Tales of the Tombstones

The Discrimination Against Sudanese Students from Darfur in Sudanese Universities

Denial of the Right to Education, Denial of the Right to Life
About Sudan Democracy First Group

Sudan Democracy First Group (SDFG) was established by a number of Sudanese Civil Society Leaders, Activists and Academics in 2010 in Khartoum. The establishment of SDFG was particularly spurred by the failure to democratic transformation in Sudan, which became acutely apparent during the April 2010 national elections, as part of the Comprehensive Peace Agreement. With growing instability, caused by reoccurrence of conflict, lack of justice and accountability, and increasing exclusion and marginalization, SDFG emerged with the aim to provide a voice to the voiceless, as well as to promote democracy in its intersection, with peace, justice, and balanced development.

VISION

SDFG envisions a democratic inclusive society in Sudan where justice, equality, peace and development prevail.

MISSION

Sudan Democracy First Group considers its overall mission to promote inclusive democracy. SDFG is further committed to the raising up of marginalized groups (whether marginalization is based on culture, ethnicity, class, gender, race, region, age, political affiliation or religion) by providing platforms for inclusive and transparent engagement and promoting opportunities for participation and expression in the public sphere.

APPROACHES AND METHODS

SDFG works on addressing the problem of lack of the inclusive democracy based on complementary and multi-disciplinary approach guided by values of peace, justice and development. SDFG focusses on the provision of profound and independent research and analysis; campaigning for justice and contributing to lasting solution to the conflicts in Sudan. SDFG further works to promote civil society dialogue, collaboration and the development of a joint democratic agenda. Moreover, SDFG is committed to enhancing accountability and promote democratic governance structures. Lastly SDFG aims at facilitating the participation and engagement of a democratic and independent civil society and its leadership in the different political processes and dialogues.

AREAS OF INTERVENTIONS

SDFG introduced a number of initiatives and projects since its foundation which can be categorized into three programmatic areas;

- Governance and Accountability
- Civic Engagement in Peace and Political Processes
- Policy and Advocacy

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Foreword

Every time I sat across from one of my subjects to take his testimony for this report, I would find him looking at me deeply with sharp eyes that looked beyond my expectations. I would imagine him seeing me as a clay statue, standing impassive in a Sudanese university, watching their story. A story they do not know how to begin telling nor how it would end, if it ever would.

It is not easy for them to talk about their stories. There are no happy memories, only tragedy that grows with time. Their memories are filled with contempt, blood-soaked and carved into their tombstones and their hearts. They fly with wings of tears into the skies of their tormented souls. It is a tragedy that deprives you of even of the right to scream at the moment when a son of your country, who shares its soil and its nationality with you, stabs you in the heart with a poisoned dagger for no reason other than to deny you a place as a fellow citizen. Your killer is he who you had hoped would lift with you up to the heights of the dreams of your homeland.

One of them, before giving me his testimony, chatted with me. I said to him: “Nations always rise from ashes at some time, we only have to believe that a better time will come with our unbreakable determination.” Perhaps I felt I need to say that because I was older than the 24-year-old young man to whom I was talking. He looked away from me – avoiding my face – and maybe he was thinking of me as a dreamer, for that is what I felt at that moment, before taking a deep breath and replying: “My friend, do not panic. We will continue to love this country forever and forever. Even when we die on its soil, we will not forget that he who kills us is one our brothers and countrymen.”

It is a strange thing that you can be killed in your homeland with a bullet fired at the hands of your countrymen while holding pens and studying books. They kill you because you study to benefit the homeland. They burden you with torture and contempt because you sit in university classrooms to become an active builder of a better future for the country. They expel you from the university and keep you from getting an education, just because you wanted to continue. They call you racist names although you did not choose your skin color nor your ethnicity.

It is a story of murder, torture, expulsion and displacement. It tells of a massive Sudanese tragedy of racial discrimination targeting Darfuri students in Sudanese universities.
Introduction

Since the military coup which brought the Muslim Brotherhood (the National Islamic Front that later changed its name to the National Congress Party (NCP) to power in Sudan in June 1989, there have been major changes in the way the state and society in Sudan run. The Islamic regime has pursued violent, authoritarian policies based on exclusion, unleashing oppression and violence in all their forms against its opponents. It has also targeted all Sudanese people to break their will and subjugate them in order to maintain and protect its power. One of the worst forms of violence used by the ruling regime to reach its goals and the most poisonous to the Sudanese people that of racial discrimination. This policy aims to humiliate its opponents into submission. It also aims to weaken the cohesion and social fabric of the Sudanese people and thus weaken their collective capacity for resistance by deploying a divide-and-rule strategy.

Following the outbreak of war between the resistance movements and the Khartoum regime in Darfur in 2003, Bashir’s regime has used its military apparatus against innocent citizens of region in an excessively violent manner. This has resulted in hundreds of thousands of deaths and millions of displaced from the Darfur region, both internally and to other countries as refugees. Furthermore, the ruling regime deliberately practices racial discrimination against the people of Darfur in every aspect of life in Sudan. Even simple things like getting a job in either the public or private sector have become difficult.

University students in Sudan are considered a distinguished group whose cultural and political awareness have enabled them to play an influential role in Sudan’s political history. They have been at the forefront of the enlightenment movement and demanding political democracy and social justice. Sudan has witnessed two popular uprisings against dictatorships in which university students made major contributions: the October 21, 1964 revolution that led to the overthrow of General Ibrahim Abboud and the March/April 1985 uprising that overthrew General Jaafar Nimeiri.

There are thousands of Darfuri student in Sudanese universities, but they – especially since the outbreak of armed conflict in Darfur in 2003 – have been subjected to extraordinary and systematic authoritarian violence both inside and outside these universities. They are racially targeted
for violations that include physical violence, up to and including killing; arbitrary detention; and severe torture at the hands of security officers, soldiers and the ruling party student militia. Through the arbitrariness of university administrations, which consist of staff and professors loyal to the regime, they suffer from arbitrary dismissal from study, whether temporary or permanent. The regime also employs its judicial system, which is neither independent nor impartial, as a tool of oppression. Students are subjected to political trials that do not respect the legal and judicial procedures necessary to ensure justice.
The methodology for preparing this report

This reported adopted a descriptive analytical approach to study the experiences of these students. Data were collected from primary sources, including direct interviews with a number of students, legal and human rights activists, and secondary sources including a review of press releases and research reports on the issue over the past ten years. The research team also reviewed the legal documents relating to fifty-five relevant past and ongoing cases.

Based on this, the report sheds light on the violations committed against Sudanese students from Darfur in Sudanese universities and attempts to analyze its systematic and circumstantial motives and to find out to what extent they affected these students. The report also studied to what extent these abuses represent violations of the Sudanese constitution, national and international law and human right principles.

Standards and sources of information

The names of students, lawyers and activists who gave testimonies for the preparation of the report are not mentioned in the report in order to protect them from any possible retaliation by the security apparatus of the ruling regime, since all of them are present in side Sudan in the time being.

The legal documents reviewed were returned to the legal bodies that provided them. We were not allowed to keep copies or publish them in the report.

Fifteen students, 13 males and 2 females from the University of Khartoum, Nileen University, Omdurman Islamic University, Sharq Elnil University, Holy Quran University, and Algazeera University were interviewed. Students were selected to be interviewed based on the following criteria:

1. having personally been a witness to the reported event;
2. having had personal experience of the reported event, especially in the case of reporting on detention and trials;
3. being active in the Darfur Students Association or other fora.
Students were identified by gathering information about them acquaintances, published materials that identified victims and monitoring public activities.

The statements and testimonies provided by interviewees were compared and crosschecked with other sources to confirm authenticity and accuracy.

The selection of events and reports in this report was based on the following:

1- Providing clear examples of the patterns highlighted in this report. The report does not portray the whole of events, but rather a few representative examples.

2- The availability of witnesses who were able to provide testimonies because they either were present at the events themselves, or were in a position of to gather firsthand information at the time of the event.

We interviewed and took statements from a group of lawyers who provide legal aid to Darfuri students. We chose this body for the following reasons:

1- This legal body consists of a number of lawyers who provide ongoing legal aid to Darfuri students. They tackle the legal issues facing these students in the courts and police stations.

2- This body archives a large number of files related to cases before the courts and police.

The research team conducted separate interviews with two lawyers from this body and was also allowed access to documents relating to 55 relevant cases, including court trials. Lawyers advised against publishing these materials. Some of the reasons were legal, as some cases are still pending before courts and publishing of such documents may affect the process, and others were related to protecting the legal aid organization against targeting by the regime’s security apparatus, which could hinder its ability to continue to provide assistance.

An in-depth interview was also conducted with N, a human rights activist focusing on issues related to Darfuri students.
Background on the war in Darfur

In 2003, the Sudan Liberation Army (SLA) was established as a rebel movement alongside a political wing, the Sudan Liberation Movement (SLM).¹ The SLM published a political discourse addressing issues of national concern, laying out the demands that pushed them to take up arms against the central government controlled by the Islamic movement headed by General Omar al-Bashir since 1989. That political declaration stated that the:

SLM / A views the unity of Sudan as essential, but it cannot be maintained or remain viable unless it is based on justice and equality for all Sudanese. The unity of Sudan should establish new foundations based on the recognition of ethnic, cultural, social and political diversity. This sustainable unity must be based on the right of self-determination and the free will of the people of Sudan. The main requirement of viable unity is the existence of an economic and political system that addresses the disparities in development and marginalization that have dominated the country since independence. Therefore, the interests of the marginalized majority must receive sufficient attention and to get them to the same level of development enjoyed by the ruling minority. The SLM / A will work with all political forces that espouse this vision.²

This political declaration reflects the position of the SLM/A on the nature of conflict in Sudan. What was happening in Darfur was an essential catalyst for this vision. Darfur was a model of racial discrimination and attempts to bring social and economic change through demographic engineering and launching a racist war against the people of the region were ongoing.

