



**Rights for Peace**  
Preventing Mass Atrocities with Human Rights

# Can we prevent the spread of renewed atrocities?

**Addressing Structural Discrimination in Sudan**

**May 2022**



Rights for Peace is a non-profit that seeks to prevent mass atrocity crimes in fragile States by collaborating with local organisations. We undertake training, research and advocacy, addressing the drivers of violence, particularly hate-based ideology.

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**Rights for Peace**

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Cover image:

Recent violence in Darfur is reminiscent of atrocities past:  
Internally displaced person inspects burned home, Darfur 2014.

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## I. SUDAN IN CRISIS

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Sudan is experiencing a crisis on several interconnected fronts. On 25 October 2021, a military coup led by General Abdel Fattah al-Burhan hijacked the transition to democracy that had begun after the overthrow of former President Omar Al-Bashir.

The hard-won civil protest movement that resulted in the overthrow of Al-Bashir in April 2019 faced brutal repression at that time. At a tenacious sit-in on 3 June 2019, security forces cracked down on protesters in a massacre, killing over 120 protesters and injuring, torturing, and raping scores more.<sup>1</sup>

Despite the violence, the revolution successfully brought in a 39-month transitional process towards democracy, including the establishing of democratic institutions. A Constitutional Declaration was formally signed in August 2019 by the Transitional Military Council and the pro-democracy alliance, the Forces for Freedom and Change. The Juba Peace Agreement was signed in October 2020, which attempted to finally bring peace to the ‘conflict regions’. However, the military coup on 25 October 2021 has set back progress on both fronts, bringing back former political repression, and apparently increased targeted violence in Darfur.

The examples outlined in the following sections do not represent an exhaustive list of incidents.

### i. Repression of the pro-democracy movement

The restoration of the old regime has reignited the spirit of defiance and civil protest in Sudan, uniting a strong pro-democracy movement known as **“the street”** across the country in the face of ever more violent crackdowns.<sup>2</sup> As is set out further in Section III, because of their lead role in the revolution and subsequently, women human rights defenders (WHRDs) are subjected to multiple intersecting violations including sexual violence, harassment, and rape.<sup>3</sup> These abuses are allegedly committed by military structures such as the Rapid Support Forces (RSF), headed by General Mohamed Hamdan Dagalo, widely known as Hemeti.

Hemeti is the notorious former military leader of the Janjaweed, a militia accused of genocide and myriad atrocities spanning decades.<sup>4</sup> The Janjaweed, drawn from ethnic ‘Arab’ communities in Darfur, had been called upon by the Khartoum government to suppress a

rebel uprising in Darfur in 2003. They were famed for terrorising ‘black’ ethnic communities in Darfur<sup>5</sup> such as the Fur, the Masalit and the Zaghawa with a “**scorched earth**” policy, killing, raping and torching entire villages.<sup>6</sup> Hemeti later took command of the RSF, formalised in 2013 and drawn from former Janjaweed militias - demonstrating the interconnected and racist nature of repression in Sudan.<sup>7</sup>

The Central Reserve Police (CRP) have also been connected to ongoing violations against the pro-democracy movement since the October 2021 coup. The CRP, a militarised police unit which is de-facto under the control of the Sudanese General Intelligence Service (GIS),<sup>8</sup> have been involved in several joint operations against pro-democracy demonstrations together with the RSF and Sudan Armed Forces which have resulted in at least 96 deaths<sup>9,10</sup> through the use of “excessive force, including lethal force, against demonstrators”.<sup>11</sup>

The following incidents are merely a small selection of examples of the violence waged against the movement:

- **13 November 2021, Khartoum:** 5 protesters killed, and dozens injured when Sudanese security forces used teargas and live bullets against protesters.<sup>12</sup>
- **17 November 2021:** 16 pro-democracy protesters killed by security forces.<sup>13</sup>
- **19 December 2021, Khartoum:** 13 instances of rape and gang rape of pro-democracy protestors by security forces were received by the UN<sup>14</sup> but numbers were reportedly closer to 70.<sup>15</sup>
- Between **25 October 2021 - 3 March 2022** more than 1000 people were arrested for opposing the coup, including at least 144 women and 148 children.<sup>16</sup> Many of those arrested and detained were subjected to ill-treatment.<sup>17</sup> The real numbers are likely to be much higher.<sup>18</sup>
- **14 March 2022, Khartoum:** alleged gang rape of a teenage girl by security forces who stopped a minibus looking for people who had been involved in that day’s pro-democracy protests.<sup>19</sup>
- **5 May 2022, Khartoum:** a pro-democracy protestor was killed by Sudanese security forces when an armoured vehicle ran over him during a rally.<sup>20</sup>

## ii. Regional clashes and mass atrocities on the rise

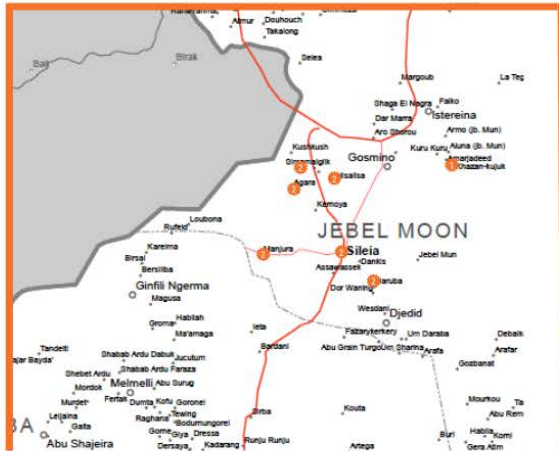
Combined with the ongoing political crisis, the pre-existing intercommunal violence in 'conflict states', as set out in detail in our March 2021 report "**Discrimination and Hate Speech Fuel Violence in Sudan**", is taking a concerning turn for the worse, with heavier, militarised RSF backing of ethnic 'Arab' disputes over the ethnic 'black' communities such as the Fur, Massalit and Zaghawa, reminiscent of the 2003 genocide.<sup>21</sup>

Examples of regional clashes in West Darfur since October 2021:

