



REPORT ON

**HUMAN RIGHTS SITUATION IN SOUTH KORDUFAN AND BLUE NILE
STATES OF SUDAN**

January - June 2017

**Prepared by
HUDO Centre**

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Executive Summary

Since June 2011 to present time South Kordufan/ Nuba Mountains and Blue Nile states of Sudan have undergone through conflict. This resulted in many atrocities and different human rights violations intensified by the state of emergency that was declared by Sudan government. The government of Sudan (GoS) later formed the Rapid Support Forces (RSF) a replica of Janjaweed militia. The GoS equipped the RSF with more destructive equipment and enlarged their field of work to include the two states (SK and BN) in addition to Darfur.

The aim of this report is to bring to light the human rights violations and abuses taking place in SK and BN states (government territory) of Sudan and the situation of Internally Displaced Persons (IDPs) from the two states.

The information included in this report was gathered by trained human rights monitors using information gathering tools developed under the tutorage of Human Rights Capacity Building Program of Amnesty International - Netherlands (HURICAP/ AI-NL) and compiled by trained reporting panel. The report does not cover all incidents that occurred due to many challenges.

The violations and abuses included in this report are; arbitrary arrest and torture which were mainly carried out by Military Intelligence (MI) and National Intelligence and security Services (NISS) in conflict areas. This intensified because of the emergency status which enables the military forces to arrest civilians. There are cases of extrajudicial killings committed by government allied militias and death under torture cases committed by police. Also, there are many murder cases in which police was not willing to conduct investigations or was not capable. The report also included threats towards and demolition of churches. The report gives recommendations to the warring parties, regional and international community.

Abbreviations

SK	South Kordufan
BN	Blue Nile
PDF	Popular Defense Forces
IDPs	Internal Displaced Persons
GoS	Government of Sudan
SPLA-N	Sudan People liberation Army – North
SPLM/N	Sudan People liberation Movement- North
SPLA/IO	Sudan People liberation Army- in Opposition
MI	Military Intelligence
NISS	National Intelligence and Security Services
AU	African Union
AI	Amnesty International
HRW	Human Rights Watch
SAF	Sudan Armed Forces
SSP	State Security Prosecutor
POP	Public Order Police
PS	Public Security
CIU	Criminal Investigation Unit

1 Introduction

This report documents and highlights some violations and abuses that HUDO Centre managed to cover which took place in the government territories of South Kordufan (SK) and Blue Nile (BN) states of Sudan. The situation of internally Displaced Persons (IDPs) from the two states is also highlighted. The period covered is between January to June 2017.

This report is divided into four interrelated sections. The first one is introductory section which consists of brief background of the major steps taken by the state that affected the human rights situation, the problem statement, the aim and objectives of the report, the scope of the report which consists of geographical and ethnic composition of the two states, the methodology used in gathering information/ data and the limitations and challenges faced.

The second section is the body of the report which contains the incidents that took place, divided according to incidents and location/state. The last section is about recommendation to all stakeholders.

2 About HUDO

HUDO Centre is an independent, non-government, non-partisan and non-profit making organization based in Kampala- Uganda. HUDO is currently undertaking monitoring of human rights situation and observing rights related court cases like religious rights and freedom of expression. Our focus is on Sudan's government controlled areas of SK and BN States and the IDPs from the two areas. HUDO also runs a special program on refugee issues. HUDO trains human rights monitors based in these areas in order to improve their capacity to monitor, document and report on violations and abuses taking place.

HUDO's vision is; A world where everyone's human rights are protected and fulfilled without discrimination

The mission of HUDO Centre is to champion universal access to rights based information and services to vulnerable and underserved communities through

sustainable innovations, humanitarian support, strategic partnerships, rights empowerment, capacity building, research and advocacy.

3 A Brief Background

The insecurity situation, violations and abuses have been going on since the state of emergency was declared in the two states of SK and BN soon after the war outbreak. After the national dialogue in 2016, the president Omar al-Bashir announced the prime minister in March 2017 and the national unity government in May 2017¹. This was partly an implementation of recommendations from national dialogue. However this did not bring harmony since the participants in the national dialogue were not in agreement with some recommendations not even the formation of national unity government².

However, fighting and violations had relatively reduced since 21st October 2015 because of the continuous ceasefire pronouncements by both Sudan government and Sudan People Liberation Army-North (SPLA-N). On the other hand, the ongoing negotiations between USA government and Sudan regarding the USA's lifting of sanctions against Sudan have got a positive impact in reducing the violation in the two areas (SK and BN).

