

**27<sup>th</sup> Session of the Human Rights Council**

**Statement of the Independent Expert on the situation of human rights in the Sudan  
Mashood A. Baderin.**

**24 September 2014, Geneva**

*Mr. President,  
Esteemed Members of the Human Rights Council,  
Excellencies, Ladies and Gentlemen,*

I am highly honoured to address the Human Rights Council in my capacity as the Independent Expert on the situation of human rights in the Sudan, and to formally present to the Council my third report covering the period from October 2013 to July 2014, pursuant to Human Rights Council resolution 24/28 of 8 October 2013.

During this reporting period, I undertook two missions to the Sudan in February and June 2014 and visited Khartoum as well as North Darfur, East Darfur, Central Darfur, South Kordofan and Blue Nile States. I engaged in constructive discussions with key senior officials of the Government of the Sudan, leaders and representatives of opposition political parties, international partners, professional groups, civil society organizations, individuals and other stakeholders. I wish to acknowledge the Government of the Sudan's openness to a constructive dialogue during all my visits. I thank the Government for its cooperation with my mandate and also thank all other stakeholders for their support.

In my current report, I have provided an appraisal of the human rights situation in the Sudan, indicating the positive steps taken by the Government as well as the remaining challenges since my last report to this Council in September 2013. I have also indicated the need for technical assistance and capacity building, and provided a set of recommendations aimed at facilitating further improvement of the human rights situation in the Sudan.

With regard to the positive steps, I have noted that the Government of the Sudan has continued to adopt relevant human rights legislation and policy during the reporting period. Two notable examples were the passage of a Human Trafficking Act in January 2014, which is a welcome step towards combating the problem of human trafficking in the country, and the adoption of a promising four-year strategic plan for 2014 to 2018 by the National Commission on Human Rights. The Government has also taken steps towards implementing some of the recommendations in my last report. Its national plan to implement the Universal Periodic Review (UPR) recommendations is ongoing with support from the United Nations Development Programme (UNDP).

The support provided by UNDP to facilitate the implementation of the UPR recommendations is however currently threatened due to a depletion of funding for that purpose. I therefore urge the international community to assist UNDP with required funds to enable it to continue supporting the Government for that purpose. Further, the Government has established a National Committee for the implementation of its 10-year National Action Plan for the protection of human rights, as recommended. A human rights adviser has been assigned to the Ministry of Education to advise on the inclusion of human rights in the educational curriculum and a high level committee was established in the Ministry of Education to monitor the implementation of the action plan nationally. I urge the international community to support the Ministry of Education with required technical assistance in that regard.

With regard to remaining human rights challenges, I have indicated that there are some recommendations in my previous report that have not yet been implemented and urge the Government to take necessary steps to implement them. Also, I noted that the practical improvement of human rights on the ground still remains protracted. The situation was compounded by some notable human rights encroachments that occurred during the reporting period, such as the consequences of the September 2013 demonstrations, the shooting of a third-year University of Khartoum student in March 2014, the Meriam Ibrahim (aka Abrar al-Hadi) apostasy case, the detention of political opponents and youth activists, the curtailment of activities of some civil society organizations, the continued press censorship, the escalation of armed conflicts and increased civilian displacements, incidents of violence against women and children, and the Government's suspension of the activities of the International Committee of the Red Cross (ICRC) in February 2014. The need to strengthen economic and social rights has equally been mentioned. I have elaborated all these challenges comprehensively in my report and made necessary recommendations in respect to each one of them.

The Government of the Sudan has, however, taken necessary steps on some of the above listed challenges. During my mission to the Sudan in June, the Government reacted favourably to the concerns I raised about the detention of the leader of the National Umma Party, Sadiq al-Mahdi, who was subsequently released on 15 June while I was still in the country. I was also allowed to meet Meriam Ibrahim, whose conviction for apostasy was subsequently quashed by an Appeal Court in Khartoum on 23 June, while I was still in the country. My call for the release of three detained youth activists, Muhammad Salah, Taj Elsir Jaafar and Muammer Musa Muhamed, was also heeded with their release by the Government on 11 July.

After the submission of my current report, I am also pleased to report that the Government of the Sudan has already taken steps to address some of the recommendations I made in the report regarding the remaining human rights challenges. Notably, the leader of the Sudanese Congress Party, Ibrahim al-Sheikh, was released on 15 September, and I was informed, during my meeting with the Sudanese Mission in Geneva on Monday, that other political prisoners have also been released. I can also confirm firmly that the suspension of the activities of the ICRC has been lifted and a new headquarters agreement has now been signed between the Government of the Sudan and the ICRC. I commend the Government of the Sudan in that regard and urge it to continue necessary cooperation with the ICRC on the resumption of its activities in the country.

Similarly, since the submission of my current report, there have been encouraging developments with respect to the process of the National Dialogue with the support of the African Union, as proposed in my report. I thank the Government of the Sudan for reacting constructively to my recommendations on these issues and commend it for taking those decisive steps.

