

Representatives of the AU Peace and Security Council Member States
H.E. Chairperson Mr. Moussa Faki, African Union Commission

16 May 2019

Civil society letter to the African Union on the attacks against peaceful protestors in Sudan

Your Excellencies,

The undersigned Sudanese and African civil society organisations write to urge the African Union to take urgent action following events this week in Sudan.

On 15 May, an unidentified militia fired live ammunition near McNimer bridge in an attempt to clear roadblocks and disperse protestors. At the time of writing this letter, at least eight people were reported to have been injured in the attack but the number is likely to be higher. This is the second attack made against peaceful protestors this week and follows an attack on 13 May, in which at least five demonstrators and one military official were killed and over 100 people injured in Khartoum. Live ammunition and tear gas was used against protestors at Nile Avenue, a few blocks away from sit-in at army headquarters in an attempt to break up the protest. The attack took place as protestors were breaking their Ramadan fast in the evening and the Transitional Military Council (TMC) was only able to send in army reinforcements hours later. On 4 May, protests in Nyala, South Darfur were dispersed by counter revolutionary forces which resulted in one civilian casualty and injuries.

The two attacks in Khartoum occurred just hours after announcements about significant breakthroughs in the negotiations between the TMC and the Freedom and Change Forces (FCF). The 15 May announcement indicated that the two sides had reached a consensus on a number of issues – including the Sovereignty Council - and would be signing an agreement on transitional arrangements imminently, including provision for an executive ministerial council and a legislative council where the majority of representatives would be selected by the Freedom and Change Forces (FCF). The ongoing talks have now been put on hold for at least 72 hours by the Chair of the TMC.

The Sudanese Professionals Association – part of FCF – has called on all Sudanese to join the sit-in. After the incident on 13 May, thousands started making their way to the army headquarters to support the protestors and more continue to join them. The protestors have remained peaceful and avoided clashes but the situation is volatile given the actions of certain armed elements. The protestors are in need of immediate protection and the AU needs to take swift and firm action. The AU Chairperson in a statement issued on 15 May commended the parties to the negotiation for the progress being made towards reaching an agreement for a political transition in Sudan. We are extremely concerned that this is now in jeopardy following the announcement to put the talks on hold and that further delays will only allow for more attacks and a massacre may be witnessed.

We therefore call upon your Excellencies to:

- Condemn any attempts by the military council or any armed groups in Sudan to use force to disrupt protests and support the rights of the protestors to freedom of expression and assembly,

in line with regional legal instruments such as the African Charter on Human and Peoples Rights and in the spirit of African solidarity;

- Urgently establish a commission of inquiry into the violence to establish the facts and circumstances of the alleged recent human rights violations with a view to ensuring full accountability for perpetrators and justice for victims;
- Condemn the suspension of negotiations and call on the AU Envoy to urge parties to resume and conclude the process without delay. Pressure must be exerted on the military council to transfer power immediately to a civilian-led transitional government which includes women and persons from marginalized areas such as South Kordofan, Blue Nile and Darfur;
- Ensure there is no further extension of the sixty day deadline period outlined in the 846th meeting of the African Union Peace and Security Council on 30 April 2019. While Sudanese civil society welcomed the African Union's decision not to give recognition to the military authorities and demand for a transition to a civilian authority, there is concern that any further extension of the deadline could compromise the process and embolden hardline elements resistant to a handover.

Yours sincerely,

African Centre for Justice and Peace Studies

African Federation Association

Ahmed Abusin, Development Consultant, Partners in Development Service Director

Aisha Hamad Mohammed, *Partners in Development Service*

Christian Solidarity Worldwide

Darfur Bar Association

International Refugee Rights Initiative

Kenya Human Rights Commission

Mohamed Nikroma, *Lawyer*

Mohamed Elnour, *Justice Centre for Advocacy and Legal Consultations*

Nubsud Human Rights Monitors Organisation

Pan African Lawyers Union

Regional Centre for Training and Development of Civil Society

Skills for Nuba

Sudan Consortium

Sudan Democracy First Group

Sudanese Human Rights Initiative