



24 August 2022

Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Sudan and welcome the constructive engagement of the Government of the Sudan during the 40<sup>th</sup> session of the UPR Working Group in January/February 2022.

As the final outcome report on the review of the Sudan was recently adopted by the Human Rights Council at its 50<sup>th</sup> session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of the Sudan - the Compilation of United Nations information and the Summary of Stakeholders' submissions - which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and recommendations made by 97 delegations and the presentation made and responses provided by the delegation of the Sudan. I have also considered the actions taken by the Government of the Sudan to implement the 180 recommendations fully supported during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I acknowledge the efforts made to promote and protect human rights and fundamental freedoms during the transitional period since 2019 by issuing the Constitutional Document, which included the Juba Peace Agreement. I encourage the Sudan to continue its work to ensure institutional reform and implementation of the peace agreement. I also encourage the Government to speed up the implementation of the National Protection Plan to address protection concerns in Darfur and in other conflict affected regions.

I welcome the Government's commitment to promote human rights and encourage the Government to take measures to respect and protect freedom of assembly and of expression, as indicated in the Constitutional Document of the transitional period. I support the national dialogue process aimed at building a consensus on a path toward the re-establishment of a civilian-led Government. I urge the Government to ensure that any political settlement be grounded in the respect for human rights and accountability for human rights violations.

I also welcome the establishment of mechanisms aimed at promoting women's civil, political, economic and social rights. I encourage the Sudan to adopt further measures to address discrimination against women and gender-based violence, as well as measures to protect women defenders and protesters, and combat female genital mutilation.

I welcome the creation of the Supreme Council for Social Welfare and Poverty Reduction as part of the efforts to achieve the Sustainable Development Goals and encourage continued measures in poverty eradication by providing housing, improving living conditions, and ensuring access to equal employment opportunities for all.

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H. E. Mr. Ali Elsadig Ali  
Minister of Foreign Affairs  
The Republic of the Sudan

I encourage the Sudan to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate preparations for the fourth cycle of the UPR. My advice to all Member States is to develop and implement national action plans in close consultation and cooperation with all stakeholders, in particular the national human rights institution and all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

I also encourage the Sudan to pursue the National Human Rights Mechanism for comprehensive reporting and follow-up to recommendations received from all international and regional human rights mechanisms and to treaty obligations, linking them to the Sustainable Development Goals. To this end, I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:

[http://www.ohchr.org/Documents/Publications/HR\\_PUB\\_16\\_1\\_NMRF\\_PracticalGuide.pdf](http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf)

Please note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting States with the implementation of the recommendations, following the review. One important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I welcome Sudan's mid-term report submitted in the first cycle and I encourage the Government of the Sudan to consider submitting a mid-term report on follow-up to the third cycle of the review by 2026.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

My Office looks forward to discussing with you ways in which it may assist the Sudan in relation to the areas identified in this letter and its annex.

Please accept, Excellency, the assurances of my highest consideration.



Michelle Bachelet  
High Commissioner for Human Rights

cc.: Ms. Howaida ALI AWAD AL- KARIM ALI  
Acting Undersecretary of the Ministry of Justice  
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Ms. Khardiata LO N'DIAYE  
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## Annex

### **Scope of international obligations and cooperation with international human rights mechanisms and bodies**

- Ratifying the Optional Protocol to 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, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Second Optional Protocol to the International Covenant on Civil and Political Rights, the International Convention for the Protection of All Persons from Enforced Disappearance and the Rome Statute of the International Criminal Court.
- Cooperating fully with the United Nations human rights mechanisms, especially with the Special Representative of the Secretary-General for the Sudan, the Office of the United Nations High Commissioner for Human Rights and the special procedures mandate holders.

### **National human rights framework**

- Pursuing efforts to formulate a national strategy for human rights.
- Continuing to harmonize national legislation with the international and regional commitments of the Sudan
- Strengthening the work of the national human rights mechanism, following up on recommendations and setting plans to follow up on their implementation.
- Continuing efforts towards peace and establishing human rights- and accountability-based national reconciliation mechanisms to improve the human rights situation in the country.
- Designating sufficient resources to the national human rights commission for it to operate in in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

### **Implementation of international human rights obligations, taking into account applicable international humanitarian law**

- Complying with international humanitarian and human rights law obligations, putting an end to indiscriminate attacks against civilians, protecting vulnerable social groups in particular. Investigate and prosecute violations of international humanitarian law committed by the armed forces.
- Ensuring the safety of humanitarian workers and humanitarian facilities.

#### **A. Cross-cutting issues**

##### *Equality and non-discrimination*

- Adopting a comprehensive anti-discrimination and equalities law, and banning discrimination on such grounds as race, colour, sex, language, religion, political or other opinion, national or social origin, age or disability.
- Strengthening relevant legislation and policies and take further administrative measures to combat hate speech, racism, xenophobia and related intolerance.

*Development, the environment, and business and human rights*

- Intensify efforts to develop and strengthen the necessary legislative frameworks that address cross-sectoral environmental challenges, including climate change and disaster risk reduction frameworks.

