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East and Horn of Africa Human Rights Defenders Project

Sudan: new UN resolution offers hope, but human rights challenges remain

Geneva-Kampala, 27 September 2019 — At a critical juncture for Sudan, a UN resolution on the country's human rights situation offers hope that the international community will contribute to domestic improvements. Yet, as the Sudanese people attempt to turn the page on 30 years of dictatorship and repression, significant challenges remain. The resolution adopted by the Human Rights Council ("Council") is an encouraging signal but should push all stakeholders to be cautiously optimistic, DefendDefenders said today.

The resolution adopted today¹ extends the mandate of the UN Independent Expert on Sudan and expresses support for the opening of a "fully-mandated" country office of the Office of the UN High Commissioner for Human Rights (OHCHR) – which means that it should be able to conduct human rights monitoring and to report publicly, in addition to providing advisory services to the Government and other stakeholders. On 25 September 2019, an agreement was reported to have been signed between the Sudanese Government and OHCHR. The High Commissioner's Office has [indicated](#) that the agreement provides for the opening of a country office with a full mandate, with a head office in Khartoum and four regional field offices. DefendDefenders warmly welcome this step forward.

The resolution also welcomes the "exemplary, non-violent, inspiring" popular uprising, the participation of women and youth in the movement, and political achievements since July 2019, including the signing of a constitutional document, the establishment of a Sovereign Council, and the formation of a Civilian-Led Transitional Government. It provides for enhanced attention to Sudan throughout 2020, through public debates at the Council's 44th and 45th regular sessions (June-July and September-October 2020).

"By saluting Sudan's peaceful popular uprising and the role played by women and youth, the Council provides long-overdue support to the Sudanese people," said Hassan Shire, Executive Director, DefendDefenders. **"The Council and the UN system at large should stand ready to provide any assistance Sudan needs, while retaining a monitoring and advocacy capacity with regard to human rights issues in the country. A holistic approach is of the essence."**

A holistic approach to systemic human rights reforms includes addressing the country's outstanding human rights issues in a comprehensive manner by amending or repealing repressive laws, policies and practices pertaining to human rights, civic space and the rule of law, and by thoroughly reforming the justice and security sectors. The resolution highlights these elements, including by urging Sudan's Government to "create and maintain a safe and enabling environment in which civil society, human rights defenders, the media and other independent actors can operate freely." It also highlights the need to realize a "just and comprehensive peace" and to "put an end to armed conflicts" in the country's Darfur, Blue Nile, and South Kordofan States.

¹ Resolution A/HRC/42/L.30, adopted by consensus (i.e., without a vote, as no state opposed it).



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While stressing the need for Sudan to investigate human rights violations and abuses by all parties and encouraging efforts to “hold perpetrators to account as [a] foremost priority,” the resolution falls short of establishing its own independent inquiry into the 3 June 2019 massacre and other atrocities, including excessive use of force against peaceful protesters and targeting of civilians by military and security forces and armed militias such as the Rapid Support Forces (RSF).

On 23 September 2019, Prime Minister Hamdok issued a decree establishing a national commission to investigate the 3 June massacre. On the same day, RSF elements attacked students who took to the streets in Nyala, South Darfur to protest against the increasing price of bread and fuel. The mandate of the national commission – and of any inquiry into human rights violations in Sudan – should include violations committed against peaceful protesters up to this day.

“Lasting human rights progress is closely intertwined with the fight against impunity. Guarantees of non-recurrence include a range of tools, of which accountability for perpetrators of grave crimes is part,” said Nicolas Agostini, Representative to the UN for DefendDefenders. **“Probing instances and patterns of human rights violations in a manner that meets the highest standards is vital. Sudan’s authorities should stand ready to request African or international support to meet this goal and hold perpetrators to account in fair trials.”**

In several calls made public over the last months, Sudanese, regional and international civil society organisations outlined a number of benchmarks that inquiries into Sudan’s human rights violations should fulfil, including with regard to the environment, standards, and scope of such inquiries. At the end of the Council’s July 2019 session, DefendDefenders [expressed](#)² disappointment at the Council’s failure to respond to grave crimes committed in the country, including – but not only – on 3 June 2019, both in Khartoum and in Sudan’s peripheries.

The Human Rights Council, as the UN’s principal human rights body, should ensure long-term scrutiny of Sudan’s human rights situation, including through investigations, identification of those responsible at all levels of the chain of command, monitoring of and reporting on human rights developments in the country, and the provision of technical assistance and capacity-building to Sudan’s Government, civil society, and other stakeholders.

DefendDefenders has been actively advocating for Member and Observer States of the Council to meaningfully address Sudan’s human rights situation. Ahead of the Council’s 41st session (June-July 2019), we were [joined](#)³ by a large number of Sudanese, African and international NGO partners.

² DefendDefenders, “By remaining silent on Sudan, the UN Human Rights Council validates the sidelining of human rights,” 9 July 2019, https://defenddefenders.org/press_release/by-remaining-silent-on-sudan-the-un-human-rights-council-validates-the-sidelining-of-human-rights/ (accessed on 27 September 2019).

³ DefendDefenders et al., “Sudan: urgent international action needed to prevent further violence, ensure accountability,” 6 June 2019, https://www.defenddefenders.org/press_release/sudan-urgent-international-action-needed-to-prevent-further-violence-ensure-accountability/ (accessed on 27 September 2019).



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Ahead of the Council's 42nd session, which concludes on 27 September 2019, we joined forces with a group of NGOs, calling on the Council to adopt a holistic approach to tackle Sudan's human rights challenges. Our [joint letter](#)⁴ called for the opening of a fully-mandated OHCHR country office in Sudan and outlined steps the Council should take. It also contained a summary of human rights developments in the country since December 2018. At its 42nd session, the Council has taken a number of these steps, but not all. It should keep a close eye on developments in Sudan and stand ready to respond to them at any time, DefendDefenders said as the 42nd session ends.

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For more information, please contact:

Hassan Shire

Executive Director, the East and Horn of Africa Human Rights Defenders Project on HassanS@defenddefenders.org or +256 772 753 753 (English and Somali)

Estella Kabachwezi

Senior Advocacy and Research Officer, the East and Horn of Africa Human Rights Defenders Project on EstellaK@defenddefenders.org or +256 782 360 460 (English)

Nicolas Agostini

Representative to the United Nations (Geneva), the East and Horn of Africa Human Rights Defenders Project on NicolasA@defenddefenders.org or +41 79 813 49 91 (English and French)

⁴ DefendDefenders *et al.*, "Sudan: ensuring a credible response by the UN Human Rights Council," 2 September 2019, https://defenddefenders.org/press_release/sudan-ensuring-a-credible-response-by-the-un-human-rights-council/ (accessed on 27 September 2019).