

JOINT STAKEHOLDER REPORT FOR THE THIRD UNIVERSAL PERIODIC  
REVIEW OF

SUDAN

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مركز الالف للخدمات الصحفية  
Al alag press services



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## **AUTHORS OF THE REPORT**

**Sudan Social Development Organization (SUDO)**, founded in 2001, the Sudan Social Development Organisation (SUDO) is a national non-governmental organisation registered with the Humanitarian Aid Commission in 2001, dissolved together with over 15 NGOs by the ex-regime in 2009. SUDO have recently resumed its work in 2019.

**Al- Alag** is a pioneer media centre, established in 2007 to address the issues of media and gender equality, through working in the field capacity building for the journalists and citizens journalists. The centre Al- Alag (Alag) is a pioneer media centre, established in 2007 to address the issues of media and gender equality, through working in the field capacity building for the journalists and citizens journalists.

**Madania News** is an independent Sudanese news website with a focus on human rights and civic issues. It publishes various forms of journalistic writing, which include news, reports, investigations and articles. Madania news was established in 2019.

**Al-Khatim Adlan Centre for Enlightenment (KACE)** was founded in 2007 to promote a democratic, multicultural Sudan in which human rights are respected. KACE pursues this by seeking to create spaces of engagement, knowledge-sharing, and constructive dialogue to facilitate the spread of enlightenment and the promotion of positive human development.

### **Sudanese Development Initiative (SUDIA)**

Founded in 1996, the Sudanese Development Initiative (SUDIA) is a non-governmental, non-profit organization working for peace, development and good governance in Sudan. SUDIA' programming on democracy and human rights promotion seeks to support and strengthen the role of civil society organizations, national networks and the media in advancing the state of democracy and human rights in the country. Promoting a conducive and enabling environment for civil society and the media, and developing their capacity.

## I. Introduction

This report focuses on freedom of association and assembly in Sudan. The report has been jointly drafted by the abovementioned CSOs. Sudan received four recommendations<sup>1</sup> in relation to protecting freedom of association and assembly three of which were supported. However, since the adoption of Sudan's second cycle UPR recommendations, Sudan failed to implement the recommendations put forward to it on freedom of association and assembly. Following the December 2018 Uprising, restrictions leading to a shrinking civic space remains a challenge.

### Sudan UPR 2016: Status of implementation

- **138.99** Take adequate measures to effectively safeguard the freedoms of expression, association and assembly (Cyprus) – **Supported, not implemented**
- **141.16** ensure that no provisions unduly restrict the rights of freedom of expression, assembly and association, in conformity with the International Covenant on Civil and Political Rights (Netherlands) – **Noted; not implemented**
- **138.98** Take necessary measures to guarantee full respect for freedom of expression and freedom of association (France) – **Supported; not implemented**
- **138.101** Guarantee the right to freedom of peaceful assembly and association in line with the International Covenant on Civil and Political Rights and amend existing legislation that is in violation of it (Germany) – **Supported; note implemented**

## II. Freedom of Association

### *Regulation of civil society*

1. Key freedoms, which govern civic space and include the rights to freedom of association and assembly, are guaranteed by the Constitutional Document of 2019 and the international commitments made by the Sudan under the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights. Despite these obligations, Sudan's has made little progress in protecting freedom of association and assembly.
2. On 9 and 10 March 2020, the Ministry of Labour and Social Development convened a workshop on institutional and legal reform to consult with a diverse group of CSOs, governmental institutions, international NGOs, the UN and academia on key issues impacting the current

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<sup>1</sup> 138.99, 141.16, 138.98, 138.101

institutional and legal environment governing the work of civil society. The discussion was focused on reforming the Humanitarian Aid Commission (HAC), the body responsible for overseeing the activities of civil society. Under the previous regime, HAC was responsible for its repressive measures against members of civil society including banning them from cooperating with UN mechanisms.

