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An Amnesty International briefing

Cover photo caption:  
Nuer children from Upper Nile. Tens of thousands of children have been killed in Sudan's war. (c) Peter Moszynski

## Page 1

No future without human rights

Before dawn on 30 June 1989 Sudan army units led by Brigadier Omar Hassan Ahmad al-Bashir closed the airport, seized the presidential palace and the army headquarters, and set up road-blocks throughout Khartoum, Sudan's capital city. Within hours leading politicians had been arrested, a state of emergency declared, the Constitution suspended and political parties and trade unions dissolved. The independent press was closed and all secular associations were suspended. The new leaders announced the formation of the National Salvation Revolution Command Council to govern the country. So ended three years of multi-party democracy in Sudan, Africa's largest country and one of the world's poorest. Those three years had been deeply problematic for human rights, with the country sharply divided. Political freedoms had been largely respected in the north, but human rights had been grossly abused in southern Sudan and other areas where the government and the armed opposition movement, the Sudan People's Liberation Army (SPLA), were locked in a fierce internal war.

The coming to power of the military government ushered in a new era of human rights violations characterized by a range and scale of abuse unprecedented in Sudan's history.

Since 30 June 1989 virtually all sectors of Sudanese society throughout the country have experienced persistent and gross human rights violations, perpetrated by a government that behaves as if it is unaccountable.

The government has set out to reshape social institutions in line with its interpretation of Islam. This has affected the entire population of northern Sudan. Repression has been the means of maintaining control. Thousands of political prisoners, many of them prisoners of conscience, have been detained. Torture is widespread and sometimes fatal. Political prisoners have been jailed after unfair trials, and several prisoners, both political and criminal, have been executed.

Hundreds of people convicted of criminal offences have been flogged. An unknown number have suffered judicial amputations of hands and feet since the authorities introduced a penal code based on their interpretation of shari'a (Islamic) law.

The war has been prosecuted with rigour and ruthlessness on all sides. The security forces have deliberately attacked civilians, killing them, driving them from their land, looting and destroying their means of livelihood. Thousands of people have been extrajudicially executed or have "disappeared".

The SPLA has deliberately attacked and killed civilians, creating a cycle of violence and revenge by pitting community against community. In 1991 the SPLA split into two factions—Mainstream and United. A bitter internecine war between the factions followed.

The SPLA-Mainstream leadership has been ruthless in its drive to maintain its position. Prominent dissidents within its ranks have been detained and in some cases executed. Prisoners held by the SPLA have been tortured, sometimes to death. Both SPLA groups have summarily executed soldiers or individuals suspected of supporting the rival faction.

The war has created a catastrophe of immense human cost as all parties flagrantly violate human rights and the humanitarian laws and principles governing armed conflict. Deliberate assaults on civilians by government and rebel forces have created a humanitarian disaster in the conflict zones.

The military government has sought to deflect human rights criticism by accusing its critics of being motivated by a desire to oppose or insult Islam. This message exploits the beliefs and values of the Muslim majority in Sudan, and Muslims in other countries, as the government tries to deflect criticism and to build public support.

Two thirds of Sudan's 26 million people are Muslims but the country contains extraordinary religious and ethnic diversity. Some 400 languages are spoken. Arabic is the common language in both north and south and the first language of many northerners. Most northerners are Muslims; many claim Arab origins.

The south, which comprises the states of Bahr al-Ghazal, Upper Nile and Equatoria, is even more religiously and ethnically diverse than the north. The largest groups are the Dinka and the Nuer but there are many other peoples. Most educated southerners espouse Christianity, some are Muslim, and many rural people follow their own religious traditions.

A consistent pattern of human rights abuse in Sudan is clear, although verifying some individual reports in a country so vast, so poor and so deeply divided can be difficult. Almost everyone in Sudan is at risk, whether in the war zones, or in areas far from the war and little affected by it. Each instance of abuse exacerbates political divisions and breeds hatred.

In a very real sense the future of Sudan depends upon establishing respect for human rights. Without that respect there can be little hope of success in establishing the mutual trust required to solve Sudan's many political problems.<sup>n</sup>

Caption: Tombs of Muslim sheikhs in ancient Dongola, northern Sudan. The country is extraordinarily diverse, with many different ethnic groups. © Jean-Pierre Ribière<sup>c</sup>

Quote:

I vow here before you to purge from our ranks the renegades, the hirelings, enemies of the people and enemies of the armed forces ... Anyone who betrays this nation does not deserve the honour of living.'

