

Foreign Affairs Committee

Oral evidence: The situation in Sudan, HC 1312

Tuesday 20 June 2023

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Members present: Alicia Kearns (Chair); Sir Chris Bryant; Drew Hendry; Henry Smith; Royston Smith; Graham Stringer.

Questions 66-106

Witnesses

I: Maddy Crowther, Co-Executive Director at Waging Peace, Dr Kate Ferguson, Co-Executive Director and Head of Research and Policy at Protection Approaches, and Bushra Rahama, Waging Peace Representative and Founder at Human Rights and Development Organization (HUDO)

II: Mohammed Hassan al-Ta'ishi, Former Member of the Sudan Sovereignty Council and Senior Peace Fellow at The Public International Law & Policy Group, Mohamed Osman, Researcher, Africa Division at Human Rights Watch, and Emma DiNapoli, Legal Consultant at Office of Amal Clooney.

Examination of witnesses

Witnesses: Maddy Crowther, Dr Kate Ferguson and Bushra Rahama.

Q66 **Chair:** Welcome to this session of the Foreign Affairs Committee, where we are continuing our investigation into the conduct and handling of the evacuation from Sudan. I thank the three of you for giving evidence to us today. Can I ask you to kindly introduce yourselves?

Dr Ferguson: Thanks very much. I am Dr Kate Ferguson. I am co-executive director at Protection Approaches, which is an NGO that works to prevent identity-based violence. I am an analyst with a specialism in foreign policy strategy, particularly in violence prevention.

Bushra Rahama: I am Bushra Rahama. I am an employee of Waging Peace. I am also a founder of the HUDO Centre. The HUDO Centre is a Sudanese organisation monitoring human rights in Sudan.

Maddy Crowther: I am Maddy Crowther. I am co-executive director at Waging Peace, alongside Bushra.

Q67 **Chair:** Bushra and Maddy, it would be very helpful to set the context. Could you talk us through the current situation in El Geneina? What are the crimes against humanity that are taking place? What is your view on the comments that, essentially, what we are seeing in Darfur is likely to get worse, and potentially worse than the previous genocide that took place there? What should the UK be doing to try to minimise atrocities?

Bushra Rahama: What is going on in El Geneina, or in Darfur in general, is devastating. It is much worse than what is going on in Khartoum. However, it has been kept completely silent, because there is no internet there and no phone calls. If we talk about El Geneina, public and private buildings have been destroyed completely. People within El Geneina have been displaced from a certain neighbourhood to a certain neighbourhood—mainly the neighbourhood to the south of El Geneina has been displaced to the northern part. RSF, which is an Arab militia, is still pursuing them up to that area. Currently, they are conducting selective killings of activists, politicians and community leaders. El Geneina is now surrounded by RSF and Janjaweed militia, and there is no way for people to get out.

Over the last five days, people have started to flee to Chad. However, on the journey, many people were lost or looted. Up until today, there are some people detained within El Geneina itself. Nothing has been delivered to them. There is no hospital, nor any kind of life inside. Even the water sources have been completely damaged. The current situation in El Geneina is that all who remain there rely on two hand pumps for water. This is the big picture of what is going on there. The same RSF has attacked many other places. We are now in a ceasefire of three days, which will end tomorrow. In Khartoum, up to now, it looks like the ceasefire is very successful. However, in Darfur, it is not. Yesterday Tawila was attacked, and we know that, in the previous days, Khartoum was also attacked. There has been a series of ceasefires—not less than 10—but nothing has been implemented in Darfur.



Q68 **Chair:** Thank you. Maddy, where should we be prioritising support?

Maddy Crowther: Just to touch on what Bushra was saying, what is happening in Darfur cannot be allowed to be seen as separate from what is happening in Khartoum, and this has actually been a feature of UK policy on Sudan for many years—certainly in my almost nine years at the charity Waging Peace and way beyond that, as I am sure Bushra or Kate could speak to. It is about not separating events in Darfur from what is happening in the centre, which we are at risk of doing. The idea of safe corridors has been mentioned—via Chad, where people are arriving in such high numbers.

I want to really stress what Bushra was saying about the severity of violence we are seeing. It is not unprecedented, sadly, but it is at a scale that is truly catastrophic. I would be remiss not to have an urgent appeal to you as a Committee about the violence in El Geneina and Darfur more generally. To give an illustrative example, we held a community picnic on Sunday. There were 100 members of the British and Sudanese community. There were people there who had 10, eight or five family members die. As just a snapshot of what was happening in Darfur, the fact that people 5,000 miles away were telling us about that many dozens of relatives who had died should be indicative of the scale of violence we are seeing.

Q69 **Sir Chris Bryant:** Doctors Without Borders described it as one of the worst places on Earth. Is that fair?

Bushra Rahama: Very.

Q70 **Sir Chris Bryant:** Can I ask about the pre-warnings? Some witnesses have disputed the claim that it was impossible to predict what was going to happen. Where are each of you on the “this was predictable/this was unpredictable” scale?

Bushra Rahama: Actually, since the revolution, we kept talking to the Foreign Office. The way they are taking is the wrong way, and it should be predictable. When UNAMID was dissolved, we kept knocking on the door. The situation in Darfur was getting worse, but they never considered what we were talking about. We believe if UNAMID was there nowadays, we would at least have a monitoring tool.

The situation in Khartoum is completely different from the situation in Darfur. Peace in Darfur is a kind of power balance. We know Darfur has two components—the Arab community and the African communities. The imbalance came in with the Bashir regime, and it remains—recruiting Janjaweed and so on. We had the revolution in 2019, and the revolution gave legitimacy to the RSF. That is more weight.¹

Q71 **Sir Chris Bryant:** So you are saying that you think this was always a possibility and we should have known?