The Justice and Equality Movement of Sudan was founded in 2001 and is also active in Darfur. It declared its rebellion against Bashir’s regime and took up arms in Darfur demanding a democratic system and fair distribution of wealth and power. Its founding declaration states:

The racial discrimination practiced in Sudan has rarely been seen even in the case of South Africa, which makes the Sudanese people charge their rulers with the deterioration of the situation in Sudan in general and the South in particular. The intellectuals of those regions
also bear responsibility for not defending to their constitutional and legal rights and submitting to neglect, exploitation, enslavement, inferiority and personal interests of some opportunists, which led to the backwardness of their regions and the loss of their rights."³

The actual war in Darfur broke out in 2003, when the armed movements launched their military operations in the region by attacking government forces in the city of El-Fasher, the capital of North Darfur State. The war then expanded to the rest of the region. The government resorted to recruiting tribal militias from Arab tribes in Darfur, using them in the conflict in the region in a divide-and-rule policy. A number of government officials were assigned to oversee the recruitment of para-governmental militias outside the formal military structure. Officials provided the militia with arms and money to fight the rebels. The government worked to mobilize tribal militias against the armed movements based on a racial approach aiming to turn the war into a conflict among the people of the region themselves. The Janjaweed militias, which consisted of Arab tribesmen, emerged as a destructive force backed by government armed forces and air power.⁴ This led to widespread attacks on innocent civilians without distinction between women, men, children, and the elderly. These militias murdered, tortured, raped and the burnt villages throughout Darfur with the backing and guidance of the regime. The conflict led to more than 300,000 civilian causalities,⁵ and millions were internally displaced from their villages and homes to the outskirts of cities in order to survive. The war continued with systematic targeting of the indigenous population and their absolute domination by para-governmental tribal militias and government forces supporting them. These militias committed unprecedented atrocities against civilians in the region, exacerbating the humanitarian situation, the crisis of war and their repercussions. The crimes against humanity and atrocities committed against innocent civilians in the region attracted international attention. Mr. Mukesh Kapila, the United Nations Humanitarian Coordinator for Sudan at the time, described the situation in Darfur in March 2004 as: “the world’s greatest humanitarian crisis” and comparing it with what had happened in Rwanda ten years prior.

International reactions to the human suffering in Darfur escalated as the US Congress passed, on July 22, 2004, a law classifying what was happening in Darfur as genocide. In September 2004, US Secretary of State Colin Powell gave testimony before the US Senate Foreign Relations Committee
concluding that “genocide has been committed in Darfur and that the Government of Sudan and the Janjaweed bear responsibility – and that genocide may still be occurring.”

With the continued killing, torture, burning of villages, mass assassinations and worsening humanitarian situation, the United Nations Security Council in March 2005 referred the situation in Darfur to the International Criminal Court, which began its investigation in 2006. The court charged several Sudanese officials, starting with the then-State Minister for Humanitarian Affairs Ahmed Haroun and the commander of the pro-government Janjaweed militia Ali Kusbaib in February 2007. Later, on March 4, 2009 the International Criminal Court issued an arrest warrant for President Omar al-Bashir for involvement in war crimes and crimes against humanity in Darfur. It was the first time that the ICC issued an arrest warrant for a sitting head of state. The first arrest warrant included seven counts of murder, extermination, forcible transfer, torture, rape, intentionally directing attacks against a civilian population as such or against individual civilians not taking part in hostilities, and pillaging. Later another arrest warrant against Bashir added three counts of genocide allegedly committed against the Fur, Masalit and Zaghawa ethnic groups in Darfur, Sudan, from 2003 to 2008.

The regime’s reaction to the ICC decision was more oppression. The regime increased the pace of the war in Darfur and supplied tribal militias with more arms, finance and care, and giving them official military ranks to enable them to strike harder with a reduced role for the army in Darfur. The militias were placed under the supervision of the National Intelligence and Security Services (NISS). Later, the Janjaweed militias, restructured as the Rapid Support Forces, became a force answering only to the president according under a law issued in January 2017. The president upgraded its leader, Mohammed Hamdan Dgulw also known as Hemeti, to the rank of the Lieutenant General without any of the military qualifications or official training that would ordinarily be needed to attain such a rank.

These militias have continued to relentlessly wage the government’s war against civilians in Darfur up to the present. Tribal groups from neighboring countries such as Chad, Mali and Niger settle into the territories that the persecuted Darfuris have been forced to leave, a move aimed creating demographic change serving the racist interests of the regime. This move is also aimed at recruiting these new settlers into the Rapid Support Forces to commit more crimes of genocide, rape and abuse of civilians in the region.
The Impact of War in Darfur

The conflict in Darfur has reshaped the political and social awareness of the whole of Sudan. The Sudanese people and their political forces, like the international community, have been shocked by the unrestrained violence and atrocities committed by the ruling regime against its people. There is no doubt that the ruling regime has adopted a racist policy in targeting the population of the region. This approach is consistent with the essence of its official policies. On December 20, 2010, on the eve of the independence of the State of South Sudan, President Bashir said: “In the case of the secession of the South, we will amend the Constitution, so there is no room to talk about multiculturalism or multi-ethnicity. Islam will be the official religion of the state and Arabic will be the official language of the state.” These statements expressed the regime’s abrogation of the natural and constitutional rights of other Sudanese. It gave the green light to tribal militias supported by the government to continue their assault and commit more crimes against humanity against the Sudanese citizens of Darfur, as well as the Nuba Mountains, Blue Nile and eastern Sudan. It also gave the green light to the rest of the government apparatus to practice ethnic, cultural and racial discrimination against other groups of Sudanese in various educational and social sectors, workplaces and other institutions.

The government’s aggressive behavior against Sudanese citizens in Darfur had disastrous consequences, including, among others:

- More than 300,000 civilian casualties in Darfur.

- The forced displacement in which more than half the population of Darfur was forced to leave their original villages. An estimated 3.2 million live in displacement camps within Sudan, while hundreds of thousands live as refugees in Chad, southern Sudan, Uganda, Egypt and other neighboring countries, in addition to Europe and America.

- The social fabric of the region has weakened sharply increasing ethnic division.

- The collapse of the economic system of the targeted tribal groups and their exclusion from the economy.
- The dominance of tribal militias and a diminished role for the formal armed forces in the region which led to increased insecurity and the absence of rule of law as these militias enjoy full legal immunity.

- Demographic change in the region by bringing foreign tribal groups and settling them in the territory previously inhabited by Darfuris.

- The adoption policies of discrimination and denying the rights of Sudanese citizens from Darfur and expanding the war against them outside the region, transferring the conflict in Darfur from a geographically based to an identity based one.
The student movement in the universities and the Darfur Students Association

Article 40 (1) of the 2005 Sudanese Constitution states: “The right to peaceful assembly shall be guaranteed. Everyone has the right to freedom of association with others, including the right to form political parties, associations, trade unions and professional associations as required by democratic society.”

Article 20 (1) of the Universal Declaration of Human Rights states “Everyone has the right to freedom of peaceful assembly and association.”

The creation of student’s associations bound by regional ties is a tradition in Sudanese universities. The associations bring students descended from one city or region together socially. In the past, such associations have generally confined themselves to social and cultural activities and did not undertake political activities or make demands. However, after Bashir’s regime came to power with its authoritarian rule and violations of citizen’s rights, students became involved with issues of public concern relating to their regions through these associations. For example, Nubian Students Association has mobilized resistance to the construction of dams in the north of Sudan, and the Gezira Students Association defends the rights of farmers in the Gezira Scheme and the Nuba Mountains Students Association defends the rights of their people. Darfur is no exception. Darfuri social and cultural student associations have gathered under the Darfur Students Association. Since the outbreak of the war in Darfur, these students have found themselves facing a brutal security apparatus and being systematically targeted. The student body has played a role in protecting Darfuri students from violations of their rights by university administrations and facilitated self-help in the face of repressive actions by the regime. In addition, it supports general students’ demands on issues such as housing and tuition. “The Darfur Students Association and its branches in various Sudanese universities have specific tasks according to the constitution that regulates their work which includes protecting the rights of students and taking action on their issues in accordance with the law governing universities,” said the vice president of the Darfur Students Association. Darfur Students Associations in Sudanese universities have become influential as a result of being the targets of increasing and continuous hostility by the regime, which has
sought to deprive them of education using all available means without respect for the law or constitutional rights.

The Crimes of the Ruling Regime Against the Student Movement

Historically, the student movement in Sudanese universities has been politically active. Even the elections of the student unions, which are the basis for student activities in universities, are contested through student political organizations. The nature of student political activities is generally peaceful, including demonstrations, sit-ins and drafting memoranda. However, the ruling regime established the so-called “Jihadi battalions,” which are student groups belonging to the ruling Islamic Movement. They have official offices inside universities. They are armed with firearms, knives and machetes. They are supported by formal security forces (student security) and regime militias from outside the universities to attack students active with the political opposition and defenders of students’ rights, at times inflicting physical harm, up to and including murder.

