

## 1. Resolution on the situation in South Kordofan and the Blue Nile State

*We, the participants at the 3<sup>rd</sup> Civil Society Forum on Sudan and South Sudan held in Addis Ababa, Ethiopia, 20th-22nd January 2014, within the context of the 22nd Ordinary Session of the AU Assembly of Heads of State and Government.*

**Considering** the provisions of the Constitutive Act of the African Union (AU), the Charter of the United Nations (UN) as well as those of the African Charter on Human and Peoples' Rights and other regional and international human rights instruments to which Sudan is a State party, and as such, Sudan is legally bound to fully and effectively implement their provisions, and respect and promote the human rights and fundamental freedoms set therein without discrimination on any ground;

**Deeply** concerned about the catastrophic humanitarian situation, insecurity, violence and massive violations of human rights and fundamental freedoms being committed in South and West Kordofan and the Blue Nile states;

**Outraged** at the continuing reports of grave violations of human rights and international humanitarian law in these three states, including indiscriminate aerial bombardment in civilian areas and massive displacement of civilian populations, looting of homes and destruction of property, arbitrary arrests and illegal detention of perceived political opponents, torture, extrajudicial killings, and enforced disappearances of civilians, especially those belonging to the indigenous Nuba and Ingasana ethnic groups in these regions;

**Deploring** the unwillingness of the Government of Sudan to allow UN agencies and independent international relief organizations and humanitarian workers access to the war-affected populations thus putting the lives of a growing number of civilians in these three States, especially women and children, at high risk;

**Welcoming** efforts of the AU to address the situation in South and West Kordofan and the Blue Nile States and recalling in this regard Communiqué PSC/MIN/COMM/3.(CCCXIX) adopted by the AU Peace and Security Council on 24 April 2012, as endorsed by UNSC Resolution 2046/2012; and that the two decisions provided a comprehensive approach which, inter alia, set out specific timetable for the government of Sudan and the Sudan People's Liberation Movement-North (SPLM-N) to reach a peaceful resolution to the armed conflict in those regions;

**Noting** that Communiqué PSC/MIN/COMM/3.(CCCXIX) called on the Government of Sudan to accept and implement the Tripartite Proposal as submitted by the AU, the UN and the League of Arab States, to permit humanitarian access to the population in South Kordofan and the Blue Nile States and to date the Government of Sudan refused to authorize the implementation of the tripartite proposal; and

**Fully** convinced that lasting and sustainable peace and stability in Sudan as well as a durable end to armed conflicts and political unrest in the country necessitate comprehensive solutions through just and negotiated political settlements that address the root causes of such conflicts in all parts of the country.

We call upon the 22nd Ordinary Session of the AU Assembly of Heads of State and Government to:

1. Insist on the full implementation of UN Security Council Resolution 2046, bearing in mind the AU's special responsibility under Article 6 of that Resolution and remind the government of Sudan and the Sudan People's Liberation Movement-North (SPLM-N) that failure of either party to comply with UN Security Council Resolution 2046 may result in the Council taking mandatory measures under Article 41 of the UN Charter.

2. Stress the need for free access to the population in need in the armed conflicted-affected areas of Sudan and ensure the protection of humanitarian workers, their properties, and the opening of safe humanitarian corridors to facilitate inflow of relief material.
3. Condemn aerial bombardment of civilian targets in the armed conflict-affected areas and call on the AU and the UN to take the necessary measures to ensure that the government of Sudan ceases such attacks and allow civilians the freedom of movement notably, to access market places outside the SPLM-N held areas.
4. Recognize and acknowledge the plight of the internally displaced persons within South and West Kordofan and Blue Nile States, who are not currently recognised by the government of Sudan or the international community or receiving any support. We urge the UN and international humanitarian community to provide the necessary assistance to these people.
5. Ensure implementation of the Tripartite Agreement without delay; and fully adhere to UN Resolution 2046, in particular by allowing unhindered access to civilians in South Kordofan and Blue Nile States and facilitate vaccinations and immunizations campaigns of children against deadly diseases, and which are currently pending.

Done at Addis Ababa, Ethiopia, 22<sup>nd</sup> January 2014

## 2. Resolution on the Situation in Darfur

*We, the participants at the 3<sup>rd</sup> Civil Society Forum on Sudan and South Sudan held in Addis Ababa, Ethiopia, 20th-22nd January 2014, within the context of the 22nd Ordinary Session of the AU Assembly of Heads of State and Government.*

**Considering** the provisions of the Constitutive Act of the African Union (AU), the Charter of the United Nations Organization (UN) as well as those of the African Charter on Human and Peoples' Rights and other regional and international human rights instruments to which the Sudan as a State party, and as such the Sudan is legally bound to fully and effectively implement their provisions and respect and promote the fundamental rights set therein without discrimination on any ground;

