darfur, pursuant to UNSCR 1593, December 2014, <http://www.icc-cpi.int/iccdocs/otp/stmt-20threport-darfur.pdf> (accessed January 20, 2015).

<sup>22</sup> *Ibid*

<sup>23</sup> IOL News, “Rape claim: UNAMID denied access to Darfur town”, 17 November 2014.

<sup>24</sup> BBC, “ICC prosecutor shelves Darfur war crimes inquiries”, 12 December 2014.

<sup>25</sup> Human Rights Watch, “Mass Rape in Darfur: Sudanese army attacks against civilians in Tabit”, 11 February 2015.

Bensouda's report and plea to the UN Security Council prompted the Sudanese government to announce a "victory against the ICC".<sup>26</sup> To the contrary, despite the "hibernation", the ICC has not dropped charges or closed the cases against the suspects. Several non-cooperation proceedings have been initiated against Sudan and the ICC rendered two decisions on non-cooperation in the [Harun & Kushayb case in May 2010](#) and in the [Al Bashir case in March 2015](#). In these decisions, the Pre-Trial Chamber of the ICC found that the Republic of Sudan had failed to cooperate with respect to its requests for the arrest and surrender of these suspects, and recalled that the Security Council "is vested with the power to address and take any action in respect of Sudan's failure to cooperate with the Court". However, the UN Security Council has not used this power. As Fatou Bensouda said in her December 2014 statement to the UN Security Council, "In the almost ten years that my Office has been reporting to this Council, there has never been a strategic recommendation provided to my Office, neither have there been any discussions resulting in concrete solutions for the problems we face in the Darfur situation. (...) What is needed is a dramatic shift in the Council's approach to arresting Darfur suspects".

The onus is now on UN Security Council member states to take appropriate action and provide the required support to the ICC.

### ***Update on Awadia Ajabna case***

On 15 January 2015, an appeals court overturned the murder conviction of Lieutenant Hamid Ali Hamid, (m), of the Public Order Police. Lieutenant Hamid had previously been sentenced to death under article 130 (murder) for the killing of Awadia Ajabna, (f), who was 34 years old at the time of her death in 2012 in Al Daiem, Khartoum. The court commuted the death sentence, dropped the charges under 130, and charged Mr. Hamid under article 132 (homicide by negligence) following the payment of *diya* (blood money) to Ms. Ajabna's family. The *diya* was paid by the Ministry of Interior and Mr. Hamid, who was re-sentenced to five years in prison. The appeals court also dropped charges and ordered the release of seven Public Order police who were sentenced to imprisonment in October 2014 in the same case under article 75 (omission to provide necessary assistance) of the 1991 Sudanese Penal Code.

Ms. Ajabna died in hospital on 5 March after sustaining gun shot wounds to her head and chest during Public Order police raid on her home in Al Daiem, Khartoum. Earlier in the day on 5 March 2012, Ms. Ajabna's brother Walid Ajabna was speaking on his mobile phone outside the family home when patrolling members of the Public Order police approached him and accused him of being drunk. They ordered him to take a sobriety test and beat him when he refused to take a sobriety test. The Ajabna family rushed out of the home and begged the police to stop beating Walid. After leaving for a short while, the Public Order police returned with other officers, beat two of Walid's neighbours, shot live ammunition at the crowd that had gathered in front of the house. Lieutenant Hamid shot Ms. Ajabna in her head and chest, and her mother was shot in her right hand. Ms. Ajabna was rushed to the hospital, where she died four hours later. Walid Ajabna was also taken to the hospital for treatment.

The following day, the NISS imposed a media blackout, refusing to allow newspapers in Khartoum to investigate or report on the incident. Media outlets were ordered to publish only the police statement regarding the incident.<sup>27</sup> The Ministry of Interior stated on 6 March 2012 that their forces had been "assaulted" by members of the Ajabna family, which prompted the Public Order police to fire three

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<sup>26</sup> Sudan Tribune, "ICC's decision to freeze Darfur investigations raises fears of further bloodshed", 14 December 2014.

<sup>27</sup> ACJPS, "Excessive Brutality from Public Order Police in Daim, Khartoum", 7 March 2012.



warning shots into the air. The Minister of Interior and Governor of Khartoum state later issued an apology to the family, and pledged to form an investigative committee.<sup>28</sup> It is unclear if this committee was ever established. Protests against the actions of the Public Order police and the death of Ms. Ajabna were held in Al Daiem and parts of Al Sahafah area in the following days. Police used teargas and batons to disperse demonstrators.

The trial of the police officers accused of taking part in the violence initially began in September 2013, when the Ministry of Interior decided to lift the immunities of Mr. Hamid and the seven other Public Order police officers following intense public pressure. During the initial proceedings, the defense team introduced evidence that Ms. Ajabna had been convicted several times of brewing alcohol illegally.<sup>29</sup>

On appeal in January 2015, the defense successfully argued that the machine gun carried by Mr. Hamid had accidentally killed Ms. Ajabna when a warning shot fired into the air struck her in the head.

