

COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

ADVANCE UNEDITED VERSION

**PREVENTION OF RACIAL DISCRIMINATION, INCLUDING
EARLY WARNING AND URGENT ACTION PROCEDURE**

Decision 1 (2024)

The Committee on the Elimination of Racial Discrimination, meeting in Geneva at its hundred-twelfth session, from 8 to 26 April 2024,

Acting under its Early Warning and Urgent Action Procedure;

Gravely concerned by the increase of violence, including ethnic violence, ethnically motivated attacks and the deterioration of the already dire human rights and humanitarian situation in the Sudan since the outbreak of hostilities on 15 April 2023 between the Sudanese Armed Forces (SAF) and Rapid Support Forces (RSF) and their associated and allied forces;

Alarmed by reports of gross violations and abuses of international human rights law as well as serious violations of international humanitarian law committed by the warring parties in the Sudan, some of which may amount to war crimes and other serious crimes under international law;

Alarmed especially by reports of ethnically motivated abuses perpetrated *inter alia* in the Darfur and Kordofan states, in particular attacks on civilian neighbourhoods using heavy artillery, widespread killings of civilians, gang rapes of women and girls and other forms of sexual and gender-based violence, the killing of persons fleeing the conflict zones, attacks on camps and sites for internally displaced persons, arbitrary detentions, enforced disappearances, torture, forced displacement, looting, burning and destruction of villages and towns, targeting mostly members of the Masalit, Fur and Zaghawa ethnic groups, and committed principally by members of the RSF and allied militia;

Alarmed also by reports of arbitrary detentions, torture and extrajudicial killings allegedly perpetrated by SAF and allied militia targeting mainly members of Arab tribes from Darfur and Kordofan based on their perceived ethnic or tribal origin;

Gravely concerned at the escalation of inter-ethnic tensions, violence and hate speech in the Sudan, particularly in Darfur, Khartoum and Gezira states, as well as the lack of accountability for past and current violations, and mindful that similar events preceded previous atrocities in the Sudan in the past;

Gravely concerned by reports of widespread destruction of critical civilian infrastructure necessary for basic services, particularly water, sanitation, education and health care facilities, through airstrikes and the use of artillery shells by the parties to the conflict, which aggravates the already precarious human rights and humanitarian situation and which disproportionately impacts certain ethnic groups in the Sudan;

Deeply concerned by reports of recruitment and use of children by the parties to the conflict, including ethnic-based recruitments, in particular in Darfur and Kordofan regions as well as in Khartoum and other northern states;

Deeply concerned that most of those displaced by the conflict, which numbered over 8 million people by April 2024,¹ are living in dire humanitarian conditions, that nearly half of the population are in need of humanitarian assistance and protection, and that humanitarian access remains severely limited, especially in Khartoum, Darfur and Kordofan primarily due to insecurity and the denial of safe and unimpeded access for humanitarian agencies by the warring parties, which has resulted in at least twenty aid workers being killed and the looting of aid trucks, offices and warehouses;

Deeply concerned also that nearly 18 million of people in the Sudan are facing acute food insecurity, among which 5 million people are in emergency levels of hunger in areas such as Khartoum, Darfur, and Kordofan,² that at least 3.7 million children suffer from malnutrition including over 700,000 suffering from severe acute malnutrition, and by the warning of the World Food Programme of a looming hunger catastrophe in Sudan;

Recalling that Sudan has ratified the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and is under the obligation to prevent and protect persons against acts of hatred, incitement to racial and ethnic violence or any form of violence based on ethnicity;

Recalling also its concluding observations of 2015 on the Sudan ([CERD/C/SDN/CO/12-16](#)) and its decisions [1 \(65\)](#) of 2004 and [2 \(66\)](#) of 2005 on the situation in Darfur in the Sudan under its early warning and urgent action procedures;

Noting the adoption of resolution [S/RES/2724 \(2024\)](#) of 8 March 2024, by which the United Nations Security Council calls all parties to the conflict for an immediate cessation of hostilities;

Noting also the repeated call for all parties to the conflict to immediately cease hostilities, to adhere to a ceasefire and to allow for full, safe and unhindered humanitarian access into and across the Sudan, and for the establishment of an inclusive civilian and democratic political process, made by the United Nations Security Council, the Secretary-General and the High Commissioner for Human Rights;

Taking note of the Report of the United Nations High Commissioner for Human Rights on the situation of human rights in the Sudan, of 22 February 2024,³ and the Final report of the Panel of Experts on the Sudan established pursuant to Security Council resolution 1591 (2005), of 15 January 2024;⁴

Noting the adoption of resolution [A/HRC/RES/54/2](#) of 11 October 2023 by which the UN Human Rights Council establishes an independent international fact-finding mission for the Sudan with the mandate to investigate all alleged human rights violations and abuses and violations of international humanitarian law and related crimes in the context of the ongoing armed conflict, including a specific focus on the human rights and humanitarian situations in areas of greatest concern, such as Khartoum and the Darfur region of the Sudan, and that the fact-finding mission has already started its work;⁵

¹ [OCHA, Situation Report: Sudan](#), last update 4 April 2024.

² [World Food Programme, Emergency Sudan](#), last update 4 April 2024.

³ [Sudan: Horrific violations and abuses as fighting spreads – report](#), 23 February 2024.

⁴ Final report of the Panel of Experts submitted in accordance with paragraph 2 of resolution 2676 (2023), [S/2024/65](#), 15 January 2024.

⁵ [UN Fact-Finding Mission on Sudan begins work, calls on warring parties to end conflict and respect human rights](#), 18 January 2024.

