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# £SUDAN

## @A continuing human rights crisis

### Introduction

During 1991 the Sudanese government, known since 30 June 1989 as the Revolution for National Salvation, led by President Omar Hassan al-Bashir, made various announcements about human rights. On 30 April 1991 the authorities announced a general amnesty for all political prisoners, members of armed opposition movements and opponents in exile. In May and June 1991, 299 prisoners of conscience were released. It was announced that detention without charge or trial would henceforth take place under judicial supervision. In July 1991 the Chief Justice announced that Special Courts, which had dispensed summary justice since their reinstatement in May 1990, were to be disbanded.

These announcements were welcome as possible indications that the government's policy of routinely abusing human rights was to change. However the reality is that the systematic gross violation of human rights continues. More than 60 political prisoners, including prisoners of conscience, remained in detention despite the releases in May and June 1991. There have been hundreds of new arrests and in March 1992 there were at least 200 suspected government opponents imprisoned in Sudan. The majority of those arrested in northern, central and eastern Sudan are held in Khartoum in the security headquarters and in secret detention centres, known as "ghost houses". More than 40 serving and former army officers and civilians arrested in August 1991 for involvement in an alleged coup plot are serving sentences after unfair military trials in October 1991. The torture and ill-treatment of detainees is routine.

Since 1989 the judiciary has been purged of judges and officials thought to be opposed to the Islamic fundamentalist policies of the military government. In March 1991 the authorities introduced a new penal code based on its interpretation of *Shari'a* (Islamic) law. Public floggings have continued in market places under this legislation and courts have imposed sentences of amputation. In western Sudan at least 11 men have been sentenced to death, to be followed by the public crucifixion of their bodies. One such sentence is known to have been carried out in November 1991. Eleven other prisoners convicted of criminal offences in previous years were executed in Khartoum in August 1991.

Government forces have also been responsible for extrajudicial executions and "disappearances", particularly in remote areas where the government has been fighting armed insurgents. Extrajudicial executions are reported from the Nuba mountains of western Sudan, where "disappearances" have also take place, and from Darfur in the far west. There is also serious cause to be concerned about the situation in the southern Sudan, but information about human rights violations by government forces in the south is difficult to verify. Even in Khartoum, the authorities have not felt constrained from the excessive use of force when dealing with opposition. In July 1991 an unarmed student was killed by security police on the campus of the University of Khartoum.

The Sudan People's Liberation Army (SPLA), which now controls most of southern Sudan, has also been responsible for the systematic and gross abuse of human rights. Until January 1992 the movement, led by John Garang de Mabior, held at least 46 internal dissidents in long-term detention without charge or trial. In November 1991 forces loyal to the breakaway faction of the SPLA, led by SPLA commanders in Upper Nile and popularly known as the Nasir Group, arbitrarily killed over 2,000 civilians in southern

Upper Nile.

## Patterns of Imprisonment

The sheer size of Sudan, coupled with the diversity of opposition to the military government, means that the authorities hold prisoners in many different parts of the country. Suspected sympathizers of the SPLA in southern Sudan have been held in Juba, Wau, Malakal and other centres controlled by the army. In 1991 there were many arrests in western Sudan of suspected SPLA supporters in the Nuba mountains and prisoners are known to be held by the army in Lagowa and Kadugli and in the civil prison in El-Obeid. In Darfur in the far west - where the Khartoum government is facing armed opposition from members of the Fur and Zaghawa ethnic groups and from the SPLA - the authorities have admitted to arresting 120 prisoners described as "armed bandits".

Opponents of the government arrested outside the areas most severely affected by insurgency - in other words political prisoners arrested in eastern, central and northern Sudan - appear frequently to be brought to Khartoum for interrogation by the security services. The release of long-term detainees in May and June 1991 marked a subtle change in the pattern of repression of such opposition. With some important exceptions detailed below, there has been a decline in the use of long-term detention with the victims detained in formal civil prisons. This has been replaced by an apparent increase in the use of generally shorter term detention in the security headquarters - popularly known as *al-Amara*, the Building - in the military area in the Hai al-Mattar district of Khartoum, and in the "ghost houses", combined with routine torture and ill-treatment. An informal network of security officers, known as the "Security of the Revolution", made up of officials holding fundamentalist religious views who are particularly close to the military government, now exists within the formal Sudan Security organization, and has become notorious for torture and ill-treatment. Before April 1991, many prisoners experienced detention in a "ghost house" as a stage towards eventual detention in a civil prison. It now seems that detention in a "ghost house" is likely to be the ultimate destination of most detainees. In many cases release has been followed by rapid re-arrest.

The security authorities have also developed a pattern of harassment in Khartoum and other northern provincial towns which almost amounts to a form of *de facto* arrest. Suspected opponents of the government are called to report in the morning to the security headquarters or to a security office where they are made to wait all day. They are then sent home with orders to report again the next day. At no stage are they questioned. There are reports of this men and women being made to report in this fashion for periods of up to one month.

