



## SECURITY COUNCIL INFORMAL EXPERTS GROUP ON WOMEN, PEACE AND SECURITY

### SUDAN

December 16<sup>th</sup>, 2019

#### ***Security Council Resolution 2242 (2015):***

*OP 5. Recognizes the ongoing need for greater integration of resolution 1325 (2000) in its own work in alignment with resolution 2122 (2013), including the need to address challenges linked to the provision of specific information and recommendations on the gender dimensions of situations on the Council's agenda, to inform and help strengthen the Council's decisions, and therefore in addition to elements set out in resolution 2122 (2013), and in accordance with established practice and procedure: (a) Expresses its intention to convene meetings of relevant Security Council experts as part of an Informal Experts Group on Women, Peace and Security to facilitate a more systematic approach to Women, Peace and Security within its own work and enable greater oversight and coordination of implementation efforts.*

#### ***Security Council Resolution 2467 (2019):***

*OP 4. Recognizes the work of the Informal Experts Group on Women, Peace and Security, as expressed in resolution 2242, and expresses its intention to consider its information, analysis, and recommendations, acknowledging UN Women's important role in this regard, and emphasizes that sexual violence in armed conflict and post-conflict situations and all other aspects of the Women, Peace and Security agenda should continue to be addressed in this forum.*

#### ***Security Council Resolution 2493 (2019):***

*OP. 7. Takes note of the work of the Informal Experts Group on Women, Peace and Security as expressed in resolution 2242 (2015) to facilitate a more systematic approach to Women, Peace and Security within its own work and enable greater oversight and coordination of implementation efforts; and acknowledges UN Women's important role in this regard.*

### RECOMMENDATIONS

#### **Considerations for upcoming decisions of the Security Council**

The Security Council should reiterate the extensive provisions on women, peace and security adopted in resolution 2429. In addition, the Security Council could consider:

- *Requesting that the government of Sudan support women's leadership and participation in all phases and bodies of the political transition, including in decision-making roles in governance, rule of law, and security arrangements, as well as in the peace negotiations and related commissions.*
- *Requesting periodic updates on women's participation in the peace talks and political transition, including on all relevant commissions and monitoring bodies.*
- *Calling on the African Union to appoint a gender advisor to support the peace negotiations and on the UN to develop a context-specific strategy to ensure women's participation in the peace talks.*
- *Calling for the protection of women-led organizations and women's human rights defenders from gender-specific threats and attacks.*

- *Welcoming the joint implementation of WPS objectives by the UN mission and country team and requesting that gender analysis and dedicated gender expertise be part of strategic planning decisions informing the drawdown of UNAMID.*
- *Welcoming the government of Sudan's efforts to repeal discriminatory laws and ratify international agreements, including CEDAW.*
- *Calling on the international community to support the government of Sudan's efforts to advance women, peace and security, including through the adoption of a national action plan on 1325 and a framework of cooperation to prevent and respond to conflict-related sexual violence, and urging the government to increase its budgetary allocations to these matters.*

#### **Other recommendations for the IEG and the Security Council**

The IEG co-chairs and other Council Members should:

- Continue to engage in high-level direct political advocacy to ensure that women's participation and leadership informs all stages of the peace process.
- Provide political and financial support to women's civil society organizations to ensure their meaningful participation in the peace talks and post-conflict and recovery efforts.
- Earmark funding support to the transitional government for initiatives that further gender equality and women's empowerment, with a 15 percent minimum target.
- Apply benchmarks for improvements in gender equality and women's empowerment as conditions for the lifting of sanctions and debt relief.
- Urgently support the establishment and operationalization of the Commission on Women and Gender Equality and advocate for a strong mandate and adequate capacity.
- Ask for periodic updates from government interlocutors and the UN about plans to repeal discriminatory laws affecting women and girls.
- Advocate for disarmament to be prioritized in the agenda of the peace process.
- Encourage the government of Sudan to adequately empower the Human Rights Commission to protect women's human rights defenders.
- Engage in direct advocacy with the government about the lack of women or a focus on sexual violence in the committee investigating the June 3<sup>rd</sup> violence.
- Provide flexible, multi-year, and core funding to women's rights organizations and women-led CSOs operating in humanitarian contexts who address harmful gender norms and the prevention, mitigation and response to gender-based violence prevention response, and encourage the government to reform provisions in the Voluntary Work Act and the Humanitarian Aid Commission that restrict the work of civil society organizations.
- Ensure that medical, psychosocial support, and legal services are available and accessible to survivors of gender-based violence, including conflict-related sexual violence.