¹ The witness wanted to provide the following additional information after the session: “The revolution of 2019 led to the constitutional document which sadly gave legitimacy to the RSF. Unfortunately, this empowered RSF more.”

Bushra Rahama: Yes.

Q72 **Sir Chris Bryant:** Dr Ferguson?

Dr Ferguson: Absolutely. To focus on what the UK could have known, and the UK Government, there are two reasons. One is the fundamental assumptions about where the risks of violence were coming from. Ultimately, in the past few years, what we have seen is trust from this Government in the men with guns, and not listening to the civilian experts, whether they are in Sudan or here in the UK.

That is not limited to Sudan. We have seen it shaping UK policy in all sorts of crises with which the Committee has been concerned. There is a reluctance to accept that some people are willing to commit extraordinary violence for political gain, but it has to be acknowledged. It is not a nice fact, but it is true and real. This refusal to accept and understand the particular dynamics and pathology of mass atrocity violence is a fundamental hole in our foreign policy.

The second reason is much more structural and practical. The embassy team, the country team and the Foreign Office do not have in place, or certainly didn't a few years ago, the kind of necessary early-warning systems anywhere in their infrastructure. They still don't have it, to my understanding, in Sudan, which means that when those warnings are being raised, whether in West Darfur or in Khartoum, we don't have a system by which those warnings can be easily, rapidly and urgently raised to the ministerial office. I can talk about that in more detail, but there are some structural reasons, as well as some intellectual or political ones.

Q73 **Sir Chris Bryant:** Let me ask you what is, in a sense, a more direct question: did you, before April, raise any of those matters with the FCDO, FCDO officials, the embassy or Ministers?

Dr Ferguson: Absolutely, and I think everyone on this panel did. Maddy and I wrote publicly four years ago, practically to the day, warning the UK Government, in the wake of the massacre in Khartoum following the people's revolution, that it had to prioritise its atrocity prevention thinking and capabilities. That did not happen. In July 2021, the—

Q74 **Sir Chris Bryant:** And you wrote to whom?

Dr Ferguson: That was through discrete communications, but a public op-ed in *The Guardian*, and supported by a briefing that was shared in Parliament. The International Development Committee warned in July 2021 that atrocity prevention training was needed for Sudan, Ethiopia and Eritrea. That didn't happen. We wrote to the Minister, Vicky Ford, in autumn 2021 following the coup, again warning that this was going to happen. We sat down with the country team regularly in the months in between. Ten days before the violence broke out, the UK atrocity prevention working group, including Sudanese partners, sat down and said, "What are you doing? Things are heating up." The response was, "We are cautiously optimistic." I am sorry if I sound angry and emotional. I am. We told them.

Sir Chris Bryant: You sound perfectly reasonable.

Dr Ferguson: Thank you.

Sir Chris Bryant: Sorry, that sounded really patronising. I am very good at sounding patronising.

Dr Ferguson: No, it didn't at all.

Q75 **Sir Chris Bryant:** The former British ambassador, Dame Rosalind Marsden, said, "I think the British Government and its partners perhaps should have taken those warnings more seriously." Maddy, do you think that's—

Maddy Crowther: Absolutely. In addition to all the long-held warnings that we were constantly throwing the Foreign Office's way, just looking at that April moment, according to the Foreign Office's own logic, they had put all their eggs in the basket of the framework agreement. That was a constant message that we were getting. If we were trying to raise crimes that were happening in some of the periphery areas, they were talking about the political process happening in Khartoum. According to their own logic, April—the date where that agreement would have been finalised—is a key political moment. It should be in your calendar. You know that that is when tensions are going to be at their highest. Eleven days before we met, and they said that they were cautiously optimistic.

If you were serious about a political moment of that scale, you would give that high-level international attention and engagement. You would also threaten, really, those who were going to derail or undermine that moment with potential sanctions. You would have your sticks as well as your carrots. It just felt like they were really just hopeful that the generals would give up power in a way that was inimical to their interests. That felt wrong-headed, particularly when members of civil society were saying, "We don't think that this is the right approach. We actually smell war coming. We are leaving the city." We had people tell us in the weeks before 15 April that they were leaving Khartoum because they smelt war in the air. I do not see how the Foreign Office, and its embassy team in particular, could not feel that, and could not see any of the warning signs, when they were so clear.

Q76 **Sir Chris Bryant:** All human lives are important, but do you think that that lack of prescience led to British lives being put at risk unnecessarily?

Dr Ferguson: I think that preparedness is a really important hard lesson that the Foreign Office needs to learn. I would caution against separating preparedness for evacuation of UK personnel from the evacuation of citizens of other countries over which we have responsibility, and also just populations at risk. Interconnected scenario planning should be fundamental for countries where violence and atrocity crimes are a risk. You see in Sudan the fundamental basic lessons of Afghanistan not being learned. Preparedness is a way of thinking as well as a clear policy. You do not see any of that in the last few weeks in Sudan in UK policy, I'm afraid.



Q77 Drew Hendry: UK aid has been reduced to Sudan by about 97.5% over the past two years. Is that in any way a sensible approach?

Maddy Crowther: I am happy to take this one. It certainly does not seem so. Waging Peace helps to co-ordinate a working group of various policy, programmatic and humanitarian actors that work on or in Sudan. We certainly were not offered any clear logic for why cuts were being made, including to some of the partner programmes directly. I do not think that there was a clear justification for just how harsh those cuts were and the impact that they would have on people.

From a Waging Peace perspective, we work with asylum seekers and refugees here in the UK. It is not lost on me that a large proportion—I think you actually asked the Foreign Secretary himself how high a proportion—of the ODA budget goes to first year refugee costs, or “hotel bills”, as they are sometimes called, as a shorthand, here in the UK. Sudan is a huge country of origin for asylum seekers here in the UK. I think it is the eighth highest according to the latest Home Office quarterly immigration statistics. It has a historically high grant rate. This might sound like a high figure, but the grant rate is at a relative low at the moment of 83%.