4 Statement of the problem

Since the war broke out in 2011, the humanitarian situation in SK and BN worsened. The IDPs and people in conflict areas have been targeted, harassed and arrested by security agencies who accuse them of associating with SPLA-N.

The general state of insecurity and violations persisted because SK and BN are still under the state of emergency “as declared by the president of Sudan in 2011”. Many atrocities like arbitrary arrests, unlawful killing, torture, among other forms of violence have been committed by PDF, NISS and MI.

The presence of Sudan People Liberation Army – In Opposition (SPLA-IO) in Blue Nile state of Sudan contributed in rising insecurity. Some murder cases that took place and

¹ For more information please visit <https://www.alaraby.co.uk/english/news/2017/5/12/sudan-forms-national-unity-government-following-severe-delays>

² Please visit <http://sudantribune.com/spip.php?article62155>

reported police were filed as anonymous yet the perpetrators were recognized or known. Many churches were threatened with demolition orders, an infringement to the rights of worship/ religion.

The violated rights included in this report are; Security of person, Right to life, Right to fair trial, Rights of civilians within conflict areas, right to worship among others.

5 Aim

This report aims to bring to light the human rights violation and abuses in SK and BN states of Sudan (government territory) and the situation of IDPs from the two states.

5.1 Objectives

- To provide the United Nations" Human Rights Expert for Sudan, AU, Amnesty International(AI), Human Rights Watch (HRW), the Diplomatic Missions/embassies in Sudan, institutes and individuals with information in order to enhance their efforts to compel the Government of Sudan to respect human rights.
- To lobby and engage the Sudanese Civil Society in the process of human rights advocacy.
- To study the human rights situation at the conflict zones of SK and BN in Sudan and come up with appropriate recommendations.

6 Scope of the report

6.1 Geographical scope

Sudan is one of the largest African countries; it consists of eighteen states, some of which are under conflict. This report covers two states under conflict, SK and BN as well as the internally displaced persons from the two states.

SK State consists of seventeen (17) localities, some are located within a territory controlled by SPLA-N and others are under government control. BN State consists of seven (7) localities under government control with the presence of SPLA-N in four localities.

This report covers the following towns and villages in SK under the government control; Dilling and Hagar Jawad towns in Dilling locality; Adebabat and Adoliama villages in Al-

Gouz locality; Al-Abbasiya town, Khour-Fadila and Souq-Aljabel villages in Al-Abbasiya locality; Abu-Zabad town and AL kasha village in Abu-Zabad locality and Kadogli town in Kadogli locality.

In BN the report focuses on Damazin town in Damazin locality; Madinah (12) in Guisan locality and Adham village near Bout in Tadamoun locality.

Also the report highlights some incidents that took place among IDPs in Khartoum state, it includes Jebel Aulia town and Soba Aradi in Jebel Aulia locality; Aldaim and Khartoum in Khartoum locality; Adoroshab in Khartoum North locality and Omdurman in Omdurman locality.

6.2 Ethnic composition

South Kordufan/Nuba Mountains state is mainly inhabited by Nuba ethnic tribes, tribes of Arab origin and others like Fulani, Fur, Masaleit, etc. The Nuba and other African groups are mainly farmers (cultivators) whereas the Arab ethnic groups are generally cattle keepers.

Blue Nile State is inhabited by both African ethnic groups and Arabs whose main activity is farming (cultivating and cattle keeping).

7 Methodology

HUDO Centre used different methods in data collection and information gathering.

HUDO Centre had established a network of both field monitors and focal people to gather information within the conflict areas and among IDPs. The network/monitors managed to cover some incidents from areas where they could gain access but not the entire geographic area.

Information from the field was critically analyzed by a reporting panel at Kampala office. The panel used analytical methods to sort the information in order to arrive at accurate findings that are included in this report.

For the purposes of consolidating this report, HUDO Centre also used the following methods in collecting and analyzing data/ information;

1. Data collection forms were developed/used
2. Conducted interviews with victims, relatives and witnesses
3. Verified documents and comments from professionals (Lawyers, Doctors etc.)