#### **Recent developments in the Security Council**

On October 31<sup>st</sup>, the Security Council unanimously adopted **resolution 2495**, extending the current mandate of UNAMID for another year and highlighting the focus on the peace process and peacebuilding activities, the protection of civilians, **monitoring and reporting on human rights, including sexual and gender-based violence**, and the facilitation of humanitarian assistance. In this resolution, the Council decided that UNAMID shall **continue to implement its mandate as set out in resolution 2429 (2018)** which contained extensive language on women, peace and security:

PP. Recalling all its relevant resolutions on women, peace and security (...).

PP. (...) Further recalling resolution 2242 (2015) and its aspiration to double the number of women in military and police contingents of United Nations peacekeeping operations by 2020.

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| PP. (...) Urging the Government of Sudan to consolidate and expand its efforts to end impunity and to enhance the protective environment for the civilian population, without any discrimination, particularly with respect to violations and abuses of women's rights and sexual and gender-based violence (...).  |
| PP. Emphasising that those responsible for violations of international humanitarian law and violations and abuses of human rights must be held accountable and that the Government of Sudan bears the primary responsibility to protect civilians, including women and children (...).  |
| PP. Noting that, notwithstanding the significant decrease in inter-communal conflicts, they remain one of the main sources of violence in Darfur and expressing concern at ongoing inter-communal conflicts over land, access to water and other resources, migration issues and tribal rivalries (...), as well as at the persistence of attacks against civilians, sexual and gender-based violence (...).  |
| PP. (...) Recognising UNAMID's reduced ability to monitor and verify reported human rights violations and abuses in the areas from which it has withdrawn and expressing concern that IDPs continue to face grave security threats including being killed, raped, or harassed as they conduct life-sustaining activities outside the camps and the worrying levels of sexual and gender-based violence and grave violations against children, as well as findings in February 2018 from the UN Special Representative of the Secretary General on Sexual Violence in Conflict that indicated an increase in sexual violence against children in Darfur, that victims of sexual violence often face denial, shame and stigma preventing them from reporting the crime or seeking assistance, further compounding their suffering, and denial of justice and accountability.  |
| PP. Calling on all parties to comply with their obligations under international human rights law and international humanitarian law, stressing the importance that the Council attaches to ending impunity including through ensuring accountability and bringing to justice the perpetrators of crimes, including sexual and gender-based violence, committed by all parties in Darfur, urging the Government of Sudan to comply with its obligations in this respect, recognising the role of the Special Prosecutor for Darfur appointed by the Government of Sudan, particularly with respect to cases of sexual and gender-based violence, and stressing the need for progress in particular in investigating and prosecuting sexual and gender-based violence cases with respect to perpetrators on all sides, reiterating the call for swift progress on the draft Memorandum of Understanding providing for UNAMID and African Union observation of the proceedings of the Special Court, and calling on the Government of Sudan to investigate swiftly attacks against UNAMID, and to bring the perpetrators to justice, |
| 7. Requests the Secretary-General to provide in his second 90 day report requested in paragraph 53, and the Secretary-General and the Chairperson of the African Commission, in consultation with UNAMID, to provide through a strategic review by 1 May 2019, an assessment on the following:<br>(ii) the overall impact of further reductions on the areas that UNAMID has withdrawn from, including protection needs, violations and abuses of human rights, sexual and gender-based violence and grave violations against children, as well as violations of international humanitarian law, and the ability for humanitarian and development actors to provide assistance;   |
| 11. Decides that UNAMID's redefined strategic priorities, as recommended in the Special Report, are:<br>(i) The protection of civilians, monitoring and reporting on human rights, sexual and gender-based violence and grave violations against children, the facilitation of humanitarian assistance and the safety and security of humanitarian personnel;   |
| 19. Underscores that UNAMID's police component, should focus in particular on the following activities as set out in paragraph 44 of the Special Report:<br>(iii) Conducting community orientated policing initiatives in conjunction with the United Nations Country Team, including on sexual and gender-based violence and child protection; pursued through engagement in the State Liaison Offices and Khartoum level;   |
| 26. Welcomes the initiatives undertaken by the Secretary General to standardise a culture of performance in UN peacekeeping, and calls on him to continue his efforts to develop an integrated performance policy framework and apply it to UNAMID, requests the Secretary-General to seek to increase the number of women in UNAMID, as well as to ensure the meaningful participation of women in all aspects of operations;  |
| 27. Requests UNAMID to ensure that the necessary gender analysis and technical gender expertise is included throughout all stages of mission planning, mandate development, implementation, review and mission drawdown, ensuring that the protection and promotion of women's and girls' rights and empowerment, their needs and participation are sustained despite the reduction in UNAMID's presence, or handed over in a sustainable way, and further requests enhanced reporting by UNAMID on this issue and further requests UNAMID to assist in harnessing the capacity of women to participate in the peace process, including through political representation, economic empowerment and protection from gender-based violence;   |