3. Despite some of the progress made, freedom of association remains under threat. On 23 November 2019, HAC issued a decree revoking the registration of more than 55 CSOs associated with the former regime. Sudan also adopted the law relating to the Dismantling of the 30 June 1989 and Empowerment of 2019. The law includes liquidating the National Congress Party, the dismissals of all its appointees across Government, and the confiscation of its assets. These measures are discriminatory in nature as they were not based on clear vetting procedures and could be arbitrarily applied.
4. The government continued to apply the Sudan Voluntary and Humanitarian Works Act of 2006 to close and confiscate the assets of civil society organizations. In December 2020, the Commissioner of the Humanitarian Aid Commission for Khartoum State, Mustafa Adam, issued a statement in which he announced the cancellation of the registration of a further 45 organizations and confiscation of their assets on the grounds that these organizations were linked to the former regime or were performing activities that did not serve the communities. Among these organizations were Cheshire Home for Children with Special Needs and Husn Al Khatima. Similarly, in November, the Geddaref branch of the Committee for Dismantling Ingaz (Salvation) Regime and Removing Empowerment dissolved and confiscated the assets of Ansar al-Aqsa charitable organization, claiming its affiliation with the former regime.
5. The outgoing Minister of Labour and Social Development, Lena El Sheikh, approved a set of new regulations under the Voluntary and Humanitarian Work Act of 2006 adopted on 31 January 2021. The regulations are related to the registration of international organisations, the registration of national organisations, the registration of networks, and access to funding by national organisations.
6. Among other things, the new regulations impose a registration requirement for international and national NGOs with burdensome administrative procedures including renewing registration on an annual basis. It is well established that the right to freedom of association equally protects registered and non-registered associations and requiring a notification instead of authorisation is considered best practice. The Registrar has broad powers; they can approve or decline registration requests arbitrarily and can dissolve, freeze and investigate an association.
7. On 10 March 2021, the new Minister of Social Development suspended the controversial regulations of the Humanitarian Aid Commission endorsed by his predecessor in early February 2021. The measures imposed stringent conditions on local and international NGOs and provided

state authorities with broad powers to intervene in the work of NGOs, including by approving receipt of funding, the criminalisation of unregistered organisations, and refusal to grant registration on an arbitrary basis.

### **Trade Unions**

8. Several trade unions have been dissolved and their affairs are being administered through steering committees appointed by the government. The Committee for Dismantling Ingaz (Salvation) Regime and Removing Empowerment has been a principal driver of these infringements using its powers to take control over the trade unions. On 14 December 2019, the committee for dismantling the former regime issued Decree No. 3 of 2019 relating to the dissolution of trade unions, which is aimed at seizing all properties and assets of all trade unions and at establishing a committee to revise trade union laws and prepare for new elections of union.
9. To demonstrate the continued intimidation of trade unionists, in December 2020, the Federation of Carpenters was raided by police and its assets forcibly transferred to the custody of a new steering committee appointed by the Committee for Dismantlement.

### **Media outlets**

10. In October 2017, a court ordered the editor of *al-Tayyar* to pay a fine or spend six months in prison for publishing an article about alleged abuse of power in the president's family. Other journalists, including Hanadi el-Siddig, editor-in-chief of *Akhbar El Watan*, were interrogated or detained for content deemed too critical, such as allegations of abuse by security forces and an interview with an opposition leader. Marwa Tijani was detained for three days after publishing a piece of creative writing critiquing religion.
11. In the first week of January 2018 alone, security officials seized print runs of eight newspapers because they had covered the anti-austerity protests. Throughout the year they suspended, delayed, or confiscated editions of newspapers for running pieces critical of the president or ruling party, its economic policies, corruption, or other sensitive topics.
12. During January 2018 protests, at least 18 journalists including correspondents of Reuters and AFP were arrested. Most were released the same day but four were held for several weeks without charge; journalist Amal Habani was severely beaten during interrogation. Security officials arrested a group of journalists for protesting a ban on coverage of Omdurman's parliament in October 2018.

