



International Alliance for Peace and Development

International Alliance for Peace and Development (IAPD) submission on The Republic of Sudan to the UN Universal Periodic Review 2021

Introduction

International Alliance for Peace and Development (IAPD) presents this submission concerning the human rights situation in the Republic of Sudan for consideration by the UPR Working Group at its 39th session. This report is based on the evaluation of the commitments made by the Government of the Republic of Sudan to implement recommendations accepted during its previous UPR in 2016.

Follow Up to the Previous UPR

The Republic of Sudan during its review in 2016 agreed to several recommendations, including to sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol, and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.¹ The government of Sudan also agreed to respect women's rights; the rights to freedom of expression, association and assembly and to allow human rights defenders, political dissidents and journalists to express their views freely in accordance with international human rights law.²

Following the uprising which ousted the dictatorial regime of Omar al-Bashir in April 2019, the transitional government led by Prime Minister Abdalla Hamdok has made several efforts to promote human rights and fundamental freedoms within the framework of its reforms and national reconciliation process. Among these are: the abolition of apostasy as a criminal offence, the amendments to male guardianship laws under the Family law of 1991, the repeal of the Public Order Law (which was formerly used by the previous regime to target women and restrict individual freedoms);³ the repeal of articles in the National Security Act that provided immunity of NISS members from prosecution;⁴ the criminalization of Female Genital Mutilation; and the opening up of civic and democratic space, introduction of new policies to guarantee freedom of opinion and expression (and access to information), as well as freedom

¹ See list of recommendations contained in Section II of the Report of the Working Group A/HRC/25/5: recommendations 139.1 (Philippines), 139.2 (Burkina Faso), 139.13 (Norway), 139.21 (Colombia), 139.26 (Republic of Korea), 139.95 (Slovakia), 139. 97 (Norway).

² A/HRC/25/5, recommendations 139.97 (Norway), 139.98 (France), 139.99 (Cyprus).

³ Joint NGO Statement, "The Human Rights Council should support systemic human rights reforms in Sudan", published on 11 September 2020, on Reliefweb website on <https://reliefweb.int/sites/reliefweb.int/files/resources/2020-Sept-JointStatement-HRC45-Sudan.pdf>

⁴ Ibid.



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of peaceful assembly and association. In addition, the Government established a Legal Reform Commission to review all national laws in accordance with human rights obligations; adopted a National Action Plan on Women, Peace and Security; and signed the Framework of Cooperation with the Special Representative of the Secretary-General on Sexual Violence in Conflict.⁵

While these changes respond to some of the recommendations made in the previous UPR, the Sudanese government is yet to ratify the UN Convention against Torture and other Cruel, Inhumane or degrading Treatments (UNCAT), the International Convention on the Protection of all Persons from Enforced Disappearances (ICPPED), as well as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). In addition, Sudan faces a multi-faceted human rights crisis which have been exacerbated by the Covid-19 pandemic; and significant steps are yet to be taken to address the systemic human rights issues.

International Alliance for Peace and Development (IAPD) welcomes this opportunity to provide an informational report to the UN UPR Mechanism, and suggest a number of recommendations to the government of Sudan which could play an essential role in addressing the human rights concerns.

Suppression of the Freedom of opinion and expression (and the right to information)

Under the last government, Sudanese authorities remained relentless in their quest to silence independent media by intimidation, harassment and arrest of journalists and censoring both print and broadcast media. Between January 2018 and October 2018, it was reported that least 15 journalists had been arrested and detained by the National Intelligence Security Agency (NISS). Despite the changes made by the transitional government in the press freedom landscape, the Sudanese authorities continue to clamp down on freedom of expression as well as union rights. In December 2019, the government issued a decision to ban all unions including the Sudanese Journalist Union (SJU).⁶ The SJU offices were occupied in December 2019 and an arrest warrant was issued against SJU president Al Sadig Al Rezegy.⁷ In June 2020, amid the Covid-19 pandemic, the government further tightened its grip on the Sudanese media by introducing new legal provisions which permit heavy punishment of up to 10 years in prison, for critical reporting.⁸ According to the SJU, the new legislation already claimed several victims including Atyib Mustafa Abdelrahman, an SJU member, columnist and publisher, who was arrested for his critical stance.⁹ Journalists Lana Awad Sabil and Aida Ahmed

⁵ Joint NGO Statement, "The Human Rights Council should support systemic human rights reforms in Sudan", published on 11 September 2020, on Reliefweb website on <https://reliefweb.int/sites/reliefweb.int/files/resources/2020-Sept-JointStatement-HRC45-Sudan.pdf>

⁶ International Federation of Journalists, "Sudan: Security forces attack journalists and obstruct reporting protests", published on 26 October, 2020 on IFJ Website <https://www.ifj.org/media-centre/news/detail/category/press-releases/article/sudan-security-forces-attack-journalists-and-obstruct-reporting-on-protests.html>

⁷ Ibid.

⁸ Ibid

⁹ Ibid.



