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Feature: Humanitarian Blockade of Kalma Camp Renews Fears of Forced Expulsion

In late July, tension in Darfur's Kalma and Almahidia internally displaced persons (IDP) camps turned deadly as clashes broke out between political rivals and amidst longstanding disputes over IDPs' political representation in the Doha peace process. At least seven people were killed and five injured in the clashes. In the following weeks from 2 – 16 August, local authorities surrounded the Kalma camp near Nyala in South Darfur and blocked humanitarian aid, citing insecurity in the area, and intimidated IDPs. On 17 August, Sudanese authorities partially restored humanitarian access to the camps to allow delivery of food and fuel for water pumps. Those present in the camp reported wide portions of it deserted. At the time of writing, subsequent attempts to access the camp had been unsuccessful. It is estimated that there are approximately 50,000 IDPs left in Kalma camp, though the UN and other humanitarian agencies have been unable to conduct an assessment of what must be dire conditions, exacerbated by poor sanitation conditions in the rainy season.

IDPs and local organisations have objected to the blockage of access, alleging that the pretext of insecurity has been exploited to divert aid in the attempt to force IDPs out of the camps, and the Sudanese government has itself contributed to the insecurity. In an environment where humanitarian conditions in Darfur never fully recovered from the expulsion of 13 international NGOs following the

March 2009 issuance of an arrest warrant against President Omar al-Bashir by the International Criminal Court, this blockage of access is particularly dangerous. To many IDPs, the restriction of humanitarian space, both through restrictions on freedom of movement and threats to expel international organisations should they overstep their bounds, is part of a deliberate attempt to intimidate and pressure IDPs to leave the camps and the government to control them in the interim. The introduction of National Intelligence and Security Services (NISS) agents in Kalma¹ has been seen as a calculated effort by the Sudanese government to divide the population along ethnic and political lines, and facilitate dismantling the camp.

Violence at Kalma Camp

Rights violations in Kalma and Almahidia camps have occurred concomitant to contestation amongst IDPs over the Doha peace process. The Human Rights and Advocacy Network (HAND) reported that at a meeting amongst the Sudan Liberation Army faction of Abdul Wahid (SLA/AW) supporters on 22 July, 37 pro-Doha IDP leaders were identified as targets for assassination.² The following day, an SLA/AW member, Hussein Zambiga, was arrested by UNAMID police while on his way to assassinate Omda Saleh Ahmed³, a leader of the Dajo tribe and strong supporter of the Doha process. He was eventually transferred to the custody of local authorities.

On 28 July, five IDPs instigated clashes between pro and anti-Doha IDPs in Almahidia camp, in Zalingei, West Darfur. Three members of the group were killed, and the other two injured. The group was allegedly composed of LJM supporters and attacked an anti-Doha youth leader, Ismail Harun Abdalluh, in the camp. Two members of the group were beaten to death on the scene, and the third died shortly after. Ismail Harun Abdullah accused the government of attempting to destabilise the camp, and was arrested by security forces en route to the hospital in Zalingei.⁴

The following day, SLA/AW supporters in Kalma camp attempted to deliver a petition to offices of the joint African Union/United Nations Mission in Darfur (UNAMID) asking for support to pro-Doha IDP leaders to be halted. Skirmishes began when pro-Doha IDPs arrived, and UNAMID allegedly refused to receive the petition.⁵ UNAMID was unable to protect the IDPs gathered, and at least five IDPs were killed. Centres 1 and 2 of the camp (mainly inhabited by members of the Dajo tribe, who have traditionally been pro-Doha) were burnt. Immediately following, six individuals (five sheiks and a woman)⁶ were accused by local authorities of inciting the clashes and sought shelter at UNAMID's offices. UNAMID refused to hand over the IDPs to local authorities, citing concerns of due process and

¹ "Disturbances in Darfur's IDP Camps", Human Rights and Advocacy Network (HAND), 13 August 2010. There has also been a reported establishment of a "fifth column" of IDPs recruited by NISS agents to provide intelligence and make strong statements in support of the Doha process.

² Human Rights and Advocacy Network (HAND), "Disturbances in Darfur's IDP Camps", 13 August 2010.

³ Since then, there have been reports that weapons were distributed to Omda Saleh Ahmed by local authorities.

⁴ Human Rights and Advocacy Network (HAND), "Disturbances in Darfur's IDP Camps", 13 August 2010.

⁵ *Ibid.*

⁶ Shiekhhs have been increasingly targeted by the Sudanese government, as they refused to serve as IDP representatives in the Doha Peace Process without more immediate needs, such as the ones voiced by Abdul Wahid, met. The six IDPs later reported to the *Sudan Tribune* that the head of the joint peacekeeping mission, Ibrahim Gambari, had pressured them to influence the general population to accept joint patrols by Sudanese peacekeepers and that he had threatened to hand them over to the government if they refused. UNAMID adamantly refuted this, saying that all issues were being discussed for mutually acceptable outcomes to the concerned parties. The group of six remain in UNAMID custody.

their treatment in custody, as well as the potential to undermine the Doha talks and provide a pretext for increased SLA/AW militarisation in the camp.

Following UNAMID's refusal to hand over the six IDPs, President Bashir threatened to expel UNAMID and issued a directive allowing for local authorities to expel international organisations or the peacekeepers should they "exceed their stipulated mandate or obstruct the work of local authorities".⁷ Indeed, days later Sudan announced the expulsion of five NGO workers in West Darfur (including the heads of the UNHCR and the Food and Agriculture Organisation in West Darfur, and the UNHCR in Zalingei), as well as the two heads of the ICRC in El-Geneina and Zalingei. Two UNAMID staff members were abducted in Nyala on 14 August within sight of a Sudanese security checkpoint, though they were later released on 18 August.

