

£SUDAN

@Patterns of repression

Introduction

On 4 December 1992, after another year of gross human rights violations in the Sudan, the international community registered its deep concern in a resolution at the Third Committee of the United Nations (UN) General Assembly which was passed by 102 votes for and eight against.¹

The Sudan Government dismissed the General Assembly vote. On 7 December the Head of State, Major General Hassan Omar al-Bashir, told a public rally that Sudan would turn "a deaf ear to any condemnation in any forum". Reports of human rights violations were, he said, "baseless rumours based on unfounded facts". On the same day the Ministry of Foreign Affairs issued a statement describing the resolution as "unjust, hasty and tendentious".

However, despite its rhetoric the Sudan Government is not insensitive to criticisms about human rights violations. Since 1991 the government has periodically taken steps to counter international condemnation of its repressive behaviour. These steps include two presidential amnesties: in May 1991 299 political prisoners were released and in July 1992 over 100 were set free and others had sentences reduced.²

Other measures appear more cosmetic. The government has created a nominally independent human rights organization to counter the exiled independent Sudan Human Rights Organization (SHRO). In November 1992, following hundreds of extrajudicial killings and "disappearances" in Juba between June and August and a few weeks before the General Assembly vote on human rights in Sudan, the authorities belatedly set up a committee to investigate "the incidents witnessed in Juba town in June and July". Following the General Assembly vote in December 1992, the government-appointed Transitional National Assembly established a committee to prepare a document "to study the conditions

¹ The resolution expressed "deep concern at the serious human rights violations in Sudan, including summary executions, detentions without due process, forced displacement of persons and torture" and recommended "that the serious human rights situation in Sudan be monitored." The resolution invited "the Commission on human rights at its 49th session to give urgent attention to the situation of human rights in Sudan". On 17 December 1992 the resolution was adopted by the full General Assembly by 104 votes to eight.

² A presidential amnesty in January 1993 released 463 prisoners but at the end of the month the government remained unspecified about the identities of the prisoners. It appears the vast majority, if not all, were being held on account of criminal offences.

of human rights in all spheres and to reply to the unjust and biased accusations on the alleged violations of human rights in the Sudan".

Although each release of prisoners of conscience is to be welcomed, the situation for human rights in Sudan remains extremely serious. The international community should be actively urging and encouraging the Sudan Government to take measures that will result in improvements in human rights. There is also a pressing need for the close monitoring of the human rights situation to enable the international community to ensure that initiatives by the Sudan Government are genuine and sustained.

After each amnesty the government has announced that there are no more political prisoners in Sudan. Each time, however, Amnesty International has known of prisoners who have remained in gaol and within days there have been new detentions. Hundreds of those arrested in Sudan in recent years have been prisoners of conscience arrested solely for their real or suspected non-violent opposition to a government that took power by force. Many prisoners have been tortured by the security authorities.

The human rights situation away from the major northern cities, in rural areas, in parts of the country fought over by the government and the armed opposition Sudan People's Liberation Army (SPLA), and in towns to which access is difficult, in short in places where the authorities believe they can act without international scrutiny and hence with impunity, is particularly serious. For example, there are consistent reports of arbitrary detentions and extrajudicial executions in the Nuba Mountains where the authorities appear to be engaged in what is called "ethnic cleansing" elsewhere. In southern Sudan, hundreds of extrajudicial executions reportedly took place in Juba after fighting in mid-1992. At least 100 other southern Sudanese arrested in Juba at that time have "disappeared". Amnesty International believes the majority have been executed either extrajudicially or summarily after unfair military trials.

Changing Patterns of Repression

Over the past two years the authorities in the accessible urban centres of northern Sudan, in particular in the capital Khartoum, have changed the patterns of repression. Before May 1991 there were hundreds of prominent long-term political prisoners, over 300 of whom were adopted as prisoners of conscience by Amnesty International. In May 1991 the majority of these political prisoners were released and the government claimed that there no more political prisoners. However, Amnesty International knew of over 60 long-term political detainees who were not released. In addition there were scores of soldiers and civilians still in prison convicted in grossly unfair military trials of involvement in alleged attempts to overthrow the government. Since May 1991 the authorities have resorted increasingly to a pattern of relatively short periods of detention, less visible and more difficult to monitor, in secret detention centres, known as "ghost houses" in Sudan, or in the security

headquarters in Khartoum. They have also attempted to give detention a veneer of legality.