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Abdelgadir were also arrested after publishing reports about the number of Covid deaths that had occurred in the country.¹⁰ Twenty one newspaper outlets have been reportedly closed and journalists increasingly face harassment, including arrests and the removal of press accreditations.¹¹ On October 21, 2020, plain clothed security forces attacked journalists and closed bridges preventing them from covering protests in the state capital Khartoum.¹²

On June 3, 2019, in what has been regarded as the Khartoum massacre,¹³ the Sudanese authorities' shutdown the internet via major service providers. While the internet shutdown is not a new occurrence in the country, the incident was accompanied by reports of systemic and organized killings and looting. It was reported that the security forces confiscated and destroyed mobile and other electronic devices of protesters to prevent documentation of atrocities. Journalists, activists, and human rights defenders struggled to access and share information on the number of human rights violations committed during the week of the massacre.¹⁴

In addition, the new Cyber Crime Act contains punishments that could lead to six years in prison for expressing critical opinions or information on social media.¹⁵ The leader of the RSF militia threatened to use the new provisions of the Cyber Crime act against all critics of his militia and its crimes. Since Military officials and their supporters frequently dismiss critical reports as "fake news" it is feared that the army is weaponizing the charge to silence criticism, rather than fight disinformation. Consequently, between May and November 2020, eight journalists reportedly received threatening calls from people claiming to be military officers who instructed them to delete online articles and social media posts that criticized the army, or face harassment and arrest.

Suppression of Women's Rights

Despite the repeal of the Public Order Law, it has been reported that the military continues to use the law frameworks and fundamental Islamist base of the former regime to threaten

¹⁰ International Federation of Journalists, "Sudan: Media Crackdown escalates amid Covid-19 Pandemic", published on 10 June, 2020 on IFJ Website <https://www.ifj.org/media-centre/news/detail/category/press-releases/article/sudan-media-crackdown-escalates-amid-covid-19-pandemic.html>

¹¹ Ibid.

¹² International Federation of Journalists, "Sudan: Security forces attack journalists and obstruct reporting protests", published on 26 October, 2020 on IFJ Website <https://www.ifj.org/media-centre/news/detail/category/press-releases/article/sudan-security-forces-attack-journalists-and-obstruct-reporting-on-protests.html>

¹³ Physicians for Human Rights, "Chaos and Fire: An Analysis of Sudan's June 3, 2019 Khartoum Massacre", published on 5 March 2020 on PHR website https://phr.org/our-work/resources/chaos-and-fire-an-analysis-of-sudans-june-3-2019-khartoum-massacre/#_ftn14

¹⁴ Ibid.

¹⁵ Open democracy, "In Sudan, women are still facing the deadly threat of the military", published 5 October 2020 on open democracy website <https://www.opendemocracy.net/en/north-africa-west-asia/sudan-women-are-still-facing-deadly-threat-military/>



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women's freedom of expression as well as to close the public space for women activists.¹⁶ On November 9, 2020, Waad Bahjat a female human rights defender was arrested from her car by a policeman while livestreaming a Facebook video documenting an incident in which several women were reportedly harassed by policemen and military men.¹⁷ She was taken to Al-Imtedad Police station, where she was reportedly subjected to ill-treatment, assault and several physical abuses; and charged for 'defamation', 'insulting a public servant', 'publishing false news', and 'public annoyance'.¹⁸ Charges which according to the Sudanese Criminal Code, Waad Bahjat can be sentenced to one to six months imprisonment or fined a sum determined by the judge.¹⁹ Furthermore, during the June 3, 2019 massacre, the Sudan Doctors' Committee documented 70 cases of rape; female students and street vendors also continue to report ongoing harassment, including grabbing and the use of sexist and insulting language across Sudan.²⁰

Excessive use of force and arbitrary killings

There have been sustained and brutal attacks by security forces against peaceful protesters since the last reporting cycle. Between December 2018, when mass street protests erupted in response to the economic and political crisis, and the systematic violation of a wide range of human rights; and April 2019, when President al-Bashir was deposed, the use of excessive and lethal force left as many as 77 civilians dead and scores injured.²¹ Many of the unlawful killings reportedly occurred as a result of the use of live ammunition to disperse protesters by the National Intelligence Security Service officers.²² It was also reported that the security forces frequently raided homes and hospitals in Khartoum. In an incident on January 9, 2019, officers fired live bullets and tear gas in a hospital while in search for those wounded during protests earlier in the day in Omdurman, Khartoum. At least three people died of gunshots, while eight people were hospitalized with gunshot wounds.²³

Following former President al-Bashir's deposal in April 2019, Security forces continued to use excessive force against protestors. In the particularly brutal event of June 3, 2019, security

¹⁶ Open democracy, "In Sudan, women are still facing the deadly threat of the military", published 5 October 2020 on open democracy website <https://www.opendemocracy.net/en/north-africa-west-asia/sudan-women-are-still-facing-deadly-threat-military/>

