

The Arab NGO Network for Development, Child's Center- Sudan, Human Rights and Legal Aids Network, Gender Research Center, Sudanese National Civic Forum, and Sudanese Development Initiative

Comment on the Universal Periodic Review (UPR) of Sudan

THE UPR of SUDAN MISSES TO HIGHLIGHT SEVERE VIOLATIONS OF ECONOMIC AND SOCIAL RIGHTS and STATE OBLIGATIONS IN THIS REGARD

The UN review of human rights conditions in Sudan took place on May 10, 2011 during the 11th session of the Universal Periodic Review. The review, while highlighting several human rights issues including children's rights, women's rights, death penalty, freedom of press and of expression, had only limited debate on economic and social rights in Sudan. Poverty and right to adequate standards of living, right to health and right to education touched upon slightly.

Along with impacts of conflict and lack of peace, social and economic policies contribute to deterioration of economic and social rights

During the interactive dialogue in which a delegation from Sudanese government participated, particular attention was given by several countries to the 2005 peace agreement and transitional constitution. The Sudanese Delegation stressed the linkage between peace and realization of human rights in the country. In this regard, we, as civil society groups submitting a joint report on economic and social rights in Sudan, would like to highlight the fact that indeed the deteriorating situation of the Sudanese citizen's economic and social rights is a result of years of conflict. However, this is organically connected to the economic and social situation as well as the unequal distribution of the county's resources. What adds to the deterioration of the current situation are the centre-biased development policies, which have resulted in high levels of internal migration (from rural to urban areas) - especially due the negligence of the agriculture sector¹ - which has helped in turn in increasing the pressure on the already weak social service infrastructures².

High rates of concentrated poverty disproportionately impact specific communities and women

With respect to poverty reduction, various efforts were listed in the National Report presented by the Sudanese government, including that 9% of GDP in 2009 was allocated to address the issues of the poor. During the interactive dialogue, the delegation alluded to a National Strategy to fight against poverty. It remains critical to point out the rise in poverty rates have been highly concentrated in some regions and among specific communities, especially in southern states where it is estimated that 90% of the population live with less than a dollar a day, and most of them are families headed by women.

Severe illiteracy rates and major regional disparities in education

The Delegation stated that universal access to education is guaranteed. However, high illiteracy rates reach around 62% among women and 44% among men in rural areas, and 34% for women and 21% for men in the cities, which reflect major regional disparities³. These aspects were disregarded in the review.

¹ Sudan is primarily an agricultural country, with approximately 67% of the Sudanese deriving their livelihood from it. In 2001, agriculture accounted for about 36% of the country's GDP and more than 90% of non-oil export income. Moreover, agriculture contributes about two-third of employment opportunities and supplies about 60% of the raw materials needed by the industrial sector. (Source: Sudan MDG report, p. 2.)

² 2004 Sudan MDG report, p. 1

³ 2009 Safe Motherhood Survey (United Nations Population Fund) and 2004 Sudan MDG report

Lack of Commitment to Ratify CEDAW and Weak Address of Women's Rights

While the Secretary General of the National Council of Women in Sudan introduced efforts related to women's empowerment and replied to several recommendations on the adoption of CEDAW, but there had been no clear commitment from the Sudanese Delegation with regard to the ratification of CEDAW.

With regard to the questions of gender equality, the Delegation restated that Sudan has all legislative measures for the enjoyment of equal rights between women and men, including right to work and equal pay. Nevertheless, reality in Sudan shows that there is very low participation of women in the labor markets, while their work is mainly restricted to housework.

Lack of Implementation and Monitoring Mechanisms for Undertaken Reforms

During his presentation the Minister of Justice stated that "legislative reform is a continuous process in Sudan and that there are no exceptions". However, beyond reform, Sudan is asked to align the amendment of legislations, with clear transparent effective and efficient implementation and monitoring mechanisms.

In light of this weak consideration under the UPR process of the reality of economic and social rights in Sudan, as civil society organizations which submitted the report on economic and social rights, we: (1) will continue to press and advocate for a proper consideration of Sudan's obligations under the Covenant on Economic, Social and Cultural Rights and (2) urge members of the Human Rights Council to call upon Sudan to adopt the Optional Protocol to the named Covenant. We will continue to closely monitor all commitments made by the Sudanese Government under the review process to ensure implementation once the review ends.

