

Republic of the Sudan
Presidency of the Republic
The Advisory Council for Human Rights

***The National Plan for the Protection and
Promotion of Human Rights in the Sudan***

2013 - 2023

In the Name of Allah, the Compassionate, the Merciful

**THE NATIONAL PLAN FOR THE PROTECTION
AND PROMOTION OF HUMAN RIGHTS IN THE
SUDAN**

1. Prelude:

The Republic of the Sudan is one of the largest African countries with an area of about 1, 881, 000 km². After the secession of the South, the Sudan remains with extended boundaries shared with seven countries: Egypt and Libya at the north, Republic of South Sudan at the south, Chad and Central Africa at the west and Ethiopia and Eritrea at the east. The Red Sea separates the Sudan and Saudi Arabia.

According to the Fifth Census conducted in April 2008, the number of population of the Sudan (before secession) was 39.1 million. The number of population in northern Sudan, currently the Republic of the Sudan, as in April 2008, is about 30.9 million.

The average growth rate of population, according to the Fifth Census of April 2008, is estimated at 2.4%, a fact that implies the multiplication of population every 27 years. This is deemed as one of the highest growth rates in the world, bearing in mind that the global average population growth rate is estimated at 1.4%.

Believing in dignity originated and deeply rooted in any human being, and in particular the Sudanese individual who is ingrained with values, ideals, customs and usages; and above all his hanging on the religious and faith values.

Considering that human rights have become the basis on which inter-state relations are built and the substructure for all the policies, decisions and priorities of the State; here ensues the necessity for a

national comprehensive policy, strategy and work plan for human rights.

Emphasizing the for going, the State, represented in the Advisory Council for Human Rights in its structure that comprises all the State's organs, has laid down a national work plan for human rights in the Sudan which embodies several scopes collectively aiming to the achievement of the overall objectives of enhancing, protecting and developing human rights through implementation of the Sudan's international and regional commitments, preparing legal studies, researches and memoranda, capacity building and training in all domains relating to human rights.

2. Vision and Mission of the Plan:

The Plan's vision is to achieve a genuine knowledge of human rights and rule of law in accordance with the Sudan's international and regional commitments, and with the principles of justice and equity which are inherent and deeply rooted in the Sudanese culture.

The Plan's mission is to develop and consolidate the human rights in legislations and in practice, to apply the principles of equality and non-discrimination in the enjoyment of all rights, to disseminate awareness of human rights and to conduct legal reforms, and review national legislations for the purpose of being in conformity with the Sudan's international and regional commitments.

3. References:

- (a) The Constitution of the Republic of the Sudan.
- (b) International agreements ratified by the Sudan.
- (c) Regional agreements ratified by the Sudan.
- (d) National laws and legislations.

- (f) The Ministry of Justice's strategy.
- (g) Relevant international and regional decisions.

4. Strategic objectives of the Plan:

- (a) Dissemination and promotion of human rights culture.
- (b) An instrument to evaluate the national views of the concept of human rights.
- (c) An instrument to evaluate performance in comparison with international norms and commitment.
- (d) An instrument to identify the objects and priorities of human rights within the framework of the available potentials.
- (e) Statement of strategies and measurable objectives in relation to the development and protection of human rights.
- (f) Support and development of protection mechanism.

5. Time Framework of Implementation:

The time period of implementation of the Plan shall be ten years (2013 – 2023) to be followed by assessment of implementation in accordance with the performance indices.

6. Stakeholders:

These include such groups and institutions as may be relevant in relation to the support and development of protection mechanism:

- (a) The groups:

Which include women, children, handicapped persons, immigrant labours, and the elderly etc...

- (b) The institutions:

These include prisons, public prosecution, security organs, the police of its all sections, the Bar Association, trade unions and any other mechanism operating in the field of protection and promotion of human rights.

7. Scopes of the National Plan for Human Rights in Sudan:

The National Plan for Human Rights in the Sudan is established on the principles of inclusiveness, sustainability, partnership and ensuring equality between all in enjoyment of rights, in accordance with the following scopes:

7.1. Establishment of the concept of education on of human rights principles:

Education in human rights principles is currently one of the issues of rising concern, and when implemented in modern scientific approach, it could lead to political reform, democracy enforcement and declaration of human rights principles. Therefore, this scope of the Plan is looked at as one of the most important of the scopes and shall be given special consideration in this Plan and in its detailed schemes.

Confirming that education in the principles of human rights is a long-term and on-going process, and that it will directly contribute to the promotion of the principles of equality, sustainable development and prevention of conflicts and violations, the National Plan, in achieving its overall objective, shall focus on the following:

□ Teaching human rights:

The human rights education decimal plan shall be announced through a number of activities and programs which will target public outreach in human rights.

□ Educational policy:

This includes the legislative aspects as from ratification of the relevant international and regional agreements, and making of political decisions and orders, whenever appropriate, and involvement of civil society and academic and research centers.

