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Annex: HRW Letter to Justice Minister Abdulbari

September 17, 2019

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Honorable Nasredeen Abdulbari
Minister of Justice
El Gamhuriya Avenue
Khartoum
Sudan

Transmitted via email to: minister@moj.gov.sd

Hon. Nasredeen Abdulbari,

Congratulations on your appointment as minister of justice in the transitional government at this critical time. We very much look forward to continuing our work on Sudan in collaboration with your government.

I am writing to share the preliminary findings of research Human Rights Watch conducted on violence against protesters at the sit-in on June 3, 2019, as well as in days following. The research is the subject of a forthcoming report. We wish to offer you the opportunity to review and respond to our findings, so that we may reflect the current government's perspectives in our reporting. We would also like to seek clarification on a number of factual questions.

As you may know, Human Rights Watch is an independent, international nongovernmental organization that documents human rights abuses by states and non-state actors in more than 90 countries around the world. We do this by impartially investigating abuses, reporting facts widely, and making realistic policy recommendations to promote respect for rights and secure justice. We are committed to producing material that is comprehensively documented, verified, and objective.

Since December, we have documented excessive use of force and other rights violations by government security forces against protesters and called on the transitional government to ensure accountability for all unlawful killings and other abuses (see our statements at www.hrw.org/africa/sudan).

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The forthcoming report is based on research conducted in Khartoum in August. We interviewed more than 60 victims of and witnesses to abuses against protesters and others in Khartoum, with a focus on the June 3 violence and its aftermath.

Our research found that on June 3, government security forces including the Rapid Support Forces used lethal force against peaceful demonstrators at a sit-in in Khartoum. They fired live ammunition at the protesters, killing more than 100 and wounding several hundred others. Security forces also used batons and sticks to beat protesters. They arrested hundreds of protesters and subjected some/many to serious abuses, including sexual violence and other ill-treatment. Security forces forcibly entered hospitals and clinics and, in some cases, prevented the wounded from obtaining necessary health care. At least two bodied with gunshot wounds were pulled from the river Nile; we received credible reports of others, possible still submerged.

We understand that your government is yet to form the proposed national investigation commission. Nevertheless, some of the information we seek may be available to you. If you respond to the questions attached, as well as any other information you care to provide, your views will be reflected in our forthcoming reporting.

We kindly request that you communicate your response to Jehanne Henry, East Africa director at Human Rights Watch, by October 1, 2019. She can be reached at henryj@hrw.org and +1 917 443 2724.

We would also be pleased to discuss our research findings and broader human rights issues in person should you be available to meet with us in Khartoum. In that case, we would kindly request guidance on how to secure visit visas for a small delegation from our organization.

Sincerely,



Mausi Segun
Executive Director
Africa Division

CC: Hon. Abdalla Hamdok, Prime Minister of Sudan,
officeofprimeminister@sudan.gov.sd

CC: Lt. Gen. al-Traifi Idriss, Minister of Interior, Sudan

Questions to the Sudanese Government regarding June 3, 2019 Demonstrations

Use of force

1. On what basis was the decision made to forcibly disperse the sit-in? Which forces were ordered to disperse the sit-in? Who ordered the dispersal?
2. The then-transitional military council leadership sought to justify the dispersal to clear the area known as “Colombia” because of criminal activities there. Has anyone been arrested or charged with criminal activities at Colombia? If yes, kindly provide the names, the alleged charges, and the location of those being held.
3. What were the grounds for the shutdown of Al Jazeera and Ramtan Media Agency offices in Khartoum the day before the dispersal of the sit-in? Were these shutdowns connected to the decision to disperse the sit-in?

Investigation into the violence

1. What is the total number of people killed and injured at the Khartoum sit-in? What was the basis for using lethal force?
2. Can you share with us a written copy of attorney-general report that was orally shared on July 27, 2019?
3. According to the attorney-general report, the authorities arrested officers and soldiers and charged them with crimes against humanity. Who was arrested, to which forces do they belong, and if they are in detention, where are they being held?
4. Does the government have a timeline for the promised new national investigation to be formed and operationalized? What will be its mandate, scope, and composition? Will it have capacity to collect and preserve evidence for the purposes of criminal prosecutions?
5. Will your government seek regional or international support for a mechanism to investigate alleged abuses committed on June 3 as well as those reported since December 2018?

Missing and detained persons

1. Have authorities initiated search operations for the missing since June 3, including searching the Nile River? And, if so, have authorities recovered and identified any bodies?

2. Are any June 3 protesters being detained in any government facility, including those by the RSF? Who are they, what have they been charged with, where are they being held, and by whom?