In recent years, ACJPS has documented just two cases in which the Ministry of Interior has lifted the immunity from prosecution for state agents: Ms. Ajabna's case and the case of Dr. Sara Abdulbagi. Dr. Sara Abdulbagi was shot outside her uncle's home in the Aldoroshab neighbourhood of Khartoum Bahri on 25 September 2013. Her case is the only complaint to have reached court in respect of mass killings that took place during anti-austerity and anti-government demonstrations in late September and early October 2013. ACJPS documented 185 deaths, and verified the names of 144 deceased persons during the 2013 demonstrations. Dr. Abdulbagi had joined other friends and family members at her uncle's home after hearing that her 15 year old cousin had been shot during a demonstration earlier the same day. A prosecution case was opened against an officer of the SAF who was identified by eye-witnesses to have been present and armed during the incident. He was acquitted on 28 May 2014 by Khartoum North Criminal Court owing to contradictory eye-witness accounts.<sup>30</sup> The High Court later dropped the charges and ordered his release. A final review of the case by Dr. Sara's families' lawyers was being prepared in March 2015 before the High Court

## Monitoring Report

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### Freedom of Expression, Association and Assembly

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- On 2 December 2014 the deputy of the National Assembly of the Sudanese Parliament, Isa Bushra (m), summoned 15 journalists for interrogation after they attended a parliamentary session. They were interrogated for an hour and a half, and accused of having a hidden agenda after their respective papers published an article on the mass resignation of cleaners working for a company which services the National Assembly. Mr. Bushra withdrew the accusations after the interrogation.
  - Sarah Taj Alsir, (f), Al Gareeda
  - Masahier Darag, (m), Almustagila
  - Murtada Ahmed, (m), Alahram Alyoum
  - Myada Salah, (f), Al Sudani

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<sup>28</sup> Sudan Tribune, "Awadia's family demands retribution as officials apologise", 7 March 2012.

<sup>29</sup> Sudan Tribune, "Trial begins in the murder of Sudanese woman killed by police last year", 12 September 2013.

<sup>30</sup> ACJPS and Amnesty International, "Excessive and Deadly: the Use of Force, Arbitrary Detention and Torture against Protestors in Sudan", September 2014.

- Hiba Ibaid, (f), Al Intibaha
  - Mohamed Haj Almouz, (m), Akhbar Alyoum
  - Thana Abdeen, (m), Akhir Lahza
  - Eiman Abdelbagi, (f), Almijhar
  - Shadia Saeed Ahmed, (f), Altaghier
  - Hafia Nor Aldaiem, (f), Eilaf
  - Rugaya Alzaki, (f), Alray Alam
  - Inam Ibrahim, (f), Alakhbar
  - Younis Osman, (m), Al Tayar
  - Salwa Saeed Ahmed, (f), Sona
  - Shadia Amasaib, (f), the Sudanese Centre for Press Services
- At 2pm on 7 December 2014 the NISS summoned Chief Editor Gusim Khalid, (m), and Editing Manager Ayman Kabosh, (m), of Almushahid newspaper. They were interrogated on an article published by the newspaper on a sports team in Sudan.
  - On 7 December 2014 the NISS confiscated printed copies of Almijhar Alsyal newspaper. No rationale was given.
  - On 10 December the Criminal Court of Al Nuhod, West Kordofan, acquitted Aisha Asamani, (f), after she was arrested and charged with photographing military areas under article 57 (entering and photographing military works and installations) under the 1991 Sudanese Penal Code. Ms. Asamani is a journalist. The case file is no. 4/7/2014. The complaint was lodged by Hassan Ibrahim, a member of the NISS.

The judge ruled that Ms. Asamani's photographs of Al Nuhod prison did not fall under the mandate of military areas and installations. The charges were dropped and the judge ruled that her mobile telephone, which had been confiscated by security forces on 4 July 2014, be returned to her.

During the course of the proceedings, Ms. Asamani travelled from Khartoum to Al Nuhood twice to appear before the court, once on 26 November 2014, when the court was adjourned due to the absence of the judge, and once on 10 December 2014.

- At 9am on 11 December 2014 journalist Hiba Abdelazim (f), of Al Sudani newspaper was tried before the Intellectual Property Court of Khartoum under article 159 (defamation) of the 1991 Sudanese Penal Code. The complainants were senior officers within the Ministry of Social Affairs of Khartoum. Ms. Abdelazim had published an article on 17 March 2014 on corruption at the Ministry of Social Affairs. No updates on Ms. Abdelazim's case are available.
- On 21 December 2014 seven members of the NISS raided the offices of the Sudanese Human Rights Monitor (SHRM) in Khartoum, a human rights organisation founded by Dr. Amin Mekki Medani. A workshop on the Universal Periodic Review of Sudan taking place on the premises was stopped and participants were required to leave. One participant, Mr. Mohamed Al Fateh Hima, was arrested by the NISS and released later the same day without charge. A number of laptops and documents were confiscated. The SHRM did not receive any formal communication from the Humanitarian Affairs Commission, under which it is registered, concerning the raid. Journalist Mohamed Alfatih Hima, (m), of Al Midan newspaper was arrested by the NISS from the offices of Sudan Human Rights Monitor. Mr. Hima had been participating in a workshop on the Universal Periodic Review attended by journalists and lawyers. Mr. Hima is a journalist working with Al Midan newspaper, affiliated with the Sudanese Communist Party, and is an active member of the Journalists' Network for Human Rights.

Mr. Hima was taken to the NISS offices on Amarat street and later to an unknown location. He was then transferred to NISS offices in the Garden City district near the Iraqi embassy. He was interrogated and subjected to ill-treatment. His phone and laptop were confiscated.

