



## Security Council

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### **Letter dated 21 May 2020 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council**

In anticipation of the Council's consultations on the forthcoming draft resolution on the exit of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) and the mechanism that will succeed it to support the transition in the Sudan, I have the honour to submit to the Council the Transitional Government's plan for the protection of civilians, which all the relevant national ministries, institutions and agencies took part in drafting.

It goes without saying that after the glorious revolution of December–April, the Sudan is different than it used to be. The previous regime targeted civilians in Darfur. Now, the post-revolutionary Government is protecting civilians. The leaders of the armed opposition are no longer enemies of the Government, but rather partners in the revolution and contributors to its victory. The peace negotiations now taking place in Juba are therefore being conducted between revolutionary partners rather than warring parties.

The Constitutional Declaration signed by the Forces for Freedom and Change alliance and the Transitional Military Council on 17 December 2019 is now the constitutional reference for the formation and operation of governing mechanisms during the transitional period, including the Sovereign Transitional Council, the Cabinet and the legislative body. The Declaration contains all the components needed to establish rules for protecting civilians in line with international standards, including those of international humanitarian law and human rights law. It makes peace the top strategic priority of the Government, and peace is the primary prerequisite for the protection of civilians. The Declaration also establishes several commissions that will have a bearing on the protection of civilians.

The national plan before you is based on nine main components: addressing the issues of displaced persons and refugees; the rule of law and human rights; disarmament, demobilization and reintegration; combating violence against women and children; humanitarian action; strengthening conflict avoidance and resolution mechanisms; issues involving nomads and herdsmen; reconstruction, development and basic services; and water and sanitation.

From the formation of the revolutionary Government until now, considerable progress has been made on a number of these components. For example, on the human rights component, the Government signed an agreement to open a country office of the Office of the High Commissioner for Human Rights (OHCHR). On the humanitarian component, one of the first decisions the revolutionary Government



made was to lift all restrictions and obstacles impeding humanitarian work and to permit freedom of movement and access for all humanitarian organizations on the basis of notification only, including to areas controlled by armed opposition movements.

Under the attached plan, the transitional Government will assume full responsibility for the protection of its civilian citizens. It will comply strictly with all international standards for the protection of civilians, including proactive monitoring and anticipation, increased army and judicial police deployment, and community protection based on promoting the values of dialogue and coexistence between tribes, as detailed in the plan.

The transitional Government is determined to implement this plan and to take full responsibility for protecting its citizens. It looks forward to support from the United Nations for increasing efficiency, building capacities and any other measures to help implement the plan as outlined in the letter dated 27 February 2020 from the Prime Minister of the Sudan addressed to the Secretary-General (S/2020/221).

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(Signed) Omer Mohamed Ahmed **Siddig**  
Ambassador  
Permanent Representative

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**Annex to the letter dated 21 May 2020 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council**

**The national plan of the Sudan for protecting civilians after the exit of the African Union-United Nations Hybrid Operation in Darfur (UNAMID)**

**1. Introduction**

As deliberations begin on the exit of UNAMID and the mechanism that will succeed it in following up on projects to support the transition and implementation of the anticipated peace agreement, the State has developed a well-conceived plan to protect civilians after the exit of UNAMID. The plan reflects the political will and rigorous commitment of the leadership and the field capability and operational readiness of all relevant State agencies, both military and civilian. The plan meets all international standards for the protection of civilians. The plan was prepared on the following bases:

**A. Basic terms of reference for the plan**

- The Constitutional Declaration (especially provisions relating to peace, human rights, transitional justice, refugees and displaced persons);
- Relevant national legislation, including the Armed Forces Act and the Police Act;
- The applicable principles of the Charter of the United Nations regarding protection;
- The principles of international humanitarian law regarding protection;
- The relevant standards of international human rights law;
- The standards of international refugee law;
- The relevant articles of the Convention on the Rights of the Child.

**B. Levels and types of protection for civilians in accordance with the above references**

- Protection through planning, protection and pre-emption;
- Protection from imminent danger (engagement and prevention);
- Increased deployment of military and police contingents capable of rapid response and deterrence;
- Community protection of civilians through dialogue and dissemination of the values of peaceful coexistence between tribes (in areas where farmers and herders are in contact);
- Protection through the creation of a protective environment for civilians (camps and areas of voluntary return) that includes the establishment of prosecutor offices, police branch stations and police patrols;
- Training and deployment of sufficient numbers of women police officers in support of prosecution offices, especially in areas of voluntary return and displaced persons camps;

- Additional material incentive to military, police and civilian units operating in civilian protection commensurate with the nature of the tasks, and training programmes to develop and upgrade capacities on a regular basis in the field of protection and in dealing with the civilian population as it pertains to changing tasks and making the shift from dealing with “the enemy” to dealing with a civilian population.