Divisive Political Atmosphere amidst Realities of the Doha Process

The July violence must be seen in the context of a history of increasing politicisation within the camp over the last few years, with IDPs fiercely divided over the Doha peace process. By and large, IDP communities have been suspicious of the Doha process based upon the experience of the Darfur Peace Agreement in Abuja in 2006, which was signed by one rebel group (the Sudan Liberation Army, SLA/Minawi faction) on behalf of all Darfuris. A survey conducted by 24 Hours for Darfur in April – July 2009 revealed that very few Darfuris living in refugee camps in Chad thought that negotiations in Doha would result in peace; nonetheless, around 75% felt that participation by SLA/AW, the Justice and Equality Movement (JEM), traditional leaders, civil society, and the international community were necessary to ameliorate the failings of the previous Abuja process, many attributed to the lack of representation in the talks.⁸ The SLA/AW has refused to join the negotiations in Doha until the government improves the security situation and facilitates the return of IDPs to their homelands. A frequent tactic of the Sudanese government has been to negotiate with one rebel movement, and then attack another, ensuring that the rebel groups remain fractured. The SLA/AW has questioned the extent to which the Liberation and Justice Movement (LJM, chaired by Dr. Altajani Sise), who signed a peace agreement with the Sudanese government, genuinely represents the interests of IDPs. On 26 June, authorities in South Darfur state prevented three IDP representatives from travelling to Doha in an attempt to control who is included in the negotiations, and in the past months anti-Doha IDP leaders have been arrested and tortured by local authorities. In February, bitter fighting began in Jebel Marra days after the government signed a ceasefire with the Justice and Equality Movement (JEM).⁹ There were clashes between the JEM and the Sudan Armed Forces (SAF) on 4 June in the Auzban Duma area of Eastern Darfur,¹⁰ and the SLA/AW reported that strikes began again in the Eastern Jebel Marra area, further displacing a large number of civilians.

⁷ "Bashir Treatens to Expel UN", Al-Jazeera, 8 August 2010.

⁸ [Darfurian Voices: Documenting Darfurian Refugees' Views on Issues of Peace, Justice, and Reconciliation](#), 24 Hours for Darfur, July 2010. The report also documented Darfuris views of peace (including aggregating their perspectives along ethnic lines). Generally, they stated that peace meant security (51%), the signing of a peace agreement (17%), the implementation of justice (16%), reconciliation (15%), the delivery of compensation (15%), being able to return home (14%), and development (10%).

⁹ See the African Centre for Justice and Peace Studies, [Sudan Human Rights Monitor](#), December – May 2010. Eastern Jebel Marra still has no humanitarian access.

¹⁰ The border between Libya and Sudan closed 1 July, as Sudan attempted to circumvent possible movements by the JEM out of the country and block their leader, Khalil Ibrahim, from entering.

Kalma has been perceived as a haven for SLA/AW soldiers due to strong popular support in the camp. In 2008, an attack in the camp by the SAF killed 32 IDPs and wounded dozens, and in the days leading up to the blockade the governor of South Darfur referred to the camp as a den of criminals and outlaws and threatened to close it.

Despite the potential of the Doha peace process were all rebel groups to participate, the government of Sudan has signalled a desire to shift the centre of gravity around the peace process to within the country, with a focus on recovery, development, and return of IDPs. On 30 June, the anniversary of the National Salvation Revolution, President Bashir stressed that the Doha negotiations would be the last outside of Sudan, and “anyone who wants peace shall leave for Doha, otherwise we will teach him a lesson that he will never forget”.¹¹

On 5 June, the peace talks between the LJM and the Sudanese government resumed in Doha with representation from the Qatari mediation team and Djibril Bassolé, the joint chief mediator of the African Union/United Nations mission in Darfur. In light of the current humanitarian situation in Darfur and the charged political atmosphere in the camps, the mediation team should emphasise an inclusive process that recognises political tensions on the ground.

Lack of Security and Militarisation of the Camps

Many Darfuris see the IDP camps as the best available option for ensuring their security. Some fear insecurity in their home areas and others fear conflict with communities reported to have occupied their home areas, both those from other ethnic groups and reported immigrants from Chad and Niger. However the recent clashes in the camps highlight the tenuous nature of the security that the camps offer.

This insecurity has been exacerbated by actions taken by the government of Sudan to cut off access to the camp and threats to dismantle it. The Governor of South Darfur state, Hamid Musa Kasha, publicly announced his intent to close Kalma camp, and announced his intent to conduct a voluntary disarmament campaign to “establish social peace”.¹² Although the government of Sudan sees the closure of Kalma as a response to the security concern, it is a problematic move. First, the displaced, as citizens of Sudan, have the right to reside where they choose and where they can find safety. These rights can be curtailed only in extremely limited circumstances. Second, the benefit of smaller and more easily policed camps must be weighed against the probability of IDP resistance to the move and the possible humanitarian consequences of a disorderly and contested operation.

A key actor in addressing security in the Darfur context is UNAMID. Throughout the blockade, UNAMID increased patrols, but this did not alleviate insecurity. UNAMID peacekeepers reported that their bags were searched, violating the Status of Armed Forces Agreement between the mission and the Government of Sudan. On 9 August, a school was burnt by unknown men who fired at UNAMID patrols when they investigated. Additionally, there have been wide reports of hearing gunfire in the camps in the evenings, and of the distribution of over 1500 AK47s to members of the Dajo Tribe, led by Omda Salah el Deen.¹³ Machine guns were also allegedly distributed to nomad militias in the Ishma area. It is

¹¹ “[President Al-Bashir: Doha Forum will be the Last Forum for Negotiation outside Sudan](#)”, Sudanese Online. 1 July 2010.

¹³ Tragic Situation in Darfur’s IDP Camps, HAND, 17 August 2010.