13. Security officials summoned and interrogated editors and journalists, confiscated laptops, and warned them not to cross “red lines.” At least one columnist was banned from writing for *al-Saiha* newspaper. Authorities prosecuted an *al-Jareeda* editor and journalist for criminal defamation because they had written about corruption in March. Officials sentenced the former editor-in-chief of *al-Mustagila* newspaper to prison for “false news” for articles published in 2015.
14. Nine journalists were briefly arrested on December 26<sup>th</sup> 2019 by the NISS while gathered outside the headquarters of the independent Sudanese newspaper *Al-Tayar* in protest against harassment of the media. Many other journalists were arrested while covering protests or during journalists strikes. In late December, authorities restricted access to social media for several days
15. On December 25<sup>th</sup> 2019, authorities blocked London-based al-Araby TV journalists from covering the protests and deported them. On January 22<sup>th</sup> 2019, authorities revoked permits of reporters working with Al Jazeera, al-Arabiya and Anadolu news agency.
16. On February 22<sup>th</sup> 2019, NISS officials arrested the editor-in-chief of *Al-Tayar*, after he appeared on TV criticizing al-Bashir’s emergency declaration. He was released on March 30<sup>th</sup> 2019 without charge.
17. After al-Bashir’s ouster, authorities allowed media coverage of protests for several weeks, but on May 31<sup>th</sup> 2019 , they shut down Al Jazeera offices (later reopened). Authorities sought to suppress information about the June 3<sup>th</sup>2019 violence by restricting media access to the country, by cutting off internet access on June 10 for over a month.

### **III. Right to Freedom of peaceful assembly**

#### ***Before the December 2018 Revolution***

18. In September 2017, government forces opened fire on protesters in the Kalma displaced persons camp in South Darfur, killing more than five and wounding two dozen. The residents were protesting President al-Bashir’s visit to the camp.
19. Authorities also used excessive force on several occasions to disperse protests on university campuses. In May 2017, following clashes over disputed elections at Bakht al-Rida university in White Nile state, police and security forces raided a dormitory, beat and shot students, wounding several, and arrested dozens. In response to the arrests, more than 1,000 Darfuri students withdrew from the university, alleging discrimination against Darfuri students. Nine

students remained in detention by year's end.

20. In August and September 2017, security officials detained dozens of members of the United Popular Front, a student branch of a Darfur rebel group, while protesting on the streets of Khartoum and Omdurman. Officials arrested many other student activists throughout the year.
21. In January and February 2018, security forces violently broke up anti-austerity protests in Khartoum, Omdurman and other towns, arresting hundreds, beating protesters with sticks and hoses, and using tear gas, according to rights monitors.
22. Security officials dispersed several university students protests across the country, detaining and injuring many throughout the year. In January 2018, security forces shot at student protesters in El Geneina, West Darfur, killing one, and at displaced persons at a camp in Zalingei, in Central Darfur, killing five.

### ***After December 2018 Revolution***

23. Sudanese took to the streets in towns across the country in December 2018, to protest price hikes and demanded President Omar al-Bashir step down. Government security forces responded with lethal violence, shooting live ammunition at unarmed protesters, beating and arresting hundreds and killing scores of people between December and April.
24. President al-Bashir declared a state of emergency on February 22, 2019 banning protests and authorizing "emergency courts" to try violators in speedy trials. Many protesters were detained, tried summarily, and imprisoned or fined, without due process protections.
25. On June 3, 2019 government forces led by the RSF shot live bullets at protesters, beat them with sticks and batons, rounded up hundreds and subjected them to various forms of humiliation, including beating, rape and sexual assaults. They also attacked hospitals and clinics and prevented wounded protesters from receiving needed medical help. An estimated 120 were killed and hundreds wounded; some bodies were dumped into the river Nile and an unknown number of people were reported missing.

### **RECOMMENDATIONS**

The authors of the report call on Sudan to implement the following recommendations:

- End all practices that violate the right to freedom association and the right to peaceful protest.
- Lift the restrictions intended to impede CSOs and their activities in Sudan

- Protect civil society and activists from threats and reprisals and investigate and prosecute those responsible for attacks against them.
- Repeal the Voluntary and Humanitarian Works Act of 2006 and its restrictive regulations.
- Amend without delay all media legislation which include the Press and Publications Law, the Public Authority for Radio and Television Law, the Right to Information Law, the Radio Broadcasting Law, as well as the Information Crimes Law to bring it in line with the international standards on press freedom and to ensure that no provision unduly restricted the rights of freedom of expression, assembly and association, in conformity with the international covenant on civil and political rights.