Amnesty International has recorded the names of over 250 political detainees in detention in 1992 in Khartoum alone. The real total is thought to be much higher and many other arrests have also taken place in Wad Medani, El-Obeid, Port Sudan, Kassala and other Sudanese cities. Those arrested in northern Sudan in 1992 include members of banned political parties, trade unionists, southern Sudanese, people of Nuba ethnicity, Christians and students. Political prisoners known by Amnesty International to have been in detention in 1992 were held for periods lasting from less than a week to at least nine months. While relatively short-term detention is now the norm, longer term detention without charge or trial still exists. For example, Mokhtar Abdullah Ahmad, a trade unionist and Sudan Communist Party (SCP) member, who was detained without charge in August 1990, remained in detention throughout 1992.

In many cases prisoners are tortured during interrogation at the security headquarters or on arrival at "ghost houses". In 1992 Amnesty International received testimony describing prisoners being tied and suspended above the ground and then beaten. There are also reports of prisoners being taken at night from "ghost houses" to an area south of Khartoum where they are tied to a rope and then suspended in a well in which animal carcasses have been dumped.

The most recent arrest known to Amnesty International is that of Mohamed Abdulsid, the Khartoum correspondent of the Saudi Arabian-owned newspaper *Asharq al-Awsat*, on 28 January 1993.³ He is being held in incommunicado detention in an unknown place. Other recent arrests include 10 suspected members of the banned SCP on various dates in December 1992 and January 1993.

The authorities have also introduced a system of physical restriction tantamount to detention. This consists of making individuals suspected of opposing the policies of the government report daily, early in the morning, to the security headquarters or a security office. They are then made to wait until the evening, normally without being questioned or provided with food or water. In cases known to Amnesty International this form of restriction on an individual's freedom of movement has lasted from a few weeks to several months. At least 21 trade unionists and doctors arrested in August and September 1992 were still reporting in December. More recent cases include four women arrested on 17 December 1992 following demonstrations in Omdurman protesting at inflation and the cost

³ The authorities also closed down the Khartoum office of *Asharq al-Awsat* and withdrew the accreditation of other journalists on the staff. The Sudan Government had previously warned the newspaper that they regarded its coverage of Sudan as biased.

of living. In late December they were allowed one week in which they did not have to report, but in January 1993 they were again made to report each day.

The government has sought to create a veneer of legality surrounding political detention. The State of Emergency legislation introduced after the 30 June 1989 military coup remains in force, prohibiting showing "any political opposition by any means to the regime of the Revolution for National Salvation". The legislation allows the authorities to arrest anyone or restrict his or her movements without warrant. In June 1991 and February 1992 legislation was introduced bringing detention without charge or trial, which had hitherto been indefinite and not subject to periodic review, under apparent judicial control. Under this legislation the security forces are able to detain a person for interrogation for renewable periods of 72 hours up to one month. What the legislation describes as "precautionary detention" is allowed for periods not exceeding three months - unless the authorities authorize an extension for a further three months. Such decisions have to be approved by a magistrate. Detainees are to be informed of the reasons for their detention "at an appropriate time" after their detention. "Bodily hurt" and "savage treatment" are forbidden. Detainees can appeal to a magistrate against non-compliance with the detention regulations. The official "may, after summary consideration, issue such an order as he may deem fit, for alleviation of the grievance".

Although these regulations appear to contain some safeguards protecting the rights of detainees, in reality these are illusory and in practice they have done nothing to prevent arbitrary incommunicado detention and torture. The regulations fall far short of international standards contained in the *International Covenant on Civil and Political Rights*, to which Sudan acceded in 1986, and the United Nations *Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment*. For example, the hearings that are provided for are summary and detainees do not have the right to challenge the fact that they are being kept in detention except when the authorities opt to extend the period of detention. Beyond this, the repeated purging of officials in the Attorney General's chambers and the judiciary mean that in reality the legal system in Sudan is no longer independent of the state.⁴ The already limited possibilities of appeal to magistrates do not therefore involve appeal to an impartial judicial review. Not a single detainee known to Amnesty International has appealed concerning non-compliance with detention regulations or ill-treatment. The authorities claim that this is an indication that human rights violations are not taking place. However, testimony from former detainees indicates that none felt in a position to challenge their detention or the treatment they were receiving nor knew of any formal procedure enabling them to do so.

⁴ The majority of the judges who held office before 30 June 1989 have been dismissed. New judges drawn from among supporters of the National Islamic Front (NIF), many with only the most limited legal experience or expertise, have been appointed.