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| 32. Reaffirms its support for a Darfur-based internal dialogue that takes place in an inclusive environment with full respect for the civil and political rights of participants, including the full and effective participation of women and IDPs;  |
| 35. Welcomes the recommendation of the Special Representative of the Secretary General for Sexual Violence in Conflict for the Government of Sudan to look to adopt a Joint Communiqué with the United Nations to address conflict-related sexual violence, including through close cooperation with the Special Representative's office, UNAMID, and the UN Country Team, focusing on survivors' access to medical, psychosocial, legal and socioeconomic services, monitoring, analysis, documentation and information sharing on sexual violence, rule of law responses to conflict-related sexual violence, and engagement with the security sector, religious leaders, and civil society, demands that the parties to the conflict cease immediately all acts of sexual and gender-based violence and make and implement specific and time-bound commitments to combat sexual violence, in accordance with resolution 2106 (2013); with UNAMID closely supporting and monitoring their implementation including through Women Protection Advisers, urges the Government of Sudan, with the support of the United Nations, in particular the Special Representative of the Secretary General for Sexual Violence in Conflict, and the African Union, to develop a structured framework through which conflict related sexual violence will be comprehensively addressed, to cooperate with UNAMID to enable comprehensive reporting of and response to incidents of sexual and gender-based violence, allow access for service provision for sexual violence survivors and hold perpetrators accountable; requests UNAMID to strengthen its monitoring, analysis and reporting on sexual and gender-based violence and actions taken to combat it, including through the swift deployment of Women Protection Advisers; requests the Secretary-General to ensure that the relevant provisions of resolutions 1325 (2000), 2242 (2015), and subsequent resolutions on women, peace and security, are implemented, including supporting the full and effective participation of women during all stages of peace processes, particularly in conflict resolution, post-conflict planning and peacebuilding, including women's civil society organisations, and to include information on this in his reporting to the Council; further requests UNAMID to monitor and assess the implementation of these tasks and requests the Secretary-General to include information on this in his reporting to the Council; |
| 36. Welcomes the commitment of the Secretary-General to enforce strictly his zero-tolerance policy on sexual exploitation and abuse, notes the various measures taken by UNAMID and troop- and police-contributing countries to combat sexual exploitation and abuse, stresses the urgent need for troop- and police-contributing countries and, as appropriate, UNAMID, to take the steps necessary to conduct investigations of allegations of sexual exploitation and abuse as expeditiously as possible, and in line with the Secretary-General's request, further urges all troop- and police contributing countries to take appropriate steps to hold accountable those personnel responsible for sexual exploitation and abuse and further stresses the need to prevent such exploitation and abuse and to improve how these allegations are addressed in line with resolution 2272 (2016);   |
| 37. Recalls its Presidential Statement S/PRST/2015/22 and its resolution 2272 (2016) and requests the Secretary-General to take all necessary measures to ensure full compliance of UNAMID with the Secretary General's zero tolerance policy on sexual exploitation and abuse and to ensure that all personnel of the mission are vetted for history of sexual misconduct in the service with the United Nations and to keep it informed through his reports about UNAMID's progress in this regard, and urges troop- and police-contributing countries to take appropriate preventative action including the delivery of robust sexual exploitation and abuse pre -deployment awareness training, and to ensure full accountability in cases of such conduct involving their personnel;  |
| 39. Strongly condemns all killings resulting from inter-communal conflicts and other attacks against civilians by militia and armed elements, recognises that local/traditional dispute mechanisms have their limitations in addressing serious criminal and human rights abuses resulting from inter-communal conflicts and armed violence such as killings, injuries, abduction, sexual and gender-based violence destruction of property and livelihoods (...).   |
| 41. Condemns all violations of international humanitarian law and violations and abuses of human rights, including those involving any form of sexual and gender-based violence (...).   |
| 44. Welcomes some improvements in the human rights situation, but condemns ongoing human rights violations and abuses in, and relating to, Darfur, including those involving extrajudicial killings, the excessive use of force, abduction of civilians, acts of sexual and gender-based violence (...).   |
| 56. Requests the Secretary-General to report to the Council every 90 days following adoption of this resolution on UNAMID, including:<br>(i) information on the political, humanitarian and security situation in Darfur, including detailed reporting on incidents of violence and attacks against civilians, including sexual and gender-based violence and grave  |

violations against children, by whomsoever perpetrated and UNAMID's access to facilitate humanitarian assistance, including from areas where UNAMID has withdrawn;