## **2. Addressing the issues of displaced persons and refugees**

- Civilians will be protected and provided with assistance and international humanitarian and human rights law will be complied with in order to put an end to violence threatening life and persons.
- The situation of displaced persons will be addressed via the following three options: setting up camps, integrating such persons into the city or area where they are currently located, or returning them to their places of origin, without separating families and while respecting the wishes of displaced persons and refugees.
- Police contingents will be deployed to secure villages of voluntary return and refugee camps. The civilian status of those areas will be maintained. Fighters and weapons inside the camps will be removed, and recruitment will be forbidden, especially of children.
- The civilian status of displaced persons camps will be respected. Weapons will be removed from the camps, and fighters will be separated.
- An environment conducive to voluntary return will be created by providing for such basic needs as health, education, water and security services. Model services complexes will be expanded.
- Livelihood opportunities will be provided for returnees. Vocational abilities and skills will be nurtured, especially among young people.
- Individual and collective compensation will be provided to those affected by war. The rights of displaced persons to their property and resolution of land ownership issues will be secured.
- A climate conducive to humanitarian work will be created in the areas of return of displaced persons and refugees by facilitating the access of national, foreign, governmental and non-governmental aid organizations.
- Arrangements for return will be made through coordination and cooperation with neighbouring countries, the Office of the United Nations High Commissioner for Refugees (UNHCR) and national refugee commissions.
- Displaced persons and refugees will be given the chance to provide direct input on their problems and their vision for the peace process and the negotiations leading up to it, as happened with the recent Juba negotiations, with participation by the leadership of the displaced persons, including representatives of women and youth, who will be encouraged to advocate for implementation of their priorities in the resulting agreements.

### 3. The rule of law and human rights

#### Objectives

- Access to justice and the rule of law will be guaranteed. Citizens' confidence in justice institutions will be restored, and in the event of dispute, conflict or damages suffered, they will have recourse to those institutions for trial, litigation and adjudication in accordance with the law instead of acting individually outside the law.
- A culture of the rule of law and adherence to the law will be affirmed and promoted, as well as a concept of human security and that includes human rights and good governance.
- The principle of non-impunity will be affirmed.
- The concept of the rule of law and respect for the authority of the State will be instilled.
- Lapses and disturbances in the security situation will be avoided and breaches will be controlled.
- Coordination will be maintained with the OHCHR country office.

#### Activities

- Civilian and police advisers on human rights and the protection of civilians will be deployed to carry out advisory and coordination functions to increase levels of protection and their effectiveness.
- The private sector, civil society and community interest groups will support the protection of civilians through civic activities, capacity-building and advocacy.
- Court cases will be ruled on will all due speed and sentencing delays will be avoided.
- Police crime-prevention activities will be stepped up. Stations will be established to monitor social movements and analyse community trends to avoid crises. Early warning networks and preventive measures will be used to forestall communal tensions.
- Local patrols will be conducted and humanitarian aid convoys will be secured.
- Community police volunteers will be used to increase participation in establishing security, the rule of law and crime prevention, especially among displaced persons.
- Greater levels of justice will be realized through police investigations, reporting of violations and facilitated access to courts.
- Awareness will be increased about human rights, ethical and legal practices and behaviours, the treatment of prisoners and criminal investigations.
- Access to justice will be facilitated, and in particular, the right of women and children to access to the courts will be guaranteed.
- Orders have been issued to establish specialized prosecutor offices and prosecutors for families and children, public conditions, consumer protection, anti-corruption and human trafficking. They will be added to the existing prosecutor offices in Darfur, which already has 32 offices with 68 prosecutors covering 54 local communities in the Darfur states.

- Prosecutors shall take note of any crime, investigate it, supervise pre-trial proceedings and conduct and investigate cases in accordance with the provisions of the law by bringing charges before the courts on behalf of the public and the State in all cases involving the public right.
- Prosecutors will operate on a flexible system that responds to emergencies after office hours and includes night shifts to facilitate access to justice and enforcement.
- Great attention has been paid to rural courts to facilitate access to justice. Some have been renovated, and new rural courts have been established. Litigation is handled by 6 judges from Supreme Court chambers, 28 judges from the court of appeals, 29 general courts, 8 courts of first instance, 28 courts of second instance, 7 courts of third instance, and 9 judicial assistants.
- Police are deployed in all localities in the Darfur states, with 29,314 police officers in districts, subdistricts and checkpoints. The efficiency, coverage and frequency of patrols will be stepped up.
- The National Human Rights Commission will be strengthened in its role of protecting human rights by spreading awareness and exercising an advisory and oversight function, and the work of its branches in Darfur states will be reinforced. It will operate in coordination with OHCHR in accordance with the agreement signed between the Government of the Sudan and OHCHR.

