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SUDAN HUMAN RIGHTS ORGANIZATION - CAIRO

SHRO-Cairo is a voluntary non-governmental organization
concerned with human rights and is active within the area of Africa
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Immediate Tasks

The Editor-in-Chief

Quarterly 24 deals directly with civil society issues: Three Sudanese activists prepared analytical papers for a SHRO-Cairo special symposium on the Situation of Civil Society (CS) in the Sudan; the CS administrative and organizational state of affairs; and the role to be played by CS in the current transition to democratic rule. Edited versions of these important up-dated works on the Sudanese CS are included, with a great pleasure, in this Issue.

There are many impelling factors for SHRO to dedicate Quarterly 24 to the Sudan's CS. Chief of these factors is the fact that CS has always played a determining role in the country's striving to achieve national building with respect to development planning and administration via a democratic system of rule applying indiscriminately sustainable modalities of peace and social justice for all its regions and population groups.

The recurring failures of Sudan governments, especially the so-called "Salvation Revolution" of the National Islamic Front (NIF), in the vital accomplishment of these top agenda might be read in the ill-fated relationship between the Sudan's CS and the non-democratic anti-peace performance of governments. Apparently, much of the political literature on this particular relationship, which prevailed in the post-independence times, ceased to exist, one way or another - as a part of the tragic episodes of the NIF "theological" terrorism.

Still, new concepts bearing the same antithetical relationship between the CS non-governmental forms or activities in both public and private sectors of the State (including the cultural and social arenas, besides the economic and political spheres of the social action) have inevitably transcended the previously known post-independence Modern Forces' struggles versus traditionalist or authoritative bureaucracies.

A significant factor why this Quarterly is addressed to the CS issues is pertinent on the key interaction that forced itself into the Sudanese political scene, soon after the approval of the Naivasha Comprehensive Peace Agreement (CPA). The freedoms made allowable by the CPA versus the iron-clad security repression of the ruling party helped to create an increasing popular movement, despite severe censorship over the freedoms of organization, assembly, and expression amongst the intelligentsia and opposition groups, in general.

The centuries' old tradition of the Sudanese to express fearlessly their

political opinions, or endorse freely their spiritual positions, has forged ahead with its own way in great insistence on the exercise of critical thought and CS independent representations, notwithstanding stringent measures by the ruling party to subdue the full enjoyment of fundamental rights and civil liberties. Hence, as clearly reported by the writers of the SHRO Symposium on Civil Society, the resistance of the CS groups, including trades unions, professional associations, and many other civilian assemblies, has consistently manifested itself in the public arena, regardless of the security obstacles or the other State censors. This admirable gallantry has always characterized the nature of the Sudanese people.

Naturally then, Quarterly 24 stands firmly by the side of the Sudanese non-governmental CS, with its vivid criticisms of the ruling regime, the unwavering will to uplift the banners of freedom and international human rights norms, and the well-experienced public pressure upon the NIF rulers to abide-by the CPA without elusiveness or deception.

At thus point, two genuine themes need to be highlighted at once: 1) The full independence of the CS groups from State control; and 2) the full integrated inter-dependence of the CS in both North and South Sudan, as equal partners in the CPA.

Full Independence from State Control

The democratically elected government (1986-89) rectified the international conventions enshrined in the Bill of Rights on civil and political rights, as well the social, economic, and cultural rights. The rectification elevated the establishment of human rights and democracy organizations in the country, for example the Sudan Human Rights Organization, which the NIF authoritative party hastened to ban by the 1989's military coup.

The experiences of the Sudanese CS groups under NIF rule testified to the fact that without complete, uninterrupted adherence to international human rights norms, the prosperity of CS activities will never materialize. Added to the illegal curtailment of the CS, the persecution of activists, and the suppression of minorities by all sorts of security pretensions and political claims, the existing government failed to honor the CPA provisions.

These provisions stipulate clearly the obligations conferred upon the Government of Sudan and the Government of South Sudan to guarantee the right of CS organizations to carry out human rights, democracy, and humanitarian programs free of Authority intrusions.

Integrated Interdependence of South-North CS

Equally importantly, the present time's and the future's agenda of CS groups warrant full cooperation on all levels of public activities in the two parts of the country, in accordance with the Naivasha CPA.

The failures of governments to push the CPA to the levels of achievement the Sudan's peace and development deserves must not affect negatively the spirit or the national determination of the CS groups to make of the CPA a real bridge of socio-political confidence and national unity.

Towards this noble goal, the democratic CS of Sudan must overcome all shortcomings that cripple its advancement, especially the biased policies and practices of the NIF regime in favor of government-supported groups, most particularly the so-called Islamist organizations that have been organically linked to the NIF party by governmental financing. Indeed, these are not CS associations. They are NIF groups whose ultimate goal is to maintain partisan political and ideological interests, with nothing to do with the CS popular activities.

Throughout the modern history of Sudan, truthful, poorly-financed, politically-persecuted and/or legally-banned CS groups have been taking up the difficult tasks of strengthening the march for peace, social reform, and democracy by the inevitable enjoyment of human rights, especially the civil and political freedoms.

- An immediate task awaiting the direct attention of these democratic non-governmental entities is to unify on solid grounds of transparency, accountability, and democratic administration.

- Another immediate task is for the CS groups to stretch consciously, as broad as is possible, a supportive hand to their CS counterparts in South Sudan, in particular, besides collaborating with their other hand with the CS groups in the other parts of the country, especially the rural areas of Sudan.

These immediate tasks, once consistently pursued, irrespective of the Authority's abusive laws, destructive policies, or discouraging practices, should help to bring about the CS national goals unto the workaday life of people.

The lesson so perfectly taught by the People of Sudan to their governors, who often fail to understand it, is that the people's will-power will never succumb to Authority, in whatever form the latter might be, concealed or recklessly repressive.

The Situation of Human Rights

January 1st –April 30th, 2007

SHRO Secretariat

Illegal State Violence

During the period between January 1st and April 30th violations committed against the human rights and the fundamental freedoms of citizens continued unabated in the Sudan. The violations included the freedom of the Press and expression, the right to voluntary organizations and peaceful assembly and the right to fair trial. The police and security forces suppressed with illegal violence peaceful rallies and popular demonstrations, thus killing or injuring tens of citizens, as well as detaining hundreds of the demonstrators. The authorities prohibited the Press from covering different issues regarding the conflict in Darfur, or the trials under way. Several papers were sentenced with fines or payments to satisfy government officials claiming compensations for defamation; other journalists were suspended.

In February, the Sudanese universities witnessed a wave of violence leading to losses of lives among students. On February 8, students supporting the ruling Congress Party, which also controlled the students' union, prevented opposition students at the Neelain University in Khartoum from pursuing campus activities. The former accused the latter of "insulting religious beliefs and provocation of Muslim sentiments." They required the opposition students "to apologize to the Islamic Movement's militants and martyrs who died in the war with the South," before they could be allowed to resume their activity at the campus. The conflict, in which firearms and white arms were used with Molotov, ensued in the murdering of student 'Abd al-Mo'iz Hassan Mohamed Ahmed (first year in law) and the injury of others including 'Abd al-Wahab Khamis, Fadl Khamis Hamad, Omar 'Abd al-Allah, 'Abd al-Mo'iz Idris, 'Abd al-Rahman 'Abd al-Latif, and Khalid 'Abd al-Wahab Mustafa.

