

The African Commission for Human and People's Rights 60 Ordinary session– Niamey, Niger

Statement on the Human Rights Situation in Sudan by Darfur Bar Association

8 May 2017

Madam Chair

Thank you for providing us with this opportunity to present a statement on the human rights situation in Sudan.

The period of the last six months has witnessed intense harassment of human rights activists, with arbitrary arrests and restriction on to their activities. In December 2016, the Sudanese Security Apparatus arrested dozens of human rights activists, trade union representatives, and leaders of political parties in connection with civil disobedience in Khartoum. Some of them have been released without any charges filed against them. Dr. Mudawi Ibrahim Adam, who received the Front Line Award for Human Rights Defenders, is still being detained after being transferred from Kober Prison to the office of the Prosecutor of Crimes Against the State. The Sudanese authorities have been persistent in filing criminal charges that carry the death sentence, the same as crimes against the state, against defenders of human rights.

The Sudanese authorities have shut down Tracks Centre for Training and Human Development, and the court has sentenced the head of the Centre and one of its trainer as well as the executive director of the Zarga Organization to jail for one year and a fine of 50,000 Sudanese pounds for no other reason than that they operated in the field of human rights.

The government is still exercising prior restraint and arbitrary restrictions against newspapers and journalists. Since November 2016, and to this very moment, the National Intelligence and Security Service (NISS) has confiscated newspapers after publication 24 times. More than 15 journalists have been repeatedly summoned to the NISS headquarter or arrested. Journalists receive repeated threats. Four broadcasters on satellite channels have been detained, and journalists Zuheir Al-Siraj and Othman Shabouna have been prevented from writing in the newspapers.

Freedom of Religion and Belief

In January 2017, a criminal court in the Sudanese capital of Khartoum sentenced Czech priest Petr Jezek to 24 years in jail and a fine of 100,000 Sudanese pounds (about 15,475 USD). It sentenced Priest Hasan Abd Al-Rahim and rights activist Abd Al-Mun'im Abd Al-Mawla each to 12 years in prison for their religious beliefs. On 3 April 2017, in his attempt to prevent the sale of the Evangelical Church in Omdurman to a foreign investor, a Christian clergyman, Younan Abdullah, was killed. During the last few months the State of Khartoum issued administrative decrees to remove and demolish 27 churches in the State of Khartoum, and yesterday, on 7 May 2017, a church was demolished in the area of Suba al-Aradi.

Torture, and Inhumane and Degrading Treatment

The authorities in the Sudan practice torture against detainees in their detention. They engage in inhumane treatment by denying them medication and incarcerate them in conditions that are incompatible with recognized standards. In the city of Nyala in the state of South Darfur, a man died from torture in April 2017. Hafez Idris, who was arrested by the security authorities in December 2016, was kicked in sensitive areas of his body and beaten with electrical wires. Two detainee from Darfur at Kober Prison were severely beaten and they lost the ability to walk.

Areas of Conflict in Darfur, the Nuba Mountains, and Blue Nile

The areas of conflict in the Sudan suffer from heavy restriction to food and medicine from reaching displaced persons and victims of war.

In October 2016, Amnesty International confirmed without any doubt that the government used chemical weapons in the Jebel Marrah Mountains in the State of Central Darfur. The organization has gathered evidence that strongly proves the repeated use of chemical weapons against civilians, and the statistics indicate that between 200 and 250 people were killed. Yesterday, on 7 May 2017, the Rapid Support Force, a pro-government militias, attacked several villages in the state of Central Darfur. Nine civilian were killed and 22 others were injured, and the villages were burned. On 9 April, 2017, the militias attacked the Karandanaq Camp in the state of West Darfur. Three people were killed and 10 were injured, and the camp's market was burned. This is an example, and it is not exclusive.

In November 2016, in the area of Gereida in the state of South Darfur, 11 citizens were killed and another eight were injured. The security apparatus arrested five people and others are missing, when they protested the assault on two girls by the pro-government militias.

There have been ongoing cases of rapes in Darfur committed by members of pro-government militias used as systematic tool of war against women and girls. A girl, Fadna Adam Mohammed, was raped on 25 April 2017 by armed men and her genital organs were torn with a [unknown word usage, possibly "sharp object"].

Madam Chair

The peace process in the Sudan has stopped due to the government's refusal to continue the process of negotiation and to trust in the process of National Dialogue that was called for by the ruling party . Key opposition parties and three main armed groups have boycotted the national Dialogue. This has halted any progress that would lead to a durable peace.

Recommendations:

We call upon the government of Sudan:

1. To respect its legal obligations pursuant to regional and international agreements and those for reinforcing the principles of human rights to which it is a party.
2. To implement the resolutions and recommendations approved by the African Commission, especially to abrogate Article 52 of the National Security Law and all the other laws that grant immunity to state employees in violations of human rights and international humanitarian law, the crime of torture, and all forms of violence against women, including physical punishment that is carried out under the aegis of the system of the Public Order Law.
3. To stop all violations of human rights and basic freedoms, including arbitrary arrests and detention, unlawful killing, torture, mistreatment of detainees, and to support freedom of expression, assembly, and the freedom to form associations, as well as freedom of the press and the information media.
4. To stop dismantling the settlements in which displaced persons are currently living domestically, and not to prevent new displaced persons from joining existing settlements, which will deny them any humanitarian assistance.
5. To stop decisions to demolish and remove Christian places of worship in the national capital, and harassment and persecution, and targeting of priests and Christian officials, and investigate the killing of Younan Abdullah of the Evangelical Church on 3 April 2017.

6. We call on the Peace and Security Council of the African Union and the United Nations Security Council to cooperate with the Organization for the Prohibition of Chemical Weapons to continue to investigate and expose reports of the use of chemical weapons in Darfur.
7. We urge the African Union to continue its efforts to combat evasion of punishment and to expand regional coordination to prevent the occurrence of war crimes in areas of conflict in Darfur, Blue Nile, and the Nuba Mountains. We likewise call on the member countries of the African Union to cooperate with the International Criminal Court and implement the court's decisions on arresting those implicated on war crimes in Darfur.
8. We urge the African Union and the African Union High Level Implementation Panel (AUHIP) on Sudan, chaired by Thabo Mbeki, to pressure the parties to the conflict in the Sudan to return to the negotiating table and reach a comprehensive peace that will extinguish the fires of war.