There are a lot of people that the UK has here who are Sudanese and whom we have responsibilities for—responsibilities that I do not think that we are discharging fairly. There are people whose cases are massively delayed. As of 31 March, there were 5,010 Sudanese applicants waiting for an additional decision on their asylum claim—that is main applicants, without their dependents—3,966 of whom had been waiting for more than six months. Sudan was added to the streamlined asylum processing route, but that is a tiny proportion of those. There is no realistic way we are returning people to Sudan at this moment, so why are we keeping people’s lives in limbo? Why are we not letting them rebuild here in the UK in the ways that we know they can, and making the contributions that we know they can?

Dr Ferguson: Can I come in on that point about the aid cuts? It speaks to a wider, very well documented crisis that we are seeing in our international policy. It is very difficult to say that it was strategic or informed when you look at the Horn of Africa more broadly, where risks of violence, of instability, and of myriad polycrises are really metastasising, with big regional and global impacts. But those cuts are part of the chaotic merger. And I would like to put on the record my challenge, as I am sure it will be read from the country teams: they have had to make these decisions amid such tumult, and amid such rabid and irrational cuts, where they have gone through a merger that was poorly, poorly prepared and executed, and so on, that it threw all of these country teams into a very challenging situation—

Q78 Drew Hendry: Is it reflected across the region?

Dr Ferguson: Absolutely. And the fact that that country team hasn’t been kind of rocked by that, of course. The ministerial churn—we have had so



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many Foreign Secretaries. What has been happening to the position of development within that structure has been really a mystery to a lot of people—even senior people—within that system. And with no strategy of violence prevention.

So I think that any assessment that can be made on UK-Sudan policy has to be put in that context, because these are officials who are trying their best, on the whole, in extraordinarily challenging situations, amid a kind of political turmoil.

I suppose I will say that it is welcome to see Minister Mitchell now in his position, because he is an ally on international development and he is long-standing and on record on his commitment in confronting mass atrocity crimes, so one hopes that he will have the space to be able to pivot from a broken policy. But that structural set of challenges will remain, I'm sure.

Q79 Drew Hendry: If they are not addressed, what do you feel the impact of the cuts will be in the longer term?

Dr Ferguson: It is about the UK's standing in the world and contributions that this country can make to saving lives, ultimately. I think that for Sudan the Sudan policy has already paid a very, very high price. And there are things like when Protection Approaches offered atrocity prevention training to the Sudan country team, at cost; we just need to be able to make sure that we can cover our costs and some of our staff time. We'll even take a loss. This stuff is important, but we just have to be able to deliver it.

They weren't able to find those very, very modest funds; we're talking about a couple of thousand pounds here, not tens of thousands of pounds and certainly not big money. They didn't have that money. The money that they have to augment and support is nothing. And that is having a hugely tangible impact. They are then being asked to take on this new agenda around atrocity prevention, with no central policy, no central structure and no political weight behind it. One cannot blame these officials, who are beleaguered and trying to firefight.

Q80 Drew Hendry: One final question. You were talking about the officials there and we have already heard what you said about their lack of preparedness. So, do you feel that the embassy was sufficiently resourced in the first place?

Dr Ferguson: No, and that is even before the cuts, because I think that resource isn't just money. Resource is about political weight and it's about expertise. And the one thing that I and my team have learned over the last few years, and this is not particular to the Sudan team but it is very common in situations in countries where atrocities are either ongoing or are a risk, where—it is fantastic that this Government over the last few years has made strides forward to commit to prioritising preventing crimes against humanity, genocide and ethnic cleansing. That is a good thing. But if you're not backing it up with the necessary training, the necessary expertise and the capabilities, and just putting in junior officials, that's not



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fair. You can't put young and inexperienced well-meaning officials, with the weight of UK responsibility to prevent crimes against humanity, in these situations.

So, no, I don't think they were adequately resourced. And separate to that, there was no emergency communications protocol in place, there was no preparedness strategy and then there is no central guidance coming from Whitehall, which makes it very, very difficult for that embassy team; of course it does.

Drew Hendry: Thank you very much.

Q81 **Royston Smith:** Have the UK and the rest of the Security Council invested too much faith in Sudan's transition process and has that been to the detriment of civilian safety?

Bushra Rahama: Yes. About the transition, actually we believe they invested in a certain group within Sudanese elites. Actually, even the information provided to them, it was wrong information, which led to what we are witnessing now.

Let me just take you back a little bit. When we talk about Sudan's educational system, it is very discriminatory and it's never telling about Sudan in certain areas. When we talk about peripheries, it is about Darfur, Nuba mountain, Blue Nile and South Sudan.

The people who are ruling Sudan have a very central-minded approach and mentality. Either that is because, as I told you, the educational system we have is very discriminatory and there is nothing about those areas, so they don't know anything about them, or because they are deliberately ignoring those areas. Whenever there has been policy or whatever has been invested since the revolution up to now, it is against people's will—not only in the peripheral areas, but even in Khartoum. When we had the massacre in June 2019, immediately after they started to negotiate with the military. We know that this was the Bashir security committee. At the same time, we know that RSF is the same Janjaweed who conducted that kind of genocide in Darfur. It legitimised those guys, giving them a high rank.

Actually, it is four years of failure. Since June, we have been talking to them, and we are going to a war. It will come soon. We believe the UN Security Council or the international community just delayed that war, which empowered RSF more. Now we have two very similar powers. Even those guys—talking about Sudan armed forces itself—are backed by the old regime. RSF is backed by Arab militias. We believe that if that war had taken place in 2019-20—I'm sorry to say that—the damage would be less than now. Taking those four years empowered them and equipped them more. By that time, RSF was a village of 20,000 soldiers. Now we are talking about over 100,000. We believe that from what has been invested in those four years, we will get a very expected harvest. We are within it.