In part these changes in patterns of repression in the accessible parts of northern Sudan reflect the government's consolidation of control since its forcible takeover on 30 June 1989. Shadowy, unofficial and ideologically-motivated security agencies are now well-developed, such as the one known as the Security of the Revolution which has its roots in the pre-coup security apparatus of the National Islamic Front (NIF).⁵ The official Sudan national security service has been purged of officers the authorities suspected of political unreliability as have the army, the police, the prisons service and institutions of civil society such as the civil service. In part, however, the changes are also a response to international pressure about human rights. The authorities have sought to make human rights violations less visible while ensuring that their political opponents are either unable to organize or are, literally, beaten into submission.

Human Rights in the War Zones

There has, however, been no change in the pattern of gross human rights violations in parts of the country less accessible to the outside world, and correspondingly less visible, since the current government came to power. In the war zones of southern Sudan, Southern Kordofan, Southern Darfur and Blue Nile the security authorities, the army and the paramilitary Popular Defence Forces (PDF) appear to feel uninhibited by any need to respect human rights.

The Nuba Mountains

Gross human rights violations continue to be reported from the Nuba Mountains of Southern Kordofan. Conflict between the SPLA and the Sudan Government in the area has been intense and bloody, compounded by long-standing political, racial and religious antipathies. Since 1987 the SPLA has actively recruited among the Nuba, who regard themselves as an African peoples and amongst whom the Christian church is as well-established as Islam. Their soldiers live among the communities from which they are drawn. Meanwhile, Arab tribes who also live in the area have formed militias which since 1989 have been incorporated into the PDF.

In January 1992 the political authorities declared a *jihad* (holy war) against the SPLA. In the same month Omar Suleiman Adam, the Assistant Governor for Peace and

⁵ Whilst officially banned together with all other political parties, the NIF led by Dr Hassan Abdullah al-Turabi is the ideological force behind the Sudan Government.

Rehabilitation Affairs in Kordofan State, announced that the authorities had prepared 22 "peace villages" to absorb and resettle 90,000 "returnees" from the SPLA.⁶ The villages, he said, were part of a project designed to absorb 500,000 people. The majority of the "villages" known to exist are in reality displaced persons camps located in Northern Kordofan many miles from the home areas of the Nuba or camps prepared close to mechanized agricultural schemes on the fringes of the Nuba Mountains. In September 1992, in an interview to a government-owned newspaper, Omar Suleiman Adam gave revised figures for government plans, indicating that 89 "peace villages" to absorb 143,000 "returnees" were now planned. The government presents the plans as a development initiative for Southern Kordofan.

Access to the Nuba Mountains is tightly controlled, making the verification of information difficult. It appears, however, that the authorities are implementing a program of military action directed at the mountain communities of the Nuba, which amounts to "ethnic cleansing". The aim appears to be to destroy the SPLA in the area by driving out the Nuba themselves. Displacement in the Nuba Mountains appears largely to be caused by government forces, both the PDF and the army, assaulting villages thought to contain, or be sympathetic to, the SPLA. There was intense military activity in the first half of 1992 and in June the authorities announced that in the previous month 50,000 "returnees" had arrived in Kadugli, Dilling, Talodi and Lagowa. Between June and August at least 30,000 Nuba were trucked to "peace villages" in Northern Kordofan. Since then tens of thousands more Nuba appear to have been removed from the region.

Amnesty International continues to receive reports describing extrajudicial executions, arbitrary detentions and other human rights violations with the Nuba as the target. There are two contexts to these violations: first, extrajudicial executions have been carried out during assaults on Nuba villages by PDF and the army; secondly, educated Nuba suspected of being members of the banned Sudan National Party, SPLA sympathisers, or simply influential individuals opposed to the policies of the government have been arrested and tortured. In the past three years many have then "disappeared" and others are reported to have been extrajudicially executed.

During 1992 there were reports of extrajudicial executions following attacks on villages south of Dilling. In February 1992 PDF troops reportedly extrajudicially executed 25 civilians in the al-Faus area. In March and April over 40 civilians were reportedly extrajudicially executed in the Jebel Tabaq area north of Lagowa. In June there was further military action by the army and PDF in al-Faus and on 25 June 1992 at least 11 civilians were reportedly extrajudicially executed. In July PDF troops are reported to have extrajudicially executed five men and a woman following an attack on the village of Oma. Amnesty

⁶ The government defines a "returnee" as any individual who has left an area controlled by the opposition movement.