Noting also the adoption of resolution 563, of 2 August 2023, by the African Commission on Human and Peoples' Rights on the serious deterioration of the human rights situation in the Republic of the Sudan as a result of the continuation of the war that broke out on 15 April 2023,⁶ as well as of resolution 578, of 9 November 2023, on the human rights situation and humanitarian crisis caused by the ongoing armed conflict in the Republic of the Sudan;⁷

Taking note of the statement on the situation in Sudan by the United Nations Special Adviser on the Prevention of Genocide, of 21 December 2023, as well as her previous statements on the matter;⁸

Taking note also of the statements of the Prosecutor of the International Criminal Court to the United Nations Security Council on the situation in Darfur, pursuant to Resolution 1593 (2005) of the UN Security Council, and in particular that the mandate of his Office was ongoing with regards to alleged crimes of genocide, crimes against humanity and war crimes committed in Darfur in the context of the current armed conflict⁹ and that there are grounds to believe that Rome Statute crimes are being committed in Darfur by both the Sudanese Armed Forces and the Rapid Support Forces and affiliated groups;¹⁰

Recalling the Jeddah Declaration of Commitment to Protect the Civilians of Sudan of 11 May 2023, by which the parties to the conflict committed to ensure that civilians are protected at all times and affirmed their responsibility to respect international humanitarian law and international human rights law, reaffirmed by the parties to the conflict on 4 November 2023;

Urges the State party to:

- (a) Fully respect its obligations under international law, notably those arising from the ICERD, and ensure the equal protection of all its population from ethnic violence and hatred, guarantee the safety and security of members of all ethnic groups and the equal enjoyment of the rights enshrined in the Convention;
- (b) Address and prevent further escalation of ethnic violence, incitement to racial hatred and racist hate speech and hate crimes, including by ensuring that such acts are effectively investigated and adequately punished, by promoting dialogue between different ethnic communities with a view to fostering tolerance and achieving peace, and by developing educational curriculum programs promoting tolerance and respect for diversity;
- (c) Conduct prompt, effective, thorough, impartial and public investigations into alleged violations and abuses of international human rights law and violations of international humanitarian law committed during the ongoing conflict, and ensure that perpetrators are prosecuted and punished, including persons in positions of command, in judicial procedures observing international standards, and that the victims and their families receive full reparations, regardless of the ethnicity of the victims and the perpetrators involved;
- (d) Ensure meaningful participation by different components of society, including ethnic groups, in the efforts to achieve a sustainable and inclusive peace.

⁶ [Resolution on the serious deterioration of the human rights situation in the Republic of the Sudan as a result of the continuation of the war that broke out on 15 April 2023 - ACHPR/Res.563 \(LXXVI\) 2023](#), 2 August 2023.

⁷ [Resolution on the human rights situation and humanitarian crisis caused by the ongoing armed conflict in the Republic of the Sudan - ACHPR/Res.578 \(LXXVII\) 2023](#), 9 November 2023.

⁸ United Nations Special Adviser on the Prevention of Genocide, [Public Statements](#).

⁹ [Statement of ICC Prosecutor, Karim A. A. Khan KC, to the United Nations Security Council on the situation in Darfur, pursuant to Resolution 1593 \(2005\)](#), 13 July 2023.

¹⁰ [Statement of ICC Prosecutor, Karim A. A. Khan KC, to the United Nations Security Council on the Situation in Darfur, pursuant to Resolution 1593 \(2005\)](#), 30 January 2024.

Echoes the calls to all parties to the conflict to cease hostilities immediately, to put in place a lasting and unconditional ceasefire, to engage in an inclusive dialogue with the participation of a wide-range of stakeholders, including all different ethnic groups in Sudan, aiming to reach a peaceful and lasting resolution of the conflict and to restore a civilian-led government;

Calls upon all parties to the conflict to:

- (a) Take immediate and specific measures to put an end to and to prevent further human rights violations or abuses or violations of international humanitarian law, notably violent acts targeting people on the basis of their ethnic origin;
- (b) Adhere to their obligations under international law, including to respect and protect all civilians from violence without discrimination, including members of ethnic groups and internally displaced persons, as well to protect and refrain from attacking civilian objects;
- (c) Ensure safe and unhindered access of humanitarian organizations to all areas under their control as well as rapid and unimpeded passage of humanitarian relief for civilians, in particular for the most vulnerable and hardest to reach, including ethnic groups affected by the conflict;
- (d) Cooperate with the Office of the High Commissioner for Human Rights and the High Commissioner's Designated Expert on human rights in the Sudan as well as with the Independent International Fact-Finding Mission for the Sudan to investigate all alleged human rights violations and abuses and violations of international humanitarian law and related crimes, including those under the Convention, in the context of the ongoing armed conflict, and with the Office of the Prosecutor of the International Criminal Court in its investigations on alleged international crimes committed in Darfur.

Calls upon all State parties to fully respect their international obligations, in particular those arising from the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Prevention and Punishment of the Crime of Genocide, and to cooperate to bring to an end the violations that are taking place in the Sudan and to prevent atrocity crimes;

Calls upon all State parties with respect to their international obligations to ensure that all those responsible for war crimes and crimes against humanity, as well as any other international crimes committed in the ongoing armed conflict in the Sudan, especially persons with command responsibility, are promptly brought to justice;

Calls upon the international community, including the African Union and other regional organizations and all their Member States, along with other relevant international and regional actors, to continue monitoring the situation in the Sudan, and to strengthen efforts to prevent further violence and violations and abuses of international human rights and humanitarian law, including violent acts targeting people on the basis of their ethnic origin.

12 April 2024