**Capacity-building programmes for members of judicial and police institutions will be provided in the following areas:**

- Techniques and skills for investigation and bringing charges;
- Guarantees of fair trial in accordance with the law;
- Criminal justice;
- The international human rights legal framework;
- Cybercrime investigation;
- Investigative skills for combating cross-border organized crime, terrorism, human trafficking, drugs, illegal immigration and money laundering.
- International cooperation between the Office of the Public Prosecutor and the relevant regional and international organizations will be enhanced.
- Regular army division commanders in each military zone will take measures to maintain discipline among military units and soldiers. Abuse of power will be avoided by intensive training sessions on international humanitarian law and human rights, which will be integrated into the academic and training curriculum with the cooperation of international organizations such as the International Committee of the Red Cross (ICRC).
- Capacity-building programmes will be implemented to reinforce the rule of law, accountability and non-impunity in order to prevent irregularities; abuse of power, position or military rank; failure to comply with rules of engagement; and excessive use of force.
- Regular forces will coordinate closely and consolidate their functions with a view to enhancing protection of civilians.
- Physical protection measures in response to any attacks on civilians or community clashes will be implemented through patrols, operational activities and separation of the parties involved.

- The five army divisions in Darfur and their technical support brigades will be upgraded to give them the capabilities needed for the necessary geographical coverage and rapid access to any area or particular point for appropriate intervention in case of emergency.
- The armed forces will support the civil defence forces in rescuing and providing assistance to civilians affected by environmental emergencies such as floods and landslides.
- The armed forces will coordinate with the police and general intelligence to address illegal immigration and drug smuggling, including cross-border activities.

#### **4. Disarmament, demobilization and reintegration**

##### **Objectives**

- Demobilization and reintegration operations will be completed for the remaining members of the armed movements that signed the peace agreements.
- Weapons possession will be regulated legally and confined to regular forces. Small arms and light weapons will be controlled and confiscated in accordance with the Weapons and Ammunition Act.
- Weapons, including small arms and light weapons, will be controlled to prevent their use in communal and tribal conflicts and to reduce crime and other negative impacts on the security situation. The flow of weapons, including small arms and light weapons, inside displaced persons camps will be checked, and the recruitment of children inside the camps will be prohibited.
- Decisions of the National Disarmament Commission will be enforced and illegal vehicles will be impounded.

#### **5. Combating Violence against Women and Children**

- As part of the its commitment to protecting civilians in general and during conflicts, especially women and children, the State has declared zero tolerance for violence against women. To that end, the following activities will be implemented:
- A unit to combat violence against women and children was established in the Ministry of Justice in 2005. It functions as a coordination mechanism to follow up implementation of the national plan among the relevant federal ministries, the states, civil society organizations and United Nations agencies.
- A national plan will be carried out to implement Security Council resolution 1325 on women and peace and security.
- The Convention on the Rights of the Child and its attached protocols will be complied with.
- A national database will be compiled, capacities will be built and specialized training will be offered for personnel working in the field of protection. Awareness will be raised of the dangers of violence against women and children and how to combat it.
- Public Prosecutor Criminal Circular No. 7 on the protection of victims of gender-based violence in Darfur will be implemented.

- Article 149 of the 1991 Criminal Code on rape and adultery is under review.
- A provision on sexual harassment has been added to Article 151.
- A provision criminalizing female genital mutilation has been added to Article 141.
- The agreement signed between the Government of Sudan and the Special Representative of the Secretary-General on Sexual Violence in Conflict will be complied with.
- Women's participation in peace agreements and their implementation will be ensured.
- Plans will be implemented in the Darfur states to combat violence against women. They will be based on the national plan and drafted by local committees. Enlightenment workshops will be held in the Darfur states and local communities.
- Events will be organized on the topics of combating violence against women, national and international laws guaranteeing women protection, legal protection measures, victims' rights, and violence against women in international, regional and local laws.
- The civil society network will be used to address violence.
- Investigative offices have already been opened in South Darfur state and North Darfur state, and will be opened in the rest of the states.
- Maximum use will be made of women police officers in the Darfur states. They have been trained in international law, human rights and the protection of civilians in general and women in particular.
- Radio and television programmes will be broadcast to raise awareness of the importance of combating violence against women.
- Posters and billboards will be distributed at the state level in Darfur to raise awareness of the need to combat violence against women.
- Programmes on the protection of women and children will be broadcast on state radio stations, Radio Sahirun, Radio Biladi, Armed Forces Radio, university radio stations, Radio Salam, national radio, and television channels.
- 40 female social workers are being trained to work with women in displaced persons camps.
- 16 legal advisers are being sent to local communities.
- Committees to combat violence against women will be formed in coordination with United Nations agencies.

