

Sudanese Police...Continued extrajudicial killings

Report

On the night of July 2nd, 2018, the Public Order Police killed a young Sudanese man called Samer Abdulrahman al - Jaali after one of the police patrols targeted his car. The incident caused social uproar and became a matter of public opinion against the excessive use of force by the police, which killed dozens of innocent people.

The Sudanese police rushed to tarnish the victim's reputation and claimed he has precedents with the Public Order Police. For its part, the victim's family rejected the police statements and challenged the police to show evidence that confirms their son's involvement in criminal records and providing the case numbers of such records. The family affirmed that their son was not convicted or sentenced to prison, and that the police statement was deceptive, vague with malicious hints intended to distort his image. The family described the police statements as a "fabricated plot", adding that if it was true the police would still not have the right to execute the victim in such a manner.

The Murders Continue

The abuses and excessive use of force by the Sudanese police have become a widespread and bleak issue. Rights are violated and many lives are lost at the hands of the authority entitled to the contrasting duty. Mohamed Hassan Hamdana Allah, a former officer in the Sudanese police, gives several reasons for these abuses, most importantly lack of compliance with the use of force and firearm weapons in the work of the police, derived from the Code of Criminal Procedures. In



addition, he cites weak training of individuals saying "you usually find officers and soldiers who only used weapons during the training period." He sees that procedural immunities granted to regular forces is the reason for the offenses on citizens and impunity. Adding; if the immunities are abolished, the forces will not dare infringe on any citizen. He says "weaponry must be restricted to special teams with high training to use the weapon when it is necessary."

The family of the victim noted that the Criminal and Police law proceedings do not permit the use of lethal force against an accused, unless he makes use of lethal force towards the policeman. The family confirmed that they would go all the way with legal procedures available in Sudan, and they would also resort to international courts.

Political parties and Sudanese human rights organizations condemned the killing of Samer and considered it a continuation of the police approach to excessive violence against citizens. The Sudanese Congress Party stated in a statement that the police behavior was

criminal and contemptuous of the right to life, which is inconsistent with the functions and duties of the police.

Systematic Killing

The killing of Samer is not the first incident recorded in the list of excessive use of force by the police. Before him, Awadiya Ajabna and others were killed in police custody or directly. In the case of Ajabna, she was killed inside her home. The lawyer Mohammed Yousif Police thinks the excessive use of force towards citizens is due to weak training and arming Individuals with weapons that do not fit their tasks, as well as encouragement by the state to use violence.

Yousif believes that absolute immunities and the lack of deterrent laws encouraged police to overdo their use of force, from shooting, murder, inspection and arrest as well as police protection of their members in a non-professional and tribal manner. He also pointed out that multiple types of police forces in the communities and society at large lack discipline and qualification. Additionally, the Public Order Police is not authorized to carry weapons even though they are usually implicated in most of the killings.

The Sudanese parliament passed a temporary decree to the Police Act amendment in April 2017 giving additional powers to the police. It gave executive and administrative power to the Police Director instead of the Minister of Interior, especially with regard to referral lawsuits for special courts and the lifting of immunities. This encouraged the police to use excessive force, including murder, for their conviction that they are not legally accountable and that they are not paying any price for their actions.



Sudan: political failure and economic collapse

Sudan is experiencing a multidimensional political crisis; political, economical, social and corruption. The crisis is exacerbated by more complexities that may bring in external interference and development of policies axes, and foreign alliances. The current crisis will provide a convenient cover for foreign entities to interfere in Sudanese affairs, especially those with interests in Sudan, due to the importance of the Sudanese position in Africa. The country has become a political playground for the regional and international axis with issues (such as terrorism, unregulated migration, renaissance dam and money laundering).

Corruption:

The features of this crisis are reflected in the rule of the individual and the use of power to perpetuate this provision. Alongside this, there are challenges of social division, escalated economic severity, political, and economic crises and Sudan's culture is rife with tribalism, regionalism at the expense of a national culture and citizenship. What amplifies this are indications of increased

crime rates and theft for money, as well as growing bloody tribal confrontations (such as the tribal conflict in Gedaref). These indicators point to a high degree of danger that threatens the social peace in the country, which already suffers from accumulations that deepened with time, and were not addressed by national systems to get rid of them. Some have deepened with the Salvation (Inqaz) government, for their continued failure in economic and social advancement.