*Human rights and counter-terrorism*

**B. Civil and political rights**

*Right to life, liberty and security of person*

- Ensuring the protection of civilians, especially in conflict-affected areas such as Darfur and Southern Kordofan.
- Abolishing the death penalty and introducing an immediate moratorium on executions.
- Taking measures to prevent all forms of torture, and to prevent enforced disappearance, arbitrary detention and extrajudicial executions, and ensure accountability for all violations and abuses.
- Refraining from any violence or use of force targeting peaceful protesters and immediately releasing those unlawfully detained.
- Halting unnecessary and disproportionate use of force against peaceful protestors and conduct investigations into the violence against protestors, including gender-based violence, alleged to have been committed by the Sudanese Armed Forces.
- Ceasing the use of arbitrary detention and release all civilians detained as a result of the military takeover on 25 October 2021, and related protests.
- Protecting the right to peaceful assembly by immediately ceasing the excessive use of force by security actors against peaceful protesters, journalists, medical staff and facilities, by preventing arbitrary detention and torture, and by repealing emergency order No. 4.
- Revoking the state of emergency, abstain from arbitrary detention, and release all political prisoners.

*Administration of justice, including impunity, and the rule of law*

- Implementing fully Human Rights Council resolution S-32/1, adopted at its thirty-second special session, including with regard to an independent mechanism to support the Sudanese people's aspiration for democracy and the rule of law.
- Ensuring accountability for grave violations of human rights by bringing the perpetrators to justice and providing remedies for victims.
- Safeguarding the rule of law by upholding the independence of judges.
- Initiating prompt, effective, independent and impartial investigations into allegations of crimes under international law and bring suspects to justice.

*Fundamental freedoms and the right to participate in public and political life*

- Upholding its international obligations to protect freedom of expression, freedom of peaceful assembly and freedom of association by respecting the freedom of the media and avoiding all disproportionate use of force or the use of arbitrary arrest and detention. Take further action to re-establish a national human rights commission and adopt domestic legislation to ensure full compliance with its international obligations under the Convention against Torture.
- Releasing from prison all persons whose conviction resulted from the exercise of their fundamental rights and freedoms.

*Prohibition of all forms of slavery*

- Implementing all objectives of the national plan to combat human trafficking.
- Intensifying capacity-building efforts for duty bearers in the field of combating trafficking in persons.
- Strengthening cooperation with international and national mechanisms to combat trafficking in persons.

*Right to privacy and family life*

- Maintaining social policies that support the family in line with social values.

**C. Economic, social and cultural rights**

*Right to work and to just and favourable conditions of work*

- Redoubling efforts in capacity-building aimed at empowering persons with disabilities and ensuring equal access to decent work, without discrimination.

*Right to social security*

- Strengthening programmes and policies related to social development.
- Enhancing national programmes on social welfare and strengthening the social protection system to safeguard the rights of vulnerable groups.
- Considering creating an integrated social protection system to protect persons in a vulnerable situation, including those engaged in the informal sector.

*Right to an adequate standard of living*

- Redoubling efforts to improve economic conditions and raise the standard of living of the Sudanese people.
- Continuing efforts to eliminate poverty by adopting a comprehensive national poverty reduction strategy, using a human rights-based approach to eliminate the root causes of poverty, while ensuring its effective implementation and the realization of the Sustainable Development Goals.
- Striving to implement the national poverty reduction strategy even more effectively increasing the financial appropriations allocated to anti-poverty programmes, and develop

operational programmes aimed at improving the economic and social conditions of the most vulnerable population.

#### *Right to health*

- Continuing efforts to promote the health sector and ensure universal access to health services.
- Reducing direct and preventable maternal mortality by providing maternal and reproductive health services.
- Increasing investment in the health sector, including human rights training for health personnel, and take measures to eliminate all forms of barriers, stigmatization and discrimination, creating a safe and enabling environment in health settings for all, including for persons affected by HIV and key populations.

#### *Right to education*

- Continuing efforts to advance the education sector, and ensure access to free basic education for all in accordance with the education strategy and the national education plan
- Advancing further universal access to education, with a special focus on vulnerable groups and by increasing the level of education among girls.

### **D. Rights of specific persons or groups**

#### *Women*

- Accelerating the formation of the commission for women and gender equality and the commission for legal reform.
- Ensuring continued consultation with women's rights groups and include a gender perspective throughout the implementation of the Juba Peace Agreement, including in security- and military-sector reform.
- Continuing legal reforms pursued by the transitional Government, including the criminalization of female genital mutilation, and ensure their full implementation.

#### *Children*

- Taking action to protect children from all forms of violence and exploitation, including corporal punishment, forced labour, early marriage and military recruitment.
- Increasing efforts towards ensuring accountability for grave violations against children by bringing perpetrators to justice and by providing remedies to victims.

#### *Persons with disabilities*

- Adopting a national disability awareness strategy based on a human rights approach.
- Implementing the provisions of the Convention on the Rights of Persons with Disabilities and restructure public institutions to take into account the situation of women with disabilities.
- Reviewing article 3 of the Persons with Disabilities Act of 2017 to explicitly prohibit discrimination on the basis of disability and to ensure that denial of reasonable



accommodation is recognized as a form of disability-based discrimination; and include those provisions in the forthcoming draft constitution, so as to provide the highest legal protection against the disability-based discrimination and multiple and intersectional forms of discrimination faced by persons with disabilities.

*Minorities and indigenous peoples*

- Ensuring that the rights of vulnerable groups, in particular women, children, persons with disabilities, older persons and ethnic minorities, are protected in law and in practice.

*Migrants, refugees, asylum seekers and internally displaced persons*

- Ensuring the proper treatment of refugees and asylum seekers through the application of the Convention relating to the Status of Refugees and the Asylum Regulations Act.

*Stateless persons*

- Taking legislative and administrative measures to combat statelessness.