Mr. Hima was released the same evening at 8pm following seven hours of interrogation. He was ordered to report the following day at 9am to the Garden City Security Offices.

Mr. Hima had previously been arrested on 15 May 2014 in Jebel Awlia, south of Khartoum, while returning from South Kordofan state. Mr. Hima was interrogated for seven hours by military intelligence before he was transferred to NISS offices in Alkalakla in Khartoum. He was later released without charge.

- On 13 December 2014 the NISS summoned journalist Asmaa Mekaiel Istanbul of Al Tayar newspaper to report to their Media Department. She was interrogated for three hours regarding a report she had published with Al Tayar newspaper. She was questioned about her sources and who had instructed her to write the article. Editor in Chief of Al Tayar Osman Mirghani had been informed of her summoning by the NISS immediately prior and briefed Ms. Istanbul.
- At 6pm on 30 December 2014 Ali Hamdan, (m), head of the board of directors at Almustagila newspaper, was arrested at his office in Khartoum by the police. Deputy Chief editor Zain Alabdeen Alajib, (m), was also arrested. They were both interrogated by the Press and Publications Attorney in Khartoum, and charged under articles 159 (defamation) and articles 24 (responsibility of the chief editor) and 26 (regulation of newspapers' license and journalism publication) of the 2009 Press and Publications Act. The case no. is 16827.

The complainant in the case is Alsadig Alnseeba, (m), the head of the Services Committee of the Legislative Assembly of White Nile state. The two men were released after an interrogation lasting two hours.

The case came following a series of articles published by the newspaper in December 2014 alleging financial corruption by Yousif Alshabaly, the Governor of White Nile state.

- On 1 January 2015 the NISS confiscated printed copies of Al Midan newspaper from Altayseer Print House for several days. No rationale was given. The NISS permitted Al Midan to print only 1200 copies on 13 January 2015. It was confiscated again on 15 January 2015.
- On 8 January 2015 the NISS confiscated printed copies of Alsayha newspaper. NISS agents confiscated printed copies from the newspapers' offices in Karary in Khartoum North.
- At 11am on 18 January, the NISS of Omdurman, Khartoum state, raided the Mahmoud Mohamed Taha Centre whilst a ceremony commemorating the life of Mahmoud Mohamed Taha was taking place. 18 January 2015 marked the thirty year anniversary of the execution of Mahmoud Mohamed Taha, founder of the Republican Party in Sudan. The Republican Party proclaims to oppose Islamic fundamentalism and promote secularism. Taha was executed days after being convicted of apostasy in 1985 on the basis of his opposition to Sudan's interpretation of Sharia law. On 21 January 2015 the Centre received letter no. 1/2015 from the Ministry of Culture, cancelling its registration.
- On 12 January 2015 the Press Attorney summoned five journalists to their offices in Khartoum for interrogation. Each of the journalists was interrogated for one hour in connection to a case filed against them by the Zakat (alms giving) office in regards to an article published by their respective newspapers on 8 December 2014. They had previously been charged under article 159 (defamation) of the 1991 Sudanese Penal Code. Their names are below:
  - Omer Seeka, (m), Al Gareeda.

- Salma Adam, (f), Al Khartoum.
- Musara Shibaily, (m), Akhir Lahza.
- Ali Abisairy, (m), Al Intibaha.
- Abdelrahman Saif Eldin Aidros, (m).
- At 10am on 13 January 2015 Madiha Abdulla, Chief Editor of Al Midan Newspaper, was summoned by telephone by the NISS to report to NISS offices at Al Amarat street for interrogation. Ms. Abdulla was informed that an arrest warrant against her had been issued.

On 14 January Ms. Abdulla was interrogated by the Attorney for Crimes against the State after a criminal case (file no. 60) was filed by the NISS. She was charged the same day on 14 January under articles 50 (Undermining the Constitutional System), 63 (Calling for Opposition to Public Authority by use of Violence or Criminal Force), and 66 (Publication of False News) of the 1991 Sudanese Penal Code. Article 50 of the Penal Code falls under the category of crimes against the state, and carries the death penalty. The case was transferred to Khartoum Central Court. Ms. Abdulla appeared before the judge before being released on bail at 7pm.

On 17 January 2015, the Prosecutor of Crimes against the State issued further charges against Ms. Madiha Abdulla, and issued charges against journalist Ibrahim Merghani, the head of the political section of Al Midan, and writer and Communist party leader Suleiman Hamid. They were charged under articles 21 (Joint acts of criminal conspiracy), 63 (calling for opposition to public authority by use of violence or criminal force), and 66 (publication of false news) of the 1991 Sudanese Penal Code and articles 24 (criminal liability of editor in chief) and 26 (conditions of newspaper licenses) of the 2010 Media and Publications Act.

The charges against the group are believed to be related to articles published including comments by Abdelaziz Al Hilu, a leader of the SPLM-N, regarding the economic situation facing the Lagawa people in West Kordofan and the burning of palm trees by the government to clear land in Northern Sudan. Ms. Abdulla has been released on bail. No court sessions have been announced.