¹³ Tragic Situation in Darfur’s IDP Camps, HAND, 17 August 2010.

clear that UNAMID needs additional logistical and political support if it is to protect civilians such as those it is currently sheltering and others in Kalma camp in need of security.

Those who agree to share responsibility for the protection of refugees must be capable of rapidly deploying protection, and having an on-site presence. A rights-respecting approach to security at Kalma camp, which takes due note of international humanitarian and human rights law standards, should be adopted. The “Ladder of Options” for camp security developed by the UNHCR in refugee contexts could be useful in this regard.

Lack of Humanitarian Access

Originally home to some 100,000 IDPs, many IDPs left Kalma camp following the latest round of clashes. It has been difficult to estimate the number of IDPs displaced from the camps, due to lack of access. An assessment done by the UN in 11 villages neighbouring Kalma camp on 4 – 8 August, however, found that in those areas alone, there were 450-500 newly arrived IDP households.¹⁴ HAND reported that roughly 60% of the residents of Kalma fled to nearby Nyala, Baba, and Bilial. Some of these newly displaced IDPs were reportedly forced to leave the camp against their will, and resettled with members of the same political affiliation or ethnic community. Without immediate assessment and a mapping exercise to determine precisely where aid is needed, it is probable that these IDPs will remain without access to social services, relief material and protection.

IDPs that ventured out of the camp during the blockade period for food for their families were not allowed to return, and public transportation between Kalma camp and Nyala town was blocked. Those who passed through checkpoints reported having their money and valuables stolen. Many of those IDPs that did find a way to return to Kalma were forced to leave a second time. IDPs who went to Wad Nyala near Sakali camp (to which half of the 200 IDP families attempting to return to Kalma were sent) have been existing solely on fruit growing in the area.¹⁵ In Bilial IDP camp, where many IDPs fled, there have been at least 15 children who have died of preventable diseases amidst lack of healthcare and malnutrition. The rainy season has made sanitation conditions worse, and there have been reports of an outbreak of malaria in Kalma and Bilial camps.

Though there are smaller camps in the area, as well as IDPs that live in Nyala, these spontaneous camps have not been constructed in any planned way and are the results of rapid influxes of IDPs fleeing Kalma. As such, it has been difficult for the humanitarian community still operational to assess their needs. Though the head of the Sudanese state Humanitarian Aid Commission (HAC) stated that aid from Kalma was diverted to spontaneous camps near villages in the North and East, it was unclear whether it was allowed there or ever arrived. Clashes in different areas of Darfur and the blockade also increased the price of food in large cities, such as Zalingei, Nyala, Kabakia in North Darfur, and Allaiet in East Darfur. Dr. Ali Mahmoud, minister of finance, said that the government had taken measures to reduce the price of food in Darfur states.

The Sudanese Government has an obligation to cooperate with UNAMID to ensure protection of civilians and humanitarian space under the Status of Forces Agreement, as well as being a signatory to the Great Lakes Pact. The Great Lakes Pact includes a protocol on the Protection and Assistance to Internally Displaced Persons that ensures that all IDPs are protected under the implementation of the

¹⁴ [“Kalma Camp Missions Reports Large Areas Deserted”](#), UNAMID, 11 August 2010.

¹⁵ *Ibid.*

UN's Guiding Principles on Internal Displacement into domestic law. Under Article 3 of the Protocol, the State of Sudan has the primary responsibility for the protection of IDPs and has an obligation to "facilitate rapid humanitarian access where needed" and in cases where a government does not have this capacity, the state "shall accept and respect the obligation of the organs of the international community to provide protection and assistance".

Political Developments

The ICC Accepts Genocides Charges as the AU Declines to Cooperate with the Court

The ICC pre-trial chamber of the ICC initially had declined to include genocide charges in its issuance of the first arrest warrant in March 2009. The office of the prosecutor appealed the decision on the basis that the pre-trial chamber had used an inappropriate standard of proof in declining to include the genocide charges. In March 2010, the appeals chamber instructed the pre-trial chamber to reassess the genocide charges. On 12 July, the ICC issued a second arrest warrant for President Bashir on charges of genocide committed against Darfur. Concurrently, President Yoweri Museveni asked Khartoum to send another representative to the African Union Summit in Kampala, Uganda. Uganda is a member of the ICC and has a legal obligation to arrest Bashir should he enter the country. Museveni later said he was misquoted and sent an envoy to apologise and personally invite Bashir – nevertheless, the Sudanese government regardless decided to not send its foreign minister, Ali Karti, to lead the country's delegation at the AU Summit. At the Summit, the African Union reiterated the decision made at the AU Summit held in Sirte, Libya in July 2009 to not cooperate with the ICC in the arrest and surrender of President Bashir.

On 17 June, Abdallah Banda Abakaer Nourain ("Banda", JEM) and Saleh Mohammed Jerbo Jamus ("Jerbo", SLA) appeared voluntarily before the pre-trial Chamber I of the ICC. They face 3 charges of war crimes for the September 2007 attacks on the African Union peacekeeping base at Haskanita that killed 12 peacekeepers.

Appointment of New Sudanese Cabinet and Ministers

In June, President Bashir announced the appointment of 77 new ministers in the government. Over ten of them have a security, rather than political, background. This group's appointment comes at a time of financial crisis in the country, coupled with an unresolved crisis in Darfur and the upcoming referendum. The appointment of Ali Karti, an Islamist ideologue, sends clear signals to the Parliament as the NCP's ideological basis begins to weaken. General Bakri Hassan Salih, one of the main architects of the Darfur conflict, will continue as Minister of Affairs. This decision was reached after a compromise with the SPLM, where the SPLM gained control of the new Ministry of Petroleum ministerial seat through the appointment of Loul Deng. The Ministry of Petroleum will be responsible for monitoring oil production and revenues.

