



## Sudan Law Reform Update

October 2009

Welcome to the second issue of the Sudan law reform update. The Project for Criminal Law Reform in Sudan (PCLRS), a joint initiative of SORD and REDRESS, provide 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 summary of the news (largely based on English language media sources) on law reform, jurisprudence and other developments. It also 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 in October 2009 up to 26 October 2009. It features further news concerning discussions on the National Security Bill and focuses on the advancement of the draft referendum bill. It also contains the text of the African Union High Level Panel on Darfur as published in the press (it has not been made public officially), which examines the capacity of the existing legal framework in Sudan to investigate and prosecute international crimes.

Yours,  
Lutz Oette

For further information, please visit our website at [www.pclrs.org](http://www.pclrs.org).

Please contact us (Khansa Elkarib (SORD) at [sord2lawreform@gmail.com](mailto:sord2lawreform@gmail.com) Tel. +249 83 230059 or Abdelsalam Hassan (REDRESS) at [abdelsalam@redress.org](mailto:abdelsalam@redress.org) Tel +44 20 7793177) if you wish to share information or submit your comments for consideration, or if you do not wish to receive any further issues of the update.

## I. PCLRS NEWS

REDRESS Submission, 15 October 2009:

*'Promoting law reform in Sudan to enhance human rights protection, strengthen the rule of law and foster democratic processes'*

<http://www.redress.org/documents/REDRESS%20Submission%20CPA%2015%20October%202009.pdf>

Topical paper by Dr. Amin Mekki Medani, *'Law Reform in the Sudan'*

[http://www.redress.org/documents/Amin\\_Paper\\_Law\\_Reform\\_in\\_the\\_Sudan\\_26%20Oct\\_09.pdf](http://www.redress.org/documents/Amin_Paper_Law_Reform_in_the_Sudan_26%20Oct_09.pdf)

## II. LAW REFORM

### 1. National Security Laws

#### 22<sup>nd</sup> October

Lawmakers endorse security bill in preliminary hearing

<http://unmis.unmissions.org/Portals/UNMIS/MMR/MMR%2022%20Oct%2009.pdf>

#### 20<sup>th</sup> October

SPLM ministers walked out of the National Assembly in Khartoum on Monday 19<sup>th</sup> October. During its ninth and last session, the parliament has to adopt a number of laws including the much debated national security laws.

<http://www.sudantribune.com/spip.php?article32844>

#### 5<sup>th</sup> October

The speaker of the National Assembly revealed that the National Security Bill would be among the bills to be tabled for deliberation when parliament returned for recess later that day.

<http://unmis.unmissions.org/Portals/UNMIS/MMR/MMR%2005%20October%2009.pdf>

### 2. Constitutional Law and Elections

#### 26<sup>TH</sup> October

SPLM continues to boycott parliamentary session

<http://www.sudantribune.com/spip.php?article32915>

#### 25<sup>th</sup> October

No agreement reached on referendum law- SPLM

<http://unmis.unmissions.org/Portals/UNMIS/MMR/MMR%2025%20Oct%2009.pdf>

#### 21<sup>st</sup> October

Talks on the South Sudan referendum progress in Khartoum.

<http://www.sudantribune.com/spip.php?article32852>

#### **19<sup>th</sup> October**

The second largest Northern opposition party in Sudan, the Democratic Unionist Party, condemned the agreement made this week for the 2011 referendum in South Sudan.

<http://www.sudantribune.com/spip.php?article32825>

#### **18<sup>th</sup> October**

SPLM threatens parliament boycott. The SPLM parliamentary bloc has announced it is boycotting parliamentary sessions with effect from today in protest over the lack of response to their memorandum requesting a timetable for deliberations over the non-CPA compliant laws.

<http://unmis.unmissions.org/Portals/UNMIS/MMR/MMR%2019%20Oct%2009.pdf>

#### **18<sup>th</sup> October**

Leaders of the Southern Internally Displaced Persons (IDPs) in Khartoum commended the two peace partners for reaching peaceful understanding on referendum law saying it is big achievement worth supporting.

<http://www.sudantribune.com/spip.php?article32816>

#### **18<sup>th</sup> October**

The NCP agreed not to rely on the census results for the 2011 referendum in South Sudan.

<http://www.sudantribune.com/spip.php?article32822>

#### **17<sup>th</sup> October**

Peace partners reach a breakthrough on the main outstanding issues in the draft law for a referendum in Southern Sudan.

<http://www.sudantribune.com/spip.php?article32805>

#### **13<sup>th</sup> October**

SPLM and NCP resume debates on the referendum law.

<http://www.sudantribune.com/spip.php?article32757>

#### **13<sup>th</sup> October**

SPLM gives an ultimatum to its partner in the Government of National Unity saying the dominant NCP has one week to agree on a number of draft laws. The laws include referendum and national security laws under debate.

<http://www.sudantribune.com/spip.php?article32766>

#### **10<sup>th</sup> October**

The SPLM stress the importance of the terms of the proposed referendum law to the international community.

<http://www.sudantribune.com/spip.php?article32729>

#### **6<sup>th</sup> October**

The speaker of the Sudanese national assembly threatened to take a draft bill of the referendum law. He voiced frustration at the inability of the NCP and SPLM to reach a compromise.

<http://www.sudantribune.com/spip.php?article32689>

**5<sup>th</sup> October**

The NCP and the SPLM are working to meet a compromise on the disputed 2008 census results and the referendum law.

<http://www.sudantribune.com/spip.php?article32673>

### **III. JURISPRUDENCE**

**21 October**

Lubna Hussein files defamation case against Assembly Speaker. She requested the National Assembly members to strip Parliament Speaker Ahmed Ibrahim Al-Tahir of his immunity to face a defamation case. She said she was surprised that there was no provision in the Constitution for lifting immunity from the Speaker despite clear provisions for lifting the same from MPs, the President of the Republic and his deputies and judges. She has vowed to continue her case against the Speaker.

<http://unmis.unmissions.org/Portals/UNMIS/MMR/MMR%2021%20Oct%2009.pdf>

### **IV. DOCUMENTS**

Report of the African Union High-Level Panel on Darfur (AUPD)

[http://www.sudantribune.com/IMG/doc/AU\\_Panel\\_on\\_Darfur\\_Report\\_October\\_2009.doc](http://www.sudantribune.com/IMG/doc/AU_Panel_on_Darfur_Report_October_2009.doc)