International has recently received unconfirmed reports of mass killings involving the deaths of several hundred civilians in the Kualit area near Heiban in December 1992 and January 1993.

As in previous years, scores of men were arrested in the Nuba Mountains and detained without charge during 1992. In January five men, including Mahdi Rahal, an accountant, were arrested in Dilling. They were detained for six months in el-Obeid prison before being released in June. In July they were re-arrested. Ahmad Adlan Ibrahim, a clerk at Dilling Senior Secondary School, was among at least five more men arrested in Dilling in May who were reported to remain in detention in el-Obeid Prison at the end of the year. In August a policeman, two teachers and an employee of the post office were among seven men arrested in Kadugli after the SPLA made an incursion into the town. At the end of 1992 at least 70 Nuba men were reported to remain in detention in el-Obeid Prison. There are reports that many of those arrested were subjected to torture. Ahmad Nasser, for example, who was arrested in Dilling in May, was reportedly deliberately blinded and then released.

The Southern Sudan

The southern Sudan presents similar problems of restricted access and poor visibility. In the past year the security authorities in the south have acted with a flagrant disregard for human rights, even in major cities like Juba where the possibility of human rights violations being uncovered is higher than in rural areas. After SPLA incursions into Juba in June and July 1992, government troops reportedly shot dead at least 300 unarmed civilians and arrested hundreds of southern Sudanese civilians, soldiers, policemen and other paramilitary forces on suspicion that they had collaborated with the attacking forces. After the SPLA withdrew in July, around 200 people were reportedly killed during a house to house search of one of Juba's most densely populated suburbs. Others were summarily killed by soldiers who stopped them in the street. For example, three members of the Mundari ethnic group suspected of being members of the SPLA were shot dead by soldiers on 11 June. The soldiers' suspicions were aroused because the men were wearing shoes soled with strips cut from car tyres, which was taken as evidence that they had come into Juba from the surrounding countryside.

Amnesty International has the names of over 100 men arrested in Juba between June and August 1992 who are still unaccounted for. Among those arrested were Major General Peter Cirilo, a former Governor of Equatoria under the elected government of Sadiq al-Mahdi (1986-1989). In November, in the face of international protests and the threat of censure at the United Nations, five months after many of the arrests, the government established a committee chaired by a High Court judge to "investigate the incidents witnessed by Juba town in June and July and their resultant effects on the citizens and the state". Because the publicly stated terms of reference of this investigation are not well defined it is not at all clear that allegations of human rights violations by agents of the state are within its

remit. By the end of 1992 the government had failed to provide any information on the whereabouts of the vast majority of those arrested in Juba. In January 1993 it was alleged that Major General Peter Cirrilo and two other southern army officers had been executed in Juba. The government has denied the allegations but there remains no independent confirmation that the men are alive.

Amnesty International is concerned that many of those detained in Juba have "disappeared" and may have been executed either extrajudicially or following summary military trials. The day after the first SPLA assault on Juba in June 1992 40 soldiers providing air defence at Juba Airport were extrajudicially executed after their commanding officer and several colleagues defected to the rebels. In September government officials admitted that Andrew Tombe, a Sudanese employee of the United States Agency for International Development (USAID), and Mark Laboke Jenner, who worked for the European Commission, had been executed in Juba in mid-August 1992 following convictions for treason by a military court. In Sudan such courts do not conform to international standards of fair trial. Their proceedings are summary, there is no right of defence counsel and no right of appeal. Furthermore, apart from the government's own claim, no evidence is available that the two men actually appeared before a court.

Prisoners detained by military intelligence officials, PDF or other security authorities in the southern Sudan are seriously at risk of torture. This is particularly true of captured SPLA combatants. Amnesty International has received reports which suggest that the torture and execution of SPLA soldiers captured in combat (rather than SPLA soldiers who give themselves up voluntarily) is normal practice. In Juba a detention centre in the military headquarters, commonly known as the "White House", has become notorious as a place of torture. For example, seven wounded SPLA soldiers captured in June 1992 were taken to the "White House" where their arms and legs were tied behind their backs by PDF troops who left them hanging for several hours. Chili pepper was then rubbed in their wounds and they were beaten before being shot dead.