4. scrutinized official declarations

8 Limitation and challenges

1. The state of Emergency imposed in the two states restricts the movement of field monitors. This directly hindered the process and time taken in collecting data.
2. The keen suspicion from intelligence (NISS and MI) to newcomers in towns and anybody that talks about human rights.
3. Poor means of transport whereby roads are not very accessible within the rainy season.
4. Some of the victims and witnesses do not easily reveal information due to security threats. According to interviews that were conducted by HUDO monitors, some of the victims or the witnesses expressed their fears from security agencies.
5. The number of monitors was not enough to cover the incidents geographically
6. The monitors' fear for their lives in case the interviewed victims were subjected to torture and forced to reveal them.
7. The general situation of insecurity in the conflict areas

9 Arbitrary Arrest

9.1 Arbitrary Arrest in South Kordufan

9.1.1 Detention of four social activists

On 27th January 2017, four social activists were arrested by NISS at Adoliama police checkpoint. The detainees were sensitizing people about toxic effects of cyanide in the gold mines. The arrested activists were;

- 1) Khlalid Mohamed Madibo, 30 years, civil servant.
- 2) Almahi shabo, 36 years old, agricultural engineer.
- 3) AlsadigYagoob, 37 years, accountant.
- 4) Ahmmed Albahar, 38 years, Dilling university employee.

The detainees had been transferred to Adebaihat NISS office and they were accused of distributing posters. They were later released at midnight on the same day with a condition of reporting everyday to NISS office.

9.1.2 Arrest of a retired teacher

On 11th April 2017, Mr. Alsamani Osman Mahmoud, 50 years old, retired teacher was arrested by MI at a weekly market in Al-Abbasiya. He was taken to Al-Abbasiya military base and accused of associating with SPLA-N. That he communicates with some of their officers. He was later released on 29th May 2017 after being physically (beaten) and psychologically (insulted) tortured.

9.1.3 Shooting and arrest of a Farmer

On 6th May 2017, Hafiz Musa Alnour, a 25 years old farmer, was shot on his left leg and arrested by SAF in Dilling. He was taken to Dilling's Military custody and accused of transferring goods to SPLA/N area. The MI authority confiscated his motorbike, denied him proper healthcare, family visits and access to his lawyer. On 21st May 2017 he was transferred to Kadogli prison where he is currently detained.

9.2 Arbitrary Arrest in Blue Nile

9.2.1 Assault of government employee (Civil Servant)

On 26th January 2017, at 10:00 AM, Adil Eisa Mohammed, 61 years old, an account manager was beaten by Mueez Mohamed Saeed a Popular Security³ personnel and detained him in his office at Damazin locality. He was assaulted because of his refusal to pay a financial request in line with exhausted budget for Alshaheed Organization⁴. He was later released (opened for) by work colleagues at 7:00PM.

9.2.2 Arrest of community leaders

On 26th January 2017, the Angasana community leaders Ramadan Ismail (Ommda/ Mayor) and Eisa Malik (the Shaikh of kakar village) were both arrested by MI from their houses in Damazin.

³ Popular Security is informal powerful security institution belong to the Islamic movement within the ruling party.

⁴ GONGOS

The MI interrogated them about their refusal to convince the youth from their tribe (Angasana) to join the Rapid Support Force. They were later released on 10th February 2017 (after 14days) with no charges.

9.2.3 Arrest at Madinah (12)

On 12th March 2017, the MI in Damazin arrested Badri Ali Rajab, 35 years, civil servant from his house in Madinah (12). He was transferred to Damazin military headquarters where he was detained up to his release on 24th March 2017. He was arrested because he could not allow them (MI) search his father's house with no search warrant and in his father's absence. He had been released without charges.

9.3 IDPs

9.3.1 Arrest of teacher Saeed Abbas

On 5th December 2016, Saeed Abbas, 55 years old teacher, was arrested by NISS in Khartoum. His arrest was based on his political affiliation to SPLM-N. Many times NISS rejected requests from his family to visit him until 21st January 2017. He was released on 7th February 2017. However, Mr. Saeed was frequently arrested since the war broke out in South Kordufan in 2011 and instructed to report to NISS office.

10 Unlawful Killing

10.1 South Kordufan

10.1.1 Murder of two children

On 12th February 2017, a group of people defense forces PDF attacked and shot dead two children while they were grazing cattle at Khour-Fadila western Souq-Aljabel village. One child's ear was cut off. The deceased (childrens') names are;

1. Abdelraheem Babikir Ishag, 10 years old.
2. Ali Denary, 12 years old.

The community members protested and took the dead bodies to Abbasiya hospital where they were buried. The parents/family of the killed children refused to take and bury the bodies in their home before the arrest of the perpetrators.

The case was reported at Abbasiya police and filed as anonymous yet the perpetrators were recognized by the military group who were informed and had been following them soon after the incident. The perpetrators were not arrested.



