

## **Resolution on the Human Rights Situation in Sudan**

**Presented by Sudan Human Rights Monitor**

**The International Federation for Human Rights (FIDH), meeting at its XXXVIIth Congress in Yerevan, Armenia,**

**Considering** the recent attacks in January and February 2010 in Darfur between rebel movements and governmental forces, the absence of an effective peace agreement and the dire humanitarian situation of the civilian population in the region where some three million people are still displaced from their home;

**Considering** the impunity of those responsible of the death of some 300,000 Darfuri during the last 6 years of conflict and the absence of cooperation of national authorities with the International Criminal Court (ICC) which opened an investigation on the situation in Darfur upon the request of the United Nations Security Council (UNSC), and has issued three arrest warrants, including one against the Sudanese president;

**Considering** State repression against human rights defenders who fight against impunity of the most serious crimes;

**Considering** that despite the Comprehensive Peace Agreement (CPA) signed in 2005 and the adoption, that same year, of the National Interim Constitution (NIC), which raised high hopes for peace, democracy and unity, by putting an end to twenty years of civil war between the Sudanese government and Sudan People's Liberation Army (SPLA), we deplore the rising tension and the serious human rights violations in South Sudan stemming from multiple and sometimes overlapping sources, including conflicts within joint north-south military units and between southern tribes as well as from attacks by the rebel Lord's Resistance Army, which, in 2009, led to the killing of 2,500 civilians and to the displacement of 390,000 persons;

**Aware** of the possibility that the January 2011 referendum on the independence or non-independence of South Sudan could generate instability within the country;

**Considering** that in spite of its mandate (UNSC Resolution 1590 mandates the mission to "protect civilians against imminent threat of physical violence"), UNMIS has failed to effectively provide protection for civilians;

**Considering** that the prospects of the national elections due to take place in April 2010 has heightened tensions, with the arbitrary arrest and detention of political leaders and members of opposition political parties;

**Considering** that the presidential party is refusing to postpone the date of the elections despite the massive irregularities reported during voter registration which will inevitably alter the transparency of the elections;

**Considering** the failure of the ruling party to reform the judicial and legal systems to guarantee respect for fundamental freedoms of assembly, expression and association in violation of the CPA and the Constitution (NIC);

**The International Federation for Human Rights (FIDH), meeting at its XXXVIIth Congress in Yerevan, Armenia, recommends to:**

**The signing parties of the Comprehensive Peace Agreement** to fully implement CPA provisions and to put an immediate end to all acts of violence;

**The government and the SPLM** to implement the International Court of Justice decision on the Abyei region by applying a consensual political formula that clarifies and identifies the area so as to avoid conflicts;

**The UNSC** to ensure that UNMIS is able to fulfil its mandate on the protection of citizens from violence by armed groups in South Sudan;

**The government:**

- to allow international humanitarian organisations to provide assistance to the civilian population in Darfur;
- to implement the recommendations of the report of the Mbeki Panel, mandated by the African Union, notably regarding the need to fight against impunity of the most serious crimes committed in Darfur;
- to conduct negotiations with all armed groups, political parties, representatives of civil society organisations, representing internally displaced persons and groups of women and youth, to put an end to the war in Darfur;
- to expand the framework agreement it signed in Doha with the Justice and Equality Movement to include other government-supported rebel movements and militias;
- to harmonise national law with the Constitution and the international human rights instruments;
- to respect the UN Declaration on Human Rights Defenders adopted by the UN General Assembly in 1998;

**The international community**

- to cooperate with the International Criminal Court regarding the situation in Sudan
- if not postponed, to denounce the conditions under which the April elections take place in violation of international provisions on human rights.