Q82 **Royston Smith:** So you are saying that the approach was wrong because it allowed the RSF to become stronger and it has made the



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situation more difficult. What should the UK's position be now?

Bushra Rahama: The UK's position now should be to talk to the right people on the ground and take the diversity that is available in Sudan. Let me tell you something. When we talk about Sudan, we talk about nations. We are not that cohesive a society. Let me be very, very clear about that. You now have resistance committees on the ground; they even have a kind of coalition there. We have a group of youths that are very active and now working on the ground, even saving some lives. We believe those are the right people to talk to. With the British, along with the Europeans, they formed what was called the Sudan Call. Now they are reliant on those Sudan Call members. The same thing can be done for those resistance committees in order to organise them or even empower them with more capacity to rule Sudan. The right people to talk to are absolutely not the previous ones. You should look for diversity and new people on the ground there.

Q83 **Chair:** Can I just ask about foreign interference? Which are the countries that are enabling this conflict and the atrocities that are taking place?

Bushra Rahama: Okay. The Emirates is No. 1. We believe that the Emirates is still supplying RSF. I believe that with the conflict in El Geneina, RSF are very keen to take the town, because El Geneina has an airport. It is also a corridor for them for supply and even human support from abroad, either from Chad or from Niger. That is one. Egypt is empowering SAF for sure, or supporting it. Those are the main players.

Dr Ferguson: Can I just add to that? I think it is such an important point, and I would like to know what the Government are doing to map those global networks of violence that cross in Sudan. There are a number of them, both state and non-state. On the non-state side, we have organisations such as the Wagner Group, but also other paramilitary or irregular actors. We should be able to have a sense of mapping those networks, actors and transactions, and where the gold is going—into Putin's war chest.

Those are not just human rights issues—I am here as a human rights activist, so that would be my position to take—but from a position of national security, it is in the Government's interest to understand what those networks are. If you are thinking about what the UK can do next in Sudan, or even for the region, you have to have a sense of the levers—the points of influence—or, as Maddy said, the sticks, but also those areas where behaviour change can be delivered, whether through sanctions, targeted engagement or dismantling some of those structures.

You cannot identify those options and strategic possibilities without having that map. I don't think that the UK has those capabilities at the moment, but it might be worth exploring.

Q84 **Chair:** I think you will find that the Committee is almost certainly of that view. We are in the final stages of our inquiry into the Wagner Group and paramilitaries related to them, and I think that that is exactly why we set out to do that inquiry, because this is a Wagner network; it is not a



group. It has intersectionality with other organisations. Its ability to act pretending to be a counter-terrorist force one moment, then, in another, as an organisation to prop up failing regimes, is greatly concerning, as is how it is involved in atrocities across the world.

On that point, do you believe, Kate, that the Government have taken any meaningful action, since the evacuation, to prevent atrocities from taking place on the ground? Historically, they were always known for being very good at accountability and helping to record evidence. What is taking place in Sudan?

Dr Ferguson: My understanding—and I hope that there are things that I don't know—is that there has been some rapid augmentation to do quick analysis of atrocity risks in the country. The new atrocity prevention hub in Whitehall—which is doing a fantastic job and really must be supported and championed and is at the beginning of a programme of work around risk assessment and how it can support embassies and so on, but it lacks resource and political weight—has reached out, as I understand it, to see how it can support that.

Q85 **Chair:** Can we just go back to that? You know that I fought really hard to get that atrocity prevention unit set up. It was my one ask when I first got elected. The whole point of it was to do that early warning system. That is why I asked them to do it, because there was no one sat in the Foreign Office doing the early warning. Why didn't they see this? Is it just that they are under-resourced or that is not enough political will?

Dr Ferguson: My view is that I do not think that responsibility can be levelled at the hub yet, because it has not been around for long enough and it is trying: it is a small team, it is a good team, and I think that it is exactly looking, to my understanding, at both how you can create country-level risk-assessment tools that are lightweight and then a global-level analysis that is separate from conflict prevention, which, as you have well championed, is so important.

However, the hub does not have much money. There is no budget line for this, and it does not have enough political heft. As I have said routinely for years—and everyone is bored of it—we need a national strategy on this or it is not going to happen. You are seeing the consequences of that play out in Sudan policy brutally.

Of course I find it welcome that that country team—or whoever it was—made that decision to leverage that immediate atrocity-prevention analysis in the last few weeks, but why wasn't it done before? It is such a confronting fact that, after demanding that this assessment—this early warning—was leveraged and not done, it is not “early warning” now; it is not even “urgent warning”. Yes, you should be monitoring it, but they do not even have the systems in place to use that information effectively.

So, I do not know beyond that. I think that another thing that has happened, which has not been helpful from this perspective, is that the narrative has been wrong since April, right from the beginning—that this is two warring parties. This comes to the fundamental of why an atrocity



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prevention strategy is important, because it forces you to confront the very unpleasant fact that there is an intent behind this dynamic of violence, which is beyond the egos of two men. That framing of “This is just a skirmish between two warlords in a capital” also has meant that the FCDO has been massively taken by surprise at the speed and spiral at which this violence has unfurled. As Bushra has said, that was not a surprise to people in Sudan.

- Q86 **Chair:** Just on that point, I agree with you entirely that the embassy seems to have been completely blindsided. Most people were on holiday and it was Eid—in some ways, thank God, because it meant a lot of their children were not in the country, but a lot of Sudanese children suffered as a result of them not realising what was happening. Are there any embassies that had taken action?

One of the other big problems is groupthink, especially when you get the G7 together, and the NATO allies and Five Eyes, we all fall into the same trap of telling each other that it is not going to happen. With Ukraine some countries were willing or strong enough to say, “You’re wrong. You have to listen to us.” Was there anyone that took action early or saw this coming?

