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## **Report of the Working Group on the Universal Periodic Review\***

### **Sudan**

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\* The annex to the present report is circulated as received.

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## Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its eleventh session from 2 to 13 May 2011. The review of Sudan was held at the 14th meeting on 10 May 2011. The delegation of Sudan was headed by Mohamed Bushara Dosa, Minister of Justice of the Republic of the Sudan. At its 17th meeting held on 13 May 2011, the Working Group adopted the report on Sudan.
2. On 21 June 2010, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Sudan: Belgium, China and Mauritania.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Sudan:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/11/SDN/1 and A/HRC/WG.6/11/SDN/1/Corr.1);
  - (b) A compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/SDN/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/SDN/3 and A/HRC/WG.6/11/SDN/3/Corr.1).
4. A list of questions prepared in advance by Belgium, Canada, Czech Republic, Denmark, Ireland, Latvia, the Netherlands, Norway, Slovenia, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland was transmitted to Sudan through the troika. These questions are available on the extranet of the UPR.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The delegation reiterated the sincere desire of Sudan to cooperate with the Council. It pointed out the need to pursue the recommendations of the working group in a practical manner, geared towards technical support and capacity-building, which had proved successful in reducing violations and strengthening protection. Sudan thanked Switzerland for its support in building capacities for human rights work in Sudan, in particular in Darfur. It thanked the United Nations Mission in Sudan (UNMIS) for its contribution, as well as the network of national human rights organizations for the valuable information which helped in the preparations for the review. The delegation explained the difficulties that have made this report a unique one. In 2005, the Government of National Unity was established in Sudan on the signing of the Comprehensive Peace Agreement (CPA) that granted Southern Sudan autonomy within the framework of a united Sudan for a transitional period of six years. In light of the different institutional systems and legislative institutions in northern and southern Sudan, it was not possible to have one consolidated report. Therefore, a committee representing the Government of Southern Sudan undertook the preparation of the special report on Southern Sudan, while another committee covered the situation in Sudan, so as to enable the Working Group to consider the situation objectively and make recommendations to address priorities on each side. Each side will follow up the implementation of the recommendations addressed to them, respectively, and undertake their implementation.

6. The delegation stressed that its presence at the UPR was in itself recognition of the importance given to improving the situation of human rights, in cooperation with United Nations and regional mechanisms, to implement its treaty obligations together with both UNMIS and the African Union/United Nations Hybrid operation in Darfur (UNAMID).

7. Sudan is convinced that human rights can only be achieved in an atmosphere of security, tranquility, peace and democracy; therefore the establishment of peace through negotiation and dialogue in all parts of the country was an urgent priority. The CPA signed in January 2005 opened up opportunities for the transition to peace and prosperity. It also contained provisions for the protection and promotion of human rights.

8. The CPA envisaged a referendum on self-determination for Southern Sudan at the end of the transitional period in January 2011. The Government of Sudan kept its promise and conducted the referendum in a timely manner. This constituted a milestone in the history of Sudan, resulting in the establishment of a new independent state following the transitional period. The Government of Sudan accepted and formally recognized this result, as it is convinced that it represents the will of the people of Southern Sudan expressed in a free, fair and transparent manner.

9. The delegation noted that popular consultation had been completed by the provinces of South Kordofan and Blue Nile, which now enjoy security, stability and development.

10. The delegation underlined that the process in Sudan would be incomplete without a just and lasting solution to the problem of Darfur. Negotiations have been ongoing in Doha, since the signing of the Darfur Peace Agreement (DPA) (also known as the Abuja Agreement) in Abuja in 2006. The absence of a number of factions required that there be another platform to negotiate in Doha, and for the success of the negotiations, in 2010, the Government of Sudan signed framework agreements for a ceasefire and peace with both the Justice and Equality Movement (JEM) and the Liberation and Justice Movement (LJM). The mediator had submitted the final draft beforehand in order to obtain feedback from the negotiating parties so as to narrow the gap leading to the signing of the final agreement.

11. The delegation said that Sudan had formulated a new strategy for peace, security and development aimed primarily at alleviating the suffering of those affected by the crisis, restore the normal situation, the voluntary return of displaced persons and refugees, harmony and tribal reconciliation, consolidation of justice and equity, and a climate to achieve comprehensive peace through negotiations. This strategy led to the voluntary return of displaced people in numbers exceeding expectation. The Government of Sudan allocated 1.9 billion dollars to the implementation of the strategy for development programs in education, health and clean drinking water, roads and infrastructures. However, the strategy is not intended to replace the negotiations in Doha. The delegation called on the international community to support the efforts of the Government and other efforts to resolve the crisis through a final settlement.

12. In the area of applying justice and the rule of law in Darfur, the Office of the Attorney General for Darfur crimes has been restructured to undertake investigations of all the crimes that have occurred in the region since 2003. The Government has also succeeded in repairing the social fabric through support of tribal reconciliation initiatives and the signing of a number of charters of peaceful coexistence between the tribes of the three states of Darfur. The Government envisioned putting into practice the rules and mechanisms of transitional justice following the accomplishment of full peace in Darfur.

13. The delegation stated that legislative reform was an ongoing process. The Government had recently approved amendments to a number of existing national laws as well as envisaged new legislation in some areas designed to fulfill the obligations of Sudan under international human rights treaties. It noted that there was a standing committee in the Ministry of Justice charged with legislation review.

14. In the area of promotion and protection of children's rights, a number of legislative and executive measures have been taken aimed at the best interest of the child, especially children in difficult circumstances, such as children of unknown parents and deprived of parental care.

15. The delegation hoped that the UPR mechanism could allow for replacing other mechanisms, including special procedures country mandates which are characterized by selectivity and double standards and used for purposes unrelated to human rights, and which have proven to be ineffective and in need of reform.

## **B. Interactive dialogue and responses by the State under review**

16. During the interactive dialogue, 52 delegations made statements. A number of delegations noted the broad consultations involving multiple stakeholders during the preparations for the UPR exercise. Additional statements which could not be delivered during the interactive dialogue owing to time constraints are posted on the extranet of the UPR when available.<sup>1</sup> Recommendations made during the dialogue can be found in section II of the present report.

17. Algeria commended the successful holding of elections last year and encouraged Sudan to continue peace efforts in Darfur and to extend the rule of law throughout the country. Algeria enquired about Sudan's views on the role of international human rights mechanisms and their interaction with national mechanisms. Algeria made recommendations.

18. The United Arab Emirates commended the achievements in realizing peace and stability in the country through the Abuja Agreement and the holding of the referendum on Southern Sudan. In spite of complex challenges, Sudan has come a long way in promoting and protecting the rights of women, children, the elderly and the disabled. The United Arab Emirates made recommendations.

19. Bahrain welcomed the position taken by the Government of Sudan on the results of the referendum, which was a major step in implementing the CPA. It appreciated the efforts to strengthen women's rights, including through the elaboration of policies to fight violence against women and improve their status, and the efforts to protect child rights. Bahrain made recommendations.