Realistically Sudanese society is divided into two categories: a minority are wealthy and living in an atmosphere of luxury and corruption, besides an overwhelming majority of poor and destitute people who suffer the harshness of life under the abandonment of the state of its role. What further deepens this social scene is the semi-total absence of the middle class, which forms the safety valve of the society and a lever for advancement of the state, economically and socially. All these factors make social conditions volatile and can explode at any time. The other challenge

is the spread of financial and administrative corruption and systematic looting of the resources of Sudan. Fighting corruption (or fat cats as it has been called) has become one of the conflict resolution tools inside the ruling party. On Monday, July 30, the President Omar al-Bashir issued a directive to all agencies working on anti-corruption issues, to maintain complete confidentiality during their investigations of the accused. The president divided corruption into three levels; the first is for corruption involving junior staff receiving bribes, the second is senior officials receiving commissions from contracts, the third is the most dangerous, and is the corruption of the Security and justice apparatuses.

Opposition:

The opposition is the weakest link in the face of a despotic regime supported by the state and its army and militias. The opposition faces special challenges, such as crack downs on them and suppressing them and facing propaganda campaigns. Alongside such issues they face financial deficit, which is why

some of its public activities were abandoned in the absence of funding and restrictions by the security forces. Another issue that the opposition suffers from is its weak policy analysis due to lack of access to accurate information about the political and economic situation of the regime, which resulted in a political discourse far from scientific basis and accuracy in many instances.

Talking about the Sudanese opposition requires knowledge about its components and political discourse. There is the National Consensus Forces and its position is to overthrow the regime, then there is Sudan Call which is seeking dialogue through the African road map. Crises and tensions pursue the Sudan Call and its president Sadiq al-Mahdi, who was prevented from entering Egypt last month. The eruption of disputes broke out after an interview with al-Mahdi about the International Criminal Court. Social media websites carried strong statements against the statements of the Mahdi from the armed movements who are in alliance with the Sudan Appeal. Generally, in the next few days, will see African mediation visits to Khartoum, and talks about unifying the opposition will resume. Sharp polarizations are expected, as it happened when Haq Movement was to return to the Sudan Appeal and Transitional Council, a splinter group of Abdel Wahed's. Alongside the National Consensus Forces and Sudan Call, there is SPLM-N led by Abdulaziz al-Helu and the Sudan Liberation Movement leadership Abdel Wahid and the National Front Led by Mr. Ali Mahmoud Hassanein. Perhaps they began to form a different body far away from the Sudan Appeal, or will join National Consensus Forces. Another important point in our analysis of the current situation requires consideration of the Security Council resolution 2429 issues last June, which emphasized the importance of the principles for the peaceful settlement of disputes and preservation of peace.

Scenarios

The first and most likely scenario is the Sudan Appeal's engagement in dialogue with the government under the umbrella of the road map and opening the Doha agreement for the Darfur movements to urge those political forces to run for elections in 2020. Assumptions are that the ruling party will support Bashir as their candidate for



the Presidency of the Republic, besides his support by the military and Rapid Support Forces. The opposition betting on winning the battle of lections will face a major challenge, as the regime is addicted to forgery and twisted methods for everything. Elections need freedoms, fair media and electoral engineering, an independent civil service and a neutral police force. The conditions are absent today. The issue of the election itself will create disputes within the opposition in dialogue with the government (Appeal Sudan), while the international community would support the mediation of Khartoum concerning the peace of the state of South Sudan. The regime will use that momentum to its advantage, and benefit from the oil export revenue to obtain economic resources and absorb the wave of discontent and high prices. The Criminal Court case against Bashir will be employed by the West to achieve its interests rather than justice for the victims. Practically, America has gotten what it wanted from the regime, and so did the European Union which has allocated technical and logistical support to fight human trafficking. There is also a lesser known of cooperation file on terrorism, beside the participation of Sudan in the Decisive Storm war operation. The second scenario is the popular uprising, whereas all the factors of its success are happening: political failure, economic collapse, challenges of the agricultural season, and the hardship of living. However, it will be difficult to achieve due to the international community not interested in change because of cards it uses to achieve its interests. The other thing is the failure to establish a

united opposition, frustration, despair and disappointment among the people from their political leaders. The inability of the opposition to make change has pushed a lot of experts, thinkers and young people to refrain from public work. The other thing is violence and repression practiced by the regime which forces the opposition to invent alternative methods to protesting to avoid live bullets used by the regime as in September 2013. Another factor that helped the success of the 1964 and 1985 revolutions was the student and professional unions that enjoyed political impact and influence to mobilize people in the revolutions. When the current regime took power it was quick to dissolve student and trade unions, and replaced then by organizations and government unions. This systemic dismantling denied opponents of the ruling regime of the most important action tools.

