

SUDAN

CCPR

DEROGATIONS: NOTIFICATIONS UNDER ARTICLE 4 (3) OF THE COVENANT

14 February 1992
(Dated 21 August 1991)

"The state of emergency was declared all over the Sudan on June 30, 1989, when the Revolution for National Salvation took over the power, in order to ensure security and safety of the country. [The articles of the Covenant which are being derogated from are articles 2 and 22 (1) as subsequently indicated by the Government of the Sudan.]

The reasons for declaring the State of Emergency were [that] the Revolution has in June 1989, inherited a very chaotic socio-economic and political situation with a civil war raging in the South (the Civil War started in 1983 and since then the state of emergency was declared), and lawlessness engulfing the North, and armed-robbery being practised, in a serious manner, in the west (as a result of the present crisis in Tchad), and also in the east, in addition to possible threats of foreign interventions.

The emergency regulations were also issued to complement the provisions of the Constitutional Decree No. (2) (the State of Emergency) which contain more than 40 sections aimed at ensuring security and safety of the country. But no person has ever been convicted till now, or sentenced to death in accordance with these regulations since the declaration of the state of emergency. The army officers who were executed on July 26, 1990, were charged in accordance with: -

- I) The People's Armed Forces Act (Section 47).
- II) Rules of Procedure for the People's Armed Forces Act, 1983 (Section 127).
- III) The Penal Code, 1983 (Section 96).

Other three civilians were sentenced to death in accordance with the provisions of the Dealing in Currency Act, 1981.

It has to be mentioned that the President of the National Salvation Revolution Command Council had issued last April a general amnesty by which all the political detainees were released, and powers of detention entrusted to the Judiciary. Also a decree had been issued abrogating the Special courts which were established in accordance with the constitution of the Special Courts Act, 1989 and its Amendment of January 30, 1990, to have Jurisdiction over acts and charges arising from violation of the Constitutional Decrees and the Emergency Regulations.

Under those circumstances, it became necessary for the Revolution to proclaim the State of

Emergency Regulations.

In conclusion, it was to be emphasized that the existence of the state of emergency in the Sudan came well before the eruption of the National Salvation Revolution in June 1989. As stated above, it initially came as a direct result of the political and military situation that existed, and still exists, in the Southern part of the country.

However, with the achievement of progress in the peace process and the establishment of the political system, which is currently underway, the State of Emergency will naturally be lifted."

17 August 2001

The Government of the Sudan informed [the Secretary-General] that the state of emergency in the Sudan has been extended until 31 December 2001.

20 December 2001
(Dated 19 December 2001)

The Government of Sudan informed [the Secretary-General] that the state of emergency in Sudan has been extended until 31 December 2002.