

42nd Session of the United Nations Human Rights Council

Human Rights Concerns in the Republic of the Sudan

Introduction

1. CSW (Christian Solidarity Worldwide) seeks to draw the Council's attention to violations of freedom of religion or belief (FoRB) and other human rights in the Republic of the Sudan. It calls on the Council to adopt a multifaceted response to the situation in the country in line with its mandate to promote and protect human rights and its responsibilities towards the Sudanese people.

Current situation

2. Protests began in Sudan in December 2018 after a threefold increase in the price of bread. While the demonstrations initially focused on economic mismanagement they soon expanded into nationwide calls for democratic reform and the resignation of President Omar al-Bashir.
3. On 11 April the Sudanese military ousted President al Bashir and installed a Transitional Military Council (TMC). Since then the TMC has been negotiating with protesters represented by the Forces for Freedom and Change (FFC) to establish a civilian-led transitional government to govern the country before scheduling democratic elections.
4. On 17 July the TMC signed a political agreement with the FFC and the constitutional agreement was signed on 4 August. On 17 August the FFC and TMC signed the final agreement governing the three-year transitional period after which democratic elections will be held. The Sovereign Council will be led for 22 months by the former head of the TMC, Lt. Gen. Abdel Fattah El Burhan. The council is comprised of four military members and six civilians. The Sovereign Council appointed a leading economist Abdalla Hamdok as Prime Minister who will lead a government from 1 September.

Challenges

5. Steps towards a civilian-led government are welcome; however, significant challenges remain. These include bringing an end to attacks on protesters, ensuring justice for violence against civilians during the demonstrations, and ensuring that the right to FoRB is fully respected in accordance with the UDHR and the ICCPR.

Attacks on protesters

6. On 3 June Rapid Support Forces (RSF) led by General Mohamed Hamdan 'Hemedti' Dagalo, who is also deputy head of the TMC, attacked protest sites in Khartoum. Over 100 civilians were reportedly killed in the attack, and at least 650 injured. Reports have emerged of members of the RSF committing acts of sexual violence, throwing weighted bodies into the Nile, and of the assault and detention of opposition politicians. Reports also indicate that at least three hospitals were attacked and several doctors were assaulted.
7. In the aftermath of the attacks, the TMC shut down the internet. This serious violation of the right to freedom of expression also prevented the international community from accessing timely and accurate information on the situation in the country.

8. The internet blackout was lifted on 9 July, over five weeks after the massacre took place. Numerous videos subsequently emerged, which the BBC compiled into a documentary entitled 'Sudan's Livestream Massacre.'¹ The documentary showed a large RSF force firing live rounds at protesters, as well as the recovery of bodies with blocks tied to their feet in the Nile. The BBC documentary also produced evidence to suggest the attack was planned in advance, including an interview with an RSF captain who alleged it was ordered by Hemedti himself.
9. The 3 June attacks followed months of violence against protesters that had been occurring since the demonstrations began. Reports indicate that security forces have beaten and used tear gas, rubber bullets and live ammunition against protesters. Reports have also emerged of security forces chasing injured protesters into hospitals, preventing them from receiving treatment, and firing tear gas into a hospital on at least one occasion in violation of international law.
10. Between 25 and 29 December 2018, at least 37 people were killed by security services, with reports of snipers spotted along protest routes.
11. In March 2019 CSW reported that an estimated 50 people had been killed since the start of the year.
12. On 4 May protests in Nyala, South Darfur, were dispersed by counter-revolutionary forces, resulting in one civilian casualty and several injuries.
13. On 13 May at least five protesters and one military official were killed and over 100 people were injured in an attack on protesters in Khartoum. Two days later at least eight civilians were killed when an unidentified militia fired live ammunition near McNimer Bridge in an attempt to clear roadblocks and disperse protesters.
14. Attacks continued after the 3 June massacre. On 30 June at least ten civilians were killed during peaceful mass demonstrations across the country. On 29 July security forces shot and killed at least six protesters, including three minors, during student protests in the city of El-Obeid.
15. On 5 July the TMC agreed to conduct a national investigation into the 3 June massacre and other instances of violence; however, the investigation did not cover events prior to 11 April, and there was no independent or international involvement. The investigation found that the TMC was not responsible for any violations and instead blamed rogue elements. Eight army officers were charged for their involvement in the attack.

Freedom of religion or belief

16. In the days after President al Bashir was deposed, the TMC met with church leaders and gave assurances the right to FoRB would be upheld. However, subsequent developments have raised concerns that FoRB will continue to be violated.
17. Several weeks after the ousting of President al Bashir, Islamist groups organised a protest calling for the safeguarding of Sharia law. The groups received assurances from General Dagalo that there would be no changes to Sharia law, and subsequently cancelled their demonstrations.
18. In July 2019 a criminal case against the elected president and seven other senior leaders of the Sudanese Church of Christ was re-opened despite the fact that it had been dismissed by a judge less than a year earlier.

¹ BBC World News 'Sudan's Livestream Massacre', 12 July 2019 <https://www.bbc.co.uk/news/av/world-africa-48956133/sudan-s-livestream-massacre>

19. The eight leaders were initially arrested on 23 August 2017 and charged with trespassing on the church headquarters. They were also accused of refusing to hand over administrative control to an unelected church committee led by Mr Angelo Alzaki and appointed by the government.
20. The case against the leaders was dismissed by the court of first instance on 9 August 2018. In his ruling, the judge commented that the case centred entirely on an administrative dispute which was not criminal in nature.

Necessary action

21. Despite the fact that the Human Rights Council (HRC) has convened twice since demonstrations began in Sudan, it has failed to take action on the country at the 40th and 41st sessions. Even after the 3 June massacre and Sudan's subsequent suspension from the African Union, during the Council's 41st session the HRC did not convene a special session or hold an urgent debate, and failed to adopt any resolution on the situation.
22. The Independent Expert (IE) on the situation of human rights in Sudan is due to present his final report during an interactive dialogue at the 42nd HRC session, after which his mandate may be terminated. It is worth noting that the IE has not been able to visit Sudan during the reporting period, and although representatives from the Office of the High Commissioner for Human Rights (OHCHR) conducted a visit in December, they were unable to carry out a follow-up visit due to the political changes in the country. However, the last 12 months demonstrate that continued human rights monitoring is vital and that the mandate of the IE must be renewed.
23. An IE is also essential to ensure the transitional government has adequate assistance and is under sufficient scrutiny from the UN.

Recommendations

To the Transitional Authority of Sudan

24. **Bring legislation, policies, and practices into line with international standards and Sudan's international obligations, including by amending or repealing laws and regulations and reforming State organs.**
25. **Conduct a national investigation into human rights violations that occurred prior to 11 April 2019.**
26. **Ensure the protection of economic, social and cultural rights, in addition to civil and political rights.**

To the International Community

27. **Extend the mandate of the Independent Expert on Sudan until a fully-mandated OHCHR country office is operational in the country.**
28. **Continue to extend technical assistance and capacity-building to Sudan.**
29. **Establish an independent international fact-finding mission or similar mechanism to investigate all human rights violations and abuses committed against peaceful pro-democracy protesters since December 2018.**
30. **Extend technical, financial and other support to any inquiry mechanisms led by the African Union and the Intergovernmental Authority on Development.**