



Sudan Law Reform Update

June-July 2011

Welcome to the fourteenth issue of the Sudan law reform update. The Project for Criminal Law Reform in Sudan (PCLRS) provides this regular service with a view to informing those working on, and interested in, law reform and human rights of relevant developments. The update includes a comment on recent developments as well as a summary of the news (largely based on English language media sources) on law reform and other developments. It aims to serve as a platform for sharing of information, comments and opinions on any issues related to law reform and human rights in Sudan. This issue covers developments up to 20 July 2011.

Yours,

Lutz Oette

For further information, please visit our website at www.pclrs.org/
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I. Joy, Pain and Uncertainties

Independence Day on 9 July 2011 was cause for exuberant joy in South Sudan. The birth of this nation is a remarkable event that carries a lot of hopes. However, challenges also abound. A number of developments reported in the South over the last few months have a worrying familiarity with patterns characteristic of authoritarian states. Concerns include lack of proper consultation over constitutional arrangements, broad executive powers, restrictions of freedom of expression, excessive use of force and the absence of accountability for abuses. The nature of these concerns highlights actual and potential problems in the exercise of power in a fragile political environment. These early warnings underscore the need to make human rights protection and adequate legislative and institutional reforms one of the key priorities for the new state.

Besides internal challenges, there are a number of unresolved status issues that concern both Sudan and South Sudan. The escalation of conflicts in Abyei and Southern Kordofan are stark reminders that the separation has been far from entirely peaceful. Developments in the Nuba Mountains in particular have given rise to grave concerns over serious human rights violations that once again highlight underlying structural problems in the relationship between the central power and others, including the lack of adequate protection against violations.

Allegations of serious violations in Southern Kordofan, continuous concerns over the conduct of the war in Darfur, reports of repressive measures against journalists as well as harsher punishments provided for in the draft public order law do not bode well for the remainder of Sudan. Official statements about the new constitution and broader political reforms do not provide a sufficiently clear and unequivocal commitment to respect for human rights and have yet to be matched by action that takes the exercise of political freedoms, non-discrimination, and other rights seriously. This situation, combined with a shifting international political environment, including the departure of the United Nations Mission in Sudan, makes this time particularly testing for civil society organisations in Sudan. However, as public campaigns on women's rights and debates on the constitutional review demonstrate, demands for human rights protection continue to be raised. The interest of youth groups and students in the work on law reform has been particularly heartening, reflecting a keen concern in and awareness of the need for a system in which rights command the respect they deserve.

II. CONSTITUTIONAL DEVELOPMENTS/LAW REFORM

20th July 2011

Sudan parliament to deliberate on Popular Consultation law

<http://www.sudantribune.com/Sudan-parliament-to-deliberate-on,39582>

19th July 2011

Sudan's Blue Nile state governor calls for resistance against proposed law

<http://www.sudantribune.com/Sudan-s-Blue-Nile-state-governor,39567>

8th July 2011

South Sudan passes interim constitution amid concerns over presidential powers

<http://www.sudantribune.com/South-Sudan-passes-interim,39457>

3rd July 2011

Carter Center: S. Sudan's draft constitution should reflect inclusive governance

<http://www.sudantribune.com/Carter-Center-S-Sudan-s-draft,39403>

24th June 2011

S. Sudan opposition sides with SPLM against amendment of constitution

<http://www.sudantribune.com/S-Sudan-opposition-sides-with-SPLM,39319>

21st June 2011

South Sudan parliament's official angered by questions on constitution

<http://www.sudantribune.com/South-Sudan-parliament-s-official,39283>

9th June 2011

Salva Kiir exposes his rift with Machar over South Sudan transitional constitution

<http://www.sudantribune.com/Salva-Kiir-exposes-his-rift-with,39153>

3rd June 2011

Sudanese president outlines features of post-secession North

<http://www.sudantribune.com/Sudanese-president-outlines,39090>

2nd June 2011

National Assembly mulls amendments in Sudan Police Act

<http://unmis.unmissions.org/Portals/UNMIS/MMR/2011-Jun-02.pdf>

30th May 2011

NCP discussed constitution, Abyei

<http://unmis.unmissions.org/Portals/UNMIS/MMR/2011-May-30.pdf>

III. OTHER NEWS

Human Rights Situation

20th July 2011

Detained UNMID staffer charged, feared tortured

<http://www.sudantribune.com/Detained-UNMID-staffer-charged,39583>

20th July 2011

Darfur radio staffers charged with revealing "state's secrets"