(vii) enhanced, detailed and full information on abuses and violations of human rights, including those committed against women and children and violations of international humanitarian law;

(viii) developments regarding UNAMID's support for local conflict resolution mechanisms, including progress regarding the full and effective participation of women;

In addition, OP 16 of resolution 2429 clarifies that the mandate of UNAMID also includes the tasks set out in **paragraph 15 of resolution 2363 (2017)**, and the relevant excerpts are:

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| <b>(a) Protection of civilians, facilitation of humanitarian assistance and the safety and security of humanitarian personnel:</b>   |
| (i) Without prejudice to the primary responsibility of the Sudanese authorities to protect civilians, to <b>protect civilians across Darfur, including women</b> and children, through, inter alia, continuing to move to a more preventative and pre-emptive posture in pursuit of its priorities and in active defence of its mandate; enhanced early warning; proactive military deployment and active and effective patrolling in areas at high risk of conflict and high concentration of IDPs; more prompt and effective responses to threats of violence against civilians, including through regular reviews of the geographic deployment of UNAMID's force; securing IDP camps, adjacent areas and areas of return; |
| (xi) To support the implementation of provisions included in the <b>Darfur Peace Agreement, the DDPD and any subsequent agreements relating to upholding the rights of women</b> and children;   |
| (ix) To ensure an adequate human rights, child protection and <b>gender presence</b> , capacity, and expertise in Darfur in order to contribute to efforts to protect and promote human rights in Darfur, with particular attention to vulnerable groups;  |
| (x) To monitor, verify, and draw to the attention of the authorities <b>abuses and violations of human rights, including those committed against women</b> and children, and violations of international humanitarian law and enhanced, detailed, full and public reporting by the Secretary-General to the Security Council on this issue as part of his regular 60 day reports;  |
| <b>(b) Mediation between Government of Sudan and non-signatory armed movements:</b>  |
| (v) To assist in harnessing the capacity of <b>women to participate in the peace process</b> , including through political representation, economic empowerment and protection from <b>gender-based violence</b> ;   |

Apart from the relevant language in these resolutions, there were also references to these considerations in a **press statement** issued by the Security Council earlier this year to welcome the agreement signed on August 17<sup>th</sup> 2019 between the Forces for Freedom and Change and the Transitional Military Council in Sudan on the establishment of civilian-led transitional government and transitional institutions. In its press statement, the Council supported the commitment to create a national independent committee to investigate the violent acts committed on June 3<sup>rd</sup> 2019, which reportedly included multiple allegations of sexual and gender-based violence committed by the security forces, recalled the important role that women played in bringing about a peaceful transition in Sudan, and encouraged the full, effective, and meaningful participation of women in Sudan's public life and government.

On the unresolved issue of Abyei, the Security Council has also taken into consideration women, peace and security when renewing the mandate of UNISFA. The latest was on November 14<sup>th</sup> in **resolution 2497 (2019)**, **extending the mandate of UNISFA** for six months and including the below language on women, peace and security;

18. Urges the two Governments immediately to take steps to implement **confidence-building measures** among the respective communities in the Abyei Area, ensuring the full, effective, and **meaningful participation of women**, regardless of area of origin, at all stages, including through reconciliation processes at the grass-roots level as well as through ongoing efforts of non-governmental organizations and by fully supporting UNISFA's efforts in promoting community dialogue;

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| 19. Expresses concern that women remain absent from the leadership of local peace committees, calls upon all parties to promote the full, effective, and meaningful <b>participation of women</b> , including at all levels of <b>intercommunity dialogue</b> , to ensure a credible, and legitimate process, and welcomes and encourages UNISFA's efforts to integrate <b>women into peace discussions</b> ;   |
| 26. Strongly urges that all parties <b>cease all forms of violence, human rights violations and abuses, violations of international humanitarian law, and violations of other international law</b> , as applicable committed against civilians, including women and children, and bring perpetrators of such abuses or violations to justice;  |
| 27. Requests the Secretary-General to ensure that effective <b>monitoring</b> of violations and abuses of human rights is carried out, including of sexual and <b>gender-based violence</b> and other violations and abuses committed against women and children, and reiterates its call upon the Government of Sudan and the Government of South Sudan to extend their full cooperation to the Secretary-General to this end, including by issuing visas to the concerned United Nations personnel; |
| 28. Requests the Secretary-General to seek to <b>increase the number of women in UNISFA</b> in line with resolution 2242, and ensure the full, effective and meaningful participation of women in all aspects of operations, to implement a gender mainstreaming plan in line with resolution 1325, and calls upon UNISFA to sustain adequate expertise on women and child protection;  |

On November 4<sup>th</sup> 2019, the **Deputy Secretary-General** briefed the Council on her joint mission to the Horn of Africa and her visit to Sudan in late October, with a focus on women's involvement in the transition currently underway. She welcomed the extension of UNAMID's mandate and shared that the women she had met in North Darfur had made it clear to her that a premature drawdown could leave a security vacuum and expose them to greater violence.