- **17-20 November 2021, West Darfur's Jebel Moon:** local clashes between nomads and farmers from the Misseriya Jebel tribe led to the killing of at least 50 people and the displacement of 6,655.<sup>22</sup>
- **4 December 2021, Kereneik:** conflict between Arab nomads and the Masalit tribe over a property dispute at a local market, with 67 people killed and 78 others wounded. As of February 2022, over 36,000 people were still displaced.<sup>23</sup>
- **5-7 December 2021, Kereneik locality in West Darfur:** over 88 people killed and 84 injured by armed members from Arab tribes. Parts of IDP camps were burned and 15,000 fled.<sup>24</sup>
- **20-22 January 2022, villages north of El Geneina:** clashes following the killing of an Arab man by a Masalit man reportedly due to an interpersonal dispute, leading to the killing of eight people (including three women and two children) and the burning and looting of markets and houses.<sup>25</sup>
- **5-10 March 2022, Jebel Moon:** conflict left 17 people dead, three villages burned, six villages partially burned, and up to 12,500 people displaced.<sup>26</sup>
- **26-28 April 2022, Kereinik and Al Geneina, West Darfur:** clashes started with a dispute between Arab nomads and members of the Massalit community in villages around Kereneik, reaching the state capital Al-Geneina on 28 April 2022 with a more coordinated attack resulting in the killing of at least 200 civilians<sup>27</sup> and 100 injured.<sup>28</sup>

The intensified violence following the October 2021 coup has come in a context of increasing clashes in the region since the beginning of 2021.<sup>29</sup> Transhumance (the seasonal movement of pastoralists with their livestock for pasture) started earlier than usual in 2021.<sup>30</sup> Combined with dry spells creating gaps in food, water scarcity and pastures for livestock<sup>31</sup>, this seasonal movement of cattle herding has compounded tensions. The security situation is ever widening, due to the movement of armed groups and continued proliferation of arms in Darfur despite the UN arms embargo imposed over 15 years ago<sup>32</sup>, combined with wilful disinterest

# REPORTED INCIDENTS IN WEST DARFUR: NOVEMBER 2021 TO MAY 2022



17-20 November 2021

Khazan-kujuk   
 6,655 people displaced  
 50 people killed

Nov-Dec 2021

Jebel Moon   
 15,500 people displaced

5-10 March 2022





Jebel Moon   
 12,500 people displaced  
 17 people killed



4 December 2021

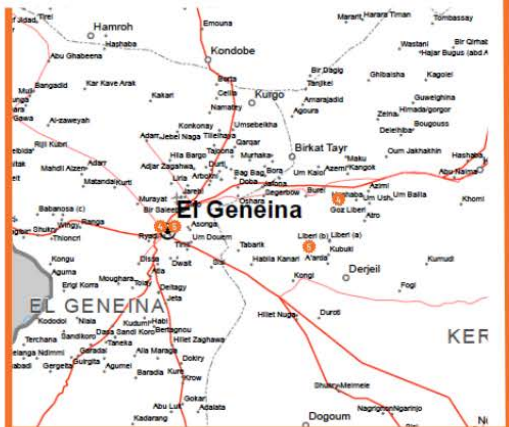
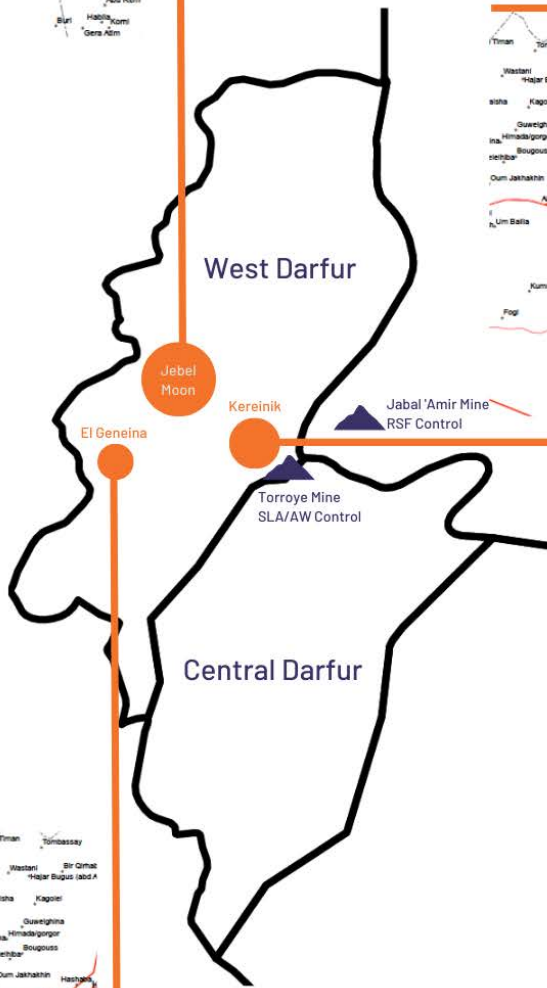
Kereik   
 67 people killed  
 78 people injured

5-7 December 2021

Kereik   
 15,000 people displaced  
 88 people killed  
 84 injured

22-28 April 2022

El Geneina / Kereik   
 165 people killed  
 136 injured  
 88,000 people displaced



20-27 January 2022

El Geneina   
 11,100 people displaced (4,500 displaced to Chad)  
 8 people killed



in governance in these regions. Reported cases of sexual violence are increasing as a result.<sup>33</sup> Tens of thousands of people have been displaced, within Darfur and over the border to Chad.<sup>34</sup>

The last spate of violence at the end of April 2022 appears to have reached a new level. The violence is reported to include the torching of shelters, reminiscent of previous mass atrocities in Darfur.<sup>35</sup> In a recent op-ed, former Wali (governor) of Central Darfur Adeb Younis deplored the renewed cycles of violence, lamenting that:

**“Nothing has changed and apparently proving that the only thing we learned from history is that we learn nothing.”<sup>36</sup>**

Eyewitnesses report former Janjaweed involvement, with RSF’s emblematic Toyota pickup trucks fitted with machine guns (referred to as ‘technicals’ or ‘Thatcher’) having been deployed.<sup>37</sup> The RSF’s military power is partly derived from their use of these mobile trucks. Investigations indicate that over 1000 such trucks were bought from dealers in the United Arab Emirates in 2019.<sup>38</sup> Rights for Peace obtained an unverified recorded message between militiamen (April 2022), which indicates that the forces being deployed across Darfur are under the command of the RSF. It was said that a troop of armed RSF men with more than 180 pickup trucks were moving from Asalaya in East Darfur towards West Darfur through Nyala City, led by RSF leader Abdulhameed Hamdan.



