

Human Rights and Democratic Change in Sudan

Centre for Human Rights Law, SOAS, 24 January 2019, Summary of proceedings

I. Introduction

The roundtable, which was complemented by a public talk by Dr. Suliman Baldo,¹ was convened against the background of the most sustained popular protests that Sudan has witnessed since the current regime came to power almost 30 years ago. It brought together human rights activists, scholars, researchers and policy makers who analysed the causes, nature and implications of the protests, with a view to identifying priorities for current political engagement and any future transition in Sudan. It also offered an opportunity to identify major human rights concerns, and to consider what approaches are best suited to ensure effective protection and result in accountability and justice for violations committed.

II. The protests: Causes, nature and implications

Three Sudanese participants who have been, and are closely involved in the movement for democratic change presented their perspectives on the uprising in Sudan. According to the first presenter, it is important to address misconceptions and understand what is new about the present wave of protests. The protests are the outcome of years of careful organisation and planning by the Sudanese youth movement, which drew lessons from the level of repression experienced in 2013, when around 270 people were killed in the streets of Khartoum alone. The movement brings together young people who are driven by a combination of a lack of freedom and opportunity, and the visible decay of the country as a result of institutionalised corruption. It has a number of notable features, such as its cultural and generational dimension. This includes the movement Agmar Al Dawahi resulting from the premature death of the gifted musician and performer Mahmoud Abdel Aziz, which called upon its members to join the protests. Women have played a leading role, building on long-standing resistance, such as by No to Women Oppression, against daily harassment and humiliation, particularly at the hands of the Public Order Police. Women's groups have organised and joined protests, and used crowd funding to finance and support emergency rooms. Protests spread across the country, and the security response of detaining the usual suspects, i.e. members of the main political parties, showed that the government had failed to anticipate, and understand the dynamics of, the protests. The protests cross seemingly established lines of political affiliation, with over 25% of those initially detained being the sons and daughters of those at the heart of power. The youth movement was joined by the professional associations who have moved from initially focusing on their members to endorsing broader political agendas calling for fundamental change. The political parties,

¹ *Opposing a bankrupt regime: Civil society protests and the movement for democratic change in Sudan*, SOAS, University of London, 25 January 2019. See also Suliman Baldo and Lutz Oette, 'Sudan: A genuine, peaceful people's revolution in the making' *African Arguments* (12 February 2019), <https://africanarguments.org/2019/02/12/sudan-revolution-genuine-peaceful-peoples/>

including the Sudan call and National Consensus Forces, were the last ones to join, which reflects their marginalised role in the current political dynamics. The government's main response has been security-driven, using arrests, detentions, force, and threats, rather than engaging politically. However, these threats have not succeeded in stopping protests; on the contrary, they have actually engendered further mobilisation.

A number of actors have worked for some years on developing an institutional reform agenda. This has included work on law reform and the economy by the Sudan Democracy First Group, on the political and local government agenda by the Al Ayam Centre, the constitutional writing series at Afhad University, and the issuance of a road map by a group of experts convened by the SPLM-N. The efforts are still scattered, and there is a lack of a coherent programme but initiatives to date provide the foundation for an emergency transitional programme and agenda for reform.

The second presenter focused on the causes of the protests and the role of the Sudanese Professional Association (SPA). The mismanagement and failure of the public sector has led to a total collapse of the service system, which has been a major factor explaining the protests. This has directly affected professionals who have been unable to perform their duties. Doctors, for example, have not been able to save lives due to the shortage of life saving drugs. Professional associations formed in 2012 had until recently focused on living wages. The minimum wage in Sudan is currently less than \$10 (425 pounds) a month, which covers only 0.6% of living expenses, with a demand to raise it to 8,000 Sudanese pounds. A protest on this issue was initially planned for 25 December 2018. Following the eruption of the Atbara protests against the removal of bread subsidies on 19 December, the SPA increasingly focused on political demands for change. The SPA has credibility among the people as its discourse has comprised livelihoods, rather than just democracy and rights discourse. The SPA has signed, together with political opposition groups, the Declaration of Freedom and Change.

