

# HUMAN RIGHTS FIRST

A quarterly publication by UNAMID Human Rights Section

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## Interview With UNAMID Head of Mission

*Since his appointment as the Acting Head of UNAMID in November 2014, Abiodun Bashua has invested considerable efforts in the realization of peace and development in Darfur under the aegis of UNAMID mandate. With his passion and belief in the potential of a postconflict Darfur, Bashua has inspired a number of initiatives aimed at placing development as an integral component of UNAMID activities, programs and engagement in Darfur. On the eve of the adoption of the Sustainable Development Goals by the United Nations General Assembly, Human Rights First conducted an interview with Bashua on a wide range of issues on peace and development in Darfur and their intersection with economic, social and cultural rights.*



On 4 March 2015, El Fasher, Mr. Abiodun Bashua, the Acting AU-UN Joint Special Representative (AJSR) addresses the audience at the UNAMID Job Fair for National Staff, which had as its theme "Uniting Talent with Opportunities" in Townhall Building HQ, El Fasher. Photo by Hamid Abdulsalam, UNAMID.

**Human Rights First:** Millennium Development Goals (MDGs) were introduced as landmark commitments of member states in 2000 towards

achieving established goals in 2015 with targeted progress in each of them. More than one million people were lifted out of poverty according

to collected data. The initial goals were aiming at "eradicating extreme poverty," "achieving universal education," "achieving women empowerment," "reducing considerably illnesses such as HIV/AIDS and malaria, among other goals. Do you think that the goals were too ambitious for Africa, especially countries in conflict situations, and what do you think could have been done differently?

**Abiodun Bashua,** I believe the goals were too ambitious to be achievable in 15 years, and, to compound the problem, the world has experienced considerable turmoil over the last decade, if we are to look for instance at the climate change, the Arab Spring, the financial crisis and the effects of globalization. All these are elements of tremendous impact which have not been factored-in at the time the MDGs were conceived, and resources and capabilities have been necessarily diverted while focus re-shifted. We now speak of forgotten crisis, but there are millions of people that we actually forget.

To quote the figures from the official reports, progress has been made worldwide by reducing extreme poverty over the last two decades and the number of people living in extreme poverty reduced by more than half from 1.9 billion to 836 million in 2015. Substantial strides were made in regards to the number of primary school children, while we also noted the decrease in new HIV infections by 40% between 2000 and 2013 from an estimated 3.5 million cases to 2.1 million. However, progress has been uneven across regions and particularly in Africa and in conflict countries. Millions of disadvantaged and vulnerable women, children, IDPs; and continuing human rights violations resulted in substantial increase of displaced peoples in conflict countries,

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AFRICAN UNION - UNITED NATIONS  
MISSION IN DARFUR (UNAMID)



On 6 July 2015, El Fasher, North Darfur, UNAMID's Acting Head Abiodun Bashua, holding an interview in his office at UNAMID headquarters. Photo by Mohamad Almahady, UNAMID.

hence targeted efforts would be required in addressing these challenges. In conflict and post-conflict countries, aside from having the highest poverty rates, the proportion of out-of-school children increased from 30 per cent in 1999 to 36 per cent in 2012.

With regards to the future and the next phase of what is now called Sustainable Development Goals (SDGs), and while noting that goals have now increased from 8 to 17, coupled with the magnitude of resources required, focus should be on specific areas: i) good governance and supporting the efforts against corruption which creates instability in many African states; ii) building of a strong political will by national governments to improve the well-being of their citizens; iii) greater investment in improving health systems rather than focusing on curing diseases and epidemics; iv) Improved data-collection in sub-Saharan states and countries in conflict, and improved statistical capacity to have proper indicators and baselines.

It is my hope that the new 17 Sustainable Development Goals (SDGs) and the 169 targets will be able to address most of these outstanding issues by 2030. It is encouraging to note that the new proposed SDGs recognize the importance of the Universal Declaration of Human Rights and other international instruments related to human rights and international law, as well

as the responsibility of all nations to respect the United Nations Charter. I hope the report card on these goals in 2030 would be much better than the 2015 assessed outcomes.