Internally displaced person inspects burned home, Darfur 2014, © UNAMID  
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Rights for Peace has received allegations from local sources that around 31 community leaders from the Maalia tribe in Abu Karinka are deploying Maalia youth, who are already RSF officers, as a **“Western Army”**. They indicated that **“we are expecting a new wave of violence”**. Local activists perceive this action as an attempt to destroy the social fabric of communities in Darfur and to remove the ‘black’ population of Darfur from the lands which are rich in resources. There are also allegations of the RSF making payments to civil administrations and Arab community leaders<sup>39</sup>, in order to buy their loyalties and to further its influence.<sup>40</sup>

The Global Centre for the Responsibility to Protect has consistently featured Sudan on its ‘Atrocity Alert’, which highlights situations where populations are at risk of, or are enduring, mass atrocity crimes – for example on 27 April 2022, 16 March 2022, 23 February 2022, 8 December 2021, 24 November 2021 and 10 November 2021.<sup>41</sup> Sudan also featured in GCR2P’s ‘R2P Monitor’ in March 2022, it being noted that **“populations in Sudan are at risk of atrocity crimes”** due to political instability, use of lethal force against civilians by security forces, and inter-communal and localised violence.<sup>42</sup>

## II. "RACISM AND STRUCTURAL DISCRIMINATION ARE THE CAUSE"

Obscured by the glaring violence of war is the institutionalised discrimination and racist exclusion of so-called 'African' ethnic groups in Sudan.<sup>43</sup> The history of racism of 'Arab elites' over ethnic black African communities such as the Fur, Masalit and Zaghawa that led to the genocide in Darfur in 2003-2005 continues today.

### i. Racism informs pro-democracy protests and regional clashes

Anti-black racism is at the heart of the political conflict, ethnically-based clashes and the spreading of mass atrocities in Darfur and elsewhere. Sudan's legacy of slavery is crucial to understanding the process of racialisation that has designated some Sudanese ethnicities as 'black' in relation to their 'Arab' counterparts.<sup>44</sup> Slavery existed in Sudan for thousands of years. Arab traders raided the south for 'African' villagers to capture and transport and sell them as slaves in the north, Egypt, the Middle East and the Mediterranean regions, articulating distinctions based on race, ethnicity, and religion that marked southerners as inferior and 'natural' slaves.<sup>45</sup>

The recent comments made by defence lawyers in a trial related to former president Omar Al Bashir's role in the 1989 coup, which were caught on microphone and broadcast live on Sudanese media<sup>46</sup> are a reminder of the racist mindset of so-called 'Arab elites' over

## Sudan anger over racist slur caught on air at Bashir trial

By Mohanad Hashim  
BBC News

🕒 7 days ago



## Hate Speech Case Study - What needs to be done

### Inciting violence against pro-democracy protesters, Khartoum, January 2022

**Author:** Abd Alrahman Amasaib, loyalist of former regime (over 10,000 followers on Clubhouse and just under 8,000 followers on Facebook)

**Inciting against:** Pro-democracy protesters

**Inciting:** Army and Security Forces

**Timing:** January 2022 in an atmosphere of increased violence towards pro-democracy protests

**Concern level:** High

“When people came out in December (2018), the end was overthrowing Al-Bashir through the coup. We told them that getting the teenagers [youth protesters] to return to their homes is very difficult, and it will cost a lot of bloodshed. You will need the bloodshed of thousands to make protesters return to their homes, so that the police regain their prestige, and the streets return to normality.

Al-Burhan has not, so far, done what needs to be done. It is a very difficult decision, but it is what distinguishes a leader from a president, and a Marshall from a Colonel..”

**Analysis:** This was posted on Facebook in late December 2021 by Abd Alrahman Amasaib, a loyalist of the former regime.

It is interpreted to be saying that stronger action should have been taken to get the youth protesters (‘teenagers’) off the streets before the overthrow of Al-Bashir, and that now, it will take even more bloodshed for things to ‘return to normality’.

Abd Alrahman Amasaib campaigns for the Nahr (River) Movement which calls for Arab tribes to unite and have their own State within Sudan purely for Arab tribes. His Facebook page is full of discriminatory, hateful and inciting posts (often against those who are dark skinned or from an ‘African’ ethnic background) and has almost 8,000 followers.

ethnic black African citizens. It is alleged that one of the lawyers said: **“this slave with his ugly nose irritates me”**, while conversing with his colleague about the renowned journalist Lukman Ahmed. The journalist had recently been sacked as director of the Sudanese General Corporation for Radio and Television, as part of a wider campaign to reverse free speech and crack down on journalists since the October 2021 coup.<sup>47</sup> The incident sparked outrage in Sudan and the journalist, Luqman Ahmed, a former BBC correspondent from Darfur, is allegedly suing the lawyer to highlight endemic racism.

The continuing spirit of the pro-democracy protests are fuelled by long-standing grievances about racism and structural discrimination in Sudan. Community leaders highlight that during the 2019 pro-democracy revolution, a slogan used by protesters was **“ya onsri wa maghroor kol albalad Darfur”** – meaning:

**“You arrogant racist, the whole country is Darfur”.**

The racist persecution and discrimination against ethnic ‘black’ Darfuri communities became a symbolic rallying point for pro-democracy protesters.

In conflict regions such as Darfur, the history of identity-based persecution against ‘black African’ groups such as the Fur is well documented. The ICC’s charges against Ali Muhammad Ali Abd-Al-Rahman (‘Ali Kushayb’) and former president Omar Al-Bashir, some of which are highlighted here, highlight the racist intent behind violations perpetrated against these communities in Darfur, which are concerningly reminiscent of current violations.

Community leaders continue to speak of people from ‘black African’ ethnic groups being killed because they married women from Arab tribes or that they are unable to enter certain localities because they fear being killed or disappeared based on their ethnic identity. While nomadic pastoralists and farming communities have perhaps clashed in the past, community leaders insist that the former government instilled fear and hatred between communities in Darfur and that hate speech continues to be initiated by politicians.