The third presenter emphasised that this revolution is different from the 1964 and 1985 uprisings, as it is not centred on Khartoum, the middle classes and political parties. Instead, it started in Al Damazin and Al Fasher, which is significant, and now includes football players, singers, Sufi groups and religious clerks, united not by a leader but by a common cause. This was reflected in the slogans in Khartoum that "We are all Darfur". The protests are growing, and are very organised. The days of the old regime are numbered and it is now a case of ensuring that any transitional government is inclusive.

Discussions that followed revolved around key actors and factors within Sudan, comparisons with the Arab spring, and the role of external policymakers. Several participants emphasised the position of the army and security apparatus as crucial component. There is a lot of focus on the role of the army, which, while important, was not perceived to be the most powerful actors in the security complex. Shadow militias and the National Intelligence and Security Services (NISS) are the most violent in the crackdown. There are also Student militias, which originated as student brigades in the 1990s. There is no sign yet of a shift but some individuals close to the regime, such as Hemeti, have publicly denounced corruption and

oppression. President al-Bashir has also lost the Islamist constituency, as his regime is widely perceived to be serving only its own interests, i.e. money and corruption. The social base of the Islamist movement is weakened, and different constituencies within that movement – professors, intellectuals, army officers and students – have objected to corruption and called for reforms, including by submitting a “Memorandum of the 1,000 brothers”.

Participants considered comparisons to the ‘Arab spring’ unhelpful; though there are some broader parallels, it is important to understand the particular dynamics at play in Sudan. Invoking the ‘Arab Spring’ might help the Sudanese government to portray itself as a stable force in the region, warning of the risk of further escalation and outbreak of armed conflict, although given its record any such argument is seen as having lost much of its salience. However, there is an urgent need to engage with policymakers in the UK, EU, US and elsewhere. These policymakers have increasingly engaged with Sudan to further their own interests, particularly in the field of counter-terrorism and migration control. The underlying assumption seems to have been that the government of Sudan can serve as a reliable partner in these fields, and provides a measure of stability in the region. Policymakers still seem to harbour misconceptions regarding the nature and dynamics of the current protests, seeing it as a chaotic outbreak of anger rather than an organised, democratic movement. Any strategic dialogue, such as pursued by the UK, which confines itself to putting out statements and raising concerns about Sudan’s response to protests is clearly inadequate. Instead, it is time to support, and engage directly with, the Sudanese people. It is important to consider scenarios of what is likely to happen, particularly concerning President al-Bashir who is still subject to an arrest warrant by the International Criminal Court, and what role international actors, including intermediaries such as the Mbeki panel, might be able to play.

III. Human rights violations and protection

The response of the Government to the protests has according to numerous reports and media footage been characterised by widespread arrests, detention, the excessive use of force, torture and extrajudicial killings committed by security agents. A major civil society effort is underway to document, and map, ongoing violations. Multiple actors monitor and document violations, including corroborating and uploading information through WhatsApp and online. A group of volunteers is sharing information regarding detainees and injured people, with monitors in Eastern Sudan, Darfur, and West Kordofan. Volunteers document violations and compile a database that will resemble some elements of the Syria archive. The website www.sudanprotests.org has a Sudan Archives Crisis Map and resources, including links to videos depicting violations. An ‘Emergency Room’ bulletin is issued daily, coordinating the efforts of seven different groups to highlight arrests and other incidents. Smart phones are increasingly used to identify plain-clothes perpetrators. This has been effective, as they have been named and shamed, which has acted as a deterrent. Some women engaged or married to NISS men have separated from their partners and publicly disassociated themselves from their conduct. The police came out, stating that they are not responsible for shooting people.

International actors have issued statements but overall response has been rather limited. Sudan Democracy First Group, for example, has called for an independent international

inquiry commission. Participants agreed that, irrespective of whether crimes committed in Sudan have already reached the threshold for crimes against humanity, it is important for the United Nations and African Union human rights bodies to establish a fact finding mission and make full use of preventive mechanisms at their disposal. In case of a transition, it will be vital to develop mechanisms and processes that provide for truth, justice and reparation, in relation to both current violations, and the broader legacy of crimes and abuses.