□ Curricula development:

There is a need to review the academic curricula, from a human rights perspective, at all levels starting from pre-school, the preliminary and up to the higher education for the purpose of establishing and raising awareness of human rights principles.

□ Teachers' training:

For the perfection of the educational process, it is necessary to train and qualify the teachers on the new curricula and on the concept of human rights; besides how to communicate the subject and link it with the values and precepts of the community, and with positive social customs and usages.

7.2. Political and Civil Rights Scope:

The Sudan has taken far steps towards the promotion and protection of political and civil rights which form the basis for the principles of democracy and rule of law, and hence more development and assurance of such rights on the ground. The National Interim Constitution of the Republic of the Sudan, 2005 has incorporated the Bill of Rights which guarantees all the political and civil rights internationally and regionally recognized. The Constitution has also established the basic principles on the scope of law enforcement and administration of justice.

Abided by the provisions of the Constitution, the National Plan shall continue to adopt further protection of such rights as follows:

- ✓ Ensuring to take all procedures to protect all individuals at all processes of law enforcement and judicial work.
- ✓ Continue to prevent and punish for torture for obtaining confessions by coercion and otherwise.
- ✓ Prevent any form of unlawful confinement or lengthy detention without charge, with acknowledgment of the right for compensation and prosecution of any person who commits such violation.
- ✓ Ensuring application of the principles of criminal justice in all legal procedures at pre-trial, trial and post-trial stages.
- ✓ Strengthening, developing and training the law enforcement agencies, and disseminating awareness amongst the employees of such agencies and within the public at large.

Performance indices:

1. National laws are in conformity with international and regional agreements.
2. Facilitation of procedure of lifting up immunities.
3. Continued training courses for the employees of the law enforcement agencies.
4. Efficient and prompt investigations in torture complaints.

7.3. Scope of economic, social and cultural rights:

The provision of essential and legal services to the Sudanese citizens, revision of laws in the states and establishment of strategic

perspectives involving popular participation by civil society organizations and native sectors, constitute a State's top priority. The national Government, therefore, has exerted more efforts and determination, and adopted a policy that could result in favorable socio-economic and environmental atmospheres which could avail the opportunity for more development, utilization of community potentials and promotion of available facilities to achieve the economic and social welfare.

To ensure enjoyment of the economic, social and cultural rights, the National Plan, as far as such rights are concerned, strives to implement the following:

- ✓ Combating poverty; since a survey that took place earlier estimated the poverty gap at 16%, and the percentage of population who suffer pauperism is 8% of the total number of population.
- ✓ Despite the fact that the Constitution has stipulated for compulsory and gratuitous basic education, the Plan shall emphasize, in the detailed plans, on the nexus between legislation and implementation; and shall focus on education in peripheral areas and nomads' education, and care for women education.
- ✓ Right in shelter and habitation via expansion of categorical housing programs.
- ✓ Acceleration in the process of construction of primary health centers.
- ✓ Developing control programs for epidemic diseases via prophylactic means, and the predominance of such diseases.
- ✓ Acknowledgement of diversity and cultural rights as one of the most important means of pacific co-existence.

Performance indices:

1. Elevation of funds allocated to basic services within the State's general budget.
2. Increase the number of anti-poverty implemented projects.
3. Integrated health services in areas confronting health care shortage.

7.4. Review of national legislations scope:

Since the Sudan has ratified a number of international and regional agreements concerning human rights and international humanitarian law, this Plan, in respect of this scope, focuses on the following:

- ✓ Study of national legislations for the purpose of developing thereof, and to secure compatibility of the same with the Sudan's international and regional commitments.
- ✓ Making recommendations on certain statutes for which the Sudan has pledged to revise; namely, the Criminal Act, the Criminal Procedure Act, the Evidence Act, the Personal Affairs Act, the Labour Act, the Press and Publications Act and others.
- ✓ The process of review shall be continuous, for the laws to be in line with the socio-economic changes.

Performance indices:

1. Implementation of recommendations of the comprehensive periodic review in respect of legal reform.
2. Implication of active civil society organizations in the process of law reform.

3. Workshops on legal reform.

7.5. Scope of outreach and dissemination of knowledge on human rights and international humanitarian law:

Capacity building and training in the realm of human rights are considered as highly important activities to be assumed by the State; considering that dissemination of awareness and human rights culture would result in that the public and the law enforcement agencies be sensitized of their rights and duties, and hence the promotion and protection of human rights in the Sudan is expanded.

Therefore, the Plan shall focus on the establishment of integrated schemes to train a considerable number of the staff working in the legal sector including legal counselors, prosecutors, advocates and enforcement agencies personnel, in cooperation with a number of international and regional partners, as well as local civil society organizations.

