

Unlawful Detention and Torture in Sudanese Conflict: Urgent Need for International Action

Description

Sudan is embroiled in intense fighting between various parties, principally the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF), resulting in [mass displacement and civilian deaths](#). This conflict originated from a military coup in October 2021 led by General Abdel Fattah al-Burhan, commander of the SAF. The coup derailed Sudan's transition to democracy after the ousting of longtime authoritarian ruler Omar al-Bashir in 2019. After the coup, al-Burhan dissolved the civilian-military transitional government and allied himself with the RSF, led by Mohamed Hamdan al-Hemedti. Dagalo.

The conflict has predominantly manifested along ethnic divisions, with the RSF asserting its role as a defender of Sudanese Arab identity and Islam while at the same time explicitly targeting non-Arab minorities. The SAF, on the other hand, aligns more with marginalized ethnic groups and accuses the RSF of war crimes and violent suppression of democracy. Amidst this ethnically charged conflict, both sides have arbitrarily detained civilians based merely on their ethnicity or perceived loyalties, undermining human rights and Sudan's transition to democracy. The following analysis examines the rampant misuse of detention by both sides throughout 2023 and proposes measures to alleviate this man-made disaster.

Detention Operations in Irregular Warfare: An Emerging Global Trend

The use of arbitrary detention and torture against civilians is an increasingly common tactic in irregular conflicts around the world. This tactic of targeting civilians has been documented throughout the Middle East in [Syria](#) and [Iraq](#), as well as conflicts throughout Asia in [Myanmar](#), [Thailand](#), and [Afghanistan](#). This occurrence is particularly salient in Africa, where secret detention sites to imprison and interrogate civilians have been reported in Mali, Niger, Somalia, South Sudan, and Mozambique. From 2015-2022, Amnesty International reported the use of [arbitrary detention](#) and torture by government or rebel forces in over 20 African countries embroiled in conflict. As conflicts fracture along ethnic, religious, and regional divides, detention operations allow parties to terrorize opponents and civilians. This systemic abuse cripples human rights, fuels violence, and obstructs peacebuilding.

Sudan's current crisis reflects this emerging trend. The use of unlawful detention and torture against civilians has become increasingly common and requires urgent action from the international community. Regional bodies and global powers must pressure warring parties to halt this abuse and support accountability for violations of human rights and international humanitarian law.

Unlawful Detention in the Sudan Crisis

Both sides in the Sudanese conflict are guilty of participating in the unlawful detention of civilians. In October 2023, the SAF arbitrarily detained over 500 men, predominantly from the Hausa ethnic group, during operations against suspected RSF supporters in Blue Nile State. The men were arrested from various towns in Blue Nile and held incommunicado, [without access to families or legal aid](#). The SAF extrajudicially killed at least 12 detainees, while over 70 showed signs of torture, including burns, beatings, and electric shocks. SAF officers reportedly interrogated the men about alleged RSF links, political views, tribal affiliations, and income sources.

In November 2023, the Rapid Support Forces (RSF) detained children from the Nuba ethnic group from South Kordofan. The children, ranging in age from 3 to 17 years old, were captured during clashes with the SAF. The RSF accused the children of being rebel collaborators and held them in secret detention facilities in Khartoum, subjecting them to horrific conditions and abuses. At least 27 children showed signs of torture, including beatings, burns, electric shocks, and sexual violence. The RSF coerced some children into confessing links to rebels or providing intelligence, threatening them and their families if they refused to cooperate.

Comparative Analysis of Violations

While the SAF and RSF committed grave abuses, their tactics diverged along ethnic lines. The RSF specifically targeted Nuba children, reflecting their escalating persecution of non-Arab minorities. Meanwhile, the SAF focused on adult Hausa men, perceived as RSF sympathizers. Reports from multiple human rights groups indicate both forces are systematically using [unlawful detention and torture](#) against civilians to gain intelligence and coerced confessions. The widespread abuse of unlawful detention has expanded to target [students, activists, protestors, and journalists](#), as well. With minimal tolerance for dissent, government forces are equally culpable in targeting these groups with [multiple claims](#) of reported torture and forced disappearances. Additionally, the UN Group of Experts reported the establishment of illegal detention centers by the SAF in [South Kordofan and Blue Nile](#), where civilians were subjected to horrific abuse to extract information.