The history of the regime’s physical assaults against politically active students dates from its accession to power in the 1989 military coup. The regime assassinated a number of student leaders on campus to intimidate students, terrorize them into abandoning public activism and to strengthen the control of students affiliated with the National Islamic Front within universities. The government assassinated the following students on university campuses within six months of the coup:

1- Bashir Al Tayeb - Faculty of Arts, University of Khartoum - on the evening of December 4, 1989

2- Altaia Mohammed Abu Aqla - Faculty of Education - University of Khartoum on December 6, 1989

3- Salim Mohammed Abu Bakr - Faculty of Arts - University of Khartoum on December 6, 1989

This continued with the assassination of Tariq Mohammed Ibrahim of
the Faculty of Science of the University of Khartoum in July 1991. Later, assassinations by the regime continued targeted students who opposed the military regime. For example, the assassination of student *Mohammed Abdul Salam Babeker* of the Faculty of Law of the University of Khartoum took place on August 4, 1998. The assassination of *Mirghani Mahmoud Al-Nu’man (Suomeet)* took place on June 18, 2000 at the University of Sennar. Many more names could be added to the list of student martyrs during the era of the ruling regime. On April 2, 1998, the government killed about 200 high school students at Al-ilafoun camp (a forced recruitment camp located east of the capital, Khartoum), after they objected to the cruel treatment they received inside the camp and attempted to escape from it.11 Up to the time of writing, the killers have not been brought to trial, despite the fact that the identities of some are known and files against them have been opened. And the tactic of assassinating active students is continuing.

Naturally, there are a number of Darfuri students who have joined the political organizations like other Sudanese students. However, and since the outbreak of the conflict in the Darfur region in 2003, the Darfuri students, and especially activists, have been exposed to systematic violence that exceeds that faced by the rest of the student movement. This is a clear reflection of regime’s racial discrimination against them. These students are more often subjected to more brutal torture in security detention centers than their fellow student activists. They are also subjected to arbitrary administrative measures by university administrations, including long term or permanent dismissal. They are also kicked out of student housing complexes. In testimony given for this research, a Darfuri student who is also a member of a national political party, told us about an experience in detention that occurred in the last five years:

> **when we were detained after a peaceful protest inside the campus, I was the only one of the student detainees from Darfur and my fellow detainees were from northern and central Sudan. I was separated from my colleagues and taken to another place by myself. Security officers beat me severely and hit my body till it was bleeding from everywhere. They kept saying to me: “You are a slave. We are your masters. You are a son of a slave. Your father is a slave and you want to disobey? We allowed you to study in the university. You should keep silent and even if we order you to sleep in the garbage dump,**
you should do it and thank us.” They released us after seven days. I was so tired that I could not stand on my feet. I was surprised when I found my colleagues were not subjected to severe torture like me. They were very touched when I told them what happened to me and stood with me. They took me to a doctor they know to be treated.

This testimony reflects the extent of racism in the practices of the NCP governmental and security apparatus against Darfuri students. This student was not tortured because of his activism or political affiliation (he is a member of a registered political party and not one of the armed Darfuri rebel movements), but because of his Darfuri ethnic origin.
The impact of the Darfur conflict on students from the region

The hostile policies and criminal tactics adopted by the regime in dealing with Sudanese citizens from Darfur in the implementation of its discriminatory project have had a significant impact on everyone from the region everywhere in Sudan. The violations of their rights as both human beings and Sudanese citizens are escalating, with involvement from all official governmental bodies. These go against the social norms, Sudanese laws, the Sudanese constitution, international law and principles of humanity.

Darfuri students studying in Sudanese universities have been subjected to systematic persecution by government agencies. They are directly targeted with short and long-term detention, severe torture and neglect in detention centers, abductions, enforced disappearances and serious physical attacks both inside and outside university campuses. In addition, there are several cases of assassinations of these students committed by members of the formal security forces and the regime’s Jihadi battalions. Also, the students’ right to education is being violated through the use of administrative tools, such arbitrary dismissal from the university denying their right to continue their studies, either temporarily or definitively, expulsion from student housing complexes, and preventing them from sitting for exams. The judicial and legal systems are also employed to violate their rights by subjecting them to unfair trials where the most basic due process protections are not available, and they are often deprived of their right to legal aid.

These students were originally victims of the regime’s war on Sudanese civilians in Darfur, which redoubles the tragedy. They are survivors of the war and the woes of displacement camps scattered across the country. Many of them lost their families and relatives in this war. Large numbers of them were raised taking refuge in displacement camps. Now, they are classified as members or supporters of armed rebel movements and this label is used to justify harassment and violations of their rights. They are deprived of the right to safety and the right to education guaranteed by the Sudanese law and the Sudanese Constitution.
Issues of Darfuri students in universities

Sudanese students from Darfur in Sudanese universities have specific issues that lead to confrontations with security services and pro-government militias. These issues result from discrimination against them by the regime. The most prominent of these is the deprivation of their constitutional rights to receive education and their right of exemption from tuition as victims of war coming from displacement and refugee camps. The latter is stipulated in both the Darfur Peace Agreement signed in Abuja between the government and the SLM- Minni Minawi faction in May 2006 and the Doha Document for Peace in Darfur signed between the government and the Liberation and Justice Movement led by Eltigani Elsisi in July 2011. Darfuri students are also denied the right to housing in university dormitories. It is a fact that the administrations of Sudanese universities controlled by the ruling regime, as university administrators and deans of the colleges are appointed by the NCP. The heads of universities, in particular, are appointed by a presidential decree directly from the president of the republic. In an interview with Ms. N, a human rights defender and activist on Darfuri student issues said:

In the overall picture, Darfuri students are exposed, in the context of peaceful resistance and attempts to achieve legitimate goals, such as the implementation of the decision of exemption from tuition fee and the right to housing, to extreme violence which is not acceptable under any law.

The issues of Darfuri students in Sudanese universities can be summarized under two main tracks: the violations of their rights as students, and of their human rights as stipulated in the Sudanese constitution and international law. In addition, Darfuri students stand in solidarity with the Sudanese student movement on various national reform issues. The activist N adds:

Through my close follow-up and constant presence with Darfuri students of in Sudanese universities and my knowledge of their cases, I can confirm that not all the resistance in which these students participated focused purely on Darfuri issues, but they have very
strong roles as public advocates and are working very hard as Sudanese citizens on national issues and reforms. It is the policies of the regime in dealing with them which are discriminatory and involve systematic violence against them. This is not a transient behavior, but at the heart of the policy of the regime.

Naturally, the continuous crimes of indiscriminate bombardment, extermination and forced displacement taking place in Darfur, as well as the issues of displacement camp residents, appear at the forefront of the concerns of the student movement in general and the Darfuri student associations in particular. This brings these students into regular clashes with the authorities.
Student rights issues

Article 44 (1) of the Sudan Constitution of 2005 stipulates that “Education shall be a basic right of every citizen and the State shall ensure that it is obtained without discrimination on the basis of religion, ethnicity, race, gender or disability.”

Administrative problems within universities are, in general, related to the legal rights that must be provided to all students without discrimination. However, university administrations and government institutions in charge of student housing under the so-called National Student Support Fund regularly violates to the rights of Darfuri students. Students’ rights violated include the following:

- **The right to housing is guaranteed for all students.** The National Student Support Fund is the government agency in charge of student housing, but the administration of the fund makes it more difficult for Darfuri students to access accommodation than others. This makes them vulnerable to homelessness and endangers their ability to continue their education, especially those coming from remote areas in Darfur, the displacement camps or neighboring countries, such as Chad, studying at universities located in central and northern Sudan. They do not possess the financial capacity to return to their families during school vacations due to the high cost of travel, especially because insecurity makes travel by land very dangerous and flights are the only viable means of reaching their original areas. Thus, most students choose to spend vacations in the dorms. However, university administrations and the National Fund prevent them from doing that and kick them out. This makes them homeless in cities where they have no family or alternative housing options. This has caused protests and clashes between students and the authorities several times over the past few years. The former head of the Darfur Students Association at one of the largest government universities in Khartoum reported in his testimony to the research team:

> One of the most influential weapons used by the regime in targeting Darfuri students is eviction from housing, although
housing is a guaranteed right for all university students. For example, on October 3, 2012, police and security services came into the Al-Fatihab dorms for female students in Omdurman and evicted Darfuri students, throwing them into the public street in a humiliating manner, without any respect for their rights as students, as Sudanese citizens or even as human beings.

Another example is what happened to Darfuri students in Al-Zahra housing complex, formerly Al-Barakas, which is the largest dormitory complex for female university students in Khartoum. It is located near the University of Khartoum, and accommodates a large number of students from Darfur who study in various government universities in Khartoum State. Darfur students represent almost 40% of the total students in this residential complex. On October 8, 2014, security forces and police stormed the complex at 2:30 am on the second day of Eid al-Adha and expelled all the students from Darfur present, using excessive force, including beatings, abuse and sexual harassment in addition to racial insults. This happened around dawn. Some of these students were housed in the premises of some opposition parties, which were not prepared for housing, but were the only solution for them so that they would not remain in the street. Some of them went to other dorms, but the security services followed them there and expelled them again. They could not travel on Eid holidays to their families in Darfur because of their difficult economic conditions and the circumstances of their families who do not have money to allow them travel to Darfur.