Maddy Crowther: I think the safest answer would be to say that we are not sure, but also I don’t think so. I know that the US embassy also had people out of the country at the time, so there seemed to be a general delusion that it would be a safe passage through April.

Bushra Rahama: I think the US embassy one week before or three days before warned US citizens not to go to Sudan. It was a no-go area, if you remember, after the capturing of Merowe.

Dr Ferguson: I think the groupthink is refusing to have any conditionality. The most generous reading is a desperation or a naiveté to believe in a transition process, but then to do it essentially through elite bargaining—this has been a common flaw in UK policy, but the US do it, too—and engaging in good faith with people who have a proven track record of committing the most heinous crimes. You see that in Myanmar. There were some big mistakes there. It was not just the UK that made those mistakes. The US and many other international partners did, too. That is the groupthink that I think is explicit in the failed policy of Sudan.

- Q87 **Chair:** Do you think it is also fear of being seen to look for regime change? For example, these are the actors in front of you. They are the men with the guns. You therefore go, “These are the cards we have been dealt. This is who we have to deal with. We will just have to work around as best we can.” Do you think that the accusations often levelled at countries like Britain, that we are always trying to engage in regime change, means that they self-limit themselves as existing actors? This is clearly an institutional problem not unique to the UK. How do we unlock this?

Maddy Crowther: It is what you define as an actor. There were so many people who were saying that this transition process had problems from the beginning. It seems to me—I know there are others more qualified to



speak on this—that anyone who was critical of the transition process or the framework agreement in particular was dismissed or ignored and told that they were being not as optimistic as they should be. They were excluded from spaces, and one of the UK's values should be widening civil society space, accepting a plurality of voices, and speaking to a lot of different groups so that you get the best possible information.

It is one thing to say that there was groupthink, but I also think that groupthink was being actively encouraged by a process of exclusion of people who did not think the same way, which is maybe how it works, but it had a terrifying and horrible effect even here in the UK on diaspora groups. If you were not happy with how the transition process was going, you were sidelined, and that cannot be fair.

Q88 Chair: We are going to be called to vote now. Can I ask for any closing comments? They have to be brief. Is there anything you wish us to take away from today's session?

Dr Ferguson: Can I give four things that I would like them to do differently? They have to augment the team properly with resource, get some training in, get some systems in. There are existing people within HMG, particularly those who have come from the Myanmar team, who have already done this hard lesson-learning. They need to be absolutely brought into it. Exactly as Maddy and Bushra have said, you need to reach in and reach out for expertise—whether that is expertise here in the UK or in Sudan—and recognise that that is a fundamental part of your learning. If you do not have all the knowledge, go and get it.

The last is really just that I hope that, with a new Minister in place, there is the possibility to shift from a broken policy and really show some leadership here. The consequences of not doing that is the UK standing by as unthinkable crimes take place, 20 years after genocide started in Darfur, and this time they knew. We told them.

Q89 Chair: Anything else?

Bushra Rahama: For me, it is very easy for the UK to do a kind of mapping in order to find whoever has the expertise, either here or inside Sudan. That is one. Secondly, the current situation in El Geneina needs a very urgent intervention, so we believe they should go and do something there. As well, you know the previous experience of impunity or whatever kind of lack of transparency that we have experienced in these four years, it should be in place.²

Q90 Chair: Maddy, you have the last 30 seconds.

Maddy Crowther: It is World Refugee Day. I know that you are meeting with that context. It would be remiss of me not to mention that and to mention that protection of Sudanese individuals can begin at home. We ~~have so many Sudanese individuals here in the UK. We could better~~

² The witness wanted to provide the following clarifying information after the session: "The impunity and lack of transparency that Sudan experienced during the four years of the transitional period should be replaced by transparency and accountability."



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discharge our responsibilities to them. We could hear their claims fairly and offer them proper packages of welcome and integration support, including if they are evacuated.

Chair: Thank you all ever so much. I will suspend the session there.

Sitting suspended for Divisions in the House.

On resuming—

Examination of witnesses

Witnesses: Mohammed Hasan al-Ta'ishi, Mohamed Osman and Emma DiNapoli.

Q91 **Chair:** Welcome back to this session of the Foreign Affairs Committee where we are looking at the current atrocities being perpetrated in Sudan and the evacuation of British nationals following the start of atrocities. I am very grateful to our three speakers who are joining us today. Mohammed, you are joining us from Khartoum; thank you ever so much. I would be grateful if you could each introduce yourselves.

Emma DiNapoli: I am Emma DiNapoli. I am a legal consultant at the office of Amal Clooney, and I work on international accountability for crimes in Sudan.

Mohamed Osman: My name is Mohamed Osman, and I am the Sudan researcher with Human Rights Watch. I am based in Berlin, Germany.

Mohammed Hassan al-Ta'ishi: My name is Mohammed Hassan al-Ta'ishi. I am a Sudanese politician. I am a former Sovereignty Council member, originally from Darfur; I was born there and raised there. I spent the last 44 days in Khartoum during this crazy war.

Q92 **Chair:** Mr al-Ta'ishi, I hope that you have not lost any members of your family, although I know you will be very concerned about all people in Darfur. We heard evidence before this session about just how appalling the atrocities are, so my heart goes out to any of your loved ones who are still there.

Mr Osman, this has been presented to the world as two warring generals seeking to secure power. Is the right approach to focus on engagement with those generals? Dr Kate Ferguson said there is too much focus by foreign embassies on talking to the men with guns. How do we move forward with peace?

Mohamed Osman: This is exactly the whole issue we saw from 2019, even before the formation of the transitional Government. The driving modus operandi was politics of appeasement towards the generals, but we ended up seeing the generals in 2019 violently cracking down on protesters in the 3 June massacre. We are seeing them derailing and pushing back on reforms. We are seeing them doing a coup, and now we are seeing the conflict.