February 10, the Isma'il al-Azhari University in Khartoum saw other conflicts between students supporting the ruling party and the SPLM students. Four students were wounded with two of them still suffering serious injuries. The students wounded were Daoud Musa, Ibrahim Om Dur-

ma, Isam Hamid and another one. On February 18, a student was shot dead by the police, besides ten others injured, in demonstrations at Kadogli, the capital of South Kordofan State. February 17, conflicts erupted between students of the faculty of education at the Shendi University and a police force which tried to end a students' peaceful strike. 'Ali Dafa-Allah (fourth year, faculty of arts) among others were injured. February 24, the Dongola University was involved in a riot after which some students were suspended from school.

In Darfur, violence continued unabated leading to the killing of hundreds of civilians and the displacement of thousands. Many international relief agencies ended their work for fear of security. The violence harmed some AU employees. On April 1, for example, an AU copter in a regular journey was attacked by gunfire between Zalingi and Fashir. In the same day, 5 AU patrolling soldiers from Senegal were assaulted by an armed group while on guard of a water reservoir near the Sudanese-Chadian border. April 15, an officer of the AU peace keeping force was killed in front of the AU Headquarters at al-Fashir city, only five days after the killing of a soldier from Rwanda and the hurt of two citizens from Darfur.

In the same period of this report, disputes mounted up between the two partners of the Naivasha agreement that continued to shoot at one another with accusations. At the second anniversary of the peace agreement at Juba, President Omar al-Bashir exchanged such accusations publicly with his First Vice-President Salva Kiir. The latter held the National Congress Party (NCP) responsible for sluggish implementation of the agreement and accused further the NCP of supporting the Ugandan Lord's Army in South Sudan. Bashir negated the allegation and put the blame on the SPLM.

In a short while, NCP officials accused the SPLM of behaving as if the South had been a separate state from the North, de facto. They pointed out the opening of not less than 18 embassies by the SPLM abroad, besides visits by international delegates to the South directly, without consultation with the Central Government, and oil deals and concessions to international companies. The SPLM reiterated accusations to the government of acting elusively so as not to apply the Naivasha provisions. The agenda of troops' mobilization, border demarcation, Abyie protocol, and oil revenue are top disputes between the two partners.

Although the process of re-allocating the government and the SPLM troops has already been agreed upon by the protocol of security arrangements via the mobilization of forces to new locations and the amalgamation or demobilization of the troops, the whole process has been slowly

implemented or even unapplied in the states of South Kordofan and the Blue Nile. Early in February, an SPLM official cast doubt on the intention of the government to relocate 80 percent of its troops in the North. He said that the Sudanese Armed Forces still exist in the South, as well as militias supported by them whose size is more than 120,000 regulars. The SPLM held the government responsible for the slow application of the Abyie protocol because the government insisted on rejecting the report by the experts' committee. The SPLM further accused the government of non-transparency in the revenue of oil.

The Government of Sudan-International Community relations passed over continuous strain. By mid-February, Khartoum refused to grant entry visa to a committee dispatched by the UN Human Rights Council to investigate the situation in the country. As a consequence of this, the committee was forced to complete its mission from outside Sudan. On February 27, the Prosecutor General of the International Criminal Court (ICC) announced the names of the first persons accused of war crimes in Darfur, namely Ahmed Haroun, a former state-minister at the ministry of the interior, and 'Ali Mohamed 'Ali 'Abd al-Rahman ('Ali Koushaib), a commander of a Janjaweed militia. The Prosecutor General suspected the two accused persons committed 51 acts of war crimes. The Government of Sudan, however, announced by many officials that it would not allow the accused persons to be tried before the ICC.

The government tried to pre-empt the ICC decision by forming a special court for the trial of a group of the Army and the Popular Defense Forces. In March, the court was announced to see into the cases of police lance officer 'Ali 'Abd al-Rahman Koushaib, Captain Hamdi Sharafaddin, and 'Abd al-Rahman Daoud Homaida. On April 16, following prolonged resistance, the Government of Sudan informed the Secretary General of the United Nations of its approval of the UN heavy supportive logistics, which include with the participation of 3,000 international experts, and the dissemination of fighting copters over the region. On March 24, the authorities stopped the International Relief Coordinator John Holmes from visiting the Kassab Camp for refugees in North Darfur.

Freedom of Publication and Expression

On January 23, the National Council for Press and Publications issued a decision suspending the Al-Hayat wa Al-Nas journal because it had not complied with Section 32/h of the law on the press. The Council said that the journal did not deposit copies for 20 days, but the journalists belied the Council and said they had not deposited copies only nine days for technical reasons. The security then arrested journalist 'Amir al-Bashab, a worker at the journal, without charge.

January 31, the Press and Publications Attorney suspended Al-Sudani "for the public interest" because it published in Issue 441 banned information concerning the case of the murder of Mohamed Taha Mohamed Ahmed. The journal was suspended for three days until a decision by the Prosecutor General nullified the order in response to an appeal by the appellant journal.

Around the end of January, a Khartoum criminal court condemned with 110 million pounds fine the editor-in-chief of Al-Sahafa Journal, 'Adil al-Baz, and the writer al-Haj Waraq in response to claims of defamation by the government officials Lam Akol and Tilara Deng.

February 1, a court at Khartoum North condemned Al-Sudani with defamation of a government official. The court committed Al-Sudani to pay the plaintiff Lam Akol, minister of foreign affairs, 100 million pounds (about 50,000 dollars) in compensation.

February 5, the Gezira T.V. was prevented from showing a press conference with members of the Umma Liberation Army.

February 8, 'Adil Sid Ahmed, the deputy editor-in-chief of the Al-Wattan Journal, and his colleague, journalist Ahmed al-Sharif were both arrested for their participation in the coverage of news considered "harmful to the national security." The journalists were released after 4 days in jail. The authorities conducted further investigation with Al-Wattan's Sid Ahmed al-Khalifa, the editor-in-chief, and the Press Council suspended the paper for two days (February 14 and 15). The paper was able, however, to repeal the suspension.

February 12, the National Council for the Press and Publications decided to ban publication on a case concerning money laundering still on trial before court at Khartoum North.

By mid-February, the Council suspended publication of materials on the trial of persons accused of killing journalist Mohamed Taha Mohamed Ahmed, according to court decision by the Khartoum North Criminal Court. This occurred in gross violation of Section 29 of the Law of Criminal Procedure on public trial.

March 5, persons dressed in civilian clothes put under arrest two journalists working with the Al-Sudani newspaper, Iman Hassan and Iman Ahmed, in addition to Hassan Babolina, a photographer, inside the building of the Khartoum Locality while they were interviewing a beggar female. The journalists' privacy was invaded, as they were harassed and inspected.

March 12, the Council of Ministers' Secretariat General accused Al-

Ayyam and the deputy editor-in-chief of the journal of defamation for news published in the journal on the Council's discussion on the situation of the political parties that constituted the Government of National Unity.

March 14, the Press Court of Khartoum sentenced the editor-in-chief of Al-Wattan Sid Ahmed al-Khalifa with fine in the amount of a million dinar, as well as 6 months imprisonment in the case of default. The court ordered 10 million dollars as a compensation for 'Abd al-Halim al-Muta'afi who claimed the newspaper defamed him by publishing news about his importation of used buses from Holland.

March 18, the Khartoum Criminal Court sentenced Mahgoub Mohamed Salih, the editor in-chief of Al-Ayyam, and editor Hadiya al-Hadi with a million dinar fine or 3 months imprisonment, in response of a complaint by the security/intelligence department against the paper.

The Press and Publications Attorney Office banned publication of materials that "degraded" the police in reaction to claims by the Ministry of Interior's Legal Affairs Administration.

April 21, the security authorities placed under custody, for hours, al-Fatih 'Abd-Allah, an editor with al-Sudani Journal, and Abu 'Obayda 'Awad, a journalist with the Ray al-Sh'ab newspaper. The authorities banned the journalist work of these editors on anniversary of the victims of al-'Argoob, nearby ancient 'Amri, in an area that witnessed continuous conflict last year over a new dam.

