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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Technical assistance and capacity-building

Written statement* submitted by The Next Century 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.

[20 August 2020]

* Issued as received, in the language(s) of submission only.

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The urgent need for the removal of the Sudan from the State Sponsors of Terrorism list

The Next Century Foundation supports the removal of the Sudan from the United States of America's Department of State's "State Sponsors of Terrorism" list, on the basis that a sufficient level of democratization has been reached and in view of the urgent need for the Sudan to access humanitarian financial aid.

Against a backdrop of the Sudan's ongoing economic crisis, it is integral to the continuation of the democratization of the Sudan that financial aid be accessed, as otherwise this fragile democracy may collapse and, in a worst case scenario, the Sudan may once more become a potential recruiting ground for terrorism.

The Sudan was first placed on the State Sponsors of Terrorist List in August of 1993 when General Omar al-Bashir became president. The sanctions that accompanied this placement included restrictions on assistance from the United States of America, a ban on defense exports and sales, controls over exports of dual use items, and other miscellaneous international financial restrictions including those on funding from the International Monetary Fund and the World Bank. These restrictions were implemented with the purpose of limiting funding to terrorist groups present in the Sudan. In 2004, the Darfur killings carried out by pro-government militias were internationally condemned for their brutality and unlawfulness (killings that had been ongoing since 2002 and were to continue for years to come). The International Criminal Court issued two warrants for then President Bashir's arrest based on these murders, and the international community continues to demand justice (though some argue that these demands are, as so often in the past, counterproductive as they alienate many of the Sudan's senior military officers).

The overthrow of President Omar Al-Bashir in April 2019 has brought a sense of international hope for the future of the Sudan.

Resolution 2508, adopted at the 8718th meeting of the United Nations (UN) Security Council on 11 February 2020, declared a consensus view that the Sudan's sanctions had served their purpose and were no longer needed.

The Next Century Foundation suggests that the prevention of financial aid to the Sudanese people would engender civil unrest due to the worsening economic crisis.

Despite the Sudan's history of human rights violations, the new government under Prime Minister Abdalla Hamdok has committed itself to creating a more progressive and humanitarian world for the Sudanese people. This interim government has installed a civilian cabinet, committed to hosting a democratic election in 2022, and has begun investigations into the harsh violent responses against protesters.

Of particular interest of the UN Human Rights Council, the Next Century Foundation would like to note that the country has also made numerous strides in women's rights, religious freedoms, and punishment laws. Female Genital Mutilation was outlawed in April 2020, a procedure the United Nations estimates that nine out of ten women in the Sudan have undergone. Apostasy laws have also been repealed, allowing the Sudanese people to practice their religions without fear of retaliation from the government. Flogging has been abolished as a form of capital punishment. Also most importantly, media freedom has markedly improved with a promised end to censorship and the release of all imprisoned journalists. In a clear show of separation from their former leader, the people of the Sudan had Bashir tried and sentenced on the counts of money laundering and corruption, while an investigation into his actions during the Darfur killings is pending. The possibility of turning him over to the International Criminal Court still exists but it would be better, in the view of the Next Century Foundation, if this more controversial step was not taken. The people and government are attempting to put the wrongdoing of the Bashir government behind them as they move forward.

In addition, the Sudan has signed an agreement with the United Nations High Commissioner for Human Rights to open a main office in Khartoum with field offices in Darfur, Blue Nile, Southern Kordofan, and East Sudan (September 2019). This overt effort to invite the Human

Rights Council into the country encourages dialogue between the Sudan and the international community.

Regarding the Sudan's democratization developments, UN Secretary General, Antonio Guterres noted the positive shift towards democratic values, with a more inclusive society and the establishment of a civilian-led government (29 September 2019). Mr Guterres added that the UN should support the Sudan with humanitarian aid during this transitional period, in order to increase the likelihood of a beneficial outcome.

In 2017, the United States of America lifted economic sanctions on the Sudan in view of the Sudan's cooperation with the United States of America and International Intelligence regarding terrorist organisations within their country.

However, its continued designation as a State Sponsor of Terrorism has meant that international aid is still unavailable to the people of the Sudan. It has also constrained international investment. International businesses are unwilling to invest in the Sudan because they are unsure of the potential consequences of investment in the Sudan whilst the designation of a State Sponsor of Terrorism remains in place.

The Next Century Foundation would like to reference UN Security Council Resolution 2429 (2018), which emphasised the humanitarian crisis in the Sudan and suggested that the numbers of those in need of humanitarian assistance had increased from 5.5 million to 7.1 million. Resolution 2429 must also most notably requests for the continued economic empowerment of local and regional government, in particular local government's ability to make available key humanitarian supplies.

This coincides with statements made by Ms. Alena Douhan, UN Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, on 7 August 2020. Ms. Douhan stated that the continuance of any sanctions on the Sudan within the context of the Covid-19 pandemic would only induce further humanitarian suffering. In particular, the Sudanese government has so far been unable to properly respond to the pandemic with the importation of hospital equipment, electricity, and basics such as food and soap.

As the people of the Sudan continue to suffer in poverty, the United States of America has made the unofficial offer that the removal of the Sudan from the list relies on its ability to compensate victims of the Al-Qaeda attacks on the American Embassy bombing 1998, and bombing of the destroyer, Cole, in 2000. The tentative settlement for the embassy bombing is 335 million dollars, a demand for an amount so large as to be, in the view of the Next Century Foundation, counterproductive in light of the Sudanese government being unable to pay without further burdening its own people.

The Next Century Foundation suggests that if foreign aid and investment were allowed by the removal of the Sudan from the State Sponsors of Terrorism list, the Sudanese could boost their economy and with their increased revenue be able to pay those large settlements demanded by the United States of America over time if a period of grace were allowed. Until the Sudan is free to receive foreign investment, it is unlikely the Sudan will be able to repay what they owe.

In order for Sudan to continue making progressive reforms, the economy needs to revive. Foreign investment and aid is a necessary vehicle for the Sudan's better future. Consequently, the removal of the Sudan from the State Sponsors of Terrorism list is vital. With their removal, foreign investment and funding will spur the economy in the Sudan. To ensure the correct use of funding, i.e. not landing in the hands of terrorist groups, the Next Century Foundation suggests a system of monitoring this international financial aid. A review of the progress of implementing democratic values, human rights, and fair elections should be conducted on an annual basis.

The Next Century Foundation meanwhile encourages the government of the Sudan to offer all assistance of the full establishment and opening of the UN High Commissioner's Offices. These offices will help to effectively monitor the state of human rights on the ground.

Should the results of any report be troubling to the international community, foreign investment could be suspended until the Office of High Commissioner of Human Rights decides otherwise.

The Next Century Foundation, in making the request that the Sudan be removed from the State Sponsors of Terrorism list, is solely concerned to alleviate the intensified human suffering of the Sudanese people, and to facilitate a process by which peace and greater economic stability can be encouraged.
