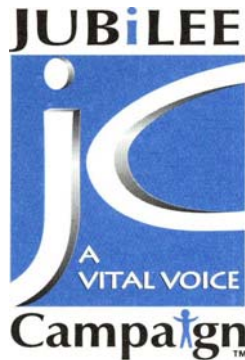


**United Nations Human Rights Council
Universal Periodic Review
Republic of Sudan**



Submission of Jubilee Campaign USA, Inc.
September, 2010

Jubilee Campaign promotes the human rights and religious liberty of ethnic and religious minorities; advocates the release of prisoners of conscience; and protects and promotes the freedom and safety of children from bodily harm and sexual exploitation.

A Vital Voice for Those Suffering in Silence

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United Nations Human Rights Council Universal Periodic Review of Member-State Republic of Sudan

Jubilee Campaign USA, Inc., in special consultative status with ECOSOC since 2003, submits this analysis of religious freedom and human rights in Sudan, as a contribution to the Universal Periodic Review of the UN Human Rights Council member-state, Republic of Sudan.

Political Chaos

1. The Comprehensive Peace Agreement (CPA) was signed on January 9, 2005 between the Sudan People's Liberation Movement (SPLM) and the ruling National Congress Party (NCP), after a 22-year long civil war between the predominantly Muslim north and Christian south, when nearly 2 million Sudanese citizens were killed and 4 million displaced.¹
2. The CPA provides for a six year interim period, holding democratic elections by 2009, which were postponed and finally held in April 2010. The expected 2011 referendum will determine whether the south will become an independent nation, seceding from Sudan.²
3. As a result of the April 2010 elections, Sudanese President Omar al-Bashir won the presidential election with 68% share of the vote and this was despite the fact that he has been indicted in March 2009 over allegations of war crimes and crimes against humanity by the International Criminal Court (ICC).³
4. It is reported that the elections for President, Parliament and other local positions—the first in 24 years—were scrutinized by about 750 international and 18,000 domestic observers.⁴ While the overall process is considered a step forward towards achieving democracy through free elections and non-violence, many observers criticized the elections' flaws. The irregularities included buying of votes, lack of preparation and education of voters, and a biased drawing of constituencies, the census, and the electoral registration. Moreover, the elections were evaluated to fall short of international standards on the ground that they were never free and fair.⁵
5. The International Criminal Court issued a second arrest warrant for Sudanese President Omar al-Bashir for genocide in July 2010 which was initially rejected by the ICC's Pre-

¹ See 2009 Human Rights Report: Sudan. March 11, 2010. Accessed July 15, 2010, *available at* <http://www.state.gov/g/drl/rls/hrrpt/2009/af/135978.htm>

² See UN's extended mandate exposes Sudan's instability and mission's frailties. May 22, 2010. Accessed July 15, 2010, *available at* <http://www.dw-world.de/dw/article/0,,5535242,00.html>

³ *Id.*

⁴ See Report: Sudan election 'short of international standards' April 20, 2010. Accessed July 15, 2010, *available at* <http://www.cnn.com/2010/WORLD/africa/04/20/sudan.election/index.html>

⁵ See Bashir wins Sudan election. Now what? April 26, 2010. Accessed July 15, 2010, *available at* <http://www.csmonitor.com/World/Africa/2010/0426/Bashir-wins-Sudan-election.-Now-what>; See also Dream election result for Sudan's President Bashir. April 27, 2010. Accessed July 15, 2010, *available at* <http://news.bbc.co.uk/2/hi/africa/8645661.stm>; See also Sudan election problems: few enough to be legitimate? April 15, 2010. Accessed July 15, 2010, *available at* <http://www.csmonitor.com/World/Africa/2010/0415/Sudan-election-problems-few-enough-to-be-legitimate>

Trial Chamber but was reversed from the ICC's Appeals Chamber. The court reasoned that "there are reasonable grounds to believe that Mr. al-Bashir acted with specific intent to destroy in part the Fur, Masalit and Zaghawa ethnic groups."⁶

6. Jubilee Campaign calls for free and fair elections in preparation for the 2011 referendum as well as practical policies and support from the international community to assure this end.