April 22, the journalists serving at the National Council were severely harassed during meetings of the Security and Defense Committee with the Director of the National Security Department and Intelligence.

Violating Human Rights and Public Freedoms

In the early hours of January 1, the police shot with tar gas the New Year celebrating worshippers at the Church of All Saints in the 'Imarat area of Khartoum. Six persons were immediately injured, including Abel Aleir and Ambassador Martin Malwal. The police claimed they had been pursuing arrest of a person wanted for justice who entered the church, and that they shot the tar gas outside the church!

January 10, 11 persons were injured while 13 others, at least, were arrested as the police confronted them violently to disperse a peaceful rally by the Socialist Arab Ba'thi Party (Sudanese National Leadership) protesting the execution of the former Iraqi president, Saddam Hussain. Khalid Diyaaddin, Musa Mohamed Yusif, Musa Mohamed Musa, Khalid Shatir, Wala Omar Waqi'-Allah, Malaz Hassan Rabi', Mohammed Osman Sid Ahmed, Talal Osman, Yusif Ahmed Khugali, Yusif Mohamed

Isma'il, and Tariq Hassan were arrested and unlawfully detained.

January 22, the National Council approved Law on Political Parties 2007 amidst high protests from the National Democratic Alliance's parliamentary bloc that withdrew from the session protesting the registration provisions for political parties, as prescribed by the law, and the limitations imposed on party finances, membership, and penal treatment. The democratic forces considered the law a clear adoption of totalitarian rule.

January 23, the police force of the Kerari Locality removed residential places at quarter 60 of al-Thawara town, thus involving itself in a violent confrontation with the residents of whom one person was shot in his leg and many others injured. The authorities allowed the residents one week to evacuate the place. Only those who had been living in homes for more than a year were exempted from the removal.

February 26, the police reacted violently to a group of citizens protesting a decision by the authorities to privatize Midan al-Mawlid public square, which was also known as Midan 'Abd al-Mon'im, into residences and administrative buildings. The protestors claimed the square was a historical part of the city for it had been regularly used to celebrate the Birth of the Prophet, as well as a playground for many sports and the only place for recreation in the area. The conflict ended with injuries on many citizens.

April 15, the Khartoum police clashed with a peaceful assembly organized by an organization of the unlawfully dismissed employees. The group intended to hand out a memorandum to the Presidency at the Republican Palace. The police surrounded the demonstrators and dispersed them by force before arrival at the palace. Thirty persons were arrested.

April 24, the police used ultra-violence to disperse a demonstration by people affected by the Kajbar Dam. Ten citizens were wounded, including 'Abd al-Hakam Yusif Mohamed, Muzamil Abubakr 'Abd al-Ghaffar (shot at his knee), 'Imad Sayed al-Tayeb (shot at his leg), and Mohamed Omar.

Arbitrary Arrest and Trial

January 10, the police arrested 11 members of the Sudanese Socialist Ba'th Party in a demonstration protesting the execution of Saddam Hussein, the former Iraqi president. Among the detainees was 'Ali al-Rayah al-Sheikh, secretary of the party, Osman Idris Abu Ras, his deputy, Yusif Adam al-Day, Yahya Ishaq, Sa'id 'Abd al-Fatah, Siddiq Tawir, Shadiya Ahmed Lazim, Ahmed Hassan Isma'il, Awad Al-'Alim Musa'ad, and 'Awad-Allah Suliman. On January 15, the Khartoum North Criminal court fined with 200 pounds 'Ali al-Rayah al-Sanhori and Idris Abu Ras

for breaching the peace and public safety.

February 8, the police arrested tens of students at the Neelain University following clashes among the students Khamis Mathew, al-Hadi 'Abd-Allah, Ibrahim Maniwan, Joe Magwan, Suzi Tasona, Shahinaz Nasraddin, John Awang, Tamir Nagmaddin, Ibrahim 'Abd-Allah Mathew, and Victor Thomas.

February 15, the security forces arrested Mastor Ahmed Mohamed, the secretary general of the Juba Students Union, at the 'Abd al-Mageed Imam Center in Khartoum North. Neither the place of his detention, nor the reason for detention, was identified.

February 15, the police arrested 26 members of the organization of the unlawfully dismissed employees who had been demonstrating in a peaceful rally. The detainees included the former minister of foreign affairs Ibrahim Taha Ayoub, chair of the rallying organization, Mustafa Mohamed 'Abd-Allah, the former under-secretary of the ministry of finance, al-Shafi' Ibrahim al-Dao, TV director, Men-Allah 'Abd al-Wahab, journalist, Yusif 'Abd al-Hadi, secretary general of the group, Ibrahim Ahmed Mohamed, Salah Mohamed Eisa, Nadya 'Abbas, Salha Abbakar, Mariam Sam'arait, Al-'Iz Fadl-Allah, 'Awad al-Kareem Babiker, Mahgoub al-Zubair, Siddig Yahya, and Bushra al-Sayim.

By mid-February, the authorities arrested Yasir Merghani, deputy secretary general of the Pharmacists Union, following his press release that one third of the medical aid was invalid. Accused of violating Section 159 (defamation), pharmacist Yasir was released days after that on personal bail. He said that the Media Aid Department sued him for a billion pound!

By mid-February, Hassan Bergo, a leading member of the National Congress, secretary of the Western and Central African Bureau, was arrested for announcements to a local TV station on the crisis that erupted at the time between Khartoum and Umjamina. Bergo was not released until April 24. His family was not allowed to visit him while imprisoned in Darfur for two months.

February 23, the Kamlin police arrested four women, four children, and two men from the Dar al-Salam village of al-Baqair, which buildings the authorities removed last year without compensation for the residents (12,000 citizens). The arrested people were Hawa Mohamed Jido 'Abd-Allah, Fatima Mohamed Faysal, 'Aiysha Daoud and her infant, Allaymona Adam al-Dokhri, Abbakar Adam Yahya, Hassan Hamad (18 years), Amna Ahmed Jido (10 years), Huda Adam (8 years), Maryam, and Marwa.

March 7, the national security and intelligence forces arrested Ahmed Dahiya, the chair of the al-Manbar al-Hor lil-Misairiya [the Misairiya Free Forum]. The arrested citizen was subsequently moved to Khartoum via Abu Bilaila Camp. He was released on April 18 after lengthy interrogations, without charge.

March 24, following armed assault by the police on the residence of the Sudan Liberation Army (SLA), the rebel group that signed Abuja Agreement with the government, tens of the SLA members were arrested all over the Three Towns of the capital Khartoum. Among those arrested was Hassan Ahmed Hamid, Osman Suliman 'Abd-Allah, al-Sadiq Yunis 'Abd-Allah, 'Abdo Ahmed 'Abd-Allah, Ismail Mohamed Ibrahim, al-Sadiq Salih Hamid, Bellah 'Aboud Hamid, Mubarak Omar Arko, Mustafa Mohamedain Jal al-Nabi, Yasir Osman 'Abd al-Hamid, 'Aiysha 'Abd-Allah Adam, Anwar al-Tayeb Ahmed, Badraddin al-Soar Harun, Ibrahim 'Abd-Allah Adam, Haydar al-Tayeb Khalifa, 'Abd-Allah 'Abd al-Rahman Mahmoud, Musa 'Abd al-Rahman, Ibrahim Sharif Ahmed, 'Isam Adam 'Izaddin, Kamal Farah Adam, Mohamed Daoud Adam, Mahmoud Mufarrih, 'Abd al-Rahim Mursal Khatir, al-Fadil al-Tigani Bashir, 'Abd al-Rahman Ismail Hassan, Ismail al-Nur Khatir, and Khider Musa Mohamed Bukhari.

