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SUDAN | CSW Concerned About Terminated Mandate

CSW is deeply concerned by the resolution passed by the United Nations Human Rights Council (UNHRC) on Sept. 28 that signals the termination of the mandate of the Independent Expert on the situation of human rights in Sudan, a move that effectively downgrades scrutiny of Sudan's human rights record.

Although the resolution, which was passed by consensus, renewed the Independent Expert's mandate for a period of one year, it also confirmed it would terminate on the day that the Office of the High Commissioner on Human Rights (OHCHR) opens an office in Sudan.

CSW's Chief Executive Mervyn Thomas said, "At a time when there continues to be a deterioration in the human rights situation in Sudan, we are deeply concerned by the move to terminate the mandate of the Independent Expert and replace it with an OHCHR office. The situation on the ground is serious enough to warrant regular attention from the HRC until there are sustained improvements in the human rights situation."

In his latest report, the Independent Expert on Sudan, Aristide Nononsi, detailed human rights violations that had occurred between September 2017 and July 2018, including mass arrests of protestors during anti-austerity demonstrations in January and February 2018, demolitions of churches, restrictions on press freedoms, violations in conflict areas and restrictions on women's rights.

The human rights situation in Sudan is currently considered by the HRC under agenda item 10, which refers to countries in need of technical assistance and capacity building. However, a joint letter released ahead of the Council session by 32 Sudanese and international civil society organizations argues that the deterioration in civil and political rights in the nation, as well as in economic, social and cultural rights, is sufficiently serious to merit consideration under agenda item 4 as a "human rights situation that requires the Council's attention." In addition to the increased scrutiny of Sudan's human rights record that this change would entail, the letter also recommended that a Special Rapporteur was needed to investigate, verify and report on human rights violations in the country, in stark contrast to the Council's moves to effectively downgrade scrutiny of Sudan's human rights record by ending the Independent Expert's mandate.

Responding to the report of the Independent Expert, Sudan's Minister of Justice called for the end of his mandate, stating that funding for technical assistance and capacity building has not been provided by the OHCHR. He also stated that the situation in Sudan had been under the consideration of the HRC for over 20 years and needed to be moved to an alternative mechanism.

However, during the interactive dialogue with the Independent Expert, CSW's UN Officer Claire Denman said, "The current technical assistance mandate does not address the severity of the violations reported to the Council, which are often perpetrated by the state or officials representing the state; the nature of which should be considered under agenda item 4."

The new resolution was passed just weeks after the downsizing of UNAMID, the peacekeeping force in Darfur, was confirmed. In addition to its peacekeeping mandate, UNAMID has authority to monitor the protection and promotion of human rights in Darfur. This downsizing risks leaving UNAMID's human rights monitors unable to effectively assess the situation in a vast region where internally displaced persons are particularly vulnerable.

Thomas said, "Whilst Sudan has been on the agenda of the Council for over two decades, the decision to transition a mandate should be based on credible and verified improvements in the situation of human rights in the country, and not on the length of time it has been under consideration. We urge the OHCHR and the Independent Expert to ensure that a roadmap with clear and time bound benchmarks for the improvement on the situation of human rights in the country is laid out."