



Human Rights Council

Forty-second session

9–27 September 2019

Agenda item 10

**Resolution adopted by the Human Rights Council
on 27 September 2019****42/35. Technical assistance and capacity-building to further improve human rights in the Sudan**

The Human Rights Council,

Guided by the principles and purposes 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 instruments,

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

Recalling further Human Rights Council resolution 39/22 of 28 September 2018,

Emphasizing that States have the primary responsibility for the promotion and protection of all human rights,

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

Welcoming also the signing of the constitutional document on 17 August 2019, which embodies the aspirations of the Sudanese people to establish a State of good governance, rule of law, democracy and respect for human rights and to allocate not less than 40 per cent of the seats in the legislative council to women,

Welcoming further the formation of the Sovereign Council and the civilian-led transitional Government of the Sudan,

Commending the role played by the African Union, the Intergovernmental Authority on Development, the Government of Ethiopia and other regional and international partners in facilitating the mediation process between the Transitional Military Council and the Forces for Freedom and Change,

Noting that the situation of human rights in the Sudan has the potential to significantly improve, and that technical assistance and capacity-building will nevertheless be needed,

1. *Notes with appreciation the work of the Independent Expert on the situation of human rights in the Sudan;*



2. *Takes note* of the report of the Independent Expert,¹ and of the comments of the Government of the Sudan thereon;²
3. *Encourages* the Government of the Sudan to cooperate further with the Independent Expert to enable him to fulfil his mandate, and welcomes the Government's stated commitment to continue that cooperation;
4. *Requests* the Independent Expert to work with all relevant partners to provide technical assistance and capacity-building to relevant entities of the Government of the Sudan, national agencies and other stakeholders;
5. *Welcomes* the communiqué adopted by the African Union Peace and Security Council at its 875th meeting, on 6 September 2019, in which the Council decided to lift the suspension of the participation of the Sudan in African Union activities;
6. *Also welcomes* the declaration of principles signed in Juba on 11 September 2019, and encourages other, non-signatory movements to sign it;
7. *Reiterates its appreciation* that the Sudan continues to host more than one million refugees from neighbouring countries and other countries in the region, and the opening of humanitarian corridors to provide life-saving interventions to those affected by conflict;
8. *Notes with appreciation* the continued efforts of the Government of the Sudan to implement the universal periodic review recommendations that it has accepted, notably on ratifying the Convention against Discrimination in Education and reforming the National Security Act of 2010, and encourages the Government to continue its cooperation with the review process, including through further implementation of accepted recommendations;
9. *Also notes with appreciation* the priorities identified by the Government of the Sudan, as stated in the constitutional document, including pledges to achieve just and comprehensive peace, to put an end to armed conflict, to repeal legislation that restricts freedoms or discriminates between individuals, to restructure the National Intelligence and Security Service and to address the root causes of the economic crisis;
10. *Urges* the Government of the Sudan to create and maintain a safe and enabling environment in which civil society, human rights defenders, the media and other independent actors can operate freely, in accordance with the constitutional document;
11. *Encourages* the Government of the Sudan to apply Security Council resolution 1325 (2000) of 31 October 2000 and the relevant decisions of the African Union Assembly regarding the participation of women at all levels in the peace process, in accordance with the constitutional document;
12. *Also encourages* the Government of the Sudan to conduct legal reforms that guarantee women's rights, in accordance with the constitutional document;
13. *Notes with appreciation* the provision in the constitutional document for the establishment of an independent national committee, with the support of the African Union if required, to conduct transparent, precise and independent investigations into the violations committed on 3 June 2019, and into other events and incidents during which there have been violations of the rights and dignity of the individuals concerned, whether civilian or military;
14. *Takes note* of the observations made by the Independent Expert in his report, and encourages the Government of the Sudan to address the remaining challenges in relation to the situation of human rights throughout the country, in accordance with the constitutional document;
15. *Encourages* the Government of the Sudan:
 - (a) To establish a national human rights institution that conforms to the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);

¹ A/HRC/42/63.

² A/HRC/42/63/Add.1.

(b) To guarantee, in law and in practice, media freedom, freedom of assembly and association, freedom of expression and freedom of religion or belief;

16. *Welcomes* the efforts of the Government of the Sudan to investigate alleged human rights abuses and violations by all parties, and encourages its efforts to hold perpetrators to account as its foremost priority, while noting the view that bringing all government agencies and offices into line with the State's international human rights obligations and commitments can further improve the human rights environment in the Sudan;

17. *Also welcomes* the improvements in security in areas of conflict in the Sudan, and takes note of the provisions of the constitutional document that stress the importance of realizing equitable and lasting peace in the country, including in Darfur, Blue Nile and Southern Kordofan;

18. *Urges* Member States, the United Nations High Commissioner for Human Rights, relevant United Nations agencies and other stakeholders to support the efforts of the Government of the Sudan in accordance with the present resolution with a view to further improving the situation of human rights in the country and by responding to the Government's requests for technical assistance and capacity-building;

19. *Notes with appreciation* the outcomes of the recent visit of the technical team of the Office of the United Nations High Commissioner for Human Rights to the Sudan, from 9 to 12 September 2019;

20. *Requests* the Office of the High Commissioner, taking into account, inter alia, the recommendations of the Independent Expert, to provide technical assistance and capacity-building in ways to improve further the situation of human rights in the country and with a view to providing support for the country to fulfil its human rights obligations and commitments;

21. *Decides* to renew the mandate of the Independent Expert on the situation of human rights in the Sudan for period of one year, while recognizing the intention to phase out the mandate of the Independent Expert in accordance with Human Rights Council resolution 39/22;

22. *Requests* the Independent Expert to present a report on the implementation of his mandate, including recommendations on technical assistance and capacity-building, to the Human Rights Council for consideration during an enhanced interactive dialogue at its forty-fifth session;

23. *Requests* the Office of the High Commissioner to provide the Independent Expert with all the financial and human resources necessary for the implementation of the mandate;

24. *Welcomes* the commitment of the Government of the Sudan to establish a fully mandated country office of the Office of the High Commissioner, with a field presence;

25. *Requests* the Secretary-General to provide all the resources necessary to establish and operate such a country office, including a field presence;

26. *Also requests* the Secretary-General to provide the Office of the High Commissioner with all the necessary resources to implement the present resolution;

27. *Requests* the Government of the Sudan and the Office of the High Commissioner to present their oral reports on progress towards the opening of a country office during an enhanced interactive dialogue at the forty-fourth session of the Human Rights Council;

28. *Decides* to continue to consider this issue under agenda item 10.

*42nd meeting
27 September 2019*

[Adopted without a vote.]