## Long-term Political Prisoners

Although on 30 April 1991 President Omar Hassan al-Bashir announced the release of all political prisoners, over 60 prisoners, including untried detainees and others convicted in unfair trials, remained in Kober prison, "ghost houses" and the security headquarters, as well as in prisons in other parts of the country.

### Untried Detainees

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Prisoners are held without charge or trial in Sudan on the basis of Decree Two declaring a State of Emergency which was issued by the new government immediately after the 30 June 1989 coup. Section Seven of the decree bans the "showing of any political opposition by any means to the regime of the Revolution for National Salvation" and allows the authorities to arrest and detain anyone "suspected of being a danger to political or economic security". Under the decree, detainees have no right to know why they are detained, no right to challenge their detention before the courts and no recourse to periodic judicial review of their cases. The legislation has led to numerous violations of human rights.

In April 1991 the government indicated that it was preparing measures which would subject arrest and detention procedures to judicial control and review. However, no former detainees whom Amnesty International has spoken to were aware of any judicial supervision of their detention, nor were they brought before a tribunal or informed of any review of their cases.

Southern Sudanese arrested in Khartoum and accused of involvement with the SPLA were prominent among those who were not set free in the April amnesty. One of those held longest is the prisoner of conscience **Emmanuel Doku Joseph**, an electrical engineer with the National Electricity Corporation in Khartoum, who was arrested on 2 December 1989. On 11 October 1990 he was transferred to Kassala prison in eastern Sudan where he reportedly remains. **Deng Mesham Angai**, the chairman of the banned Southern Sudan Farmers' Union, was arrested in January 1990. A dispute with a security official reportedly led security men to search his home where they discovered and removed legitimately-owned money and precious metals. Deng Mesham Angai is reported to have complained to the police about this. He was arrested shortly afterwards and is currently detained in Kober prison. Others southerners who reportedly remain detained without charge or trial in Kober include **Lieutenant Colonel Dr Charles Yor Odhok**, a retired member of the army medical service, who was arrested on 5 May 1990; **Peter Panwil Yata**, the manager of a church-based relief organization, who was arrested on 11 November 1990; and **Gabriel Matur Malek**, a former minister in the Bahr al-Ghazal regional government, who was arrested on 26 November 1990. At least three other southerners arrested in 1990 were reportedly badly beaten: one of them, **Mou Bol Akot**, an employee of the United Nations High Commission for Refugees (UNHCR) who was arrested on 24 November 1990, is reported to be mentally disturbed as a result of his treatment.

Since coming to power the authorities have particularly targeted for arrest individuals with a history of involvement in left wing politics and trade union activity. Several prisoners suspected by the government of being leftists and detained without charge or trial also failed to benefit from the general amnesty and remain in prison. Two of the longest serving uncharged prisoners of conscience are **Siddig Yousif Ibrahim**, an engineering consultant, who was arrested in January 1990, and **Yousif Hussein Mohamed**, a geologist and member of the banned Sudan Communist Party (SCP), who was arrested in March 1990. Both men were held in a "ghost house" in Khartoum until October 1990 when they were transferred to Kassala prison in eastern Sudan. They have reportedly since been transferred to Kober prison. Other leftist prisoners of conscience detained for over one year include **Abraham Ngor Luong**, an accountant arrested on 28 June 1990, **Mokhtar Abdallah Ahmad**, a trade union activist and textile worker, was arrested in August 1990, and **Abu Bakr Mohamed al-Amin**, a journalist on *al-Maidan*, The Field, the banned official newspaper of the SCP, who was arrested on November 1990. Abu Bakr Mohamed al-Amin was released in February 1992 but the others are believed to remain in detention in Kober prison in Khartoum North.

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### Prisoners Convicted After Unfair Trials

At least two groups of prisoners convicted in 1990 in unfair military trials of plotting against the government also remain in prison. In March 1990 26 army officers were arrested for alleged involvement in a conspiracy to overthrow the government. In May 1990 they were summarily tried before military courts. Twenty five were convicted: two were sentenced to death, although the state immediately commuted their sentences to life imprisonment. The others received sentences of between two and 10 years. The prisoners were then dispersed to various prisons, including Wad Medani, Kassala, El-Obeid, Dongola and Kober in Khartoum North. In September 1991 seven held in Kober prison managed to escape and flee the country while under treatment in hospital. At least one who remained, **Colonel Simon Lual**, who had been sentenced to seven years, was reported to be seriously mentally disturbed as a result of his ill-treatment.

In September 1990 the authorities arrested at least 41 people who they claimed had been involved in another coup plot. They, too, failed to benefit from the April 1991 amnesty. The majority were non-commissioned officers in the army from southern Sudan and Darfur and 13 others were civilians from the same areas resident in Khartoum. One of the most prominent was the prisoner of conscience **Ahmad Osman Siraj**, a psychiatrist and member of the banned Sudan Doctors' Union, who was arrested on 9 September 1990. The others arrested included **Henry Tong Col**, senior official from Bahr al-Ghazal in southern Sudan; **Stanislaus Kau Apping**, a former senior officer in the Fire Brigade and the Chairman of the banned Sudan African Congress; **Albino Akol Akol**, a retired army general and former military governor of Bahr al-Ghazal; and **Osman Khidir Abu Shama**, a journalist.

