

Sudanese Independent Syndicates (SITUOs),

Memorandum:

Dear Director-General of the International Labor Organization (ILO),

Subject: A call for Urgent Action for Protection of the new and emerging independent trade unions in Sudan and a complaint against the violation of the right to organize and the right of opinion and assembly, the protection of peaceful demonstrations in Sudan.

We, the signatories to this memorandum, are part of the Sudanese Independent Trade Union Organizations (SITUOs), some of which were established before the victorious revolution of December 2018 revolution while others were created either during or after the that time. We all derive our legitimacy from the membership of our general assemblies.

In all stages of establishing our organizations, the SITUOs has been guided by the principles of ILO Convention No. (87) on Freedom of Association which became effective and binding on the Government of Sudan especially after its ratification on 17 March 2021, as well as by Convention 111 on Discrimination also ratified by Sudan as far back as 22 October 1970. Several of the undersigned union organizations of SITUOs had also had the opportunity to meet with the ILO mission of January 2020, which took place in Khartoum.

From the outset SITUOs draws attention to the fact that cutting off communications, stopping the internet, stalking, surveillance, and fear for life or arrest, torture and enforced disappearance have prevented the signing of this memorandum by many independent trade union organizations, whether in Khartoum or in the various states of Sudan. Moreover, some union representatives who did sign this memorandum chose to withhold their names for fear of violent retaliation by the coup perpetrators and hence we are not at liberty to reveal their names at this stage.

We point out that we base this memorandum on the stark violations to the ILO Conventions nos. 87 and 111, committed by the perpetrators of the coup since 25 October 2021, and well before.

On behalf of SITUOs and its general assemblies, we seek the urgent support of the ILO's Director General and ILO member States to use all the means at its disposal to prevent the ongoing atrocities of the military junta in Sudan. As of the writing of these lines on 17 November 2021, on the occasion of the peaceful demonstrators exercising their right to freedom of expression and change there are reports of violations amounting to genocide. In spite of the internet deliberate cuts to conceal the atrocities, private IT revolutionary experts are nevertheless trickling footage of a sample of the crimes committed. Hence this is a call for an urgent action for the support of the ILO Director General and the member States as follows:

1- To count our organizations among the many trade unions organizations that must be protected in accordance with the ILO Constitution and the eight fundamental conventions, in a similar manner that the ILO supported Myanmar's uprising that resembles the Sudanese revolution in many aspects.

2- To follow the example of UN Secretary General and the the UN Resolution adopted by the Human Rights Council on 5 November 2021, as well as the decision of the African Union Peace and Security Council on 26 October 20 , and: Condemn the military takeover on 25 October 2021 by the Sudanese military as well as the human rights violations perpetrated through excessive use of force resulting in the killing and injuring of peaceful protesters up to the writing of these lines; call for the immediate release all individuals detained since the start of the military take; and to call on ILO members to suspend the representatives of the coup perpetrators or officials they have designated from participating in all activities of the ILO following the military takeover on 25 October 2021.

3. To declare the Janjaweed militia, presently called the Rapid Forces (RSF) under the command of Lt. Gen. Mohamed Hamdan Dagalo (aka 'Hemeti'), a terrorist organization as they are the main force behind the recent military coup in Sudan and are using brute force, including live fire, to disperse unarmed pro-democracy protesters. Since October 25, 2021, at least 40 peaceful protesters (as young as 13 years of age) were killed (15 civilian lost their lives in the massacre of November 17, 2021), and several tens were severely wounded. The Janjaweed militia has spread throughout Khartoum terrorizing the Sudanese people breaking into their homes and shooting whoever expresses any resistance. The militiamen are specifically targeting women, storming into girls' dormitories, and committing heinous sex crimes, acts that are reminiscent of what happened in Darfur villages. By all accounts, Hemeti's Rapid Support Forces are a reconstituted version of the Janjaweed, which was responsible for atrocities during the Darfur genocide. For more see reports at <https://www.globalwitness.org/en/campaigns/conflict-minerals/exposing-rsfs-secret-financial-network/>