¹⁷ Frontline Defenders, "Sudan: Judicial Harrasment against Sudanese women human rights defenders", published on 6 January 2021 on the Frontline Defenders website https://www.frontlinedefenders.org/sites/default/files/sudan_-_wad_bahjat_sulafa_alsidig_alhaj_-_6_jan_2021.pdf

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Voice of America, "Sudan Urged to Ensure Justice for Raped Women Protester", published on 18 July 2019 on the VOA website <https://www.voanews.com/africa/sudan-urged-ensure-justice-raped-women-protesters>

²¹ Amnesty International, Sudan: Soaring Violence calls for urgent international response", published 5 June, 2019 on the Amnesty International website <https://www.amnesty.org/en/latest/news/2019/06/sudan-soaring-violence-calls-for-urgent-international-response/>

²² Ibid.

²³ Ibid.



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forces attacked a peaceful protest in Khartoum.²⁴ Heavily armed soldiers fired live bullets and tear gas, harassed and intimidated protesters and set their tents alight and committed horrific acts of sexual violence.²⁵ At least 100 were killed, while 700 needed medical attention. The armed soldiers chased away the wounded from nearby hospitals and attempted to cover up their crimes by, dumping dead bodies weighed down with bricks into the River Nile.²⁶

On July 25, 2020, in the area of Mistiry in West Darfur, 9 women were killed and 18 injured in an attack on a peaceful sit-in followed by wide range attack on the town and villages around it.²⁷ The militias who were described as belonging to the Janjaweed, attacked the peaceful sit-in and the area around it for several days and the police and the army did not provide any protection to the civilians, including the women and children who were there. Following the aforementioned incident, protesters took to the street on September 10, 2020 to demand protection and an end to the violence. The police responded with extreme force, using live ammunition and tear gas to crackdown on the protest. This resulted in the death of two people, one of whom was woman protester Mias Abdu Alkareem and serious injuries to three other protesters.²⁸

Arbitrary arrests and detention

On April 8, 2020, Mr. Idris Albur Ahmed, a 37-year-old blogger and member of Baath Political party from the village of Alsliik, was arrested by a group of RSF officers of Alta Damon locality in Blue Nile State. The arrest occurred after he shared a Facebook post accusing the management of a petrol station owned by an RSF officer Mr. Faiz Balla officer, for hiking fuel prices above the official prices set by the Sudanese authorities. Mr Idris was detained at the RSF headquarters and released on April 11, 2020. However, he was re-arrested after he attempted to file a complaint about his arrest at the office of the attorney general in Blue Nile.²⁹

Enforced Disappearances, the Use of Torture and inhuman and degrading treatment

Following the massacre that occurred in the early morning hours of June 3, 2019, when Sudanese security forces launched a violent attack against pro-democracy demonstrators at the protests' central sit-in site in Khartoum, there have been allegations that the security forces

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid.

²⁷ Open democracy, "In Sudan, women are still facing the deadly threat of the military", published 5 October 2020 on open democracy website <https://www.opendemocracy.net/en/north-africa-west-asia/sudan-women-are-still-facing-deadly-threat-military/>

²⁸ Ibid.

²⁹ African Centre for Justice and Peace Studies, Sudan: Continued violations of human rights by the Sudanese armed forces and the rapid support forces", published on 14 May 2020 on the ACJPS website <https://www.acjps.org/sudan-continued-violations-of-human-rights-by-the-sudanese-armed-forces-and-the-rapid-support-forces/>



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forcibly disappeared dozens of protesters detained on or around June 3.³⁰ Although the government set up two commissions in 2019 whose mandates include enforced disappearances these commissions are yet to adequately investigate enforced disappearances or even provide recommendations on investigation, prosecution and reparations for victims of this heinous crime.³¹

International Alliance for Peace and Development (IAPD) makes the following recommendations:

- The Government of the Republic of Sudan should urgently sign and ratify all outstanding international treaties including UN Convention against Torture and other Cruel, Inhumane or degrading Treatments (UNCAT), the International Convention on the Protection of all Persons from Enforced Disappearances (ICPPED), as well as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).
- We urge the government of Sudan to completely reconstruct the legal system inherited from the former governments to comply with international law and standards.
- We call on the government of Sudan to initiate prompt thorough and independent investigations must into allegations of rape and sexual violence, to ensure full access to justice for women and to put an end to impunity for the military, militias and law enforcement regarding Sexual and Gender Based Violence; and to prosecute those responsible without exception.
- We call on the government of Sudan to carry out prompt, independent and thorough investigations of the allegations of torture and excessive use of force by State officials as well as other human rights violations, prosecute those responsible without exception.
- We urge the Sudanese authorities to respect and protect the Freedom of assembly and expression under all circumstances, particularly in the process of this transition.

³⁰ Ibid.

³¹ African Centre for Justice and Peace Studies, "Sudan: Enforced disappearances in Africa: Baseline Study for Sudan September 2020", published on September 2020 on the ACJPS website <http://www.acjps.org/wp-content/uploads/2020/10/Click-Here.pdf>