**Welcoming** regional and international efforts to combat impunity, to uphold fundamental justice to the victims and to maintain durable peace in Darfur, including the decision of the International Criminal Court to hold accountable individuals accused of planning, executing, condoning or encouraging the commission of war crimes, crimes against humanity and genocide in Darfur;

**Appreciative** of efforts by the AU to address the situation in Darfur, and recalling in this regard previous resolutions on Darfur adopted by the AU Assembly of Heads of States and Governments as well as those of the AU Peace and Security Council and other AU organs since the beginning of the conflict in 2003; notably Decisions Assembly/AU/Dec.68(IV) of 31st January 2005 and Assembly/AU/ Dec.54 (III) of 8th July 2004, Communiqué PSC/AHG/Comm. (XXIII) of 10th January 2005 as well as Communiqués PSC/AHG/Comm. (LXVI) and PSC/AHG/COMM.1(CCVII) adopted by the AU Heads of State and Government on 30th November 2007 and 29th October 2009 respectively;

**Deeply concerned** at the unabated and ongoing grave violations of human rights and international humanitarian law in Darfur, in particular systematic attacks on civilians, destruction and burning of villages, abuses against internally displaced persons (IDPs) and civilians by the government security forces, including, inter alia, extrajudicial killings, forced disappearances, forced labor, torture and detention without charges or trial, and lack of adequate protection of and assistance to IDPs and war-affected communities;

**Utterly outraged** by reports of widespread rape and other forms of sexual violence against women and girls as a means of warfare in flagrant violation of both human rights law and international humanitarian law, as well as the reports of abduction and forced labor of women and children committed by pro-government militia groups within the context of the armed conflict in Darfur;

**Deeply concerned** that military operations, including aerial bombardment of civilian targets and the destruction of water sources as well as other grave violations of international humanitarian law are taking place in Darfur in a systematic manner despite numerous regional and international attempts to put an end to the conflict through negotiated settlement, including the signing of the Doha Document for Peace in Darfur;

We call upon the 22<sup>nd</sup> Ordinary Session of the AU Assembly of Heads of State and Government to demand the Government of Sudan:

1. Meet its obligations under the AU Constitutive Act, the UN Charter, the African Charter on Human and Peoples' Rights and all other regional and international human rights treaties to which Sudan is a state party.
2. Stop, with immediate effect, all military activities and attacks against civilians in Darfur and end the grave violations of human and peoples' rights, particularly the ongoing forced depopulation of vast areas in North Darfur State of their indigenous inhabitants.
3. Cease military mobilization and all support, including the protection of and provision of weapons and other military supplies to militia groups, in particular the Janjaweed.

4. Cooperate, fully and unconditionally with the International Criminal Court (ICC) in its efforts to bring to justice against all persons suspected of perpetrating war crimes, crimes against humanity and the crime of genocide in Darfur, as required by UN Security Council Resolution 1593, and the subsequent ICC decisions and to arrest and hand over such individuals.
5. Accept the proposal made by the AU High-Level Implementation Panel (AUHIP) on judicial and legal reform in Sudan and the establishment of a Hybrid Court to ensure that those responsible for crimes committed in Darfur who have not been charged by the International Criminal Court are held responsible at the local level, for example through local transitional justice mechanisms.
6. Allow the immediate and unconditional return of international relief organizations to Darfur and provide the necessary administrative and technical support to all relief agencies and organizations in order to ensure immediate, full, safe and unhindered access to the war-affected population in Darfur and the delivery of humanitarian assistance to civilians in need thereof.
7. Cease all discriminatory practices and measures against people originating from Darfur throughout the country, including against students from Darfur currently studying at universities and high education institutions.

We further call upon the 22<sup>nd</sup> Ordinary Session of the AU Assembly of Heads of State and Government to:

8. Urge all Member States of the AU and the UN to fully cooperate with the International Criminal Court in fulfilling its mandate, and to arrest and hand over all persons accused of committing war crimes, crimes against humanity, ethnic cleansing and genocide in Darfur should such persons enter onto their territory or otherwise come under their jurisdiction.

Done at Addis Ababa, 22<sup>nd</sup> January 2014

### 3. Resolution on the Democratization of Sudan

*We, the participants at the 3<sup>rd</sup> Civil Society Forum on Sudan and South Sudan held in Addis Ababa, Ethiopia, 20th-22nd January 2014, within the context of the 22nd Ordinary Session of the AU Assembly of Heads of State and Government.*

**Recognizing** that the massive violations of human rights and international humanitarian law committed in different parts of Sudan, especially in Darfur, Blue Nile, and South and West Kordofan States, are deeply rooted in the nature of unrepresentative central government in Sudan and its inability to respond to the diverse needs of the people of the country;

**Deeply appreciating** the efforts of the AU High-Level Implementation Panel on Sudan (AUHIP) and its recognition of the need for political transformation and democratization of the country as a means to ensure peace and security for all its citizens in the long-term;

