

House Foreign Affairs Committee
Tom Lantos Human Rights Commission

Hearing
on
Military Coup in Sudan: Implications for Human Rights

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Virtual via Cisco WebEx

Statement of Moneim Adam
Project Manager
The Sudanese Archives

Dear chairman Mr. McGovern and Mr. co-chairs the Tom Lantos Human Rights Commission, the House of Representatives, thank you for taking the time to consider the situation in Sudan. During this time after the October 25 coup that interrupted the transitional period which was aimed to lead the country to a democratic path that the Sudanese people fighting for long using all [peaceful](#) means to bring about freedom, peace and justice.

they have created the situation in Darfur now in order to spread fear locally, regionally, and internationally by showing their capability of repeat the situation two decades ago in Darfur. They have burned to the ground hundreds of villages and hundreds of civilian have been killed and more have been injured during the last week.

What happened:

1. The military leaders have seized the civilian led government:
“It was never a partnership.” The military leadership and hard line figures from old regime have been sabotaging the transition from the start, exacerbating the [economic](#) crisis and militarizing the political space mainly through the Juba Peace Agreement [Groups](#) (JPA) the Rapid Support Forces (RSF), the Sudan national Forces (SAF) and other elements from deposed Bashir’s regime including the National Intelligence and Security Services (NISS) and National Congress Party (NCP).
 - a. SAF and RSF aren’t representing the “military” but the NCP, Bashir’s party and the regime. The leadership of SAF and SRF have captured the state and function as a cartel – criminal organization.
 - b. The military and structures of the Bashir’s regime have significant power - they control over 80% of the [economy](#) (according to Hamdok), receive over 75% allocation of the national budget (not sure of the new figures) and have a monopoly on violence. They hold the power.
 - c. The origins of the coup are in Military’s fears and not in the failure of civilian leadership - the coup was not because civilian leadership were failing but because even with so little actual power they were succeeding in transition.
 - d. Current arrangement is not a power sharing deal since Hamdok has no power and there is no constitutional backing for what they have done - In this new arrangement Hamdok is stripped of all his powers: the legal basis for his position in constitutional document, backing and appointment by Forces of

Freedom and Change (FFC) and without his actual power – backing of the Sudanese public. This makes him to become one of the coup faces.

- e. The basis of the agreement can't be to stop the military from killing peaceful protestors, which is what Hamdok kept repeating. That's a hostage situation not a peace agreement.
2. Pressure to move the transition - The military and old regime are susceptible to sustained pressure. They respond to
 - a. Non-violent collective civil disobedience
 - b. Targeted sanctions that threaten their business interests (gold, livestock)
 - c. Being held accountable for their war crimes and human rights violations, they refuse to move on to sign the International Criminal Court ICC MoU in order to surrender Al Bashir to the ICC. The victims of the Darfur crimes have been waiting for justice that was promised by the international community and the UN security council for about two decades now.
3. They seized power to cut the June 3rd investigations short. The investigation into massacre committed on June 3rd 2019 during the dismantlement of the Khartoum sit-in was supposed to be completed two years ago. The incident was a planned attack on peaceful demonstrators, which led to hundred being killed and hundreds of others missing, while many were injured physically, emotionally, and psychologically.

Non-negotiable asks:

- a. Release all prisoners across the country
 - b. Reinstate all appointees of the civilian-led government
 - c. Hold accountable those responsible for the violence and to include the armed groups leaders who supported the coup such as (Abdelfattah AL Burhan, Hameti and other in the sovereign council)
 - d. Allow peaceful protests, free media and allow exercise of other human rights
 - e. Allow freedom of speech and assembly
 - f. Turn on the internet and hand over control of telecommunications to civilians
 - g. Civil Society, National NGOs, and International organization put fully under civilian control
 - h. Military must declare their businesses and assets
 - i. Create a special court that is not overseen by NCP loyalists
 - j. Remove the NISS presence from all check points where they are used to intimidate civilians
4. Targeted sanctions and international isolation for military leaders, their families and their companies in the country and abroad especially in the Gulf countries and, in particular, in the UAE. Targeted sanctions to include the (NCP) members, as they typically create a crisis to remain in power. To absorb international pressure, and to improve their position in negotiations, they might fabricate a crisis and play on Western fears by doing any or all of the following:
 - a. Escalate violence in the periphery – trigger conflicts with SPLMN, in Abyei, Darfur, East, Western and North Kordofan,
 - b. Feed into or fabricate regional conflicts (also threaten to get close to Russia)
 - c. Block humanitarian access or expel international aid organizations, diplomatic missions or their leadership
 - d. Support terrorists or stop supporting our counter-terrorism partnership
 - e. Provoke migration

5. Monitor the transition closely – they will probably strive for the minimum of international legitimacy as they can't win elections. Therefore, we need to make sure there is an open political system and that we track key economic, governance and security sector reforms to be ready to call out and target individuals blocking the real change.

Recommendation before normalization.

1. Form an independent investigation committee to investigate the violence that took place after the coup.
2. Pressure for a comprehensive reform for the military institutions and their companies
3. To pressure the companies that connected to the armed forces and their partners in the golf countries
4. Military needs to be kept out of the political practice
5. To hand over people wanted by the ICC, including Al Bashir
6. To let the formation of the new government for the civilian leaders

Supporting a real civilian lead government which will be able to establish the first pillar of a democratic state that means supporting the Sudanese people. Who are peacefully demonstrating every day to bring about Freedom Peace and Justice and they have stated clearly the three no:

1. No Power sharing with military
2. No Negotiations with military
3. No compromise

Your sincerely