Omar Hassan Ahmad al-Bashir, Sudan's President, December 1989

## Page 2

### Dismantling civil society

Civil society is under attack in Sudan. The military government has embarked on an ambitious program to reshape social institutions in accordance with its interpretation of Islam. Part of this process is the crushing of political opposition. Shadowy security organizations have been created. People live in fear of being denounced. Open political debate, once a vibrant part of Sudanese life, has been cut off. Emergency legislation prohibits all political opposition. The legislation bans strikes and unauthorized political meetings. It allows the authorities to arrest anyone or restrict his or her movements without warrant. Detention without charge or trial is also provided for under the 1990 National Security Act.

Since 1989 Amnesty International has learned the names of some 1,500 political detainees. Many of them were prisoners of conscience. These represent only part of the total number of people arrested around the country. Suspected political opponents experience repeated beatings, release and then rearrest. They are held without charge or trial in civil prisons, in unofficial secret detention centres—known as “ghost houses”—and in regular security offices.

Yousif Hussein's experience is typical of the harsh treatment of many. A leading member of the Sudan Communist Party, he was held without charge or trial from January 1990 until April 1992 when his brother paid a cash bond on his behalf. In June 1993 his brother died. Yousif Hussein was immediately rearrested and remains uncharged in detention.

Detainees report experiencing or witnessing torture in “ghost houses” and security offices. They have been stripped, beaten and verbally humiliated. Some have died as a result. Both men and women have been raped while in detention.

Since the coup the independence of the judiciary has been undermined through constitutional changes, purges and the creation of a system of parallel courts controlled by the military authorities. Procedures in these courts were summary and unfair.

Scores of lawyers have been detained and some have been tortured. Lawyers who defend political prisoners are particularly at risk. Those arrested in 1994 include Ali Mahmud Hassanein, a prominent lawyer. Meanwhile new laws and other measures have been introduced which ensure that ideological supporters of the government control the trade unions, the media and the universities.

Establishing control of the trade unions has involved the systematic arrest and intimidation of activists opposed to the government. A campaign of intimidation and arrest during trade union elections in October 1992 ensured that the only candidates to stand in the elections were known government supporters. More than 50 trade unionists were detained for protesting against election procedures. Many have been repeatedly arrested. Ali al-Mahi al-Sakhi, president of the Central Mint Workers' Union, has spent at least three separate periods in detention. Demonstrations at the universities against government policy, dismissals of academic staff and poor conditions, have regularly led to arrests and expulsions. In December 1989 the security services opened fire on a demonstration by students from Khartoum University, killing two. In September 1991 Khartoum University's “democracy wall”, a courtyard historically used for free and passionate discussion, was closed down and the students' union banned. Students protested by refusing to sit examinations. At least 30 were arrested and around 300 students expelled. In late 1993 the ban on the students' union was lifted. Subsequent elections were won by supporters of the government amid allegations of extensive ballot-rigging.

Immediately after the 1989 coup, all newspapers except the armed forces publication were closed down and several journalists were detained. Critical journalists have been harassed ever since, even when the critics are ideological supporters of the government. In January 1994 Sudan's first independent newspaper since the coup, al-Sudani al-Dawliyya (Sudanese International), started publication. The news editor was arrested in February 1994 and detained until 19 April. In early April the authorities banned the newspaper. Three journalists were detained until June, including Mahjoub Mohamed al-Hassan Erwa, the newspaper's owner and editor

Captions:

Top: The grapefruit market in Khartoum. © Panos Above: Farouq Mosque, Khartoum. Most people living in the north of Sudan are Muslims. © Hutchinson Women displaced by the war in the south © Hutchison

Quote:

They told me to stand under the sun, barefoot and almost naked. While they beat me from head to toe my left eye was badly injured. They threatened me with death.'

Testimony of al-Hassan Ahmad Saleh, political prisoner

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#### Women under attack

Women in Sudan have been abused by the government and by each faction of the SPLA. They have been detained without charge or trial, flogged, raped, unlawfully killed and sold into domestic slavery. Most of the displaced and refugee populations surviving on food relief are women and their dependant children.