20. Qatar appreciated the signing of the CPA and the holding of elections in 2010 and the referendum on Southern Sudan in January 2011. It highlighted its mediation role and noted that it had established the Darfur Development Bank to promote peace through development. Qatar enquired about verification of compliance with the ban on child soldiers and called on the international community to provide support. Qatar made a recommendation.

21. Singapore stated that the successful transformation of Sudan required strengthening the rule of law, democratic governance and an end to impunity. The conducting of the January 2011 referendum, following the CPA and the Interim Constitution, should allow Sudan to focus on poverty eradication and rebuilding the health system that had been disrupted by the long conflict. Singapore made recommendations.

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<sup>1</sup> These include statements from Chad, United States of America, Yemen, Morocco, Denmark, Argentina, Mexico, the Netherlands, Hungary, Germany, Indonesia, Maldives, Sweden, Slovakia, Senegal, Iraq, Nigeria, Swaziland, Tanzania, Philippines, Kenya, Viet Nam, Central African Republic, Venezuela (Bolivarian Republic of).

22. Egypt commended the signing of the CPA and the positive position taken by the Government on the referendum. It enquired about measures to address remaining outcomes of the CPA as well as the causes of the crisis in Darfur, while emphasizing the role of the international community. Egypt appreciated the establishment of national human rights institutions. Egypt made recommendations.
23. The Democratic People's Republic of Korea welcomed the achievements in the area of economic, social and cultural rights, particularly the positive developments and genuine progress in education for all, poverty reduction with priority to pro-poor spending, continued emphasis on national reproductive and family planning, and improvements in the situation of persons with disabilities. It made recommendations.
24. Pakistan commended Sudan for extending all possible assistance to establishing the new state. Pakistan requested information on the challenges linked to the transition phase and the role of the international community in this connection. Pakistan commended Sudan's efforts to raise living standards and noted challenges such as security and the rule of law. Pakistan made recommendations.
25. Oman noted the recent efforts by Sudan to draft new laws and review existing legislation to ensure compliance with the Constitution and international treaties related to human rights. A number of national mechanisms were taking practical steps to promote human rights principles, as were civil society organizations. Oman made recommendations.
26. Palestine noted that human rights protection would be a priority for the near future and expressed appreciation for efforts undertaken, in spite of challenges, such as in women's rights and child rights. Palestine also noted Sudan's strong interaction with international mechanisms. It encouraged Sudan to continue efforts to address human rights challenges. Palestine made recommendations.
27. Ethiopia stated that the international community should encourage and support the key gains made by Sudan in creating the conditions for sustainable peace and the realization of human rights. Ethiopia supported the commitment of the parties to continued dialogue and called on the international community to do the same with concrete assistance. Ethiopia made recommendations.
28. Cuba noted the efforts of the Government to combat poverty, illiteracy and weak institutional capacities. It also noted the efforts to combat diseases such as malaria and the measures taken to protect the rights of women, children, the elderly and persons with disabilities. Cuba made recommendations.
29. The Syrian Arab Republic noted that despite challenges, such as the conflict in Darfur and the civil war in the South, Sudan has complied with international obligations to protect basic human rights. Syria commended the achievement of the CPA and the referendum on Southern Sudan and the Darfur peace process. Syria highlighted progress in the areas of education, women's and child rights. It made recommendations.
30. Lebanon referred to positive developments such as the signing of the CPA, peace efforts in Darfur and the referendum on Southern Sudan. Despite challenges, success could be achieved through positive engagement. Lebanon wished Sudan success in efforts to improve the human rights situation through institution-building and the adoption of legislation, in cooperation with the international community. It made recommendations.
31. Brazil hoped that the UPR exercise would trigger an increasing commitment on the part of members of the Human Rights Council to provide technical assistance. While noting the numerous allegations of gender-based violence, Brazil appreciated the adoption of the national plans of action to combat violence against women and children and to end female genital mutilation. Brazil made recommendations.

32. The United Kingdom of Great Britain and Northern Ireland urged all parties to draw on the expertise of the Independent Expert on the human rights situation in Sudan. It urged the North and the South to retain human rights protection under the new Constitutions. It asked about Sudan's actions to investigate allegations of arbitrary arrests and detention of journalists and opposition members. The United Kingdom made recommendations.

33. Zimbabwe thanked the Government for its cooperation with the Human Rights Council and the United Nations system. It appreciated the honouring of the Comprehensive Peace Agreement and the holding of democratic elections as well as the successful conducting of the referendum on the right to self-determination for Southern Sudan. Zimbabwe made recommendations.

34. While noting the Children's Act (2010) prohibiting death sentences for children, Switzerland referred to reported execution of children. Switzerland referred to reports by the Independent Expert about torture, ill-treatment and arbitrary detention committed by the National Intelligence and Security Service (NISS). Switzerland made recommendations.

35. Saudi Arabia noted that Sudan has ratified most international and regional human rights treaties and transposed many provisions into national legislation. Sudan has also established some human rights institutions and adopted a law on civil society organizations. Highlighting achievements in the area of child rights, Saudi Arabia enquired about measures to implement the Convention on the Rights of the Child. It made recommendations.

36. Malaysia noted the Government's continued cooperation with human rights actors. Malaysia referred to challenges facing Sudan in improving socio-economic conditions. Malaysia believed Sudan could benefit from improvements to such issues as internally displaced persons, strengthening the rule of the law, combating impunity and the rights of women and children. Malaysia made recommendations.

37. Djibouti noted Sudan's efforts to improve the human rights situation and welcomed the 2005 Comprehensive Peace Agreement towards sustainable peace, including its provisions for the protection of human rights. Djibouti also welcomed the referendum on Southern Sudan, which will lead to the emergence of a new independent state. Djibouti made recommendations.

38. China welcomed the measures by the Government to promote socio-economic development, its efforts in poverty reduction, health and education and its commitment to protect the rights of vulnerable groups. It welcomed the efforts of the northern and southern parts to promote the peace process. It hoped that the international community will help Sudan to maintain peace and stability and promote and protect human rights.

39. Austria expressed concern about continuing human rights violations in Darfur and the continued use of power and abuses by the NISS. It considered it urgent to address violence against women and ensure equal participation of women in political processes. Austria made recommendations.

40. Canada congratulated Sudan on holding the referendum on Southern Sudan and its commitment to implement the 2005 CPA. It expressed concern about the human rights situation, in particular sexual and gender-based violence, media censorship, as well as the arbitrary arrests of human rights activists, political opponents, journalists and peaceful protesters. Canada made recommendations.

41. Ireland was concerned by the reported targeting of civilians in Darfur and asked whether Sudan would grant UNAMID unhindered access to the area and lift all access restrictions on humanitarian agencies. Ireland expressed concern at reports of arbitrary arrest and detention of journalists, civil society activists and others by the NISS. Ireland made recommendations.

42. On the question of coordination between domestic and international human rights mechanisms, Sudan noted that there were many domestic mechanisms, including the Advisory Council on Human Rights (ACHR) which is composed of both governmental and non-governmental bodies. Also, the law establishing the independent National Commission on Human Rights has been passed and the appointment of members would take place soon. Furthermore, there are a number of national and international NGOs. Cooperation between domestic and international mechanisms is manifested in the two joint forums between the Government of the Sudan and UNMIS and UNAMID, three joint sub-forums in the three Darfur States as well as the Independent Expert on the human rights situation in the Sudan, appointed by the Council. All these mechanisms work independently and without any influence from the Government to tackle human rights issues in Sudan.