In late December 1990 the 13 civilians were driven at night to a military camp in Omdurman from the headquarters of military security where they had been imprisoned on the roof. They were brought before a summary military court which did not allow defence witnesses or legal representation. Twelve were convicted after hearings lasting only a few minutes. None was informed of his sentence. In January 1991 all 13 were transferred to Kober prison. Ahmad Osman Siraj was reportedly given a death sentence which was subsequently commuted to 15 years' imprisonment. It is thought that the others were also sentenced to 15 years in prison. Albino Akol Akol, however, was apparently acquitted by the court but nevertheless remained in prison a further 10 months before being released in October 1991. On 7 December 1991 Ahmad Osman Siraj was brought before a further military tribunal, for reasons which remain obscure, and was transferred to Shalla prison in western Sudan two days later.

The 28 non-commissioned officers were brought before military tribunals shortly after their arrest. Eleven are believed to have been sentenced to death, but it appears that these sentences were commuted to prison terms. The 28 are believed to be held in military prison in Omdurman.

**Al-Fatih al-Mardi**, chief editor of the banned business journal *al-Saha al-Tijaria*, continues to serve a 14-year prison sentence which was imposed on him in August 1990. He was convicted in an unfair trial in a Special Court on charges of fomenting hatred of the state after he was allegedly found in possession of a typewriter, two duplicating machines and leaflets produced by the opposition National Democratic Alliance. The judges in the court were three military officers appointed by the president. The trial was held *in camera* and a group of lawyers was reportedly refused permission to defend him - although a single lawyer was apparently able to attend the hearing.

## New Arrests in Central Sudan

There have been hundreds of new arrests since the releases which followed the April 1991 amnesty. The vast majority of those arrested in central, eastern and northern Sudan have been held without charge or trial for periods of one to six months in "ghost houses" in Khartoum and security offices in provincial towns. Over 40 political prisoners arrested in Khartoum in August and are serving prison sentences after unfair military trials.

### Former Prisoners Re-Arrested

For several prisoners of conscience released in the April amnesty the experience of freedom was brief, with re-arrest following within weeks. Leftists and trade unionists continued to be a particular target of the security services. **Omar Adlan al-Mek**, a textile worker and trade unionist, was re-arrested only a few days after his release in May 1991. He was reportedly tortured after his arrest and was released in December 1991.

Others re-arrested still remain in detention. **Yacoub al-Fil**, an employee of the Ministry of Finance and a veteran member of the banned Sudan National Party, was re-arrested within days of his release in May. **Adnan Zahir Surur**, a lawyer originally arrested on 4 January 1990 and held, like many other detainees, in Shalla prison in western Sudan, was released in May 1991, re-arrested in June for two weeks, detained again between August and December 1991, when he was reportedly severely tortured, and re-arrested in mid-February 1992. He reportedly suffered a heart attack shortly after he was released in December 1991. **Ali al-Mahi al-Sakhi**, a worker in the Central Mint and a prominent trade unionist who was imprisoned between 24 November 1989 and May 1991, was re-arrested in Khartoum in late November 1991. Detained with him were **Joseph Modesto**, a veteran member of the SCP from the southern Sudan, and **Muawia Umran**, a worker and trade unionist.

### Student Demonstrations

In July 1991 dozens of students and others were arrested after demonstrations protesting at conditions and allowances for students at Khartoum University. On 17 July members of the Security of the Revolution opened fire on the demonstrators killing **Tariq Mohamed Ibrahim**, a first year student in the Science Faculty. Among those subsequently arrested and detained in "ghost houses" were **Adil Hassan**, a librarian at the university, **Salah Suleiman Bakhit** and **Mahmud Jadullah** - both students of Fine Art. All three were released on 24 August 1991. **Mustafa Ahmad Hassan**, an employee of the state-owned River Transport Company, and **Ali al-Amin**, a graphic designer and brother of the long-term prisoner Abu Bakr al-Amin, were released in mid-October. **Sharif al-Din Yasin**, a journalist who worked with the official Sudan News Agency (SUNA) and with Khartoum University Press, was arrested on 18 July and released on 1 November 1991. The next day **al-Mardi Muallim**, another student of Fine Art arrested in mid-July, was also released. Many of those arrested spent several days at the security headquarters where they were beaten both before and during questioning. At least three student union officials, including **Isham Hassan**, the executive chairman of the Khartoum University union, were believed to be held for over a month on the roof of the security headquarters before being released in August.

In mid-September there were further disturbances at Khartoum University when students sympathetic to Amnesty International April 1992AI Index: AFR 54/03/92

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the government occupied the offices of the students' union, which is controlled by independent students. Fighting ensued between the two groups and people suspected by the authorities of being student leaders were again arrested. Among them was **Adlan Ahmad Abdel Aziz**, who was detained without charge or trial on the roof of the security headquarters. He was released in February 1992.