Many displaced southern women brew and sell alcohol to support themselves and their families in the squatter camps. This is illegal and many have been flogged for alcohol-related offences. In early 1993 seven women, two of whom were pregnant, were given 40 lashes each for brewing alcohol in al-Mayo squatter settlement in Khartoum.

Women are flogged for not conforming to the government's ideas of what constitutes decent dress. A woman living in Omdurman was fined and sentenced to 35 lashes after being arrested in late 1991 for wearing trousers:

"I was boiling with anger so I reacted badly. I grabbed the whip and twisted it. Then two or three policemen grabbed me and tied my hands to my back. After I received 40 lashes...I gave him a venomous look. He noticed and gave me another five lashes."

In December 1993 a student at Khartoum University wearing a blouse and skirt was stopped by a guard and told to change her clothes. She refused and received 25 lashes.

Women involved in any overt opposition activity are at high risk. The women family members of 28 army officers summarily executed in 1990 have organized regular non-violent protests against the government and as a consequence have been harassed by the security forces. Their meetings have been disrupted, their homes searched and they have been repeatedly questioned. In 1992, 11 of them were detained without charge or trial for three weeks.

The few women active as senior members of banned political parties are at risk of detention without charge or trial. Sara Nugdallah, a senior member of the banned Umma Party, has been detained uncharged for short periods four times since 1989. In April 1994 she was arrested and held for 10 weeks in Omdurman Prison.

It is in the war zones of the south and the Nuba mountains that many of the grossest human rights abuses have been perpetrated against women by government forces and SPLA factions.

Government forces have extrajudicially executed thousands of women in attacks on villages. In the Nuba mountains the military government has followed a policy of forcibly clearing villages and resettling civilians in so-called "peace villages" under the control of the army and the Popular Defence Force (PDF), a government-created militia. This has resulted in extrajudicial executions, rapes and the abduction of women and children.

Since 1992 the PDF and government soldiers in northern Bahr al-Ghazal have killed, raped and abducted women while driving people away from the railway line linking north and south Sudan. In April 1993 women were among 23 people killed at Pankuel further south. Apiu Majok, aged 12, and her sister Acur, aged nine, were abducted by the PDF killers. Terrified, they were put on the train and separated. Acur was later freed by police in Aweil, but the whereabouts of her sister, Apiu, remain unknown. At least 80 other children, many of them girls, remain missing from this and other raids. There are reports of rape of women held by the military. Because of the enormous shame attached to rape few women are prepared to talk about their experiences.

Women have also suffered in the fighting between the two SPLA factions. In October and November 1991 SPLA-United raided lands controlled by SPLA- Mainstream and occupied by Dinka and Mundari civilians. They moved from homestead to homestead, killing civilians and looting property, food and animals. Many women were killed, raped and abducted.

In March 1993 Dinka troops from SPLA-Mainstream attacked the village of Pagau, in Upper Nile; 32 women were lined up and shot in the head. Their only crime was to be of Nuer origin and therefore suspected of loyalty to the SPLA-United faction. Eighteen children are reported to have been locked in a hut which was then torched. In Paiyoi, an area of dispersed settlement northeast of Ayod, 36 women were reportedly burned to death

#### Caption

Women in Sudan are obliged by law to follow very strict dress codes. Those who do not comply risk flogging. © Jean- Pierre Ribière'

#### Quote

I was taken on the way home by soldiers and tied down. I was ... taken to the barracks. I refused them ... Once I was tied up they did a lot of things to me.'

A woman from the Moro Hills who was raped by soldiers in Kadugli in October 1992

Decades of war

Troops of the PDF government militia raided Pankuel village, in Bahr al-Ghazal in April 1993. The villagers heard they were coming and fled to hide in the bush. But 23 women and men were caught and slaughtered.

Akot Piny Acuar is one of the villagers who escaped. This is his account of the massacre:

“The PDF tied them together two by two, back to back. Their arms were tied behind their backs at the elbows and their legs were tied at the ankles and the knee. Then they cut their throats.