I would like to urge the Government to give similar positive considerations to my other recommendations in the current report, which include among others, to set up an independent judicial enquiry into the killings and human rights violations that occurred during the September 2013 demonstrations in Khartoum; to ensure that the shooting of the third-year University of Khartoum student in March 2014 is fully investigated and made public; to amend the National Security Act of 2010 in conformity with its constitutional and international human rights obligations, to stop the curtailment of activities of civil society organizations; to stop the continuing press censorship and ensure that its security agents desist from confiscating newspapers; and to improve, generally, the protection of civil and political rights as well as economic and social rights in the country. I also urge the National Security Service to carry out its operations with due consideration for the Sudan's constitutional and international human rights obligations.

I have highlighted the continuing negative impact of armed conflicts on human rights in different parts of the Sudan in my report. Darfur, South Kordofan and Blue Nile continue to experience sporadic cycles of armed conflicts, violent attacks and banditry, which have had serious effects on the lives of civilians during the reporting period. The recurrent armed conflicts between Government forces and armed rebel groups, as well as tribal clashes, continue to result in serious human rights violations and large-scale displacement of civilians in different parts of the country. The security situation in the conflict-affected regions of the country has remained precarious.

In my report, I had mentioned the case of a gang-rape committed against a United Nations peacekeeper in El-Fasher on 9 April. I received information yesterday that there has been a successful prosecution of that case and a court in El-Fasher has convicted and sentenced the arrested offenders to different terms of imprisonment on 21 September, after their trial from 5 June to 18 September. The African Union-United Nations Hybrid Operation in Darfur (UNAMID) highlighted the excellent collaboration between UNAMID and the Office of the Special Prosecutor for Darfur Crimes in bringing the perpetrators to justice. The successful prosecution of such a dreadful crime is commendable and I urge the Government to increase its efforts in ensuring that all perpetrators of crimes in the conflict areas are brought to justice to deter impunity.

I have, in my report, stressed the important need for all relevant stakeholders to make concerted efforts to bring an end to the armed conflicts in Darfur, South Kordofan and Blue Nile states as these conflicts constitute a major factor for serious human rights violations in those parts of the Sudan.

To address all the above challenges, it is important to stress the need for the international community to provide adequate technical assistance and capacity building to the Government of the Sudan, civil society organisations and international humanitarian agencies working in the country. I have indicated in my previous and present reports that it is necessary to assist relevant institutions such as the Advisory Council for Human Rights; the National Commission for Human Rights; the Human Rights Committee of the National Assembly; the Unit for Combating Violence against Women and Children; the National Council for Child Welfare; the Family and Child Protection Unit of the Police Force; the Women's Centre for Human Rights in the Ministry of Welfare and Social Security; the Committee on Human Rights Education in the Ministry of Education; the Office of the Special Prosecutor for Crimes in Darfur; the Judiciary – including the Constitutional Court; the Police; the Truth, Justice and Reconciliation Commission; and the Commission for Refugees, as well as the different local civil society organizations, in order to achieve a long-term improvement of the situation of human rights in the Sudan.

I have also indicated the need to provide UNDP and UNAMID with sufficient and adequate human and financial resources to enable them to continue to support the Government's efforts in improving the human rights situation in the country. The local civil society organisations in the Sudan also need to be assisted with training to enable them to operate more effectively for the improvement of human rights in the country.

In this report, I have commended the decision of the European Union to commit 13.5 million euros to enhance its support for peace-building projects and local peace processes in conflict areas of the Sudan over the next three years, plus another one million euros to be spent in 2014 to support, inter alia, capacity building for local civil society organizations in promoting human rights and democratic reform in the Sudan. After the submission of my report, I received information that the State of Qatar has, on 21 September, signed an 88.5 million US dollars grant agreement with the United Nations Multi-Partner Trust Fund administered by UNDP to finance recovery and reconstruction in Darfur. I join the Chair of the United Nations Development Group and UNDP Administrator in thanking the State of Qatar for its continued support to the efforts for peace and recovery in Darfur. I would like to urge other donor States, international institutions and agencies, and the international community generally, to join in providing necessary technical assistance and capacity building needed to address the identified subsisting human rights challenges in the country.

*Esteemed Members of the Human Rights Council,*

While challenges do certainly remain, it is important to appreciate the cooperation and positive steps taken by the Government of the Sudan in response to my engagements with it since the beginning of my mandate. In my view, this mandate will be able to make greater difference on the ground with the provision of adequate technical assistance and capacity building by the international community to the country, civil society organisations and humanitarian agencies working in the Sudan as recommended in my previous and current reports.

*Mr. President, Excellencies, Ladies and Gentlemen,*

This will be my last report to this esteemed Council in my role as the Independent Expert on the situation of human rights in the Sudan. I have, for personal family reasons, requested to step down from the mandate after the presentation of my report this year. I thank the Council for the confidence reposed in me and for giving me the opportunity to contribute to its valuable work in the global promotion and protection of human rights. The mandate is a very challenging one and I hope that I have not disappointed you in discharging the responsibilities. Once again, I thank all the stakeholders, particularly the Government of the Sudan, for its cooperation throughout my mandate.

Thank you very much.