Referendum and Post-Referendum Arrangements

The composition of the Referendum Commission was the subject of bitter wrangling between the NCP and the Sudan Peoples' Liberation Movement (SPLM), until a final commission was agreed upon in June. Though the Commission is to be an independent body, candidates were presented to the Parliament

solely by the NCP and SPLM. The accepted Commission is composed of four Northerners and five Southerners. They are:¹⁶

- Mohamed Ibrahim Khalil, Chairman, former head of Parliament from 1986-89;
- Chan Rieth Madut, Deputy Chairman and Chairman of High Committee for Referendum in South Sudan;
- Suaad Ibrahim Eissa;
- Deng Awur Wenyin;
- Lual Chany Chuol, Retired Lieutenant General;
- Tariq Osman Al-Tahir;
- Paulino Wanawill Unango;
- Sebit Alle Abbe, Retired Lieutenant General;
- Kamal Ali Mohamed Saleh¹⁷

On 15 August, Mohamed Ibrahim Khalil threatened to resign if a Secretary General was not elected. The five Southern commissioners have refused to vote for a Northern Secretary General, for fear of losing control of finances. The commission submitted a request to the NCP and SPLM to postpone the referendum as they could not complete their tasks in the timeframe required by the referendum law. Eventually, the Commission agreed to leave the appointment of the Secretary General to the Presidency.

The date of the referendum is often seen as a line in the sand for the SPLM, which threatened to consider alternatives, such as a parliamentary vote. Presidential Advisor Nafie Ali Nafie responded by stating that “if the movement decided on declaring south Sudan’s independence by a parliamentary vote without a referendum it would be committing political suicide”.¹⁸

There are a number of critical issues that need to be resolved ahead of the referendum in order to prevent further conflict from erupting. These include issues of citizenship¹⁹ (what will the status of Northerners in the South and vice versa be in the event of a vote for separation), border demarcation and wealth sharing.

On 23 June, the NCP and SPLM signed a memorandum of understanding in Mekele, Ethiopia to include the AU High Level Implementation Panel (AUHIP) in post-referendum arrangements, with support from the UN, Intergovernmental Authority on Development (IGAD), and regional partners.²⁰ The

¹⁶ “[South Sudan Referendum Commission Approved](#)”, Sudan Radio Service, 29 June 2010.

¹⁷ Kamal Ali Mohamed Saleh was a last-minute replacement for Taj Sir Mohamed Saleh, a prominent member of the Democratic Unionist Party (DUP). His nomination to the referendum commission was rejected by the SPLM.

¹⁸ “[Sudan Warns Against South Independence Declaration](#)”, AFP, 19 August 2010.

¹⁹ “[Sudan: Preventing Violence and Statelessness as Referendum Approaches](#)”, Refugees International, 28 June 2010. The UN has estimated that there are approximately 1.5-2 million Southerners living in the North. Refugees International recommended that citizenship arrangements must be made to emphasise choice, right of movement, residence, employment opportunities, and property ownership.

²⁰ While meeting with AUHIP in Juba, Chair and former President of South Africa Thabo Mbeki outlined four options for the future of South Sudan. The first is that of complete autonomy for both countries, with each country requiring visas to cross borders. The second is that of separation within a negotiated framework, with provisions for citizenship. Thirdly is a confederation system, with shared governance. The last option is that of unity. Mbeki reasserted the AU’s support to South Sudan’s right to self-determination, and framed his comments by concluding

memorandum included four thematic issues of security, finance, the economy and natural resources, and international treaties and legal issues to be negotiated by working groups. Each group will also facilitate a discussion and recommendations on the question of citizenship in the case of secession. An additional sub-committee was established for governance preparations in the South and the potential transition from semi-autonomous government to complete independence. A process of constitutional review will have to be undertaken in the event of unity or secession, as the Interim National Constitution expires in July 2011.

Negotiations began on 5 July. A high level NCP delegation led by Ali Osman Taha met with senior SPLM officials (including President of the South Salva Kiir) to discuss a number of issues, including development, the referendum, border demarcation, and unresolved CPA issues. While in Juba, Taha announced development projects to be implemented in the South through the Unity Fund. While the projects were welcomed by the SPLM, public opinion was divided. Some felt that the announcement of the projects was an attempt to politicise development ahead of the referendum and “make unity attractive”, while others felt that the projects would never move past planning stages and was too little, too late. Many of the proposed projects are to take place in North-South border areas. Taha, for his part, blamed the delay on Western funders.

The ongoing question of border demarcation has also frustrated the referendum process. In June, Vice President of South Sudan Riek Machar stated that over-emphasising the issue of borders may harm future cooperation between the North and the South:

“even if there is no agreement on these issues, the completion of demarcation of the borders should not be connected with the referendum. The referendum by itself can be conducted even if the borders are not completed...we should not hold the referendum hostage by the borders. After the referendum, if the vote is secession, the two parts of the country will need each other. They will need to trade between themselves. They will need to share resources across the borders. There is a bigger movement of people North-South than any other country...There are over 15 major roads connecting North and South. When you lock yourself into a situation discussing borders as if it is the only issue, you are not putting into consideration the economic cooperation; the movement of people; the sharing of resources; the Nile; the reality that today oil is in the South, but the infrastructure is in the North; like the pipeline, the refineries; the export terminal, etc”.²¹

Conversely, members of the NCP have stated that the referendum *cannot* be held until the border is demarcated, as it is necessary to determine where people live and where natural resources are located.

Arbitrary arrest and Ill-Treatment

- On 1 June, NISS agents arrested Dr. Walaa Alden Ibrahim and Dr. Alhadi Bakhiet, leaders of the Sudanese Doctor’s Strike Committee. The doctors were arrested immediately after the announcement of the doctors’ strike. NISS agents searched Dr. Mohamed Gorashi’s home twice as well as his wife’s laptop. Over the past year, doctors had amplified their criticism of the government,

that the notion of African unity and integration is much different contextually today than it was at Sudan’s independence.