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The underlying symptom we are seeing here is that these generals, at any of these events, have never felt any sort of consequences. This is really about time. It is too late, and the cost has been great, but this is really about the time, because this should be shifting. The priority should be civilian protection at this stage. It should be about addressing the root causes of violence, allowing the sidelined voices of civilians to be involved and, moreover, rolling out targeted measures, including sanctions, arms embargoes and, more importantly, accountability down the line.

- Q93 **Chair:** Mr al-Ta'ishi, there was a 2020 peace agreement. Should we be looking at reopening and re-establishing that agreement and a Sovereignty Council? What is the way forward from your perspective?

Mohammed Hassan al-Ta'ishi: Thank you for these very important questions. Before this war is a part of the political process, and after this war should be a new part of the political process. The Juba peace agreement or the political framework agreement should be looked at again. We have to widen the political elements and also widen the political actors if we need to reach a comprehensive and sustainable political agreement.

- Q94 **Chair:** How do you do that? Where do you find these actors? How do you find and empower more people, given that we know that in Darfur at the moment, there are significant efforts to not just silence but murder political opponents and community leaders?

Mohammed Hassan al-Ta'ishi: First of all, we have to focus on a ceasefire agreement that can stop the violation. I am not talking about a short-term ceasefire agreement; I am talking about a sustainable ceasefire agreement that can allow the Sudanese people and internationals to engage in one platform—one political process—where we can put the agenda and represent the Sudanese people, including civil society, stakeholders, political parties and all the actors.

The right approach now is for the international community to put pressure on those two parties to reach a sustainable ceasefire agreement, and then we can move forward with an agenda that really addresses the root causes of this crisis in Sudan. We also have to look back on the weaknesses of the last political process, where we have seen a lack of engagement and a lack of representatives of the whole country. We have to see an agenda that can really address the root causes of the Sudan political dilemma.

- Q95 **Chair:** Ms DiNapoli, I am aware that the UK is the UN Security Council penholder for Sudan, which gives it certain responsibilities. Have you seen any meaningful effort from the UK to bring forward a peace process? Where would you like to see the UK showing leadership when it comes to that?

Emma DiNapoli: I will pick up on what both Mohammed and Mohamed have said. The international community has only limited leverage, as we have seen, in the Jeddah negotiations led by the US and Saudi. That is negotiation leverage over the two warring parties, so I think the task now



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is to expand the focus on putting pressure on other external actors, including those that were discussed by the previous panel.

There are some clear economic levers that have not been pulled—whether that is leverage over the UAE and China, which are Sudan’s largest trading partners. I think there are opportunities as the UK negotiates a new free trade agreement with the UAE. There are pressure points there, and the UK should also be following the US’s lead and going beyond in imposing targeted sanctions. Since the coup in October 2021, we have been calling for sanctions, and the UK has shown no leadership whatsoever in this regard, not even by following the US and the limited sanctions that they have imposed. We understand that countries like the UAE and others have already moved money out of Sudan, so the longer you wait, the less impact targeted sanctions have. I can talk about that in greater detail.

The only other thing I want to raise is that there are broader lessons to be learned about the process and the UK’s engagement since the revolution. In particular—you have already heard this—the UK did not really seem to take democracy seriously, so the effort, even in the transitional period, to find a unified, single civilian voice speaking for a whole plurality of voices was an ineffective one. You are depoliticising what is a political process. In the end, what you are really doing is saying that there is no space for democracy. That is bound to fail, and I am worried that we see that even in the process of negotiations now. Again, I think the UK can show leadership here by creating a space for political discussion—whether that is happening here with diaspora groups, in Jeddah or elsewhere.

Q96 Chair: That is very helpful. Mohamed Osman, the same question to you: as the UN penholder, why is the UK missing in action?

Mohamed Osman: To give one example, the role of the UK at the Human Rights Council has been very crucial as a penholder. We just looked into the outcome of the last special session, which was quite underwhelming. To be honest, it just betrayed letters and pledges by over 100 organisations that have been calling for a more effective and robust mechanism to monitor the situation in Sudan. The logic we always hear back is that the African group is blocking that vote. I think there is still much more to be done at the UN level—whether it is the Security Council or the Human Rights Council—not only to embrace or prioritise the demands for accountability and move from the political logic that says accountability will trigger further pushback from the generals, which is why we need to avoid them, but to move further in exerting political pressure on the regional actors to side with the voice of the Sudanese, and to demand accountability and a stronger response from the UN institutions.

Q97 Chair: Mr Hassan al-Ta’ishi, we are obviously focusing very much on the UK, but what is your view of what the UN Mission were doing in Sudan? Obviously, they are the foremost authority for peacekeeping. What could they have been doing to be more effective? While my question may appear critical of the UN, I recognise that the UN is made up of its own member states, so what could the member states themselves have been



doing more?

Mohammed Hassan al-Ta'ishi: Two things. This is a very important question. No. 1: I understand and appreciate the effort that has been put in by the US and Saudi, but we have to go back to the Quad and get the other players engaged. I understand the major role of the UK, but the UK cannot do anything in this ongoing effort unless we extend and expand the mediation in Jeddah to include at least the Quad and the African Union. If we go back to that platform, the international community will be able to make their contribution to this process.

No. 2 is the UN Mission position. You know that there is an official confrontation from the Sudanese army against Volker's position—the head of the Mission. That would be one of the problems but, based on that official statement, the army is not in a situation where it can deal with Volker. That is a problem. In my opinion, based on my assessment, the UN Mission is important and played a vital role, but we have got to go back where we can stop a comprehensive initiative that includes the Quad, AU and the Mission. Then we can see the contribution of the Mission as well.

Q98 **Chair:** This may be an unfair comment, so please correct me if you think I am seeing it unfairly. We have just seen the African Union delegation to Ukraine. It has been highly publicised, with a great deal of attention and focus. There does not seem to have been as much focus on Sudan. Do you think that is fair?

