



Rights for Peace

Preventing Mass Atrocities with Human Rights

Recommendations to Counter Discrimination and Hate Speech Fueling Violence in Sudan



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Countering Discrimination and Hate Speech

This briefing paper identifies that prejudice, discrimination and divisions, often exacerbated by incitement to hostility, have impacted communities in Sudan and are continuing to fuel violence. This summary of findings, released ahead of a substantive report, aims to contribute to constructive dialogue about measures needed to build social cohesion in Sudan. It is based on a series of workshops led by Rights for Peace with civil society from Port Sudan, Darfur, Kassala, Al-Gadarif, South Kordofan and Blue Nile states, as well as Khartoum, to strengthen capacities to identify, monitor and collect evidence of incitement to violence.¹

Our main findings are as follows:

1. Sudan is seeing an escalation of violence characterised by clashes between ethnic groups, often ignited by instances of hate speech and incitement to violence,
2. Many inter-communal clashes start as individual disputes. Civil society groups consistently identify the need for the government to take responsibility for de-escalating attacks and protecting citizens. Silence and lack of intervention has resulted in chronic insecurity and escalating violence,
3. Local groups repeatedly point to Sudan's weak and discriminatory justice system. The perceived lack of official uptake in resolving cases drives people to take matters into their own hands, often escalating tensions and leading to cyclical patterns of violence.

The Sudanese government must take account of the whole picture: breaking down centre-periphery discrimination by embracing inclusive processes that provide genuine dialogue and decision-making powers to affected groups. Critically it must address its weak justice system, as well as the backlog of discriminatory laws that need reforming and new laws that are necessary to give effect to international standards to promote equality and counter hate speech. If change towards a rights-based and democratic society is to be achieved, it is critical to maximise opportunities for dialogue about the root causes of violence.

Escalating Conflicts

Hate-based violence is ongoing in Sudan, in conflict areas such as West Darfur, South Kordofan and Blue Nile. New and escalating violence is also being witnessed in eastern Sudan, in Port Sudan and Kassala. Genocidal language such as “we need to clean up the black plastic bags”, referring to black (non-Arab) ethnic minorities have been recorded in the past and have not entirely dissipated.

In Kassala, 2020 saw protests and clashes between the Hadendawa and the Beni Amer communities. These were ignited by the appointment of Saleh Ammar - an ethnic Beni Amer - which was rejected by members of the Hadendawa. Leaders of the Hadendawa are reported to have allegedly stated that “the Beni Amer are a cancer that needs to be cut off”.²

¹ Further interviews were conducted to gather records of hate speech, discrimination and prejudice. It has not always been possible to identify counter allegations to reported incidents, though all efforts have been made to obtain accounts from the different groups and communities.

² Reported in a Rights for Peace training in October 2020.

In Port Sudan in August 2019, clashes between the Beni Amer and Nuba tribes allegedly ignited after an incident of abuse by two Beni Amer young men towards a Nuba woman, who allegedly spat on her face, tore up her clothes and beat her.³ According to one source, both groups used insulting words against each other such as ‘Khasa’ and ‘Abeed’ during the clashes.

In West Darfur, recent intercommunal clashes have taken place between the Masalit and Arab communities, representing a worrying escalation of tensions and violence. For example, an attack occurred on 16 January 2021, in the Krinding Internally Displaced Persons (IDP) camps in El-Geneina, where more than 160 people were reportedly killed – most of them ethnic Masalit.⁴