### Alleged Coup Plotters: August 1991

On 20 August 1991 the authorities announced that they had uncovered a plot to overthrow the government. Over the next few days at least 80 civilians and former and serving army officers were arrested, many of whom had links with the banned Umma and Democratic Unionist parties, the two major political parties in Sudan before the June 1989 coup. Among those arrested were **Abd al-Rahman Abdallah Nugdalla**, who held the cabinet position of Head of the Council for Religious Affairs in the former government of Sadiq al-Mahdi, **Mirghani Abd al-Rahman Suleiman**, Minister for Supply in the same government, and **Sid Ahmad al-Hussein**, a former Deputy Prime Minister.

The prisoners were initially held in the security headquarters in Khartoum where they are reported to have been severely tortured. For at least the first three nights each prisoner was shackled and suspended from the cell walls, sometimes upside down. They were beaten with rubber truncheons and some are reported to have had parts of their bodies, including their testicles, compressed with pliers. One man was burnt with a hot iron and made to roll on a sun-baked concrete surface. At least two, **Brigadier Mohamed Ahmad al-Rayah** and **Brigadier Ali al-Tijani**, were taken from their cells to the outskirts of Omdurman and subjected to mock executions. Others were subjected to sexual ridicule or were informed that there had been serious accidents affecting close members of their families. The majority of the detainees were subsequently transferred to "ghost houses".

On 11 October 1991, 53 of the prisoners were tried before three specially convened military tribunals. The trials were held at night time while a curfew was in force and were thus effectively *in camera*. The accused were not allowed legal representation and each individual hearing lasted only a few minutes. The sentences were not made known until early December, when film of the prisoners on trial was shown on Sudanese television. It was announced that 11 prisoners, among them Abd al-Rahman Abdallah Nugdalla, Brigadier Ali Tijani and Brigadier Mohamed Ahmad al-Rayah, had been given death sentences which had been commuted to life imprisonment. Another 35 received sentences of up to 20 years' imprisonment and seven were acquitted. After the sentences were announced the prisoners were moved to Kober prison but on 9 December 1991, 23 were transferred to Shalla in western Sudan. In February 1992 Abd al-Rahman Abdallah Nugdalla was reportedly transferred to the military hospital in Omdurman suffering from eye problems.

Of the prisoners who were not tried, 16 were released without charge, among them Sid Ahmad al-Hussein. However at least eight prisoners, are reportedly still detained without charge in "ghost houses". The government has acknowledged holding only three, including Mirghani Abd al-Rahman Suleiman. There is fear that they, and the five who remain unaccounted for, among them **Ali al-Omda**, a former member of parliament from the Umma party, may have been victims of particularly brutal torture.

### Other Detainees

There have been many other detentions since the amnesty and releases early in 1991. In October 1991,

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for example, **Fateh Rahman Ahmad Mohamed**, a technician with the Telephone Corporation in Khartoum, was arrested by members of the Security of the Revolution. The reasons for his arrest remain unknown and he is believed to remain in incommunicado detention without charge or trial in a "ghost house".

In November 1991 **Abdul Aziz Mohamed Dafalla**, a trade unionist and employee of an insurance company, and **Abul Hassan** were arrested in Khartoum. The authorities are reported to suspect them of involvement in the circulation of opposition pamphlets. Both men are believed to be held incommunicado in a "ghost house".

Two brothers, **Brigadier Nasr Hassan Bashir Nasr** and **Zaki Hassan Bashir Nasr**, were arrested on 30 December 1991 at Nasr Hassan Bashir Nasr's home in Khartoum North. Nasr Hassan Bashir Nasr was an official at the Sudanese Embassy in Saudi Arabia until he was recalled to Khartoum and dismissed from the army in December 1991. Zaki Hassan Bashir Nasr is an agriculturalist and businessman. It has been reported that Nasr Hassan Bashir Nasr is suspected by the Sudanese authorities of passing information to government opponents. However there has been no official announcement about why the two brothers were arrested and they have not been charged or tried. They remain in incommunicado detention, apparently in a "ghost house".

On 1 January 1992 **Awad al-Sharif**, an engineer, was arrested in Khartoum. The reasons for his arrest remain unknown and he is being held incommunicado in an unknown location. On 22 January 1992 **Ismail Abakar**, a member of the Umma party and a former minister in the government of Sadiq al-Mahdi, was arrested. He had previously been imprisoned between August 1989 and May 1991. He is believed to be detained without charge or trial in a "ghost house". On 24 January 1992 **Mohamed al-Imam** and **Tandal Tambal Sultan**, both administrators at the University of Gezira in Wad Medani, were arrested. They are reportedly being held incommunicado in an unknown location.

There are reports that 41 officers from airforce and airborne units were arrested on 2 February 1992 after the authorities claimed they had uncovered a plot to assault a meeting of the Revolutionary Command Council. The whereabouts of the prisoners, among them **Colonel Mustafa al-Tay**, remains unknown, but they are believed to be held in "ghost houses". There is considerable fear that they have been subjected to torture.