²¹ “North-South borders as “barriers” can harm future cooperation-Machar”, Sudan Tribune, 17 June 2010.

which they claim owes them millions of pounds in back wages, and which they criticise for poor working and housing conditions, and lack of medical treatment for the poor. In March, after failed negotiations, President Bashir issued a directive to the Ministry of Health to fire any doctor who went on strike. This order was later retracted. Dr. Ibrahim and Dr. Bakhet were briefly released later that day, but rearrested after they made public statements about their torture by NISS agents while in detention. That evening, the head of the Doctor's Strike Committee, Dr. Alabwabi, was arrested from his home in Khartoum. On 2 June, a demonstration was organised by students of the School of Medicine of Khartoum University in solidarity with the detained doctors and to kickoff the strike. The police arrived and beat and arrested members of the group, dispersing the crowd with tear gas. Others en route to a meeting at Khartoum Teaching Hospital were prevented from entering. Below are the names of those injured by police:

- Dr. Ashraf Hamid
- Dr. Tmadur Omar
- Dr. Osama Ahmed Ibrahim
- Dr. Razaz Ahmed Albahawi
- Dr. Walid Alfadil
- Dr. Inass Alsadig
- Dr. Mutaz Ahmed
- Dr. Hussam Aldeen Mahmoud
- Dr. Nuha Yousef
- Dr. Halaa Ali
- Dr. Miada Abdalla
- Dr. Osama Ahmed

Six students were arrested and taken to Khartoum North police station, five of whom are listed below. The group was charged under Article 77 of the Sudanese Criminal Code 1991, banning "public noisiness". They were released on bail later that evening.

- Faiz Abdula Mohamed
- Hussain Slah Aldeen
- Shaza Fisal
- Omar Mohamed Musa
- Faris Mohamed

Journalists that have reported on the situation have been threatened, and hospital staff has been replaced with newly graduated medical students, many of whom are not trained for their positions in emergency wards. On 25 June, NISS authorities released all the doctor's arrested throughout the strike from Kober Psion after they had spent 24 days in custody without being charged. Details known about their detention and treatment are listed below:

- **Dr. Ahmed Alabwabi (38 years old, Psychiatry Registry, Omdurman):** President of the Committee and arrested on 1 June from his home by in Althawra by non-uniform security personnel. His wife was allowed to visit him after six days in detention after a rumour that he had been killed in police custody. She reported that he was blind-folded and handcuffed, and extremely weak and tired, though he had no apparent wounds or bruises.
- **Dr. Abdelaziz Ali Jame (37 years old, Consultant Pathologist, Kassala):** Vice President of the Strike Committee, he was not arrested until 8 June from the Faculty of Medicine at the University of Khartoum while addressing medical students. He also was a resident at the

Khartoum Doctor's Residence. No information was yet available about his condition, as no one was allowed to see him during the course of his detention.

- **Dr. Alhadi Bakheit (36 years old, Respiratory Medicine Registry, Omdurman, Negotiator of the Committee):** He was initially arrested with Dr. Walaa Alden Ibrahim while they were on their way to a committee meeting and was released after three hours. They went to the Khartoum Hospital for treatment after being severely beaten in police custody. This was documented in a statement to a human rights activist from inside the hospital.²² They were promptly re-arrested while leaving the hospital, and were not allowed visitors or a lawyer for six days. An eyewitness (who wishes to remain anonymous) saw Dr. Bakheit comatose in a Security Force Hospital, Alamal Hospital. Dr. Bakheit was returned to detention without receiving proper care, just after regaining partial consciousness. A rumour of his death forced security forces to allow his wife to visit him, she reported that he had sustained clear wounds to his legs and head; and he told her he had been tortured, blind-folded, and hand-cuffed. No further information was received on his condition until his release.
- **Dr. Ahmed Abdulla Khalaf Allah: (36 years old, Anesthesiologist, Khartoum, Negotiator)** He was arrested on 9 June from his home in Arkawit by non-uniform security services.
- **Dr. Mahmoud Khairallah (34 years old)** not a committee member, he was arrested on 7 June trying to protect Dr. Nahid Mohammed ElHasan (the committee's spokesperson) from being arrested. He fled with her in his car after dropping her off at the embassy. His car was smashed by a security vehicle chasing him, forcing him to stop.

The doctors and a sixth colleague, Ashraf Hammad, were released after an agreement was reached between the Doctors' Strike Committee, the federal Ministry of Health, and the Sudanese Medical Society. Doctors across Sudan returned to work on 24 June. Reportedly, NISS agents roamed the hospitals in Khartoum ensuring that the doctors had returned to work before releasing their colleagues that evening.

- On 2 June, NISS agents rearrested the human rights defender Nahla Bashir, who has been in detention for ten months and was released without any charges, though her case is still open. The person who granted her release was threatened by NISS that if Ms. Bashir escaped or moved he will be held responsible and arrested. Ms. Bashir suffers from poor health, and her condition worsened in prison.
- On 8 June, five IDPs imprisoned in Shalla Prison of North Darfur since 2 August 2009 began a hunger strike over their conditions in detention, and arbitrary arrest as charges had never been pressed against them. The individuals were arrested along with 11 others following the death of Omda Omar Eshag Saroukh, an IDP leader in Abu Shouk camp. They were all accused of murder under Article 130 of the Sudanese Criminal Code of 1991, but the charges were dropped after one month and the group was released. Before they could leave police custody, the North Darfur government ordered that five members of the group be sent to Shalla prison and North Darfur Women's Prison. A group of Sudanese lawyers submitted an application to the Ministry of Justice in Khartoum to release the prisoners. The prisoners are:²³
 - Omda Hussein Eshag Sajo (Abu Shouk IDP camp)
 - Zahara Abd Alrahman Musa (Abu Shouk IDP camp)
 - Adam Yahya Daw Albeit (Al Salaam IDP camp)

²² <http://www.youtube.com/watch?v=1BwS7ez2vBg> (in Arabic)

²³ For more information, see "ACJPS Expresses Concern about the Situation of Prisoners on Hunger Strike", 8 June 2010.

