

ISARMUN 2019



Study Guide



The Question of Human Rights Violations in Sudan

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Welcome Letter

Dear delegates,

With IsarMUN 2019 just under 1 month away, we hope you are as excited as we are about what will surely be a fantastic weekend. Model United Nations conferences always prove to have fruitful and dynamic debates with the opportunity to meet people who will become friends for life and so the UNHRC will surely be no exception to this.

The topic that we have prepared for you to discuss is of particular importance among the many issues pertaining to human rights that exist around the world. Although it is an issue that does not receive much global attention, the situation in Sudan is of utmost critical importance due to the ongoing human rights abuses that have persisted throughout the country for quite some time. The debates will prove to be contentious and disagreements will be inevitable, but remember the importance of compromise and dialogue as you seek solutions with your fellow delegates during our days in Munich. Remember the values of the United Nations but also remember to stay true to your country's foreign policy so that you will gain the most out of the committee sessions.

Whether this is your 1st MUN conference or your 10th, your 1st IsarMUN or your 3rd, we are confident that you will have an unforgettable weekend and come away with many fond memories. We are at your disposal should you need anything so do not hesitate to reach out if you have any questions.

Looking forward to meeting you all soon and wishing you the best of luck with the research,

Alfie Jenkins, Georgina Lukovic and Aliaa Aly

*Your UNHRC chairs
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Introduction to the committee

The United Nations Human Rights Council (UNHRC) is an inter-governmental body within the United Nations that is made up of 47 states and is responsible for the protection and promotion of human rights worldwide. Founded in 2006, UNHRC deals with a wide variety of topics which impact human rights on a global scale. UNHRC was created by the General Assembly under resolution 60/251 to replace the United Nations Commission on Human Rights.

From LGBT rights to freedom of expression and the rights of racial and ethnic minorities, the UNHRC has strived to improve the situation of human rights worldwide by abiding by the UN Charter and the Universal Declaration of Human Rights. Members are elected to the Council serving a term of three years, no member is allowed to serve more than two consecutively.



The Question of Human Rights Violations in Sudan

Introduction

In June 2019, Khartoum, the capital of Sudan, descended into chaos. The military tried to break the pro-democracy movement in Sudan by committing several crimes against humanity such as killings and rapings. Life under the former Sudanese president Al-Bashir was frightful. People lacked their individual liberties and freedoms and were oppressed by a strict form of Islamic Sharia. People thought the injustice would come to halt after ousting Mr Al-Bashir. However, less than two months after his removal from office, the military transitional government led by General Abdel Fattah Al-Burhan decided to terminate the discussion about a transition to a civilian government and opened fire on protestors in June. This was condemned by many governments and the United Nations. Although both sides have reached an agreement now, those violations against human rights have raised multiple questions about whether the agreement will be held, whether it can be guaranteed that such violations will not occur again and how these protests will shape the relationship to South Sudan.

History of the problem

President Omar Al-Bashir stayed in power for 30 years until he was overthrown by the Sudanese military forces in April 2019. Mr Bashir is accused of multiple forms of crime by the International Criminal Court (ICC). He is accused of genocides, crimes against humanity and war crimes against the people of Darfur (BBC, 2019). All of this along with Sudan's unstable economy due to the lack of foreign investments and trade, and the rise of prices for basic goods led the people to take to the streets and demonstrate against Al-Bashir's authoritarian regime, calling for him to resign. The pro-democracy movement was led by the Sudanese Professionals Association (SPA), which is a group led by doctors and local unions. People of all ages and from different parts of the country were seen protesting until Mr Bashir was ousted.

After Bashir fell, the military stepped in to run the transitional government. General Abdel Fattah Al-Burhan was sworn in to run the transitional government and promised to have civilian rule in 2 years. However, the protestors were not satisfied with this promise. They were not satisfied because they feared that the military would not keep its promise to transition to civilian rule and would thus remain in power. The SPA started a "civil disobedience" campaign asking people to keep protesting until a deal was signed, guaranteeing the transformation from the military government to a civilian government. The fears the protestors turned to reality when on the 3rd of June, the military abandoned talks of a transformation and opened fire on the protestors. The military called for the Janjaweed (a militia that operates in Western Sudan) to help them control the protestors. This led to extreme violence and killings, random shootings and systematic raping.