“Chief Majok Majok heard that people were being killed and came out of the bush to try and stop it. They shot him in the head and then disembowelled him. They took cattle and goats. And young girls ... they take them for wives.”

This story of the massacre and abduction of defenceless civilians and the destruction and looting of their property has been repeated countless times in the war which has devastated Sudan.

There has been civil war in Sudan since 1956, apart from 11 years of peace in the 1970s and early 1980s. The current phase of fighting, between government forces and rebels based mainly in the south, began in 1983. Rebel forces now control much of the southern part of the country.

This is a vicious and ruthless war, in which more than one million civilians have died. It is a war that has created millions of refugees and forced more than five million people into dependency on humanitarian aid because their homes, land, crops and cattle have been deliberately destroyed. It is a war in which human rights have been trampled on, violated and abused by all sides.

Key to the government strategy has been the use of militia forces as adjuncts to the regular army. Since 1984 successive governments have formed militia forces from Arab ethnic groups in northern Sudan. These militia have been little more than an ill-

disciplined rabble, armed by the government and supporting themselves through looting.

Militia forces have violated human rights with impunity. They have brought new objectives to the conflict—destroying rival communities, gaining land and local influence, and capturing slave labourers and young women to serve as “wives” and concubines. Sudan’s military government has consolidated the main militia forces into the PDF, giving the militia even greater legitimacy.

When the military government came to power

in 1989, SPLA forces controlled most of the south. The rebels gained more territory in the next two years, until increasingly beleaguered government forces were confined to the three main towns—Juba, Wau and Malakal—and a handful of smaller garrisons.

Government forces have fought the war with appalling brutality. Extrajudicial executions are commonplace. Soldiers kill prisoners and defenceless civilians with impunity. There is little incentive to respect human rights—no member of the security forces is known to have been punished for violating them.

As well as thousands of killings and hundreds of “disappearances”, government forces have been responsible for widespread torture in the war zones. In March 1993, 32 men from SPLA- held areas were arrested after entering the government-controlled town of Aweil in search of food. Their ears and their testicles were cut off; 22 reportedly died.

In mid-1991 the Ethiopian Government collapsed and the SPLA lost its major arms supplier and the use of Ethiopia as a sanctuary. SPLA troops and hundreds of thousands of refugees living in Ethiopia fled into Upper Nile. Internal differences within the SPLA were accentuated by this crisis and in August 1991 SPLA commanders in Upper Nile split from the main body, SPLA-Mainstream, to form SPLA-Nasir, later becoming SPLA-United and, in September 1994, the South Sudan Independence Army (SSIA). Warfare between the two factions erupted almost immediately.

This political division within the rebels opened up the south to government forces, which have since made considerable military gains. In early 1992 government forces recaptured several southern towns. SPLA-Mainstream re-sponded by tightening its siege of Juba, the major city in the south, which it almost captured in mid-1992. In June and July 1992 SPLA forces twice succeeded in entering Juba but were repulsed. As the army regained control of the city they killed captured SPLA soldiers, civilians and suspected deserters from their own side. People were killed in cold blood during house-to-house searches and by soldiers who stopped them in the street. Hundreds of people were arrested and subsequently “disappeared”. Despite international protests, the government has yet to account for them and it is believed that most were killed.

One of those who “disappeared” after arrest in June 1992 was Alfred Yoran Modi. An announcer on government-controlled Radio Juba and a member of the Justice and Peace Committee of the Catholic Church in Juba, Alfred Yoran Modi had been arrested twice before. He had last been detained for 10 days in May 1992, after he had announced over the radio the impending beatification of a southern Sudanese nun who had been a slave.

The killings and “disappearances” in Juba have a special significance in human rights terms. Most human rights violations occur in inaccessible garrison towns or remote rural areas. In Juba they occurred in front of many eye-witnesses.

This gives an indication of probable military practice in places where there is even less chance that those responsible for human rights violations will be held to account.

Despite attempts at international mediation, the war continues. Defenceless civilians continue to be a prime target of war. There will be no future for human rights without peace in Sudan. But peace alone will not prevent human rights violations. There is peace, of a kind, in northern Sudan, but scant respect for human rights. Only when Sudan is governed by people committed to preventing human rights violations and protecting and upholding the rights of their citizens will human rights have a future.