**Mindful of** the complex nature of the situation in Sudan and the enormous importance of a democratic and representative government that would lead to political stability, economic prosperity, safety, and peace;

We call upon the 22<sup>nd</sup> Ordinary Session of the AU Assembly of Heads of State and Government to:

1. Support the AUHIP's work on democratization in Sudan and ensure that the AUHIP is empowered to continue its work on developing an inclusive and comprehensive governance framework in Sudan.
2. Recommit financial, technical and human resources to conduct its work and eventually end the unrelenting atrocities committed in Darfur, Blue Nile, and South and West Kordofan States.
3. Encourage the AUHIP to refocus its efforts on implementation of the recommendations contained in the Report of the AU High/Level Panel on Darfur of 29 October 2009 and adopt its modus operandi to include open consultations with concerned Sudanese civil society, particularly from conflict-affected regions of the Sudan.

We call upon the 22<sup>nd</sup> Ordinary Session of the AU Assembly of Heads of State and Government to demand the government of Sudan:

4. Fully implement the Abyei Protocol of the Comprehensive Peace Agreement, including the Abyei referendum, without delay.
5. Commit to an immediate, unconditional ceasefire with the Sudan Revolutionary Front and all its constituent groups, in full compliance with UN Security Council Resolution 2046 and to ensure the greatest number of representatives can safely contribute to building an inclusive Sudanese governance structure.

Done at Addis Ababa, Ethiopia, 22<sup>nd</sup> January 2014

#### 4. Resolution on Human Rights and Political Freedoms in Sudan

*We, the participants at the 3<sup>rd</sup> Civil Society Forum on Sudan and South Sudan held in Addis Ababa, Ethiopia, 20th-22nd January 2014, within the context of the 22nd Ordinary Session of the AU Assembly of Heads of State and Government.*

**Considering** the provisions of the Constitutive Act of the African Union, the Charter of the United Nations as well as those of the African Charter on Human and Peoples' Rights and other regional and international human rights instruments to which the Sudan is a State party and that Sudan is legally bound to fully and effectively implement the provisions of these instruments, and respect and promote the human rights and fundamental freedoms set therein without discrimination on any ground;

**Appreciating** efforts made by the AU and its treaty bodies, including those of the African Commission on Human and Peoples' Rights (Commission) to address the situation in Sudan and recalling in this regard previous resolutions adopted by the Commission on the situation in Sudan since its 35th Ordinary Session (May – June 2004), and note the failure of the government of Sudan to implement the Commission's Concluding Observations and Recommendations on Sudan's Third Periodic Report as well as previous decisions in which the Commission, *inter alia*, demanded the government of Sudan to combat impunity, combat torture and degrading treatment and abolish corporal punishment;

**Welcoming** regional and international efforts to combat impunity, to uphold the fundamental rights to justice for the victims of violations of human rights, international humanitarian and criminal law, and to maintain durable peace in Sudan, including the decision of the International Criminal Court to hold accountable individuals accused of planning, executing, condoning or encouraging the commission of war crimes, crimes against humanity and genocide in Darfur, Blue Nile and the Nuba Mountains;

**Alarmed by** the continuously deteriorating situation of human rights and fundamental freedoms in the Republic of Sudan, particularly the reports of extrajudicial killings, forced disappearances, torture and ill-treatment of political detainees, including students, youth leaders and prodemocracy activists and the closing down of civil society organizations, the suppression of political dissidents and the right to hold public rallies and manifestations, arbitrary arrest and detention without judicial preview of political opponents, curtailment of the freedom of expression including through the article 126 of the Penal Code on apostasy, freedom of the press and the media, freedom of association and the dismantling or suspension of independent civil society in the country;

**Strongly condemn** reports of numerous incidents of ethnically motivated, enforced disappearances committed in the regions affected by the armed conflict in Sudan, or against people originating from marginalized regions, including but not limited to the extrajudicial killings of Awaida Agabna and assassinations of students at Al Gezira University and the killings of demonstrators in Port Sudan and Kajibar, and the killing of high school students in Nyala in South Darfur State;

**Noting** that the construction of Merowe dam has led to the forced displacement of the inhabitants of Hamdab, Amri and Manasir areas and that the Sudanese government has announced its intention to construct the Kajbar and Dal dams shortly despite the growing protest and that Egyptian peasants are being settled in the Nubian Basin West of the Nile on the basis of the Four Freedoms Agreements between Sudan and Egypt.