Only a few days earlier, during the **annual open debate on women, peace and security**, **Ms. Alaa Salah**, a young civil society activist from Sudan, briefed the Security Council. Here is an **excerpt** from her speech:

*"Women and young people were at the forefront of the recent protests, often outnumbering men and accounting for 70 per cent of protesters. Women led resistance committees and sit-ins, planned protests and disobeyed curfews, even in the midst of a declared state of emergency that left them vulnerable to security forces. Many were tear-gassed, threatened, assaulted or thrown in jail without any charge or a fair trial. Both women and men also faced sexual harassment and were raped (...). However, despite that visible role, despite their courage and their leadership, women have been side-lined in the formal political process in the months following the revolution (...). Despite women standing ready to actively contribute to the political negotiations that began in April between the Military Council and the Forces of Freedom and Change, only one woman participated in the talks, and only after strong advocacy by women's groups (...). We are skeptical that the 40 per cent quota on the still-to-be formed legislative council will be met."*

Ms. Salah had **five asks for the Security Council**:

- *Press the transitional Government, the Forces of Freedom and Change and movements of armed struggle to support the full, equal and meaningful participation of women. We call for at least 50 per cent representation of Sudanese women across all peace processes, in current negotiations and at all levels of Government.*
- *Actively monitor the situation in Darfur and halt the scaling down of the peacekeeping mission until the security situation stabilizes, the protection of civilians — including those in internally displaced camps — can be ensured and the conditions for safe and voluntary returns are met.*
- *Support accountability and end impunity. The transitional Government must fully support an independent international fact-finding mission to investigate and hold to account all perpetrators of human rights violations, including sexual and gender-based violence. Omar Al-Bashir must immediately be transferred to the International Criminal Court. The transitional Government must ratify the Convention on the Elimination of All Forms of Discrimination against Women without any reservations.*

- *Support civil society and ensure that women human rights defenders are able to carry out their work unhindered and without fear of reprisals. Stop the use of lethal and excessive force against male and female protesters.*
- *We implore all countries to stop exporting arms to our country when there is a risk that they will be used in violation of international humanitarian law and human rights law, including to perpetrate sexual and gender-based violence, in line with the Arms Trade Treaty.*

In addition, the **continued prevalence of sexual violence** has been highlighted this year by the ICC Prosecutor in her report to the Security Council and by the SRSG on Sexual Violence in Conflict, who visited Sudan in 2018, and the Panel of Experts in briefings to the **Sanctions Committee**.

### **Recent political developments in Sudan**

- Four months after the ouster of President Bashir, the Transitional Military Council and the Forces for Freedom and Change signed a **Constitutional Declaration** on 17 August agreeing on transitional arrangements for the forthcoming 39 months.
- A few days later, the **Sovereign Council** was sworn in, comprising five military personnel and six civilians, including **two women**. Abdalla Hamdok, a former United Nations senior official, became the Prime Minister of the transitional Government, and the new **18-member Cabinet, including four women**, was sworn in on 8 September. This included the **first woman Foreign Minister**.
- The Constitutional Declaration calls for the completion of a **comprehensive peace agreement no later than six months** from its signing. To that end, the Declaration provides for the establishment of a peace commission, taking into account **resolution 1325** (2000) and the relevant African Union resolutions related to the participation of women at all levels of peace processes, and commits to ensuring a minimum of **40 percent of women's representation in the Legislative Council**.
- The **Constitutional Declaration** states that the government will protect the social, civil, political, cultural, and economic rights of women, which shall be equal to those of men, and that the State will work to combat harmful customs and traditions, ensure equal pay and benefits, provide free healthcare to all mothers, and create a Women and Gender Equality Commission, which would repeal all discriminatory laws.
- **Women's prominent role in the protests** has been widely echoed in national and international media. Sparked by hardships like soaring inflation and fuel shortages, many women saw the protests which erupted in December 2018 as an opportunity to demand greater freedoms. At several points, women outnumbered men at these protests, and global interest surged when a photograph depicting Alaa Salah, a university student, standing on a car, dressed in a traditional white toub and leading chants, went viral.
- More recently, the Sovereign Council appointed the **country's first woman chief justice**, a first in Sudan and the Arab world. She had been initially appointed soon after an agreement was reached in August, but was quickly replaced, only to be re-appointed after significant street protests. Ms. Neemat Abdullah had been a justice in the High Court for years and had never been a part of a political party, unlike most judges at her level, who were typically loyalists to ousted president Omar al-Bashir.
- The Minister of Justice has announced that the government has the intention of signing and ratifying all human rights conventions, including **CEDAW**, and reforming discriminatory laws in the criminal code. In late November, the government decided to **repeal the public order laws** that curtailed women's freedom of expression and association. Women's rights activists have celebrated this step as long overdue and have called for the entire public order regime to be abolished, including repealing articles in the criminal code dictating women's dress code and other personal matters, disbanding the public order police and dedicated courts, and abolishing flogging as a form of punishment. The repealed public order laws gave the public order police extensive powers to