- Hafiz Edries Eldouma (Al Salaam IDP camp)
- Abu Albashar Ali Ahmed (Al Salaam IDP camp)
- On 30 June, Popular Congress Party opposition leader Hassan al-Turabi was freed from prison after being detained for almost two months during which time he was not charged with any crime. His release coincided with the 21st anniversary of the coup that brought Turabi and Bashir to power before their split in 1999. He stated that he was surprised at the arrest, as “the election campaign was over for a while; and they represented themselves with a new image as an elected government”.²⁴
- On 5 July at 6:30 PM, Sudanese police arrested three members of the *Girifna* movement in Soug Sitaa, Market 6, of Khartoum. They were arrested while distributing the first issue of the *Girifna* magazine. The police took them to police station 5 in Alhaj Yousif area, and opened a case against them under Article 69 (breach of public peace), and Article 63 (incitement) under the Sudanese Criminal Code of 1991. Late at night, NISS agents took the detainees from police custody to National Security offices, where they were questioned extensively about the movement and tortured. They were released the following day, but were asked by NISS agents to become *Girifna* informants.
- On 29 July, the Public Order Police invaded the House of Art in Bahri Area, Khartoum North, and beat all the people attending the concert. 40 people were arrested from the audience, including all foreigners and women wearing trousers.
- On 29 July, the NISS arrested Abdel Rahman Adam Yahya in Kabakia, North Darfur. He was taken to the NISS’ office in El Fashir before being transferred after several days to Kober prison in Khartoum. He was arrested on suspicion of wiring money to the SLA/AW after NISS agents found a balance of 54,000 Sudanese pounds (approximately \$23,000) at the Agricultural Bank in Kabakia. This was the third arrest of a businessman in the past month in Kabakia. Abu Bakar Suleiman Haroun was arrested by the NISS and later released after they found 100,000 Sudanese pounds in his bank account. Najim Aldeen Abdallah, another local business person, was arrested on 23 June.

Access to Education

In July, a private primary school in Omdurman expelled a HIV+ student. Though the school knew of the child’s status at the time of enrolment, the administration later told them to leave the school, implying that they would expose their peers to the virus. The Sudanese Education Ministry did not comment on the student’s expulsion.

Corruption

On 1 June, Mohamed Bushara Dosa, Minister of Justice, made a statement in El Fashir, North Darfur, regarding the *Souk Al-Moasir* (“Pipes Market”) in El Fashir, North Darfur. He ordered the establishment of a legal committee to prosecute the over 40,000 cases that were registered by victims of the scam in North Darfur. The *Souk Al-Moasir* market was established by two members of the NCP, Musa Sidig and Adam Ismail (who were then candidates for local office), in August 2009 as a transactional market.²⁵ Locals were promised high returns on their investments, including IDPs and the poor, many of whom sold all their valuables to invest. Prior to elections, Governor Osman Mohamed Yousif Kibir stated that

²⁴ RFI, “Opposition Leader Says Arrest was without Cause”, 1 July 2010.

²⁵ See African Centre for Justice and Peace Studies, “Sudan Human Rights Monitor, December – May”

he would guarantee the rights of victims of the scheme if they voted for the NCP during elections. Over 100 people were arrested under emergency law.

On 2 May, victims of the scam organised a peaceful protest to submit a memorandum to the Governor of North Darfur State requesting that their assets be restored. Police blocked the way to the governor's residence and used light arms and machine guns, killing 17 and injuring over 200. The names of the dead taken to El Fashir Military Hospital were never released.

Osman Mohamed Yousif Kibir, governor of North Darfur, stated that over 146 million pounds were transferred outside Sudan by *Souk Al-Moasir* actors, and there were allegations that members of the government in Khartoum were also involved. In total, over 400 million Sudanese pounds disappeared.

Security Concerns and Humanitarian Access

A general culture of lawlessness has pervaded in Darfur, as there has been an increased number of kidnappings of humanitarian workers, carjackings, and general insecurity. In the South, insecurity is also a continuing concern. The SPLM has grown increasingly suspicious of Khartoum arming militias, and on 8 August the SPLA captured a Khartoum-bound helicopter from Jongelei state that had members of General George Athor's (a defeated gubernatorial candidate in Jongelei state who began a rebellion) command in it. Though members of the SPLM-DC have defected to the SPLM, clashes in Upper Nile State with a splinter faction of the SPLM-DC and the SPLM killed ten on 10 July.²⁶ All of this has been compounded in the South by fears of Lord's Resistance Army (LRA) attacks in Western Bahr El-Ghazal and Western Equatoria State.

On 29 June, the Misseriya and Rizeygat tribes signed a reconciliation and peace agreement in Zalingei. Since February, 695 people were killed and many more injured in clashes over land. The agreement was brokered by tribal leaders, UNAMID, and the Darfur Peace and Reconciliation Council. Each side is required to pay compensation and assist in an investigation into the role of the government and rebel militias in the conflict, as well as facilitating the return of displaced communities.