## **6. Humanitarian work**

- Relief operations and humanitarian assistance will be facilitated. Access to persons in need will be ensured by opening and securing humanitarian corridors.
- The use and exploitation of food as a weapon during conflicts will be criminalized.
- Humanitarian workers and their headquarters, vehicles, equipment and supplies will be protected.

- The convention on the protection of United Nations staff and agencies and its protocol will be complied with. Attacks on United Nations staff will be criminalized and violators will be held accountable.
- Sustainable solutions for displaced persons will be supported by the profiling project, which collects data and provides information to help with decision-making in accordance with Sudan's regional and international obligations. There will also be coordination with partners to monitor the movements of displaced persons and returnees.
- Support will be provided for infrastructure projects and basic services for the villages of return. Capacities to ensure that return is sustainable will be built through appropriate projects implemented by national organizations, partners, ministries and state service agencies. Sustainable projects will be financed by UNAMID, regional organizations and governmental and non-governmental organizations.
- There will be increased livelihood projects for returnees and reintegrated displaced persons and refugees, including projects to promote ownership of means of production and raise capacities (agricultural projects; provision of agricultural equipment, especially for rain-fed agriculture, including tractors, ploughs, oil presses and mills; and vocational training centres to teach skills).
- Credit funds and microfinance for young people and young families will be increased.
- Reconstruction and development projects (schools, water, rural development and nutrition, teacher training, provision of schoolbags for pupils and desks) will be implemented to ensure quality education.
- Early warning stations will be set up in local communities to guard against emergencies, incidents or conflicts as a precautionary measure for community protection. Water stations will be set up. Water committees and workers will be trained. School health clubs will be established. Sanitary household fixtures and toilets will be installed. Training sessions will be offered in maintaining a sanitary environment. Aid projects will include provision of cooking gas pipes and fuel to relieve pressure on logging for cooking fuel.

## **7. Strengthening conflict avoidance and resolution mechanisms**

- Implementation of transitional justice will be coupled with raising awareness about the concept of transitional justice and the Transitional Justice Policy of the African Union.
- Justice, truth and reconciliation processes will be conducted.
- Societal awareness of legal rights will be raised through workshops, seminars and conferences.
- The judicial apparatus will undergo institutional reform. The number of facilities will be increased, as will access to them.
- Affected persons and victims will receive justice. Compensation will be paid via a mechanism that includes commissions of inquiry and litigation and grievance procedures.
- Society will be rehabilitated based on reconciliation, coexistence and acceptance of the other. Platforms will be expanded for internal community dialogue, consultation and a culture of peace.

- Steps will be taken to combat incitement and hatred.
- The values of coexistence, tolerance and cooperation will be promoted.
- Peace research and study centres in universities will be used to raise awareness and spread positive values, as will media, especially radio.
- The role of civil administration in containing community conflicts and bringing about reconciliation will be enhanced.
- Issues relating to land ownership and the traditional hakura system will be resolved and regulated under law. The positive experiences of some Darfur states (East Darfur) will be built on and a land commission will be activated.

## **8. Issues relating to nomads and herders**

- Conflicts between herders and farmers will be avoided.
- Nomadic routes will be planned and mapped. Joint nomadic route commissions consisting of nomads, residents and farmers settled along the routes will be formed to resolve any encroachments.
- Water sources will be provided along the livestock routes and at summer encampments. Protected areas and encampments will be delineated.
- The values of peaceful coexistence and cooperation between herders and farmers will be promoted.
- Environmental disruptions brought on by climate change will be addressed. Grasslands, forests and forest belts will be replanted by mobilizing the youth sector, students and the agricultural colleges at Darfur universities in coordination with specialized United Nations agencies, non-governmental organizations and national organizations.
- Awareness will be raised among citizens about the laws and customs regulating the routes, and route commissions will be set up.

## **9. Reconstruction, development and essential services**

- Roads will be constructed and paved to link major local communities with the Darfur state capitals. That will help to connect the communities in the states with one another and facilitate the reassertion of official authority.
- Reservoirs and dams will be constructed and renovated.
- Bridges will be built over wadis that impede the flow of goods and the movement of communities during the rainy season, in accordance with plans approved by the relevant ministries and the Darfur states.
- The national electricity network will be extended to the Darfur states to provide safe, comprehensive and reliable service. That will pave the way for industrial development and the provision of services that depend on a reliable electricity supply, such as health and water services.
- Alternative and clean energy will be exploited by expanding the coverage of solar power plants, especially in villages.
- Strategic agricultural projects and livestock production will be restored in Saq al-Nu'am, Umm Buyudah, Wadi Hawar, Ghazalat Jawazat, the Habilah agricultural project, and Jabal Marrah. Grain silos will be built.
- Economic stimulus will be provided to achieve sustainable development.