arrest any person, particularly targeting women for dancing at parties, vending on the streets, or begging.

- Although Sudan does not have a **national action plan on Women, Peace and Security**, the UN and the government have started discussions about adopting one. A draft national action plan on WPS was developed and submitted to the presidency in 2016.
- However, the **peace process in Juba** between the government and the armed groups is characterized once again by the **lack of women representation**, despite the constant advocacy of civil society. The fact that they will take place in Juba does not facilitate the participation of Sudanese women, including civil society. Only one woman participated in the negotiations between the military and the opposition groups this year. Similarly, women's rights activists are eager to see whether women will be adequately represented in the commissions called for by the Constitutional Declaration, including on legal and constitutional reform, elections (which will take place in 2022), anti-corruption, human rights, transitional justice, borders, and peace.
- Furthermore, the seven-member **independent committee** appointed by the government to investigate the violence committed by security forces on **June 3<sup>rd</sup>** against demonstrators includes **no women** and its terms of reference made no mention of sexual and gender-based violence.
- In an important demonstration of investing in **institutional capacity building** on gender equality, the government of Sweden is funding UN Women to deploy seven gender advisors to multiple ministries throughout the three years of political transition.

#### **Human rights and humanitarian issues, including conflict-related sexual violence**

- The overall security situation in Darfur has improved in recent years, partly due to the government taking several important measures such as weapons collection campaigns among IDPs, the repatriation of refugees, the reintegration of internally displaced persons in host communities, the demarcation of migratory routes, and the provision of water points for grazing animals. However, **conflict-related sexual violence and sexual and gender-based violence** continue to be widespread and underreported, owing to fear, stigma, discrimination, lack of services, and restricted access to affected areas.
- Incidents of conflict-related sexual violence are typically reported around IDP camps, water points, villages of return, and other remote areas, including areas where the peacekeeping mission has left and during the planting and harvesting seasons when women engage in livelihood activities. In recent years, members of the security forces, including the Rapid Support Forces and the Sudanese Armed Forces, have been identified as perpetrators in one-third of the cases, and impunity remains the norm. However, in most incidents of conflict-related sexual violence, the victims do not know the perpetrators, who typically accost them under cover of darkness or while they are working on their farms and collecting water or firewood. Descriptions of perpetrators include armed men, members of militia groups in civilian clothing and members of State security forces, including SAF, RSF, the Border Guards and the police. Members of SLA/AW and other SLA factions in Jebel Marra have also been named as perpetrators. The Secretary-General lists two non-state armed groups (Justice and Equality Movement and the Abdul Wahid faction of the Sudan Liberation Army) and two state actors (the Sudanese Armed Forces and the Rapid Support Forces) as alleged perpetrators of patterns of conflict-related sexual violence.
- **Many survivors do not receive adequate medical care**, if any. Cultural bias, fear of stigmatization and possible further victimization result in most incidents not being reported. This situation is exacerbated by the general lack of available medical care for survivors, some of whom are not able to reach any proper medical services in a timely manner. Throughout the Darfur region, very few survivors receive any form of psycho-social support, with such services only available in the Saudi hospital in El Fasher, the teaching hospital in Nyala, and a center in Al-Geneina.