The arrests also included Nuraddin Mansur 'Ali, Salih Mohamed 'Arabi, Rasmawil Luka Angelo, 'Abd al-Magid Hussain, Nurrain Mohamed Jabir, Ibrahim Musa Mohamed, Eisa Yusif Adam, Makwaj Showy Deng, Ajleef Lewis Matib, Tajaddin Bakheit Mursal, 'Alaaddin Mohamedain Suliman, al-Sadiq Hamad, 'Asim Ahmed Mohamed Ahmed, Juma' Mohamed Suliman, Mahdi Musa Shafaq, Mubarak Yusif Ahmed, Malik Mohamed Adam, 'Abdu Hassan Suliman, Mohamed 'Ali Ahmed, Mohamed Salih al-Tahir, Osman Khalil 'Abd-Allah, Omar 'Ali Daw-albeit, Mahdi Ismail, 'Abd-Allah Juma' Osman, 'Ali 'Abd al-Nabi Yahya, Omar Yusif Mohamed Harun, 'Ali Hassan 'Ali Hussain, Ismail Mohamed Harun, Mahgoub Adoma al-Tahir, Khalid Adam Arbab, Yusif 'Abd-Allah Thabit, Mubarak Ibrahim Nimeiri, Ibrahim 'Ali Hassan 'Abd al-Rahman, Mu'amar Harun Dafa'-Allah, Mubarak Yagoub Ahmed, Mohamed Salim Belal, Mohamed Adam al-Tahir, Mansur Ishaq Omar, Adam Juma' Ibrahim, Mohamed Hussain Ahmed, Ahmed Hassan Adam, Siddiq Mohamed Yahya Mohamed, al-Tayeb Mohamed Ahmed, Mustafa Yagoub Juma', Yasir Abu Mubarak, Ismail Eisa Khatir, Sha'rani Ibrahim Adam, Ismail 'Obaid Ab-bakar, Fatima Daoud al-Tahir, Rasha Idris Suliman, and Firdoas Adam Mohamedain. On 28 March, the authorities released 21 of the detainees. Still more than 70 persons were under arrest.

29 March, the attorney chamber of the Khartoum State released three

persons who had spent about 6 months in jail. Abu al-Qasim Ahmed Ibrahim and his brother Zakariyah Ahmed Abu al-Qasim and their cousin Mukhtar had been arrested under investigation accused of the murder of the journalist Mohamed Taha Mohamed Ahmed. Arrested in Saudi Arabia, Abu Al-Qasim was extradited to Sudan and detained.

On April 11, the Khartoum authorities arrested two members of the Sudan Communist Party who had been disseminating party leaflets in the anniversary of the April Uprising. One of the detainees was released but the other, al-Rasheed 'Amir, was kept under custody.

By the end of March, a militia group working in the service of the Kajbar Dam in al-Manasir area detained a number of the leaderships of the population affected by the dam in an unknown place. Among the detainees was Osman al-Maqdom, the deputy chairperson of the group's executive committee, 'Abd al-Ati 'Abd al-Khair, member of the committee head of its emergency group, Hassan Siddig 'Adolabi, head of the associations' committee, Haytham Dosogi, the students' leader, and 'Abd al-Rahman Zaydan, deputy chairperson of the associations' committee.

In the second week of February, members of and students supporting the Sudanese Liberal Party were arrested as part of the detention campaigns on the campus of the Neelain University. The party claimed that 10 of its cadres were detained, including Mohamed al-Mustafa, member of the executive committee of the party.

April 13, the Khartoum police arrested a senior official of the SPLM in front of the gate of his house at the 'Imarat area in Khartoum. Lieutenant-General Eliyas Waba, head of the technical committee, the Joint Defense Council, claimed he had been beaten up and chained by the police. He lost his personal belongings, including 5 million pounds, a mobile, medical spectacles, and a watch. He was injured in his ears and left eye. The police claimed that General Waba was drunk.

On February 13, a court in Managil sentenced with death penalty Sa'diya Idris Fidail (22 years) as well as Amona 'Abd-Allah Daldom (23 years) for adultery. The Court of Appeal, however, cancelled the sentence and returned the case for re-trial since the accused had not been allowed sufficient time for legal defense.

Extra-Judicial Killing

January 1, members of the Rizaygat group supported by the Janjaweed launched an armed attack on the Turgum group at the Balabil area. The attack, which lasted for three days on a cluster of the small villages of Bulbul Tambasko, Bulbul Dilal, 'Angara, and Muhagriyat al-Jami', led to the killing of 21 citizens.

In the first week of January, more than 200 persons were killed in armed conflict between the Felata and the Habaniya groups at Talas.

On 2-4 January, more than 30 persons were killed in armed confrontations between Al-Mima and Zagawa at the village of Wada'a in the north-west side of Niyala.

On January 5, six persons were killed and three injured in clashes between the Habaniya and the Felata groups at the area of Farfish between Buram and Talas localities.

In the same day, 34 persons at least were killed in feuds between the Turjum and Rizaygat at the al-Jami', Muhajriya, Sambalawiya, Qurais, and Bulbul Abu-Jaz in the South Darfur State.

On January 6, the border troops attacked the village of Muhajriyat al-Jami' which lied 20 kilometers to the west of Niyala. The attack led to the killing of about 20 members of the Turjum: Fadl Osman al-Doud, Faki Adam Izayrig, Ab-bakar Izayrig, Mohamed Ibrahim, 'Abd al-Rahman Idris, Babiker Ibrahim Mohamed, Adam Zakariya, Khalid Adam Suliman, Fadl Ismail Buram, Mohamed 'Abd al-'Aziz, Eisa Idris Mohamed, 'Abd-Allah Ibrahim Mohamed, Saig-Allah Mohamed Ahmed, Mohamed Ahmed Mohamed Bakheit, Adam Khatir al-Dom, Mohamed Adam, Hassan Musa, Ahmed Hamid al-Dod, and Adam Ramadan.

The first week of February, 4 Zagawa were killed following armed attacks by Arab groups on the areas of Intabo and al-Matot in North Darfur. The murdered persons were Mohamed Ahmed Eisa, 'Abd-Allah Ibrahim Adam, Hamid Karbakait, and Mahdi 'Abd-Allah.

On February 11, 11 persons were killed while 10 others were injured in armed conflicts between two tribal groups at the area of Sobla to the south of Kas locality in South Darfur.

On the morning of February 12, the government troops and the Janjaweed militias, supported by the government's air force, attacked Sarba to the north of Jinaina. The attack killed 15 civilians, including women and children, besides many wounded.

By mid-February, a group of Janjawees attacked the village of Um Day near Haskanita. Twenty persons were murdered. The whole area was burnt to earth. Among those extra-judicially killed were Yagoub Adam Huday, al-Tahir Ibrahim 'Ali, Mukhtar Mohamed Juma', al-Dogail Adam 'Abd-Allah, Mohamedain Yahya Bushara, Tot Akod, and al-Nur Omar al-Zubair. Two dead bodies were not identified, being badly mutilated.

On February 25-26, about 40 persons were killed following the as-

sault by Rizagat camel riders on the Turjum, Barno, Whowaita, Saada, and Bergo in the area of Karkary al-Mudaib at the Kargo Mountains. The assault led to the displacement of more than 3,000 citizens unto the neighborhood of Kas. Hundreds of cattle were robbed. Among the murdered persons were Sheikh Magid and two of his sons, 'Abd-Allah So-ghair and his brother, 'Abd-Allah al-Tom and Hasabaddin.