10.1.2 Killing and looting in Hagar Jawad village

On 14th May 2017, a group of militia headed by SAF lieutenant colonel/ Suliman Al-Baeh came to Hagar Jawad village on five pickup vehicles. On arrival, they started to beat/ whipping the residents randomly (regardless of age or gender). One person/ Suliman Abukalam was shot dead as he resisted (by fighting back) the violent acts of the militias. About thirty people were injured and valuable items were looted. All this happened because some residents are accused of collaborating with SPLA-N.

Usually, the militia troops from Dilling and Kadogli patrol the streets twice a day in order to secure the road. On 13th May 2017, the day before the incident, the troops met a man on motorbike and they chased him up to Hagar Jawad where he left his motorbike and hid. The troops confiscated his motorbike and accused the residents of hiding the suspected person. The second day the troops came from Dilling and attacked the residents.

10.1.3 Killing near Alkasha village

On 11th June 2017, Mahdi Mohammed Kabashi Abu-haleem, 26 years old farmer was shot dead by unknown person for unknown reason in a bush near Alkasha village which is located southeast Abu-Zabad town. A case was filed at police in Abu-Zabad town against anonymous and no further investigations were held.

10.2 IDPs

10.2.1 Death under torture

On 9th April 2017, Sabir Babo Ismail Agraf, 31 years old IDP from Nuba Mountain was arrested by Criminal Investigation Unit (CIU) at Adoroshab in Khartoum North. He was accused of using a stolen phone. Later a Public Order Police (POP) found his dead body at a farm around Adoroshab. The POP took the dead body to the morgue and the doctor's report indicated that he died as a result of severe beating (physical torture). A case was filed against anonymous and no further investigations were held.

11 Violations on the rights to worship

11.1 Demolition of church in Soba Aradi

On Sunday 7th May 2017, personnel from Jebel Aulia locality together with officials from land authority, NISS and the combat riot police in Khartoum state of Sudan demolished the church in Suba Aradi. The reason given was that the church building had encroached on government land. This church was demolished when there is a pending (ongoing) case where the demolition order was earlier challenged and the case is before the administration court.



The demolished church of Soba Aradi

11.2 The trial of Pastors and activist

The six months trial ended with three court sessions on 2nd, 9th and 29th January 2017. In the last session the judge delivered his verdict/ judgment whereby, the three defendants were found guilty. The defendants were sentenced as follows;

A. First Defendant: Peter Jasek

Law	Article	Punishment/Sentence
Criminal Act 1991	53	Life in prison
	57	One Year
	64	One Year
	66	One Year
Humanitarian Act 2006	23 read with 8	Six Months
Passport & Immigration	30	Six Months

Law 1994		
Note: The sentence goes sequentially in case life in prison is challenged. The judge also ordered for the confiscation of exhibits.		

B. The Second Defendant: Pastor/ Hassan Abduelraheem Kodi

Law	Article	Sentence
Criminal Act 1991	26 read with 53	Ten (10) years
	64	One (1) year
	66	One (1) Year
Note: The sentence goes sequentially		

C. The Third Defendant: activist/ Abduelmoneim Abdalmwlla

Law	Article	Charge
Criminal Act 1991	26 read with 53	Ten (10) years
	64	One (1) year
	66	One (1) Year
Note: The sentence goes sequentially. The exhibits were also confiscated.		

On 9th February 2017, the 2nd and 3rd defendants' lawyers applied to the court of appeal. On 26th February 2017, Pastor, Peter Justin was released basing on the presidential amnesty issued by Sudan president/ Omer AL Bashir. The amnesty was a result of communication (diplomatic) between the two states of Sudan and Czech Republic and the subsequent visit of Czech Republic's foreign affair minister to Khartoum, Sudan.

On 9th April 2017, the court of appeal constituted the committee of Judges to scrutinize (examine) the application. One of the defendants' lawyer commented that "*we consider this delay to be deliberate because we have not experienced such before and it is against the criminal procedure Act principle 4/C*"

On 11th May 2017, Hassan Abduelraheem Kodi (the Pastor) and Abduelmoneim Abdalmwlla (the activist) were set free after a presidential amnesty was issued/ granted by Sudan president Omer AL Bashir. This happened after the two had spent more than

sixteen (16) months in custody right from the moment they were arrested by NISS, remanded by SSP and convicted by the Judge at Khartoum Centre court.

Murdered of teacher Younan and Arrest of Christian leaders

On 4th April 2017, many Christians/ followers of the Evangelical Church gathered inside the school compound to oppose the sale of the school land to the investor by the former committee. The police had earlier surrounded the place in preparation of the handover event which was in contestation between the community, first committee and second committee.