We call upon the 22nd Ordinary Session of the AU Assembly of Heads of State and Government to:

1. Urge the government of Sudan to cease all violations of human rights and fundamental freedoms in the country.
2. Demand that the government of Sudan revise the laws regarding freedom of conscience as stipulated in article 126 of the Sudanese Penal Code on Apostasy.
3. Demand that the government of Sudan repeal all legal provisions which confer on members of the security forces total immunity for violations of human rights and international humanitarian law.
4. Demand that the government of Sudan immediately enact a moratorium on the death penalty and eventually eliminate it.
5. Demand also that all persons held in government custody for political reasons or in connection with the armed conflict in Darfur, South Kordofan and the Blue Nile States, be brought before independent courts of law and allowed unhindered access to family members, lawyers of their choice and also to medical care.
6. Demand the release of all persons arbitrarily arrested and detained in Sudan, including those accused of taking part in the public demonstrations that took place in the country in September/October 2013, without further delay.
7. Urge the government of Sudan to refrain from using force, such as the excessive force used during the September/October 2013 demonstrations, to quell demonstrations. The people of Sudan should be allowed to enjoy their democratic right to demonstrate in a peaceful manner. The families of victims should be granted access to legal processes.
8. Demand that an independent Commission of Inquiry be established in order to investigate reports of the extrajudicial killing of protesters which occurred throughout Sudan in September/October 2013 and also that the findings of the Commission are made public.
9. Call upon the government of Sudan to refrain from interfering with the work of humanitarian aid workers, community-based organisations, local non-governmental organisations and international non-governmental relief organisations (INGOs).
10. Demand that the government of Sudan abides by the provisions of the International Convention on the Rights of the Child of 1989, and stops all violations of child's rights, particularly in the armed-conflict affected areas.
11. Urge the government of Sudan to commit to ensuring the environmental rights of the Sudanese people, to meet its obligations under international and regional agreements and enact such agreements into national legislation and regulations. The Sudanese government should commit to international standards for development projects, for example, conducting environmental impact assessments (EIA).
12. Ensure that the government of Sudan, insofar as possible, only undertakes building and development projects with the consent of the affected Sudanese populations.

## 5. Resolution on the Ongoing Conflict in South Sudan

*We, the participants at the 3<sup>rd</sup> Civil Society Forum on Sudan and South Sudan held in Addis Ababa, Ethiopia, 20th-22nd January 2014, within the context of the 22nd Ordinary Session of the AU Assembly of Heads of State and Government.*

**Considering** the provisions of the Constitutive Act of the African Union (AU), the Charter of the United Nations Organization (UN) as well as those of the African Charter on Human and Peoples' Rights and other regional and international human rights instruments to which the Republic of South Sudan as a State party, is legally bound to fully and effectively implement the provisions of these instruments and respect and promote the fundamental rights set therein without discrimination on any ground;

**Highly appreciating** efforts of the IGAD, under the AU's guidance, to address the situation in South Sudan and recalling in this regard previous resolutions on South Sudan adopted by the AU Assembly of Heads of States and Governments, as well as those of the AU Peace and Security Council and other AU organs since the beginning of the conflict on 15 December 2013; notably communique PSC/AHG/COMM.1(CDXI)Rev.1 of 30 December 2013.

**Deeply concerned** by the ongoing grave violations of human rights and international humanitarian law in South Sudan by both warring parties, in particular systematic attacks on civilians, reported aggression against civilians sheltering inside UN compounds, sexual attacks on women and children, extrajudicial killings, detention without charges or trial, and the lack of adequate protection of and assistance to internally displaced persons (IDPs)

We call upon the 22nd Ordinary Session of the Assembly of the African Union to demand the government of South Sudan and the SPLA/M in Opposition to:

1. Stop, with immediate effect and unconditionally, all military activities and attacks on civilians in South Sudan, and end the grave violations of human and peoples' rights associate with the conflict that began on 15<sup>th</sup> December 2013.
2. Fully adhere to the efforts of the IGAD targeting the signing and respect for a ceasefire arrangement without any further delay.

Further, we call upon the 22nd Ordinary Session of the Assembly of the African Union to demand the government of South Sudan to:

3. Meet its obligations under the AU Constitutive Act, the UN Charter, and all other regional and international human rights treaties to which South Sudan is a State party.
4. Reconcile its actions of prolonged detention of detainees in South Sudan with the Transitional Constitution of the Republic of South Sudan, which only permits 24 hours detention without charge.
5. Include a clear provision for transitional justice and accountability measures for past human rights and humanitarian law violations during the conflict.

Finally, we call upon the 22nd Ordinary Session of the Assembly of the African Union to:

6. Support the establishment of an external body, such as a hybrid court, with the mandate to prosecute individuals who may be criminally liable for internationally-recognised crimes and hold those responsible to account. In establishing such a body, justice, reconciliation, and reparations for victims should be considered as important goals.
7. Demand that the Republic of South Sudan combat impunity and lift immunities from persons who are likely responsible for serious crimes and refrain from using such measures or blanket amnesty as a reconciliation tactic.



8. Approve the establishment of an AU and UN Commission of Inquiry to investigate violations of regional and international human rights and humanitarian law committed in the South Sudan, ensuring that the Commission of Inquiry is adequately resourced and staffed by African and international experts of high standing.
9. Share the findings of the Commission of Inquiry with the abovementioned hybrid court or similar body when it is established, as well as with UNMISS.