On 9 February 1992 **Makoi Wuol Manuer**, head of the relocation programme of the Sudan Council of Churches (SCC) in Khartoum, was arrested. He was involved in organizing the humanitarian return of southerners displaced by the war to their homes in the south. The authorities are reported to suspect him of recruiting people to join the SPLA. He is believed to be held without charge or trial in a "ghost house".

## Torture and Ill-Treatment

Amnesty International has received information describing the experiences of prisoners which indicates that there is a clear pattern of routine torture and ill-treatment.

Prisoners arrested in Khartoum are commonly first taken to a security office or the security headquarters in the military area in Hai al-Mattar district, known as *al-Amara*, the Building. A prisoner arrested in early July 1991, the hottest time of year in northern Sudan, described how he was taken from his home in the middle of the night and brought to a security office in Khartoum. After being made to stand all night:

*"In the early morning we were taken into another room, which was called Heaven. Some men entered and began to beat us. There was fine, cement dust on the floor and this began to rise in clouds. The men beating us had cloth tied over their mouths. We were choking. After about an hour we were taken outside and made to stand in the open all day. While we were there security men would walk over to us, slap us, make us stand on one leg, or make us hold stones above our heads. The only way we could get a break is if we prayed. This continued for three days - without any questions asked of us."*

The aim of this treatment is to soften up the prisoner ready for questioning. At the end of the third day interrogation commenced. Other prisoners have described similar regimes at the security headquarters (*al-Amara*). A prisoner detained in connection with an alleged coup plot in August 1991 and initially held at *al-Amara* described being shackled to a tree and intermittently beaten for two days. He was then let down and questioned. His answers did not satisfy the interrogation team, so he was made to stand to attention outside for a day and a night. He was again questioned and then he was made to strip, a heated iron was applied to his back and he was made to roll on a sun-baked concrete surface.

Several former prisoners have described being taken from *al-Amara* to one of the main "ghost houses" in east Khartoum. In all cases the prisoners are prevented from learning where they are being taken. One described being forced under the seats of a minibus which was then driven at speed late at night round many streets in Khartoum. Anyone who looked up was kicked or hit with gun butts. Another described being made to lie on the back of a pick-up truck with other prisoners, being covered with a blanket and then being driven fast at night round several streets with guards sitting on top of them.

Prisoners arriving at the "ghost house" are met by what many former prisoners have described as "the reception party". One described being made to crawl with the other prisoners brought from *al-Amara* with him into a room where they had blows rained on them until none was easily able to stand. The men inflicting this treatment are commonly reported as using karate-style techniques and have evidently been specifically trained. This particular group of prisoners, about 25 in all, were then made to stand in rows a small room known as the "Jeddah Hotel". They were whipped in this room until the cell was sealed:

*"There was no ventilation and it was stifling. Everyone was sweating and the earthen floor began to become muddy. There was a young asthmatic with us and he had an attack and fainted. We knocked on the door and called the guards. One came angrily, demanding to know why we were knocking. We said he had fainted. The guard brought a pot of water and threw it over the boy who immediately began to revive. The guard thought he had been lying and so began to kick him. We were crying with him not to. Two of us picked up the boy and held him upright so he would stop kicking him. The door was closed and they would not let the boy out. We took off our clothes and began to fan the boy. Everyone was very*

*weak. There were some old people - but everyone helped."*

Other cells are also known by name. Another former prisoner has told that the smallest room he encountered in this "ghost house", so small that prisoners had to stand, was called *al-Telaja*, the Refrigerator. Other rooms mentioned to Amnesty International include another small cell called *al-Merkasim*, the Store, a larger room known as *al-Salon*, the Salon, and - described as "the most comfortable" - the Cabinet.

In addition to beatings on arrival, prisoners in "ghost houses" are subjected to various forms of ill-treatment known as *idara dakhliya*, Internal Administration, which appears to be based on disciplinary regimes within the military. Guards are reported to regularly order prisoners to do press-ups, known as "Six", or squat jumps, called "Nine". Other methods include "Rabbit", which involves prisoners doing squat jumps across a courtyard while holding their arms out in front of them parallel with the ground, and "Ostrich", which involves the prisoner lying on the ground and then raising himself as if to do a push up, but instead resting his head on the ground and holding his hands behind his back. One of the most degrading techniques, known as "Satan", involves the prisoner threading his right arm through a loop created by his left arm reaching round to hold on to the right ear. The prisoner is then made to bend down and place the index finger of the now extended right arm on the ground and to spin round on the spot. After spinning the prisoner is then ordered to stand to attention - with the result that he is disorientated and often unable to stay upright.