Captions:

On the road to Juba, the largest town in the south. Thousands of southern Sudanese depend on their cattle for a living. Millions of animals have been looted by government and rebel forces alike. © Jean-Pierre Ribière  
A child's view of war © Peter Moszynski

Quote:

'After the bombing, troops entered the villages, killing hundreds of civilians. Young men were often executed on the spot ... women, children and the elderly, were trucked away... Many women were raped.'  
Defector from the security forces in Kordofan

BOX:

The roots of humanitarian disaster

There is a humanitarian disaster in Sudan. The abuse of human rights lies at its heart.

This disaster has been created by deliberate and ruthless assaults on civilians by all parties, the Sudan Government and each faction of the SPLA. Each has set out to gain military advantage by killing civilians, by driving them from their lands and by looting and destroying their property.

The infrastructure of the war zones has collapsed. Markets for grain and livestock, vital sources of food when crops fail from drought or flood, are shadows of their former extent.

War has reduced the capacity of people to survive. Health services have been all but destroyed. Villagers are exposed to epidemic diseases, which in some areas appear to have wiped out as much as 50 per cent of the population.

But it is often the gross abuse of human rights that has caused people finally to flee, reducing them to dependency on famine foods gathered in the wild and food relief provided, in the main, by the UN and non-governmental relief agencies.

In Upper Nile the rival factions of the SPLA have pillaged rural communities in their bitter war. Thousands have been killed; hundreds of thousands have fled.

Government forces have displaced hundreds of thousands of civilians. Over the past decade militia and soldiers have depopulated large parts of northern Bahr al-Ghazal. Much recent military action has been along the only railway line.

In the Nuba mountains a campaign of village destruction has killed thousands of defenceless civilians and put tens of thousands of others into government- controlled "peace villages".

The displaced have congregated in camps inside the war zones, where they have been bombed by the government, attacked by rival factions of the SPLA and become prey to SPLA demands for recruits and labour.

They have fled to northern Sudan to squat in Khartoum and other large cities, from where the government has forcibly deported them to ill- prepared camps beyond the city limits. Others have become refugees in neighbouring countries.

The international community has been left to pick up the pieces by providing emergency food and medical services. The UN estimated its 1994 emergency operation in Sudan cost \$US 200 million.

While vital relief aid feeds and sustains the victims, it cannot address the root causes of the humanitarian disaster in Sudan.

The international community should urgently invest in solving the human rights problems which have caused the disaster.

Caption:

Troops of the PDF militia display their weapons © Abbas/Magnum

BOX:

The search for safety

In 1986 the war came to the Uduk ethnic group of southern Blue Nile. In December the SPLA began operations in their area. The following year government forces and ethnic militia attacked. Approximately 25,000 Uduk fled to Ethiopia; many of those who did not flee were killed.

In December 1989 the Uduk refugee camp in Ethiopia was overrun by rebels fighting the Ethiopian Government. The Uduk fled back to Sudan. As they fled, they were gunned down by Ethiopian rebels, bombed by the Sudan airforce and shelled by

the army who suspected that SPLA soldiers were among them. Hundreds more died of starvation and disease during a 250-kilometre trek through Sudan to join hundreds of thousands of refugees in camps in Ethiopia's Gambella province. Their sanctuary was shortlived. Some six months later, the Uduk and 400,000 other refugees fled to Sudan as fighting escalated in Gambella province. The Uduk fled into SPLA territory where they were harassed by SPLA soldiers. Parties of Uduk and other Blue Nile refugees tried to leave and return home. In mid-1992 two groups set off; one group was ambushed by SPLA troops, the men were killed and the women and children abducted. This sparked another exodus; the Uduk trekked to Itang in Ethiopia. In July 1992 Itang was attacked by SPLA soldiers and members of the Nuer ethnic group. The Uduk fled again.

The surviving Uduk are now in a refugee camp in Gambella. In the past eight years they have trekked more than 1,000 kilometres, mostly on foot, in search of safety. During that time those who have survived have done so primarily because of relief aid.

Caption:

Uduk children © Peter Moszynski

## Page 6

A 'New Sudan' The SPLA calls for a "New Sudan" to be built. However, since it was formed in 1983 under the leadership of former army colonel John Garang de Mabior, the SPLA has ruthlessly and cynically abused human rights. Dissidents have been executed, imprisoned and tortured. The SPLA shares responsibility with the government for the destruction of rural communities.