Done at Addis Ababa, Ethiopia, 22<sup>nd</sup> January 2014

## 6. State-building and reconciliation in South Sudan

*We, the participants at the 3<sup>rd</sup> Civil Society Forum on Sudan and South Sudan held in Addis Ababa, Ethiopia, 20<sup>th</sup>-22<sup>nd</sup> January 2014, within the context of the 22nd Ordinary Session of the AU Assembly of Heads of State and Government.*

**Upholding** the provisions of the Constitutive Act of the African Union (AU), the Charter of the United Nations Organization (UN) as well as those of the African Charter on Human and Peoples' Rights and other regional and international human rights instruments to which the Republic of South Sudan as a State party, is legally bound to fully and effectively implement the provisions of these instruments and respect and promote the fundamental rights set therein without discrimination on any ground;

**Noting** the provisions of the Declaration on the Right to Development, adopted by the United Nations General Assembly by Resolution 41/128 on 4 December 1986 which provides that the right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, and through which all human rights and fundamental freedoms can be fully realized;

**Fully** aware that regional and international human rights treaties on economic, social and cultural rights and the right to development entitle the people of South Sudan to a decent standard of living;

**Strongly condemn** the continued deprivations of the South Sudanese people of their right to development through continued civil hostilities and the inability or lack of political will to provide infrastructure and deliver social services thus creating an environment conducive to the enjoyment of humane living conditions in South Sudan;

**Abhorring** the current state of hostilities, killings and destruction in South Sudan which further deprives its citizens of peace, social stability, infrastructure, basic services, decent housing, adequate food and water among other factors necessary to ensuring a decent standard of living;

We call upon the 22nd Ordinary Session of the Assembly of the African Union to demand the government of South Sudan and the SPLA/M in Opposition to:

1. Agree on a ceasefire arrangement and embark on immediate efforts for lasting peace in the country and add credibility to the process of peace, reconciliation, nation building, national dialogue, peace building, sustainable peace and good governance by ensuring that civil society is an integral part of this process. Civil society can effectively contribute in different capacities; for instance, by mediating between the armed groups.
2. Re-evaluate the existing South Sudan Peace Commission and either, form a new commission or include civil society in activities undertaken by the current Commission.
3. Strengthen the existing transitional constitution of the Republic of South Sudan and ensure that the enactment of new constitutional measures is an all-inclusive process.
4. Agree on a formula that places equal emphasis on justice and reconciliation side by side in a balanced approach, including reparation for victims, the establishment of an independent hybrid legal body to try cases relating to human rights violations and to hold those responsible to account.

## **7. Resolution on the Critical Situation of Women in Sudan and South Sudan**

*We, the participants at the 3<sup>rd</sup> Civil Society Forum on Sudan and South Sudan held in Addis Ababa, Ethiopia, 20<sup>th</sup>-22<sup>nd</sup> January 2014, within the context of the 22nd Ordinary Session of the AU Assembly of Heads of State and Government.*

**Upholding** the values enshrined in the Constitutive Act of the African Union, the Charter of the United Nations, the Universal Bill of Human Rights, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, the Protocol on the Prevention and Suppression of Sexual Violence against Women and Children;

**Noting** the provisions of the Beijing Declaration and Platform for Action, adopted by the Fourth World Conference on Women, and their review conferences in 2005 and 2010, as well as action of the UN Security Council, notably Resolution 1325 on Women and Peace and Security adopted by the Council on 31 October 2000 and Resolutions 1820, 1888, and 1960 that called for an end of the use of brutal acts of sexual violence against women and girls as a tactic of war and called on states and all warring parties to end the impunity of the perpetrators, and those provisions contained in numerous resolutions of the UN Human Rights Council on the elimination of all forms of discrimination against women;

**Fully** aware that regional and international human rights treaties on the protection of women's rights incriminate and prohibit all kinds of discrimination on the basis of gender and guarantee that women and the girl child fully enjoy their rights and freedoms without discrimination on any ground such as sex, race, religious or cultural beliefs, national or social origin;

**Deeply concerned** that women in Sudan face multiple forms of discrimination and violations of their fundamental rights and that such violations are consolidated by discriminatory laws, policies and practices including degrading corporal punishments as provided for in the Sudan Criminal Act of 1991 as well as the Public Order Acts enacted by different Sudanese states;

**Strongly condemn** the systematic violations of women's human rights in Sudan, particularly the assault against female pro-democracy activists, students and internally displaced women from Sudan's peripheral areas and that they are subjected to extrajudicial killings, torture and corporal punishment, arrest and detention without charges or trial, abduction for sexual enslavement;

**Abhorring** that women in South Sudan face multiple forms of discrimination and violations of their fundamental rights, including widespread early and forced marriage, the absence of family law, limited women's political participation at all levels of government, and pervasive sexual and domestic violence.