- On 28 January Akhir Lahza daily was confiscated prior to distribution by the NISS.
- On 28 January Al Eham Alyoum was confiscated prior to distribution by the NISS. A reliable source told ACJPS that the January 28 confiscation may have been linked to an article published the previous day on calls for a postponement of the General Election.
- On 28 January 2015 the NISS summoned Ms. Nada Ramdan, a journalist working with Al Gereeda newspaper, to their offices in the Khartoum 2 area. She remained at the office for three hours before she was released. She was not interrogated or informed of the reason for the summons, but was told that she would likely be called to report back. She has not yet been summoned again by the NISS.
- On 29 January 2015 the Registrar of Cultural Groups within the Sudanese Ministry of Culture cancelled the registration of the Sudanese Writers Union (SWU). The cancellation order, no. 1/2015, signed by the Registrar of Cultural Groups, Ms. Egbal Alhassan Mahjoub, provided brief notification of the cancellation in a couple of sentences without citing reasons or relevant legislation.

The SWU was originally founded in 1985 in Khartoum. It was forced to close in 1989 following the military coup led by President Omar Hassan al Bashir, and was not allowed to re-open until 2006, one year after the signature of the Comprehensive Peace Agreement. The SWU describes its mandate as working through culture to promote dialogue and seek solutions to conflicts, with an emphasis on the freedom of expression and diversity. It convenes meetings of writers and its members publish in print and online media.

## Arbitrary Arrest

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- On 26 December 2014 a group of students from Red Sea University in Port Sudan, eastern Sudan, held a demonstration calling on the University to improve the maintenance of the student hostels. Demonstrators gathered on the road leading to Port Sudan. Joint forces of the NISS and police intervened. The police fired tear gas and the NISS arrested three students believed to have organised the demonstration. They were taken to Daiem Arab Police station, where they were charged under articles 69 (disturbance of public peace) and 77 (public nuisance) of the 1991 Sudanese Penal Code. They were released on bail the following day. Their names are below.
  - Mohamed Ismail, (m).
  - Mohamed Ali Mahmoud, (m).
  - Amir Ibrahim, (m).

## Excessive Use of Force

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- At 4pm on 10 December 2014, three student supporters of the Beja Congress party were abducted from the premises of Kassala University, eastern Sudan by a pro-government student militia. They were taken to an office known to belong to a local NCP member, where they were beaten with batons and water pipes before being released in front of a park in Kassala two hours later. The three students are:
  - Alhassan Abdalla Mohamed Ahmed Kuna, (m).
  - Mohamed Tahir, (m).
  - Siedi Mohamed Oshek, (m).

The incident took place following a threat made by the pro-government students of Kassala University during student union elections. The pro-government students had announced that they would attack students opposing candidates affiliated with the NCP. Pro-government students brought batons and iron bars to the university without opposition from the university administration. Two students, Mohamed Omer Aroma, (m), and Mustafa, (m), were injured in the attack.

Later in the evening on 10 December, a member of the pro-government militia stabbed student Ali Ahmed Yagoub, (m), a member of the United Popular Front, on his back and hand. Another student, Ali Idris, (m), a member of the Student Alliance, was also wounded.

The next day, 11 December 2014, the NISS launched a raid on the University whilst voting for the student union was taking place. The pro-government students declared their candidate the winner of the elections shortly after, igniting clashes between the pro-government and opposition-affiliated students.

Police attempted to disperse the crowd by firing tear gas. Tear gas was also used in student dormitories on campus. Pro-government student militias also attacked student Ali Mohamed Bashun, (m), member of the Independent Student Party, as he was leaving the University on a mini-taxi.

At 9pm the same evening pro-government students attacked Idris Osman Akad, (m), a graduate student at Red Sea University and a member of the Independent Student Party. Mr. Akad was transferred by ambulance to Khartoum the next day with a head injury.

After being stabilized Mr. Akad filed a criminal case at Kassala Police Station, but did not receive any response until January 2015, when authorities alleged that he was unable to identify the attackers.

- On 25 December 2014 the Darfur Students Association (DSA) of Bahri University (formerly known as Juba University before the referendum) conducted a public forum in the university yard concerning a decision by the University Dean to dismiss a number of Darfuri students after they did not pay their University tuition fees. Under the Darfur Peace Agreement of 2006 and the Doha Document for Peace in Darfur (DDPD) of 2011, Darfuri students are not required to pay university fees. On 11 November 2014 the DSA had sent a letter to the Dean of Bahri University requesting that the fees be waived.

A number of pro-NCP student militias with iron batons entered the yard as the forum was starting on 25 December. A number of students, including non-Darfuris, fled the yard. Four cars were parked outside and Molotov cocktails were thrown inside the yard.

At 11am, after the chaos subsided, joint forces from the NISS and the police raided the private residences of students who had fled the scene, in the Kadaro area of Khartoum Bahri. Approximately seventy-nine Darfuri students were arrested in three groups and taken to Aldorashab police station in Khartoum Bahri. Police filed four cases:

1. File no. 4251/2014: Ten male students were charged under articles 69 (disturbance of public peace) and 77 (public nuisance) of the 1991 Sudanese Penal Code. On 29 December the judge of Aldorashab North Criminal Court dropped the charges under article 141 (dismissal of criminal suit during trial) of the Sudanese Criminal Procedure Code of 1991 as the court was not convinced that sufficient evidence had been brought by the police.
2. File no. 4224/2014: Ten male students were charged under articles 64 (provoking hatred amongst or against sects), 65 (criminal and terrorist organisations), 69 (disturbance of public peace), 77 (public nuisance), and 182 (criminal mischief) of the 1991 Sudanese Penal Code. On 30 December 2014 the judge of Aldorashab North Criminal Court dropped the charges.
3. File no. 4223/2014: An unknown number of students were charged under articles 69 (disturbance of public peace) and 77 (public nuisance) of the 1991 Sudanese Penal Code. The case is still pending as the Aldorashab North Criminal Court has not announced any new sessions.
4. File no. 2423/2014: on 14 January 2015 the Aldorashab North Criminal Court dropped the case against 58 Darfuri students of Bahri University. The case was filed by the police and the charges were under articles 69 (disturbance of public peace) and 77 (public nuisance) of the 1991 Sudanese Penal Code.