43. With regard to Sudan's efforts in dealing with situation in the Darfur, the delegation noted that negotiation was the basis for the solution of the problem in Darfur. The delegation also noted that there was a new strategy encompassing peace, security and development in Darfur with components for the return of internally displaced refugees to their homeland.

44. On the questions of oversight of detention by the national security apparatus and freedom of expression for the press and journalists, the delegation noted that the legal system in the Sudan was made up of legislation passed by Parliament after various stages of legal reviews. The National Security Forces Act of 2010 was not an exception in this process. The Minister of Justice has appointed an Attorney/Prosecutor to monitor detention by the NISS and the Prosecutor is working independently and impartially. Also, aggrieved persons can have recourse to the Constitutional Court.

45. In relation to freedom of expression, the delegation noted that there are 60 daily newspaper published in Sudan, 37 of which are political papers that publish on a daily basis critical articles on the activities of the Government without pre-censorship. The detention of journalists is only ordered by the court in cases initiated by individuals affected by what is written in the newspapers; there is no political arrest, but rather arrest for the purpose of the law.

46. On the question of abolition of the death penalty, the delegation noted that the death penalty was practiced in the most restricted manner and imposed for the most serious crimes and it is associated with the right to practice religion as guaranteed by international human rights treaties. There are strict legal safeguards in trials of cases punishable by the death penalty.

47. Regarding the steps taken by the State to ensure access to education for all children, the delegation noted that there is a strategy in Sudan to make education free of charge and available to all children, including nomadic children. There is also a strategy for the education of girls.

48. With regard to empowerment of women, a national strategy was adopted in 2008 which covers all the aspects relating to the empowerment of women, including legislative, health, education and participation in the decision making. Regarding wage equality between men and women, equal pay for equal work has been in place for a long time. Women in Sudan are subject to the same terms of employment and have the same opportunities as men to apply for public posts. Participation of women in political life is further enhanced by the allocation of the 25 per-cent quota in national and state parliaments. Consequently, there are 112 female members in the national Parliament and 200 female members in state parliaments. Furthermore, women are also in many high-level positions in Sudan.

49. Spain praised the conducting of the referendum on the independence of Southern Sudan and expressed concern over the increased violence in Darfur against civilians. It



noted that years of conflict, unfair distribution of resources and economic mismanagement had deteriorated the economic, social and cultural rights of the Sudanese population. Spain made recommendations.

50. India recalled that the CPA had ended one of the longest conflicts in Africa and noted the institutional mechanisms established since then to promote human rights. It considered the independence of Southern Sudan both promising and challenging. It urged Sudan and Southern Sudan to tackle concerns relating to sexual violence and impunity. India made a recommendation.

51. Japan welcomed the establishment of a human rights forum in Southern Sudan. Japan remained concerned over continued civilian casualties and displaced persons in Darfur, as well as widespread impunity and gender-based violence. Strengthening the rule of law in all regions is vital to a successful transition in Sudan. Japan made recommendations.

52. Azerbaijan positively noted the efforts to eliminate poverty and the measures to promote women's rights, combat violence against women and protect children. Azerbaijan pointed out the constraints and challenges confronting Sudan, especially from the conflict in Darfur, which adversely affected limited resources, the restoration of security, protection of citizens and humanitarian assistance for victims. Azerbaijan made recommendations.

53. Mauritania commended the positive interaction of Sudan with the UPR process, particularly in light of the difficult challenges that Sudan has faced in recent times, including in connection with the referendum on Southern Sudan. Mauritania made recommendations.

54. The Democratic Republic of the Congo noted the efforts relating to human rights, despite the difficult political context, and to gender equality, despite the existing customs. It also welcomed the Zakat system and the Government's political maturity on Darfur which led to the new situation in Southern Sudan. It made recommendations.

55. Bangladesh considered that peace, security, stability and development are key to ensuring human rights in Sudan and hoped that the international community would support the peace process. It noted efforts by the Government to improve the human rights situation and understood the difficulties it faced, including poverty. Bangladesh made recommendations.

56. Norway commended Sudan and Southern Sudan for their efforts to organize the referendum. It expressed concern about the ongoing conflict in Darfur and called on the Government to commit to lasting peace and justice. It stressed the burden on civilians of the armed clashes in Southern Sudan. Norway made recommendations.

57. Uruguay noted that peace, stability, security, development and the rule of law are necessary elements for the enjoyment of human rights in Sudan, and acknowledged that recent elections did foresee the full participation of women. It remained concerned by sexual violence in the country. Uruguay made recommendations.

58. France noted the new situation emerging from the independence of Southern Sudan and the opportunity to hold a state of emergency. France noted the human rights violations attributed to the National Intelligence and Security Service and inquired whether Sudan intended to decriminalize "indecent and immoral acts" and end child recruitment. France made recommendations.

59. Honduras expressed understanding for the challenges faced by Sudan and noted the progress in its human rights situation. It recognized the reforms undertaken by the Government in the area of human rights. Nevertheless, it was concerned by the situation of girls and women victims of constant abuse. Honduras made recommendations.

60. Turkey acknowledged that Sudan was party to most international human rights agreements, submitted periodic reports and received rapporteurs regularly. It commended the Government for promoting peace and security and for the peaceful conduct of the referendum. It expressed concern at the continued violence in Darfur. Turkey made recommendations.

61. Belgium echoed the concerns about the application of the death penalty for children. Belgium noted with satisfaction the participation of women in the 2009 elections, but enquired whether Sudan intended to end discrimination against women, notably relating to detention, divorce or right to property. Belgium made recommendations.

62. Kuwait expressed appreciation for the efforts taken by the Government for the signing of the CPA, which ended the longest war in Africa. Kuwait hoped that peace achieved would help to strengthen human rights and give new impetus to development and progress. Kuwait made recommendations.

63. South Africa welcomed the acceptance of the results of the referendum on Southern Sudan by the Government of Sudan, which demonstrates a strong political will for peace. It noted positively the commitment of the parties to the CPA and the swift deal with post-referendum issues. South Africa reaffirmed its support to ongoing peace in Sudan. It made a recommendation.

64. Slovenia remained concerned by the situation in Darfur and about impunity of human rights violators. It noted efforts to enhance women's rights but remained concerned that women continued to face harmful practices. It asked about measures taken to enforce regulations related to children in conflict with law. Slovenia made recommendations.

65. Finland welcomed the referendum on Southern Sudan. It asked about the measures Sudan would take to ensure that ethnic and religious minorities do not face discrimination. It also enquired about the measures to prevent and combat violence against women, as well as plans to target discriminatory laws and norms against women. Finland made recommendations.

66. Poland appreciated that the interim national Constitution provided for different commissions to monitor human rights and hoped that they would be established in a speedy manner. It noted that freedom of religion remained limited in Sudan and that sharia law was being applied to non-Muslims. Poland made recommendations.