The scale and corroboration across sources indicate these were not isolated incidents but systematic violations by both sides, exploiting instability to further military goals and political dominance through

the detention and torture of civilians. A comparative analysis shows disturbing parallels in the unlawful tactics employed by the RSF and SAF against vulnerable ethnic groups.

Widespread Violations of Human Rights and International Humanitarian Law

The detention operations by the RSF and SAF violated numerous provisions of international human rights and humanitarian law. Firstly, the arbitrary arrest and secret detention of civilians contravenes protections against unlawful detention in the Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, and African Charter on Human and Peoplesâ?? Rights.

Secondly, the use of torture, beatings, electric shocks, burns, and sexual violence documented in detention centers violates prohibitions on torture and cruel, inhuman, or degrading treatment under the UN Convention Against Torture, Geneva Conventions, and Rome Statute of the ICC.

In addition, the executions of detainees constitute extrajudicial killings, infringing on the right to life and due process guarantees. Moreover, the detention and abuse of children violates the UN Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child. Furthermore, the targeting and abuse of civilians based on their ethnicity violates protections against discrimination in international human rights law. Finally, these violations may amount to war crimes and crimes against humanity under the Rome Statute, including murder, torture, unlawful imprisonment, sexual violence, and persecution against identifiable groups.

International Response

The detention abuses and human rights violations during Sudanâ??s conflict have provoked condemnation and calls for action from the international community. The African Union has [strongly criticized](#) the arbitrary arrest of and violence against civilians, urging all parties to respect human rights and exercise restraint. The UN Office for the Coordination of Humanitarian Affairs has [provided aid to civilians](#) displaced by the fighting. Additionally, the UN Human Rights Council has called for an investigation into abuses by all sides since the coup. International NGOs like Human Rights Watch and Amnesty International have extensively documented and reported on unlawful detention centers and systematic torture. They advocate for the ICC and Sudanese authorities to hold perpetrators criminally accountable.

Recommendations

Further engagement by regional actors like the African Union and Arab League, as well as global powers, is urgently required to pressure the SAF and RSF to halt unlawful detention and torture of

civilians. The UN Security Council should consider targeted sanctions on Sudanese leaders overseeing systematic violations. Strengthening the mandate and resources of the current UN peacekeeping mission in Sudan could help curb abuses and protect civilians.

In response to the ongoing conflict in Sudan, where traditional in-person training poses significant challenges due to the ongoing security crisis, the international community, led by organizations such as the United Nations, can offer invaluable technical assistance through online training initiatives. These online programs are designed to educate Sudanese law enforcement, judicial officials, and investigators on international detention standards, interrogation practices, and the documentation of torture evidence. Drawing on successful implementations in [conflict-affected regions](#) and leveraging the expertise gained from facilitating technical support and [peacekeeping efforts](#), such training can adapt to the needs of Sudanese authorities. Incorporating structured development and delivery models like [the staff training ontology](#) further ensures that these online modules are effective and tailored to the Sudanese context, providing a feasible option for continuing professional development in human rights practices amidst the conflict.

Furthermore, civilian courts should be granted jurisdiction to review detention cases and process violations through independent judicial proceedings. However, potential bias and lack of capacity in Sudan's national courts need to be addressed. International experts could support local judges and prosecutors, or a hybrid court may be necessary to ensure impartiality. Referral to the International Criminal Court is also an option to prosecute perpetrators, given the limits of domestic courts. However, the ICC's slow pace means regional tribunals should be pursued alongside international justice.

Immediately stopping unlawful detention and torture of civilians by all parties is an urgent priority to prevent further instability in Sudan. A negotiated settlement and transitional justice process is essential to achieve justice and reconciliation fully. Taking action in Sudan will bring attention to these heinous acts and hopefully deter the use of unwarranted detention operations in future conflicts.

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Main Image: Jail, December 7, 2011 (Photo by Global Panorama via [Flickr](#) with [Creative Commons License 2.0](#))

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