**In conflict areas such as Darfur and South Kordofan, whole communities are labelled as the ‘enemy’ – suspected to be affiliated with or loyal to armed groups – based on their ethnic identity.**

For generations, civilians have been treated as affiliated or loyal to armed groups that oppose the government based on their ethnic identity. Community leaders explain that in Darfur,

## **ICC charges against Omar Hassan Ahmad Al Bashir 12 July 2010**

### **Count 1: Genocide by killing of members of each target group**

- From March 2003 to the date of filing this Application, Al Bashir committed genocide against the Fur, Masalit and Zaghawa ethnic groups in Darfur, to commit acts of killing members of these groups with intent to destroy the groups.
- Acts of extermination such as the alleged killing of over a thousand civilians in connection with the attack of the town of Kailek on or around 9 March 2004 were committed by GoS forces against civilians primarily from the Fur, Masalit and Zaghawa groups.

### **Count 2: Genocide by Killing**

- Thousands of civilians belonging primarily to the Fur, Masalit and Zaghawa groups were subject, throughout the Darfur region, to acts of murder, serious bodily harm, rape and other forms of sexual violence and torture by Government of Sudan ("GoS") forces, between the start of the GoS counter-insurgency campaign soon after the April 2003 attack on El Fasher airport and 14 July 2008.

### **Count 3: Genocide by deliberately inflicting conditions of life calculated to bring about physical destruction**

- From March 2003, Al Bashir committed through other persons, genocide against the Fur, Masalit and Zaghawa ethnic groups in Darfur, by using the state apparatus, Armed Forces and Militia/Janjaweed to deliberately inflict on these groups conditions of life calculated to bring about the physical destruction of the groups.

## **ICC charges against Ali Muhammad Ali Abd-Al-Rahman ('Ali Kushayb')**

### **9 July 2021**

#### **Count 6: Other inhumane acts as a crime against humanity; Count 7: Outrages upon personal dignity as a war crime**

- The Militia/Janjaweed and GoS Forces used pejorative language against the Fur persons during the course of the attack by uttering epithets such as slave and servant, and made derogatory references linked to skin-colour, while also stating that the GoS sent them to kill every black person.

#### **Count 10: Forcible transfer as a crime against humanity**

- The conduct of the Militia/Janjaweed and GoS Forces during the attack on Kodoom and Bindisi between 15 and 16 August 2003 served to expel or coerce the predominantly Fur population of these places into leaving Kodoom and Bindis.

#### **Count 11: Persecution as a crime against humanity**

- At the material times, ABD-AL-RAHMAN and the other perpetrators targeted persons in Kodoom, Bindisi and surrounding areas (the populations of which were predominantly Fur) perceived as belonging to, or being associated with, or supporting the rebel armed groups. They targeted them on political and ethnic grounds. ABD-AL-RAHMAN and the other perpetrators severely deprived, contrary to international law, these persons of fundamental rights, including the rights to life, bodily integrity, private property, freedom of movement and residence, and not to be subjected to rape, torture or cruel, inhumane, or degrading treatment.

tribes such as the Masalit, Zaghawa, Fur and Dajo (who are considered ‘black’) are perceived to be supporters or members of armed movements – for example being labelled as **“Tora Bora”**. This slang term was originally used to describe the Darfurian rebels who hid in the Jebel Marra caves<sup>48</sup>, and has hence come to be used as a term to brandish all Darfurians as armed rebels.<sup>49</sup> Human Rights Watch reported in 2004 that government-sponsored forces were brutalising women of the same ethnicity as the rebels, excoriating them for being **“women of Tora Bora”**.<sup>50</sup>

In South Kordofan, the Nuba (classified as “African” within the racialised schema of Sudan)<sup>51</sup> have been accused of being sympathisers with the Sudan People’s Liberation Movement – North (SPLM-North)<sup>52</sup> and have been brandished as a **“Fifth Column”**, leading to killings, forcible detention and forced relocation of civilians.<sup>53</sup> This dangerous conflation of ordinary civilians with armed rebel movements presents a high risk of atrocities. As a result of their position in the racial hierarchy in Sudan, the Nuba are deprived of their rights as citizens to enjoy decent health care, education, or essential services.

Pro-democracy protestors hoped that the transitional government would enact policy reform to end the structural discrimination and racism that resulted in persecution and genocide under Al-Bashir’s regime. These hopes have not been realised and continue to be a powerful rallying cry in the protest movement demanding an equitable, fair and democratic Sudan.

## ii. Structural Discrimination

The government applies a divide and rule policy that directly results in discrimination, which in turn leads to tensions arising from the disparities in Sudanese society. Such dynamics are often the spark that set off clashes.

Structural discrimination is a term that is frequently referred to by civil society actors in Sudan with respect to the causes or contributing factors to Sudan’s history of mass atrocities as well as current violence.

Sudan’s peripheral regions are resource rich, yet the citizens of these areas are marginalised, disadvantaged, and even persecuted. Darfur and South Kordofan are rich in gold, with Sudan’s total gold extraction increasing to 36.6 tons of gold in 2020, making it the second-largest producer of gold in Africa and ninth in the world.<sup>54</sup>

In South Kordofan, the government’s use of ‘divide and rule’ policies is said to be directly contributing to discrimination, civil war, violence, and clashes between communities. Whilst



certain communities are given privileges, particularly access to land or resources, others are neglected, creating tensions and divisions that have led to clashes.

Whilst Sudan's constitution and laws offer racial and ethnic equality on paper, structural discrimination is pervasive in practice. Institutional reforms have been repeatedly called for, including the adoption of affirmative action plans and the fair distribution of power and resources for all. The need for dialogue between the Sudanese people to address injustices suffered since independence in 1956 has been highlighted, alongside the need for legal and governance reform.



Rights for Peace Workshop, Discussing the roots and impacts of hate speech with community leaders, 2022

In addition to violence, people across civil society speak extensively about discrimination in the job market, with those from northern Sudanese tribes and those affiliated to the ruling party dominating civil service positions. Civil servants in South Kordofan and West Kordofan have been targeted during the wars of 1984-2002 and from 2011 onwards, through exclusion from promotion or unfair dismissal from their jobs because of their ethnic background. Community leaders highlight that such exclusionary practices cause some to join armed groups to fight injustice and marginalisation. Participants emphasised that the government should ban such discrimination by law and should review the civil service employment criteria through an equitable nation-wide system.