Political grievances have led to splits within the SPLA. A major split in August 1991 created two rival factions of the SPLA, increasingly divided along ethnic lines. The Mainstream faction is dominated by Dinka; the United (initially Nasir) faction, led by Riek Machar Teny-Dhurgon, by Nuer.

The SPLA factions control most of rural southern Sudan and parts of the Nuba mountains. They are at war with each other as well as with the government. Both have been responsible for the gross abuse of human rights.

The area hardest hit by interfactional fighting has been the densely populated Duk ridge in Upper Nile. In late 1991 SPLA-Nasir forces raided Dinka villages and cattle camps controlled by SPLA- Mainstream on the southern end of the ridge. They moved from homestead to homestead, killing some 2,000 defenceless civilians and forcing 200,000 people to flee.

More factional fighting and serious human rights abuses followed the defection of the deputy commander of SPLA-Mainstream in September 1992 and the formation of the Unity Group. SPLA-Mainstream forces destroyed villages thought to be sympathetic to the new group in Equatoria. Many civilians were killed and tens of thousands displaced. In early 1993 the Unity group merged with SPLA-Nasir to form SPLA-United, later becoming the SSIA.

In 1992 SPLA-Nasir forces raided Dinka villages in Bahr al- Ghazal, killing scores of people. In 1992 and again in April and May 1993 SPLA-Mainstream troops murdered Nuer civilians in Upper Nile. Hundreds more defenceless people were killed and tens of thousands displaced. Pathai was among the many villages burned down; more than 100 people were massacred there.

The SPLA has dealt harshly with dissent within its ranks ever since it was formed. Prominent opponents of John Garang de Mabior's leadership have been detained and in some cases executed. Released former detainees describe brutal torture; prisoners have died as a result. Prison conditions have been harsh to the point of cruelty.

For less prominent individuals the situation has been even worse. The ethnic violence against civilians unleashed by the various splits has been mirrored by killings within the ranks of each faction as suspected opponents have been purged. There are reports of Nuer soldiers being executed by SPLA-Mainstream forces in Equatoria in 1991 and 1992. SPLA-Nasir forces reportedly killed defenceless Nuba labourers at Baliet in 1992.

Like the government, neither faction of the SPLA appears to hold many prisoners captured in combat. Some captives are given the choice of joining the ranks of their captors. Many others are murdered on the battlefield.

Neither faction of the SPLA has investigated fully and impartially reports of human rights abuses. Nor have they taken appropriate action to discipline human rights abusers within their own ranks.

Systems of justice, which are applied on the whim of local commanders, are rudimentary and fall far short of international standards of fairness. SPLA courts are neither independent nor impartial. There is little opportunity to appeal against sentences, including death sentences.

As a result few SPLA soldiers respect the judicial system, creating a climate in which human rights are abused with impunity.

Captions:(Above and below) SPLA soldiers © C. Steele Perkins/Magnum, ©Crispin Hughes/Panos

**BOX:****Eliminating opposition**

Martin Majier Gai Ayuel Yuot died in early 1993. The exact circumstances of his death remain a mystery, but he died in the custody of SPLA Mainstream.

When war broke out in 1983 Martin Majier Gai, a judge, was a leading Dinka politician in southern Sudan. He was also one of the founding members of the SPLA. However, he quickly became a dissident, questioning tactics and protesting at human rights abuses within the ranks of the SPLA.

Martin Majier Gai was immensely influential in southern Bor, the region he came from and an SPLA heartland. His popularity in that area meant that his disagreements over policy represented a threat to the SPLA leadership.

In 1985 he was arrested and accused of plotting to overthrow SPLA leader John Garang de Mabior.

He was held without charge or trial until September 1992 when he was freed but restricted to the town of Kaya. In early 1993 he was again arrested on suspicion of plotting against the leadership. He was killed shortly afterwards.

SPLA-Mainstream has claimed that he and others were shot while trying to escape. Other reports suggest he was summarily executed with other alleged plotters.

**QUOTE:**

‘I was flogged with a leather whip for a long time on my back. They tied my eyes so I could not see who was lashing me. They did not ask questions, they just lashed.’

