



The Anti-Racial Discrimination Bill 2020

In accordance with the provisions of the Constitutional Document for the transitional period for the year 2019, the Sovereign Council and the Ministers issued in a joint meeting, and the Sovereign Council signed, the following law:

CHAPTER ONE

Introductory Provisions

The Name of the Law and Its Entry into Force

1. This law is called the “Anti-Racial Discrimination Law of 2020,” and it shall be enforced from the date of its signature.

Apply the provisions of the Criminal Law

2. The provisions of Chapter Seven of the 1991 Criminal Law regarding provoking hatred shall be applied.

Definitions

3. In this law, unless the context requires another meaning,

“Racial discrimination” means any distinction, exclusion, restriction, or preference based on race, color, descent, national or ethnic origin, or other forms of racial discrimination that hinder, disrupt or deprive any person from enjoying the rights and basic freedoms guaranteed by the Constitution and the law.

“Committee” means the National Committee for Combating Racial Discrimination established under the provisions of Article 4.

“Minister” means the Minister of Justice.

CHAPTER TWO

The Committee

Committee Establishment, Formation, Headquarters, and Responsibilities

4. (1) A Committee called the “National Committee for Combating Racial Discrimination” shall be established and formed by a decision of the Council of Ministers based on the recommendation of the Prime Minister and a number of Members representing the

relevant authorities, taking into account the representation of civil society organisations and women.

(2) The headquarters of the committee shall be in the state of Khartoum.

(3) The committee is responsible for performing its work under the Minister.

The Committee's Jurisdiction and Powers

5. The committee shall be the supreme authority in combating racial discrimination and addressing its causes and methods. Without prejudice to the general nature of the foregoing, the Committee shall have the following competencies and powers:
 - (a) Developing a national strategy to address the roots and causes of the crime of racial discrimination in consultation with the concerned parties
 - (b) Receive complaints about racial discrimination from individuals and groups, adjudicate them, and take the necessary measures in their regard with the relevant authorities
 - (j) Reviewing the relevant legislation to combat racial discrimination and submitting the necessary proposals and recommendations thereon
 - (d) Raising awareness of issues related to the crime of racial discrimination by holding conferences, seminars, workshops, training, issuance of bulletins, and other appropriate means,
 - (h) Strengthening the national capacities of the Committee's personnel in combating racial discrimination,
 - (w) Issuing, disseminating and deepening a national guide containing instructions and educational materials relevant to its work.
 - (z) Study international, regional and local reports related to combating racial discrimination and take the necessary measures in their regard
 - (H) Participating with the concerned authorities in the State in international and regional conferences and forums related to combating racial discrimination and indicating the State's position and policies towards these issues,
 - (T) Coordination between:
 - (First) Official and non-official bodies concerned with combating racial discrimination

(Second) The competent authorities of the State with the authorities concerned with combating racial discrimination in other countries

(Y) Establish measures that assist in the elimination of racial discrimination,

(K) Facilitating victims' recourse to the courts to ensure that there is no impunity,

(L) To carry out any other tasks it deems necessary to combat racial discrimination.

Committee Meetings and Decisions

6. (1) The Committee meets by invitation of the Chairman once every three months a year. [The Chairman] may call the Commission to an emergency meeting or at the request of one third of its members.

(2) The legal quorum for the Committee's meetings is attendance by half of its members.

(3) The decisions of the Committee are passed by the majority of the votes of the attending members, and in case of equal votes, the Chairman has a casting vote.

(4) The Chairman of the Committee may invite any person with experience and competence to attend any of the Committee meetings for persons in the matter presented before it, and [the invitee] shall not have the right to vote.

CHAPTER THREE

Offences and Penalties

The Crime of Racial Discrimination

7. (1) Each of the following shall commit the crime of racial discrimination:

(a) Disseminates ideas based on racial discrimination, racial superiority, or racial hatred by any means

(b) Incites hatred, violence, discrimination, segregation, isolation, or threats to do so against any person or group of persons based on racial discrimination.

(j) Praises practices of racial discrimination by any means

(d) Is a group or organisation that clearly and repeatedly supports, affiliation with, or participation in racial discrimination

(h) Supporting or financing activities, associations or organisations of a racist nature

(2) A crime of racial discrimination is not considered any distinction, exclusion, restriction or preference between Sudanese and foreigners, provided that this does not target a specific nationality, taking into account the international obligations and agreements ratified by Sudan.

Penalties

8. (1) Without prejudice to any more severe penalty stipulated in any other law, anyone who commits any of the acts stipulated in the provisions of Article 7 [of this Act] shall be deemed to have committed a crime and shall be punished with imprisonment for a term not exceeding three years, or a fine, or both.

(2) The penalty is doubled if the crime is committed against a child or sixty-year-old person, persons with disabilities, immigrants, or refugees, and he shall be punished with imprisonment for a term not exceeding six years, or with a fine, or with both.

The authority to issue regulations

9. Based on the committee's recommendation, the Minister may issue the necessary regulations to implement the provisions of this law.