**Further abhorring** reports of gender-based sexual violence faced by women in both countries, including widespread rape and sexual violence against women and girls in Darfur committed by security forces, in particular the Border Guards and Central Reserve Police (Abu Tira), the Popular Defense Forces and government-sponsored tribal militia groups, and that during inter-tribal conflicts in South Sudan women and girls are abducted and that sexual violence in internally displaced person's camps along the border areas in South Sudan is also prevalent;

**Mindful** that women and children victims of the armed conflicts in Sudan, including Darfur, South and West Kordofan and the Blue Nile States, as well as in the current political violence and conflict South Sudan represent the overwhelming majority of the internally displaced persons and refugees, and as such they should be proportionately represented in the decision-making process concerning peace and their well-being;

We call upon the 22nd Ordinary Session of the AU Assembly of Heads of State and Government to:

1. Demand that the governments of Sudan and South Sudan stop the increasing number of gender-based violence incidents.
2. Call on the governments of Sudan and South Sudan to facilitate unhindered reporting of gender-based violence against women and girls and ensure that all such incidents are effectively investigated.
3. Insist that national regulations and laws in Sudan and South Sudan condemn and prohibit discrimination against women and gender-based violence.
4. Call on the governments of Sudan and South Sudan to provide adequate protection of the victims and survivors of gender-based violence.
5. Call on the governments of Sudan and South Sudan to ensure the existence of deterrence and prevention mechanisms where possible through justice, effective legislation, and institutional reform.
6. Demand that the governments of Sudan and South Sudan enshrine the provisions of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.
7. Demand that the government of Sudan stops immediately all forms of violence against women, practiced or condoned by the governmental agencies and to repeal the relevant provisions and the different laws allowing cruel and degrading treatment and punishment of women.

Done at Addis Ababa, Ethiopia, 22<sup>nd</sup> January 2014

## 8. Resolution on Refugees and IDPs in Sudan and South Sudan

*We, the participants at the 3<sup>rd</sup> Civil Society Forum on Sudan and South Sudan held in Addis Ababa, Ethiopia, 20<sup>th</sup>-22<sup>nd</sup> January 2014, within the context of the 22<sup>nd</sup> Ordinary Session of the AU Assembly of Heads of State and Government.*

**Noting** that in May 2011, Sudan introduced a new system of national identification (National Registration Numbers) and declared that the measure intends to preserve the Sudanese identity from intruders, and that registration through the new system is required for enjoyment of citizenship rights and access to civil amenities such as obtaining passports and driving licenses, employment in the public and private sectors, university registration, banking transactions and exit visas;

**Gravely concerned** about reports that the process of authenticating the identity of applicants for the National Registration Number has been marred by serious difficulties and implemented in a manner that discriminates against citizens originating from certain regions of the country, and that the security risks and weak infrastructure or unavailability of communication networks are being used by government officials to justify the exclusion of internally displaced persons and war victims in Darfur, South Kordofan and Blue Nile, who have been deliberately left out in the registration process;

We call upon the 22<sup>nd</sup> Ordinary Session of the AU Assembly of Heads of State and Government to demand the government of Sudan to:

1. Eliminate discriminatory and arbitrary administrative measures and practices associated with the procurement of the "National Registration Number" and to facilitate the procedures for obtaining the Sudanese identity documents to all rightful citizens, especially those in Sudan's peripheral areas including the internally displaced persons in Darfur, Southern Kordofan and the Blue Nile States, without prejudice.
2. Uphold UNHCR's Guiding Principles on Internal Displacement and ensure that IDPs within its geographic borders are adequately and effectively protected.

We further call upon the 22<sup>nd</sup> Ordinary Session of the AU Assembly of Heads of State and Government to demand the government of South Sudan to:

1. Urgently open humanitarian corridors and allow the free flow of aid and other emergency supplies to displaced persons victims of the ongoing political violence in South Sudan as well as the refugee population from Sudan.
2. Establish safe transit corridors into South Kordofan and the Blue Nile State, re-establishing desperately needed humanitarian access into these two States.
3. Steadfastly uphold UNHCR's Guiding Principles on Internal Displacement.
4. Work with UNMISS to reopen the refugee camps that previously provided shelter to thousands of civilians that fled the armed conflict in Sudan.