Human Rights Abuses by the SPLA

Information from the rural parts of southern Sudan controlled by the SPLA has become more difficult to verify amid signs of increasing internal divisions within the movement. The SPLA split in two in August 1991 when senior commanders in Upper Nile declared their opposition to the leadership of John Garang de Mabior. The new faction has become known as the Nasir group and the forces loyal to John Garang de Mabior are now described as the Torit group. In September 1992 William Nyuon Bany, the Deputy Commander-in-Chief of the Torit group, formed a new faction, known as the Unity group, which is now operating in Eastern Equatoria. There has been fighting between the various factions which has displaced tens of thousands of southern Sudanese civilians. An apparent

increase in indiscipline among some SPLA units has also contributed to increasing instability in rural areas.

Both the Torit and Nasir factions of the SPLA are responsible for serious abuses of human rights. During 1992, 40 prisoners arrested in previous years were released by the Torit group in January but they were restricted to certain towns and villages after their release. At least 21 internal dissidents remained in detention in June 1992 but a number appear to have been released subsequently. In September Unity group forces released five of the dissidents by force: one, Malath Joseph Luath, was shot dead during the escape. The Nasir group is also reported to be holding prisoners suspected of loyalty to the Torit faction but few details are available about them.

In January 1992 forces loyal to the Nasir group raided the village of Pagarau in Bahr al-Ghazal and killed at least 87 civilians, including patients at a leprosy hospital. A number of woman and children were reported to have been abducted. In May there were reports that Torit group forces were responsible for the deliberate and arbitrary killing of civilians of Toposa ethnicity in villages around Kapoeta. The SPLA attack on Toposa villages was in retaliation for the involvement of Toposa pro-government militia in the capture of Kapoeta and subsequent attacks on refugees fleeing the town. In September 1992 SPLA soldiers deliberately and arbitrarily killed four foreign citizens: three aid workers and a journalist. The Torit group blamed Unity group troops but subsequent investigations appear to suggest that their own forces were responsible. In December there were unconfirmed reports that over 200 deserters from the Torit group were deliberately and arbitrarily killed by loyal Torit group troops near Tonj in Bahr al-Ghazal.

Conclusion

Every release of prisoners of conscience held in Khartoum and elsewhere in Sudan is to be welcomed. Nevertheless the human rights situation in the country remains extremely serious. Amnesty International is especially alarmed by reports of government action in the Nuba Mountains which appear to amount to "ethnic cleansing". The organization is disturbed by the continued failure of the government to account for prisoners who appear to have disappeared in Juba and elsewhere.

The need for decisive action on human rights in Sudan has never been greater. The international community should ensure that the situation in all parts of the country, both in the relatively accessible towns and cities of northern Sudan and the war zones contested by the Sudan Government and the SPLA, is closely and continuously monitored.

Amnesty International is calling on the Sudan Government and all factions of the SPLA to take immediate action to end human rights abuses. The government should take immediate steps to investigate all reports of human rights violations such as extrajudicial

executions and torture and to bring to justice those alleged to be responsible. Its continuing failure to do so, along with its failure to take action to prevent torture, "disappearances" and extrajudicial executions, may be interpreted as evidence that it is not government policy to uphold the fundamental human rights which the international community is determined to see respected everywhere in the world.

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**SUDAN
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1. Section Press Officers: Please publicise and distribute this document in association with the Weekly Update item AFR 54/WU 01/93 (in Weekly Update MWS 11/10/93) entitled Mass killings, ethnic displacement and other gross human rights violations continue in Sudan embargoed for 0001 GMT, 19 February 1993. In consultation with the coordination group responsible for Sudan, where there is one, please pass this document to any journalists who have a special interest in Sudan in particular or Africa in general. Please also liaise with the person responsible for home government lobbying to draw this document and the recommended actions below to their attention. Due to lengthy delays in printing, this is the only copy of the report that will reach your section before the embargo date.

2. Person responsible for home government lobbying: Please pass a copy of this document to relevant officials in your country's Ministry of Foreign Affairs. If there is time, please ask them to ensure that their delegation at the Human Rights Commission in Geneva receives a copy in advance of 24 February 1993. Also please ask them to forward it to diplomatic representatives of their government in Sudan, requesting that they raise Amnesty International's concerns and recommendations with the Sudan Government. This document should also be circulated to members of parliament, including members of the European parliament where relevant, and other prominent political figures in your country.

3. Coordination groups: Please send a copy of this document to the Sudan Embassy in your country, where one exists, with a covering letter. Sections in countries where there is a Sudan Embassy but no coordination group responsible for Sudan should also try to send a copy of the document to the Embassy.

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