- More recently, in Khartoum, the security forces, including the Rapid Support Forces (RSF), allegedly **attacked civilian protestors on 3 June**. As recently noted by the spokesperson for the United Nations High Commissioner for Human Rights, the RSF includes members of the former Janjaweed militias linked to systematic human rights abuses in the Darfur region from 2003 to 2008. The Sudanese authorities have announced 61 fatalities following the 3 June attack, while civil society organizations in the Sudan refer to the **deaths of more than 100 protestors**. Those attacks also resulted in **sexual and gender-based violence and arbitrary arrests**. The Independent Expert on the human right situation in Sudan received allegations of dozens of instances of rape, gang rape, and other forms of sexual violence. A women's union in Khartoum issued a statement three weeks later alleging that some five-thousand women street vendors had been subjected to sexual violence and harassment by the security forces and reported that five women who had disappeared after the June 3<sup>rd</sup> violence remained missing. Human rights groups reported that women had allegedly been raped inside a clinic attached to the University of Khartoum, where they had run for safety from the security officers. Doctors from the Central Committee of Sudanese Doctors, which is part of the umbrella Sudanese Professionals Association (SPA), told reporters that 70 rape cases were recorded by Khartoum hospitals in the immediate aftermath of the June 3 crackdown.
- That was the latest of a **series of reported attacks by security forces on demonstrators** in the Sudan, including in Darfur, since mid-December 2018. At least 100 women were among those detained between December 2018 and April 2019. The first court ruling against a leading political figure since the imposition of the state of emergency at the end of February 2019 came a few days later against two women, including the deputy chair of the National Umma Party, who participated in a protest calling for the resignation of President al-Bashir.
- In 2019, the last public report by the Panel of Experts of the **sanctions committee** detailed several incidents of conflict-related sexual violence and continued impunity (e.g. 122 cases documented by UNAMID from January to October 2018, involving 199 victims) and recommended that the committee advise authorities to strengthen legal, medical, and psychosocial support for survivors of sexual violence in Darfur. The same four individuals listed since 2014 remain on the sanctions list. One person is listed for “violations of humanitarian law, human rights, and other atrocities.”
- In her semi-annual briefing to the Security Council, the **ICC Prosecutor** expressed concern about continued sexual and gender-based violence, including during the attack on civilian protesters by security forces on June 3<sup>rd</sup>. She reminded the Security Council that all five ICC arrest warrants in the Darfur situation remain in force, but that the political situation has changed and three of the targets of these arrest warrants have been detained by Sudanese authorities (including former president Bashir, charged with domestic offences). Sudan remains under a legal obligation to transfer those suspects to the ICC to stand trial, unless it can demonstrate to the judges of the Court that it is willing and genuinely able to prosecute them for the same cases. The indictments of president Bashir and one of his former ministers list counts of rape as either war crimes or crimes against humanity.
- Although **data on gender-based violence** is incomplete, studies indicate that 65 per cent of women and girls have experienced physical and/or sexual violence in their lifetime, 51 per cent have suffered intimate partner violence (IPV), and 33 per cent of women have experienced sexual violence from a non-partner, primarily during attacks or raids. There are **no laws protecting women against intimate partner violence**.
- **One in four women are married before 18, while nine out of 10 have undergone female genital mutilation (FGM)**. Under the current laws, **FGM and child marriage are not crimes** and Islamic personal status laws allow girls to be married once they hit puberty or, at the age of 10, with a judge's permission.
- The recently repealed **Public Order Acts** introduced by Bashir's regime in 1996 and giving powers to the police to arrest women for wearing trousers, leaving hair uncovered, or being in the company

of a man who was not a family member, resulted in 40 women being brought daily to courts in Khartoum for such infringements, often tried without a lawyer, and sentenced to jail, fines, or public flogging.