**Human Rights First:** One of the areas of focus you pushed for when you were elevated to acting head of UNAMID was water projects such as building boreholes in all locations in Darfur where they were needed most. Projects which in human rights terms represent the enjoyment of Economic, Social, and Cultural Rights. Why this particular theme instead of access to health or education? What in your view has UNAMID achieved with a focus on access to water?

**Abiodun Bashua:** I believe in integrated approaches. One cannot say health comes ahead of education or sanitation or security and so on, same as we need to build hospitals, roads, courts and prisons at the same time. In Darfur, the water and the resources attached to the land constitute the cause of an evolving conflict. The population of Darfur doubled in less than two decades. The usual migration routes are restricted to reportedly 3 main corridors out of a dozen in the past, and no land registration will stop the nomads from having their cattle and camels drinking water or accessing pastures. The herders will pursue it to whatever cost while the agricultural residents will oppose it.

While the water issue has been recognized as such in the previous years and has had a dedicated Conference organized in 2011, concrete steps were yet to be taken in a unified manner—addressing the Darfur-wide water problem. As of now, Darfur is still drilled with a myriad of water boreholes, exploiting a resource which is yet to be fully mapped and assessed. The solution could reside in identifying ways on how to make water more widely available on more land for more people, in an environmentally-friendly manner and preserving the resources on a long term approach, while also ensuring security along the nomadic corridors. Furthermore, water management is a unifying factor amongst the communities. No individuals can manage water by themselves—water management is a bridging factor with a yet-to-be fully discovered potential.

In 2014-2015 we worked with EU and UNEP on the Wadi El Kum Dam project worth 7+ million euros, we finalized the Um Baru Dam, we implemented with Japanese funding a Darfur-wide project for delivering water to more than 40 remote communities. Furthermore, and to make a showcase example out of our own water and environment management practices, UNAMID practices a light footprint approach on which we try to minimize our impact on the environment, make



the most out of the water usage and the re-circulation of used water.

**Human Rights First:** Protection of civilians include protection of their civil and political rights as well as of their Economic, Social and Cultural Rights. What do you think is the correlation between the UN's response to humanitarian crisis and upholding the ESCR of all Darfuris today, and how do you see it going forward as the world sets itself a new set of goals –The Sustainable Development Goals”.

**Abiodun Bashua:** Sudan including Darfur has been at war with itself for several decades along with repeated chances for progress and development. The continuous efforts to mediate the small and big scale conflicts resembles an arduous patch-work that still does not manage to break the conflict cycle.

The first priority of the Mission's mandate—Protection of Civilians—has been translated through a UN-System Darfur wide Integrated Coordination of the PoC Strategy developed by the Humanitarian and Protection colleagues, in coordination with Civil Affairs, UNAMID Military, Police, all Substantive Sections and the UNCT. The Early Warning mechanism is also something that we initiated as a tool for preventing and ensuring immediate response prior and during crisis.

In the implementation of our PoC mandate, the approach has been multidimensional as all of the rights indicated are equally important, relevant and related. All major components of the mission including the military, police and civilian have and are continuing to play a role in our PoC mandate implementation and consequently promoting these other basic economic, social, and other rights. Therefore, in order to touch precisely on these coordinates, we calibrated our intervention along three dimensions of our PoC mandate implementation: provision of physical protection; establishing a protective environment; and protection through dialogue and engagement.

To further detail on these three tiers of the POC Strategy, Physical Protection consists of immediate, short term activities such as patrolling in IDP camps and villages close to team sites and, in extremis, creation of secure zones at team site locations.



On 14 January 2015, El Geneina, UNAMID Acting Head Abiodun Bashua speaks to the media after his meeting with Wali Haider Golokma. Photo by Hamid Abdulsalam, UNAMID.

The Creation of a Protective Environment involves medium and long term activities to assist the State and the people of Darfur to fully assume their protection responsibilities including support to state institutions, capacity building and advocacy efforts. The Protection through Dialogue and Engagement consist of the far-reaching long term activities that involve dialogue and mediation between parties to the conflict, persuading the government and other relevant actors to intervene to protect civilians, and public information on PoC.