The judge who presided over the cases is reported to have dropped the charges in similar cases of Darfuri students protesting at Bahri University.

## Freedom of Religion

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- At 7am on 2 December, police forces arriving in six police cars raided the Evangelical Church of Khartoum Bahri. They beat a number of peaceful demonstrators with water pipes and sticks, and arrested thirty-eight members of the church.

The raid on the Evangelical Church took place after a week of peaceful sit-ins at the church, organised by church members, following a corruption scandal. The sit-ins began on 25 November 2014 and were organised by the General Assembly, mainly comprised of youth members of the church, to protest the sale of church land to investors by the Church Community Council that had been appointed by the Ministry of Endowments and Guidance. None of the profits from the sale were made public to members of the church. The Evangelical Church of Khartoum Bahri is now left with only 250 square meters to conduct worship.

The detainees were held briefly at Khartoum Bahri police station before being tried in three separate courts of Khartoum. Twenty-one individuals were sentenced to a fine of 250 Sudanese pounds (roughly \$40) after being convicted under articles 65 (criminal and terrorist organisations) and 69 (disturbance of public peace) of the 1991 Sudanese Penal Code without legal representation at Kober Criminal Court and Khartoum Bahri Public Order Court. Aljerif Criminal Court dropped charges against fifteen people, and Khartoum Bahri Public Order Court dropped the charges against two others. The complainants in each of the cases were members of the police.

Ten church members were convicted without legal representation by Kober Criminal Court under articles 65 and 69. They were sentenced to a fine of 250 Sudanese pounds (roughly \$40), and forced to sign pledges that they would no longer participate in political activity. Their names are below.

1. John Gai, (m).
2. Lang Majok, (m).
3. Nadim Mohamed Mabrok, (m).
4. Sandi Abaan, (f).
5. Mansour Denial, (m).
6. Jon Jago, (m).
7. Denial Abrah,(m).
8. Wajdi Ali Komi, (m).
9. Zakarya Alzubier, (m).
10. Mahjoub Whelm, (m).

Thirteen church members were convicted without legal representation by the Khartoum Bahri Public Order Court under articles 65 and 69. The charges against two of the individuals were dropped. Eleven individuals were convicted under articles 65 and 69 and sentenced to a fine of 250 Sudanese pounds (roughly \$40) and forced to sign pledges that they would no longer participate in political activity. Their names are below.

1. Elshiekh Fathi Hakiem, (m).
2. Elshiekh Dauod Bashier, (m).
3. Abdulrahim Abdam Musa, (m).
4. Salah Ishag, (m).
5. Estavoinas Ibrahim, (m).
6. Mina Samir, (m).

7. Eman Abraha, (f).
8. Rafat Samir, (m). Mr. Samir is the chairperson of the Evangelical Church's General Assembly.
9. Sabri Joseph, (m).
10. Barsika Osman, (f).
11. Telahom Nagosie Kasa, (m).

Fifteen individuals tried in Aljerif Criminal Court were released after having the charges against them dropped. Their names are below.

1. Mary Salah, (f).
2. Rita Simon, (f).
3. Eman Hamid, (m).
4. Tahani Ali, (f).
5. Najma Abdalla, (f).
6. Yara Musa, (f).
7. Colin Farooq, (f).
8. Kamilia Farooq, (f).
9. Clara Farooq, (f).
10. Hana Farooq, (f).
11. Nour Alhuda Farooq, (f).
12. Jackeline Salah, (f).
13. Amelia Yousef, (f).
14. Bakhiet Omer, (m).
15. Somita Ismael, (f).

In 2010 the Evangelical Church of Khartoum Bahri elected a Community Council to control the administration, assets, and investments of the Church. The Church owns property and shops in Khartoum Bahri, the Nile Institution, and schools attached to Omdurman and Khartoum Evangelical churches.

The Community Council was plagued by internal conflict as a result of an unclear management protocol for financial resources, and accusations of corruption. The Evangelical Church attempted to resolve the conflict, with the Church's General Assembly electing a new Community Council. The previous Council refused to recognise the new Council and hand over institutional documents.

The Ministry of Endowments and Guidance intervened on 28 April 2014, and re-appointed several members of the old Community Council. Despite not having an official mandate to sell church properties or engage in investment on behalf of the church, they sold a substantial amount of property and refused to disclose any financial details on the sale.

### Public Order Violations

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- On 25 December 2014 Public Order police arrested Hafiz Salih Ahmed, (m), 28 years of age and a medical doctor, and Maha Adam Jamma, (f), 27 years of age. They were arrested in Kosti Hospital at 2pm when Ms. Jamma came to Dr. Ahmed's office to collect a book he had purchased for her.