Kerubino Kuanyin Bol, former SPLA detainee

**Page 7****‘National Salvation’**

Sudan’s military government has promised a revolution of “National Salvation”. It sees remodelling Sudanese society along Islamic lines as a central part of this. The introduction in 1991 of a penal code based on an interpretation of shari’a (Islamic) law is a core feature of the government’s program.

The penal code provides for punishments which are cruel, inhuman and degrading, such as flogging, amputation and stoning to death, and allows for prisoners to be mutilated or murdered in retribution for crimes.

Amnesty International takes no position on national legislation unless it involves provisions which condone or constitute human rights violations, as is the case in Sudan.

Since the military government came to power, thousands of people have been flogged. The penalty for brewing or drinking alcohol or wearing “indecent” clothing is 40 lashes, and prostitution is punishable by 100 lashes. Hundreds of women have been flogged under the government’s penal code introduced in 1991. The victims have also included men suspected of opposing the government.

In September 1992 Mohamed Mahjoub, a prominent western Sudanese lawyer in al-Fasher, in western Sudan, who had defended political prisoners, received 99 lashes after being arrested at a party in his home and convicted of drinking alcohol, gambling and consorting with prostitutes. There was apparently no evidence of his guilt.

Sentences of amputation have also been carried out, in most cases for theft.

A number of offences are punishable by death, including waging war against the state, apostasy, murder and rape outside marriage. The government has used the death penalty to punish its political opponents. In April 1990, 28 army officers were executed after being convicted of plotting against the government in a trial at which they had no lawyers.

Death sentences have been passed on people accused of embezzlement, currency smuggling, drug-trafficking and other criminal offences.

In 1991 at least 14 people convicted of criminal offences were hanged. One, Ibrahim Dubara Mongho, was crucified after being hanged; he had been convicted of killing 20 people and stealing camels, horses and cattle in a raid on a village.

Recently many prisoners sentenced to death for political offences have had their sentences commuted. However, the courts continue to hand down death sentences and executions still take place in Sudan.

The penal code has exacerbated the division between north and south. Many Sudanese view the existence of an Islamic penal code as deeply contentious. These include not only non-Muslims, mainly southerners, who make up approximately one third of the population, but also many Muslim northern Sudanese.

The provisions within the penal code based on Islamic law do not yet apply in southern Sudan. However, many non-Muslim southerners resident or displaced in northern Sudan feel culturally discriminated against by the existence of a penal code derived from Islam.

**CAPTION:**

Woman and children in a squatter camp. Khartoum and other northern cities are host to more than one million Sudanese displaced by war or famine. Since 1990 the government has been bulldozing the camps and relocating people far from the capital. Several people have been killed in the process. ©M. Stucci/Journeyman

Execution chamber in Kober prison, Khartoum. Hanging is the usual method of execution after conviction in the civilian courts. © Mark Stucci/Journeyman

QUOTE:

‘A National Salvation Revolution has taken place to rescue Sudan’s image ... and its reputation of being linked with poverty, starvation, displacement, expatriation, humiliation and beggary.’

Omar Hassan Ahmad al-Bashir, President of Sudan, June 1990

BOX:

Street children

Thousands of vagrant children are living on the streets of Khartoum. Since 1992 they have been the target of an official campaign to round them up and take them to special camps and schools.

The government defends its campaign as a measure to protect the children from risks such as “addiction, pornography, prostitution, and the sale of organs”.

Critics argue that the policy has more to do with cleaning up Sudan’s image than the welfare of its street children.

Whatever the intentions behind the policy, Amnesty International is concerned that children are being detained and incarcerated without any judicial supervision, and sometimes without any evidence that they are vagrants. Many southern Sudanese living in Khartoum now escort their children in public places in case they lose them to the authorities.

Children have been beaten by police officers rounding them up, and children who attempt to escape from the special schools are reportedly flogged and placed in leg-irons.

Nineteen boys, aged between three and 11, were rounded up in Kalakala, a Khartoum suburb, in April 1993. They were taken to a police station, accused of being thieves and beaten. They were then taken to a special camp in Soba, where children are interviewed before being allocated to special camps or schools. One child managed to escape. The others were then beaten.