In August 1991 a detainee called **al-Amin Kuku**, a Nuba prisoner arrested in Khartoum after being found in possession of a bayonet, was severely burned when he staggered into pot of boiling food after being ordered to do this form of exercise. Al-Amin Kuku was provided with medical treatment and was reportedly released uncharged in November 1991. The other detainees staged a hunger-strike in protest at the incident and security officials are reported to have apologized to them, blaming the incident on the officer immediately responsible. However, the methods of ill-treatment which led to the accident are reported to remain routine.

Torture is also routine in security offices in the provinces. In early October 1991 **Zein al-Abdin al-Tayib**, a 21-year-old unemployed school graduate, was arrested in the town of Sinnar in Blue Nile Province, apparently on suspicion of distributing anti-government leaflets. He was reportedly beaten and subjected to electric shocks. Subsequently he was transferred under guard to hospital for medical treatment. He was released in early February 1992. In early November 1991, **Mehdi Mohamed Ahmad**, a merchant in El-Obeid who was agent for the Shell Petroleum company in Bara, died after being beaten by security officers following his arrest on suspicion of hoarding fuel.

## The War Zones: extrajudicial executions and "disappearances"

The Sudan People's Liberation Army (SPLA), formed in 1983 and led by John Garang de Mabior, now controls most of the rural areas of southern Sudan and is active in the border areas of western Sudan - notably in the Nuba mountains and southern Darfur - and in southern Blue Nile province in the east. The government controls the three major towns in the south, Juba, Wau and Malakal, and has isolated garrisons in other places - for example, in Rumbek and Tonj in Bahr al-Ghazal and Bentiu and Mayom in Upper Nile. In previous years government forces and allied militias have been responsible for serious violations of human rights in the southern Sudan and there is cause for concern that violations continue.

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However information about human rights violations by the army or militia in southern Sudan is difficult to verify. In parts of western Sudan, areas which have closer links to the capital than the south, it is known that there have been hundreds of arrests during 1991 and 1992. Many of those arrested are reported to have "disappeared" or to have been extrajudicially executed.

### The Nuba Mountains

The Nuba Mountains in South Kordofan has been a politically tense area since the formation of the Sudan People's Liberation Army (SPLA) in 1983. In 1985, informal pro-government militias were formed among the Misseriya nomadic communities which have grazing between the mountain ranges populated by members of the Nuba ethnic group. Some Nuba have joined the SPLA, which escalated its activities in the area in mid-1987, and many, particularly those with education - irrespective of whether they are Christian or Muslim - have since been suspected by the authorities and pro-government militias of being sympathetic to the SPLA. In late 1989 the current military government created Popular Defence Forces (PDF) as a formal pro-government militia recruited largely from the ranks of previously existing informal groups.

Members of the armed forces and militias have been responsible for frequent extrajudicial executions of Nuba, both of prisoners and in attacks on villages apparently in revenge for incidents in which soldiers or militia members have lost their lives. An Amnesty International report released in December 1989, *Sudan: Human Rights Violations in the Context of Civil War*, described incidents that had taken place between 1987 and 1989 - before the advent of the current military government. There have also been a series of more recent incidents. In April 1991, PDF members reportedly detained, tortured and then killed **Jibreel Salah** and **Jibreel Sendica** in the Kallandi area. In October 1991 soldiers reportedly killed **Mukhtar Musa**, a man from the Kamda section of Nuba, in Lagowa barracks. Around the same time reports indicate that **Hamza Farajallah**, another Kamda man from the Lagowa area, was detained in El-Obeid. He was initially held in El-Obeid prison, but was handed over to a military intelligence official to be taken to Lagowa for questioning. On the way to the town the escorting soldiers reportedly executed him.

In November 1991 soldiers arrested 35 other Kamda men, apparently because they were suspected of being sympathetic to the SPLA. Nineteen, among them **Dahia Musa Daldum**, **Shukralla Namla** and **Omar Ali**, were reportedly extrajudicially executed on 27 November 1991. At least seven were taken to El-Obeid where they were reportedly tried, although the details of the charges against them or the outcome of the trial is unknown.

Nine other detainees, among them **Mohamed Bakheit Daldum**, **Dafallah Tiya Jeilani** and **Hakim Hamdin** are reported to remain in military detention without charge or trial in Lagowa. Given the other cases of extrajudicial execution, there is serious concern about their physical safety.

Several people arrested in the town of Kadugli and other parts of the Nuba Mountains earlier in 1991 and other years have apparently "disappeared". Two teachers at Kadugli Senior Secondary School, **Ismat Hassan Khair al-Said** from Miri and **Yousif Galgadoun** from Dilling, "disappeared" in early 1991. Others who have "disappeared" during 1991 include **Hamdan Hassan Koury**, a lawyer from the al-Lagori area, together with his father **Hassan Koury Bagari**, **Mohamed Nowar Aso**, a dental assistant, **al-Sir Abdel Nabi Malik**, an employee of the Soil Survey Department, **Kamal Kano Kafi**, a radio

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technician, and **Ibrahim Marmatoun**, an employee of the Water Department.