The opening days of March saw the killing of twenty displaced persons at the Kilma Camp in South Darfur as a result of an armed confrontation between the groups that signed the Abuja Peace Agreement and government troops. Prior to this conflict, the government had earlier arrested a number of displaced citizens, which motivated members of the rebel group to release them by force.

March 5, four persons were killed at the Abu Jibaiha market in the midst of police hunt of a person wanted for arrest. The victims were Ni-meiri 'Adil Daoud, Yunis Bashari, Mukhtar Mohamed Kuko, and Mohamed Ahmed Mohamed Ahmed. Thirty eight citizens injured in the pursuit were placed under medical care in El-Obeid and Khartoum.

On March 12, 27 members of the Sudan Liberation Army (SLA) and 10 of the Ma'aliya were killed in armed conflicts between the two parties at the areas of Mutwarid, Um Dayu, Kilaykil, and Sheikh Gassan at the locality of 'Adila in the State of South Darfur.

March 20, the government armed forces, supported by militias, attacked two towns at the Sarba region of West Darfur. The attack led to the killing of 21 persons and the wounding of tens.

March 20, the Janjaweed groups attacked the village of Sug Tabaldi, north of De'ain, killing 4 persons and burning the village.

March 24, tens of the police and security forces attacked a residential place of the SLA, a government's peace partner, at the al-Muhandiseen suburb in Omdurman. The attack was launched with heavy arms that killed 13 persons of whom ten were members of the SLA, in addition to three policemen. The murdered persons included Adam Babiker Ahmed, Hafiz Ibrahim Mohamed 'Abd al-Shafi', al-Nur Adam 'Abd al-Shafi', Ab-ubakr Jangail, Mohamed Yagub Hassan, Gibreel Bakheit, Sharif Wad Darnajg, and Osman Ibrahim Suliman.

March 25, 6 persons were killed and 12 hurt at the Sarba locality in attacks launched by an armed group.

On March 30, 24 Turjum were killed and tens wounded in an armed conflict with the Rizaygat groups, soon after reconciliation had been approved by the two groups.

Relief Agencies

By mid-January, the police attacked the residence of the Red Cross at the Imtidad [Extension] area in Niyala to arrest 20 external employees, including 4 women, working with the Red Cross, Oxfam, and UNICEF. Three of the detainees were members of the AU troop besides 6 Kenyans, 2 persons from Sera Leone, one from Uganda, a Nigerian, a Tanzanian, an American, an Egyptian, an Ethiopian, an Australian, and a Sudanese person. The police claimed they were arrested under sections 77, 79, and 152 (drunkenness, nuisance, and gross indecency). On January 21, the police attacked a UN office for the eradication of mines claiming that a few foreign employees had been illegally selling wines for which they alone were entitled to use by permits from the ministry of foreign affairs.

January 24, a French relief agency concerned with the eradication of famine, claimed that one of their female workers had been raped in Darfur. The agency said that other female employees were also sexually assaulted. Others were subjected to mock execution in the course of a collective attack on their camp at the village of Quraida. The transgressors sacked the camp, stole cars and communication devices, and harassed the international and the native employees and workers. Doctors without Border, another organization, announced this last September that one of their international female employees had been sexually assaulted by the police of Niyala in South Darfur.

Towards the end of January, the doctors in question withdrew their operations for an unspecified period of time in Darfur due to the rising risks.

On March 22, a government official said that the licenses of 52 organizations were terminated in South Darfur because they had not complied with the rules.

April 23, the International Relief Agency announced it would stop relief activities at Um Dukhun in West Darfur due to the increasing acts of violence. Oxfam, Spanish Save the Children, and Mercy relayed that the suspension would deprive about 100,000 humans from receiving relief near the border with Chad and Central Africa.

On April 30, armed persons kidnapped six members of the Refugees' Commissariat at Um Shala in West Darfur. The kidnapped persons were abandoned in the desert between Jinaina and Sarf Omar. Two cars were stolen on their way for a regular visit to Um Shala Camp. The employees were rescued by members of the AU and the local authorities.

Liberating the Law from Repressive Authorities

Taha Ibrahim

A most important objective of civil society organizations is to guarantee human rights to prevent its violation. This is why repressive regimes harass these organizations by stringent laws to curtail their activities. The Salvation regime of the Sudan is an example of such practices.

According to Article 3 of the Second Constitutional Decree (1989), all trades unions were banned. The chapter concerning the Advocacy Law was also abrogated, up to this moment. There are now four main laws that govern civil society activities: the trade unions law (2001), the law for the organization of professional associations (2004), the law on voluntary work (2006), and the law on organizing cultural societies (1996).

The major goal of these laws is to strengthen the government control over the activities, membership, organization, and finances of native organizations. The government has been abusing the Salvation Constitution (1998) that entrenched a totalitarian repressive rule in the country.

In 1986, Sudan rectified the international covenant on civil and political right and the covenant on economic, social and cultural rights. The provisions of these international agreements became part of the constitutional rights in the country. The Interim Constitution (2005) adopted an advanced version of human rights and fundamental freedoms, which had to abrogate or amend all laws controlling civil society activities in conformity with the Interim Constitution.

The salvation government, nonetheless, is determined to maintain its repressive laws. The law on voluntary work (2006) included non-constitutional arrangements that simply abrogate the right of peaceful assembly.

Article 22 of the International Covenant on Civil and Political Rights states: "Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests." All States Parties, according to Article 8 of the Covenant on Economic, Social and Cultural Rights shall guarantee the right to form and join trade unions, including the right to enter in a strike, without restriction:

"The right of peaceful assembly shall be recognized. No restrictions shall be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others." Equally importantly is the right of trade unions to form national unions or confederations, or to join international unions.

Article 40 of the chapter on rights in the Interim Constitution guarantees the right to peaceful assembly. Everyone shall have the right to freedom of association with others, including the right to form and join political parties, associations, unions, and professional associations for the protection of his interests. The law organizes the formation and the registration of all these activities as is necessary in a democratic society.

In brief, the Convention concerning the Freedom of Association and Protection of the Right to Organize provides for: 1) The right of workers and professional groups to form unions or associations (without prior permission); 2) The issuance of by-laws and administrative structures by the unions themselves, and the free election of representatives to administer their own activities freely; 3) The obligation of authorities not to intrude in the unions' organizational bodies to restrict or to curtail them; and 4) The unlawfulness of intrusions by the administrative authority in union affairs.

The Present Laws of Civil Society

The Law on Labor Unions confiscates all rights and freedoms

Section 5 prescribes certain goals for the labor unions, which violates the international law. Moreover, sub-section (a) refers to the right to protect labor interests "in light of the enforceable law," which restricts further the right of workers to resist or even to struggle to abrogate any law that contradicts their union interests.

What is worst is sub-section (h) that requires "cooperation with State apparatus ... to advance the march of the Nation towards its high values and international relations." Ironically, these "values" were determined by the National Congress Party, which represented exploitation and terrorism – acts strongly abhorred by most of the Sudanese people. The law also requires by section 6 that union activities will not be legalized unless worked out "in compliance with the law or any other enforceable law."

Eradicating the right to organize

Section 9 of the law states that the Minister, based on a recommenda-

tion by the Registrar, is the competent authority to define in what sectors or establishment workers can form unions. The Minister is authorized to define the names, numbers, and types of such unions. Paragraph 3 of the section states that it is not possible to form more than one union in any of the sectors or establishments the Minister defines. Para 7 of the same section dictates that the registrar is the one who defines the union, as he sees fit, for any workers for whom a union is not previously allocated by ordinance.