Four boys who tried to escape from a camp in June 1993 reported that after they were caught each was flogged.

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The seeds of the future

Over the past five years the international community has repeatedly expressed its condemnation of the gross abuse of human rights by the Sudan Government and both factions of the SPLA. The UN Commission on Human Rights and the UN General Assembly have passed resolutions. Special Rapporteurs and Special Envoys have been appointed. UN human rights theme mechanisms and the Committee of Experts of the International Labour Organisation (ILO) have issued comments.

Non-governmental organizations working in the field of human rights have produced numerous reports. The Sudan Government has become increasingly diplomatically isolated.

The government is not insensitive to international pressure on human rights issues. In northern Sudan, the government’s need to build popular support has combined with international criticism of human rights violations to cause it to introduce measures designed to disguise the extent of repression.

Some of these measures have had an impact. Most detainees are not held for more than a few months now, although they may be rearrested shortly after release. Daily reporting to security offices immobilizes suspected political opponents without resorting to formal detention. There have been periodic amnesties for political detainees and prisoners convicted of political offences. Perhaps the most important long-term measure is the creation of a compliant judiciary to implement legislation which ensures government control over all civil institutions.

While the world community, both governmental and non-governmental, has strongly condemned the human rights records of the Sudan Government and both factions of the SPLA, this pressure appears to have reached an invisible diplomatic ceiling. The notion that the international community is doing all it can to exert pressure to respect human rights on the Sudan Government and the SPLA does not stand up to close examination.

The appointment of a Special Rapporteur on human rights in Sudan by the UN in 1993 was an important step. However, neither his work and recommendations, nor the work of UN human rights theme mechanisms, have been adequately backed up by resolutions passed by the UN and other international bodies.

The government’s strategy to deal with pressure on human rights issues from the international community has apparently three elements: first, the government is attempting to portray criticism of human rights violations as anti-Islam; second, it is lobbying Arab and Muslim states and non-governmental organizations to establish international support; third, it has created a series of official structures to develop and communicate its message about human rights.



The human rights violations taking place in Sudan are violations by any definition. There is nothing Islamic about torture or extrajudicial execution. The human rights structures created by the government have done little to address real human rights problems. However, initiatives by Sudanese networks and bodies to monitor human rights are vital if a human rights culture is ever to develop in Sudan. The international community has an essential role in assisting Sudanese seeking to engage in genuine human rights work.

Ending the war is vital for the creation of a secure future for the respect of human rights in all parts of the country. A cessation in hostilities, especially through an agreement containing human rights guarantees and agreed mechanisms for the protection of human rights, might reduce the frequency of some of the most serious human rights abuses.

However, the issue of human rights in Sudan extends well beyond the issue of the war. The government is responsible for the serious violations of human rights for reasons unconnected with the war in areas less affected by it. For Sudan to have a real future, respect for human rights has to be established in all parts of the country.

**CAPTION:**

Two farmers use oxen to plough and sow a field. © Jean–Pierre Ribière

**QUOTE:**

‘Beware of the tears of orphans and the prayers of those who are victimized.’

Lt-Col Mustapha Ahmad Hassan al-Tai, on trial in Khartoum, January 1994

**BOX:**

**I. Recommendations to the government and both factions of the SPLA**

1. Cooperate with the international community in promoting the deployment in all parts of Sudan of an international civilian monitoring body charged with monitoring human rights abuses
2. Place human rights issues at the centre of any peace or cease-fire agreement
3. Order prompt and impartial investigations into all reported human rights violations
4. Bring to justice all soldiers and officials responsible for human rights violations
5. Take action to prevent extrajudicial executions and deliberate and arbitrary killings and to stop torture and ill-treatment
6. End arbitrary detention

**II. Recommendations to the government**

1. Release all prisoners of conscience
2. Ensure fair trials
3. Compensate the victims
4. End the ill-treatment of street-children
5. Take immediate steps to reunite with their families women and children abducted from northern Bahr al-Ghazal and the Nuba mountains
6. Abolish cruel, inhuman or degrading punishments in law

**III. Recommendations to the international community**

1. Deploy monitors
2. Provide the UN Special Rapporteur on human rights in Sudan with all the support necessary for him to discharge his mandate.