In Darfur, UNAMID statistics indicated that 221 people were killed in fighting during the month of June, with 140 of those deaths the result of tribal clashes.²⁷ Abduction of peacekeepers and NGO workers continued, and UNAMID has begun construction of a security trench around Nyala.²⁸

- On 9 June, five health officers from the Ministry of Health were kidnapped while conducting vaccinations for children in Eastern Jebel Marra. State employees have been the only individuals granted access to Eastern Jebel Marra. Their names are:
 - Dr. Ibrahim Abdelrahman Ahmed
 - Dr. Hussein Mohamed Alhassan, Assistant
 - Adam Eltahir Keter, Health Officer
 - Mohamed Alhaj, Technician
 - Mohamed Osman, Driver

²⁶ "SPLM-DC Turned into Rebel Against SPLA", South Sudan Analysis, 10 July 2010.

²⁷ Reuters, "Darfur Violence Kills 221 in June – peacekeepers," July 11 2010.

²⁸ UNAMID, "[UNAMID, Government dig security trench around Nyala.](#)" 16 August 2010.

- On 17 June, Hassan Bahr, Deputy Director of Zalingei University in North Darfur, was shot by unknown military men while returning to Zalingei. The men were allegedly trying to kidnap him.
- On 24 June in Nyala, South Darfur State, the Popular Defence Forces used seven land cruisers to force their way into the gates of the General Court. They ordered the Court to release one of their employees, who was arrested by police for carrying a pistol without a license.
- On 24 June, Abdalla Mohamed Ali and his wife were shot by two policemen. There were allegedly two arrests made in conjunction with the case, which was referred to the head of police in El Fashir, but the names were never released.
- On 28 June, Mohamed Badir Mohamed was killed in Tambol, Central Sudan, when police shot and killed him when he allegedly drove his minibus too close to a checkpoint.
- On 10 July, Khadiga Abdurhman Mohamed was killed by unknown perpetrators after they attempted to rape her in the Saga Naga area of North Darfur. The incident took place near a military checkpoint.

Unfair Trial

- On 3 June, a group of lawyers in El Geneina, West Darfur, complained to the Chief of the Judiciary in West Khartoum that the court had stopped functioning as a result of judges not working. This delayed many trials. The chief of the judiciary sent a number of judges after he received a complaint from the head of the judiciary for West Darfur.
- On 15 June, the Khartoum North Court refused to hear testimony from defence witnesses in the case of four *Rai Alshaab* journalists. The journalists were charged with 14 counts of “crimes against the state” offences, with sentences ranging from the death penalty to life imprisonment. As a result of the court’s action, the defence attorneys withdrew from the proceedings in protest. The head of the Defence Panel, Kamal Aljezoli, said that they could not effectively defend their clients.²⁹ On 15 July, Judge Modather Al Rasheed of the Media and Publication Court sentenced three of the four *Rai Alshaab* journalists.³⁰ Abo Zar Ali Amin, Ashraf Abd Alaziz, and Altahir Ibrahim were sentenced under Articles 50 and 66 of the Sudanese Criminal Code of 1991. Article 50 outlines grounds for offences against the state and undermining the constitutional system, and Article 66 bans the publication of false news, particularly when it leads to the “diminution of the prestige of the state”. The court assigned Abo Zar Ali Amin with the greatest criminal responsibility, for his authorship of an article entitled “Winning of Ali Osman or Al-Bashir” questioning the popularity of Bashir during the election period. He was sentenced to five years in prison, while his colleagues Ashraf Abd Alaziz, general editor, and Altahir Ibrahim, head of the newspaper’s political department, were sentenced to two

²⁹ For more information, see [Rai Alshaab Journalists Face Death Penalty and Life Imprisonment and Denied Right to a Fair Trial](#).

³⁰ See [“Rai Alshaab Journalists Face Death Penalty and Life Imprisonment and Denied Right to a Fair Trial”](#), 19 July 2010. The arrests of the *Rai Alshaab* journalists and closure of the newspaper occurred on 15 May, hours after the arrest of opposition leader Hassan Al Turabi. At the time, the NISS, Ministry of Information and Communications, National Press Council, and Ministry of Media and Information all stated that the closure would not affect liberties accorded by the Interim National Constitution. On 16 June, the journalists’ defence team withdrew over concerns that they could not effectively defend their clients after the rejection of four witnesses. This raised serious concerns over the right to a fair trial, with the defendants facing sentences ranging from life imprisonment to the death penalty. All four journalists reported being tortured while in the custody of the “Crimes against the State” section of Kober Prison.

years each. The fourth journalist, Ramadan Mahjoub, was acquitted. Criticising the process, their lawyer, Abdel Moneim Othman Idriss stated “they did not raise a weapon; they raised a pen to express their opinions”. In addition, the Court found that the newspaper had published articles with the intent of damaging Sudanese government’s foreign relations, including with Yemen by alleging support for Houthi rebels. Despite the lift on pre-print censorship by Mohamed Atta, head of the NISS, in early August, the group of journalists remains imprisoned.

- In late July, 19 young Muslim men were sentenced to 30 lashes and a fine for breaking moral codes for wearing women’s clothes and makeup in a private home in Khartoum, reportedly being used for a wedding between two men. Many of the defendants tried to hide their faces from the 200-person crowd present for their sentencing on 3 August. The men had no lawyers, and the trial judge stated that the police whom raided the party found the men dancing “in a womanly fashion”. Some legal aid lawyers said that they were scared to defend the group, and the judge made no mention of the wedding itself.