<http://www.sudantribune.com/Darfur-radio-staffers-charged-with,39578>

13th July 2011

Sudan's NISS says released "all detainees"

<http://www.sudantribune.com/Sudan-s-NISS-says-released-all,39522>

6th July 2011

Khartoum court orders journalist to pay fine or face imprisonment

http://unmis.unmissions.org/Portals/UNMIS/MMR/MMR_6_July_11.pdf

2nd July 2011

Sudan detains South Kordofan's human rights activist

<http://www.sudantribune.com/Sudan-detains-South-Kordofan-s,39398>

2nd July 2011

Sudan targets press though "contrived" legal proceedings

<http://www.sudantribune.com/Sudan-targets-press-though,39396>

30th June 2011

Opposition paper deputy editor could face death penalty

<http://www.sudantribune.com/Opposition-paper-deputy-editor,39371>

29th June 2011

71 street boys died in Khartoum of toxicity, Justice Ministry orders investigation

<http://unmis.unmissions.org/Portals/UNMIS/MMR/MMR%2029%20June%202011.pdf>

28th June 2011

UN official urges human rights probe in Abyei, South Kordofan

<http://www.sudantribune.com/UN-official-urges-human-rights,39360>

20th June 2011

South Sudan minister decries child abuse

<http://www.sudantribune.com/UN-reports-abuses-against,39252>

17th June 2011

Ethnic tensions could increase violence in S. Sudan says rights group

<http://www.sudantribune.com/Ethnic-tensions-could-increase,39245>

14th June 2011

Over 50 people killed in fresh clashes in Warrap state - S. Sudan official

<http://www.sudantribune.com/Over-50-people-killed-in-fresh,39198>

12th June 2011

A senior journalist says his life threatened by South Sudan's security organs

<http://www.sudantribune.com/A-senior-journalist-says-his-life,39180>

12th June 2011

Lakes state MP accuses special court of applying excessive fines

<http://www.sudantribune.com/Lakes-state-MP-accuses-special,39169>

9th June 2011

UN human rights envoy to Sudan voices concern over abuses in Abyei, elsewhere

<http://www.sudantribune.com/UN-human-rights-envoy-to-Sudan,39151>

8th June 2011

Sudan releases the last activist of 30 January protesters

<http://www.sudantribune.com/Sudan-release-the-last-activist-of,39147>

26th May 2011

Lakes state youth attend wedding for first time since customary law protests

<http://www.sudantribune.com/Lakes-state-youth-attend-wedding,39005>

Post-Referendum and South Sudan Independence

18th July 2011

Sudan says no dual-citizenship for southerners

<http://www.sudantribune.com/Sudan-says-no-dual-citizenship-for,39557>

16th July 2011

South Sudan flag finally raised before 192 nations at UN in New York

<http://www.sudantribune.com/South-Sudan-flag-finally-raised,39540>

14th July 2011

UNSC recommends to General Assembly recognition of South Sudan

<http://www.sudantribune.com/UNSC-recommends-to-General,39530>

13th July 2011

Bashir delineates Sudan's "second republic", promises reforms

<http://www.sudantribune.com/Al-Bashir-delineates-Sudan-s,39519>

11th July 2011

South Sudan leader prepared to grant citizenship for Northerners

<http://www.sudantribune.com/South-Sudan-leader-says-prepared,39496>