- The Independent Expert on the situation of human rights in the Sudan, as well as organizations like Human Rights Watch, have documented a high number of incidents of harassment, arrests, and prolonged detention of **women's human rights defenders** and civil society organizations, as well as women involved in protests, rights campaigns, social services, legal aid, and journalism. Reporting on sexual violence, for example, has led to the closing of newspapers and defamation charges against the women journalists publicizing the testimonies of victims or witnesses. For example, Human Rights Watch interviewed more than 85 female activists and human rights defenders in Sudan's urban centers and almost all of them reported experiencing some form of gender-based violence in reprisal for their activism. The repression intensified in 2011, when Sudanese youth, inspired by the Arab Spring protest, took to the streets in large numbers calling for regime change.
- Over the last two years, the security forces have conducted a selective **weapons collection campaign** that has reportedly contributed to improving the security environment in Darfur, in particular in towns and on main roads. The process has been criticized for targeting specific groups, while excluding tribal forces allied with the Government, which are often accused of attacks on and harassment of internally displaced persons aimed at preventing their return to their places of origin.
- All projects included in the **Humanitarian Response Plan** are reviewed according to the **IASC Gender and Age Marker** and the IASC GBV Guidelines, but there is a dearth of sex and age-disaggregated data and women and girls are particularly vulnerable to the protracted humanitarian situation and in particular food insecurity. The armed conflict, which have seen the proliferation of small arms and the recruitment of many men into militia groups, have **disrupted agricultural activity** and thus impacted on women's livelihoods. Women cannot sell their labor on a large scale nor engage in their "backyard gardening"/subsistence farms as before, but now engage in seasonal agricultural activities in their original homesteads or seek alternative livelihood options in the IDP settlements such as fetching water and firewood and brewing local alcohol. This has reduced their income considerably and increased their vulnerability to rape and other gender-based crimes by criminal and armed elements who attack them when they venture out of the camps.
- **Specialized lifesaving GBV services**, such as the clinical management of rape (CMR), are **unavailable in over 80 per cent of affected localities**.
- Up to 45% of households in Darfur are women-headed, compared to the average of 28% women-headed households in other regions of Sudan. In some IDP camps, up to two-thirds of households are headed by women. **Other social indicators for women are also lower in Darfur compared to the national average:**
  - Maternal mortality is 605/100,000 live births compared to the national average of 435/100,000 live births.
  - Literacy levels for women aged 15-24 years are 32% compared to the national average of 45%.
  - Darfuri women's appreciation of their human rights is lower than the national average with 68% of them believing that it is right for a husband to beat his wife compared to the national average of 47%.
  - Completion rates for basic education in Darfur (21.7% in South Darfur and 44% in North Darfur) are lower than the national average (54%).
  - There is a higher drop-out rate for girls than boys, although at tertiary level, there are higher numbers of female graduates (52.3% in Darfur and 53.4% nationally).

### The UN and the transition

- An important benchmark was achieved with the milestone **agreement to open a United Nations Human Rights office in the Sudan**, with presence in Khartoum, Darfur, Blue Nile, South Kordofan and Eastern Sudan, with a strong focus on women's rights women's empowerment and participation in civic life.
- Over the last year, **UNAMID** has been implementing a **transition strategy** for Darfur where the Mission engages in joint implementation with the UN Country Team through the **State Liaison Functions** (SLFs), and in particular **redeploying UNAMID staff to UN agencies**. This has included the redeployment of international and national staff from UNAMID's gender unit to UN Women. Key **benchmarks** used by the peacekeeping mission to guide its drawdown process include the need for measures to be in place to ensure that the Special Prosecutor of the Special Court for Darfur Crimes takes a balanced approach to investigations, including in cases of conflict-related sexual violence, and for the Sudan Police Force, the Special Court for Darfur Crimes, the Office of the Special Prosecutor and the courts and prison authorities to be able to execute their functions in accordance with human rights and international standards across Darfur, with a special focus on cases of sexual and gender-based violence and child protection.
- In September the UN conducted a "**visioning exercise**" to outline its support to the transitional government. Gender equality and women's empowerment were strongly prioritized, as the UN, in cooperation with regional actors, committed to:
  - Supporting the transitional government's commitment to ensuring a minimum of 40 percent women's representation in the legislative council and advocating for at least 50 percent in governance and constitutional structures at all levels, including the 10 commissions noted in the Framework and related decision-making forums.
  - Providing expertise on the conclusion of the peace agreements, including through the inclusion of women and youth and gender perspectives in the negotiations, as well as mechanisms to support and monitor the implementation of the agreement.
  - Supporting the establishment of national advisory commissions on women and youth.
  - Strengthening the protection strategy for vulnerable populations with a particular consideration for IDP women in the Sudan.
  - Facilitating the Transitional Government's efforts to complete its framework agreement with the United Nations SRSG on Preventing Sexual Violence in Conflict.
  - Assisting the Transitional Government in the requisite legal and policy reforms, from a gendered perspective, including support to capacity building for women and youth-led civil society organizations and technical expertise to review discriminatory laws and policies. Critical legislative initiatives in the area of gender justice (e.g. implementation of Security Council resolution 1325 and CEDAW) will be priority areas of support.
  - Enabling the transitional Government's access to requisite platforms and resources including the Peacebuilding Commission, and funds, such as the Secretary-General's Peacebuilding Fund and the Women's Peace and Humanitarian Fund.
  - Understanding and mitigating the impact on women and youth of expected shocks from anticipated macro-economic policy reforms, supporting the Transitional Government in developing gender responsive budgets, education and employment opportunities and property ownership for women, and gender-sensitive policies in the areas of agriculture, climate change, livestock, and water resources.