Before the coup, there was a hope that structural discrimination would be addressed,

although deep legal, political and institutional reform was still needed, including the adoption of affirmative action plans and the fair distribution of power and resources for all. During the transition period in early 2021, the Ministry of Justice, under the leadership of Nasredeen Abdulbari, produced and circulated a Draft Law on the Elimination of All Forms of Racial Discrimination. Whilst there were concerns about the lack of adequate consultations, and the singular focus on racial discrimination to the exclusion of other forms of discrimination such as gender, the momentum represented exciting progress. Post-coup, this Draft Law is now completely waylaid and there is no indication of its reinvigoration.

The coup has also led to the political dismissal and replacement of the new voices of the revolution – such as former Minister of Justice Nasredeen Abdulbari (who is from Darfur). In April 2022, the Prosecution of Crimes Against the State opened a complaint against Suleima Ishaq, the head of the government’s Combating Violence Against Women unit at the Ministry of Social Development, reportedly at the request of ‘a component of government’ – believed to be the Sovereign Council or the General Intelligence Service (GIS).<sup>55</sup>

The prosecution has accused Ishaq of leaking information about the alleged 19 December rape of anti-coup protesters by government security forces to the Head of the United Nations Integrated Transition Assistance Mission in Sudan (UNITAMS) Volker Perthes, who cited this in his 28 March 2022 report to the UN Security Council.<sup>56</sup> Ishaq has been released on bail. This represents a deeply concerning trend of targeting progressive politicians and a worrying continuation of the silencing of women’s voices in Sudan’s political landscape.

## ii. Resource clashes

Gold mining is closely connected with long standing divisions and instability in Darfur, Blue Nile and South Kordofan. Deep seated divide and rule practices confer privileges to some groups, while neglecting others with respect to access to land, natural resources, infrastructure investment and employment opportunities. Revenue from mining continues to fuel proliferation of weapons and violence despite an arms embargo in Darfur imposed over 15 years ago. Community leaders talk of a worsening situation since the October 2021 coup, expressing plans to leave Sudan to other countries where they can live with dignity.

Civilians suffer from clashes between the armed groups and rival factions, whilst the government and the mining companies have exploited the natural wealth of these areas through a strategy of economic plunder, violence and forcible demographic change.<sup>57</sup>

A form of ‘ethnic cleansing’ is occurring in Darfur and South Kordofan. Community leaders have highlighted that the lands of minority groups are confiscated and ‘re-allocated’ to new

owners from Arab regions outside Sudan (such as Mali and Chad) or to those from Sudanese Arab tribes. This not only violates the rights of indigenous and minority tribal people to their ancestral lands, but also their right to free, prior, and informed consent.<sup>58</sup> Negative health impacts on those living locally also abound, due to the toxic cyanide and mercury used in the gold extraction process which contaminate the atmosphere and water.<sup>59</sup>

In April 2022, al-Geneina in Darfur was wracked by violence, sparked by fighting caused by a dispute between Arab nomads and members of the 'black' Massalit community and exacerbated by a coordinated attack by the RSF.<sup>60</sup> There are accusations that Janjaweed incursions are part of attempts to gain control of more land for prospecting resources such as gold.<sup>61</sup> The RSF reportedly seized the Jebel Amer gold mine in Northern Darfur in 2017, and control at least three other goldmines in other parts of the country, such as South Kordofan.<sup>62</sup>

Russian private mercenary companies, such as the Kremlin-linked Wagner Group, are operating in Sudan. In 2017, the Wagner Group deployed 500 men to crush uprisings against Al-Bashir. As payment, Kremlin-linked Yevgeny Prigozhin who reportedly funds the Wagner Group, received exclusive rights to gold mining in Sudan, channelled through his M-Invest company.<sup>63</sup> Since the ouster of Al-Bashir and the 2021 military coup, the RSF has sought to strengthen ties with Russia and vice versa, demonstrating the the former's power, unaccountability, and ambition for international networks and independent income stream. In February 2022, a Sudanese delegation headed by Hemeti (leader of the RSF) arrived in Moscow for an eight-day visit.<sup>64</sup> It has also been speculated that Sudanese gold reserves were used by the Russian government to prop up the rouble in the face of Western sanctions.<sup>65</sup> The Sudan Liberation Army (SLA/AW), a rebel group that was initially formed in 2001 from



Albert Gonzales Ferran, UNAMID 2012. SLA member escorts population during arrival of UNAMID delegation in Al Faisher (CC BY-NC-ND 2.0)



In the circulated message, translated by Rights for Peace, Abd Alrahman Abd Al Khayer said:

**“I call all the Arabs.**

**We are fed up with such attitudes, I swear to God the Great. From today if a chicken belonging to an Arab tribe is killed, this state will be set on fire. Even if the authorities deploy an army, we will burn this state. We don't acknowledge any chaos like this, this is nonsense, our cars have been destroyed. Our kids have been beaten. All types of attacks have been practiced against us, we are living with gangs, then we all should become gangs, are we afraid of Masalit?**

**“In one day we can finish them but we are afraid of God. The government is silent, the police and the army are watching, the Rapid Support forces are criticized. Who is going to protect us? I call all Arabs to protect ourselves, we demand that the police forces in this state be removed. We don't want police from one ethnic group. The army is also all from Masalit. We can't be victims for all these transformations in the army. We can't accept this. We need to know who killed the Arab man? I affirm to you my brothers in Arab tribes, that from today everyone should carry a 'spear with three edges' everywhere we go. We can't accept insults anymore.”**

With the October 2021 coup, and the restored status of the RSF, clashes that might otherwise remain as non violent disputes, or inter-communal outbreaks are turning into whole scale massacres with racist intent.<sup>71</sup>

In conflict areas such as Darfur and South Kordofan, whole communities are being labelled as the 'enemy'. They are demonised and treated as affiliated with or loyal to armed groups – based on their ethnic identity. This is a significant marker of mass atrocity risk. Online, too, hateful narratives with genocidal overtones are being disseminated. A post on Facebook in January 2022, allegedly by the head of the Justice and Equality Movement in Red Sea State, stated that the:

**“eastern Sudanese...are the skin that protects Sudan from the**

## germs and microbes - the Forces for Freedom and Change."<sup>72</sup>

At the same time, there are numerous obstacles preventing peaceful resolution of disputes or the prosecution of violence associated with hate speech and/or incitement.