67. Thailand welcomed the referendum on Southern Sudan. It hoped that Sudan will fully cooperate with UNAMID to ensure peace and security in the long term. It encouraged Sudan to fully implement the CPA and to investigate all allegations of human rights and international humanitarian law violations. Thailand made recommendations.

68. Somalia noted that the Government of Sudan had accepted and officially recognized the referendum on self-determination of Southern Sudan, which led to the establishment of an independent state. Somalia made a number of recommendations.

69. Jordan noted that the situation in Sudan remained difficult despite achievements such as the signing of the CPA. The current period of transition requires the continued support of the international community in order for Sudan to progress. Jordan welcomed Sudan's efforts to strengthen its institutional and legal framework related to human rights. Jordan made recommendations.

70. Italy welcomed the developments based on the CPA. It requested further information about the rights of minorities, women and children in the future Constitution of Sudan. It enquired about the guarantees that the Government of South Sudan will seek against the recruitment of children by the armed forces. Italy made recommendations.

71. The Islamic Republic of Iran commended Sudan for its efforts in establishing peace. It noted the progress in promoting and protecting human rights, particularly the rights of children, women, ethnic groups and people with disabilities and the achievements in education, housing, poverty reduction, health care and development. It made recommendations.

72. Australia welcomed the Government's engagement in the Southern Sudan referendum. It expressed concern at the ongoing conflict in Darfur, condemned attacks against civilians and called on the Government to allow greater access for humanitarian workers. Australia expressed concern over the use of children as labourers and combatants in Sudan. Australia made recommendations.

73. The Republic of Korea welcomed the outcome of the referendum on Southern Sudan and hoped that post-referendum negotiations would be completed as soon as possible. It expressed concern at the acts of sexual violence, particularly against internally displaced women and girls in Darfur. The Republic of Korea made recommendations.

74. Ecuador acknowledged the efforts of the Government to improve the human rights situation in Sudan, a country ravaged by years of violence. It acknowledged, as noted in the national report, progress in the legal and judicial areas. Ecuador made recommendations.

75. Sri Lanka welcomed the signing of the CPA. It encouraged the Government to work with relevant United Nations agencies to strengthen the National Education for All Plan and urged international partners to provide funds. It noted the efforts in the provision of health care and encouraged increased State spending on public health. It made recommendations.

76. On the question of the measures to ensure the non-involvement of children in armed conflicts, the delegation noted that the Child Act (2010) prohibits explicitly the involvement of children in armed conflict. Also, the Armed Forces Act (2007) prevents the recruitment of children below 18 years and provides for penalties therefor.

77. Regarding national mechanisms to combat violence against women in Darfur, the delegation noted that there is a federal Unit to combat violence against women and children, with branches in the three Darfur states. The Unit has a national plan of action to combat violence against women and protect women and children from all forms of violence.

78. With regard to the rights of person with disabilities, the delegation confirmed that Sudan has ratified the relevant United Nations Convention, passed a national law and established a national council to address the rights of disabled persons, headed by the President of the Republic. There is also a national strategy to provide services for persons with disabilities, particularly women and children.

79. Regarding efforts to limit poverty, the delegation noted that there is a national strategy to reduce poverty through microfunding projects and *zakat* programmes targeting poor families.

80. Concerning the minimum age of criminal responsibility, the Child Act (2010) set the age to 12 years. Persons below 18 years are not executed in Sudan. The law also protects children from all forms of child labour. Strategies have been adopted in the areas of health and education aimed at reducing child mortality and providing children with access to basic education.

81. Sudan has personal matters laws designed to address the rights of Muslims and non-Muslims in issues like marriage and divorce. Regarding protection of the rights of non-Muslims, the Constitution provides for citizenship as the basis for rights and freedoms, including the assumption of public posts up to the Presidency of the Republic.

82. With regard to Southern Sudan, it was noted that civil and political rights are enshrined in the Constitution of Sudan, under the title Bill of Rights, a covenant among and between the Sudanese people and their governments, and the cornerstone of social justice, equality and democracy throughout Sudan. Although Southern Sudan still maintains the death penalty, it is not imposed on persons under 18 years, and it is only imposed for conviction of crimes of treason, murder or aggravated robbery with firearms. It was noted that the Southern Sudan Human Rights Commission is functioning, and already has a considerable number of cases before it.

## **II. Conclusions and/or recommendations**

83. **The following recommendations will be examined by the State under review, which will provide responses in due course, but no later than the eighteenth session of the Human Rights Council in September 2011.**

**83.1. Ratify as soon as possible the main international human rights instruments to which it is not yet a party and issue a standing invitation (Japan);**

**83.2. Ratify the International Covenant on Civil and Political Rights (Switzerland);**

**83.3. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Switzerland);**

**83.4. Accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at abolishing the death penalty, and take the necessary steps to remove the death penalty from Sudan's justice system (Australia);**

**83.5. Consider ratifying core universal human rights instruments, in particular the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the Convention on the Elimination of All Forms of Discrimination against Women (Brazil);**

**83.6. Sign and ratify the First Optional Protocol to the International Covenant on Civil and Political Rights; Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; International Convention for the Protection of All Persons from Enforced Disappearance; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol; Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol (Spain);**

**83.7. Accede or ratify the following international instruments: International Convention for the Protection of All Persons from Enforced Disappearance; Convention on the Elimination of All Forms of Discrimination against Women; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol; Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and the Rome Statute of the International Criminal Court (Ecuador);**

**83.8. Take appropriate steps to accede to the Convention on the Elimination of All Forms of Discrimination against Women (Malaysia);**

**83.9. Ratify the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol (Norway, Belgium);**

- 83.10. **Sign and ratify the Convention on the Elimination of All Forms of Discrimination against Women, and adopt a law prohibiting female genital mutilations (France);**
- 83.11. **Ratify without any limiting reservations the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol, as well as repeal all laws that discriminate against women (Finland);<sup>2</sup>**
- 83.12. **Consider acceding to the Convention on the Elimination of All Forms of Discrimination against Women (Republic of Korea);<sup>3</sup>**
- 83.13. **Ratify, without reservations, the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol, and review national legislation in light of its provisions to eliminate all discriminatory laws against women (Uruguay);**
- 83.14. **Ratify the Rome Statute of the International Criminal Court and cooperate with this court, and ratify other key human rights treaties including the Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment and the Convention on the Elimination of All Forms of Discrimination Against Women (Australia);**
- 83.15. **Ratify the Rome Statute of the International Criminal Court (Poland);**
- 83.16. **Cooperate fully with the International Criminal Court and its Prosecutor and provide it with the necessary support pursuant to Security Council resolution 1593 (2005) (Switzerland);**
- 83.17. **Cooperate fully with the International Criminal Court (Austria);**
- 83.18. **Incorporate robust provisions for the protection of human rights in the new Constitution, including articles on the prevention of discrimination and protection of minorities (Canada);**
- 83.19. **Continue to implement the provisions of the Comprehensive Peace Agreement and ensure the rule of law in the country (Singapore);**
- 83.20. **Adjust its national legislation to be compatible with the Comprehensive Peace Agreement and the Interim National Constitution adopted in 2005, especially the following laws and codes: National Security Act (2010); Press and Printing Act (2009); Volunteer and Humanitarian Work Act (2006); Criminal Code; Criminal Procedure Code (Ecuador);**
- 83.21. **Repeal the National Security Act and ensure institutional and legislative reform of the National Intelligence and Security Services, including the establishment of a judicial oversight mechanism (Austria);**
- 83.22. **Abolish the 2010 National Security Act (France);**
- 83.23. **Amend the 2010 National Security Act, by removing immunities for members of the National Intelligence and Security Services and withdrawing its powers of arrest and detention (Canada);**

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<sup>2</sup> The recommendation was read during the interactive dialogue as “Take measures to raise awareness of the police, other authorities, and general public about gender-based violence against women and girls, as well as women’s rights, and ratify without any limiting reservations the CEDAW and its Optional Protocol, as well as repeal all laws that discriminate against women.”