Darfur Crisis

1. Since 2003, the Sudanese government in Khartoum and the government-sponsored Janjaweed militia has been in conflict with two armed groups, the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM) in Darfur, which are a concentration of the Fur and the Zaghawa tribes.⁷ The conflict started from the rebellious attack by the JEM against the Government of Sudan (GoS) for the oppression of non-Arab Black Africans.⁸ As a result of the conflict, however, thousands of innocent civilians have been victimized by mass murder, rape, displacement, disease, and organized starvation. Many of them fled to neighboring Chad along the Western border.⁹ In addition, despite the 2004 ceasefire agreement between the GoS and the rebels, genocide and human right abuses are still continuing in Darfur.¹⁰
2. In 2004, the African Union Mission in the Sudan (AMIS) was created after the ceasefire agreement signed between the rebels and the GoS, yet its lack of financial support and various other challenges constrained and prevented the organization's capacity to effectively contain violent conflicts in Darfur. The African Union (AU) was incapable of supporting AMIS, which resulted in the handover of AMIS to the UN.¹¹
3. In 2007, under the auspices of the AU, the UN and other nations, the UNAMID, which is the AU/UN hybrid peacekeeping force for Darfur consisting of joint troops sent from various nations, has been deployed in response to deteriorating effects that civilians' continuing suffering from the conflict in the place of AMIS.¹² Regardless of its financial difficulties and shortfalls in troops, it is mandated to restore security for humanitarian assistance and to promote human rights and the rule of law as well as to monitor and

⁶ See ICC Pre-Trial Chamber Issues Genocide Arrest Warrant for Sudan's Omar al-Bashir. July 12, 2010. Accessed July 15, 2010, available at <http://www.standnow.org/blog/icc-pre-trial-chamber-issues-genocide-arrest-warrant-sudans-omar-al-bashir>

⁷ See The Darfur Crisis. 2004. Accessed July 19, 2010, available at <http://www.darfurinformation.com/>

⁸ See UNAMID AU/UN Hybrid Operation in Darfur. 2007. Accessed July 20, 2010, available at http://www.stimson.org/fopo/pdf/AU_UN_Hybrid_Fact_Sheet_Aug_07.pdf

⁹ See Genocide in Darfur. June 24, 2004. Accessed July 15, 2010, available at <http://www.thenation.com/article/genocide-darfur>

¹⁰ See Cease-fire agreed in Sudan. April 8, 2004. Accessed July 20, 2010, available at <http://www.cnn.com/2004/WORLD/africa/04/08/sudan.cease/index.html>

¹¹ See UNAMID AU/UN Hybrid Operation in Darfur. 2007. Accessed July 20, 2010, available at http://www.stimson.org/fopo/pdf/AU_UN_Hybrid_Fact_Sheet_Aug_07.pdf

¹² *Id.*

verify the implementation of the Darfur Peace Agreement (DPA) signed in 2006.¹³ Furthermore, its initial 12 month mandate has been extended to July 31, 2010.¹⁴

4. Even though UNAMID was deployed with the approval of the Sudanese government, it has been targeted for attack. On July 17, 2010, for example, a missile was fired at UNAMID patrol. Fortunately there were no casualties; however, the Sudanese army gave an absurd explanation that the attack was their soldiers training.¹⁵ In the same way, peacekeepers together with other humanitarian aid groups are often denied access to the places where civilians were affected by the attacks against the Status of Forces Agreement made when UNAMID was deployed.¹⁶
5. In February 2010, a major Darfur rebel group (JEM) leader and Sudanese officials signed an initial framework agreement which includes a ceasefire and a plan to integrate JEM into Sudan's army. Regardless, the fighting between the GoS and rebel forces has intensified ever since.¹⁷
6. Jubilee Campaign calls for the end of crisis in Darfur and genocide of civilians and for the end of disturbance by the Sudanese government to peacekeepers. We also call for compliance with the Status of Forces Agreement to enforce protection and non-violence in the Darfur region.

Integrity of the Person

1. It is reported that both the government-sponsored militia and the Rebel factions arbitrarily killed and attacked civilians and also sexually abused and committed other kinds of gender-based crimes to women in Darfur. The situation in Darfur of human right abuses and extrajudicial killings has raised the awareness and concerns of the international community.¹⁸
2. SPLA soldiers also killed and injured civilians without legitimate reasons. Moreover, they have engaged in various kinds of human rights violations including torture, beating, abduction, rape, arbitrary arrest or detention.¹⁹

¹³ *Id.*

¹⁴ See Security Council Votes Unanimously to Authorize Mandate Extension for African Union-United Nations Hybrid Operation in Darfur. July 30, 2009. Accessed July 20, 2010, available at <http://www.un.org/News/Press/docs/2009/sc9721.doc.htm>

¹⁵ See Sudan denies targeting UNAMID peacekeepers in Darfur. July 18, 2010. Accessed July 20, 2010, available at <http://www.sudantribune.com/spip.php?article35694>

¹⁶ See UN: Strengthen Civilian Protection in Darfur. July 19, 2010. Accessed July 20, 2010, available at <http://www.hrw.org/en/news/2010/07/19/un-strengthen-civilian-protection-darfur>

¹⁷ See Sudan: Darfur Rebel Group Reaches Peace Deal with Govt. February 23, 2010. Accessed July 20, 2010, available at <http://allafrica.com/stories/201002230743.html>

¹⁸ See 2009 Human Rights Report: Sudan. March 11, 2010. Accessed July 20, 2010, available at <http://www.state.gov/g/drl/rls/hrrpt/2009/af/135978.htm>

¹⁹ *Id.*

3. The Sudanese National Intelligence and Security Service (NISS) has been carrying out extreme torture including beating detainees while held upside down against a wall, electric shock, sleep deprivation, arbitrary detentions. The NISS targets journalists, human rights activists and students to suppress freedom of expression during and since the elections in April 2010.²⁰
4. Jubilee Campaign calls for the end of all forms of human rights violations committed to civilians. Sudan must value the dignity of all human life and integrity of its civilians.