In section 10, the law imposes union structures over the unions. This eradicates the right of workers to define their own structures to serve their interests. The law prescribes the by-laws of unions. Section 11 (b) says that by-laws must include the goals mentioned in section 5, as already discussed. The section conceptualizes specific ways for unions to manage their affairs. A union not complying with these ways will be liquidated. A union's term of office is allowed for five years only. This deprives unionists from the right to specify the union's term of office.

The law did not define the term "worker." But it defined "the owner of work." This confusion aimed to justify the prevention of workers from the right to join a union of their wish. Section 15 prohibits any person from the right to join the membership of more than one union. Any professional, according to section 34, however, has the right to join any workers' union, that is to say he can be a member of both professional associations and workers' unions. Workers will not join professional associations because they don't have the professional qualifications to do that. The ultimate goal of the law is to enable professionals to prevail over workers' unions simply because the salvation government has been short of workers' support; but evidently enjoyed a large number of diploma holders and other professionals.

The Registrar is a Master of Unions

Section 27 made of the Registrar's decisions "judicial decisions that may be protested before the High Court." Although section 27 (a) decides that the President of the Republic on the recommendation of the Minister appoints the Registrar, such appointment shall not make of the Registrar a member of the Judiciary, which is constitutionally designated to decide on disputes. In origin, the Registrar's decisions are administrative. Hence, they should be subjected to administrative law. The government, nonetheless, wants to protect the Registrar as a political appointee. This law violates clearly international law, which protects the right to organize, in spite of the elusive wording of the article.

The Registrar is authorized to reject Union Registration

In section 31, the Registrar is authorized to reject registration of a union in these cases: 1) if the formation of a union contradicts provisions of the law, although it is the right of workers to form unions to abrogate the law; 2) if the names of unions are confusingly alike; this possibility, however, is used in commercial law, not in union laws. Even if names of unions are alike, the names might be clearly differentiated, but the unions shall not be suspended; 3) if a union carries out adequately the same aims that an applicant union wishes to carry out. This latter restriction, however, is the worst of all because, according to the law itself, the article prescribes by law specific goals for all unions, irrespective of the unions' right to define their own goals.

The Registrar may suspend or cancel Union Elections

The international law prohibits Authority intrusions in union formation, activities, or elections. The law in question violates this prohibition by section 32, which allows the Registrar to cancel elections of any union if he thinks that the election procedure is not correct. The Registrar may further order a union's re-election or suspend its election all together.

The Registrar may suspend Unions

Section 33 entrusts the Registrar with the powers to suspend or liquidate a union or a professional association, which is strictly prohibited by international law. The worst violation lies in the section's justification: a) if the union violates the rules of this law or its ordinance; b) if the union committee has been formed in violation of this law or its ordinance; c) if the committee fails to execute the aims of the union; and d) if the committee commits a violation of any law that regulates labor relations, or any other enforceable law.

A workers' union, not the Registrar, has the right to violate this law as well as resisting and struggling to abrogate it. Workers have the right too to hold accountable the committee that fails to make true union objectives.

The Minister suppresses workers to join his unions

Section 36 makes it possible for the Minister to issue an ordinance to regulate execution of the law. This includes ordinances for the organization of unions that violates grossly the freedom of unions and the right to organize. The ordinance of workers' unions (2001) illustrates clearly the non-constitutionality of this law, which demands its immediate abrogation. The ordinance includes unions formed by the Minister, not by the workers' free will.

The Minister decides that his unions shall be organized according to the establishment, sector, industry, employer, province, or state, i.e. all labor force of a certain establishment shall become members of the one union. If the establishment is a hospital, for example, then the one union available in the hospital will include physicians, nurses, sisters, pharmacists, and all other workers and employees of the hospital.

The authority to form general unions has been delegated to add workers to the union, or to exclude others from it, or to form new unions by the Registrar: "The Registrar may amend provisions for the formation of a union, on the recommendation of Federation, whenever it is necessary for him to do so."

The law of professional associations reiterates the same persecution already practiced against workers. In both cases, the Minister and the Registrar violate grossly the international law.

The law of Voluntary Work Violates the Interim Constitution

The definition of Voluntary Work

Section 4 defines voluntary and humanitarian work as the kind of work that aims to present voluntarily humanitarian assistance and relief or public service or human rights activities or protection of the environment or improvement of the economic and social standards of the beneficiaries. The limitation of areas of service for voluntary work violates the right to organize. A voluntary organization has the right to define freely the area of its activities. But the section eliminates the right of people who wish to form a gender organization, or a society to eradicate harmful habits or to combat tuberculosis in Easter Sudan.

Foreign Funding

Section 7 (2) of the law stipulates "a civil society organization registered by this law is not allowed to receive money or grants from a foreigner inside the country or any other source unless approved by the Minister." This restriction does not circumscribe only the right to organize; but it confiscates the freedom of assembly in violation of Article 27 (4) of the Constitution. The restriction is not based on those prescribed by Article 22 of the International Covenant on Civil and Political Rights. Even if an organization is accused of abusing funds by criminal acts, such accusation may well contradict the principles of fair trial by Article 34 of the Constitution.

Evidently, the Authority wants to dominate the organizations by describing its functions, supervising its membership, and holding over its finances. The Minister is empowered with the authority to deprive organ-

izations from grants and financial assistance. All this constitutes violations of the freedom of assembly. If the Minister refuses to approve funding of an organization, the latter will cease to exist.

The Interim Constitution (Articles 139, 194, and 195) allows the Central Government, South Sudan Government, and States to receive foreign grants and financial assistance. How could it be possible for a law to deprive civil society groups from grants by a Minister's decision? Is the Minister more patriotic than leaderships of the Civil Society? This restriction is not based on international law.

The law empowers the Minister to stop grants without objective justification. This authority does not do justice to the right to equality before the law. The Minister's decision is an administrative decision that can not abrogate the constitutional right, as granted by Article 35 of the Interim Constitution for a plaintiff to protest it. The law, however, curtails the right of unions to protest administratively the Minister's decision.

At this point, we must ask: is it possible for the executive authority to suppress the right of civil society organizations to exercise the right to organize? The right to receive foreign grants and financial assistance is a right to fuel these organizations. The Constitution legalizes this right to the governments of the land in their different levels. To surrender this right to the Minister is undoubtedly non-constitutional.

Reforming Civil Society Organizations

Hala 'Abd al-Halim

It appears from the post-independence experiences of Sudan that the regimes that governed the country were unable to provide protection, stability, and development to people. The presence of civil society groups has thus become an essentiality for whose prosperity all authoritative or censorial activities must be abandoned. Also, the recurring wars in the different parts of the country must be ended, besides deserved attention to alleviate post-war problems.

Inaccurate statistics indicate that the civil society of Sudan is approximately made of 2,000 organizations, cultural societies, indigenous associations, and sports clubs. There is not available statistics on the number of trade unions or professional associations. All these forces, in addition to political parties, constitute the basis of civil society in Sudan.

The civil society forces are not merely consistent of cultural groups or media experts or other intellectuals. The civil society is a huge network that includes all these civil groups as well as political parties, although the latter are often seen as power-seeking groups. The growth of civil society constitutes a main way for societies and peoples to live practically in peace, democracy, and development.

Rather than any state-incited or controlled activity, the establishment of a free society is largely correlated with the availability of democracy and its actual performance. Also, the sources of funding determine the type of activity in the organization, which may turn its attention from women's rights, for example, to work in peace programs. The multiplicity of the organizations' area of work is a facilitator in this regard.

Many registered organizations were not basically established independently from the State. A great many of them received financial assistance and other means of support from the State, in addition to international and regional aid. These facts exclude such organizations from the non-governmental civil society groups.