<sup>3</sup> The recommendation was read during the interactive dialogue as “Make further efforts to protect and promote women’s rights in Sudan, and to this end, consider acceding to CEDAW.”

- 83.24. Amend the National Security Act so that it conforms with the Interim National Constitution, the Comprehensive Peace Agreement and the International Covenant on Civil and Political Rights (Ireland);
- 83.25. Make a serious review of the compatibility of the 2010 National Security Act with international standards in international human rights instruments to which Sudan is a party (Republic of Korea);
- 83.26. Amend the 2010 National Security Act to ensure that the powers to arrest and detain of the National Intelligence and Security Service (NISS) are in line with the human rights obligations of Sudan (Switzerland);
- 83.27. Reform the National Intelligence and Security Service in accordance with the Comprehensive Peace Agreement, particularly the broad powers of arrest and detention (United Kingdom of Great Britain and Northern Ireland);
- 83.28. Reform the 2009 Press and Publications Act (Austria);
- 83.29. Bring the 2009 Press and Publications Act in line with its international obligations, and put in place effective enforcement measures (Canada);
- 83.30. Amend its laws, including those on marriage, custody, divorce, property rights, and indecency, to ensure compliance with international human rights law (Canada);
- 83.31. Enact a religious freedom act expressly excluding the application of sharia to non-Muslims and decriminalizing apostasy which is considered a crime under the Penal Code (1991) (Spain);
- 83.32. Revise the 1991 Penal Code and abolish the penalization of apostasy (Poland);
- 83.33. Adjust legislation and practices affecting women and children to international law obligations assumed by Sudan (Honduras);
- 83.34. Continue its engagement with the international community to ensure that it delivers on its promises to support the post-referendum political transition (Ethiopia);
- 83.35. Seek the support of the international community in addressing human rights challenges, including development projects (Pakistan);
- 83.36. Continue to engage the United Nations with a view to fully benefit from the United Nations Technical Cooperation Programme in the field of human rights (Zimbabwe);
- 83.37. Continue to avail itself of offers of technical assistance and capacity building from relevant development partners at the bilateral, regional and multilateral levels (Malaysia);
- 83.38. Continue to seek technical cooperation and assistance from the international community and relevant international and regional stakeholders, particularly UNMIS and UNAMID, for support in strengthening its human rights institutions and implementing the UPR recommendations (Thailand);
- 83.39. Expedite the appointment of members to the Human Rights Commission so that it may initiate its work (Oman);
- 83.40. Seek technical assistance through the relevant mechanisms of the United Nations (Azerbaijan);
- 83.41. Establish an independent human rights commission (Norway);

- 83.42. Expedite the procedures for the establishment of the National Human Rights Commission and the appointment of its members as soon as possible (Turkey);
- 83.43. Establish a national human rights institution in accordance with the Paris Principles (Poland);
- 83.44. Complete the establishment of the National Commission for Human Rights as soon as possible (Thailand);
- 83.45. Establish the National Human Rights Commission, as soon as possible, which comprises independent and impartial Commissioners and which is compatible with the Paris Principles (Republic of Korea);
- 83.46. Establish an appropriate mechanism for the protection and the promotion of children rights (Poland);<sup>4</sup>
- 83.47. Continue efforts to strengthen democracy, good governance, the rule of law and equality (Jordan);
- 83.48. Give priority to the promotion and protection of human rights in all policies developed by the Government (South Africa);
- 83.49. Continue its efforts to promote and protect human rights and freedoms (Sri Lanka);
- 83.50. Clearly voice its intention to guarantee the protection of ethnic and religious minorities and formalize post-referendum agreements on citizenship rights which will safeguard civil, political, economic, social and cultural rights on an equal footing as citizens - regarding people of both northern and southern Sudan origin (Finland);
- 83.51. Continue to reinforce the pillars of peace throughout the country, in implementation of the CPA (Kuwait);
- 83.52. Take concrete steps to prevent any form of infringement on the human rights of southern Sudanese residing in the north, including by addressing issues of nationality and citizenship in cooperation with the authorities in Southern Sudan (Norway);
- 83.53. Redouble efforts to build lasting peace in Darfur by exercising restraint, engaging with the African Union/United Nations peace process in Doha and improving the security situation in which humanitarian workers operate (United Kingdom);
- 83.54. Continue to make concerted efforts to find a permanent and peaceful solution to the conflict in Darfur (Zimbabwe);
- 83.55. Continue to take the necessary steps aimed at ensuring the delivery of relief assistance to those people in need in Darfur (Democratic People's Republic of Korea);
- 83.56. Continue its efforts aimed at protecting aid workers and relief convoys and take measures against banditry acts (Democratic People's Republic of Korea);

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<sup>4</sup> The recommendation was read during the interactive dialogue as "Establish the Office of Ombudsman for Children Rights."

- 83.57. **Take the necessary measures to end attacks against civilians and to ensure unimpeded humanitarian access to the camps of internally displaced persons in Darfur, including by lifting the state of emergency (Canada);<sup>5</sup>**
- 83.58. **End the deliberate and indiscriminate attacks against civilians in Darfur and prosecute those responsible for these attacks (Spain);**
- 83.59. **End all indiscriminate attacks against civilians and other violations of international humanitarian and human rights law, especially in Darfur, and bring the perpetrators to justice, ensuring due process (Uruguay);**
- 83.60. **Elaborate a plan and create national mechanisms to combat violence against women in Darfur (Mauritania);**
- 83.61. **Establish national mechanisms to combat violence against women, especially in Darfur (Qatar);**
- 83.62. **Make further efforts to protect and promote women's rights in Sudan (Republic of Korea);<sup>6</sup>**
- 83.63. **Continue its active efforts to promote children's rights, including the implementation of the new law on children promulgated in 2010, disarmament, demobilization and reintegration activities for children, enhancement of a juvenile court system, and work towards the compulsory registration of births and the eradication of female genital mutilation (Japan);**
- 83.64. **Develop a national plan of action to enforce the rights of children in a comprehensive manner and based on the Convention on the Rights of the Child (Uruguay);**
- 83.65. **Continue to devote special attention to children in order to realize their best interest (Jordan);**
- 83.66. **Develop a national plan of action for the implementation of children's rights and adopt a holistic child rights approach (Islamic Republic of Iran);**
- 83.67. **Develop a national plan of action for the implementation of children's rights (Australia);**
- 83.68. **Elaborate national legislation for the protection of child rights and create national mechanisms to monitor implementation (Saudi Arabia);**
- 83.69. **Continue its efforts to fight climate challenges with the support of the international community (Bangladesh);**
- 83.70. **Extend a standing invitation to all special procedures and respond positively to pending requests for visits (Spain);<sup>7</sup>**
- 83.71. **Issue a standing invitation to the human rights special procedures (Ecuador);**

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<sup>5</sup> The recommendation was read during the interactive dialogue as "Take the necessary measures to end attacks against civilians and to ensure unimpeded humanitarian access to refugee camps in Darfur, including by lifting the state of emergency."

