

Sovereign Council and Council of Ministers, Republic of the Sudan
His Excellency Prime Minister Abdalla Hamdok, Republic of the Sudan
Nasredeem Abdulbari, Minister of Justice, Republic of the Sudan

3 December 2020

Your Excellency Prime Minister Abdalla Hamdok, Members of the Sovereign Council and Members of the Council of Ministers,

Ratification of UNCAT and ICPPED

We were deeply encouraged to learn that the Council of Ministers has approved ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) and the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED). We are now writing to urge the Sovereign Council to follow suit and to complete the ratification process of these essential treaties, including through their approval as required in a joint session.

The ratification and subsequent domestic implementation of UNCAT and ICPPED, whether through direct implementation or through enabling legislation, will provide crucial safeguards to protect human rights. Moreover, ratifying these conventions will demonstrate the Sudanese transitional government's commitment to enhancing human rights protections in the country and to putting an end to decades of systemic human rights violations.

Specifically, we would like to emphasise the importance of ratifying both conventions in their entirety. The provisions of UNCAT and ICPPED have been designed to ensure that the conventions comprehensively prevent future violations. Sudan should be commended for entering no reservations to the other treaties it has ratified; in the same way, we urge the timely ratification of these two vital human rights treaties without reservations, particularly any that would frustrate the object and purpose of either convention. In this regard, we recall that international law does not permit any reservations that would frustrate the object and purpose of the relevant treaty.

Further, we encourage Sudan to ratify the Optional Protocol to UNCAT (OPCAT) and to opt in to UNCAT's individual communications procedure under Article 22. These instruments are designed to assist States in fulfilling their obligations under the Convention and provide for mechanisms that play an important role in the effective prevention of torture. For the same reasons, we encourage Sudan to recognize the competence of the Committee on Enforced Disappearances to receive and consider individual communications under Article 31 of ICPPED.

The undersigned organisations remain committed to assisting the transitional government in its endeavour of creating a safe and just Sudan. Ratifying UNCAT (as well as OPCAT) and ICPPED, and opting-in to the relevant individual communications procedures under both treaties, is a crucial step to achieving that goal.

We would be pleased to engage further with any Members of the Council and Cabinet on this matter or on any other issues that are within our field of expertise.

Yours sincerely,

1. REDRESS

2. African Centre for Justice and Peace Studies (ACJPS)
3. Act for Sudan
4. Activists for Human Rights – Canada
5. Africa Initiative for Media and Journalists Safety (AIMJS)
6. Amnesty International
7. Arab Coalition for Sudan (ACS)
8. Arab Program for Human Rights Activists
9. Christian Solidarity Worldwide (CSW)
10. Darfur Bar Association
11. Human Rights and Development Organization (HUDO Centre)
12. Human Rights Watch
13. Investors Against Genocide
14. Journalists for Human Rights (JHR – Sudan)
15. Justice Africa Sudan
16. Justice Center for Advocacy and Legal Consultations
17. KACE
18. Lutz Oette (Director, Centre for Human Rights Law, SOAS)
19. MENA Rights Group
20. Massachusetts Coalition to Save Darfur
21. Mohamed Abdelsalam Babiker (University of Khartoum)
22. Regional Centre for Training and Development of Civil Society (RCDCS)
23. Sayara International
24. Sudanese Development Call Organization (NIDAA)
25. Sudanese Human Rights Monitor
26. SUDO (UK)
27. The Strategic Initiative for Women in the Horn of Africa (SIHA)
28. The Sudan Social Development Organisation (SUDO)