The training Activities shall include all the Sudanese states in addition to the national capital. Examples of such programs are:

- ✓ A series of workshops on civil and political rights.
- ✓ Workshops and outreaches within the framework of the promotion and protection of rights of women, and raising awareness of such rights.
- ✓ Training courses on gender-based violence, besides a workshop on the status of women in the forthcoming constitution.
- ✓ Paying special care to celebrating international and regional days on human rights, and recalling the importance of such

rights, and the necessity for the State to implement its commitments thereunder.

- ✓ Workshops for the journalists on the Children Act 2010, homeless children, and advocacy campaign to stop kidnapping and military recruitment of children, and the educational substitutes for corporal punishment.
- ✓ Training courses on report making to international and regional mechanisms.
- ✓ Outreaches on legal safeguards in criminal practice in its various aspects, including the rights of accused persons and victims.
- ✓ Workshops on the rights of handicapped persons and the organizations thereof for acquainting with the international agreements on the rights of handicapped persons and the law.
- ✓ Dissemination of humanitarian law culture by targeting the armed forces officers and journalists, and some civil society organizations on various issues such as international customary law and protection of the press staff during armed conflicts.

Performance indices:

1. Increase in number of workshops on various aspects.
2. The multimedia's role in publication – more TV and radio programs and press articles.

7.7. Building partnership with civil society organizations:

Civil society organizations are considered as a principal partner of the State and its executive and legislative bodies; therefore, the Plan shall make involved all civil society organizations

operating in the area of human rights in respect of all activities concerning the implementation of this Plan:

- ✓ Civil society organizations are principal partner in government.
- ✓ Strive to stimulate the organizations' role in all human rights issues.
- ✓ Civil society organizations constitute a monitoring mechanism which operates, beside the various government organs, for rectification of situations.
- ✓ Orientation of training activities and raising awareness of the organizations.

Performance indices:

1. Making involved of the organizations in all State's activities concerning human rights.
2. Specialized training workshops involving civil society organizations.
3. Participation by civil society organizations in making the Sudan's periodic reports.

7.8. Strengthening cooperation and coordination with the law enforcement agencies:

The law enforcement agencies are ones of the most important mechanisms which have direct impact on the enjoyment of human rights. They include the general prosecution, the police, security service and advocates; as well as such offices which render legal aid service. Therefore, the endeavor to strengthen the links and cooperation with such agencies could result in good practice in relation to:

- ✓ Treatment of accused persons.
- ✓ Provision of legal aid.
- ✓ Ensuring justice at the preliminary procedures, application of the principle of innocence and legal representation, and so on.

Performance indices:

1. Streamlining of communication of information between the various organs of the State.
2. Exchange of knowhow and expertise on inquiries and challenges which face the practical application.

8. Monitoring and implementation mechanism of the National Plan:

The Advisory Council for Human Rights is a mechanism established under the Republican Order No. 97/1994 to be chaired by the Minister of Justice. The Council's rapporteur is the head of the Human Rights and International Humanitarian Law of the Ministry of Justice. The legal staff of this Department assumes the daily business of the Council in coordination and cooperation with the Executive Sub-Committee of the Council.

The Council's membership embraces a number of government agencies and civil society organizations operating in the domain of human rights. These include, but not limited to:

1. The Judiciary.
2. Ministry of Justice.
3. The National Assembly.
4. The National Security Service.

5. Ministry of Foreign Affairs.
6. Ministry of Interior.
7. Ministry of Labour and Administrative Reform.
8. Ministry of Culture and Information.
9. The Humanitarian Aid Commission.
10. The Commission of Refugees Affairs.
11. Universities, as represented in faculties of law.
12. The Sudanese Bar Association.
13. Local Organizations operating in the area of human rights.
14. The Unit of Combating Violence against Women and Children.
15. The Council of Political Parties Affairs.
16. The Central Statistics Bureau.
17. The National Council for Children Welfare.
18. The General Union of Sudanese Women.
19. The Sudanese Churches Board.
20. Ministry of Welfare and Social Security.
21. The Human Rights Committee of the Council of States.
22. The National Council for Handicapped Persons.

Mandate and Functions of the Advisory Council for Human Rights

The Advisory Council for Human Rights is empowered to:

- Provide the State with advices and consultations on human rights issues.
- Prepare the necessary researches and studies in the realm of human rights, respond to inquiries brought thereto and make comments in such respect, whenever appropriate.
- Request the necessary information and data from any State agency or any other body.
- Participate in the relevant local, regional and international conferences and committees.
- Organize and arrange for visits to the Sudan by the individuals and organization concerned.
- Receive complaints on human rights violations brought by local and international individual and organizations.
- Represent the Sudan at international and regional forums concerned with human rights, at the United Nations, The African Union and The Arab League.
- Respond to the reports issued on human rights situation in the Sudan.
- Present the periodic report to such mechanisms as may be established under international or regional agreements on human rights.

With the view of optimizing work and specialization in monitoring human rights situations, and due to the international and regional

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