Nepotism is frequently mentioned in the context of structural discrimination. The ruling party favours its loyalists, depriving those they deem the 'opposition' from their rights in receiving the services or gaining employment. These divide and rule practices foment divisions and render justice impossible.

The weak judiciary and culture of impunity are perceived as "**collusion and procrastination from the government**".<sup>73</sup> In practice it implies that perpetrators of violent incidents are never brought to justice. One respondent noted that:

**"The police, in many incidents, will refuse to file a case against the perpetrators, or if they file a case they won't indicate the actual crime in the case file. The majority of attacks, killing, and rape cases are never prosecuted. The laws and the judiciary all are obstacles."**<sup>74</sup>

## Hate Speech Case Study: “Germs and Microbes”

### Racist incitement in Red Sea State, East Sudan January 2022

**Author:** allegedly Abuthuma Oushek, Head of Justice & Equality Movement (FB following of 5,000 friends and 400+ followers)

**Incitement Against:** Pro-democracy defenders, Forces for Freedom and Change (FFC)

**Inciting:** Pro-military (pro-coup) protestors, and galvanising the armed forces and police

**Timing:** On the day of a pro-military protest (2022)

**Concern level:** High

#Millions\_March\_To\_Support\_Army\_Forces\_And\_security\_Forces

“ I call upon the people of Sudan, especially the people of eastern Sudan, to come out and support the armed forces and the police forces because they are the shield of Sudan and without them the intelligence agencies of other countries will prevail.

To the eastern Sudanese, you were and still are the protectors of Sudan. You are the skin that protects Sudan from the germs and microbes - the Forces for Freedom and Change, the Intelligence and their internal operators. So stand together- your armed force is our fort so do not allow anyone to break it, if your fort falls the nation will fall.”

- Abuthuma Oushek

**Analysis:** This was posted on Facebook, allegedly by the head of the Justice and Equality Movement in Red Sea State on 14 January 2022 - the day of planned nationwide demonstrations supporting the military in Sudan and the 25 October coup.

The targets of the hate speech were pro-democracy activists and politicians of the Forces of Freedom and Change - they are referred to as “germs” and “microbes”. In the aftermath of this post, on 17th January 2022, 7 civilians were killed by live ammunition of security forces during anti-coup peaceful protests, according to the Central Committee of Sudan Doctors (CCSD). This was the second deadliest day since the coup began.

### III. GENDER DISCRIMINATION AND HATE SPEECH TOWARDS WOMEN HUMAN RIGHTS DEFENDERS

Gender discrimination is rife in Sudan. Women in Sudan have been disproportionately disadvantaged by conservative laws, such as the Al-Bashir regime's strict public morality laws.<sup>75</sup> Sudanese women have less than a third of the legal rights men in relation to economic opportunities, placing Sudan near the bottom of the Global Women, Business, and the Law 2021 index.<sup>76</sup>



Protesters on International Women's Day -reads: "My Lord the Sun in the sky is a female and all the kindhearted are women". © RfP, 8 March 2022

In recent years, Sudanese women have consistently challenged laws which discriminate against them<sup>77</sup> and are playing a central role in the current pro-democracy movement. From anti-colonial uprisings against British rule, to the overthrow of the first military regime of Ibrahim Abboud in 1964, to being active members in unions leading protests and strikes causing the fall of Jafa'ar Numeiri's military rule in 1985, Sudanese women have been at the forefront of social and political calls for change.<sup>78</sup>



The centrality of women in Sudan's current pro-democracy protest movement has been a double-edged sword. Sudanese women organised, led and participated in the protests in high numbers (up to 70 percent of the protesters across the country<sup>79</sup>). They have chanted popular refrains across the movement, such as:<sup>80 81</sup>

**“this revolution is a women’s revolution” and  
“you women, be strong”**

الثورة دي ثورة بنات يا بنات ابقوا الثبات

However, the resulting backlash from security forces and other segments of Sudanese society has been devastating, including sexual violence, levelled at Sudanese women human rights defenders, protestors and activists.<sup>82</sup>



© Ola A .Alsheikh, 8 April 2019. A protestor in the Khartoum sit-in (2019), with “Just Fall” written on her arm.

There is a devastating trend of sexual violence and filmed incidents of gang rape, seemingly used as part of a campaign to silence women and as reprisals for other advancements in women's rights.<sup>83</sup> The following examples show a pattern of gender-based sexual violence and its intended chilling effect on the protest movement and the attempted suppression of women into traditional roles and spaces:

- Waad Bahjat, a human rights defender, was arbitrarily arrested and subjected to threats and ill-treatment on **8 November 2020** for documenting discriminatory harassment by police and Sudanese Armed Forces officers against a group of women.<sup>84</sup> In April 2021 she was sentenced to six months in prison and a fine of 10,000 Sudanese pounds by the Khartoum criminal court over charges of ‘public nuisance’.<sup>85</sup>
- On **8 April 2021** at a women’s rights march, a man rammed his car into the crowd of protestors, injuring one woman demonstrator who was run down, and verbally and physically assaulting others.<sup>86</sup> On the way to report this incident, a feminist and human rights activist was physically assaulted and verbally harassed – including rape threats against herself and other female protestors – by a group of male assailants.<sup>87</sup>
- On **19 December 2021**, sexual violence towards pro-democracy women human rights defenders was perpetrated by security forces during anti-military protests outside the presidential palace in Khartoum. The United Nations Office of the High Commissioner for Human Rights (OHCHR) received 13 reports of rape and gang rape committed by security forces during the protest, although the real numbers are believed to be higher.<sup>88</sup> One doctor with access to data compiled by the central committee of doctors, a pro-reform group, said hospitals in Khartoum had recorded more than 70 cases of rape in the attack and its immediate aftermath.<sup>89</sup>
- On **14 March 2022**, a teenager was allegedly gang-raped by up to nine men from the security forces who stopped a minibus looking for people who had been involved in that day’s pro-democracy protests.<sup>90</sup>