10th July 2011

FACTBOX: South Sudan receives international recognition

<http://www.sudantribune.com/FACTBOX-South-Sudan-receives,39486>

10th July 2011

Salva Kiir takes oath, grants amnesty to rebels

<http://www.sudantribune.com/Salva-Kiir-takes-oath-grants,39479>

7th July 2011

UNMIS Northern Staff...Unknown Destiny

http://unmis.unmissions.org/Portals/UNMIS/MMR/MMR_7_July_2011.pdf

6th July 2011

Sudan Rejects International Pressure to Extend UNMIS Mandate

http://unmis.unmissions.org/Portals/UNMIS/MMR/MMR_6_July_11.pdf

1st June 2011

Sudan makes formal demand for UN withdrawal

<http://unmis.unmissions.org/Portals/UNMIS/MMR/2011-Jun-01.pdf>

31st May 2011

United Nations Security Council in consultations over UNMIS mandate

<http://unmis.unmissions.org/Portals/UNMIS/MMR/2011-May-31.pdf>

30th May 2011

Sudan insists that it has final say on UNMIS's stay

<http://www.sudantribune.com/Sudan-insists-that-it-has-final,39058>

23rd May 2011

UNMIS have to pack their belongings – Sudanese minister says

<http://www.sudantribune.com/UNMIS-have-to-pack-their,38991>

Conflict

- South Kordofan

20th July 2011

Expiry of UN mandate limits security information from war ravaged S. Kordofan

<http://www.sudantribune.com/Expiry-of-UN-mandate-limits,39571>

19th July 2011

UN report incriminates Sudan army's acts in South Kordofan, calls for ICC probe

<http://www.sudantribune.com/UN-report-incriminates-Sudan-army,39569>

18th July 2011

Sudan's NCP dismisses UNSC's "biased" concern over South Kordofan

<http://www.sudantribune.com/Sudan-s-NCP-dismisses-UNSC-s,39560>

15th July 2011

Alarmed by reports of mass graves, UN urges access to Southern Kordofan

<http://www.un.org/apps/news/story.asp?NewsID=39059&Cr=kordofan&Cr1=>

12th July 2011

Khartoum threatens NGOs in South Kordofan and Darfur with expulsion

<http://www.sudantribune.com/Khartoum-threatens-NGOs-in-South,39508>

6th July 2011

EU calls for ending fighting in South Kordofan

<http://www.sudantribune.com/EU-calls-for-ending-fighting-in,39441>

5th July 2011

Al Bashir to IGAD Summit: Southern Kordofan Atrocities violation of law, merits Accountability

<http://unmis.unmissions.org/Portals/UNMIS/MMR/MMR%205%20July%202011.pdf>

28th June 2011

UN Security Council endorses Abyei peacekeeping force

<http://www.sudantribune.com/UN-Security-Council-votes-in,39354>

26th June 2011

Sudan's president says Darfur peace document is not negotiable

<http://www.sudantribune.com/Sudan-s-president-says-Darfur,39335>

25th June 011

UN condemns arrest of its national staffers in Sudan

<http://www.sudantribune.com/UN-condemns-arrest-of-its-national,39329>

23rd June 2011

UN condemns targeting of South Kordofan people "along ethnic lines"

<http://www.sudantribune.com/UN-condemns-targeting-of-South,39312>

23rd June 2011

AU expresses concern over humanitarian crisis in S. Kordofan

<http://www.sudantribune.com/AU-expresses-concern-over,39305>

18th June 2011

UN reports abuses against peacekeepers, ongoing battles in Sudan's South Kordofan

