



General Assembly

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Germany, Monaco,* Norway,* United Kingdom of Great Britain and Northern Ireland and United States of America*: draft resolution

S-32/... Situation of human rights in the Sudan

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other relevant international human rights conventions and instruments,

Reaffirming that all human beings are born free and equal in dignity and rights, and that everyone is entitled to all the rights and freedoms set forth in the Universal Declaration of Human Rights,

Recalling all previous Human Rights Council resolutions on human rights in the Sudan,

Recalling also all relevant resolutions adopted and statements made by the General Assembly and the Security Council on the Sudan,

Recalling further General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007,

Emphasizing that States have the primary responsibility for the promotion and protection of all human rights, including with regard to freedom of assembly and freedom of expression, including in the context of peaceful protests,

Recalling the obligations of the Sudan under the international human rights covenants and instruments to which it is a State party, and recalling also the commitment of the Sudan, reflected in its constitutional document, to respect and protect human rights,

Acknowledging that, prior to the military takeover on 25 October 2021, the situation of human rights in the Sudan had improved significantly and had been continuing to improve, and acknowledging also the continuing role of human rights monitoring, reporting, technical assistance and capacity-building, in particular by the Office of the United Nations High Commissioner for Human Rights and the United Nations Integrated Transition Assistance Mission in the Sudan in assisting this improvement,

Recalling with appreciation the exemplary, non-violent and inspiring popular uprising of the Sudanese people in 2019, in particular the wide participation of women and youth, calling for freedom, peace and justice, which led to a fundamental change in the political

* State not a member of the Human Rights Council.



situation in the Sudan and the formation of a civilian-led transitional Government, led by Prime Minister Abdallah Hamdok,

Expressing deep concern about the restrictions on the exercise of freedom of expression and on the rights to freedom of association and of peaceful assembly, and at the violence committed against peaceful protesters since 21 October 2021,

Calling for the immediate release of civilian government leaders, political figures and others, and voicing concern about their arrest without clear charges, and especially about violence committed against detainees,

1. *Notes* the decision of the African Union Peace and Security Council on 27 October 2021 to suspend the Sudan from participating in all activities of the African Union, following the military takeover on 25 October 2021 by the Sudanese military;

2. *Takes note* of the statement of the Security Council of 28 October 2021 on the situation in the Sudan;¹

3. *Condemns in the strongest possible terms* the military takeover on 25 October 2021 by the Sudanese military against the transitional Government led by Prime Minister Abdallah Hamdok, the suspension of transitional institutions and the unilateral imposition of measures that are contrary to the Sudan Constitutional Declaration of 2019 and the terms of the Juba Peace Agreement of 2020;

4. *Calls for* the immediate return to the civilian-led transitional Government under Prime Minister Abdallah Hamdok and the return to the internationally supported governing principles in the Sudan, in compliance with the Sudan Constitutional Declaration and the Juba Peace Agreement;

5. *Condemns* the arbitrary detention by the Sudanese military of Prime Minister Hamdok, other members of the Cabinet of the Government of the Sudan, other civilians and other senior national and regional officials appointed by the transitional Government, and calls upon the Sudanese military to release, without delay and without preconditions, all individuals detained unlawfully and arbitrarily since the start of the military takeover;

6. *Calls upon* the Sudanese military, without delay and without preconditions, to engage in dialogue with civilian leaders, to enable and support the immediate re-establishment of the transitional Government of the Sudan, led by Prime Minister Hamdok, and his Cabinet, and the full implementation of the Sudan Constitutional Declaration and the Juba Peace Agreement, in both letter and spirit;

7. *Welcomes* the statements by the United Nations High Commissioner for Human Rights and the Secretary-General on this subject;

8. *Expresses deep concern* at reports of human rights violations and abuses perpetrated since the military takeover on 25 October 2021, particularly the killing and injuring of peaceful protestors;

9. *Emphasizes* the importance of full respect for human rights, and recalls in particular the obligation of the Sudan to respect the rights to freedom of expression, association and peaceful assembly, among others, and urges the Sudan in this regard in particular to protect journalists and to lift Internet restrictions so as to ensure access of the people of the Sudan to information;

10. *Urges* all actors in the Sudan to demonstrate the utmost restraint, and to refrain from violence and from committing further human rights violations and abuses;

11. *Calls upon* the Sudan to ensure accountability for those responsible and support for the victims of any such violations and abuses;

12. *Decides* to appoint, for a period of one year, a special rapporteur on the situation of human rights in the Sudan;

¹ www.un.org/press/en/2021/sc14678.doc.htm.

13. *Requests* the Special Rapporteur to establish direct contact with all relevant actors in the Sudan, including civil society and the people of the Sudan, and to monitor the situation of human rights since the military takeover in the Sudan, in accordance with the following mandate:

- (a) To report on the developing situation of human rights, and to make recommendations to improve it;
- (b) To report on human rights violations and abuses committed by the Sudanese military;
- (c) To assist in fulfilling the human rights obligations arising from international treaties to which the Sudan is a State party;
- (d) To offer support and advice to civil society;
- (e) To seek, receive, examine and act on information from all relevant stakeholders pertaining to the situation of human rights in the Sudan;
- (f) To advise the Human Rights Council on how the international community can support the full restoration of respect for human rights and the State's compliance with its obligations under international human rights law and the Juba Peace Agreement;
- (g) To present an oral report to the Human Rights Council at its fiftieth session;
- (h) To present a written report to the Human Rights Council at its fifty-first session;

14. *Emphasizes* the urgency of appointing a special rapporteur on the situation of human rights in the Sudan, requests the immediate operationalization of the mandate, and also requests the Special Rapporteur to cooperate with relevant human rights mechanisms;

15. *Decides* to hold an enhanced interactive dialogue at its fiftieth and fifty-first sessions to consider the reports of the Special Rapporteur;

16. *Requests* the High Commissioner to update the Human Rights Council at its forty-ninth session, in an enhanced interactive dialogue, on the situation of human rights in the Sudan since the military takeover;

17. *Requests* the Secretary-General to make all necessary financial, technical and logistical support available to the Office of the High Commissioner in this regard;

18. *Calls upon* the High Commissioner and the Special Rapporteur to monitor patterns of human rights violations and abuses that point to a heightened risk of a human rights emergency, to continue to bring that information to the attention of the Human Rights Council in a manner that reflects the urgency of the situation, including intersessionally through ad hoc briefings, and to advise on the further steps that may be needed if the situation continues to deteriorate, in furtherance of the Council's prevention mandate, and to inform other United Nations bodies as necessary on progress in that regard;

19. *Recalls* that States members of the Human Rights Council are required to uphold the highest standards in the promotion and protection of human rights, and that the General Assembly may suspend the rights of membership of a State member of the Council that commits gross and systematic violations of human rights;

20. *Decides* to remain seized of the matter.