Furthermore, we also call on States supporting the RSF financially or otherwise, namely the United Arab Emirates, Egypt, Saudi Arabia and Russia, to immediately cease providing financial or other support to the RSF that makes them complicit in the killings of the Sudanese people and in eventually destabilizing the region as a whole for narrow self-interests that holds cheaply the inherent right to life and world peace as reflected in the ILO Constitution and the Declaration of the Universal of Human Rights and the very essence of the creation of the UN. In this regard, the ILO is invited to consult yet another report documenting the RSF criminal practices Secret documents reveal financial network supporting Sudan's most powerful militia - responsible for the Khartoum massacre | Global Witness

1. On October 25, 2021, General Burhan and General Hemedti carried out a military coup, and undertook the following measures:

(a) The dissolution of the Sovereign Council and the Council of Ministers as well as the declaration of a state of emergency and the suspension of parts of the Constitution amounting to the concentration of all power in the hands of the military junta. Sudan Workers' Trade Unions' Federation (SWTUF), which was dissolved during the democratic transitional period had a clear role in the coup of the military junta of 25 October 2021, as it was part and parcel of the toppled old regime as are the military junta. The SITUOs will provide the ILO with the necessary document regarding the corruption and violations of SWTUF eventually as the priority for now is to safeguard the lives and integrity of the peaceful demonstrators in Sudan. In fact, the very establishment of the SITUOs, was a reaction to the SWTUF repressive and corrupt practices.

(b) After declaring a state of emergency, the coup perpetrators proceeded to dismiss all state governors and the arrest of the Prime Minister as well as many civilians in both the Sovereign council and the Cabinet - on Federal and State Executive levels.

(c) The arrests by the military junta, expanded and covered all the cities of Sudan, including women, men, youth and even children, trade unionists, political activists, members of the resistance committees, workers, and administrators.

(d) By executive orders, the military junta prohibited all trade union activity and dissolved new trade unions and others that were in the process of being established in the pre-coup period, namely, during the transitional period.

(e) Communications were cut off and the internet was shut down. In addition, to many arbitrary and repressive measures, all of which confirmed the unilateral cancellation of the partnership between the military and civilians; a military coup against the democratic transition, placing Sudan under a full-fledged military regime.

(f) In a stark reminder of the empowerment policy (Tam'keen policy), the perpetrators of the coup replaced all the dismissed State officials by others adhering to their ideology of repression that they have exercised in their coup of 1989.

The Violations extended to include:

- arrests from inside work sites; annex 2 provides the names of some who were arrested in the workplace to date.
- arrest of a family member in the absence of the wanted person and his or her release made conditional upon surrendering the wanted family member to the security forces.
- use of excessive violence which includes running over with vehicles and live ammunition to break up demonstrations.
- dismissal from work and threat of dismissal from work.

- forcing workers to work under the threat of arms, an act that amounts to criminal forced labor contrary to C.29 on Forced Labor that Sudan has ratified.
- occupying work sites; cutting off communication and shutting down the internet services, which harmed large groups that depend on it to earn their livelihood, not to mention the human rights violation by the prohibition imposed to access the internet, contrary to numerous UN resolutions in this regard. In this respect, we draw attention to the fact that we, the SITUOs are working on presenting individual and joint complaints given that a national court has ordered the return of the internet, but the military refused that such an order be implemented themselves yet again over and above the law.

Mr. Director-General of the International Labor Organization

Based on all the above, we urge you to conduct the following:

- 1- Support and protect the right of independent unions to express their membership views, defend their common interests, and represent them according to their will in collective negotiations. In addition to representing them regionally and internationally.
- 2- Apply instant pressure, without delay, on the military coup authority and call for demands to release all detainees, their head unionists, activists, and workers.
- 3- Apply instant pressure, without delay, on the military coup authority to stop excessive violence, killing and torture, and hold all those involved in these inhumane practices to account.