• **Tuition.** The government canceled free education following its 1989 coup. Now every student has to pay annual tuition which is considered high in light of the current economic situation in Sudan, more than 75% of the population lives under the poverty line according to some unofficial reports. Since university students from Darfur are affected by the war in the region and more than half of its population is displaced and living in camps around the country and their livelihoods depend mainly on humanitarian aid provided by relief organizations, these students generally lack the ability to pay the tuition imposed by universities. They are often
expelled as a result. They are deprived from sitting for exams at the end of the year, which prevents them from continuing their education. Therefore, when Abuja Peace Agreement was signed between the government and the SLM-Minni Minnawi on May 5, 2006, it addressed the issue of tuition for Darfuri students. The agreement included an article exempting Darfuri students from tuition fees. Article 14, Point 86, paragraph (b) stipulates that “All new students descending from Darfuri origins shall be exempted from tuition for a period of five years.” Later, this was also provided in the Doha Document for Peace in Darfur signed in Doha on July 14, 2011 between the government and the liberation and justice movement, led by Eltijani Elsisi in Article 14, paragraph 92, which reads “All students who are children of displaced persons and refugees in the Darfur states who are admitted to national universities will be exempted from tuition for five years.”

However, throughout the period provided for by the two agreements this was not implemented. Universities, and through them the government, have simply not adhered to these legally and constitutionally binding agreements. The government did not interfere to direct universities to apply the exemptions. This issue remained an ongoing and major threat to the right to education for these students. In addition, it was a major cause of confrontation between them and university administrations and security forces which subjected them to arrest and torture at the hands of government security apparatus and pro-government student militias. It also subjected them to unfair dismissal from universities under the pretext of stirring up unrest. Students were prevented from studying and sitting exams because they did not pay tuition fees which violated the law. This reflects the extent to which the government deliberately deprived these students of their right to education. It also reveals the government’s lack of seriousness in implementing the terms of the agreements they signed. In an interview, one of the leaders of the Darfur Student Association in a public university in Omdurman described attacks at the university as a result of their demand for their legal right to be exempted from tuition fees, saying:

*Since entering the university in 2012, I witnessed many cases of racial and physical targeting of Darfuri students inside the university.* In
2014, we, as Darfuri students, were targeted on a cultural celebration day organized by the Darfur Students Association in the university. The Jihadi battalions of the ruling NCP attacked us and caused a lot of injuries among the students. One student’s finger was broken and his head was injured, another was injured in the shoulder, a third had his arm broken. All of the students injured were Darfuri. On another occasion, we organized to address the university asking tuition for Darfuri students be waived in accordance with the Doha Peace Agreement and the presidential exemption decree. But we were attacked by a force from the security apparatus and the student jihadist battalions during the event. They assaulted us, hit us hard and dispersed us by force. They targeted the activist students even more. I was personally targeted by the security apparatus as a leader in Darfur Students Association, which affected my ability to attend academic lectures regularly and led to my inability to deliver my graduation thesis in time. This targeting is aimed to prevent us from continuing our education. It has greatly affected Darfuri students. Many have left school because of the threats and intimidation by the security apparatus. This targeting continues, and affects Darfuri students both psychologically and academically.

The nature of violations against Darfuri students in Sudanese universities

Article 27(3) of the Sudan Constitution of 2005 states that “All rights and freedoms enshrined in international human rights conventions, that are ratified by the Republic of the Sudan are an integral part of this document.”

The Universal Declaration of Human Rights states in Article 1: “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”

Darfuri students in Sudanese universities are subjected to serious abuses by government security forces and pro-government student militias (Jihadi battalions). These violations include:
• Arbitrary arrest and detention by government security services, during which they are exposed to brutal torture. Repeated detention for long periods is the norm for many.

• These students are caught in the trap of criminalization by the police force which brings fabricated cases against them and subjects them to speedy and unfair trials. In most of these trials, they are denied legal aid guaranteed by the constitution, laws and judicial procedures. Thus, they receive unfair verdicts following proceedings that do not meet fair trial standards.

• Their personal and physical safety are compromised through continuous harassment by security and police services and jihadi battalions.

• They risk murder and severe physical injuries by the security forces and armed jihadi battalions.
Tools of students to address their issues

Article 19 of the Universal Declaration of Human Rights states: “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”

Article 29 (1) of the 2005 Sudanese Constitution states:

The right to peaceful assembly is recognized and guaranteed; every person shall have the right to freedom of association with others, including the right to form or join political parties, associations and trade or professional unions for the protection of his or her interests.

The Darfur Students Association and its branches in various universities use peaceful civil protests to demand their rights as students and to exercise their right to express their positions on public issues as Sudanese citizens. Their tools include protest vigils, peaceful demonstrations, addressing memos to the relevant authorities whether within their universities or at the national level. However, they pay a heavy price for this activism. They get arrested, abused, tortured, and sometimes murdered. A member of the Executive Committee of the Darfur Students Association studying at the University of Khartoum, provided this testimony:

On July 14, 2014, we organized a protest in front of the parliament in order to submit a petition demanding their interference to stop the clashes between Alma’alia and Rizeigat tribes in the state of East Darfur. But we were attacked during the protest by security forces and the police. We (five male students and one female student) got arrested. All of us were from Darfur. We were severely beaten in the detention center and one of our colleagues suffered a large wound in the head from the severe beating. The security services asked us about our tribes and why we carried some banners in English. They insulted us with racist epiphetst that devalued our dignity as human beings and as Sudanese citizens. Then they transferred us to a police station Omdurman and filed cases against us before releasing us on bail.

Students also practice sit-ins in universities to pressure administrations to grant them their legal rights to housing, and to waive tuition fees
in accordance with the Abuja and Doha Peace Agreements. However, university administrations ignore these rights because they know that the president himself is uninterested and not serious about implementing these agreements, which have since collapsed.

The Darfur Students Association and its various university branches also participate in peaceful activities organized by other student groups. They support the demands of other parts of the student movement. A former president of the Darfur Students’ Association at one of the largest government universities in Khartoum told us:

... Despite all the targeting of Darfuri students in universities by the ruling regime, we stand in solidarity with students from all the different regions of Sudan. We supported the students of the northern states in their position on the issue of building dams in north Sudan, as well as students from Gezira state in the case of dismantling the Geziera scheme and we support students from the Nuba Mountains and stand in solidarity with them against the genocide inflicted on civilians in the Nuba Mountains. Because we believe that Sudan is the homeland of all and the issues of each group are the issues of all Sudanese, but Bashir’s regime always targets Darfuri students in particular and focuses on their student leaders. As the head of the Darfur Students Association at my university, I was continually arrested and threatened by the security services. I was threatened and detained in the office of the dean of the college in his presence. The security officers threatened me with final dismissal from the college in front of him. As president of the Darfur Students Association at the university, I used to receive daily complaints from Darfuri students about the violations and threats to which they were subjected from members of the university guard, security apparatus and their student cadres.
Violations by university administrations of the rights of Darfuri students

Article 44 (1) of the 2005 Sudanese Constitution states “education is a right for every citizen and the state must ensure access it without discrimination on the basis of religion, race, ethnicity, gender or disability.”

All public university administrations in Sudan are under the control of the ruling NCP. University directors are appointed by presidential decree and enjoy official constitutional status. The deans of the faculties and other officials and high level employees in other departments in universities are appointed by the NCP. Some of them are security officers (especially those engaged with student affairs). The government has also introduced a new security agency called the university police, which carries out security functions within the universities and is supervised by the security service apparatus and the Ministry of the Interior. These administrations are not separable from the ruling regime and play a significant role in suppressing the student movement which an important beacon of cultural, social and political enlightenment in Sudanese society.

University administrations work continuously to oppress students from Darfur in violation of laws, regulations and university norms. They discriminate against these students in a hostile way which use administrative authority in a way inconsistent with the right of these students to education and their other human rights. They stop Darfuri students from studying under the pretext of non-payment of tuition as described previously. They use various means for this. Sometimes, they prevent students from sitting for exams and sometimes use university guards, an arm of the state security apparatus, to bar them from entering campuses. They may also block their results at the end of the school year. In many cases, this results in students being forced out of the university. University administrations, in coordination with the student support fund, the government agency in charge of dormitories, also take aggressive measures against Darfuri students by evicting them from dormitories, sometimes by force, especially during vacations.

A Darfuri student at one of the largest Sudanese universities in Khartoum, previously a member of the executive office of the Darfur Students Association, told us:

I am a student at this university and I am from Darfur. We are
being targeted by the regime and the university administration. We live a catastrophic reality in the universities in the capital, Khartoum, and other cities. In 2004, we, Darfuri students, sent a memorandum to the UN office in Khartoum, demanding that they pressure the government waive tuition for Darfuri student because of our tragic situation and the inability of our families to pay the fees. The president announced during his visit to El Fasher, at that time, his decision to exempt Darfur students from university tuition. But the university administrations did not commit themselves to this decision, which has caused us constant suffering... We called on the university administrations to sit with us to find a solution to the crisis, but all our attempts failed. We resorted to peaceful protest by means of sit-ins on campus, but the university administration summoned security and police forces to the university and our sit-in was forcibly stopped and we were subjected to arrest, beatings and various injuries.

