



# DEFEND DEFENDERS

East and Horn of Africa Human Rights Defenders Project

**UN Human Rights Council – 44<sup>th</sup> regular session**

**Item 10: Enhanced interactive dialogue on the oral reports of the Government of the Sudan and OHCHR**

**Oral statement**

*Delivered by: Nicolas Agostini*

Madam President,

We thank the Sudanese Government and the High Commissioner's Office for their updates. The last 18 months have brought about significant changes for the Sudanese people and Sudan's relationship with the UN human rights system. With the necessary political will, societal support and partners' engagement, these changes have the potential of becoming systemic changes.

At the institutional level, we welcome the signing of a Constitutional Document, the formation of a Sovereign Council, and the appointment of a Civilian-Led Transitional Government. At the political level, we welcome the symbolic value of these steps, as well as the Sudanese peace process, including Juba-hosted talks and the recent power-sharing agreement between the Sudanese Government, the Sudanese Revolutionary Front, and the Sudan Liberation Movement-Minni Minnawi faction.

At the human rights level, we welcome steps taken to improve respect for women's rights, including the repeal of the Public Order Law, the recent ban on female genital mutilation (FGM) and the fact that women no longer need permission from a male relative to travel with their children, as well as the overall opening of the civic and democratic space and the scrapping of the apostasy law.

At the judicial level, we welcome the prosecution of former president Omar Al-Bashir for economic crimes, but stress that he and other International Criminal Court (ICC) indictees should be transferred to the ICC to face justice. The recent surrender of Ali Kushayb to authorities in the Central African Republic (CAR) and his transfer to The Hague showed the way.

We welcome the adoption of recent laws, namely the Rights and Justice System Reform Commission Act, the Miscellaneous Amendments (Fundamental Rights and Freedoms) Act, and amendments to the Criminal Code (Amendment). More reforms are underway. Legal reform, ratifications, as well as a "full cooperation policy" with the UN have been announced.

We encourage Sudan to ratify the CEDAW and CAT Conventions without delay and continue to review legislation to bring it fully in line with international standards and the Constitutional Document. The now operational OHCHR country office can support these efforts.

Madam President,

As Sudan is facing a multi-faceted crisis with economic, health, social and human rights dimensions, and as Covid-19 is taking its toll, many challenges remain. Sanctions and the US administration's listing of Sudan as a "State sponsor of terrorism" add to these challenges. Justice remains elusive for the egregious crimes committed under the 30-year Al-Bashir dictatorship, including in conflict areas of Darfur, Blue Nile, and South Kordofan.

We urge Sudan to prioritise the following:

- Formation of a Legislative Council and appointment of civilian governors;
- Meaningful reform of the former NISS (beyond abolishing its "Operations Committee)" and a comprehensive, human rights-based plan for reforming the army, Rapid Support Forces (RSF), and police and security forces;
- Urgent action to address impunity and corruption at all levels, as well as imbalances and inequalities between Khartoum and Sudan's peripheries. Full accountability must be ensured for all those responsible for grave violations, including in conflict areas and on 3 June 2019 in Khartoum, irrespective of their former or current rank or status; and
- Effective humanitarian protection and care for all Sudanese, especially in Darfur where the AU/UN Mission (UNAMID) is drawing down.

As Sudan attempts to strengthen gains of its Revolution and prevent setbacks, the UN Human Rights Council has a role to play. While extending advisory services and supporting OHCHR's work, it should extend its scrutiny of the situation by ensuring regular reporting and public debates on Sudan, once the Independent Expert has completed his work. We look forward to, and stand ready to engage ahead of, the Council's 45<sup>th</sup> session.

Thank you for your attention.