

<b>AFRICAN UNION</b>		<b>UNION AFRICAINE</b>
<b>الاتحاد الأفريقي</b> African Commission on Human & Peoples' Rights		<b>UNIÃO AFRICANA</b> Commission Africaine des Droits de l'Homme & des Peuples
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**Date: 7 November 2011**

**H.E Mr. Omar Hassan Ahmed Al-Bashir**  
**President of the Republic of the Sudan**  
**Khartoum**  
**Republic of the Sudan**

**Subject: REQUEST FOR PROVISIONAL MEASURES UNDER RULE 98  
OF THE RULES OF PROCEDURE OF THE AFRICAN  
COMMISSION ON HUMAN AND PEOPLES' RIGHTS**

In my capacity as Chairperson of the African Commission on Human and Peoples' Rights (the African Commission), I wish to bring to Your Excellency's kind attention, a Complaint that has been submitted in terms of Article 55 of the African Charter on Human and Peoples' Rights (the African Charter) against the Republic of the Sudan. The Complaint has been lodged by International Refugee Rights Initiative (IRR), Sudan Democracy First Group (SDFG), INTERIGHTS, Human Rights Watch (HRW) and REDRESS.

The Complainants allege that serious human rights violations are being perpetrated by the State of Sudan in South Kordofan and Blue Nile States as part of its operations against the Sudan Peoples' Liberation Army. They allege that the Sudan Armed Forces, together with the Popular Defence Forces, are responsible for widespread killings through indiscriminate bombing, arbitrary arrests, torture, enforced disappearances and extrajudicial killings, particularly of civilians apparently targeted because of their ethnicity, as well as wide scale destruction of property.

They further allege that following a 7-day bombing campaign carried out by the Sudan Armed Forces, the UN reported on 15 June 2011 that more than 70 percent of the population of Kadguli town and a total of at least 60.000 people of Southern Kordofan have been displaced. It is their contention that on 27 June 2011, the UN Office for Coordination of Humanitarian Affairs (OCHA) estimated that at least 73,000 people had been displaced in the region. They add that the African Union has made reference to hundreds of thousands of

civilians having been displaced from their homes in Southern Kordofan, and facing hunger and diseases on account of the fighting, aerial bombardment and interruption of essential supplies.

Your Excellency, the Complainants have requested the African Commission to invoke Rule 98 of its Rules of procedure, and issue Provisional Measures against these alleged violations of human rights. In that regard, and without drawing any conclusions from these allegations, I respectfully request Your Excellency to intervene in the matter with a view to preventing irreparable harm being caused to the victims. I would like to indicate that the grant of Provisional Measures pending consideration of the aforementioned Communication by the African Commission does not in any way affect the final position of the African Commission on the Communication.

Let me also inform Your Excellency that as part of my responsibility, I am required to report to each Ordinary Session of the African Commission on the actions that I have taken in my capacity as the Chairperson and as a Member of the African Commission. In that regard, the contents of this communication as well as any response received from Your Excellency will be included in my report to the 51<sup>st</sup> Ordinary Session of the African Commission to be held from 18 April to 2 May 2012, at a place to be determined.

Please accept, Your Excellency, the assurances of my highest consideration.



**Honourable Commissioner Catherine Dupe Atoki**  
**Chairperson of the African Commission on Human and peoples' Rights**

**cc: Ministry of Foreign Affairs of the Republic of the Sudan**

**cc: Ministry of Justice of the Republic of the Sudan**