Not only do universities lack commitment to implement the presidential decision to exempt Darfur students from tuition, they are not held accountable for this either. It is clear that members of the ruling regime are coordinating with various institutions to deny the rights of Darfuri students. When these students demand that the president’s decision be implemented, they are punished with dismissal or prevented from sitting for exams on the pretext that they have not paid tuition. This happens in all Sudanese universities in a similar manner. “There is targeting of Darfuri students in universities,” said the head of the Executive Committee of the Darfur Students Association at a government university:

*I have experienced this targeting since I entered this university in 2012. The biggest symptom of this is the administration’s refusal to implement the decision to exempt Darfuri students from tuition according to the Abuja and Doha peace agreements and the following presidential decree. We -as the student association- have been continuously demanding the implementation of this resolution, but the administration refuses. The matter prevented 600 students in this university from sitting exams at the end of the 2013-2014 school year and also prevented them from sitting to supplements exams with their other colleagues, which put them a full year behind their classmates...*
University administrations discriminate against Darfuri students even when they participate alongside their fellow students in general activities. They apply tougher penalties, which are discriminatory and unfair, on Darfuri students than on others. These penalties can include permanent dismissal from studies. There are demands that are shared by all students, such as the restoration of student unions, peaceful political protests, or solidarity with Sudanese citizens in general. However, Darfuri students are always subject to more severe penalties when they participate in making such demands as a result of racial discrimination.

The governance of public universities is based on bylaws and basic regulations that regulate the affairs of students and set out their rights and commitments. However, these regulations are drafted in a manner that enables the pro-NCP administrations of public universities to deny the rights of students as guaranteed by national laws and the Constitutional Bill of Rights. For example, students are prevented in many cases from appealing administrative decisions issued by the universities. An example of such a regulation is the University of Khartoum Statute No. 39 regarding the conduct and disciplinary of students. It is a regulation issued by the university council. It lacks any text that gives students the right to appeal decisions issued by the committees of inquiry and accounting, which apply sanctions to students in accordance with Article 9 of the Statute. These punishments include permanent dismissal from the university, which denies the right to complete education, and also includes other penalties curtailing the right to education, such as the suspension from the study for various periods between one and three academic years. Another example is the Code of Conduct on Student Activity of Alzaeem Elazahri University for the year 2016 -2017. It does not give students the right to appeal any disciplinary decisions, although they can impose penalties up to permanent dismissal. These penalties are deployed particularly harshly against Darfuri students.

A lawyer providing legal aid to students explained to the research team:

The punishment of permanent dismissal from universities included in university regulations is totally inconsistent with the 2005 Sudanese Constitution. It violates Article 44 (a) which states: “Education is the right of every citizen and the State must ensure that it is obtained without discrimination on the basis of religion, ethnicity, race, gender or disability.” The law of the University of Khartoum, under which the university council was established, granted the right of appeal
in Article 35, which states: “Any person prejudiced by this law shall have the right to appeal to the party determined by the statute.” The university board of directors has, however, neglected to designate either an appeal body or a time limit within which to appeal. This denies the right of appeal granted by Article 35 of the University Act. This leads to a situation in which the penalty of permanent dismissal can be imposed, curtailing the constitutional right to an education, without the possibility of filing a legal objection. Furthermore, university administrations force students to drop their right to appeal entirely with Article 16 of Statute 39, calling it submission of a plea. This process involves acceptance of the punishment and admission of guilt while requesting a lesser punishment. The article states: “The student may request that the director mitigate the punishment within 15 days of its announcement.” Such requests deprive students of their right to appeal to the Administrative Court to recover their legal and constitutional right to continue and complete their education because it involves acceptance of the penalty and asks only for mitigation in accordance with Article 157 of the Civil Procedure Act of 1983, which prevents those who accept a disciplinary committee sentence from appealing it in court.

University administrations use administrative regulations that are inconsistent with the constitution and the law to punish students in general, and Darfuri students in particular. Darfuri students have always been accused by university administrations of causing problems by exercising their right to peaceful expression. These regulations are considered an explicit violation of the constitution, but the state does not care because it is a system based on tyranny not law.

As explained to us by a Darfuri student in a public university in his testimony:

The targeting of Darfuri students by university administrations is racist. The administration acts to separate Darfuri student from our colleagues. They often refer to us in a racist manner, they even describe us by the color of our skin. On many occasions, they refuse to allow us to exercise our legal rights under university regulations by registering the organisations through which we conduct our social and cultural activities, like students from other regions. This is racist behavior from the university administration.
Imposition of arbitrary punishments against students by security

In many cases, the security apparatus intervenes in administrative decisions against Darfuri students in universities, dictating these decisions to the administrations. Many times, these are dismissal decisions. The security apparatus of the regime is aggressive in its approach to uprooting Darfuri students from Sudanese universities and depriving them of their education in accordance with the hostile line of the regime against the civilian population of Darfur.

An example are the dismissal decisions issued by the University of Khartoum against a number of Darfuri students for demanding the return of some colleagues who had previously been dismissed after the student protests against the decision to sell the university. A lawyer who provides legal aid to students provided us documents that revealed a conflict in the dates of issuance of the decision against these students. The documents show the following:

- Decision No. 2: Accounting for the Year 2017 (Adoption of Report of the Board of Accounting); Report of the Board of Accounting for some students of the College of Forestry and Animal Production. The resolution stipulates the dismissal of a number of students, all of whom are Darfuri. Some of them are members of the Executive Committee of the Darfur Students Association. The date of this decision is January 15, 2017, and it was signed by the University’s director on this date. It states that the decision to dismiss students was issued based on the letter from the Dean of Student Affairs sent on January 17, 2017. Two days after! This reveals the intervention of the security apparatus that prepared and sent the dismissal decision the university even the investigation of the students had been completed.

In a meeting with a legal aid lawyer, the research team reviewed documents relating to the dismissal of a number of students from universities in Khartoum. The lawyer reviewed other examples of such contradictions in administrative decisions, such as one of the cases related to the dismissal of eight students. He explained to us:
Eight students from Darfur were dismissed from the university according to a decision of a Commission of Inquiry and Accountability (5/2017) issued on April 10, 2017 by the university administration. The decision was presented as evidence to an administrative court when the dismissed students appealed. The decision was used by the court for its ruling rejecting appeal claiming that the allowed period for appeal had expired and that there were no documents submitted to show that the dismissal decision was contrary to the law. However, the court itself stated in its ruling: “...From the petition and the documents submitted, the appellants’ were informed of the dismissal decision on April 2, 2017.” These documents were published by the university administration on the bulletin board on April 2, 2017 as follows: “Based on the letter of the Dean of Student Affairs and the decision of the Commission of Inquiry and Accounting affirmed by the President of the University, it has been decided to dismiss the student...” It is clear that the announcement of the dismissal of these students on the University Announcements Board took place on April 2, 2017. This date was proven in the court’s ruling. However, the date of the university director’s decision is fixed in the court judgment itself as April 10, 2017. The university administration presented this decision of accreditation to the court with the knowledge of its invalidity and the court relied on it in issuing its decision to write off the appeal submitted by students, despite this contradiction in dates. Unfortunately, the decision to dismiss these eight students was because they addressed students on campus demanding the administration comply with the decision to exempt students from Darfur from tuition under the presidential decree and the Abuja and Doha peace agreements. For the same reason, another 33 students from Darfur were dismissed from another university in Khartoum in 2014 and I was also the lawyer who followed their case. There are 18 other students who were dismissed for the same reason in a university in Al Gezeira State. There are many other universities where I provide legal aid to Darfuri students. In their treatment of these issues, university administrations are practicing racial discrimination against students from Darfur and acting contrary to their legal and moral responsibilities to respect human rights. This pattern is very clear.
Unfair trials

The NCP government regularly subjects students to unfair trials before judges who do not abide by the law but rather follow the directions of the regime’s security apparatus, violating the most basic due process rights and representing a serious and dangerous violation of the law, the constitution\textsuperscript{20} and the Universal Declaration of Human Rights.\textsuperscript{21} This calls into question the independence and impartiality of the judiciary under this regime. Sending students to trial for demanding their rights as students or expressing their political positions without violating the law is in itself a violation of the right to freedom of expression and opinion guaranteed by the constitution and international law. The involvement of university administrations in bringing malicious cases fabricated by the security services is an abdication of their responsibility to protect students, especially within the campus.

Darfuri students are the student group most exposed to unfair trials and criminalised by the police and security apparatus. In most cases, Darfuri students are detained in security cells and subjected to speedy trials. In many cases, they are not allowed to receive legal aid, but sentenced quickly to sentences such as flogging, fines and imprisonment.

There are large numbers of cases filed by the security forces, police and university administrations against Darfuri students in various universities. They are treated as criminals, not as students exercising their rights, demanding the implementation of commitments already made by the state in asking that tuition be waived, or participating with their fellow students in demanding public rights, or calling for an end to the war in Darfur.

The research team examined 55 case files brought by the security and police forces against students from Darfur in Sudanese universities, in the period from 2012 to 2017. These cases are clearly just a sampling of a much higher total number of cases, as confirmed by the head of the legal aid commission. 40 of these cases occurred between 2015 and 2017, indicating that Darfuri students have been targeted more frequently in recent years. As one of the commission’s lawyers, who is directly responsible for representing Darfuri students before the courts, said:

The targeting of ethnically Darfuri students is more evident when you recognize that the issues that they were arrested protesting are
common to all Sudanese students e.g.; student union elections or student peaceful sit-ins demanding improvements in the university environment. For example, students of the University of Bakht Ridha in the city of Duyem, White Nile State in Central Sudan, held a sit-in a protest against the university administration’s refusal to hold student union elections. The university’s response to the sit-in was the dismissal of 14 students, 13 of them from Darfur. In addition, it accused nine other Darfuri students of having killed two policemen during sit-ins and demonstrations in which more than 500 university students from all over Sudan participated. They were all present at the scene as participants in the sit-in. These nine students are still in the regime’s prisons and despite the pleadings that my colleagues and I made, the charge of murder and the punishment of permanent dismissal was directed only at the Darfuri students. And such incidents targeting Darfuris are frequently repeated.