Alongside physical acts of sexual violence, instances of incitement to violence towards women human rights defenders in Sudan are common. In December 2021, alleged Muslim Brotherhood member Yaseen El-Bashair wrote on Facebook in response to a Sudanese activist singer releasing a song in November 2021:



**“Brothers in the armed forces, brothers in the Rapid Support Forces, brothers in the National security Apparatus and the police... How long do the promiscuous, trashy singers and loose women who have no guardian continue to incite the hooligans, thugs, and dwarfs? This rootless enslaved person and trashy singer is busy rabble-rousing all over Sudan against the state in Khartoum, urging the youth to protest and set up blockades hindering people’s daily life... It would be best if you arrested this trashy loose singer immediately.”<sup>91</sup>**

## Hate Speech Case Study: “If those men don’t rape you”

### Incitement to rape women pro-democracy protesters Khartoum, January 2022

**Author:** University Professor

**Inciting against:** Women pro-democracy defenders

**Inciting:** Male pro-military protestors

**Timing:** Following a protest by women activists against sexual violence committed against them

**Concern level:** High

“If those men don’t rape you, there are two possibilities : Either they are not virile enough or they are just feminine and tomorrow you’ll say you were shot or raped while your women were asleep”

- Prof. Ahmed Bishara Abu Suleiman

**Analysis:** On 1 January 2022, University Professor Ahmed Bishara Abu Suleiman (Department of Psychology and Social Sciences at the Meroe College of Technology) called for the rape of female revolutionaries in an atmosphere of chaos and systematic violence against them by the security forces. The author cites a revolutionary song – in the original, one of the lyrics is “they kill us while the girls are asleep”.

The statement was posted on Facebook in the wake of the Women’s March of 23rd December 2021, which protested against sexual violence committed during anti-military protests outside the presidential palace in Khartoum on 19 December 2021. The United Nations Office of the High Commissioner for Human Rights (OHCHR) received 13 reports of rape and gang rape committed by security forces during the protest, although the real numbers are believed to be higher.

Some positive legal changes took place during the transition period, such as some amendments to Sudan's Penal Code.<sup>92</sup> Not only is this progress under threat due to the military coup, but Sudanese women have highlighted that such reforms did not go far enough in the first place.

Amongst other rules, the Repealed Public Order Laws sanctioned lashings of women who did not conform to a strict dress code. For example, Article 151 (1) of the 1991 Criminal Law Act read:

*"Whoever commits, in public place, an act, or conducts himself in an indecent manner, or a manner contrary to public morality, or wears an indecent or immoral dress, which causes annoyance public feelings, shall be punished, with whipping not exceeding forty lashes, or a fine or both."*

The journalist Reem Abbas has written that even with the repealing of the public order laws, **"public order has become a mentality"**<sup>93</sup> and that to bring about true change, alongside more legal reforms, at the societal level there needs to be **"sustained efforts in improving school curriculums and countering fundamentalist propaganda"**.<sup>94</sup> Such propaganda includes the calling for a return of the controlling laws to combat **"debauchery"**.<sup>95</sup>

In April 2021, Sudanese civil society organisations presented a Feminist Manifesto to the Sudanese Ministry of Justice. The Manifesto sets out demands for equal rights for women which are categorised into three themes:

1. **Policy and legislation** - calling for the reform of discriminatory laws that limit the effective political participation of women and hinder gender equality in the home, world of work and society at large;
2. **Peace and transitional justice** - calling for the meaningful participation of women in the implementation of the Juba Peace Agreement;<sup>96</sup>
3. **Economic and social rights** - demanding the full and active participation of women in social and economic spheres.<sup>97</sup>



### III. RECOMMENDATIONS

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#### Recommendations to the International Community:

##### UN Panel of Experts, International Criminal Court (ICC), and UN Expert on Human Rights in Sudan:

- Ensure that the involvement of Rapid Support Forces (RSF) in relation to recent upsurges of violence including killings, torture, rape and burning of villages in Darfur is adequately investigated;
- Ensure that links between the RSF, foreign investment, and recent upsurges of violence in Darfur are investigated;
- Ensure that evidence is being gathered of ongoing violations in conflict regions such as Darfur, including gathering of evidence of racist intent that could lead to renewed genocide.

##### Security Council:

- Request the UN Secretary-General and the Chairperson of the African Union Commission to provide the Security Council with a Special Report on the deteriorating security situation in Sudan since the coup;
- Consider reinstating the mandate of the United Nations–African Union Mission in Darfur (UNAMID), in order to prevent the further spread of mass atrocities and to provide protection to the people of Darfur in light of failure by government security forces to protect civilians;
- Reinforce efforts on disarmament, demobilisation and rehabilitation (DDR), including on the establishment of the Darfur regional disarmament, demobilization and reintegration commission – as identified by the UN Panel of Experts in their January 2022<sup>98</sup> report;
- Impose targeted sanctions against the leader of the coup, General Abdel Fattah al-Burhan,

as well as the RSF, including their commander General Mohamed Hamdan Dagalo;

- Extend the arms embargo to include pick-up trucks ('Thatcher' or 'technicals') and other vehicles that might be used for military purposes;
- Support a UN investigation into the financing of the conflict through Russian investment.

## **The Troika / Intergovernmental Authority on Development (IGAD):**

- As witnesses and guarantors of the Juba Peace Agreement (JPA), address the JPA's lack of support, in particular from most Darfuris who do not believe it represents them;
- Engage with Russia, the UAE and Saudi Arabia to halt their support for the RSF.

## **Donors:**

- Invest in documenting human rights abuses, with a focus on the identity context of those affected;
- Promote advocacy and knowledge sharing around identity, hate speech and discrimination to engage wider and wider audiences;
- Promote educational and awareness tools, both in schools and through civil society organisations, to counter hate speech, discrimination, and to raise awareness about human rights;
- Support and advocate for legal reform in Sudan, including around equalities and anti-discrimination;
- Support initiatives in the media around discrimination and hate speech, both for traditional media outlets and online spaces.
- Invest in capacity building, longer term funding that includes core funding, funding of networks and ensuring transformative rather than transactional funding relationships.