This violence was condemned by Western governments, the African Union and the United Nations (The New York Times, 2019). Nevertheless, countries such as Saudi Arabia, Egypt and UAE strongly support and fund the new military regime. This did not bring the Sudanese protestors down and they continued the “civil disobedience” until a transitional government deal was signed on 17.08.2019 which states that the power is to be shared between the military and civilians for 39 months and at the end of that period a democratic election will take place (BBC, 2019)

Discussion of the situation

The current human rights situation

When one looks at the human rights situation in Sudan, it paints a very bad picture. In 2018, Human Rights Watch noted that “little change” had taken place from the previous year, citing that the “National Intelligence and Security Service (NISS) used excessive force to break up protests and arbitrarily detained dozens of activists and opposition party members” and that “authorities censored the media, confiscated newspapers, detained outspoken critics, and barred key opposition figures from travelling outside the country” (Human Rights Watch, 2018). The UN Human Rights Office of the High Commissioner also noted that women, who had “been among the first victims of the violence, including sexual violence, the experts said, adding that dozens of women human rights defenders had been arbitrarily held in an attempt to intimidate them. While some have been released, information received suggests several remain in police custody and are in need of medical attention” (UN OHCHR, 2019).

Conflict also continued to persist throughout the country, with the HRW report noting that a dozen villages had been attacked in the Jebel Mara Region of Darfur and that Sudanese forces had deliberately blocked efforts from international actors to get access to displaced people and conflict-stricken areas. Over 2 million people have remained displaced since the conflict between opposition and government forces began in 2003.



On top of all of this, the government had imposed Shari'ah law on non-Muslims, also bringing forward apostasy charges against individuals who had converted to Christianity, detaining another group for several days and forcing them to renounce their faith.

As well as the above mentioned human rights abuses, another consequence of the instability that Sudan is suffering from is the persistent and entrenched levels of corruption, so bad that the Corruption Perceptions Index of 2018 ranked Sudan as among the top 10 countries by levels of public corruption, higher than countries such as Venezuela, Iraq and the Congo and just as bad as Afghanistan (Transparency International, 2018). Corruption and human rights abuses have a symbiotic relationship and so this committee will need to consider how the high corruption levels can be tackled so that the human rights of Sudanese civilians can be better protected.

As mentioned above, in April of 2019 it was announced that the former President of Sudan, Omar al-Bashir had been ousted from power following a wave of protests that began in December 2018. Following a state of emergency that was declared this year in February, the army had announced that al-Bashir had been arrested.

There was a glimmer of hope for many that the demands of the protestors would be met, also ending the abuse of civilians from government that had been going on during al-Bashir's rule. Unfortunately, this was not the case. Replacing the long serving ruler was a ruling transitional military council and when tens of thousands took to the streets in June

to demand that power be transferred to the civilians, the army committed a large scale crackdown on protests, with at least 100 having been killed, with 40 or so bodies being dumped in the Nile (The New York Times, 2019), illustrating just how grim the situation become in the summer of this year. One night in particular at the end of June saw an attack by military forces leaving at least 7 dead and over 180 injured, according to government sources (The Guardian, 2019).

Amnesty International also reported that “The Sudanese security forces brutally suppressed the protests by unlawfully killing protestors, mercilessly beating them in the streets, and unlawfully detaining and subjecting them to torture and other ill-treatment. Security forces stormed hospitals firing live ammunition and tear gas at patients and medical staff attempting to arrest injured protestors, in an outrageous violation of international law” (Amnesty International, 2019). In the same report, Amnesty International called for the following human rights priorities to be respected during the transition:



- 1) Respect for human rights - including the right to freedom of expression, peaceful assembly and association
- 2) End repression of dissent and peaceful protests - including ending the use of lethal force which continued even after al-Bashir was ousted
- 3) Release prisoners of conscience arrested for exercising their rights since protests began in December 2018
- 4) Surrender former President al-Bashir to the International Criminal Court (ICC), including for 5 counts of crimes against humanity and two war crime counts
- 5) End endemic impunity, suspending the army officers, police and intelligence officials suspected of involvement in crimes and human rights violations, prosecuting in fair trials and not imposing the death penalty
- 6) Reveal details of National Congress Party members in detention
- 7) Reform the National Intelligence and Security Service (NISS), including undertaking a comprehensive reform of the NISS so that it complies with Sudan's human rights obligations
- 8) Ensure impartial investigations into killings and torture
- 9) Set a timeline for legal reform of the national security law and other laws
- 10) Establish an official moratorium on executions, remove the death penalty and remove articles that impose corporal punishment

2 months later in August, a power sharing agreement was signed between the military and civilian leaders. The agreement “ushers in a new governing council, including both civilians and generals, to pave the way towards elections and civilian rule” (BBC, 2019) and was signed by Lieutenant General Abdel Fattah Abdelrahman Burhan on behalf of the ruling council Ahmed al-Rabie on behalf of the Alliance for Freedom and Change umbrella group of pro-democracy protestors.

The details of the power sharing agreement include the following (BBC News, 2019):

- Both the military and civilian sides will rotate power over the sovereign council for 3 years
- The council will be comprised of 5 civilians, 5 military figures and an 11th civilian who will be chosen by the other 10 members of the council
- A military general will run the council for the first 21 months, followed by a civilian for 18th months, followed by elections
- A cabinet will be formed in which the Prime Minister will be chosen by the protestors and two major posts, both the defence and interior minister will be nominated by the military.
- Following the deaths and violence that took place over the summer, the military was pushing for immunity from prosecution but this is absent from the deal, but an investigation into the violence is promised.
- The agreement also provides a 300 person legislative assembly that will serve during the transitional phase (Reuters, 2019)

This agreement means that Sudan is now theoretically three years away from a civilian administration. However, the finer details of the deal have not been finalised and there are some feelings among the protestors that the agreement may not be enough. After all, the very military that they suffered under for 30 years is still in power for now and is leading the interim government to begin with, and the generals may well get immunity from prosecution.

In August, when the agreement was finalised, there were scenes of joyful celebration across the country as the agreement was finalised and signed, “but for many, the euphoria was tempered by the painful realities of the country’s economic collapse, and the tough compromises of a power-sharing deal that ensures the military, led by some of Mr. al-Bashir’s closest deputies, will retain its grip on power” (New York Times, 2019). Cautious optimism is the feeling for many in Sudan. After all, with the military still largely in control, and with revolutions across the region having never been successful previously, no one can hold their breath just yet and Kinda Hattar, the regional coordinator for the Middle East and North Africa at Transparency International has said “The situation in Sudan has the potential to lead to years of instability and violence, which would only entrench the already shockingly high levels of corruption there. The country needs a period of stability to build democratic institutions, good governance systems and restore the people’s trust in

government. The protection of activists and a safe space for civil society is absolutely crucial to that” (Transparency International, 2019).

The issues in Sudan are multifaceted, from the economic crisis, to human rights abuses, to issues of security but of course the focus for this committee should be protecting the human rights of the citizens of the country so that horrific abuses such as what happened in this year and in the previous years will not be repeated.



Previous Action

On July 9th 2011, South Sudan declared its independence and became the youngest State in the world. The creation of this new State created lots of controversy and violence within the following days: riots, killings, protests.

In order to protect the population, the United Nations Security Council adopted various resolutions.

The Resolution 1996 (2011) states that the situation in South Sudan constituted a threat to international security and peace. Moreover, this Resolution also established the United Nations Mission in the Republic of South Sudan (UNMISS). UNMISS was established in order to strengthen security and peace and build better conditions for development.

In response to the crisis which broke out in December 2013, the Resolution 2155 (2014) adopted by the UNSC allowed the reinforcement of UNMISS and made it clear which were their priorities: protection of civilians, human rights monitoring and support the delivery of humanitarian assistance and help in the process of a Ceasefire agreement.

UNMISS mandate was extended for a year by the Resolution 2459 (2019). By doing so, UNMISS is maintaining 17,000 troops (which includes a 'Regional Protection Force authorized to take robust action where necessary' a police troops of 2,101 personnel).