The Public Order police raided Dr. Ahmed's office in the dermatology department and took he and Ms. Jamma to the Public Order Police Station. A case was filed against them under article 154



(practicing prostitution) of the 1991 Sudanese Penal Code. They were subjected to a medical check, with the medical report showing that there was no sign of sexual intercourse. The court convicted Dr. Ahmed and Ms. Jamma under article 151 (indecent acts) of the 1991 Sudanese Penal Code and sentenced them each to 80 lashes and a fine of 1000 Sudanese pounds (approximately \$175).

Dr. Ahmed and Ms. Jamma's lawyer requested the court to postpone the implementation of the flogging until after they could appeal the decision. They were both released after they paid the fine.

Their lawyer appealed the decision, arguing that the court did not consider the medical report as well as citing contradictions in the statements of the prosecution witnesses. One witness told the court that Ms. Jamma was found behind a curtain fully dressed with the doctor sitting, and the second witness reported that the two of them were found sitting. The defense lawyer also stated that the court did not clarify how Dr. Ahmed and Ms. Jamma's interaction constituted a crime.

The Court of Appeal overturned the conviction under article 151 but introduced a conviction under article 152 (indecent and immoral acts), stating that the accused were found together in a private place without having a legitimate reason. The Court of Appeal revised the sentencing- to 40 lashes and a fine of 500 Sudanese pounds (approximately \$87). On appeal, the Supreme Court upheld the Court of Appeal's decision. Dr. Ahmed and Ms. Jamma were each subjected to forty lashes.

### Insecurity and trafficking in eastern Sudan

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- On 23 December 2014 a group of 21 Eritrean refugees resident at Al Shagarab Refugee Camp reportedly reached a deal with an organised gang to smuggle them out of the camp, via Atbara, to Khartoum. The smuggling gang is reportedly comprised of members of the Al Halaween ethnic group and the Eritrean refugees resident in the camp are Christians from the Tigrinya ethnic group of Eritrea.

Whilst in on route to Khartoum, the group of Eritrean refugees was stopped by another gang comprised of members from the Rashaida ethnic group, that has been accused locally of trafficking in human beings for the purpose of organ removal. The Eritrean refugees reportedly believed that the two gangs were working together, and that they had been delivered to the new gang for the purposes of human trafficking. The refugees attempted to escape by crossing a river. Sixteen of the refugees drowned while trying to swim across the river. The gang kidnapped four of the survivors, with a fifth survivor managing to escape. The survivor returned to the Al Shagarab Refugee Camp, where he reported what had happened.

Some refugees from the Al Shagarab Refugee Camp rushed to the river, where they reportedly recovered nine bodies. They then went to a village in which members of the trafficking gang are known to reside, and requested the release of the four Eritrean survivors who had been kidnapped. The gang members denied that they had kidnapped them. The refugees retaliated by attacking the villagers, and taking two hostages. Police in the area requested that the refugees release the hostages. When the refugees refused, the police raided the refugee camp on 24 December with tear gas and freed the hostages. Twenty refugees were injured in the process.

The same day as the raid, the bodies of two of the four Eritrean refugees abducted on 23 December were found.

On 25 December 2014, police forces arrested a large number of Eritrean refugees from inside Al Shagarab camp and threatened to deport them to Eritrea. However, they were released on 28 December 2014. Strict security measures were placed on the camp. On 18 January 2015 18 refugees were arrested. The arrests are believed to be linked to complaints made by members of Arab ethnic groups living in the area.

According to two witnesses resident in Khashm el Girba, a locality near to Al Shagarab Refugee Camp, an unknown number of refugees were tried on unknown charges in the city court on 26 December 2014. They were each ordered to pay fines of of 600 – 800 Sudanese pounds.

The UN High Commissioner for Refugees (UNHCR) has previously reported concerns about the risk of kidnap amongst Eritrean refugees and asylum seekers entering or resident in Eastern Sudan. The UNHCR reported that the main actors responsible for smuggling and human trafficking from Eastern Sudan into Egypt are local tribesmen in Eastern Sudan and in the Sinai, as well as some criminal gangs. The agency reported that “those who deliberately resort to smugglers appear to do so either to enter Sudan or for onward movement into Egypt or Israel. In many cases they also end up being abused by their smugglers who sell them to traffickers or detain them for ransom.”<sup>31</sup>

## Insecurity in Darfur

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- At 6:50pm on 25 November 2014 a group of four armed men, two dressed in military uniform and two in plain clothes, ambushed a bus carrying 26 civilians travelling from Hamada village to Manawashi village in South Darfur. The armed group opened fire on the bus around 5km east of Manawashi village, killing 15 people and injuring 11 others. The victims, who are residents of Manawashi, were returning to their homes after attending the opening ceremony of a new market in Hamada. Many of those killed and injured were originally residents of Hamada who had been forcibly displaced to Manawashi in January 2005, when Hamada was attacked by Sudanese Air Forces and Janjawid militias. During their visit to Hamada, the group had attended the opening of the new market, met with friends and family who had recently returned to the Hamada area in August 2014, and held prayers for more than 100 people who were killed during the attack in 2005. The names of those killed on 25 November 2014 are:
  1. Adam Abdunabi, 65 years old, (m)
  2. Jamaledin Ahmedai, 67 years old, (m)
  3. Ahmed Samyjito, 57 years old, (m)
  4. Ahmed Abdallah Bushara, 60 years old, (m)
  5. Hassan Adam Jalabi, 49 years, old (m)
  6. Suleiman Abdallah Mohamed, 60 years old, (m)
  7. Ismail Abdulkareem Jamaledin, 70 years old, (m)
  8. Alhadi Musa Hassan, (m)
  9. Mohamed Adam Ibrahim, 50 years old, (m)
  10. Alhadi Mohammed Abdallah (m)
  11. Saleh Musa, 35 years old, (m)
  12. Asmah Abdallah Ibrahim, 42 years old, (f)
  13. Basamatt Ahmed Adam 17 years old, (f)
  14. Asmah Abdalraham Mohamed, 35 years old, (f)
  15. Afaf Ahmed Adam, 20 years old, (f)

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<sup>31</sup> UNHCR, Briefing Note, UNHCR concern at refugee kidnappings, disappearances in eastern Sudan, 25 January 2013, online: <http://www.unhcr.org/510275a19.html>.