<sup>6</sup> The recommendation was read during the interactive dialogue as "Make further efforts to protect and promote women's rights in Sudan, and to this end, consider acceding to CEDAW."

<sup>7</sup> The recommendation was read during the interactive dialogue as "Extend a standing invitation to all special procedures, respond positively to requests for pending visits, and fully cooperate with the Special Rapporteur on the situation of human rights in the Sudan."



- 83.72. Cooperate fully with UNAMID in Darfur in order to prevent and prosecute any human rights violations (Italy);
- 83.73. Improve cooperation with the Independent Expert on the situation of human rights in Sudan, including on the implementation of the recommendations by the Group of Experts (Austria);
- 83.74. Continue to fully cooperate with the Independent Expert on the situation of human rights in Sudan, including with respect to the implementation of recommendations (Canada);
- 83.75. Fully cooperate with the Independent Expert on the situation of human rights in Sudan (Spain);<sup>8</sup>
- 83.76. Engage civil society in the process of implementation of UPR recommendations (Poland);
- 83.77. Intensify programmes to promote the status of women (Algeria);
- 83.78. Continue efforts aimed at the improvement of the situation of women and their empowerment (Jordan);
- 83.79. Implement programmes and activities to support the empowerment of women and to raise their awareness and capacity to enjoy their rights (United Arab Emirates);
- 83.80. Further pursue awareness-raising efforts to counter the phenomenon of discrimination against women so that they are not deprived of fundamental rights (Palestine);
- 83.81. Provide appropriate employment opportunities for women and work to achieve equal wages for men and women (United Arab Emirates);
- 83.82. Provide appropriate employment opportunities for women, ensuring equal wages for men and women (Bahrain);
- 83.83. Expand appropriate employment opportunities for women and ensure equal pay for men and women, while taking the necessary measures to promote the participation of women in political life (Egypt);
- 83.84. Further pursue efforts aimed at strengthening the protection of the rights of women and children through further development of legislation and mechanisms in this field (Syria);
- 83.85. Exert additional efforts in the field of providing care for persons with disabilities and in establishing national mechanisms to enable them to effectively participate in public life, while considering accession to the Convention on the Rights of Persons with Disabilities (Egypt);
- 83.86. Establish a moratorium on all executions and, eventually, abolish the death penalty (Switzerland);
- 83.87. Consider abolishing the death penalty (Brazil);<sup>9</sup>

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<sup>8</sup> The recommendation was read during the interactive dialogue as “Extend a standing invitation to all special procedures, respond positively to requests for pending visits, and fully cooperate with the Special Rapporteur on the situation of human rights in the Sudan.”

<sup>9</sup> The recommendation was read during the interactive dialogue as “Consider abolishing the death penalty, especially to children under 18.”

- 83.88. **Establish a moratorium on the use of the death penalty with a view to its total abolition (Spain);<sup>10</sup>**
- 83.89. **Establish, as soon as possible, a moratorium on the execution of the death penalty with a view to its abolition in the future (Belgium);**
- 83.90. **Establish a moratorium on executions with a view to abolishing the death penalty (Italy);**
- 83.91. **Commute death sentences to prison terms (France);<sup>11</sup>**
- 83.92. **Replace death sentences with an appropriate alternative sanction (Slovenia);<sup>12</sup>**
- 83.93. **For as long as it resorts to the death penalty, respect the relevant international standards, especially the principles stated in Economic and Social Council resolution 1984/50, and particularly ensure that it will only be applied to the most severe crimes and to individuals who are more than 18 years of age at the time of the act (Belgium);**
- 83.94. **Establish a moratorium on the death penalty with a view to its abolition and immediately stop the imposition of this cruel measure on children (Uruguay);**
- 83.95. **Immediately prohibit the death penalty and immediately prohibit its application to minors (Spain 2);<sup>13</sup>**
- 83.96. **Abolish the death penalty against juvenile offenders (Italy);**
- 83.97. **Consider especially abolishing the death penalty to children under 18 years (Brazil);<sup>14</sup>**
- 83.98. **Ensure that no one is executed for a crime that he/she would have committed when he/she was under the age of 18 years, and commute death sentences already pronounced against minors to appropriate alternative sentences (Switzerland);**
- 83.99. **Lower the criminal responsibility for children, ban the application of the death penalty to children, and prohibit the recruitment of children as child soldiers and their participation in armed conflict (Palestine);**
- 83.100. **Prohibit executions of minors pursuant to the Children’s Act of 2010 (France);<sup>15</sup>**

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<sup>10</sup> The recommendation was read during the interactive dialogue as “A moratorium on the use of the death penalty with a view to its total abolition, and the immediate prohibition of its application to minors.”

<sup>11</sup> The recommendation was read during the interactive dialogue as “Commute sentences to death to prison terms and prohibit executions of minors pursuant to the Children’s Act of 2010.”

<sup>12</sup> The recommendation was read during the interactive dialogue as “Ensure that the death penalty is not carried out at least on persons under 18 years of age, and replace any death sentences with an appropriate alternative sanction.”

<sup>13</sup> The recommendation was read during the interactive dialogue as “A moratorium on the use of the death penalty with a view to its total abolition, and the immediate prohibition of its application to minors.”

<sup>14</sup> The recommendation was read during the interactive dialogue as “Consider abolishing the death penalty, especially to children under 18.”

<sup>15</sup> The recommendation was read during the interactive dialogue as “Commute sentences to death to prison terms and prohibit executions of minors pursuant to the Children’s Act of 2010.”