Conclusion:

Developments in the regional environment attract many actors who find that these developments bear real opportunities for consolidation of their interests. These seek to search for areas within the region. The coming period is one in which the prospects for military action are reduced between government and armed movements, while due to multiple reasons the opportunities for political settlement are increasing. It seems that in the remainder of the year each party of the conflict will try to secure the greatest political gains in the context of negotiating a settlement.

Saudi Arabia hands over rights activist Wad Galiba to the Sudanese Security Apparatus

Under the alias of Mohammed Ahmed Wad Galiba, the blogger Hisham Ali published news and sensitive information of investigations into corrupt officials in the state and files on human trafficking. He also led a fierce campaign on the social networking site (Facebook) to reveal violations by the Security agencies and expose the workers with documents, photos, names and attributions. The campaign was called Find the Thug (Arsud Ribati). On 18 November 2017, he was arrested by the Saudi security authorities at the request of the Sudanese security, and he was detained for seven months in a prison in Jeddah in Saudi Arabia (in Dhahban) until he was handed over to the government of Sudan on May 29, 2018 with complete disregard for international law and appeals and warnings launched by Sudanese activists and local, regional and international organizations to not hand him over to the Khartoum government, for fear of his killing or torture by the security apparatus.

Activist Hisham was taken at midnight on Monday to Khartoum with two senior officers from the Sudanese security, on board a Tarco flight. He arrived in Khartoum airport on Tuesday morning 29 May 2018, and was taken directly to the headquarters of the Security Services and detained without disclosure of his whereabouts and the circumstances of his detention. Hisham was denied access to the outside world or legal aid and family visits as well as medical help were denied for the two months of his detention.

Who is Wad Galiba?

His brother Hani says: his full name is Hisham Ali Mohammed Ali and his alias is Wad Galiba. He was born in Omdurman

and educated at Wad Nobawi School then Ahlia intermediate and secondary schools. He studied in higher institutes and obtained certificates, then worked in commercial and administrative fields. He started a business within and outside Sudan and as of recently began providing administrative and financial consulting to projects and companies. He added that Hisham was never a member of a political party, but was always interested in public affairs and attended party forums.

Altijani Hassan, one of the defense lawyers hired by the family of the detained activist told SUNN that the State Security Prosecution charged him under Article (57) for entering and photographing military areas, Article (53) espionage, Article (51) inciting war

against the state, Article (50) undermining the constitutional order of the Criminal Code of the Sudan for the year 1991 and Articles (15) and (17) of the Cybercrimes Act of 2007. He said they had applied to the State Security Prosecution to interview their client after being transferred to the prosecution but their request was refused on the grounds of incomplete investigation. After two months Hisham was allowed as visit by his uncle who found him wearing a loose jalabiya and it is not known whether he was tortured or not. Hani described the charges against Hisham as baseless and fabricated. Until writing this report Hisham is still detained without being brought to trial or being released.



Sheikh Matar: Continuous Targeting

Arrests continued in the Darfur region in particular in the displaced people camps, where the national leader Sheikh Matar Younis was arrested in April of the current year and deported from the city of Zalingei in central Darfur to Khartoum. The blind Sheikh who suffers from many health problems was not allowed to venture outside during the period of his detention, and his family and lawyer were not allowed to meet him. Darfur's lawyers organization strongly condemned the arrest of Sheikh Matar in an anti-extradition memo submitted to the National Commission for Human Rights in which they affirmed that Sheikh Matar Younis did not commit any act of criminal offenses and requested his immediate and unconditional release.