## **Recommendations to Political Parties and Resistance Committees in Sudan:**

### **To commit themselves the following in their agendas:**

- Conduct comprehensive security sector reform to ensure that all policing, military and intelligence services respect and protect human rights and cease abuses;

- Open dialogue with the pro-democracy protest movement and resistance committees;
- Consider the creation of a civilian Ministry of Gender and support the mandate and office of the Combating Violence against Women Unit in the Ministry of Social Development;
- Develop a national strategy to promote equality and non-discrimination policies in all regions, including adopting affirmative action plans in the conflict regions, and ensure that government officials are adequately trained in human rights standards and principles of non-discrimination and equalities;
- Initiate legal and institutional reform, including by removing unjust and discriminatory laws, policies, and practices;
- Put the Anti-Discrimination or Equalities law back on the agenda, to include, as grounds of discrimination, race, colour, sex, language, religion, political or other opinion, national or social origin, nationality, age, disability, health status or discrimination based on “any other status”. Any anti-discrimination laws are developed via an inclusive process with minority groups and those who have been discriminated against;
- Reform the civil service to ensure that opportunities are equally available without discrimination;
- Establish democratic institutions, national bodies and processes to preserve and protect human rights for all Sudanese, and which reflect and represent the diverse composition of Sudan;
- Ensure fair distribution of development, opportunities and resources across different regions, including by improving and expanding health and education opportunities for marginalised communities;
- Develop a national strategy of law and policy reform to combat all forms of violence against women, including sexual harassment and abuse towards women human rights defenders;
- Enact legal reform to prohibit hate speech. Any new law should:
  - Fully respect freedom of expression and only limit free speech in accordance with the International Covenant on Civil and Political Rights (ICCPR);
  - Prohibit advocacy of discriminatory hatred that constitutes ‘incitement to hostility, discrimination or violence’, in line with Articles 19(3) and 20(2) of ICCPR thereby establishing a high threshold to limit free expression, as set out in the Rabat Plan of Action;
  - Prohibit incitement to genocide;
  - Include all ‘protected characteristics’ recognised in international human rights law.

## To the government of Sudan:

- Immediately halt all violence against protesters;
- Disband and disarm the RSF and all armed groups that signed the Juba peace agreement, and integrate them into national army, as well as dissolving and rehabilitating militias and



disarming the Sudanese population at large whilst conducting comprehensive security sector reform;

- Allow humanitarian aid and access to reach the Darfur region;
- Address natural resources and the environment as part of the peacebuilding process;
- Ensure that local communities have free, informed and prior consent regarding natural resource exploitation in their areas and create opportunities for communal ownership;
- Promote dialogue and reconciliation processes between communities affected by conflict and violence;
- Create greater accountability for violations of international human rights and humanitarian laws committed by armed and security forces and pursue justice for victims of conflict, including through criminal trials;
- Ensure greater human rights awareness and education opportunities for marginalised populations;
- Provide compensation for those affected by the fighting e.g., by rebuilding housing which has been burnt by militias and providing safe return to those civilians who wish to do so.

## Ministry of Justice and the General Prosecutor:

- Immediately release pro-democracy political prisoners;
- Publicly condemn escalations of violence and create an independent inquiry into violations and abuses;
- The General Attorney should accompany police forces during demonstrations to monitor the use of force;
- Inspect detention centres, and investigate allegations of torture.



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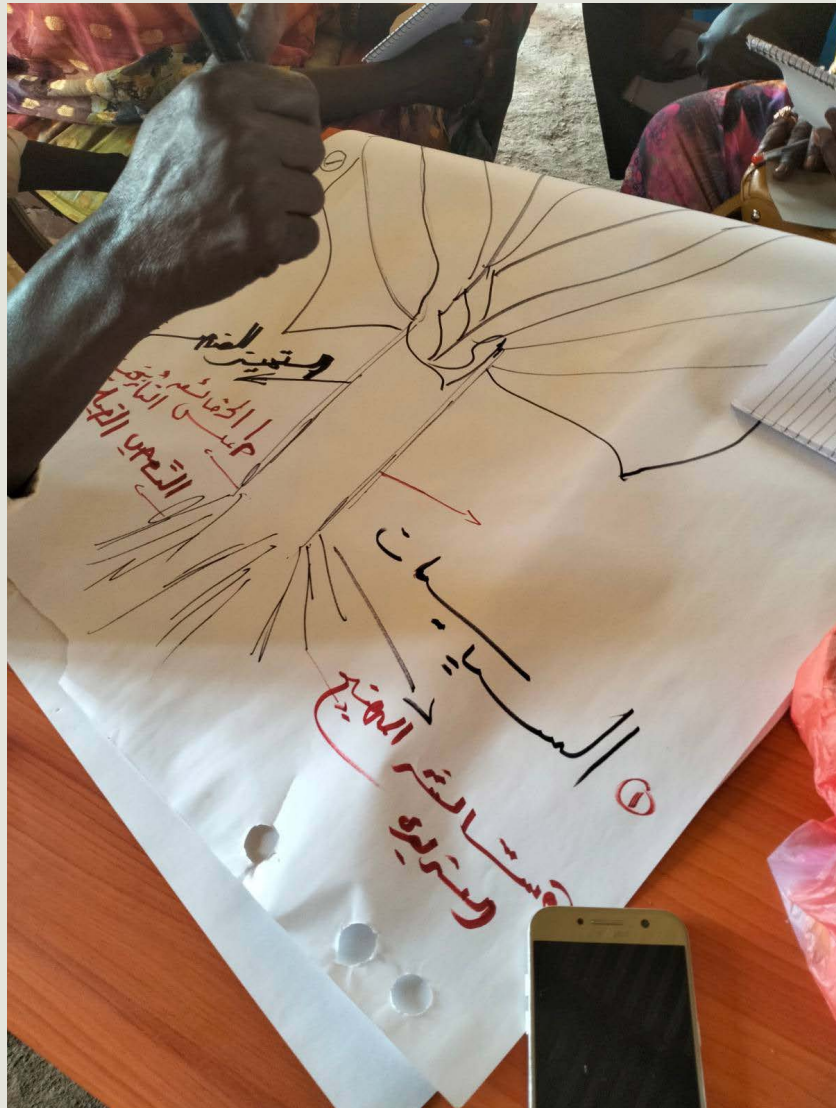
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