However, the Mission has fallen short in protecting civilians and facilitating humanitarian access. Inside POC (Protection of Civilians) sites, the situation was deteriorating: communal violence degenerated into an attack on the camp by SPLA forces, at least 30 civilians were killed and around a third of the camp was set ablaze, according to the UN's backyard. Ongoing violence against civilians is a constant threat. Another incident, in Juba, while peacekeepers failed to respond when they witnessed a woman being abducted outside the POC site. It remains still difficult to coordinate everything: porous POC site fencing, troops misunderstanding of UNMISS's rules of engagement, some refuse to follow orders. The mission still needs more support and transparency.

On September 25th 2019, a 'milestone agreement' was signed between the UN High Commissioner for Human Rights, Michelle Bachelet and Sudan's Minister of Foreign Affairs, Asma Mohamed Abdalla. The agreement's aim is to open a UN Human Rights in Sudan. This agreement is a response to the series of strikes that occurred in April in order to oust the long-term dictator, Omar al-Bashir. The creation of the UN Human Rights Office 'will support this transition'. The transition will happen in 'four main areas: combating inequality and empowering women: legal and institutional reforms, to bring Sudan in line with international human rights obligations, justice to support accountability and

reconciliation, with meaningful participation of women and minorities; and strengthening the opening of democratic and civic space.'

'Milestone agreement' paves the way for new UN Human Rights Office in Sudan



Humanitarian assistance

The Netherlands

The Dutch Relief Assistance (DRA), in partnership with the Netherlands Ministry of Foreign Affairs, provides emergency humanitarian assistance to people who suffer most from the conflict. More than 100,000 people received cash vouchers, seeds and/or agricultural items, health care, water, hygiene measures, etc. Over 28,000 people were given protection (the focus was on family tracing and reunification), more than 13,000 people were given emergency shelters. Around 40,000 were given proper health care (vaccines, consultations, reproductive health services). Around 200,000 people benefitted from Water, Sanitation and Hygiene measures (new water points, washing facilities, hygiene kits, etc). And almost 12,000 were treated for malnutrition (some volunteers were trained to prevent and take care of children suffering from malnutrition).

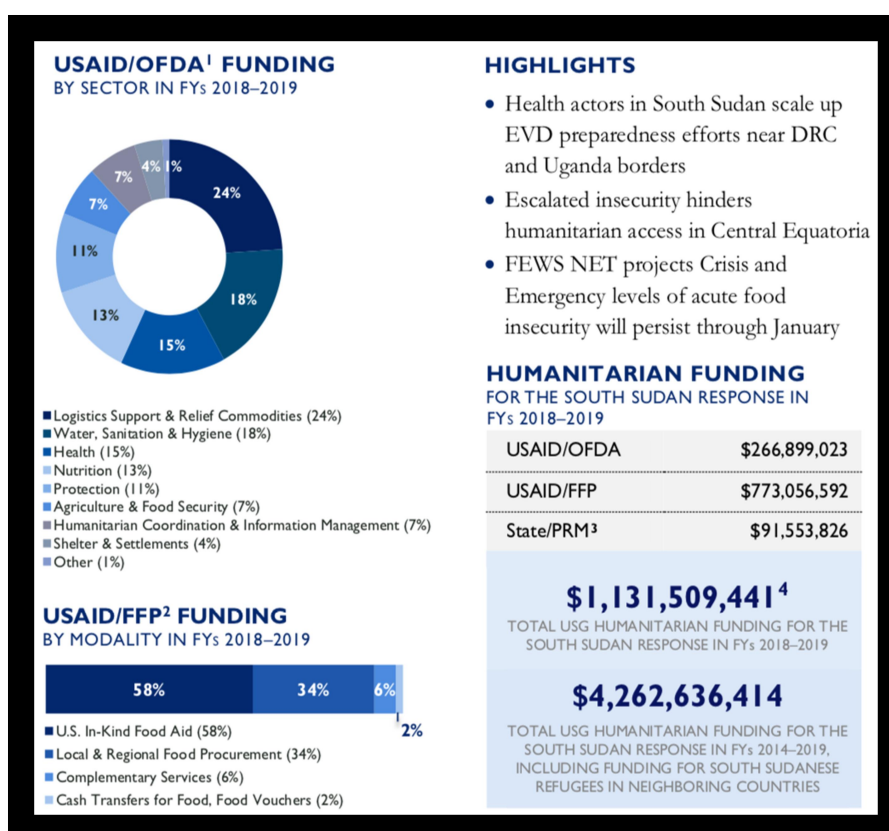
The United Kingdom of Great Britain and Northern Ireland