Mohammed Hassan al-Ta'ishi: What I do know by now is that a meeting was held last week for the IGAD organisation. As you know, the IGAD organisation historically played a major role to set out a Sudan peace agreement about 2005. Now it has set up an initiative. Sadly, the Sudanese army publicly confronted that initiative. They talk about the President of Kenya not being as neutral as he should be. The AU is trying to play a role, that is certainly true. I cannot see any international efforts in the Sudan process without finding any sort of African engagement on this.

Chair: Let me go to Ms DiNapoli, and then I will come to Mr Osman.

Emma DiNapoli: I think it is fair to say that the AU response in Sudan has historically been pretty disappointing, although they have tried parallel initiatives in the past. That actually creates an opportunity for the UK at the UN. One key thing that the UK should be calling for in the Human Rights Council is a commission of inquiry. You do not need a unanimous vote to push that through.

If you can get the AU, the African Group members, strongly behind that initiative, it could be a way to show that they have some kind of political legitimacy and a real focus on Sudan. That does not have to come through the IGAD negotiation track, but at the UN, so you are showing leadership there and that would be important. It is possible to do that at the UN Security Council, too, but obviously there are obstacles, so the Human



Rights Council seems to me to be the more promising option. Mo, do you want to come in on that?

Mohammed Osman: Let me start by absolutely supporting that approach. It is very crucial and needed in Sudan. It ties in with what I want to say about UNITAMS. As much as it is also a member state's role to enhance the role of the UNITAMS, we have thoughts as to that roll-out of the UNITAMS in Sudan that all the shortcomings were about the political prioritisation in the mission itself, especially at the SRSG level. One example of that is looking at the question of human rights monitoring accountability being part of UNITAMS mandate. We did not believe that the mission allocated sufficient resources for it.

Just looking at the Darfur region, with all the atrocities that have been happening, even since 2019, we end up with two human rights officers covering the whole region. Most of the input and the investigation being done is done remotely; it does not feed into the SRSG remarks. The whole framework on the protection of civilians was widely challenged by the departure of the unit—*[Interruption.]* I think so far we are not seeing it.

Q99 **Royston Smith:** Emma, can I ask you about the ICC's ongoing investigations into crimes in Darfur? Is the UK doing enough to help facilitate the investigations, do you think?

Emma DiNapoli: It is difficult to lay blame on any single state, so my comments about the UK will apply more globally to the international community. We saw the Sudanese authorities slow walking a number of critical processes to facilitate the ICC's work—visas never came to ICC staff, access to the national archives was never granted—and all that hindered the ability of the office of the prosecutor to investigate, meet witnesses and meet victims.

The UK's failing and the international community's failing was that they did not push on that as a priority. Accountability was always kind of an afterthought to some of the economic reforms that were being pushed. That shows a failure to recognise that the window for co-operation with the ICC was probably pretty limited, and that if you did not begin that at the very beginning of the transitional process, there would not be many opportunities. I think that has been a key failing.

Now the situation is much more complex, for the ICC or for any accountability effort. There are some actions that the UK could take now to support the ICC or another kind of accountability effort. One would be about how there are lots of returnees or evacuees here in the UK, as you know from the previous session. Those who are witnesses to crimes should give statements; the UK could facilitate that and support the secure storage of those.

The other thing that would be really useful from the UK is to make a public call for the ICC to say that they are investigating recent crimes. There are some jurisdictional obstacles there that need to be resolved. None the less, in the Ukraine context we saw the prosecutor make immediate



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statements that they were alive to the concerns or to crimes being committed. We have not seen that so much from the UK.

The last thing to mention is that, again in the Ukraine context, the UK has sent two packages of support to the ICC. You have Metropolitan police officers on loan or on stand-by, you have international lawyers who are on loan or on stand-by, and other technical support is being provided. To my knowledge, the ICC has not previously received that same level of concerted support from the UK. It is worth asking whether that is possible and whether it would be valuable, and to make that public would be really important.

Q100 Royston Smith: Some former members of the Government were released from prison recently. Does that pose a risk? Anyone would know more about this than me—that is all of you, as it happens. Do those releases from prison pose a particular risk?

Emma DiNapoli: In terms of the ICC's work? Some of those released from prison may have had information valuable to the ICC about crimes committed by or under the al-Bashir regime. Some may also have criminal exposure themselves. There are people such as Nafie Ali Nafie, who probably could have been indicted by the ICC—this is speculation from me, obviously. I think there are some risks there.

The second risk that both Mohammed and Mohamed would be better placed to speak to is the impact of some of the Islamists on the political negotiations. The UK and other actors should be mapping those who were released, whether they are affiliated to any militias that are currently fighting—whether that is the RSF or others; it is not likely to be the RSF—and how Hemedti and al-Burhan's interests really align with the Islamists. You see that al-Burhan is fighting for political power, and political power to the extent that it does not impinge on economic interests. Hemedti is looking for greater political power and to protect his own economic interests. So it is important to understand where the Islamists' interests lie. They lie closer to an al-Burhan regime, an Islamist regime; they dovetail more nicely than with a Hemedti regime. So I think that is a risk.

We lost Mohammed. Mohamed, maybe you will speak on that?

Mohamed Osman: In terms of having a lot of ICC suspects at large and, as Emma said, having other ex-officials who are at a certain level of criminal responsibility overseeing repression in Sudan and particularly in Darfur, it just enhances the whole legacy of impunity in Sudan. As part of the engagement that the UK and other countries are having with the current situation, addressing the urgency of making sure that the whereabouts of these indictees are located, or at least taking the right step of surrendering them to The Hague, should be the first call to make.

Q101 Royston Smith: It is quite clear that if you compare Ukraine and Sudan, there is a massive difference in the UK's support to the ICC. Would it be feasible to have a UN commission of inquiry into Sudan?