As mentioned in the Arab Strategic Report on civil society groups,

"those organizations that have been originally set-up on religious basis are managed from above in a patriarchal way that is not really different from those closely related to the State, with the exception of the formers reliance on religious impetus and civil activities on religious affairs, especially those organized by Islamic movements."

There are also seasonal societies that function for service or in the interest of temporary occasions, such as pilgrimage and alms collection, although they might have been registered as branches of governmental administrations or other geographical localities. Many of these groups fail to accomplish their prescribed goals.

Major problems facing the civil society organizations in Sudan relate to the fact that they exercised their work on issues not deeply rooted in the Sudanese consciousness. Although our history is indeed rich in ancient humanitarian and voluntary work, the latter has not developed to a full-fledged institutional activity, so to speak. For example, Nafeer [collective work] and Waqf [endowments] are religiously approved in Christian and Islamic terms, in addition to the Zakah [alms giving].

Many civil society works had been initiated in Sudan by voluntary work, for example girls education developed in many parts of the country by philanthropy. Schools and many hospitals were established in the same manner. Many organizations emerged successfully in the colonial and independence times. The experiences of cooperatives, trade unions, and other societal groups were highly appreciated.

The mosque and the al-Khalwa [religious school] formed traditional means for communication and mobilization. But they have not been promoted to take part in development, or critical participation in the public policy. Rather, their role was devoted to the spiritual, not the civil arena, except for a few cases that include, for example, the churches that started off motivated by religion still they were able to provide distinguished services for both Christians and Muslims in well-reputed hospitals and schools – apart from religious ideologies.

The Sudanese societal culture tends to adopt humanitarian work more than modern programs by the civil society's organized groups. These masses almost reject claims of the civil society organizations. The idea of paying contributions to voluntary societies in Sudan is almost absent, even amongst the political parties that have been collecting them regularly from membership for long periods of time.

A Sudanese prevalent cultural mentality played a part in the concen-

tration of civil society work only in its philanthropist and religious aspects. This led to a situation whereby the expenditure on these aspects surpassed the necessary spending on vagrant children, or the support of displaced people, as well as many other areas of necessary work. This shortcoming has consistently accompanied the development of civil society organizations. People, however, will not contribute until they believe in the cause for which their help is sought.

Obviously then, there is a number of challenges that confront the forces of civil society which, however, have not paid sufficient attention to them. Some of the organizations, moreover, constituted the bridges over which succeeding totalitarian regimes entrenched their repressive policies. In their turn, the latter undermined the former and had infected them further with maladministration and non-democracy.

The Beginnings of Organizations

Most of the organizations in the field were formed during periods of suppressed civil, political, and other rights by repressive regimes. The opposition was forced, as an alternative, to concentrate opposition work via civil society groups. This made of the latter's work: 1) part of the opposition, for instance in the level of human rights; and 2) a representative of the political leaderships that also lead them. In both cases, civil society groups became a target for State persecution whereas other organizations, for example, Monazamat al-Shaheed (the Martyrs' Organization) have been fully supported by the State.

Civil society organizations define their programs and the targeted groups, regardless of the political affiliations of the membership. But a political party mainly seeks to gain political authority with a strong ideological commitment, which usually excludes the other points of view.

While it is important to pursue political goals, these are not an alternative for the independent ideas, means, or stands of civil society groups. The achievement of civil society programs must not depend on rhetoric or occasional sermons. The programs must be achieved by sacrifice and the striving to achieve them boldly in the real life.

There are other factors concerning the means and tools of civil society work:

- 1) The reform of State performance hinges on the rise of civil society groups and the ways in effect to develop them.
- 2) The state of disunity and the lacking therefore of a unified program to transform civil society into an institutional movement in the national public level, not only the

political level. 3) The persistence of ineffective methods of work led to confusion between serious workers in the field and others who have nothing to do with it. 4) The tools used are mostly politicized, although the project is basically a humanitarian voluntary activity with its own interests. 5) Abusive civil society activities motivated many serious people to stay apart from civil society groups for fear of political blackmailing or the subjection to false accusations of espionage for foreign circles.

Why is it that the organizations did not become popular? Why did they become elitist?

In essence, the organizations are supposed to work among the broad masses as the arena of their work. We are faced with a cultural challenge that needs great effort to entrench the civil society issues into the culture and the consciousness of people. Funding as well as efforts must be exerted to originate new cultural concepts linked in harmony with their own origins, religion, and cultural roots. Many women's rights have been seriously curtailed throughout the last three decades of repressive rule for those who seized political power decided simply to prevent women from travel unless with a guardian, and did prevent women from working as judges, besides other violations of women's freedoms.

It is important, therefore, to disseminate philosophy of civil voluntary work to eradicate violence against the women, the claims of reaction, and the bad habits. This should be done towards the establishment of models enabling the organizations to build up the proper principles of equality and freedom in the societal and popular conscience.

Suggestions to make reforms

Civil society groups must reform their own structures and performance by democracy and transparency to be able to provide reforms to the others.

Train new generations of members that believe in the mission of civil society.

Perform civil society work (organizations, societies, associations, unions, clubs, etc.) by the cadre of the societies in question, rather than politicians.

Abrogate all laws repressing the movement of the civil society with a view to make new appropriate laws to develop the civil society democratically.

Exchange experiences within civil society groups.

Reform the administrative and financial means and tools of work to help produce strong organizational structures on the basis of democratic work. This alone will allow the organizations to make of themselves an effective popular movement. Networking is extremely important as well to help identify public problems.

Encourage and develop a culture of contributing to the public work as a civil motive that is equally important to the non-politicized religiously-motivated contributions.

Boldness in laying out issues in dispute between modernists and religious fundamentalists to bring about shared thought about human rights, women's rights, and principles of democracy.

Consider carefully the sources of funding by accepting the good ones, and avoiding those that wish to domineer.

The Organizations in Democratic Transition

'Abd al-Rahim Ahmed Belal

The interest in the transition to democratic rule was greatly enhanced when the bills on political parties, elections, and a commission for human rights were discussed. The discussion culminated in the drafts on elections, the socio-political environment, and nonpartisan institutional reform, especially with respect to the elections committee, the judiciary, the disciplinary forces, and the national council of statistics as necessary areas to ensure free and reliable elections. Towards this end, the Press published actively on the need to eradicate corruption.

Soon after eruption of many political strains in the post-Naivasha period, the political parties in the North and the SPLM adopted the issues of democratic transition, unity, and coordination. The SPLM moved its main quarters from Juba to Khartoum. Apparently, it has been convinced that the best guarantee for the peace agreement is the People of Sudan. This, however, will come about only by democratic change, popular participation, and a real rallying around the agreement as is expressed by the chapter on power division.

The Darfur Crisis led to iron-clad military and security measures that handicap the transition to democracy, which moves on the peace process, said al-Haj Waraq. And yet, the texts and the spirit of the agreement will have to be strongly supported by people. Hence it is significant to undertake democratic reforms inside the political parties that represent the major pillar of democracy and reform.

The result of these activities is an assurance of legal reform, which is a main entry to the democratic transition. More than 60 laws need reforming to comply with the Constitution. The ruling authority continues, however, to apply these laws although they are not in conformity with the Constitution, especially the law on national security and the law of the press. Amin Mekki Meddani ascertained at a workshop on reconciliation, accountability, and justice that the transitional justice is a key part of the legal reform needed for the transition to democracy. Medani, Ahmed al-Mufti, and Ahmed al-Bathani, among many others, criticized the negligence of economic and social rights mainly by governments.

