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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the East and Horn of Africa Human Rights Defenders Project (EHAHRDP), a non- governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[11 February 2013]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Crackdown on human rights defenders and peaceful protestors continuing in Sudan*

The East and Horn of Africa Human Rights Defenders Project and Arry Organisation for Human Rights again call the Human Rights Council's attention to human rights violations being committed by the Government of Sudan. The continuing crackdown on human rights defenders and other independent voices in the country should be an issue of grave concern to the Council.

Crackdown on human rights defenders

Despite the report of the Independent Expert on the situation of human rights in Sudan to the 21st session of the Council, in which he recognized the crucial role of civil society in helping the Government to fulfill its international human rights obligations,¹ the Sudanese government continued its attack on HRDs during the period from September 2012 to January 2013. It was estimated that more than 1500 people were arrested and detained between June and August 2012.² At least twenty human rights defenders from the Nuba Mountains are currently believed to be in detention following a wave of arrests in November and December 2012. The most recent attacks on HRDs were especially violent, with women human rights defenders targeted for particularly brutal attacks. In one such case, a journalist from Darfur was kidnapped, had her hair shaved, was burned in sensitive places on her body and then abandoned on 29th October 2012.³

The lack of local protection and support institutions in Sudan and the restricted framework of the existing national human rights institutions increases the existing risks in the working environment for HRDs. The Special Rapporteur on the situation of human rights defenders notes in her annual report that "national human rights institutions can potentially play a significant role in the protection of human rights defenders."⁴ In addition the Special Rapporteur has previously recommended that a gender dimension is integrated in the work of NHRIs in relation to HRDs and that States increase the material resources available for the protection of women human rights defenders.⁵

In late December 2012, the Government of Sudan closed down four non-governmental organisations, including Arry Organisation for Human Rights, the Al Khatim Adlam Centre for Enlightenment and Human Development (KACE), and the Sudanese Studies Centre.⁶ Following his second mission to Sudan in February 2013, the Independent Expert noted with regret the clampdown on some civil society organisations, and "again call[ed] on the

* The Arry Organization for Human Rights & Development, an NGO without consultative status, also shares the views expressed in this statement.

¹ Report of the Independent Expert on the situation of human rights in the Sudan, Mashood A. Baderin, to 21st session of the UN Human Rights Council, 27 August 2012, para 50.

² African Centre for Justice and Peace Studies, "11 People, Human Rights Defenders Arbitrarily Detained by the Sudanese National Intelligence And Security Services (NISS)", 16 July 2012, <http://protectionline.org/2012/07/17/11-people-human-rights-defenders-arbitrarily-detained-by-the-sudanese-national-intelligence-and-security-services-niss/>.

³ Girifna Press Release, NISS torture the Journalist Somaya Hendousa, <http://www.girifna.com/7006>.

⁴ Report of the Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya, to the 22nd session of the UN Human Rights Council, 16 January 2013, para 117.

⁵ Report of the Special Rapporteur on the situation of the human rights defenders to the 16th session of the UN Human Rights Council, para 109-110.

⁶ EHAHRDP Press Release, "Sudan: End Harassment of Human Rights Defenders," 18 January 2013, <http://www.defenddefenders.org/2013/01/sudan-end-harassment-of-human-rights-defenders/>.

government to allow civil society organisations to operate freely, to respect the right to freedom of assembly, the freedom of expression, press freedom and also create an enabling environment of free and open political discourse in the on-going constitutional making process.”⁷

Violent crackdown on protestors

On 30th December 2012, activists protesting the NGO closures in front of the National Human Rights Commission in Khartoum were violently dispersed and two of the protestors were arrested, one of whom was a journalist. The Confederation of Sudanese Civil Society Organisations attempted to submit a petition against restrictions on NGOs to the NHRC, but were stopped by police and security services. In an unprecedented move, the NHRC condemned the security forces’ actions as “a flagrant violation of the Interim Constitution of 2005 and the National Human Rights Commission Act of 2009,” and “an attack on the integrity of the Commission and its immunity”.⁸

On 7th and 8th December 2012, the bodies of four university students were found in an irrigation channel near to Al Jazeera University after a student protest against the denial of the usual tuition waiver for Darfuri students was violently dispersed by the ruling party’s student militia, NISS and police. No serious investigation has been carried by the government into the incident. The incident incited protests across the country condemning the death of the students and calling for investigations, but these protests were also violently dispersed.

On 8th November 2012, National Intelligence and Security Services (NISS) reportedly arrested seven students in Nyala in Darfur apparently because they had participated in the Nyala student protests in July 2012. After beating and interrogating the students, the NISS agents poured acid on their hands. One of the students has lost the use of his hand which was burned to the bone. Security forces continued threatening the students and their families and lawyers, warning them against seeking legal redress.

Such acts run contrary to the strong assertion of the High Commissioner on Human Rights in the report on peaceful protests that: “No one should be criminalized or subjected to any threats or acts of violence, harassment, persecution, intimidation or reprisals for addressing human rights issues through peaceful protest or for reporting on human rights violations and abuses committed in the context of peaceful protests.”⁹

Reprisals and intimidation of HRDs

Following the participation of the director of Arry Organisation for Human Rights at the 21st session of the Human Right Council, on 20th September 2012 his family received arrest warrants for two of his brothers in Sudan. For two weeks, members of the National Intelligence and Security Services were observed to be watching his house and also fired two gunshots at his brother in attempt to arrest him while he was running away from them,

⁷ Press Statement issued by the UN Independent Expert on the situation of human rights in the Sudan, Professor Mashood Adebayo Baderin, at the end of his second mission to the Sudan, 10 February 2013, <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=12979&LangID=E>.

⁸ Sudan Tribune, “Police brutally prevent Sudanese activists from reaching rights commission,” 30 December 2012, <http://www.sudantribune.com/spip.php?article4503>.

⁹ Report of the United Nations High Commissioner for Human Rights on Effective measures and best practices to ensure the promotion and protection of human rights in the context of peaceful protests, 21 January 2013, para 15.

although he managed to flee.¹⁰ This is not the first time Sudanese human rights defenders have faced reprisals for their engagement with the Council, and they also face threats and harassment when engaging with the African Commission on Human and Peoples' Rights. These recent acts of reprisal against Arry's director and his family members should be considered as an attack on the Human Rights Council itself and responded to accordingly.

Despite the severe restrictions that are placed on civil society, human rights defenders continue to monitor, document and report on serious human rights violations being committed in Sudan. The gravity and extent of the abuses reported further serve to underline the importance of the work of human rights defenders in the country.

In light of the dire situation of human rights in Sudan, the East and Horn of Africa Human Rights Defenders Project and Arry Organisation for Human Rights call on the Human Rights Council to strengthen the mandate of the Independent Expert on Sudan at the 24th session of the Council in September 2013 and ensure that the Independent Expert has all necessary support to fully carry out the mandate. The Human Rights Council should also condemn the severe restrictions and reprisals against human rights defenders and others exercising their rights to peaceful protest in Sudan.

EHAHRDP and Arry Organisation notes the recent visit of the Independent Expert on Sudan to Khartoum and Darfur, and calls on the Government of Sudan to grant the Independent Expert full access to South Kordofan, Blue Nile and other parts of the country during his next visit.

The Government of Sudan should also implement measures for the protection of civil society and investigate and prosecute all attacks against human rights defenders and peaceful protestors.

¹⁰ Arry Organization Press Release "Sudanese government new attack on NGOs"
<http://arry.org/?p=640>.