



## **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/](http://www.pclrs.org/)  
Please contact Lutz Oette (REDRESS) at [lutz@redress.org](mailto:lutz@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. 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**

### **20<sup>th</sup> July 2011**

Sudan parliament to deliberate on Popular Consultation law

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

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

### **8<sup>th</sup> July 2011**

South Sudan passes interim constitution amid concerns over presidential powers

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

**3<sup>rd</sup> July 2011**

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

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

**24<sup>th</sup> June 2011**

S. Sudan opposition sides with SPLM against amendment of constitution

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

**21<sup>st</sup> June 2011**

South Sudan parliament's official angered by questions on constitution

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

**9<sup>th</sup> 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>

**3<sup>rd</sup> June 2011**

Sudanese president outlines features of post-secession North

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

**2<sup>nd</sup> June 011**

National Assembly mulls amendments in Sudan Police Act

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

**30<sup>th</sup> May 2011**

NCP discussed constitution, Abyei

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

**III. OTHER NEWS**

**Human Rights Situation**

**20<sup>th</sup> July 2011**

Detained UNMID staffer charged, feared tortured

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

**20<sup>th</sup> July 2011**

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

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

**13<sup>th</sup> July 2011**

Sudan's NISS says released "all detainees"

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

**6<sup>th</sup> July 2011**

Khartoum court orders journalist to pay fine or face imprisonment

[http://unmis.unmissions.org/Portals/UNMIS/MMR/MMR\\_6\\_July\\_11.pdf](http://unmis.unmissions.org/Portals/UNMIS/MMR/MMR_6_July_11.pdf)

**2<sup>nd</sup> July 2011**

Sudan detains South Kordofan's human rights activist

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

**2<sup>nd</sup> July 2011**

Sudan targets press though "contrived" legal proceedings

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

**30<sup>th</sup> June 2011**

Opposition paper deputy editor could face death penalty

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

**29<sup>th</sup> 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>

**28<sup>th</sup> June 2011**

UN official urges human rights probe in Abyei, South Kordofan

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

**20<sup>th</sup> June 2011**

South Sudan minister decries child abuse

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

**17<sup>th</sup> June 2011**

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

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

**14<sup>th</sup> 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>

**12<sup>th</sup> 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>

**12<sup>th</sup> June 2011**

Lakes state MP accuses special court of applying excessive fines

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

**9<sup>th</sup> 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>

**8<sup>th</sup> June 2011**

Sudan releases the last activist of 30 January protesters

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

**26<sup>th</sup> 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**

**18<sup>th</sup> July 2011**

Sudan says no dual-citizenship for southerners

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

**16<sup>th</sup> 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>

**14<sup>th</sup> July 2011**

UNSC recommends to General Assembly recognition of South Sudan

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

**13<sup>th</sup> July 2011**

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

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

**11<sup>th</sup> July 2011**

South Sudan leader prepared to grant citizenship for Northerners

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

**10<sup>th</sup> July 2011**

FACTBOX: South Sudan receives international recognition

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

**10<sup>th</sup> July 2011**

Salva Kiir takes oath, grants amnesty to rebels

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

**7<sup>th</sup> July 2011**

UNMIS Northern Staff...Unknown Destiny

[http://unmis.unmissions.org/Portals/UNMIS/MMR/MMR\\_7\\_July\\_2011.pdf](http://unmis.unmissions.org/Portals/UNMIS/MMR/MMR_7_July_2011.pdf)

**6<sup>th</sup> July 2011**

Sudan Rejects International Pressure to Extend UNMIS Mandate

[http://unmis.unmissions.org/Portals/UNMIS/MMR/MMR\\_6\\_July\\_11.pdf](http://unmis.unmissions.org/Portals/UNMIS/MMR/MMR_6_July_11.pdf)

**1<sup>st</sup> June 2011**

Sudan makes formal demand for UN withdrawal

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

**31<sup>st</sup> May 2011**

United Nations Security Council in consultations over UNMIS mandate

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

**30<sup>th</sup> May 2011**

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

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

**23<sup>rd</sup> May 2011**

UNMIS have to pack their belongings – Sudanese minister says

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

## **Conflict**

### **- South Kordofan**

**20<sup>th</sup> July 2011**

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

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

**19<sup>th</sup> 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>

**18<sup>th</sup> July 2011**

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

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

**15<sup>th</sup> 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=>

**12<sup>th</sup> July 2011**

Khartoum threatens NGOs in South Kordofan and Darfur with expulsion

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

**6<sup>th</sup> July 2011**

EU calls for ending fighting in South Kordofan

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

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

**28<sup>th</sup> June 2011**

UN Security Council endorses Abyei peacekeeping force

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

**26<sup>th</sup> June 2011**

Sudan's president says Darfur peace document is not negotiable

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

**25<sup>th</sup> June 011**

UN condemns arrest of its national staffers in Sudan

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

**23<sup>rd</sup> June 2011**

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

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

**23<sup>rd</sup> June 2011**

AU expresses concern over humanitarian crisis in S. Kordofan

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

**18<sup>th</sup> June 2011**

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

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

**17<sup>th</sup> June 2011**

Over 60,000 displaced in South Kordofan clashes: UN

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

**14<sup>th</sup> June 2011**

North Sudan strikes again in Unity State, southern official

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

**14<sup>th</sup> June 2011**

Ethnic Cleansing of Nuba People in Sudan:report

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

**12<sup>th</sup> 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>

**11<sup>th</sup> 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>

**8<sup>th</sup> 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**

**20<sup>th</sup> June 2011**

TEXT: North and South Sudan agree to demilitarize Abyei

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

**5<sup>th</sup> June 2011**

Sudan brushes aside UNSC demand for Abyei withdrawal

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

**2<sup>nd</sup> June 2011**

Nearly 100 civilians killed in Abyei-official

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

**31<sup>st</sup> May 2011**

North & South Sudan agree to form joint committee on Abyei

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

**29<sup>th</sup> May 2011**

Sudanese army declares end to military operations in Abyei

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

**27<sup>th</sup> May 2011**

UN: aid materials looted in Abyei

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

**22<sup>nd</sup> May 2011**

SAF controls Abyei town

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

**21<sup>st</sup> May 2011**

UN chief condemns attack on peacekeepers in Abyei

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

**- Darfur**

**18<sup>th</sup> July 2011**

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

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

**15<sup>th</sup> 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>

**14<sup>th</sup> June 2011**

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

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

**8<sup>th</sup> June 2011**

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

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

**1<sup>st</sup> June 2011**

Stakeholders adopt Doha framework for peace in Darfur

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

**- South Sudan**

**15<sup>th</sup> July 2011**

SPLA refutes Amnesty International claims of unlawful killings

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

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