Death Penalty

- On 14 July, the Nyala Special Court of South Darfur sentenced 10 individuals to death under articles 186 (armed robbery) and 162 (kidnapping) of the Sudanese Criminal Code of 1991 by Judge Yousef Mohamed Eshag. The group was arrested on 3 January from the Tulus area of South Darfur.
 - Mohamed Bashir Arga, Zagawa tribe, 31 years
 - Abdulsalam Abdulhai, Muslati, 23 years
 - Yousef Mohamed Abdalla, Zagawa, 25 years
 - Mohamed Abdalla Hamid, Zagawa, 18 years
 - Adam Ahmed Mohamdien, Zagawa, 27 years
 - Ali Ahmed, Rezigatt, 24 years
 - Mubarak Musa Esmail, Zagawa, 17 years
 - Yagoup Suliman Hagar, Zagawa, 31 years
 - Hamdi Omar Adam, 21 years
 - Abdelgadir Yagoup Fadul, 33 years

Freedom of Expression and Access to Information

The monitoring period (June – July 2010), the situation of the freedom of expression was a serious concern. Although the NISS announcement that it would stop pre-print censorship in early August was welcome, pre-print censorship was in place throughout the monitoring period and freedom of expression remains a serious concern.

Newspapers that published articles on the ICC, the referenda, and Sudan’s relationship with other countries were accused of charges of breaching national security and inciting sedition. This has inhibited critical discussion amongst Sudanese in the North about the future of democratic transformation following the elections, as well as the reality of probable Southern secession.

- On 3 June, NISS agents censored *Ajras Alhurria* newspaper so heavily that the newspaper could not be published. *Ajras Alhurria* resumed publication, but was prohibited from publishing any news regarding the doctor’s strike, the ICC, and the arrest and trial of *Rai Alshaab* journalists.

- On 11 June, Khartoum North Court Judge Modather Alrasheed issued a decree preventing newspapers from publishing any news on the *Rai Alshaab* journalists' trial. This was on request from the General Prosecutor of the Court.
- On 13 June, NISS agents prevented an article entitled "*the Great Escape*" which had been written by a well-known journalist, Zohair Alsarrah of *Al Sudani* newspaper, from being published. The rationale was that too much media attention would compromise the investigation. The article dealt with the escape of four men convicted in 2008 of killing USAID employee John Granville, and his Sudanese driver. Police reported in June that the defendants escaped through sewer pipes from Kober prison. They are:
 - Mohamed Makawi Ibrahim Mohamed
 - Abdel Basit al-Hajj Hassan
 - Mohamed Osman Yusuf, a former army officer
 - Abdel Raouf Abu Zaid Mohamed, son of Sheikh Aboyd, a leader of Ansar el-Sunna

On June 30, Sudanese authorities announced their intention to impose a publication blackout on anything related to the Granville case. Kober prison is a maximum security prison traditionally holding political figures. Many in Sudan have questioned their escape, and the US has called on Sudan to investigate. Ten days later, media reported that one of the escaped convicts, Abdel Raouf Abu Zaid, had been recaptured, but there was never any further official statement.

- From 6 June – 8 August, the *Al Midan* newspaper was not published after its' editors refused to comply with restrictions by the NISS on what they could write about.
- In the last week of June, the NISS distributed surveys to daily newspapers ordering their journalists to give details on personal information, such as names, contacts, address, tribal affiliation, and family members. The form was distributed widely, but targeted *Ajras Alhurria*, *Al Midan*, and *Alakhbar* newspapers. The editors of *Ajras Alhurria*, Zuhail Altaib, Hanadi Alsidig, Gmar Dulman, and Fatime Jagad, were forced to verify that their information was correct. The surveys appear to be standardised for a computer database.
- On 6 July, four newspapers, *Alahdath*, *Altihaar*, *Alhurra*, and *Akhbar Alyoum*, were prevented from being published. These newspapers were closed due to their coverage of the political climate of the South. In the past months, the NCP has embarked on a broad campaign to make unity attractive in advance of the referendum. The closure of the newspaper was purported to be related to the government's wish to promote its NCP delegation's work in Juba, and thus stop any newspaper from publication of any news relevant to the security situation in South Sudan or any negative impact on the government. A fifth newspaper, *Alantibaha*, was closed. *Alantibaha* represents the extreme right wing of the NCP. The paper typically presents racist arguments about the referendum – rather than recognising the South's right to self-determination, they have stated that the South does not deserve to be a part of the Arab North. Despite its hardliner ideology, *Alantibaha's* articles as of late have contradicted the official NCP position and the CPA.
- On 9 July, the NISS released Adruma Edris Handal, a Darfuri journalist and Popular Congress Party member, who was arrested in May 2008 following the attack of JEM on Omdurman. He was released after 26 months in Kober Prison without charges.

Freedom of Movement

On 15 June, Albaquir Al-Afif Mukhtar was detained in Khartoum International Airport and prevented from travelling to a conference in Spain. Agents ordered him to report to the Political Affairs section

of NISS' offices on 17 June. When Dr. Mukhtar arrived, he was told by an officer that his name was not on the list of people called for questioning, and that they were unaware of why he had been asked to report to NISS' offices.

Freedom of Religion

- On 17 June, Public Order Police invaded the home of a Christian University Professor named Nahmia Ibrahim in Taiba Alkhabiesh Salama area, and arrested all persons praying in his home. He was accused under Article 5 of the Public Order Act of 1997, which states that “special ceremonies are not allowed unless the organiser obtains permission from the domestic locality which is located in the ceremony’s venue. The names of the arrested persons, who come from the Nuba Mountains, are:
 - Adi Ibrahim
 - Kolain Farouq
 - Kamilia Farouq
 - Dawod Braimah
 - Saeed Mohamed Issa
 - Ekram Police
 - Moutaz
 - Namia Ibrahim

All were released on their second day in jail. The public order court on 20 June sentenced one of the arrested persons to a fine of 200 Sudanese pounds.

The Sudanese Interim National Constitution emphasised in Articles 154 and 156 respect for all religions, beliefs, and customs, in particular in the National Capital (symbolising nation unity), should be respected and enforced. This led to the establishment of the Special Non Muslims Rights Commission to ensure that non-Muslims are not negatively affected by the application of *Sharia* law in the National Capital.