The nature of sentences

Darfuri students are often brought to trial through malicious cases opened against them by the security services, police or university administrations. These are trials are scripted and student are humiliated and their legal rights diminished. This affects them and prevents them from continuing their education, underscoring the regime’s attitudes towards targeting those students. Such highly biased trials are less frequently directed against students from other regions of Sudan, although they all participate in sit-ins, protests and peaceful demonstrations.

This has created divisions among student activists. The judicial authorities have issued various sentences against Darfur’s students such as corporal punishments including flogging, fines and imprisonment and even death sentences.

Darfuri students are arrested by the security services and police from inside university campuses, from the streets or from student houses. They are left for long periods in detention centers where the security apparatus subjects them to severe physical and psychological torture, in addition to contempt and racial abuse by officers and soldiers of the security apparatus. And then they are brought to trials with the provisions prepared in advance.
Through our study of the records of cases brought forward, the nature of the provisions can be detailed as follows:

**Prison sentences**

Courts tend to issue long prison sentences against students from Darfur. Legal files reveal a large number of sentences issued to imprison Darfuri students. One of the lawyers told us:

*Prison sentences against Darfur students are always issued after long periods of detention in facilities run by the security services during which they are subjected to torture and other forms of ill treatment. They are then transferred to courts after the security and police forces have filed fabricated cases against them. But the judges, who are members of the ruling NCP or accomplices of the security apparatus, sentence them to prison and deny them access to lawyers during these trials.*

Prison sentences issued by biased courts against Darfuri students have big impact on them in all respects, psychologically, socially and academically. When they are released after completion of their prison terms, they are often mentally and psychologically confused and feel that they have been deprived of their dignity by the iniquities of a judicial system that put them in prison with criminals. A Darfuri student who testified after serving a two-month prison sentence, saying:
One of the major impacts on Darfuri students who are sentenced to prison terms, is the disruption of their education. As they are considered by the university administrations to be absent during the time of their detention, they are subjected to academic punishments ranging from not being allowed to take examinations to being forced to retake of the school year to permanent dismissal according to the varying regulations of each university. Absence from examinations at the end of the year because of serving a prison sentence is not considered a forced absence that can be excused by the universities, which shows their clear collusion with the hostile state authorities.

Flogging and fines

Darfuri students face humiliating flogging sentences of up to fifty lashes, handed down by judges and enforced immediately, without the opportunity of appeal or consultation with lawyers, despite the fact that these are rights guaranteed by the constitution. The punishment of flogging violates the individual’s humanity and makes him or her feel humiliated and demeans his of her personality and dignity, which affects these students in the course of their education giving them a sense of extreme oppression and humiliation.

In addition, some face fines, and imprisonment from 15 to 30 days if they cannot pay. A female student who was studying at a university in Khartoum state made the following testimony about her experience with the punishment of flogging, saying:

*We organized a sit-in in the university in protest of the murder of Ali Abkar Mous, a student at the Faculty of Economics at the University of Khartoum, in March 2014. We were demanding that the killer be arrested and brought to trial. The sit-in was on May 5, 2015, on the same day we were attacked in the dorms around two o’clock in the morning by a large group of female students wearing the niqab who were from the membership of the National Congress Party in the university. They were carrying skewers and were hitting us until we got out of the interior. Security men were standing in the street and arrested the students. I was able to go out and go to Khartoum North. In the evening, I met with three of my university colleagues from Darfur. We were passing by the road. Suddenly a man in civilian clothes stopped us and immediately pulled my clothes until they*
were torn and I fell to the ground, but my colleagues defended me and clashed with him. He showed his security card and took us to the police station and we were surprised that this person was an officer in the station and his name is Izeldin Bagadi. He and the soldiers in the station started beating my three colleagues hurling racist slurs at me, saying “you Darfuri are the cause of all the problems”. They filed three cases against us under Article 152 [of the Penal Code] (scandalous acts), Article 132 (general assault) and Article 69 (rioting), and then we were released on bail. Our trial was conducted on Tuesday, May 12 and we were sentenced to 20 lashes each which was immediately carried [She began to cry at this point and the she continued to talk only after a long pause, and with difficulty] Can you believe I could not tell my family in Darfur about this because they would take me out of the university and I would not be able to finish my education? So, I was forced to lie to them when they learned the news from social networking sites, and even at this moment whenever they ask me about this, I lie to them.
Procrastination of court judges in adjudicating cases

Often Darfuri students are exposed to procedures in violation of legal norms by court judges in the cases filed by the security services against them. In many cases, when the judges recognize they can not have a summary trial, they deliberately prolong the trial proceedings, exacerbating the psychological impact on students and keeping them from pursuing their education throughout the trial. One lawyer told us:

Five students from Darfur who are studying at a university in Khartoum were detained by the security apparatus and were then brought to trial on charges of rioting and breaching the public order. Trial sessions started on June 25, 2016 the judge continued to procrastinate in the trial proceedings by lengthening the time between sessions as well as other measures of no value to the case. Especially after it began to become clear that the court would be compelled, from a legal point of view, to dismiss the case, these delays increase, as did the amount of time I was needed as an advocate in the court. The case continued for seven months until the judge dismissed it on 25 January 2017. This ruling could have been made in only one session because the case was clearly fabricated and no evidence, witnesses or documents of any kind were produced.

There are many such cases against Darfuri students where judges procrastinate in violation of the law and the practice of litigation. The behavior of prolonging the trial period itself is a punishment, because it places the students in a complicated position that prevents them from continuing their studies normally, making them liable to academic punishments by the university administration.
Complicating bail procedures and forced resignation

In some cases, where fabricated charges are brought against Darfuri students by the security services or police, students are held for long periods of time in prison awaiting the completion of their trials. When lawyers apply for bail, judges impose difficult conditions that are disproportionate to the weight of the charges that are transparently fabricated. In his testimony, one lawyer told us:

I represented a Darfuri student at a university in a state in central Sudan. The case was brought against him by the security apparatus because of his participation in protests related to tuition. He was charged with damaging public property and in fact this was false because there was no property damaged. This student remained in prison for two months from March 2017 and when I applied for his release on bail of as his lawyer, the judge conditioned bail on the payment of three billion pounds (80,000 USD) as bail. This was an impossible and strange condition incompatible with legal norms and procedures. After that, the security apparatus stipulated that the student should resign from the university in exchange for the dismissal of the case against him. He accepted and resigned from the university and the case was dismissed. Then he went to study at a private university, but the security service followed him there and forced him to resign again. They also told him that they would not allow him to study at any university in Sudan. He left the university and cut short his education.
Murder charges and death sentences

The ruling regime resorts to the cruelest tactics in its racist targeting of Darfuri students, using its dishonest judicial arm to manipulate the law to serve the goals of the ruling regime, breaching all legal, humanitarian and moral values. Many times, Darfuri students are charged with murder after student riots, exposing them to the death penalty if found guilty. One lawyers who is familiar with such issues, presented us with two different legal cases in his testimony:

Darfuri students are exposed to murder charges punishable by death. The trials are usually unfair and sufficient evidences to condemn them for murder is not presented. One example is the case of Mohammed Abdullah al-Bagari. He is a student activist and member in the Darfur Students Association of Sharq Elnil University. He was accused of killing a student belonging to the Islamic Student Movement (the student branch of the ruling party) at the university. He was arrested by the security apparatus in April 2015 and was brought to trial in May 2015 at the court of Bahri city. However, the case was withdrawn from court in an incomprehensible procedure and then the file was returned to the same court again on 26 August 2015, after re-opening of the case again from the prosecution under Article 130 (Murder). The court did not find sufficient evidence to condemn him for premeditated murder thus sentenced him to prison and blood money. But the Court of Appeal rejected the decision of the trial court and issued a decision to execute him. His lawyers appealed to the Supreme Court and the litigation is still ongoing.

This case became a test for public opinion, in which many legal experts and students who witnessed the incident testified. It was revealed that the incident started with an attack by students affiliated with the ruling party, heavily armed with machetes and knives. They attacked a social reception of new students organized by the Darfur Students Association at the university. One of the students affiliated with the ruling National Congress Party was killed during the clash. Mohammed Abdullah al-Bagari was accused because he was present and attempted to repel the attack of the NCP students on the
celebration. A Darfuri student, who was a member of the Darfur Students Association testified: “There was a celebration organized by the student association to welcome new students to campus. This is a traditional ceremony that is held every year to welcome students admitted to universities. During the preparations for the celebration in the place reserved for it, a group of the National Congress Party students – the so-called “Jihadist Battalions” who are also part of the security apparatus – attacked the celebration. They were heavily armed with machetes and knives. Al-Bagari is one of the most active students in the association and was present in the celebration. He was also targeted. The clashes ended with several casualties, including al-Bagari, who was seriously wounded and another student, a member of the jihadi battalion attackers, was killed. All the injured were transferred to hospitals, including al-Bagari. After his recovery from his injury, he was arrested and accused of murdering the student of the National Congress Party in that attack.