On the other hand, the challenges we encounter in fully delivering against our POC mandate are numerous, ranging from the characteristics in Darfur's tribal structure, the effects of decades of war, the center-periphery dynamics, or, from an internal perspective, the inherent limitations of a peacekeeping operation deployed in a military conflict theater – to name just a few. However, we remain steadfast in working with and for the people of Darfur.

**Human Rights First:** The international community has endorsed the Doha Document for Peace in Darfur (DDPD) as an appropriate framework for mediation of the conflict in Darfur, does the DDPD provide entry point for UNAMID and its UNCT partners to support the advancement of GOS development agenda?

**Abiodun Bashua:** With all its inherent limitations, especially in its political provisions, the DDPD still remains our main point of entry and

development platform. As per the brief on 7 September 2015 at the Darfur Reconstruction and Development Board of Directors meeting in Doha, the State of Qatar announced completion of 3 out of 5 model villages; will fund the construction of 10 more model villages and 300 wells, as well as fund \$50 million projects for nomadic populations. DRA announced the completion of 315 projects and informed of the GoS allocation of SDG 1.2 billion for development projects for the year 2015. EU has fulfilled its €27.5 million pledge, Turkey, UK, Germany contributed significantly as well. The establishment of Darfur Development Bank is at advanced stage and the potential shareholders meeting will be convened at the Islamic Bank for Development HQ in Jeddah.

At the same time, we are mindful of the slow implementation of the DDPD and DDS. The tensions between the Government of Sudan and the non-signatory movements fueled by the impact on the population of the Rapid Support Forces military operations, caused severe displacements in 2014-2015, and we are now standing at a 2.5 million IDPs in the Darfuri camps. Security was at its lowest in early 2015, and it was only over the last few months that we see signs of improvement. It still remains to be seen if the DDPD will provide us with the right avenue for progress on the political front, without which any gains on the development areas will be just a temporary alleviation of the ongoing plight of the Darfuris. HRS

## Letter from the Director's Desk



*Ms. Isha Dyfan, Director, UNAMID Human Rights Section at work in her office in El Fasher. Photo by mohamad Almahady, UNAMID.*

Every quarter, through this newsletter, UNAMID Human Rights Section brings to the attention of its readers, stakeholders and partners, key human rights issues in Darfur and the efforts being made to address some of the challenges. This edition of "Human Rights First" focuses on various activities undertaken by UNAMID, United Nations agencies and their governmental partners, in the realization of economic, social and cultural rights and the right to development. These rights comprise the right to food, water and sanitation, health, shelter and adequate housing, work, social security, education, cultural and scientific progress.

The articles featured in this edition emphasize the indivisibility of human rights and the obligation to respect and promote all rights at all times, including during internal violence, disturbances, tensions, and public emergencies as well as in situations of conflict.

They reinforce the principles that there it is a human rights issue to respond to the basic needs of communities and groups without discrimination. The articles draw inspiration from development strategy projects, as agreed to by the parties to the Doha Document for Peace and Development in Darfur. These activities also reflect and can be linked to regional and local state development priority programmes in Darfur.

Sudan is a signatory to the core international human rights treaties which imposes an obligation on the Government to enforce human rights of all persons in Darfur including economic, social and cultural rights. UNAMID and the international community continues to invest efforts and resources towards helping the Government of Sudan fulfil this obligation. As Darfur looks forward to a post-conflict transition, the importance of promoting economic, social and

cultural rights cannot be underestimated, not only because they are indivisible from political and civil rights, but that the equal respect for these rights provide assurance/guarantees for the respect for civil and political rights.

In looking forward in light of current debates on "development" and early recovery and their future, issues raised in this edition invite us all to reflect on the post-2015 development agenda based on the principle that "no one should be left behind." While the paradigms of this principle is being formulated through the emerging Sustainable Development Goals (SDGs), its realization could have a major impact on the socio-economic needs for regions such as Darfur.

