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HRW.org

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Honorable Taj al-Sir al-Hibr
Khartoum
The Republic of Sudan

Transmitted via email to: [REDACTED];
[REDACTED]

Re: Preliminary Findings into Response to October 15 Protests in Kassala Town

Hon. Taj al-Sir al-Hibr

I write on behalf of Human Rights Watch to share the preliminary findings of research Human Rights Watch conducted into the violence and abuses against protesters in Kassala town on October 15, 2020, and to request your response to several questions. The research is a subject of forthcoming short report.

As you may know, Human Rights Watch has been documenting and reporting on the human rights situation in Sudan for years. The organization 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.

For this research, Human Rights Watch interviewed 10 witnesses and doctors on the events of the October 15 protests in Kassala town. We also reviewed video footage and photographs, and examined forensic reports which helped to corroborate witness testimonies.

Our preliminary findings indicate that security forces, namely the Sudan Armed Forces (SAF); Rapid Support Forces (RSF); and Central Reserve Police (CRP) resorted to excessive use of force, including unjustified lethal force, against protesters which resulted in the deaths of seven protesters and injured at least 20 more.

Evidence that Human Rights Watch examined indicates that security forces resorted to use of lethal force against protesters in violation of international standards, such as the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. In particular, there was no clear threat to life of security forces or others from the protesters.

We understand that your office has opened an investigation into these cases, a move welcomed by Human Rights Watch.

Human Rights Watch strives to accurately reflect all perspectives in our research and publications. We would therefore appreciate your response in writing by December 4, 2020 to the questions below to ensure your views are reflected in our reporting.

Please do not hesitate to contact Mohamed Osman at [REDACTED]; or [REDACTED] if you require further information.

Sincerely,



Mausi Segun
Executive Director, Africa division

Questions on Abuses During the October 15 Protests

1. Is your office leading the investigation or is this being dealt with by local prosecutors in Kassala? If the former, what is the status of your investigation into the October 15 events?
2. Do you intend to make the findings of the investigation public?
3. Do you have any response to our preliminary conclusion that the evidence is consistent with force, including lethal force, being used in violation of international standards and how it correlates to the findings of your investigation?
4. Has anyone on the side of law enforcement, whether civilian or military from any branch of law enforcement, been disciplined in connection with the events? If so, how many, what offending behavior is it in relation to, and what measures were taken in response? Are these cases under the jurisdiction of your office or

- are they being dealt with by internal prosecutorial/disciplinary systems within the relevant forces?
5. Has anyone on the side of law enforcement, whether civilian or military from any branch of law enforcement, been arrested or charged before a court in relation to the events of October 15?
 6. According to your investigations, on what basis was the decision to use live ammunition against protesters on October 15 made? Did local prosecutors, in accordance with 1991 Criminal Procedures Act, accompany the security forces deployed at the State Government Building and later at the Kassala Teaching Hospital-the two locations where we documented the use of live ammunition and where a total of seven protesters were killed?
 7. In investigations into alleged security force violations against civilians, including this one, does your office have the authority to bring charges against members of security and military deemed responsible for violations of human rights? Would they be tried before a regular civilian court or would their cases be handled by a police/military martial court?