Another case was in May 2017, in which nine students from the Association of Darfur Students at the University of Bakht el-Rida in the city of Duweim were accused of the murder of two policemen during a student protest. University students of all backgrounds participated in that protest, demanding that the university administration hold student union elections. The university administration summoned the police and security forces who attacked the students inside the university, where more than 500 students from across Sudan were protesting. The demands of this protest did not concern Darfuri students alone, but all university students to regain their right to elect their student union. Following these protests, the university administration dismissed 13 students, all of them from Darfur, and held them responsible. Police and security forces also arrested nine other Darfuri students at the university and charged them with killing two police officers during the protest inside the university.

Students descending from Darfur were the only students accused although more than 500 students from all over Sudan had participated. This led the students of Darfur at University of Bakht el-Rida to submit mass resignations from the university and to return to Darfur in protest against this injustice. “What happened at the
university was an ugly racial discrimination against us as children of Darfur,” said one of the university students in an interview.

These incidents were related to the issue of the university student union elections which is not exclusive to certain students. So how it is only us who are punished and accused of murder? The university administration dealt with us with cruel racism and the dean of students’ affairs directed racist words and insults of a racist character to our faces. Our colleagues, targeted on a racial basis, are currently in prison falsely accused of killing two policemen.

A panel of lawyers was formed to defend the nine students accused of killing the two policemen and the trial was ongoing at the time of writing. The defense team for the students (run jointly the Darfur Lawyers’ Association, the Nuba Mountains Lawyers’ Association and the Democratic Alliance of Lawyers) issued a statement dated 8 October 2017 explaining that there are defective judicial procedures were undermining the integrity of the trial and affecting the guarantee of justice: “Darfur Students’ Defense Committee. The provisions of Article 77/69 \ 130 \ 21C 1991. At the session scheduled on Sunday April 8, 2018, which was supposed to be hearing of the investigator and witnesses to the indictment, the Darfur Students’ Defense Committee was surprised that the head of the judiciary in White Nile State referred the case from Court of Duweim Court to another judge in Kosti just days before the date of the hearing. The case reached the Court of Kosti and was put before another judge who set a session on April 11, 2018. This happened without the knowledge of the defense team, which had sent all its members to Duwaim. No justifications for the referral were offered. However, the defense team had previously requested the Office of the Attorney General to refer the trial from Duweim to Khartoum to ensure the integrity of the proceedings and this request was refused by the Attorney General. This particular session was the third and the previous sessions had proceeded normally. The defense team is concerned with this referral and its circumstances has prolonged the trial, exhausting students who were released on bail, and now bear the weight of the cost of the travel to Kosti in both money and time. The defense team says that it is was not informed of any justification for
the referral of the case to Kosti and nor of the party who submitted the request for such a transfer. nor were they allowed to respond to the proposal before the decision was made. These procedures are contrary to the true application of the law”.
Targeting security forces and jihadist battalions for Darfur students

Article 29 of the 2005 Sudanese Constitution of states: “Everyone has the right to liberty and security. No one shall be subject to arrest or detention and shall not be deprived of his liberty except for reasons and in accordance with procedures prescribed by law.”

Article 3 of the Universal Declaration of Human Rights states: “Everyone has the right to life, liberty and security.”

The regime employs its security and police forces and its Jihadi battalions inside universities to tighten his grip on the Sudanese people in general and on universities in particular. Security forces and the jihadi battalions use violence and human rights violations in the oppression of citizens and students. Both operate with impunity, not subject to any law, and their members enjoy absolute authority.

The security apparatus has absolute security, military and legal powers. It is a powerful arm of the ruling regime. Its members are not subject to any kind of legal or administrative constraints. Most of the members of the security apparatus belong to the Islamist movement, which is the womb of the ruling NCP. Thus, security officers are not ordinary employees but ideological extremists protecting their autocratic regime from freedoms, human rights, democracy, justice and equality. For this reason, the security apparatus carries out brutal practices against opponents of the regime and implements its racist policies. It is the force that kills, arrests, tortures and manages other auxiliary militias.

In Sudanese universities, the security apparatus works to suppress the student movement and its peaceful activities, whether they are related to students’ demands, to expressing their political positions or even restricting cultural and social activities.

The security apparatus targets Darfuri students in Sudanese universities in particular, based on its racist attitude, which inform government policy. The security apparatus utilises various types of violence against Darfuri students including physical and psychological violence such as arrest, torture, racial abuse, sexual harassment and murder. The security
apparatus uses its absolute powers in universities and control over their administrative departments through the presence of its officers within the staff. Security personnel also play a central role in the university guards. The jihadist battalions are armed militias inside the universities made up of students affiliated with the ruling National Congress Party. They have official offices within the universities.\textsuperscript{24} The regime uses these battalions to gather information about the students and as a tool of violence, including murder, against them. They enjoy absolute immunity from legal or administrative accountability. The types of oppression and abuse used by the security apparatus and the jihadist battalions against Darfur students are explained in the following sections:
Arrest and physical and psychological torture

Article 33 of the Constitution of the Sudan 2005 states “No one shall be subjected to torture or cruel, inhuman or degrading treatment.”

Article 5 of the Universal Declaration of Human Rights states “no one shall be subjected to torture or to cruel treatment or punishment or inhuman or degrading treatment.”

The security services arrest Darfuri students from universities or from public streets, or even chase them to their villages on vacation. They are treated very harshly within detention facilities run by the security services, which are not subject to any kind of legal supervision. Students are detained for long periods, up to a full year at times, without any legal justification. They are severely tortured in detention, through beatings and other forms of torture. One student activist in the Darfur Students Association told us about his experience in a detention facility run by security:

We were arrested inside the university campus by the security forces when we organized a speech demanding the administration implement the president’s decision to exempt us from tuition. We were 23 students from Darfur. They took us to a notorious prison run by the security services. All of the male students (21 of them) were put in a cell so narrow that we could not sit, so we stood there. The three female students were taken to another place. We stayed there for three days standing until some of us collapsed and fell. Three days later, they started taking us one after the other into interrogation, which began with beatings with large black hoses all over the body. I was also beaten with strong shoes in my head until my nose started bleeding. Then they sat me down on the floor and the officer spat on my face and said to me: “You are a slave, you are a chick. We are the ones who own you, when did you become a person? Tonight, we will rape you and we will kill you because you have no value and no one will ask about you.” They kept me in this way for about four hours and then they took me to another room. I was held in detention for three months, where I was subjected to torture, threats and racial abuse. I was released to the street, exhausted from torture. I was not able to stand or see well because they had beaten me in the eyes, making me sensitive to light for a long time. I suffered so much to get my eyes treated.
Prosecutions and displacement of the study

The security services continue to harass and persecute Darfuri students, especially activists in the Darfur Students Association, with the aim of placing them in a state of continual fear and psychological instability impeding their ability to access education.

They are also threatened and intimidated into resigning from the university. One student, who was active in the Darfur Students Association, gave us his testimony:

I have many bitter experiences with the security apparatus as a student from Darfur. I can tell you about one of them: I had gone to visit my hometown in Darfur on vacation at the end of the school year. While I was there, security forces came to the village and asked me to leave Darfur immediately. They told me that these were orders from the governor of the locality because my presence was viewed as undesirable. I left on April 23, 2015 because if I did not leave, they would have killed me. When I returned to Khartoum and went to the university, security cadres kept continually threatening to arrest and torture me. They even threatened me with murder. That made me hide in houses of some people who I knew in Khartoum, which undermined my studies, because I was unable to go to class. I had to suspend my studies for a full year due to the constant threats of assassination.
Assassinations and murder

Article 28 of the 2005 Sudanese Constitution states: “Everyone has the inherent right to life, dignity and personal integrity. The law protects this right. No one shall be arbitrarily deprived of life.” 27

Article 3 of the Universal Declaration of Human Rights states “Everyone has the right to life, liberty and personal security.”28

Students from Darfur in various Sudanese universities are subjected to physical violence and murder by security forces and jihadist battalions. There are a lot of incidents of assassination of Darfur students in various Sudanese universities, but the killers have never been tried and no arrests have been made. In some cases, the students of Darfur are killed collectively after being arrested, killed inside prisons and their bodies thrown in the open, as happened to four Darfuri students at Al-Gezeira University in Wad Madani in Al-Gezeira state. On December 7, 2012, the bodies of these four students were found lying in an agricultural irrigation canal in the outskirts of the city. One of the leaders of Darfur Students Association told us:

The university administration has refused to register new Darfuri students until after they pay tuition, in violation of the decree of the President of the Republic in accordance with the Abuja and Doha peace agreements. In response, we began a sit-in on December 2, 2012. The security forces arrested 11 students from Darfur, including the president of the association, on the same day. The sit-in continued until December 5, 2012, despite attacks by the National Congress Party militias, known as the Jihadi battalions, to break our sit-in. On December 5, the university director called the police and security service forces, backed by Jihadi battalions, to the university. In a tragic scene, Darfuri students were attacked with swords, batons, electric sticks and tear gas, and 70 students from Darfur were arrested by the security services. The next day, 66 students were released and four students remained in detention. The students reported brutal torture and threats of physical harm and racist and sexual harassment of female students. The remaining four students went missing until their bodies were found dumped in an irrigation canal in the outskirts of the city on Friday, December 7, 2012, with clear signs of torture on them. Their names were:
- Mohamed Yunus Neil Hamid - student at the Faculty of Agricultural Sciences - Batch 35
- Adel Mohamed Ahmed Hammad - student at Faculty of Agricultural Sciences - Batch 35
- Sadiq Abdullah Yacoub - student, Faculty of Agricultural Sciences - Batch 34
- Numan Ahmed Qureshi - student at the Faculty of Agricultural Sciences - Batch 35

When we learned about the deaths, the students gathered and went to the hospital. The security and police forces prevented us from taking the bodies of our dead brothers. That led some citizens to adopt the cause of these martyrs and say they would be their parents. Even the lawyers who came to the morgue to start legal proceedings were expelled and some were arrested by the security services. So far, the murderer has not been arrested and no trial has been carried out for anyone. Over five years have passed since the assassination of these students by the security services.

