

**ACHPR / Res. 421 (LXIV) 2019: Resolution on the Human Rights Situation in the Republic of The Sudan**

*The African Commission on Human and Peoples' Rights (the Commission), meeting at its 64<sup>th</sup> Ordinary Session held from 24 April to 14 May 2019 in Sharm El Sheikh, The Arab Republic of Egypt;*

**Recalling** its mandate to promote and protect human and peoples' rights in Africa under the African Charter on Human and Peoples' Rights (the African Charter);

**Mindful** of the obligations of the Republic of The Sudan as a Member State of the African Union (AU), and State Party to the African Charter and the African Charter on Democracy, Elections and Governance;

**Considering** that the objectives of the AU include the promotion of peace, security and stability, human and peoples' rights, democratic principles and institutions, and popular participation and good governance;

**Recalling** its Resolution ACHPR/Res. 413 (EXT.OS/XXV) 2019 on the human rights situation in the Republic of The Sudan, adopted during its 25<sup>th</sup> Extra-Ordinary Session, held in Banjul, The Gambia, from 19 February to 5 March 2019;

**Further recalling** its Statement of 11 February 2019 on the Human Rights Situation in the Republic of The Sudan;

**Taking Note** of Communiqué PSC/PR/COMM.(DCCCXL) issued by the Peace and Security Council of the AU on 15 April 2019, and Communiqué PSC/PR/COMM.(DCCCXLVI) on 30 April 2019, on the situation in The Sudan;

**Further noting** the Statement of the Chairperson of the AU Commission on 11 April 2019, as well as the Statement of 1 May 2019 on the dispatch to The Sudan of a mission to support the negotiations among Sudanese stakeholders;

**Reaffirming** Articles 3, 4, 5, 6, 7, 9, 11, 13, 16, and 19 of the African Charter, which guarantee the right to equal protection of the law, the right to life, the right not to be subjected to torture and other ill-treatment, the right to personal liberty and protection from arbitrary arrest, the right to a fair trial, the right to receive information and to freedom of expression, the right of assembly, the right to participate freely in government, the right to the best attainable state of physical and mental health, and the right to equality of all peoples;

**Recognising** the Sudanese peoples' legitimate aspirations to the opening of political space and the creation of institutions that are representative and respectful of human rights and freedoms;

**Further recognizing** the negotiations towards an agreement on the modalities, structures and timelines of a civilian-led Transitional Authority that will lead the process to the organisation and holding of free, fair and transparent elections;

**Disturbed** by reports of instances of excessive use of force by state security agents against peaceful protestors in different parts of the country;

The Commission:

1. **Calls on** the Transitional Authorities in the Republic of The Sudan to:
  - i. protect the right of citizens to participate freely in the government of their country through freely chosen representatives, as enshrined under Article 13 of the African Charter;
  - ii. respect and uphold the fundamental human rights and freedoms of citizens, particularly the right to assembly, freedom from torture and ill-treatment, liberty and security, as well as due process of law, during and after the transition to a Civilian-led Transitional Authority;
  - iii. refrain from the use of excessive force against protestors and, more generally, take the necessary measures to guarantee the security and safety of the population;
  - iv. Conduct prompt, impartial and independent investigations into the alleged human rights violations and hold perpetrators, including state security agents accountable;
  - v. ensure that victims of the violations and their families obtain full and adequate redress, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition;

2. **Encourages** the Sudanese stakeholders to continue to pursue constructive dialogue to ensure the setting up of the Civilian-led Transitional Authority, without delay;
  
3. **Further** calls on all actors, particularly opposition party members, activists, and the general population, to prioritise dialogue and refrain from any form of incitement and acts of violence.

**Done in Sharm El Sheikh, The Arab Republic of Egypt, on 14 May  
2019**