'South Sudan is a humanitarian catastrophe and vulnerable people face the daily threat of starvation. I have seen first hand that UK aid is saving lives and today's step up in support will deliver urgently food, water and health services to hundreds of thousands of people' said Andrew Stephenson, UK's Minister for Africa.

UK has provided South Sudan with food assistance and funding to 160,000 people in desperate need of food, emergency livelihood support (fishing equipment, seed kits, etc) to 500,000 living in severe poverty, therapeutic nutritional support for 32,000 children suffering from severe malnutrition and healthcare provision was provided to people deeply affected by the conflict which live in areas of South Sudan with difficult access.

The United States of America

In order to prevent the Ebola virus disease to spread, health actors have been highly prepared in areas of South Sudan which are situated near the Democratic Republic of the Congo and Uganda. The main goal is to keep humanitarian personnel safe, since attacks and intimidation has been a major issue for the good functioning of the refugee camps. On August 2016, the United States have announced a nearly \$138 million in additional humanitarian assistance for South Sudan.



Conclusion and Questions a Resolution should answer

To conclude, the issues gripping Sudan are varied and so the debates that take place must be holistic. It is needless to say that the priority for this committee should be to tackle the human rights abuses that have persisted for many years but do feel free to dabble in

discussing other issues such as economic and security ones (for example, you may wish to have a discussion on the role of UNAMID in protecting the civilian's human rights). With three days of committee sessions you will want to debate as much as possible on the topic so that your resolution covers as much as possible. Do make sure to also check the news on Sudan as much as possible leading up to the conference as new occurrences may happen at any time, especially while talks between opposing parties are continuing and the transitional government remains in place. Please also check the further reading list to deepen your knowledge before beginning your country research.

- How can the international community ensure that the power sharing agreement will be upheld?
- What can be done about the other political issues within the country ie: the economic crisis and the imposed austerity measures?
- Can human rights abuses in Sudan be held to account?
- Is the power sharing agreement sufficient or does it need to go further in addressing the underlying issues facing the country?
- What lessons can be learned from efforts to curb the civil war in neighbouring South Sudan?
- Out of the 10 human rights priorities that Amnesty International calls for, which of these can the UN Human Rights Council feasibly tackle/find solutions for?
- Can the committee take any measures to help in solving the corruption problems facing Sudan?
- What role can the UN Peacekeeping mission UNAMID play in ensuring the power sharing deal is upheld and that human rights can be properly protected in Sudan under the new government?
- Should discussions of how to solve Sudan's economic crisis be considered or is this outside of the UNHRC's mandate?

Further Reading

- Universal Rights Group: '*The UN human rights system and Sudan: a new chapter?*', available from: <https://www.universal-rights.org/by-invitation/the-un-human-rights-system-and-sudan-a-new-chapter/>
 - <https://www.hrw.org/africa/sudan> for new updates from the Human Rights Watch on Sudan
 - <https://www.bbc.co.uk/news/topics/cq23pdgvgm8t/sudan> for news updates from the BBC on Sudan
 - Council on Foreign Relations frequently writes articles on a variety of global issues, Sudan included: <https://www.cfr.org/sub-saharan-africa/sudan>
 - UNAMID Official Website: <https://unamid.unmissions.org/>
 - Fast facts on Sudan by CNN: <https://edition.cnn.com/2013/10/30/world/africa/sudan-fast-facts/index.html>
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 - UNMISS Fact Sheet <https://peacekeeping.un.org/en/mission/unmiss>
 - South Sudan Joint Response <https://www.dutchrelief.org/south-sudan-joint-response/>
 - The mixed record of UN peacekeeping in South Sudan <https://odihpn.org/magazine/the-mixed-record-of-un-peacekeeping-in-south-sudan/>
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