Done at Addis Ababa, Ethiopia, 22<sup>nd</sup> January 2014

## 9. Press freedom in Sudan and South Sudan

*We, the participants at the 3<sup>rd</sup> Civil Society Forum on Sudan and South Sudan held in Addis Ababa, Ethiopia, 20th-22nd January 2014, within the context of the 22nd Ordinary Session of the AU Assembly of Heads of State and Government.*

**Considering** the provisions of the Constitutive Act of the African Union, the Charter of the United Nations as well as those of the African Charter on Human and Peoples' Rights and other regional and international human rights instruments to which the Sudan and South Sudan are a State party and that Sudan is legally bound to fully and effectively implement the provisions of these instruments, and respect and promote the human rights and fundamental freedoms set therein without discrimination on any ground;

**Appreciating** efforts made by the AU and its treaty bodies, including those of the African Commission on Human and Peoples' Rights (Commission) to address the situation in Sudan and South Sudan and recalling in this regard previous resolutions adopted by the Commission on the situation in Sudan since its 35th Ordinary Session (May – June 2004), and note the failure of the government of Sudan to implement the Commission's Concluding Observations and Recommendations on Sudan's Third Periodic Report as well as previous decisions in which the Commission, *inter alia*, requested the government of Sudan to abolish corporal punishment;

**Noting** the provisions of the Universal Declaration on Human Rights 1948, adopted by the United Nations General Assembly by Resolution 217 A (III) on 10 December 1948, including Article 19 which defines the right of every individual to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers;

**Welcoming** regional and international efforts to combat impunity, to uphold the fundamental rights to justice for the victims of violations of human rights, international humanitarian and criminal law, and to maintain durable peace in Sudan, including the decision of the International Criminal Court to hold accountable individuals accused of planning, executing, condoning or encouraging the commission of war crimes, crimes against humanity and genocide in Darfur, Blue Nile and Nuba Mountains;

**Alarmed by** the continuously deteriorating situation of human rights and fundamental freedoms in the Republic of Sudan and the Republic of South Sudan, particularly the reports of extrajudicial killings, forced disappearances, torture and ill-treatment of political detainees, including students, youth leaders and prodemocracy activists and the closing down of civil society organizations, the suppression of political dissidents and the right to hold public rallies and manifestations, arbitrary arrest and detention without judicial preview of political opponents, curtailment of the freedom of expression including through the article 126 of the Penal Code on apostasy, freedom of the press and the media, freedom of association and the dismantling or suspension of independent civil society in these countries;

We call upon the 22<sup>nd</sup> Ordinary Session of the AU Assembly of Heads of State and Government to demand the governments of Sudan and South Sudan to:

1. Demand that press freedom rules are observed. It is important that the governments of Sudan and South Sudan allow for information to be shared about what is occurring in their respective countries and for newspapers to be allowed to report news accurately.
2. Urge the government of Sudan to revise existing national standards and implement better legislation for freedom of the press and publications. There are currently multiple laws, which overlap and allow for the government to find loopholes. This situation must be addressed. The previous resolution on this issue should be amended to include the word 'publications'.
3. Demand that the government of Sudan abstains from using advertisements to favour specific newspapers that are allegiant to the government, since this breaches the economic rights other (newspaper/media) business owners. Advertisements are used in this manner as a weapon.
4. Urge the government of South Sudan to pass legislation to protect the freedom of expression, media and publications.

Done at Addis Ababa, Ethiopia, 22<sup>nd</sup> January 2014

## 10. Role of UN in Sudan, South Sudan, and the Disputed Territory of Abyei

*We, the participants at the 3<sup>rd</sup> Civil Society Forum on Sudan and South Sudan held in Addis Ababa, Ethiopia, 20th-22<sup>nd</sup> January 2014, within the context of the 22<sup>nd</sup> Ordinary Session of the AU Assembly of Heads of State and Government.*

**Noting** that the AU Constitutive Act has reaffirmed faith in the dignity of the human person, in the sanctity of life, and that it condemned and rejected impunity and established the right of the AU members to intervene in the territory of any AU member State to prevent the commission of war crimes, crimes against humanity, ethnic cleansing and genocide;

**Fully recognizing** the important role played by the United Nations and African Union Hybrid operation in Darfur (UNAMID), the United Nations Mission in South Sudan (UNMISS) and the United Nations Interim Security Force for Abyei (UNISFA) and Office for the Coordination of Humanitarian Affairs in providing services to the civilian populations; yet noting that UNAMID has achieved limited success in its mission of protecting civilians, facilitating the humanitarian relief operations, providing an environment conducive to the attainment of peace and security in Darfur and reporting about violations of human rights and international humanitarian law in Darfur, and that more robust action and efforts are needed in this respect;

**Deeply concerned** that UNAMID's "level of effort" both on the basis of soldiers per sq. km or per 1000 inhabitants is below the accepted universal average, moreover, it continues to face serious obstacles and that it has not reached its authorized capacity, both in military capability and in the deployment of competent personnel, and that such shortcomings could eventually lead to the failure of the predominately African military force and its disgraceful withdrawal;

**Gravely concerned** that UNAMID personnel are deliberately targeted by armed assailants in Darfur and that the attacks, which frequently take place in areas controlled by the Government of Sudan in proximity of army garrisons or security check points, have, so far, caused the death of over 45 soldiers since the deployment of the force and the injury of dozens others; meanwhile UNAMID's local staff are systematically arrested and detained by the security forces; and