Finally, SITUOs defense of the workers of Sudan and their independent trade union organizations stems from their firm conviction that the democratic system is the best system through which they can achieve their common interests and protect their right to freedom of association and collective bargaining, and their ability to provide decent living and working conditions that respect the dignity of the human being regardless of gender, belief, or ethnicity.

We look forward to ILO's response in support of the cause of freedom for the Sudanese people as outlined above.

Sudanese Independent Syndicates, November 18, 2021

The Signatories:

- 1- Union of employees of Bashayer Petroleum Pipelines Company.
- 2- The union of Workers in Petroengy Company.

- 3- Union of workers in Omdurman Electricity Distribution Company.
- 4- Union of Truck Drivers in the Red Sea State.
- 5- The Sub-Union of Standards and Metrology Authority Workers in the Red Sea State.
- 6- New Halfa Sugar Workers Union.
- 7- The union of Broadcasting Workers.
- 8- The Workers' Union of the headquarter of the Sudanese Sugar Company - Khartoum and the Central Foundry.
- 9- Union of the Meteorological Workers.
- 10- Union workers' union of the Sudan Airports Holding Company.
- 11- Sudan Workers' union for Limited Currency.
- 12- The General union of Sudanese Veterinarians.
- 13- Medical Engineers union.
- 14- The General union of Radiology, Sudan.
- 15- The entity of Sudanese women journalists.
- 16- The General union of Animal Production Specialists.
- 17- The platform for establishing Sudanese journalists.
- 18- Union of Community Pharmacists in Khartoum State.
- 19- Union of Pharmacists working in companies in the state of Khartoum.
- 20- Union of Pharmacists working in the government sector in Khartoum State.
- 21- Union of Clinical Pharmacists in Khartoum State Hospitals.
- 22- Union of Pharmacists working in laboratories and factories in the state of Khartoum.
- 23- Union of Pharmacists working in higher education in the state of Khartoum.
- 24- Union for workers in information and communication technology.
- 25- Union of Sudanese Mobile phone maintenance and programming workers

Annex 1: Establishment Sudan Independent Trade Union Organizations (SITUOs)

The establishment of independent trade unions came for objective reasons, most notably:

1- The old trade union character (the unions of the previous regime 1989 - 2019) was monopolistic and imposed unity, the form of organization and administrative intervention by law.

2- The SWTUF belonged to the defunct authority (1989-2019) and did not defend labor and union rights.

3- The transitional government (now dissolved) had administratively dissolved SWTUF. At first sight, the dissolution of SWTUF might seem contrary to ILO procedures as SWTUF argues. However, this is not the case for those insiders who can prove that SWTUF was in fact part of the old regime, the National Congress Party (NCP). The sole purpose of SWTUF was to assist the cronies of the defunct NCP in its "empowerment policy" (the Tamkeen), that replaced all state officials with loyalists to the ideology of the NCP which party has now been restored by the coup of 25 October 2021. This constitutes a clear violation of ILO Convention no. 111 on Discrimination. As previously mentioned, the SITUOs, will provide the necessary evidence of SWTUF's stark trade union violations at the appropriate time, in part to safeguard the lives of the whistle blowers.

4- The transitional government has administratively dissolved the old union movement and appointed governmental and illegitimate management committees, which are not allowed to build or rebuild the new union movement, which is in violation of the Trade Unions Law 2010, which has not been repealed, and the international standards of the same dissolved unions (15% of workers who are entitled to the formation of their trade union organizations) and renewal is done every three months

5- Freezing the Sudanese trade union movement for more than two years, whether for unions of the (dissolved) union system or new unions in the workplace or in the form of organization through work category, by not allowing unions to register pending a new law for unions which was suspended twice despite its approval in the Council of Ministers in the two transitional governments and despite the technical assistance of your esteemed organization to study the law, until the administrative solution of the new and emerging unions came in October 2021.

Annex 2: Workplace Violations

The violation incidents verified, compiled, and summarized below do not encompass the entirety of the amount of workplace violations that have been taking place since the October 25th coup, however, they serve as an example of the kind of violations happening. The purpose of internet shutdown is to hide these violations from public knowledge and consumption and to make it difficult to receive and track all information regarding workplace violations, which continue to increase by the day as the situation evolves and the coup prolongs.