When looked at from the lenses of existing international law instruments, the socio-economic needs of Darfur are not just developmental aspirations; they are rooted in human rights! **HRS**

"Clearly, violations of economic, social and cultural rights may lead to violence. This has been demonstrated throughout history. When they are deprived of opportunities and resources; when they are subjected to the whims of the powerful; when public resources are confiscated by corruption and poor governance; and when their voices in economic governance are suppressed and denied – at such times, and in all regions, people may rebel, and countless uprisings confirm this fundamental truth."

**Zeid Ra'ad Al Hussein,**  
United Nations High  
Commissioner for  
Human Rights



# NEWS IN BRIEF

## Renewal of UNAMID Mandate

During its 7475th meeting on June 29, 2015, the United Nations Security Council unanimously adopted Resolution 2228 (2015), which extended UNAMID mandate until 30 June 2016. This followed an earlier communiqué by the African Union Peace and Security Council to renew UNAMID mandate for a year.

The current mandate of UNAMID as spelt out in Resolution 2228 focuses on the protection of civilians across Darfur, without prejudice to the sovereignty of Sudan and basic principles of peacekeeping.

The protection mandate includes the exercise of more "prompt and effective responses to threats of violence against civilians; ensuring safe, timely and unhindered humanitarian access, and safety and security of humanitarian personnel and activities, in accordance with relevant provisions of international law."

The Resolution "requests UNAMID to maximize the use of its capabilities, in cooperation with the UNCT and other international and non-governmental actors, in the implementation of its mission-wide comprehensive strategy." **HRS**

## OHCHR Change Initiative

The United Nations Office of the High Commissioner for Human Rights (OHCHR), following a review of its operations and presence across regions in all continents, has embarked on implementing recommendations of its review through what is called the "Change Initiative".

The objective of the initiative is to strategically position OHCHR by boosting its presence in the regions and

aligning its focus to meet challenges of human rights advocacy. As part of this exercise, sections and departments based in Geneva will be relocated to Addis Ababa and Dakar in an effort to strengthen field presence.

Discussions are also ongoing to create additional regional "Hubs" in Thailand, Turkey, Belgium, Jordan, Panama, and the United States of America. **HRS**

## UN Experts Visit Sudan



*Ms. Rashida Manjoo, Special Rapporteur on violence against Women with Abiodun Bashua, Acting Head of UNAMID.*

From 19-21 May 2015, the United Nations Independent Expert on the situation of human rights in Sudan, Dr Aristide Nononsi,

and the United Nations Special Rapporteur on violence against Women, Ms Rashida Manjoo, visited North and South Darfur

to assess and advice on issues relating to human rights and violence against women pursuant to their respective mandates.

The visiting experts also held high-level meetings in Khartoum with Government authorities, representatives of diplomatic missions, civil society groups and non-governmental entities.

In press statements re-

leased at the end of their visits, the experts call on the Government of Sudan to take measures to improve human rights in Darfur including right of redress for victims of sexual and gender-based violence. Dr Nononsi is expected to present a report to the United Nations Human Rights Council on the human rights situation in Darfur in September 2015. **HRS**

## Human Rights Field Mission Chiefs Converge in Geneva



*UNAMID Human Rights Section Displays its products in Geneva.*

Human Rights Field Missions Chiefs converged in Geneva from 1-5 June 2015 for an annual meeting to discuss operational direction, opportunities and challenges faced by human rights sections in all field missions.

During the meeting, participants evaluated existing human rights strategies, good practices and methodologies for the protection of civilians.

In his remarks at the meeting, the United Nations High Commissioner for Human Rights, Zeid Ra'ad Al Hussein underscored the importance of learning from experiences and the need for cooperation between field missions and headquarters to develop effective methodologies to address human rights issues

arising in a specific context.

The High Commissioner also announced the "Change Initiative" part of which involves the establishment of two regional hubs in Dakar and Addis Ababa to provide support to field missions.

Other subjects of interest were presented in group sessions on strategic monitoring and reporting using Afghanistan as a case study, the reprisal of human rights defenders and their protection across the continents.

The human rights response to the Ebola crisis was also discussed.