<http://www.sudantribune.com/UN-reports-abuses-against,39252>

17th June 2011

Over 60,000 displaced in South Kordofan clashes: UN

<http://www.sudantribune.com/Over-60-000-displaced-in-South,39238>

14th June 2011

North Sudan strikes again in Unity State, southern official

<http://www.sudantribune.com/North-Sudan-strikes-again-in-Unity,39210>

14th June 2011

Ethnic Cleansing of Nuba People in Sudan:report

<http://unmis.unmissions.org/Portals/UNMIS/MMR/2011-Jun-14.pdf>

12th June 2011

SPLM in S. Kordofan wants new security arrangements, accuse UNMIS of rape

<http://www.sudantribune.com/SPLM-in-S-Kordofan-wants-new,39177>

11th June 2011

Haroun vows to punish SPLM's Al-Hilu as South Kordofan conflagration continues

<http://www.sudantribune.com/Haroun-vows-to-punish-SPLM-s-Al,39171>

8th June 2011

South Kordofan's clashes force UN to halt operations, spark US concern

<http://www.sudantribune.com/South-Kordofan-s-clashes-force-UN,39136>

- Abyei

20th June 2011

TEXT: North and South Sudan agree to demilitarize Abyei

<http://www.sudantribune.com/TEXT-North-and-South-Sudan-agree,39282>

5th June 2011

Sudan brushes aside UNSC demand for Abyei withdrawal

<http://www.sudantribune.com/Sudan-brushes-aside-UNSC-demand,39103>

2nd June 2011

Nearly 100 civilians killed in Abyei-official

<http://unmis.unmissions.org/Portals/UNMIS/MMR/2011-Jun-02.pdf>

31st May 2011

North & South Sudan agree to form joint committee on Abyei

<http://www.sudantribune.com/North-South-Sudan-agree-to-form,39061>

29th May 2011

Sudanese army declares end to military operations in Abyei

<http://www.sudantribune.com/Sudanese-army-declares-end-to,39046>

27th May 2011

UN: aid materials looted in Abyei

<http://www.sudantribune.com/UN-aid-materials-looted-in-Abyei,39029>

22nd May 2011

SAF controls Abyei town

<http://unmis.unmissions.org/Portals/UNMIS/MMR/MMR%2022%20May%202011.pdf>

21st May 2011

UN chief condemns attack on peacekeepers in Abyei

<http://www.sudantribune.com/UN-chief-condemns-attack-on,38976>

- Darfur**18th July 2011**

Darfur mediators defend Doha deal and urge rebel groups to join peace

<http://www.sudantribune.com/Darfur-mediators-defend-Doha-deal,39556>

15th July 2011

Sudan and LJM rebels sign a Darfur peace agreement in Doha

<http://www.sudantribune.com/Sudan-and-LJM-rebels-sign-a-Darfur,39539>

14th June 2011

Sudan to announce "decisive" resolutions on Darfur "Western" aid groups

<http://www.sudantribune.com/Sudan-to-announce-decisive,39207>

8th June 2011

Darfur's violence displaces 70,000 people in six months

<http://www.sudantribune.com/Darfur-s-violence-displaces-70-000,39137>

1st June 2011

Stakeholders adopt Doha framework for peace in Darfur

<http://www.sudantribune.com/Stakeholders-adopt-Doha-framework,39075>

- South Sudan**15th July 2011**

SPLA refutes Amnesty International claims of unlawful killings

<http://www.sudantribune.com/SPLA-refutes-Amnesty-International,39536>

5th July 2011

S. Sudan's Unity sacks commissioner who accused SPLA of Mayom massacre

<http://www.sudantribune.com/S-Sudan-s-Unity-sacks-commissioner,39425>

IV. DOCUMENTS

Statement of the independent expert on the situation of human rights in the Sudan

Statement following the conclusion of visit to the Sudan from 31 May to 8 June 2011

<http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=11123&LangID=E>

Sudan: UN expert urges partners to protect peace agreement

10 June 2011

<http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=11134&LangID=E>

Human Rights Watch, Interights, REDRESS, and the Sudan Democracy First Group

Rights Groups Urge Body to Press Khartoum to End Abuses

11 July 2011

<http://www.hrw.org/en/news/2011/07/11/sudan-african-commission-should-act-southern-kordofan>

African Centre for Justice and Peace Studies

On the Brink Again: Conflict and Ethnic Cleansing in South Kordofan

July 2011

<http://www.scribd.com/doc/60090813/On-the-Brink-Again-Conflict-and-Ethnic-Cleansing-in-South-Kordofan>

Katy Glassborow, Assadig Mustafa Zakaria Musa, Zakia Yousif

Rights Disregarded Under Sudan's Weak Constitution

International Justice - ICC, ACR Issue 299, 8 July 2011

<http://iwpr.net/report-news/rights-disregarded-under-sudans-weak-constitution>

Human Rights Watch,

Darfur in the Shadows, The Sudanese Government's Ongoing Attacks on Civilians and Human Rights

5 June 2011

<http://www.hrw.org/node/99396>

Amel Gorani

Sudanese women demand justice

20 May 2011

<http://www.opendemocracy.net/5050/amel-gorani/sudanese-women-demand-justice>