

SUDAN

Decades long armed conflict and violence in Sudan has had a devastating impact on the lives of women. Despite significant international attention and support, the human rights situation in Darfur continues to worsen. In the war zones, women have suffered indiscriminate rape and abduction by all sides in the conflict. Sexual and gender-based violence continues unabated throughout Darfur, South Kordofan and Blue Nile. One of the positive steps taken by the Government is the Amendment of the 1991 Criminal Act which now includes a definition of rape. Although a positive change it is not in line with international standards. The law on rape has been changed to remove the reference to *zina*, but the law on evidence has not been changed. While the mere redefinition of the category of the crime could be argued to change the evidentiary requirements, no specific guidance has been formulated and so far there has been no change in the courts in how judges put this into practice

1. What are the issues surrounding the stigma faced by survivors of sexual violence, their families, communities etc.

- Non-reporting of cases due to fear of reprisals; general lack of will among law enforcement officials to take action; survivors distrust of law enforcement officials and the lack of capacity by law enforcement, particularly the police, to address violations.
- Sexual violence is an extremely sensitive issue in Sudan. The existence of social and cultural norms which discourage open discussion of matters of sexuality inhibits frank and objective discourse about sexual violence against women. Within families and communities victims risk being ostracized if they come forward.
- Where there is adequate evidence, police do not consistently pursue formal prosecutions for sexual violence, leaving communities to resort to traditional justice.

2. Who is doing something already in these countries incl. FCO, DFID, Champion countries, local initiatives (NGO, government, leaders)

- Continue to monitor the situation in Darfur and other regions and engage when and where possible.¹
- **Sudan** has amended section 149 of its Criminal Act (1991) to more clearly define the crime of rape although there is still work to be done to align it more closely with international standards.
- The **UN** has provided technical and financial support to Sudanese institutions, including state committees on gender-based violence.
- **UNAMID** have trained community police and they are playing an important part in improving the protection of internally displaced persons.
- **UN Agencies** have trained medical personnel on the clinical management of rape. This is further supported by the construction and rehabilitation of women's centres across Darfur to enable women access to psychosocial support in a context where services have been disrupted or rendered

¹ Team of Experts: Rule of Law/Sexual Violence in Conflict: Table of Activities 2016-17

- Local NGOs do a large proportion of the monitoring, documentation and provision of services for victims of SGBV. Civil society and women activists have been behind organised campaigns to change the legislation on rape law. Increased discussion of the subject of SGBV has slightly widened the space to address SGBV in Darfur particularly. NGOs
- DFID Sudan is leading global efforts to eradicate the practice of female genital cutting. They fund a programme helping communities take action against FGC in Sudan. The FCO funds projects promoting the rights of women and assisting victims of Sexual violence in conflict. DFID

3. Specific activities that need doing e.g. access to legal or medical care, judicial reform, evidence gathering etc.

- Serious challenges include ongoing security concerns; lack of physical access and a lack of political will to address conflict-related sexual violence.
- Recommendations and observations from a study on rape in Darfur commissioned by the FCO through a women's Organisation (not yet published) list:
 - Respect for the laws of war
 - Addressing conflict insecurity
 - Ensuring that legislation does not discourage reporting
 - Revision of the definition of rape in law
 - Clarification of consent in national law
 - Removing immunities of government
 - Ensure access to services
 - Improving police capacity
 - Ensuring prosecutions
 - Addressing social stigma
 - Addressing stigma towards women more broadly
 - Islam must not be allowed to justify oppression of women
 - Address racism and ethnic discrimination
 - Economic empowerment of women