**Paying tribute** to the fallen UNAMID and UNISFA personnel and all other soldiers that were injured or maimed while on the line of duty in Darfur;

We call upon the 22<sup>nd</sup> Ordinary Session of the AU Assembly of Heads of State and Government to:

1. Call for the AU and UN to play a role in ensuring UNAMID fulfils its mandate to protect civilians in Darfur and that it is provided with additional political and diplomatic backing to effectively exercise its duties.
2. Call for an independent review of the operation and performance of UNAMID in Darfur and the effective monitoring of its performance.
3. Urge that the funds given to UNAMID to support civil society organisations are fairly distributed and not wholly allocated to government-backed civil society organisations.
4. Urge that the UN Office for the Coordination of Humanitarian Affairs (OCHA) engages effectively with all NGOs and civil society and overcomes current perceived blockages.
5. Ensure that an independent review is tasked of the UN panel of experts on Sudan.



6. Urge UNMISS to keep playing a positive role and encourage the government of South Sudan to place the promotion and protection of human rights as priority in its agenda and that the government refrain from interfering with the mandate of the United Nations.
7. Ensure that UNISFA fulfils its mandate in the protection of civilians.

Done at Addis Ababa, Ethiopia, 22<sup>nd</sup> January 2014

## **11. Resolution on Civil Society: Current Situation and Recommendations**

*We, the participants at the 3<sup>rd</sup> Civil Society Forum on Sudan and South Sudan held in Addis Ababa, Ethiopia, 20th-22<sup>nd</sup> January 2014, within the context of the 22<sup>nd</sup> Ordinary Session of the AU Assembly of Heads of State and Government.*

**Welcoming** the commitment and actions of local, regional and international Sudan focused civil society organizations to peace building, democratic transformation, justice and respect of human rights and fundamental freedoms in Sudan and the Republic of South Sudan;

**Recognizing** and incorporating the Resolutions made at the 2<sup>nd</sup> Civil Society Forum on Sudan and South Sudan held in Addis Ababa, Ethiopia, 16<sup>th</sup>-18<sup>th</sup> May 2013, within the context of the 21<sup>st</sup> Ordinary Session of the AU Assembly of Heads of State and Government;

**Applauding** the continuation of the Civil Society Forum on Sudan and South Sudan as an independent venue for dialogue on issues of peace, conflict prevention and democratic transformation in Sudan and South Sudan;

**Acknowledging** the efforts of civil society in Sudan and South Sudan in promoting a culture of peace, respect for human rights, the rule of law, good governance and democracy;

**Recognizing** the importance of this Forum in providing the space for civil society to work together to achieve our common objectives of promoting a culture of peace, tolerance, respect for human rights, the rule of law, good governance and democracy in Sudan and South Sudan;

**Deeply Concerned** by the delay in the peace processes and political negotiations to resolve the post-cessation issues between Sudan and South Sudan and that the absence of an expeditious resolution of the outstanding questions represents a real threat to peace and good neighbourhood between the two nations;

**Strongly condemning** the recent violence and atrocities committed in South Sudan as a result of the hostilities, the systematic rape of women and children, denial of access to humanitarian assistance as well as the deterioration of humanitarian situation and the complete breakdown of the rule of law; and

**Condemning** the closing down of independent civil society organizations in Sudan and the ongoing campaign of repression against human rights and pro-democracy activists.

We, hereby, commit ourselves as Sudanese and Sudan and South Sudan-focused regional and international civil society organizations to:

1. Harmonize our activities at the local, regional and international levels in order to exert pressure on the Governments of Sudan and South Sudan.
2. To cooperate with regional and international actors with a view to realizing lasting and durable peace in the two countries. To do this, we commit ourselves to support the Arrest of Omar Al-Bashir Campaign as well as other suspects.
3. Coordinate our efforts and jointly organize public events, side meetings, seminars and other relevant activities in order to build relationships with the AU Commission, IGAD countries, the African Commission on Human and Peoples' Rights, AU Peace and Security Council and other AU organs such as the Pan African Parliament, UN organs. This could include using momentum generated by the AU's 50th anniversary and Decade of Women to maximize our campaign.
4. Support each other and work effectively in order to be as strategic and to make as much impact as possible. This could include creating an online focal point, such as a common website or social media hub.

5. Make effective use of and support the Livingstone Formula to ensure that civil society is able to directly address and critically engage with policy-makers at the continental African level as well as at the international level.
6. Work together to support constitution building and transitional justice processes within both countries and to share solidarity and lessons learnt from other African nations emerging from similar circumstances.
7. Ensure all stakeholders within civil society are included in our joint work, including members of the youth movement.
8. Disseminate information on the situation within Sudan and South Sudan in a timely manner across our civil society community, to the regional and international media and to key policymakers.

Done in Addis Ababa, 22<sup>nd</sup> January, 2014