

Resolution on the Deterioration of the General Human Rights Situation in Sudan following the Coup d'état of 25 October 2021 - ACHPR/Res. 510 (LXIX)2021

Jan 03, 2022

The African Commission on Human and Peoples' Rights (the Commission), meeting at its 69th Ordinary Session, held virtually from 15 November to 5 December 2021;

Recalling its mandate of promotion and protection of human and peoples' rights in Africa pursuant to Article 45 of the African Charter on Human and Peoples' Rights (African Charter);

Bearing in mind Article 23 of the African Charter, which guarantees the right of all peoples to national and international peace and security;

Recalling its previous resolutions on the human rights situation in the Republic of Sudan, in particular Resolutions ACHPR/Res. 444 (LXVI) 2020, ACHPR/Res. 413 (EXT.OS/XXV) 2019 and ACHPR/Res. 421 (LXIV) 2019 as well as its recent Press Release dated 27 October 2021 following the coup d'état which took place on 25 October 2021 in the Republic of Sudan;

Further recalling Communiqué PSC/PR/COMM.1041(2021) of the Peace and Security Council of the African Union adopted at its 1041th meeting held on 26 October 2021, in which the Council suspends the participation of Sudan in all activities of the African Union, following the take-over of power by the Military;

Taking note of the United Nations Security Council Press Statement (SC/14678) of 28 October 2021 on the situation in Sudan, and Resolution (A/HRC/S-32/L.1) of 5 November 2021 adopted by the 32nd Special Session of the United Nations Human Rights Council on the situation in Sudan;

Noting that an Agreement was signed on 21 October 2021 between the Prime Minister previously deposed by the coup d'état and the Army, reinstating him in office; and further noting that this Agreement was not unanimously accepted by the population which continues to protest against the coup d'état;

Concerned about reports of excessive use of force by State Security Officers against peaceful demonstrators in various regions of the country and the denial of the population's right to information and freedom of expression in particular by cutting off access to the Internet;

Gravely concerned by the serious violations of all human rights protected by the Charter and all other fundamental human rights instruments to which Sudan is a party; in particular violations of the right to life with dozens of deaths recorded following the brutal repression by the security forces of peaceful demonstrators;

Reaffirming its commitment to the promotion of democracy in Africa and recognising that good governance, transparency and respect for human rights constitute essential principles which contribute to peace and development in Africa; and in conformity with the African Charter on Democracy, Elections and Governance;

Also reaffirming all human rights guaranteed by the Charter, including in particular those protected under Articles 4, 5, 6, 9 and 11 of the African Charter, which guarantee the right to life, respect for the dignity inherent in a human being, the right to freedom and security, the

right to freedom of movement, the right to information, including the right to express and disseminate one's opinions, and the right to the freedom of assembly;

The Commission:

1. Condemns the coup d'état of 25 October 2021, that overthrew the transitional Government headed by Prime Minister Dr Abdallah Hamdok, the suspension of the transitional institutions and the imposition of a state of emergency in violation of the 2019 Constitutional Declaration of Sudan and the 2020 Juba Peace Accords;
2. Condemns the deterioration of the socio-political situation in Sudan ;
3. Condemns the persistent human and fundamental rights violations perpetrated by the Army since the coup d'état of 25 October 2021, in particular the use of violence to muzzle public protests, which led to the death and injury of dozens of demonstrators, the torture and cruel and inhuman treatment of political detainees, the removal from office of public servants for political reasons, the blocking of the internet and the closure of newspapers and television stations;
4. Condemns the arbitrary arrests and secret detention by the Sudanese Army of hundreds of politicians and pro-democracy activists, including members of the Cabinet, senior national and regional public servants appointed by the transitional Government and leaders of resistance Committees, and calls on the Sudanese Army to immediately and unconditionally release all individuals arbitrarily detained since 25 October 2021;
5. Calls on the Sudanese Authorities to respect the right to life, to freedom of expression, of association and peaceful assembly of the populations, to guarantee the individual safety and security of journalists while fully removing all restrictions on access to the internet and information platforms, thereby enabling the Sudanese population to freely receive and circulate information;
6. Calls for investigations into all cases of human rights violations that have occurred or are ongoing since the coup d'état of 25 October 2021 and guarantee the payment of compensation to the victims, while ensuring that there is no impunity for these acts;
7. Calls on the Sudanese Parties to restore constitutional order and, in particular, protect the rights of the Sudanese people pursuant to Sudan's national and international human rights obligations;
8. Calls on the International Community, in particular the African Union, IGAD, and the United Nations, to pursue their efforts for a return to stability in Sudan so as to guard against plunging the Horn of Africa into a situation of high insecurity.

Done virtually, on 5 December 2021