On June 24, 2018, the Prosecution under the direction of the security apparatus transferred Sheikh Matar Younis to the Khartoum north court and pressed charges

under Article (50) undermining the system, and Article (51) provoking a war against the state and Article (53) espionage against the country, all from the Sudanese Criminal Law of 1991. However, the Public Prosecution withdrew the complaint from the court without explaining the reasons. The lawyer and human rights activist Shawki Yacoub Adam, who is a member of the defense team, told SUNN that the defense team did not find an explanation for the request by the State Security Prosecution to return the complaint after its transfer to the court. Noting that it's likely to be insufficient evidence or need for further investigation, or may have been that the file was withdrawn at the request of the Attorney General or Minister of Justice. He adds "it seldom happens". Mr. Abdel Basit Al Haj, another member of the defense team said "law is used to settle accounts and intimidate citizens and terrorize them and practice the worst violations against them



with arbitrariness in the conduct of criminal proceedings". He added that the security apparatus did not allow anyone to visit Sheikh Matar Younis throughout his detention and this is contrary to his rights under the law. On June 27th Sheikh Matar was released and was not informed of the reasons for the release, as he had not known the reasons for his arrest. It should be noted that Sheikh Matar is an imam and preacher at a mosque, where he proclaims to his congregation that the militarizing of the people in Darfur is contrary to the goals of peace which the government claims to support.

Al Jazeera Newspaper: Systematic Targeting

The independent newspaper Al Jazeera remained a regularly harassed target by the security apparatus, including the seizure of copies; halting distribution, suspension, tribal censorship, and prevention of the writers from publishing their articles. Twenty issues were confiscated from the newspaper in less than two months without informing the newspaper of the reasons.

The editorial unit of the newspaper said to (SUNN) that the security apparatus involves itself directly and indirectly in what newspapers publish by specifying topics that journalists are banned from publishing, or as it is called by the journalists "red lines". These topics include critical subjects such as government policies, the president or livelihood crisis, or the scarcity of fuel and coverage of protests. The apparatus sends a security sergeant to the headquarters of the newspaper and they usually ask them to make do with official statements issued by the government.

The Sudanese security services resorts to confiscation of Al Jazeera newspaper after printing as a punitive method to inflict financial and moral losses until the newspaper adjusts the editorial line. Journalists in Al-Jazeera receive threats of being banned from writing, and withdrawing of the license granted to the newspaper and prevent them from receiving government announcements, as well as frequent security summons for interrogation and travel bans. Journalist Ashraf Abdel Aziz, editor-in-chief of Al Jazeera, says to SUNN "I was at the airport with three other editors-in-chief finishing our travel arrangements when we were informed that we are banned from travelling and were asked to check back with the National Intelligence and Security apparatus".

Faisal al-Baqir, the general coordinator of Jahr Network told SUNN that the security apparatus told printers to not print unless newspapers were revised by its own officers after this was discontinued for five years.



This is due to the inability of the security apparatus to control the concealment of news of corruption and the economic crisis. The security measures were considered an attempt to withhold information on public opinion as a prelude to imposing the Emergency status. He considers the absence of freedom of expression as a reason for the decline in the distribution of newspapers, indicating that digital journalism and social media provided citizens with access to information quickly and without any censorship.

Darfur Students: Vengeful Trials

On September 13th 2017 security forces arrested nine students from Darfur studying at different universities. The students had given a peaceful speech at a central transportation station in Bahri, protesting the killing of two Darfuri students in the dorms of the Islamic University in Omdurman. They were detained for six months by the security apparatus and then transferred to the state Security Prosecution until they are brought to trial.

The head of the defense team of the nine students, lawyer Abdo Ishaq, said that after detention for six months they were transferred to the Prosecutor's office where they were investigated and charged with six counts of the criminal code of 1991 articles: article (50) undermining the constitutional

order, article (63) inciting the opposition of power by force, article (64) inciting intolerance among sects, article (65) crime and terrorism organizations, article (69) Violation of public safety and article (77) public inconvenience. The students were released under normal bail terms on January 2nd but they were re-arrested a week later. The case file was then transferred to the court which ordered the release of the defendants with bail. The lawyer indicated the absence of the prosecutor (Security Service) in the first session and absence of both the prosecutor and investigator in the second session.

The lawyer finds that the case directed against the accused is malicious and is intended to intimidate. The former president of the Association of Darfuri Students at the

University of Khartoum Othman AlNajimi, says that retaliatory cases against Darfuri students is not new, and regrets that they occur over long periods and will not stop soon. He added that what the security authorities are doing is muting the voices of Darfuri students about rights and political issues, which they utilize to intimidate, oppress and humiliate. He pointed out that violations were not limited to trials only, but reached the limit of assassinations of many of them. He described the arbitrary trials as systematic and will not stop, and they are intended for humiliation and exclusion.



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