The names of those injured on 25 November 2014 are:

1. Ahmed Suleiman, 35 years old, (f)
2. Ibrahim Yagob, 40 years old, (m)
3. Ahmed Adam Mohamed 56 years old, (m)
4. Hassan Adam Mohamed Hassan, 53 years old, (m)
5. Mohamed Adam Saosi, 24 years old, (m)
6. Ahmed brahim Rashid, 35 years old, (m)
7. Abdulrazig Hassan Abdallah, 65 years old, (m)
8. Musa Abdallah Yunis, 49 years old, (m)
9. Alhadi Ahemd Adam, 28 years old, (m)
10. Musa Adam Mohamed Tahir, (m)
11. Abkar Jamil Ahmed Abdalla, (m)

The deceased were taken to Nyala hospital and buried after. The injured were also taken to Nyala hospital for medical attention.

- At 4:20pm on 2 December 2014 a group of nomads entered Wad Azierni, West Darfur, to graze their animals on the farmland of Ishaq Mohamed, (m). After a heated discussion, the nomads were asked to take their animals from Mr. Mohamed's farm. They reportedly refused to do so, stating that the harvest was over. Mr. Ishaq returned to his home and grabbed his weapon, again ordering them to leave. When they refused, Mr. Ishaq shot and killed Adam Issa Rezigi, (m), a nomad and member of an Arab ethnic group.

The following day, three vehicles with almost forty armed men from the Arab tribe attacked the villages of Loaei and Kanko. The armed men are reportedly members of Arab militias from El Geneina and reportedly remained in Azierni area after the attack. They burned the two villages, and looted livestock. One man was killed and two men were injured and taken to El Geneina hospital.

Their names are below:

- Ishaq Mohamed Yahia, (m), 28 years of age, member of the Gimir ethnic group. Killed in the attack.
- Yahia Abdullah Ishaq, (m), 34 years of age, member of the Gimir ethnic group. Injured in the attack.
- Adam Abdullah Osman, (m), 45 years of age, member of the Gimir ethnic group. Injured in the attack.

The following day the SAF commander sent military forces into the area to protect civilians.

- At 5pm on 22 December 2014 an unknown armed militia comprised of ten individuals dressed in plain clothes and riding camels attacked Sembu village in North Darfur. Sembu village is 11km northeast from El Fashir. The attack took place during a gathering of the harvest (*Nafair*).

The militia, armed with Kalashnikovs, attacked the villagers whilst they were on their lunch break, killing six persons and injuring five others. The attack is believed to have been in retaliation for a recent incident when Sembu villagers herded camels belonging to the militias off village farmland.

The names of those killed on 22 December 2014 are:

1. Ishag Ahmed Abdualrasul, (m), 94 years old, member of the Barti ethnic group.
2. Rasha Ishag Ahmed Abdualrasul, (f), 19 years old, member of the Barti ethnic group.

3. Um Gumash Ahmed Abdualrasul, (f), 38 years old, member of the Barti ethnic group.
4. Aisha Mohamed Abaker, (f), 37 years old, member of the Barti ethnic group.
5. Rehab Algali Abdulkhir, (f), 27 years old, member of the Barti ethnic group.
6. Ali Mohamed Ali, (m), 11 years old, member of the Barti ethnic group.

The names of those injured on 22 December 2014 are:

1. Amina Ishag Abdualrasul, (f), 11 months old, member of the Barti ethnic group.
2. Hayat Ishag Ahmed Abdualrasul, (f), 7 years old, member of the Barti ethnic group.
3. Abdalla Ishag Ahmed Abdualrasul, (m), 9 years old, member of the Barti ethnic group.
4. Manazil Abdualrasul, (f), 46 years old, member of the Barti ethnic group.
5. Suleiman Abdurhman Salih, (m), 9 years old, member of the Barti ethnic group.

The bodies of the six individuals killed in the attack were buried at 12pm on 25 December 2014. Civilians from El Fashir marched from the hospital to the burial ground in a convoy of roughly 40 to 50 vehicles and called for the protection of civilians.

On 26 December 2014 the relatives of the victims demanded that the police investigate the killings. At 12pm the police went to Sembu village. To date, there has been no progress in the investigation or any arrests made.

- On 30 December 2014 members of the paramilitary Central Reserve Forces (CRF) drove in three vehicles through El Geneina market, reportedly in pursuit of a police officer who had been detained escaped from detention. Members of the CRF fired into the air, causing panic amongst market vendors. Fatima Ibrahim Adam, (f), 13 years of age, a member of the Masalit ethnic group and resident of Al Rayad IDP camp, was killed by a stray bullet whilst begging in the market with her mother.