Examples of Reported Hate Speech in Sudan

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| <i>“Clean the state of any black plastic bags”</i> | Dehumanising and genocidal language reportedly used prior to a military attack in South Kordofan, referring to ethnic ‘black African’ people from the Nuba Mountains, Darfur and South Sudan (as opposed to ‘Arab elites’ from Khartoum). |
| <i>“Today we cleaned Al-Kurmuk. We do not want alcohol any more here, no star will rise here, only God’s flag will rise here. “</i> | Reportedly stated in Blue Nile with reference to attacks against civilians who had been protected by SPLM-N. The ‘star’ refers to the star in the SPLM flag. |
| <i>“Where are you Malik?”</i> | Threatening language used towards Malik Agar, chairman of the SPLM-N and governor of Blue Nile, and also those who sympathise with SPLM-N. |
| <i>The Beni Amer are “a cancer that needed to be cut off”.</i> | Dehumanising and threatening language was reported as being said in Kassala against Beni Amer. |
| <i>“Those people should go back to their country”</i> | Directed towards the Beni Amer, who are considered by some to be “foreigners” and “refugees” who were granted Sudanese nationality by the al-Bashir regime. |
| <i>“Khasa”</i> | An insulting term used against the Beni Amer to imply that they are not truly Sudanese. |
| <i>“Ajanib” “Newcomers / foreigners” (with racial overtones).</i> | Used to define certain people as non-Sudanese (for instance people from Chad), particularly migrants or non-Arabs. |
| <i>“Liberate the area from the al-Abeed”</i> | “Al-Abeed” is an insulting and racist phrase similar to “slave” or “negro”, and is a demeaning term used against dark-skinned people in Sudan. ⁵ |

³ Rights for Peace interviews with civil society leaders of the Nuba and the Amer communities, in Jul/Aug ’20 and Feb ’21.

⁴ Amnesty International, ‘Sudan: Horrific attacks on displacement camps show UN peacekeepers still needed in Darfur’ (2021), <https://www.amnesty.org/en/latest/campaigns/2021/03/sudan-horrific-attacks-on-displacement-camps-show-in-darfur/>.

⁵ Turkish Sudan (1820-81) was led by an Arab dominated regime in Khartoum that exploited non-Arab peoples through slavery and exploitation of natural resources.

Recommendations

The need for a law to counter hate speech amounting to incitement:

In July 2020, the Sudanese Congress Party referred to a law criminalising hate speech.⁶

Any new law should:

- Fully respect freedom of expression and only limit free speech in accordance with ICCPR⁷
- 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,⁸
- Prohibition of incitement to genocide,
- Inclusion of all ‘protected characteristics’ recognised in international human rights law.

The need for a comprehensive anti-discrimination law:

Civil society in Sudan, as well as UN bodies, have called for a comprehensive anti-discrimination law. The Ministry of Justice and Congress Party have recently prepared draft Bills, seen by Rights for Peace. However, civil society say that consultation has been inadequate. An anti-discrimination law must:

- Result from a much wider and inclusive process involving affected groups;
- Aim to protect more than racial discrimination. It should include 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” (in accordance with Article 26 ICCPR);
- Not be criminalised nor lead to deprivation of liberty. Challenging discrimination should be a civil right, to obtain appropriate redress by the victim (e.g. employment, resources or services). If discrimination includes violence (assault, torture), the violent act can become an aggravated criminal offense (e.g. a ‘hate crime’).
- Promote equal treatment, imposing positive obligations to make reasonable adjustments. The rights of people with diverse characteristics must be protected equally.

Security sector reform:

Police and other forces such as Rapid Support Forces (made up for former Janjaweed militias) are accused of myriad human rights abuses in Darfur and elsewhere.

- The government should start the reform program provided in the 2019 Transitional Constitutional Declaration. All policing, military and intelligence services must cease human rights abuses and ensure neutral intervention to de-escalate clashes and protect civilians.

Prevention of mass atrocities:

The government must address root causes and seek to build social cohesion as integral to the transition. There needs to be government recognition that law reform must be accompanied by attitude change in order to address deep-seated prejudice and bias,

The transitional government should establish a National Mechanism for the Prevention of Mass Atrocities and create a focal point within government on this issue.

⁶ BBC News, ‘Viewpoint from Sudan - where black people are called slaves’ (2020), <https://www.bbc.co.uk/news/world-africa-53147864>.

⁷ See: Article 19, ‘UN Forum on Minority Issues: Free expression vital in tackling hate speech’ (2020), <https://www.article19.org/resources/un-forum-on-minority-issues-free-expression-vital-in-tackling-hate-speech/>.

⁸ OHCHR, ‘Freedom of expression vs incitement to hatred: OHCHR and the Rabat Plan of Action’, <https://www.ohchr.org/en/issues/freedomofexpression/articles19-20/pages/index.aspx>.

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Rights for Peace is a non-profit that seeks to prevent mass atrocity crimes in fragile States, by collaborating with local organisations. Addressing the drivers of mass atrocities, particularly prejudiced or hate-based ideology, and strengthening local capacities and resilience.