

ACHPR/Res.219 (LI) 2012 : Resolution on the Situation Between Sudan and South Sudan

The African Commission on Human and Peoples' Rights (African Commission), at its 51st Ordinary Session held from 18 April - 2 May 2012 in Banjul, The Gambia:

Considering its mandate to promote human and peoples' rights in Africa under the African Charter on Human and Peoples' Rights (African Charter);

Considering that one of the objectives of the African Union as stipulated in Article 3(f) of its Constitutive Act is to "promote peace, security, and stability on the continent";

Considering that the States of Sudan and South Sudan are parties to the African Charter;

Recalling all the relevant international and regional human rights instruments, in particular Articles 20 and 23 of the African Charter relating to the right to existence, peace and security;

Taking Note of Communiqué PSC/MIN/COMM/3.(CCCXIX) of the Peace and Security Council of the African Union on the situation between Sudan and South Sudan issued in Addis Ababa on 24 April 2012;

Concerned by the current situation prevailing at the borders of the two countries, particularly in the Abyei region, which constitutes not only a serious threat to peace and security in the region but also undermines the economic viability of the two States and the right to the well-being of their respective citizens;

Deeply concerned by the humanitarian situation created by the armed conflict between the two countries, and the threat posed to the right of asylum and nationality of persons from South Sudan living in Sudan and vice-versa;

Particularly concerned by the renewed conflict in South Kordofan and the Blue Nile regions of Sudan and the resultant humanitarian tragedy;

Recognizing the efforts made as part of the regional and international initiatives of IGAD, the African Union and the UN to find a peaceful solution to the situation;

Condemns the destruction of economic infrastructures, in particular oil facilities as a result of the armed conflict and incitement to war and xenophobia instigated by both parties through the media;

Urges the two States Parties to put an end to the conflict and preserve the right to peace and security of the peoples of Sudan and South Sudan;

Calls on the States Parties involved in the conflict to ensure the preservation of the life and security of the non-combatant populations and economic infrastructures in accordance with universally-recognized humanitarian norms;

Recommends to the Governments of Sudan and South Sudan to take all necessary measures to ensure under all circumstances the right to peace and security of persons living in their territories, and the right to asylum of nationals of the other State involved in the conflict;

Calls on the African Union and other regional and international institutions involved in the search for a solution to the conflict between Sudan and South Sudan to continue their peace-making efforts towards the full and effective enjoyment of human rights in the two countries.

Done in Banjul, 2 May 2012