



DEFENDDEFENDERS

East and Horn of Africa Human Rights Defenders Project

At a critical juncture for Sudan, DefendDefenders visits the country and shows solidarity with its people and civil society

28 October 2019

Annex 1:¹

Since December 2018, Sudan has witnessed significant political developments that have the potential to bring about lasting human rights progress for its citizens, both in the centre (Khartoum) and in the peripheries, including conflict-affected areas. Sudan's political change was triggered by the peaceful popular mass protests that started in December 2018 against economic hardship, inequality and poverty and quickly expanded to include grievances over lack of good governance, authoritarian rule, and human rights violations. The protests came to be referred to as the "Sudanese Uprising" or "Sudanese Revolution."

In April 2019, the protest movement and power shifts within the political, military and security apparatus led to the demise of former President Omar al-Bashir, who ruled Sudan for nearly 30 years. The military installed a Transitional Military Council (TMC). Protesters and their representatives, including the Sudanese Professionals' Association (SPA) and other civilian and professional associations, continued to demand a quick transition to civilian rule. On 3 June 2019, Rapid Support Forces (RSF) – elements of which were formerly known as "Janjaweed," a paramilitary militia under the authority of General Mohamed Hamdan Dagalo, known as "Hemedti," who also serves as deputy head of the TMC – attacked protesters at a sit-in in Khartoum. More than one hundred civilians have been reported killed, and hundreds more injured. Protesters were also beaten and arbitrarily detained, subjected to rape, including gang rape, and other forms of torture and ill-treatment. Bodies were thrown into the Nile River. The crimes committed during the crackdown, which shocked the capital, were reminiscent of violations committed by government forces and the RSF/ex-RSF in other parts of the country over the last decades, including in conflict areas of Blue Nile, South Kordofan, and Darfur. These violations and patterns of violations have never been addressed, and impunity has been near-total. Decades of impunity enabled their recurrence.

After the attack, talks between the TMC and representatives of the civilian protest movement, the Forces for Freedom and Change (FFC), facilitated by H.E. Dr. Abiy Ahmed, Ethiopia's Prime Minister (as the Chairperson of IGAD), took place. RSF committed further violations in Darfur and attacked protesters in other parts of the country, including students in the city of El-Obeid, shooting dead at least six

¹ For more context and analysis, see Sudan Consortium *et al.*, "Killings of Peaceful Sudanese Democracy Protesters Demand Accountability," 6 June 2019, <http://sudanconsortium.org/2019/06/06/killings-of-peaceful-sudanese-democracy-protesters-demand-accountability/>; DefendDefenders, "By remaining silent on Sudan," *op. cit.*; African Centre for Justice and Peace Studies, "North Kordofan: Urgent call to investigate the killing of six peaceful protesters including 3 minors in El Obeid," 2 August 2019, <https://www.acjps.org/north-kordofan-urgent-call-to-investigate-the-killing-of-six-peaceful-protesters-including-3-minors-in-el-obeid/>; Reuters, "Sudan factions initial pact ushering in transitional government," 4 August 2019, <https://uk.reuters.com/article/uk-sudan-politics-idUKKCN1UU09P>; Radio Dabanga, "Sudan: Signing of Constitutional Declaration heralds start of comprehensive peace process," 5 August 2019, <https://www.dabangasudan.org/en/all-news/article/sudan-signing-of-constitutional-agreement-heralds-start-of-comprehensive-peace-process> (accessed on 28 October 2019).

protesters, including three minors. Killings of civilians have also continued to be reported in other areas across the country. On 5 July 2019, a power-sharing deal was agreed between the TMC and FFC. The deal envisioned a 39-month transition period led by a Sovereign Council (SC) with a rotating (TMC/FFC) presidency, followed by elections. The agreement also provided for an investigation into the 3 June massacre and other instances of violence, as well as a (seemingly unrealistic) six-month time frame to try and reach a peace agreement with all armed rebel groups throughout the country, including Blue Nile, Darfur and South Kordofan.

On 4 August, the parties agreed on a constitutional document that provides for transitional bodies, sets out mandated tasks and time periods. On 17 August, the parties signed the power-sharing agreement incorporating both the political and constitutional agreements. On 21 August, the new SC members, chaired by the army general and former TMC chair, Abdel Fattah Al-Burhan, were sworn in along with the Prime Minister, Abdallah Hamdok. A new cabinet was appointed in early September 2019, and a 300-member legislative council is to be appointed within 3 months.

The agreement calls for a new “independent national committee” to investigate the 3 June 2019 massacre with possible African support² – but it is unclear if and how those responsible (including commanders who sit on the SC) will be held accountable, and if they will be investigations into crimes under international law and other serious human rights violations perpetrated outside of the 3 June event, including since and before December 2018.

² In July 2019, a first inquiry committee, set up by the TMC, rendered findings that exculpated the TMC/RSF commanders. It acknowledged that killings took place at the sit-in site but found no evidence of rapes. These findings were delegitimised, which highlights the need for a new, meaningful investigation.