- 83.101. **Ensure that the death penalty is not carried out at least on persons under 18 years of age (Slovenia);<sup>16</sup>**
- 83.102. **Abolish the death penalty, corporal punishment and other cruel, inhuman or degrading treatment from its national legislation (Ecuador);**
- 83.103. **Take further measures to prevent and combat all forms of violence against children and women, including training law enforcement officials to deal with sexual violence cases (Brazil);**
- 83.104. **Take measures to raise awareness of the police, other authorities, and the general public about gender-based violence against women and girls, as well as women's rights (Finland);<sup>17</sup>**
- 83.105. **Develop and implement national legislation explicitly prohibiting female genital mutilation and ensure its practical enforcement. Enhance school programmes and community education to raise public awareness about the harmful effects of this practice which constitutes a serious form of violence against women and a serious attack on human rights (Ecuador);**
- 83.106. **Take all necessary measures to end female genital mutilation, notably regarding prevention, awareness-raising, control and sanctions (Belgium);**
- 83.107. **Pass legislation at the federal level to prohibit female genital mutilation and early forced marriages, and ensure that such legislation is enforced in practice (Slovenia);**
- 83.108. **Adopt legislative and other measures to explicitly prohibit and eradicate female genital mutilation, and reinforce awareness and education programmes about its harmful effects (Uruguay);**
- 83.109. **Abolish the law that legalizes the Sunna and completely eradicate the practice of female genital mutilation through education and awareness campaigns in the communities (Honduras);**
- 83.110. **Take appropriate measures to reform its penal code, particularly aiming at eliminating corporal punishment (Brazil);**
- 83.111. **Continue to take strong measures to end the recruitment and use of child soldiers (Malaysia);**
- 83.112. **Take effective measures to end the recruitment of children into the armed forces and affiliated armed groups, and also fight the forced recruitment and abduction of children by non-State armed groups (Uruguay);**
- 83.113. **Take all necessary measures to ensure that all children are released by armed forces and armed groups, and that these children receive all the assistance necessary for their physical and psychological recovery, including special medical care for victims of sexual violence (Slovenia);**

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<sup>16</sup> The recommendation was read during the interactive dialogue as “Ensure that the death penalty is not carried out at least on persons under 18 years of age, and replace any death sentences with an appropriate alternative sanction.”

<sup>17</sup> The recommendation was read during the interactive dialogue as “Take measures to raise awareness of the police, other authorities, and general public about gender-based violence against women and girls, as well as women's rights, and ratify without any limiting reservations the CEDAW and its Optional Protocol, as well as repeal all laws that discriminate against women.”

- 83.114. Criminalize the worst forms of child labour and accede to international treaties which ban this practice (Saudi Arabia);
- 83.115. Adopt national legislation to protect child rights, create follow-up mechanisms, criminalize the worst forms of child labour and accede to international treaties banning this practice (Mauritania);
- 83.116. Take efforts to organize more training programmes for national personnel working in the areas of judicial affairs and law enforcement, in accordance with international human rights principles (Egypt);
- 83.117. Train professionals in the area of judicial affairs so as to enable them to perform their role effectively (Palestine);
- 83.118. Continue to take measures to support the rule of law and ensure that justice is brought to Darfur (Syria);
- 83.119. Seek technical assistance and capacity-building support from relevant United Nations agencies as well as from other international organizations in the field of human rights, and provide human rights training for judges, public prosecutors, legal advisors and law enforcement agencies (Turkey);
- 83.120. Step up human rights education and training for personnel involved in prosecution and law enforcement activities, including the police, armed forces personnel, judges and lawyers (Malaysia);
- 83.121. Strengthen awareness-raising and training in the human rights area, in particular for judges and law enforcement personnel (Jordan);
- 83.122. Implement the recently adopted United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) to improve the treatment of female offenders and seek appropriate assistance for its implementation from relevant United Nations agencies (Thailand);
- 83.123. Raise the minimum age of criminal responsibility currently fixed at 12 years, in compliance with its international obligations (France);
- 83.124. Make all allegations of extrajudicial executions, forced disappearances, torture and other ill-treatment, as well as grave violations of human rights and international humanitarian law the object of effective and independent investigations at the earliest, to bring the perpetrators of these acts to justice, irrespective of their ranks or functions (Switzerland);
- 83.125. Ensure that those suspected of being responsible for crimes under international law in Darfur are investigated and prosecuted before independent and impartial courts, without resort to the death penalty (Austria);
- 83.126. Take concrete action to end impunity in Darfur (Norway);
- 83.127. Enhance measures swiftly to address the issues of impunity, arbitrary arrests and detention, the lack of access to a fair trial and reliance on traditional courts, among others (Japan);
- 83.128. Adopt strong and decisive measures to punish those responsible for the rape of girls and women (Honduras);
- 83.129. Adopt all necessary measures to bring the perpetrators of all serious human rights violations in the country to justice (Slovenia);

- 83.130. Ensure that all allegations of violations of human rights and international humanitarian law are duly investigated, and that the perpetrators are brought to justice (Australia);
- 83.131. Cease to hinder the freedom of movement of UNAMID and humanitarian agencies (Ireland);
- 83.132. Ensure effective protection of journalists and human rights defenders against intimidation, harassment, arrest and detention (Switzerland);
- 83.133. Continue applying strategies and plans for the socio-economic development of the country, in particular those aimed at reducing poverty (Cuba);
- 83.134. Develop, with the assistance of the international community, a long-term strategy to eliminate poverty and improve the standard of living of its people (Singapore);
- 83.135. Continue measures to increase allocations for poverty reduction and focus further on the rehabilitation of agriculture and infrastructure (Azerbaijan);
- 83.136. Continue its efforts to fight poverty with the support and cooperation of the international community (Bangladesh);
- 83.137. Increase further pro-poor public spending with a view to implementing the poverty eradication strategy (Sri Lanka);
- 83.138. Ensure fair distribution of national income, taking special account of southern regions, which were hurt by long years of war (Democratic Republic of the Congo);
- 83.139. Remain committed to helping the poor to access education and health care (Oman);
- 83.140. Continue to work with WHO and other relevant international organizations to improve access to health care and rebuild health infrastructure in the conflict-affected areas (Singapore);
- 83.141. Increase efforts to control endemic diseases, which constitute the main reason for the high number of deaths among citizens (Oman);
- 83.142. Allocate sufficient financial resources to the health sector to improve access to health care and to rebuild health infrastructure (Turkey);
- 83.143. Take effective measures to improve access to health care, particularly in remote and rural areas (Islamic Republic of Iran);
- 83.144. Provide access to drinking water for each Sudanese (Democratic Republic of the Congo);
- 83.145. Take effective measures to ensure accessibility of safe drinking water and access to adequate sanitation facilities, particularly in remote rural areas (Islamic Republic of Iran);
- 83.146. Continue to take steps to decrease child mortality rate (Democratic People's Republic of Korea);
- 83.147. Continue its efforts with regard to the advancement of women's rights, reduction in child mortality and illiteracy rates, and the reintegration of children into their communities (Azerbaijan);

- 83.148. Continue efforts aimed at ensuring education for all children and make arrangements to improve the performance of the education system (Algeria);
- 83.149. Devote attention to the education of children and take measures to reduce the rate of dropouts from school (Bahrain);
- 83.150. Strengthen the capacities and competencies of educational institutions in terms of providing services and rehabilitation to them, especially primary schools (Oman);
- 83.151. Continue applying programs and measures aimed at guaranteeing universal access to quality education and health services to the population (Cuba);
- 83.152. Devote attention to the education of children and use education to spread a human rights culture through school curricula (Saudi Arabia);
- 83.153. Increase the expenditure allocated for education in order that it could be accessible to children across the country (Sri Lanka);
- 83.154. Increase actions for access to schooling (Democratic Republic of the Congo);
- 83.155. Take all appropriate measures to eliminate illiteracy throughout the country (Islamic Republic of Iran);
- 83.156. Continue education and awareness-raising programmes in the area of human rights and international treaties (Algeria);<sup>18</sup>
- 83.157. Continue the dialogue with all parties to put an end to the Darfur crisis, which would enable all displaced persons and refugees to return to their home villages and towns (Kuwait);
- 83.158. Create incentives for the voluntary return of Sudanese nationals who left the country due to the situation of internal violence, including displaced persons, refugees and migrants. Generate and implement Government programmes enabling the economic and social reintegration of these people, especially those in vulnerable situation (Ecuador);
- 83.159. Seek assistance from the international community to provide the necessary support and coordination among all stakeholders in order to achieve remaining/future programmes for the voluntary return of displaced persons and refugees, as well as development programmes (Palestine);
- 83.160. Improve, in cooperation with relevant stakeholders, the living conditions and safety situation of internally displaced persons by providing access to humanitarian assistance, while ensuring the security of humanitarian workers, and strengthen its protection of women and girls from sexual violence in the camps of the internally displaced (Thailand).