Ms. Adam and her mother, Halima Adam Ishaq, (f), 54 years of age, were first displaced in 2006 from Azoum after other members of their family were killed in an attack. Speaking with reliable sources, Ms. Ishaq stated that she was not aware of any investigation into the killing of her daughter, that she had not been approached by any officials from the locality nor does she have any relatives to assist her in bringing a case. Ms. Ishaq spoke to the mayor of Al Rayad camp, who advised her that there was no action she could take as the perpetrators are members of government forces.

### Insecurity in South Kordofan

- On 2 December 2015 the body of Al Tayeb Salih, (m), chairman of the Kordofan Students' Association of Eastern Nile University in Khartoum Bahri, was found in the Nile River of Khartoum. Mr. Salih is politically affiliated with the Umma Party and had disappeared 13 days prior. His family had registered a disappearance case before the police. Mr. Salih's body was found with signs of severe beating on his face.

There has not been any official investigation by the police.

- On 15 January 2015 the Sudanese Armed Forces began a bombing campaign in the Nuba Mountains. Aerial bombardment has occurred up to three times a day in January 2015. Civilians have been caught in the cross-fire as the rebel Sudanese Peoples' Liberation Movement – North (SPLM-N) has

prevented civilians from moving out of Kadugli area. Scores of civilians have been trapped in the western region of the Nuba Mountains, including Fenda, Almendal, Slara, Alnatal, Wali, Kujoria, Karkwa, Katala, Tema, Tulushi, Tubug, Jilad, Teman, and Majda. Civilians have also been trapped in Kega Alkhail, Kega Limn, Kurngo, Abdalla, Kufa, Merry Joda, Angolo, Shayat, Safia North, Sayat Daman, Kololo, Um Sardba, Heban, Angarto, Ier, Mundi, Tangli, Lwera, Terigi, and Kauda.

Humanitarian needs are escalating in the area immediately east of Kadugli, including Kufa, Dloka, Kurngo, Abdala, Alhamra, Alihaimir, Dalgo Altais, and Um Sardba. Residents of Angarto, Tosi, and Ira Mundi in Kadugli area have been displaced to Abujibaiha and Rashad. Authorities in Abujibaiha and Rashad have only recently allocated lands for internally displaced persons.

Authorities in the Nuba Mountains have also banned the sale of specific commodities. On Mondays and Thursdays merchants are not allowed to sell sugar, lintel, flour, sorghum, gasoline and benzene. Merchants must obtain permission from the NISS prior to conducting any transactions on commodities on the pretext that they could be sent to SPLM-N controlled areas.

- On 4 January 2015 the GoS deployed roughly 10,000 members of the Rapid Support Forces to Al Dalang from Khartoum and Darfur. When they arrived in Al Dalang, they began firing into the air, injuring one civilian, Ahmed Tawr Isa, (m), 30 years of age.
- On 6 January 2015 the SPLM-N ambushed the SAF's convoy south of Aldoshok, 40 km south of Al Dalang. The convoy was moving from Al Dalang to Kadugli. Eight member of the SAF were killed. Military Intelligence subsequently arrested the Sheikh of Aldoshok village, as well as five other civilians. Their names are below:
  - Alsheikh Ahmed Habela, (m), 41 years of age.
  - Yousif Aleasir Dalman, (m), 30 years of age.
  - Jugdook Suleiman Omreh, (m), 49 years of age.
  - Hydar Kurtakela Ali Omreh, (m), 50 years of age.
  - Waleed Mubarak, (m), 32 years of age.
- On 10 January 2015 the SAF attacked the SPLM-N military base in Jilad in the western region of the Nuba Mountains. The area is also densely inhabited by civilians. Three civilians were injured. Their names are below:
  - Ayoub Mohamed Kuku Omreh, (m), 34 years of age.
  - Alnour Wagi Teok Omer, (m), 58 years of age.
  - Amna Kaktla, (f), 23 years of age.
- On 15 January 2015 the NISS arrested a number of people from Al Dalang and confiscated their belongings. All of the individuals arrested were members of the Nuba ethnic group and perceived to be supportive of the SPLM-N. Their arrests were on the pretext that they were transporting commodities from SPLM-N controlled areas. The confiscated properties include fourteen motorcycles, sugar, cooking oil, onions, and tea.
- On 20 January 2015 a civilian named Kuku Tutu, (m), was killed by the Popular Defense Forces while on his farm in Dalanj. The perpetrators were arrested by the SAF and transferred to police.
- On 24 January 2015 the owner of a bookshop was attacked by armed men in his home. The attackers were later identified as members of the PDF, including First Sergeant Mohamed Shaeb Alrahaima and Hamid Bukhari. The attackers stole the victim's mobile phone and 10,000 Sudanese pounds. The police then arrested the attackers. Two days later they were released in Al Dalang.

- On 22 January Military Intelligence officers confiscated a car belonging to Kunu Arnu Tutu, (m). The car was used to transport passengers from Al Dalang to Kadugli. He was accused of transporting displaced people coming from war zones to Kadugli.
- On an unknown date the NISS arrested Salwa Kuku Kome, (f), from her home in Al Dalang. Ms. Kome is accused of communicating with her husband, who is allegedly a member of the SPLM-N. In March 2015, Ms. Kome remained in NISS, had reportedly been flogged, and had been refused family visits.