Then Mr. Shamsoun Hamad Alaaras, a teacher (allied to second committee) climbed the school wall and attacked the gathered people with a knife while the police watched. He stabbed three people which resulted into the death of teacher/ Younan and the severe injuries to Pastor Farouq Anglo and Ayoub Camama (a church leader).

Some people were arrested and transferred to Omdurman central police where they were accused of public nuisance. However, Shamsoun who stabbed people ran away and was later arrested after pressure from the community.

The arrested people were;

- 1) Pastor/ Idris Cortina.
- 2) Mr. Gorge Adam (leader in church).
- 3) Mr. Juba adlaan (leader in church).
- 4) Mr. Homaida Kondar (leader in church).
- 5) Mr. Polis Toto (leader in church).
- 6) Mr. Osman Ebraheem.
- 7) Mr. Dawood Musa.
- 8) Mr. Mujahid Anglo.
- 9) Mr. Hassan Humdan.
- 10) Mr. Hassan Abu-shain.
- 11) Mr. Abdo Hassan.
- 12) Mr. Azhari Tambara Almalaki.

They were released on the following day under bail, except Mujahid Anglo who was released after ten days. Currently the criminal case against Shamsoun is going on at Khartoum Centre Court and his second court appearance will be on 24th August 2017.

Background of case

On 2012 after cessation of South Sudan there was an extra ordinary meeting (general assembly) that was held with observation of state/government. The church committee was formed with scrutiny from the state/government under ministry of guidance and endowments which approved the selection after ensuring that South Sudanese were excluded.

After one year, some members of the dissolved committee raised an objection to the ministry claiming that the assembly committed a forgery. The ministry accepted their claim and ordered them to form a new committee. The first committee (which the followers considered to be legitimate) raised some objections against the formation of the new committee by the ministry. Thereafter, the first committee went to court and got a supportive court decision.

Since then the conflict emerged between the two committees. The first committee supported by court backed the followers (church members) and the second one supported by the ministry backed by police and NISS.

12 Other violations

12.1 Blue Nile

12.1.1 South Sudan rebel attacked civilians

On 15th June 2017, a group of soldiers from Sudan People Liberation Army – In Opposition (SPLA-IO) attacked cattle keepers in Adham village (23 km west of Bout). As a result five people died and the cattle were looted. Currently, some of the SPLA- IO troops are camped near Adham village (area of cattle keepers) in Blue Nile state of Sudan. The dead people are;

1. Ahmed Hamadelnil
2. Alsadiq Hamadelnil
3. Dafaalla wad Eldeiya

4. Idris Albashir
5. Mohamed Jubara

In retaliation, the cattle keepers mobilized themselves and on 17th June 2017 they attacked SPLA-IO troops and killed nine (9) soldiers. After this incident, the Blue Nile state governor and the military commander in the state visited the area and they promised the cattle keepers (nomads) that the SPLA-IO troops shall be relocated from the area. The tension (pressure) is still on because the troops have not relocated yet.

IDP

On 25th May 2017, the police (community's security department) headed by an officer at the rank of major attacked Agabna's house at Aldaim neighborhood in Khartoum and beat/assaulted whoever was present there. Severe injuries were inflicted to the following people;

- 1) Mrs. Zainab Ali Senary, 65 years old, mother. Injuries in her abdomen and different part of her body.
- 2) Mr. Aasim Agabna, 30 years old. His right leg was fractured, his eye affected and severe pain in the groin area (loins).
- 3) Ms. Nuha Agabna, 23 years old. Her eye and different injures in other body parts.
- 4) Ms. Nasreen Agabna, 21 years old. Her right eye and different injures in other body parts.

The assault victims filed a case against the attackers (community's security department) but no action was taken.

The attack came as a result of the family's objection to high court judgment which freed the police officer/ Osama Ahmed Abdalla (who shot dead one of their family members Awadia Agabna). This police officer was earlier sentenced to death on 27th October 2014 which was confirmed by the court of appeal on November 2016. On February 2017, the high court amended the verdict and set him free. This caused a protest in the neighborhood of the deceased.

13 Recommendations

HUDDO Centre calls upon;

- Both government and SPLA-N to keep on the ceasefire.
- The government of Sudan to lift the state of emergency imposed on SK and BN states.
- Sudan government to stop any discriminative act based on religion, ethnic, political background or geographical aspect as well as to allow the freedom of speech.
- The regional and international community to put more pressure on Sudan government in order to amend the laws that give impunity to NISS, SAF and RSF as well as to enforce the role of law.
- Calling the international community to cooperate with human right organizations and consider their reports.