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**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Written statement* submitted by Elizka Relief Foundation, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[23 May 2022]

* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



Freedom of Opinion and Expression Amidst Political Instability in the Sudan

The Sudan has been struggling with political instability since its former president, was ousted and arrested following months of protests in April 2019. After more rallies, the army agreed to share power with civilian groups but then took over again in a coup in October 2021. Since then, civilian parties, including resistance committees organizing the protests, have rejected negotiation with the military, whereas military leaders have looked to factions that were close to Bashir to try to build a political base. Since then, the Sudan has been suffering from blatant violations of freedom of opinion, expression, and associated rights, such as freedom of access to information via the Internet and press freedom.

In this intervention, which highlights the manifestations of violations of freedom of opinion and expression during the political instability in the Sudan, Elizka Relief foundation participates in the report of the Office of the High Commissioner for Human Rights on the prevailing trend in cutting off the Internet, analyzing its causes, and displaying its human rights repercussions. The intervention includes a set of recommendations to ensure that the human rights repercussions covered in the intervention are addressed.

Human Rights Situation in the Sudan since the Military Coup... Freedom of Opinion and Expression

Like other countries experiencing political instability following transitional periods and changing governments, the Sudan has been worrying about the human rights situation and the exercise of public freedoms since October 25, 2021, until now. This highlighted the need to appoint a United Nations expert on human rights in the Sudan to monitor the human rights situation there. However, these events led only to a wave of abusive practices and extensive arrests for many people including high-ranking officials, topped by (A. H.), who was placed under house arrest, along with several other members of the country's civilian leadership, the declaration of a state of emergency throughout the country, the Internet shutdown, and the military reinforcements to prevent the travel of ministers and politicians who are on travel bans lists among other forms of political repression.

In this part, the contribution reviews the violations of freedom of opinion and expression amidst political instability in the Sudan

The Sudanese constitution guarantees freedom of expression and the media. However, in reality, it is far from the truth. Many local laws restricted freedom of expression and the media, including emergency laws and articles of the Penal Code, which have been used by the de facto authorities since the military coup to impose censorship on content and intimidate Journalists and activists.

1. Internet blocking and its impact on political and civil rights

Since October 25, 2021, shutting down the internet has become an increasingly common tactic of the Sudanese government to stifle dissent and cover state violence against them, in violation of a set of political rights. The Internet and communication services have been cut off from October 25 to November 18, 2021, in wake of the declaration of a state of emergency in the country until a week after the formation of a Sovereign Council. The volume of losses of internet cuts in the Sudan is estimated at over 500 million USD.

In January 2022, the government cut off the internet as part of a violent crackdown on protests across the country, in order to cover up the various violations that demonstrators are subjected to at the hands of the security forces, which amount to extrajudicial killings. (1) The same scenario was repeated on December 25, 2021, when the Internet was cut off for more than 16 hours, and on January 6, 2022, when the Sudanese government cut off the Internet and communications for all Sudanese networks, in preparation for facing and dispersing large demonstration in Khartoum, also known as the January 6 Marches of the Millions.

In an attempt to prevent the government from using this tactic during protests again, the Consumer Protection Agency filed a case against the telecommunications companies operating in the Sudan, which was condemned by the court on May 10, 2022. The court confirmed that all telecommunications companies violated the contract concluded between them and consumers and gave customers the right to claim compensation for the damages incurred.

The Sudanese government has also adopted a number of repressive policies that block access to information. In addition to the policy of cutting off the Internet, it stopped FM radio station after storming the radio and television building.

2. Targeting and killing journalists and media professionals

The media sector in the Sudan suffers from strict security control represented in the imposition of restrictions on freedom of expression, and complete control over the Internet network, as journalists and media professionals who work to cover violations and crimes committed by the Sudanese security forces are targeted, not only during the protests but two weeks before the coup, according to the testimony of journalist H.H., who was subjected to arrests and dismissal from his state positions. Also, nearly 70 employees of the official Sudan News Agency and the Public Authority for Radio and Television were dismissed. (2)

From October 2021 to March 8, 2022, nearly 55 cases of deliberate targeting of journalists and media professionals were reported, they varied between psychological harm, deliberate killing, arbitrary detention, and security prosecution. On December 19, 2021, the 62-year-old Sudanese journalist A.B. was targeted by tear gas canisters, which caused him to lose his left arm by the Rapid Support Forces. (3)

3. The right to peaceful demonstration, and its implications for the right to life

In the absence of political stability, massive demonstrations continue to regularly strike all aspects of Khartoum, but in return they have faced live bullets from the Sudanese forces. In the past six months, victims of demonstrations reached between 90-100 people, according to the published data, along with the injury of more than 5,000 protesters. (4)

The Sudanese forces continue to fire live bullets and tear gas to disperse the demonstrations, which explicitly violates all provisions of the Sudanese constitution on freedom of opinion, expression and demonstration, and also violates the Sudanese Criminal Procedures Law, which requires the prosecution's approval to use live bullets to disperse demonstrations, as a last option and after using less lethal means. (5)

On January 17, 2022, during demonstrations countered by the Sudanese Central Forces, a group of demonstrators took cover with cardboard sheets from the bullets of the Central Reserve Police, affiliated with the police, but they did not succeed in avoiding the bullets. Then, direct fire was opened at the demonstration, targeting the demonstrators, and two people were injured. (6) In mid-April 2022, the Central Committee Of Sudan Doctors (CCSD) recorded about 30 cases of storming hospitals, which the World Health Organization describes as a flagrant violation of international humanitarian law.

In light of the blurry political vision in the current period in the Sudan, the protesting Sudanese people continue to organize demonstrations in all states of the Sudan, but in fact the Sudanese forces clearly and explicitly prevent these protests, by killing and dispersing demonstrators, especially from the use of sound bombs, which resulted in the injury of about 291 since October 2021 until now.

Recommendations

Given the Sudanese situation after the military coup in October 2021, specifically by tracking violations of the rights of journalists and press institutions, it has adopted a punitive approach against all those who cover the events that followed the military coup during the popular protests that came out to reject the coup. In light of the ongoing shutdown of internet services and restriction of press freedom and press institutions aimed primarily at concealing human

rights violations that the press contributes to document and reveal, Elizka makes the following recommendations.

1. Elizka recommends activating the file of violations of the rights of journalists before the United Nations human rights expert, in accordance with United Nations Human Rights Council Resolution S-32/1, to monitor the human rights situation in the Sudan since October 25 until now.
2. Elizka calls for opening an independent and impartial investigation into all incidents of attacks on journalists and media professionals under the supervision and monitoring of the United Nations expert on the Sudan, focusing on incidents of physical assault, arbitrary detention and storming of press institutions.
3. Elizka calls on all Sudanese internet and telecommunications companies, to adopt an approach that provides internet services when it is interrupted, and for the Sudanese authorities to participate in the media blackout campaign during the period of protests, and to avoid incurring heavy losses for the country.
4. Elizka recommends the government of the Sudan to comply with the articles of the national constitution along with the provisions of the Declaration of Principles on Freedom of Expression and Access to Information in Africa, and to work to ensure the impartial use and activation of the Internet, especially in periods of political instability.

(1) <https://bit.ly/35zTvzl>

(2) <https://bit.ly/3ywTjgS>

(3) <https://bbc.in/3MhMaF1>

(4) <https://bbc.in/39TT98R>

(5) <https://arabruloflaw.org/files/legaldatabase/Laws/Sudan/Doc02.pdf>

(6) <https://bbc.in/3yBSHqd>