In late September 1991, **Mirghani Kafi** and a large number of other civilians of Nuba ethnicity, possibly as many as 100 people, were reportedly detained without charge or trial by military intelligence officers and PDF members in Kadugli, apparently on the grounds that they were supporters of the SPLA. The arrests are thought to have been in retaliation for an attack by SPLA forces on an army and PDF column about 18 kilometres north of Kadugli town on 25 September 1991 in which three senior officers and several other soldiers from the army and the PDF were killed.

## Darfur

Darfur has been the scene of complex intercommunal strife and frequent armed robberies for several years, a situation which has been exacerbated by conflict in neighbouring Chad until the end of 1990, but which also involves rebellion against the central government by a predominantly Fur SPLA force led by Daoud Yahya Bolad. There have been reports of attacks by the army on villages of both the Fur and Zaghawa peoples in Darfur. The government has indicated that its military operations are against what it calls "armed bandits". However, there have been persistent reports of indiscriminate attacks on villages and of the extrajudicial execution of civilians. On 5 April 1991, for example, 17 people belonging to the Zaghawa ethnic group, among them **Daoud Ibrahim Wardi**, **Mahmud Bakheit Ishaq** and **Fajjar Hassan**, were shot dead by soldiers in the courtyard of a mosque in Khazan Jadid.

Fighting in Darfur intensified following the appointment of Colonel al-Tayib Ibrahim Mohamed Khair, formerly Minister of Cabinet Affairs, as Regional Governor in August 1991. In early January 1992 the authorities announced that 3,000 rebels had been killed in a surprise attack at the village of Balaj and that **Daoud Yahya Bolad** had been captured. He was shown on state television in early January and the authorities announced that he would be tried. However, in early February 1992 it was reported on the television that he had been shot while trying to escape. There are indications that Daoud Yahya Bolad, a former member of the National Islamic Front, which is closely linked to the military government, may have been extrajudicially executed.

The authorities have acknowledged that in August and September 1991 alone at least 120 people described as being armed robbers were arrested during military operations in Darfur. At least one alleged armed robber was convicted and sentenced to judicial amputation and another was executed in November. In October 10 others were sentenced to death.

## Cruel, Inhuman or Degrading Punishments

The new penal code, based on the government's interpretation of *Shari'a* (Islamic) law, introduced in March to replace the 1983 "September Laws", retained various forms of inhuman and degrading punishment including judicial amputations and floggings. In April the government announced the commutation of all sentences of amputation passed before the introduction of the new penal code - believed to number at least 11.

The first sentences of judicial amputation known to have been passed under the new penal code were reported from Sinnar in central Sudan in September 1991 when two men were sentenced to have their right hands amputated for stealing flour and sugar. A third sentence was reportedly passed on 19

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September 1991 in Al-Fasher in Darfur when **Haroun Abdel-Karim** was sentenced to cross-limb amputation (amputation of the right hand and left foot) after being convicted of armed robbery. It appears that under the March 1991 penal code the men have the right of appeal to the Supreme Court. It is not known if these appeals have taken place or if the sentences have been carried out.

The public flogging of people summarily convicted of "public order" offences remains common. Street vendors operating without licenses, many of them women, often displaced by war and famine from southern and western Sudan, are routinely lashed in market places. In October, after comments by local government authorities in Khartoum that women in the capital were not dressing in conformity with Islamic principles, women were publicly flogged in Khartoum and Wad Medani for dressing "indecently".

## Executions

The new penal code provides for execution by stoning or by hanging followed by public crucifixion. It also renders apostasy - the renunciation of Islam - a capital offence. In October 1991 the government announced that the death penalty was to be introduced for drug smuggling.

In October 1991 10 men convicted of armed robbery in two different trials were sentenced to death in Al-Fasher. All had the right to appeal to a higher court, but it is not known if this has taken place or if the sentences have been carried out.

At least 13 men convicted in previous years of criminal offences are reported to have been hanged in Kober prison in Khartoum in August 1991. In November another man convicted of armed robbery in Darfur, **Ibrahim Dubara Mongho**, was hanged in public in Al-Fashir.

## Human Rights Abuses by the Sudan People's Liberation Army

Although SPLA-held territory in the southern Sudan is still subject to incursions by government troops and the activities of militias, SPLA control over wide areas is longstanding. In late August 1991 the SPLA senior commanders in Upper Nile declared their opposition to the leadership of John Garang de Mabior in an apparent coup attempt. Other zonal commanders did not ally themselves with the rebels and as a result the SPLA has effectively split in two. The breakaway faction, led by Riak Macar, Lam Akol and Gordon Kong Cuol, which is popularly known as the Nasir group, controls most of Upper Nile. The original SPLA leadership retains control over the other parts of SPLA territory. In late 1991 and early 1992 there was fighting in Upper Nile between the two groups.

## Detainees

Since its formation in 1983 the SPLA has imprisoned several internal dissidents without charge or trial. After the August 1991 split, the names of 47 prominent detainees apparently held without charge or trial became widely known but it is believed that there may be many others. In February 1992 the SPLA High Command announced that a military tribunal formed to hear the cases of detainees had led to the release of 56 prisoners into the care of a church organization in Torit in Eastern Equatoria on 31 January 1992. Thirty three prisoners were previously known to Amnesty International and the list included the names of two prisoners released in late 1991. The nature of the charges brought against the men or the composition of the tribunal is unknown.