We recall the recommendations raised in the report submitted by the Arab NGO Network for Development, Child's Center- Sudan, Human Rights and Legal Aids Network, Gender Research Center, National Civic Forum, and the Sudanese Development Initiative;

1. Include the bill of rights appended to the transitional constitution in the permanent constitution to be adopted.
2. Develop an independent mechanism to ensure enabling and implementing rights established in the bill of rights.
3. Assert economic and social rights in the constitution and the rights charter, especially in the fields of health, labor, education, and housing.
4. Join the optional protocol on economic, social, and cultural rights.
5. Increase efforts to deal with and end extreme poverty and develop sustainable strategies to reduce it and ensure equal access to basic services.
6. Allow monitoring of public budgets and participation of civil society organizations in budget processes and performance monitoring.
7. Develop a joint mechanism among relevant government agencies and civil society organizations to implement the state's ratified obligations as stated in the MDGs, including education for all and children's rights.
8. Sign and ratify the Convention on Elimination of all forms of Discrimination against Women (CEDAW) and develop a mechanism to ensure the implementation of the convention.

Recommendations on an adequate standard of living:

9. Develop programs to fight poverty and improve the indexes currently employed to statistically look at poverty, while taking into consideration regional and qualitative differences.
10. Enhance access to safe water services and reduce disparities among various states.
11. Develop programs that aim to fight unemployment among the youth and women as well as child labor and abuse, and that conform to international labor standards and children's rights convention.

Recommendations on education:

12. Increase efforts to expand opportunities of access to education, compliance with the convention concerning education for all, and dedicate special care to marginalized groups of people with disabilities and herding communities.
13. Set a strategy to ensure equal opportunities for girls to access education, including policies of positive discrimination and of incentives.
14. Integrate the second MDG as a goal for education programs and school curriculum reforms.

Recommendations on the right to health:

15. Reform the health system while focusing on prevention, provision of information to citizens, and establishing long-term relationships among health service providers in the public and private sectors as well as the reinforcement of performance monitoring agencies.
16. Gradually increase health resources dedicated to ensure health for all, in proportions that address economic and social disparities.
17. Establish and implement HIV/AIDS fighting strategy through awareness, protection, and guaranteeing HIV/AIDS patients' rights to treatment, work, etc.
18. Ensure women's rights and benefits as stipulated by national laws and regulations relating to right to health and work and reduction of maternal mortality.

Recommendations on investment and external trade policy-making:

19. Ensure the implementation of the external trade policy (of purely economic nature) within the framework of a comprehensive development strategy, whose nature is not merely economic, but also concerned with social, environmental, health, educational, and cultural factors.
20. Activate the coordination among various government agencies; building technical capacities to address the different files related to trade and foreign investments; and ensure the adherence to a participatory approach at the time of negotiations and signing of trade conventions, by allowing the participation of different stakeholders and relevant groups, including the civil society. This is done by the dissemination and circulation of concrete and specific information before, during, and after signing the conventions.
21. Respect international standards included in article 32 of the 2007 UN Declaration on the Right of Indigenous People, confirming the participation and the previous approval of local groups of any agriculture investment agreements that threaten or alter their rights to use agricultural land, and provision of compensations to groups affected any damage that ensue.
22. Ensure the following: (1) that the Sudanese government's trade liberalization negotiations do not lead to increased discrimination in the Sudanese society; (2) that agriculture agreements include special safeguards that protect human dignity and right to food security and sovereignty; (3) adopt correctional measures and support tools to use during temporary transition periods, to allow the development of Sudanese production and achieving an ability to compete regionally and internationally; (4) maintain the right to re-impose quantitative restrictions in cases of unexpected import surges to protect rural living and development.

Contact Information:

Arab NGO Network for Development
Tel: +961 1 319 366/ Fax: +961 1 815 636
P.O.Box: 14/5792 Mazraa 1105 2070 / Beirut- Lebanon
Website: www.annd.org / Email: annd@annd.org