The forces supporting the transition moved to action: this move provided a strong push to enforce the democratic transition. For example, demonstrations by the opposition broke in the street against increases in petrol prices (Wednesday: September 6, 2006). This confrontation assured the right to peaceful assembly and the freedom of expression. The demonstrations were suppressed with ultra-violence. The professors of the University of Khartoum formed their own union in open challenge to the law of unions. The journalists led a strong campaign against Section 130 of the Law of Criminal Procedure, which has been abused to suspend the freedom of the Press as explained by Mahgoub Mohamed Salih at a workshop on legal reform in the al-Ahfad College.

There has been similar resistance by other groups against the privatization of land space that had been originally reserved for public sports and schools in al-Kalakla, al-Hila al-Gedida, al-Sahafa, and Buri residential areas (Men-Allah 'Abd al-Wahab, Ayyam: 25 February 2007). The merchants in Omdurman and Khartoum North assured their right to enter in strike, which moved the police to issue a statement that they would stay only by the side of the decisions that waive the suffering of people.

The police pledged not to participate in the localities' campaigning for tax all over Sudan. Does this reduction of the police role in executive repression indicate a certain political turn inside the Authority for the sake of the transition to democracy? Any way, the police move was discouraged by different instructions that restored its stand to square one (Al-Ayyam: February 25, 2007).

The transition to democratic rule starts off with the spread of public freedoms, the enforcement of human rights, and the abrogation of all laws that curtail freedoms by comprehensive legal reform (including the transformation of state bodies from partisan to national institutions). These will not take place without the provision of enlightenment and learning for the public at large to create popular pressure in the interest of balancing bloc.

The Objective and Subjective State of Affairs

Objective conditions are felt in the deterioration of living standards and the unabated impoverishment, together with demonstrations and protests in the subjective side. Organization begins to take effect by the rise of public demands on which a wide social movement may be advanced. The economic power and the hegemonic control the oil production brought about to the revenue-receiving State increased the material and financial resources of the ruling elite, which enabled it to strengthen its security grip.

New military and civil capitalistic and bureaucratic strata emerged in full support to the State which maintains their interests. These strata are not interested, however, in the democratic transition which will certainly break

their closed circles with open participation and sharing by the common folk. The resources at hand motivate the elite to divide the political forces to disperse them at all costs.

In the subjective side, the ruling system was granted permanent financing for the organizations and firms that support the ruling regime financially and organizationally. The sharing of power, according to certain portions by the Comprehensive Peace Agreement 2005, stabilized the National Congress governance and the forces standing against the transition to democratic rule.

The objective weaknesses are still around in the shape of social differentiation and an increasing poverty and impoverishment, added to the Darfur Crisis and the armed conflicts that led to the involvement of new competing forces. The latter weakens the Authority politically and ideologically, which collapsed the so-called salvation civilization project of the ruling regime.

The Forces supporting Democratic Change

The positive objective aspects include the fact that poverty and impoverishment broadened the social basis opposing the regime as occurred in terms of strikes, demonstrations, and other social and demanding movements.

In the subjective side, there has been growing political and intellectual movement in support of the peace agreement and the constitution. This led to intellectual closeness between the forces supporting the transition (activities and lively journalist works in the Press).

The objective weaknesses are pertinent to the narrowness of the social basis of the non-traditional modernist civil society organizations, poor financial resources, continuous impoverishment, problems of the working class, meager surpluses and budgets invested in the public and voluntary work, and poor external financing.

The subjective aspects include the limitedness of the movement, weaknesses of the workers' and the professionals' unions in opposition, the absence of a common vision and a minimum standard of agreement on a common program, poor leadership experiences, and the weak programs and organization of political parties. The latter comprise the real foundation of democracy and democratic transition through their large audiences, despite the impact of regional movements on them.

The objective economic and political conditions of change start over when the forces supporting the transition begin to change the balance from the bottom-up with sufficient popular pressure.

The Role of Civil Society in the Transition

The efforts of the civil society to force the democratic transition have not established the desirable results for reasons pertinent to the objective

conditions that manifested the Sudan's Crisis with all its aspects, besides the subjective organizational state of affairs of the civil society groups and the social forces interested in the transition and the required social democracy.

Many social movements and public demands emerged. But the challenge facing the civil society organizations is for them to move from awareness campaigns about peace and human rights, democratic transition, and academic work in conferences and workshops, despite its significance, to direct partnerships with these social movements and public demands to be able to strengthen the civil society knowledge and its organizational competencies to improve the subjective conditions in a democratic social movement with unified objectives well over prevailing limited demands.

The Civil Society Public Objectives

These may be summarized as follows:

1) The realization of the political, civil, social, economic, and cultural rights in their totality, integrity, and exchange, particularly the achievement of social, economic, and cultural rights.

2) The socio-economic rights guarantee the alleviation of poverty that makes of the Dollar and the Dinar an election card. The three freedoms of expression, assembly, and association are fundamental terms of existence for civil society groups.

3) The realization of the permanent and even development that embraces the economic efficiency; the social efficiency based on alleviating poverty, fair distribution of wealth, and social justice; the environmental efficiency; the political efficiency to guarantee sharing, democracy, transparency, accountability; the social efficiency based on alleviating poverty, fair distribution of wealth, and social justice, the rule of law, and the separation of government branches; the cultural efficiency by the good administration of the cultural, religious, linguistic, and ethnic diversity to maintain the peace; and the appreciation of the human social capital to preserve the solidarity of the social fabric in the case of disputes.

The Role of Civil Society in the Peace Process

It could have been possible for civil society organizations to play a role in the process by exerting pressure on the two negotiating groups to speed up the negotiations in the direction of a non-unilateral context. The civil society has not yet succeeded in promoting the peace process to accomplish these goals due to the weaknesses it suffers in the light of on-going political repression and ambiguities of the negotiations. The making of peace is a direct responsibility of the agreement parties, in addition to the other Suda-

nese entities, especially political parties, civil society groups, and the external players including IGAD and the IGAD Friends. Peace-keeping is maintained by the United Nations and the AU regional troops.

The Sudanese civil society groups have specified goals for achievement in four areas of action: Re-establishment; awareness of the agreement and the dissemination of peace culture and human rights; scientific work to produce professional approaches for the agreement commissions, civil society groups, and other Sudanese workers in the field; and operational activities.

Societal Change and the Re-establishment of Goals

Civil society groups must re-establish their agenda, which means they have to expand their work besides the two traditional areas, namely the humanitarian assistance for the needy displaced people and refugees; and the limited developmental projects in specific sectors or regions. The organizations should take off to the achievement of broad goals of societal change, as anticipated by the peace agreement, by changing the structures of power and wealth, the permanent social and just peace, and even development.

There are three approaches for societal change: the political approach and the system of rule (agreement on the sharing of power), the economic and social approach, and the cultural approach. These approaches reflect in the different areas of civil society activities that integrate together in action as they also integrate by fields of specialty. These organizations care for the economic-social approach (that aims to eradicate poverty) because it is not available in the political programs of political parties, which centers on the political approach and the system of governance.

Awareness of the Agreement and the Culture of Peace and Human Rights

The Comprehensive Peace Agreement is composed of 6 parts. It is a huge volume consistent of 300 pages with complex texts and provisions. Awareness of the agreement serves several objectives: providing the agreement and the peace process to people to achieve active participation in the building of peace, thus people will be the most important intrinsic guarantee of the agreement, besides the other constitutional guarantees; and the dissemination of a culture on peace and human rights as a firm foundation to raise up popular consciousness.

Operational Fieldwork

The three objectives integrate in a vision and action of civil society groups that should be able with some programmed coordination to move up from closed intellectual work to a high level of operational fieldwork, as a social movement to support the transition to democracy and the emerging social peace.