84. At the request of the State under review, in view of upcoming constitutional arrangements, recommendations put forward to Sudan and South Sudan or to the parties of the CPA have been clustered as follows:

- 84.1. Make every effort to preserve the climate of peace achieved by the Comprehensive Peace Agreement during the six years of transition (Djibouti);

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<sup>18</sup> The recommendation was read during the interactive dialogue as “Continue education and awareness-raising programmes in the area of human rights and international treaties to all concerned personnel.”

- 84.2. Continue to work with regional and international partners to ensure amicable solutions to remaining post-referendum issues (Ethiopia);
- 84.3. Remain committed to negotiations to resolve pending areas of disagreement (Syria);
- 84.4. Continue negotiations with a view to a peaceful resolution of pending questions (Djibouti);
- 84.5. Continue negotiations to reach agreement on pending issues such as border and natural resources (Lebanon);
- 84.6. Continue negotiations with a view to peacefully settling the remaining stipulations of the CPA, particularly with regard to issues like border demarcation, foreign debts, oil and water sharing and citizenship, with the understanding that nobody will be stateless (Somalia);
- 84.7. Maintain the peaceful atmosphere that was created by the Comprehensive Peace Agreement throughout the six years of the transitional period, by taking measures to reduce tension and all parties should refrain from taking any unilateral steps that would undermine the purpose of the Agreement (Somalia);
- 84.8. Guarantee the human rights of citizens under the new Constitutions and establish effective mechanisms to ensure these are respected, including through the establishment of a national human rights institution in line with the Paris Principles (United Kingdom);
- 84.9. Draft their Constitutions in an inclusive process with the participation of civil society, women and minorities. Also, ensure that the new Constitutions include a catalogue of human rights, in particular the freedom of speech and assembly, and take the multiethnic and multireligious background of their population into account (Austria);
- 84.10. Bring all constitutional provisions and relevant laws into line with the CPA and international obligations (Norway);
- 84.11. Strengthen cooperation with all the mechanisms of this Council (Austria);
- 84.12. Cooperate in the follow-up to this review (Austria);
- 84.13. Continue to fully cooperate with the Independent Expert on the situation of human rights in Sudan (France);
- 84.14. Strengthen the capacity to adequately protect and promote human rights in cooperation with OHCHR (Norway);
- 84.15. Consider establishing national human rights institutions in compliance with the Paris Principles (India);
- 84.16. Ratify, without limiting reservations, the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol (Austria);
- 84.17. Ratify the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (Austria);
- 84.18. Repeal all laws that discriminate against women (Austria);
- 84.19. Ensure that after independence, no one will be discriminated against because of their origin from the other State, respectively (Austria);

- 84.20. Establish a moratorium on executions with a view to the definitive abolition of the death penalty (France);
- 84.21. Adhere to the Convention against Torture and its Optional Protocol and to the International Convention for the Protection of All Persons from Enforced Disappearance (France);
- 84.22. Strengthen awareness of and respect for human rights within the armed forces, police and judiciary (Norway);
- 84.23. Respect the rights to freedom of expression, association and assembly by allowing human rights defenders, political dissidents and journalists to express their views freely in line with international human rights law (United Kingdom);
- 84.24. Take concrete steps to ensure freedom of the media and investigate any intimidation and arbitrary detention of journalists and human rights defenders with a view to bringing such practices to an end (Norway);
- 84.25. Adopt legislation and measures to allow the free practice of religions in Sudan and in South Sudan (Lebanon);
- 84.26. Foresee measures that would guarantee the right to their religions to groups that will become minorities in both countries after the birth of the new State, namely Muslims in South Sudan and non-Muslims in (north) Sudan (Somalia);
- 84.27. Consider measures aimed at ensuring freedom of religion for groups which will become minorities in the two countries after the emergence of the new State (Djibouti);
- 84.28. In light of exceptional circumstances, appeal to the international community for its consent to cancelling Sudan's debt, which would constitute remarkable progress towards achievement of the Millennium Development Goals, ensure conditions of an equitable economic development and have a positive impact on the enjoyment of human rights for millions of Sudanese (Djibouti);
- 84.29. Appeal to the international community to take individual and collective initiatives to exempt the debts of Sudan (Somalia).
85. At the request of the State under review, in view of upcoming constitutional arrangements, recommendations put forward to South Sudan, have been clustered as follows:
- 85.1. Complete its transition from a militarized society to a democratic system based on the rule of law under civilian rule (Norway);
- 85.2. Increase the efforts in the field of civil protection in the transition period (Norway);
- 85.3. Adhere to the Convention on the Rights of the Child and its two Optional Protocols and endorse the Paris Commitments to protect children from unlawful recruitment or use by armed forces or armed groups (France);
- 85.4. To South Sudan to establish a moratorium on executions with a view to abolishing the death penalty (Italy).
86. The response of the State under review to the recommendations in paragraphs 84 and 85 will be provided in due course, but no later than the eighteenth session of the Human Rights Council in September 2011.



87. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

## Annex

### Composition of the delegation

The delegation of Sudan was headed by His Excellency Mr. Mohamed Bushara Dosa, Minister of Justice of the Republic of the Sudan, and composed of the following members:

- H.E. Ahmed Idris Ali, Advisory Council for Human Rights, Sudan;
  - H.E. Ambassador Hamza Omer Hassan Ahmed, Chargé d'affaires a.i. – Sudan Mission in Geneva;
  - Mr. Nazar Ahmed Mohamed Abdou, Ministry of Justice, Sudan;
  - Mrs. Rihab Awad Elkarim, Ministry of Justice, Sudan;
  - Mr. Isam Abdelrahman, Ministry of Foreign Affairs, Sudan;
  - Dr. Atiyat Mustafa, Head of the Unit for Combating Violence against Women, Sudan;
  - Mrs. Qamar Khalifa Habani, Secretary-General of the National Council for Child Welfare, Sudan;
  - Mr. Eltayeb Haroun, Advisory Council for Human Rights, Sudan;
  - Mr. John Ukec Lueth Ukec, Ministry of Foreign Affairs, Sudan;
  - Mr. Stephen Kang, Government of South Sudan;
  - Mr. Angok Daniel, Government of South Sudan.
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