Women's Rights

1. Women have been flogged or arrested for wearing pants under the Islamic Sharia Law. In July 2009, 13 women were arrested in a restaurant in the capital, Khartoum, for wearing trousers. Several of them were Christians and Animists who were not required to follow Sharia Law under their religious practices. They were immediately found guilty and given lashes as a punishment for "indecent" dressing.²¹
2. A 2008 law prohibiting female genital mutilation/cutting (FGM/C) to young girls aged from as young as 4 to 14 in Sudan has not quelled the operations, which are still done on girls and result in terrible pain and sometimes deaths.²² In February 2009, the Sudanese government legalized the Sunna, one of three kinds of FGM that removes the hood and part of the clitoris. According to UNICEF, 89% of women in Sudan have been circumcised.²³
3. The GoS signed Article 5 of the African Union's Protocol on the Rights of Women in Africa, which calls for the end of "all forms of harmful practices which negatively affect the human rights of women and which are contrary to recognized international standards."²⁴
4. Jubilee Campaign calls for full compliance with the African Union's Protocol on the Rights of Women and asks for the restoration of women's rights and freedom, especially in regards to protection from dangerous consequences of FGM/C to women.

²⁰ See Sudan: Government's intelligence and security service carrying out brutal campaign of killings, torture, arbitrary arrests against opponents. July 19, 2010. Accessed July 21, 2010, available at <http://www.amnestyusa.org/document.php?id=ENGUSA20100720002&lang=e>

²¹ See Sudan Women 'lashed for trousers.' July 13, 2009. Accessed July 21, 2010, available at <http://news.bbc.co.uk/2/hi/africa/8147329.stm>

²² See Sudan and FGM: The clitoris is dirty. January 6, 2009. Accessed July 21, 2010, available at <http://www.afrik-news.com/article15124.html>

²³ See Sudanese Government Legalized the Sunna Form of Female Genital Mutilation. December 17, 2009. Accessed July 21, 2010, available at <http://www.e-joussour.net/en/node/3705>

²⁴ See Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. July 11, 2003. Accessed July 22, 2010, available at <http://www.africa-union.org/root/au/Documents/Treaties/Text/Protocol%20on%20the%20Rights%20of%20Women.pdf>

Freedom of Religion

1. The Interim National Constitution (INC) guarantees freedom of religion in Sudan, yet discrimination against religious minorities is pervasive in various parts of Sudan. Muslims make up almost 70% of the whole population, especially concentrated in the north.²⁵The Sudanese government permits the following of Islamic laws in the North and permits the schedule of the Islamic workweek, taking Friday as a day of prayer.²⁶
2. The decision to convert from Islam to another religion and proselytizing are punishable by imprisonment and even death in the north. Select international humanitarian aid organizations involved in Christian proselytizing and religious activities were expelled from the country.²⁷
3. Jubilee Campaign calls for an end of discrimination against individuals who associate themselves with minority religions and for the protection of religious freedom for all individuals in Sudan, including protecting the right of individuals to choose his or her own religious faith.

Summary of Recommendations

1. Sudan must accept international intervention and supervision in the reformation of the current regime from a military regime to democracy. Also, in light of the upcoming referendum in 2011, it must implement free and fair election system with the support of international the community which meet international standards.
2. Sudan must stop conflicts in Darfur and try to resolve problems with the rebels in an amicable way. It must also protect civilians from genocide, rape, abduction, and arbitrary detention and torture that have seriously deprived the people of deserved rights. Security for those in conflict affected area is an absolute necessity.
3. Sudan must take active steps to rid its legal and political system of discriminatory and inhumane practices against individuals.
4. Sudan must abolish the law that allows FGM/C on young women and educate communities to raise awareness and to effectively eradicate any tradition of practicing the procedures, which many times result in death through shock from excessive bleeding, infections from failure to use sterile medical instruments, or lack of adequate medical knowledge, assistance, and instruments. Sudan must protect the rights for women and their freedom.

²⁵ See Sudan: International Religious Freedom Report 2009. October 26, 2009. Accessed July 22, 2010, available at <http://www.state.gov/g/drl/rls/irf/2009/127257.htm>

²⁶ *Id.*

²⁷ *Id.*