Emma DiNapoli: I think it comes down to the African Group. In particular, the Sudanese ambassador in Geneva and the Sudanese ambassador in New York were very active in the last session and were effective in pushing back against a stronger resolution. In future sessions, I think you will see the same kind of engagement. One obvious task is to delegitimise those Sudanese representatives, in the sense of questioning whether they really represent a Sudanese state. I think there is an open question there.

The second thing is bilateral advocacy with each of those African states and their group at the UN. There is no other real obstacle to a commission of inquiry. You can do it at the General Assembly level, too; that is a possibility if the Human Rights Council is not fruitful. In principle, both are realistic options. It is just that there has not really been engagement from the UK or other leading states on this question. There was satisfaction with the last resolution. We heard from some of the FCDO representatives that that was the strongest resolution on Sudan in years. They were really pleased with the enhanced mandate of the independent expert. I don't think we should leave it at that. We should at least be pushing for a commission of inquiry.

Q102 **Royston Smith:** The \$64,000 question: why is there such a difference between the way the UK is behaving in Ukraine and the way it is behaving in Sudan?

Emma DiNapoli: I think that is a \$1 million question. To some extent, it is because the Sudanese conflict has less of an impact on the UK's direct national security and economic interests, although I think that is misguided because conflict in the horn of Africa means problems here in London. It is a human rights crisis, so we should be paying it the same amount of attention. It is harder to collect evidence in a context like Sudan, where you have less access. In Ukraine, there is regular internet access, which makes it easier to document and distribute information. Some of these technological pitfalls make it more immediately difficult, but it is certainly not impossible. That is why immediate action needs to be taken.

Q103 **Royston Smith:** Mohamed, did you want to add anything to that?

Mohamed Osman: I will just add a few things on the commission of inquiry. One of the things that we want is for the commission of inquiry to have the ability and resources to preserve evidence. That is a crucial thing that we want them to do. The second thing, given the possibility that physical access to Sudan will be difficult, is that it should have expertise in doing remote research and investigations. On the overall outcome, we want it to be able to make recommendations about what accountability venues are suitable, and it should be able to assist other jurisdictions—say, the ICC or other forms of universal jurisdiction.

Chair: On the point about the internet, it is totally doable. We can put up balloons to provide a mobile phone signal or internet.

Graham Stringer: Mr Hassan al-Ta'ishi, are the sanctions effective? Are



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they working? How could they be improved to make the security situation better?

Chair: He is frozen. Do you want to switch off your video, Mr al-Ta'ishi? That may work better.

Graham Stringer: Can you hear me, Mr al-Ta'ishi?

Chair: No, he is gone.

Q104 **Graham Stringer:** He is completely gone. I could ask our other two witnesses. I do not know if you are experts in that way. Do you think the sanctions are working? Could they be improved to improve the security situation?

Emma DiNapoli: I would argue that there are only limited sanctions in place at the moment. At the UN level, you have an arms embargo that is applicable only in three states of Darfur. One key ask, and I think this should be a priority for the UK at the UN Security Council when it is president next month, would be to extend the arms embargo across the entire country. Of course, there are some political challenges; Russia and China will stand against that. But I think it is worth pushing for anyway. In the context, I think you might argue that the arms embargo was not particularly effective in Darfur, but the context has now changed such that I think that enforcement of an arms embargo is a bit easier. That is one piece.

The other piece is on targeted sanctions. The UK has not imposed any targeted sanctions since the coup. The US has imposed sanctions on four entities recently, but the UK did not follow. Even if the UK had followed, though, I would argue that those sanctions weren't comprehensive enough. Organisations like Redress—I was at Redress previously—call for network sanctions, so that you're targeting not only direct perpetrators and entities but their suppliers and bankers. That is internationally. I know that is possible because in the context of the Ukraine war, the UK and other Governments imposed crippling network sanctions in a matter of days and continue to impose further tranches of sanctions. We have not seen that in this context.

The argument has been that sanctions would increase the siege mentality of the generals and that we need to keep negotiating lines open. That moment has passed. We are so far into the siege now, we can't see out of it. I don't think there's any excuse to not use sanctions. You would impose them as part of a broader strategy. There would be network sanctions and you would impose them sequentially, so that sanctions that are framed as a shot across the bow are actually followed by other shots. We have not even seen that from the US, and certainly not from the UK. The US is out dangling by itself.

Q105 **Graham Stringer:** You mentioned entities that have been sanctioned. Are there any individuals that you believe sanctions should be extended to? You are covered in anything you say by parliamentary privilege.



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Emma DiNapoli: I would be happy to submit a full list of names for the written record, but Hemedti's brothers, Algoney and Abdulr Rahim are obvious targets. They both control corporate assets and are understood to either be serving as battlefield commanders or are facilitating Toyota transfers and other kind of resupplies. To me, those are two really obvious targets. You have Hemedti and Burhan themselves, but if you are not willing to go to the very top level, I think there are other candidates below. I would be happy to submit those to the record.

Q106 **Graham Stringer:** Thank you. Mr Osman, could you answer those questions?

Mohamed Osman: The crucial point is that sanctions work if they're connected to a big policy. Benchmarks are key in terms of identifying what we need to do with the sanctions. The example that we saw after the coup, when the US designated the Central Reserve Police, did not work. The Central Reserve Police has been involved in the crackdowns on protesters, but the way that the sanctions were rolled out did not change behaviour on the ground.

I think as much as Redress has greater expertise in identifying names, it is difficult to see a situation where the top guys, Burhan and Hemedti, are not sanctioned but we still see change on the ground. We should keep in mind that the top guys have to be a priority in terms of sanctioning as well.

Chair: Thank you all ever so much for joining us today. I am so sorry for the slight chaos around votes, but we are grateful to you for taking the time.