There are many cases of assassinations of Darfuris in various Sudanese universities, carried out by the regime. The perpetrators are never brought to trial. Many murders take place in secret detention centers and then the dead bodies of students get thrown into the open or handed over to a hospital without following the legal procedures required in such cases. The security forces use a number of methods to reach Darfuri students when it has decided to eliminate them. Sometimes the targeted student is lured away individually without the knowledge of others and then murdered, as was the case of the student Abdul Hakim Abdullah Musa. He was a student at Omdurman Islamic University and a member of the Darfur Students Association. He was at a relative’s house in the suburb of Salama south of Omdurman when he received an anonymous telephone telling him to come outside. The next day, his body was found at Omdurman Hospital, hit by a sharp baton in the head. A student who was close to the event told us:

I am a witness to this incident. That was on April 3, 2012, The day of the assassination of the Darfuri student Abdul Hakim Abdullah Musa. Abdul Hakim went out from the house following a telephone call from the security service and a day after his disappearance, a telephone call from an unknown number to one of his fellow students who lived with him in the dorms reported that Abdul Hakim had died as a result
of an accident and his body now in the morgue of Omdurman hospital. We went to the morgue and found that the official medical report prepared by hospital doctors after examining the body says that the cause of death is beating with a solid object that caused bleeding in the head leading to death. To date, no one had been arrested.

The student militias, known as Jihadi battalions and supported by security forces, are also practicing excessive violence against students, particularly Darfuris. These militias, armed with machetes, knives and firearms, operate inside universities. Countless acts of violence and multiple assassinations of students have been committed by them. These militias attack Darfuri students going about their business on campus or inside student dormitories.

Among the killings carried out by the Jihadi battalions is that of Darfuri student Ali Abker Musa at the University of Khartoum. He was shot on campus during an activity of the Darfur Students Association. We met with one of the students who witnessed this incident, another member of the Darfur Students Association at the University of Khartoum. He saw everything that happened that day and told us:

March 11, 2014 is the day on which the martyr Ali Abker Musa was assassinated at the University of Khartoum. On that day, we held a meeting at the university to address the silence of the Khartoum regime in the face of the killings, looting and displacement taking place at that time against civilians in Darfur in the localities of Sarf Umrah and Eltiwiesha and other areas in North and South Darfur. These were the crimes of NCP militias. The speakers also addressed the displacement of Darfuri students from the Al-Barakas Dorms. We had a letter to deliver to the Ministry of Justice and the UN office in Khartoum. After the end of the speeches and before we left campus, members of the security services and the Jihadi student battalions came out from the University of Khartoum mosque, which housed the headquarters of the jihadist unit. They were armed with firearms and began shooting directly at us. The martyr Ali Abkar Musa was killed instantly. Three other students were injured and a very large number of students were arrested, including myself. Until now, the perpetrator has not been tried.

Another testimony was about the assassination of three students from Darfur in Omdurman Islamic University, which is located in Al-Fotayhab
neighborhood, south of Omdurman. They were attacked in their dorm by an NCP affiliated student studying in the same university. We met a student who was present at the time of the attack and he told us the following details:

On Thursday, August 31, 2017, on the holiday of Eid al-Adha, a student named Ibn Katheer Abdul Rahim, a leader of the Jihadi Student Battalions of the National Congress Party, stormed a student dormitory housing Darfuri students at Omdurman Islamic University with a knife in his hand. The students in dormitories did not expect any problems at that moment because the university was already on vacation. He entered a room and stabbed three students with the knife. The student Jafar Mohammed Abdullah died on the scene. The two other students: Ashraf Al-Hadi Al-Domah and Mohammed Ali Abdullah Kalloul died in the hospital.

These events are examples of the assassinations and physical injuries suffered by Darfuri students at the hands of the security apparatus and the Jihadi battalions of the ruling NCP. It reflects the regime’s racist behavior and hostility against Darfur students in Sudanese national universities.

**Violations carried out by the police**

Police often storm university campuses to assault students, disperse their activities, and disband peaceful gatherings and peaceful protests on campus. Police forces use excessive violence against these students with batons, electric sticks and tear gas. Police arrest students and subject them, in coordination with the security services and court judges, to unfair summary trials, where they are sentenced to flogging, imprisonment and high fines on trumped-up charges.

The police force often bring false accusations against students without providing evidence. Darfuri students face court trials for charges with penalties up to and including the death penalty, such as the case of the nine Darfuri students at the University of Bakht al-Rida in the city of Duweim, described in more detail above.
Political discrimination against Darfur students in Sudanese universities

It is historically known that university students undertake political activities within the universities, which is a legitimate right. Even the elections of student unions are conducted according to lists provided by political organizations. Many Darfuri students, like other students, have political interests and affiliations. However, the ruling regime always describes Darfuri students at universities as members of insurgent groups and representatives of armed movements although these students are civilians exercising their constitutional and legal rights to peaceful political expression.

The regime’s purpose is to mobilize its loyalists against these students. The student bodies representing Darfuri students come under the umbrella of the Darfur Students Association and are registered as student organizations under the administrative regulations governing the work of these associations in Sudanese universities. The regime also strives to prevent these students from engaging in national political activities as well as general social activities organized by other students to reinforce the perception of Darfuris as a category apart. The regime aims to create a gap between Darfuri and other students, in order not to keep them from sharing the reality of the crimes that they witnessed in Darfur. This isolation also makes it easier for students loyal to the NCP to rally other against Darfuri students and to propagate the anti-Darfur discourse among students from other regions of Sudan. This is based mainly on the dissemination of racist discourse against the people of the Darfur region and investment in the policy of hatred and intimidation of the other.
Conclusions

There are multiple serious and physical, psychological, humanitarian and human rights violations committed against Darfuri students. These violations are inseparable from the genocide and crimes against humanity committed by the regime or its explicit racism against civilians in Darfur, especially as the students are the forces of social and cognitive enlightenment who build the awareness and leadership of the future. So, the regime explicitly targets these students to prevent them from continuing their education, adopting the most brutal means of torture and targeting that violate the constitution, international law and human rights.

The regime practices racial discrimination against these students through the civil and military apparatus of the state and this, of course, has a serious impact on the social fabric of the whole nation which will only worsen over time if not addressed.

These violations had serious impacts on Darfuri students, including:

- Denial of the right to life by means of assassinations or other serious physical and psychological harm.

- In addition to the unjust administrative targeting by universities without allowing students their legal and constitutional right to due process, the perpetrators of these crimes and abuses against the students of Darfur are not arrested nor brought to trial, denying the rights of victims.

- Large numbers of Darfuri students are forced to leave school, and abandon their education. They return to their homes in Darfur and remain among their families fearing for their lives or fearing torture and ill-treatment by security forces. In addition, they are forced to pay tuition from which they are exempted by official state decisions as part of both the Abuja and Doha peace agreements. The largest number of Darfuris who have left school are female, subjected to sexual harassment and threats of rape, as well as other forms of torture.
• Large numbers of these students have resorted to forced migration, smuggled through Libya and Egypt because of what they are exposed to in Sudanese universities and in search of alternative opportunities to continue their education in Europe. This exposes them to the dangers of falling into the hands of human traffickers, of dying in the Mediterranean Sea and other smuggling routes or being held in refugee camps for years before losing their lives.

• Some Darfuri students have suffered severe mental disorders and diseases due to violations by the security forces, police and the jihadi student militias, which deprive them of their right to live normally.
Recommendations:

- The democratic forces of Sudanese society, national political forces and civil society organizations working to defend human rights should work to protect Darfuri students by providing them with protection from attacks by the regime and supporting them through all possible legal and civil means. In addition, they should give this issue the attention it deserves and push it in the forefront of the national agenda.

- The regime should be prosecuted for the crimes and violations committed against Sudanese students from Darfur through all possible means in accordance with the constitution and international law to stop these violations and bring the perpetrators to justice.

- The Sudanese government should refrain from racial discrimination against its citizens, such as the Darfuri students, and work to reform the various government agencies that practice this discrimination systematically, holding its employees who are involved in these practices accountable.

- The student Jihadi battalions affiliated with the NCP in Sudanese universities should be dismantled.

- University campuses should be protected from the intervention by the security and police.

- The Sudanese judicial system should review the procedures and judgments of all cases relating to Darfuri students, whether concluded or still before the courts. They must be reviewed fairly and students affected by unfair and summary judgments are compensated. The investigations of cases of students murdered and all other violations should also be expedited and those responsible brought to justice.

- University administrations should commit to the law and guarantee the protection of students and their rights, and make honoring the right to education without discrimination a main goal, preventing security services from interfering in their
decisions.

- University administration and government should recognize the right of students from refugee camps, IDPs camps and conflict areas to be exempted from tuition due to their exceptional circumstances and inability to pay.

- Ensure the right to university housing in dorms for students exempted from tuition throughout the period of their enrollment in universities and on vacations due to lack of other alternatives.

- Free media organizations should support a discourse locally and internationally which exposes the crimes of the regime against these students.
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22- 2005 Sudanese Constitution
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