1. October 25, 2021, Wad Medani, Gezira state: The arrest of the president of the University of Gezira, and the placement of the governor under house arrest.
2. November 8, 2021, Wad Medani, Gezira state: The forced entry to the office of the President of the University of Gezira, and the destruction of some of the documents in the office as well as the intimidation of administration staff, causing both material and moral harm. The following people continued to be detained in a civilian prison: Dr. Othman Mahmoud and Mr. Malik Kinan.
3. November 2, 2021, Wad Medani, Gezira state: After the arrest of the president of the University of Gezira, the coup militia launched a new campaign of arrests, targeting several faculties' deans.
4. November 3, 2021, Zalingei, Central Darfur, El Daein, East Darfur, Nyala, South Darfur: The number of detainees in the Darfur states increased rapidly after the military coup. The number of detainees in Zalingei, El Daein and Nyala reached at least 47 people, including lawyers, other professionals, government officials and politicians. Sources reported that the detainees in El Daein were sentenced to three months in prison following the emergency procedures announced by coup-leader Al-Burhan. The number of detainees in Zalingei reached 11, and in Nyala 23, while the number of detainees in El Daein reached 13.
5. November 4, 2021, Al Jaili, Khartoum North: The arrest of engineer Mohamed Abdel Baset, head of the Preliminary Committee of the Petro-Energy Syndicate, who was arrested from his workplace at the Al-Jaili station oil refinery.
6. October 31, November 1 and November 2, 2021, Khartoum: The Military Council and its assistants in the Ministry of Energy and Petroleum threatened workers in the sector to discourage them from continuing with mass civil disobedience.
7. October 31, November 4, 2021, Khartoum: Forced entries were made to the buildings of the Sudanese Oil Company, Sudapet, on October 31, and Al-Jaili station on November 4.

8. November 1, 2021, Khartoum: Two employees were arrested while working and taken to an unknown location. One of them is Eng. Fadel Abu Shouk - Acting President of Sudapet, arrested on.
9. November 1, 2021, Khartoum: Issuance of a decision to arbitrarily dismiss five employees of the Sudapet company: Mr. Ayman Abu Al-Joukh - General Manager of Sudapet, Mr. Fadel Abdullah Abu Shouk - Director of the Exploration Department of Sudapet, Ms. Halima Hashash - President of 2B OPCO company, Mr. Haider Babu Nimr - President of Sharf Corporation, Mr. Mohamed Ahmed Al-Fateh Abdoun - General Manager of the Sudanese Petroleum Pipelines Company (SPPC).
10. November 2, 2021, Khartoum: Interfering with the work of the IT department at Petro-Energy and shutting down the union's email.
11. November 7, 2021, Khartoum: The number of detainees in Al-Mogran police station in Khartoum rose to 119, including 71 male and 37 female detainees, and the rest were from the resistance committees participating in the processions that took place in several Khartoum neighborhoods.
12. November 10, 2021, Kosti, White Nile State: Arrest and torture of teachers, arrest of the principal of Al-Andalus schools, Mr. Kamal Abu Shamma, along with the school's representative and several teachers. All detainees are elderly and suffer from chronic diseases. They were taken to the Military Intelligence headquarters in Kosti and were not allowed to drink water until midnight. The next day, after popular pressure, they were handed over to the police, who opened complaints against them and released them on bail.
13. November 12, 2021, Khartoum, Nyala: Following the issuance of the first joint statement of some elected union bodies (The union body for Nyala University professors; Information and Communication Technology Syndicate - Khartoum branch; The union body for pharmacists working in companies - Khartoum State Pharmacists Syndicate), the arrest of: head of the trade union body for Nyala University professors, Dean of the College of Law and Sharia, Director of the Peace Studies Research Center at the University of Nyala, Treasurer of the National Fund for Student Welfare and Assistant Professor at the Faculty of Economics and Business Studies .