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Among the prisoners released was **Joseph Oduho**, a former minister in the southern regional government before it was dissolved in 1981, who was arrested by the SPLA in 1985. He was released in late 1991, but reportedly remains confined to his home village near Torit. Others released in January 1992 included **Amon Mon Wantok**, **George Maker Benjamin** and **Acol Deng Alak**, who reportedly attempted to form a socialist lobby within the SPLA, styling themselves the "Progressive Officers", until they were arrested in 1987.

At least 15 other prisoners known to Amnesty International apparently remain in detention. **Martin Majer Gai**, another minister in the southern regional government, has been held since 1985. **Kuac Makuei**, a member of the southern regional assembly before it was abolished in 1983, and **Martin Makur Aleu**, a retired army officer, were arrested in 1986, apparently following disagreements with the SPLA leadership over strategy in northern Bahr al-Ghazal. **Victor Bol Ayuolnhom** was arrested with them, but subsequently died in detention after reportedly being tortured. **Malath Joseph Luath**, a former member of the southern regional assembly, was representative of the SPLA-linked Sudan Relief and Rehabilitation Association (SRRA) in Addis Ababa until his arrest in 1988.

The SPLA leadership has claimed that there have been at least two previous attempts to overthrow John Garang de Mabior and the High Command. In June 1987 **Kerubino Kuanyin Bol**, a senior member of the SPLA High Command, was arrested with several other SPLA officers and men after reportedly attempting to stage a coup. In early 1988 **Arok Thon Arok**, another senior officer, and others came under suspicion of forming another coup plot. In both cases several arrests took place, and supporters of both men were among those known to have been held without charge or trial.

After the split in the SPLA in August 1991, there were reports of detentions by both groups of individuals suspected to be sympathetic to the rival faction. In some cases suspicion appears to have been motivated on the basis of ethnicity. Supporters of the Nasir group are reported to have arrested at least 20 members of the Dinka ethnic group who the leadership has indicated have been handed over to the International Commission of the Red Cross (ICRC). Dinka medical staff working at a hospital in Ler in Upper Nile are also reported to have been arrested. Their identities and whereabouts have yet to be established. On the other side, **Hugo Luigi Adwok**, SRRA medical coordinator in the Sobat area of Upper Nile, was kidnapped in Lokichoggio in Kenya on 3 September 1991 by supporters of John Garang de Mabior and driven over the border to Kapoeta where he was held in incommunicado detention until 21 October. He was then released and is currently working at the hospital in Torit. There are other reports of arrests by the SPLA led by John Garang de Mabior, but so far these have not been confirmed.

### Summary and Arbitrary Executions

There have been several reports of summary and arbitrary executions of civilians by forces loyal to the Nasir group. In October 1991 Nasir group troops are reported to have opened fire on Dinka civilians in the town of Akobo near the border with Ethiopia. Reports from the town indicate that between 20 and 30 women and children who had returned from refugee camps in Ethiopia a few months earlier were killed.

In October and November 1991 there was heavy fighting on the Duk ridge in Upper Nile between the Nasir group and the SPLA High Command. In mid-November Nasir group troops advanced south beyond the Dinka town of Bor. During the course of this action, troops who were moving from

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homestead to homestead looting property, food and animals, killed over 2,000 Dinka civilians. Many of those killed were women and children. In one incident north of Bor, three adolescent boys were tied to a tree and clubbed to death. Several bodies were found with cords or belts around their necks that had been used to strangle them. Other civilians were bound at their ankles and wrists and then speared to death. There are also several reports of rape. Tens of thousands of civilians fled southwards to territory controlled by the SPLA High Command where the majority remain in displaced persons camps.

## Conclusion

Amnesty International has continued its appeals to the Sudan government on behalf of prisoners of conscience, political detainees, victims of torture, the "disappeared" and those sentenced to death. Despite these appeals, the government has failed to respect human rights and the human rights situation in the country remains grave.

The amnesty of political prisoners in April 1991, while welcome, has done little to reduce the continuing gross violation of human rights by the Sudan government. In northern, eastern and central Sudan hundreds of government opponents have been arrested since the April amnesty. The extensive use of secret detention centres run by the security services for short term incommunicado detention and the routine use of torture indicate that repression of internal dissent is government policy.

In the war zones - the South, Blue Nile in the east and western Sudan - information is more difficult to verify. However, the information which has been validated indicates that the situation for human rights is extremely serious. Those suspected of being involved with or sympathetic to the SPLA are at risk of "disappearance" or extrajudicial execution.

In addition the SPLA has also been responsible for the abuse of human rights. Among the most serious incidents reported from the south is the arbitrary killing of over 2,000 Dinka civilians in Upper Nile by troops loyal to the SPLA Nasir group.