UNAMID was represented by the Chief Human Rights Section and her deputy, who set up a stand to showcase the Section's work and activities. **HRS**

## Why Economic, Social and Cultural Rights Matter in Situations of Armed Conflict



*On 25 March 2014, Mellit, a woman attends a training on sewing at the technical school in Mellit, North Darfur. 150 youth at risk of joining violent armed groups (70 female and 80 male) attend this 3-month training sponsored by the UNAMID DDR section as part of a Community-based Labor Intensive and Income Generating Project (CLIPs), which includes seven different fields: building, welding, computer science, mechanics, electronics, sewing and baking. Photo by Albert Gonzalez Farran, UNAMID.*

The adoption of the International Covenant on Economic, Social and Cultural Rights (ICESCR) in 1966 marked an important milestone in the post-war international human rights system. For most part of the Cold War period, international politics collided with competing State interests which presented a certain interpretation of economic, social and cultural rights (ESCR) as subordinate to civil and political rights. The differences in perspectives over the prioritization, interpretation and enforcement of the ICESCR brought about ideological divisions which hampered the progressive enforcement of ESCR as core elements of human rights. In fact so deep were these divisions that a perception existed that human rights meant civil and political rights to the liberal west, and economic and social rights to the socialist leaning global south.

Over the years however, there has been significant transformation in perceptions and mindsets in relation to economic, social and cultural rights. A major part of the shift in attitude could be attributed to the conception of the "Right to Development" in the 1970s and its subsequent reaffirmation in international human rights law by first, the African Charter on Human and Peoples' Rights in 1981, the United Nations General Assembly in 1986, and the Vienna Declaration and Program of Action in 1993. In light of these developments, a consensus had emerged, at least at the institutional level, that human rights are indivisible, interdependent and interrelated.

Following the end of the Cold War, concerns about world poverty, humanitarian crises and their link to global security,

helped to sharpen focus on the importance and benefits of ESCR. Armed conflicts across regions have led to mass displacement of civilians, disruption in community lives and aspirations, and exposure of vulnerable groups such as women and children to exploitation including conflict-related sexual violence. While the natural prescription to these crisis tend to be drawn from the desire to restore peace and order, experiences have shown that without an effective and wholesome integration and enforcement of a development and reconstruction agenda, peace becomes too abstract to ordinary people.

Of course, for many decades, peace activists inspired by access to resources and the language of humanity in the United Nations Charter, had called for an interpretation of peace and postconflict reconstruction guided by social justice and economic empowerment. The starting point of building sustainable peace, many argued, is the recognition that the underlining causes of armed conflicts are either shaped or driven by social and economic factors, which even in the cessation of hostilities, would continue to serve as feeders for structural violence. This type of scenario means there is peace in fact (absence of violence) but no peace of mind (access to basic social facilities and services).

In recent years, the desire to tackle peace of mind has inspired a shift towards placing economic and social rights at the forefront of international development agendas. Movements for ending poverty to campaigns aimed at eradicating disease, illiteracy and hunger, have emerged. De-

spite diverse interests, institutional agenda and ideology, the motivation of such campaigns and movements have been driven by collective interests to highlight and advocate for a world order where all can co-exist in peace and dignity. In effect, what all these movements, policies and shifts represent, is a kind of interpretation and attempts to enforce various elements of economic, social and cultural rights.

In situations of armed conflict such as the case of Darfur, prolonged conflict has had a negative impact on the lives of civilians. Insecurity conditions generally limit the ability of civilians to undertake daily livelihood activities such as farming and other ambitions. Even where some activities are possible with the provision of military escort by UNAMID especially for internally displaced persons, poor infrastructure and capacity deficit of State institutions mean that the promotion of ESCR is critical in situations of armed conflict.

The Committee on Economic, Social and Cultural Rights, through its General Comments, has provided guidelines for State parties on the effective implementation of the ICESCR. In General Comment No.3 (1990), the Committee asserted that it is "of the view that a minimum core obligation to ensure the satisfaction of, at the very least, minimum essential levels of each of the rights is incumbent upon every State party." The Committee further stated that a State cannot use the lack of resources as reasons for inaction unless it can "demonstrate that every effort has been made to use all resources that are at its disposition in an effort to satisfy, as a matter of priority, those minimum obligations."

States obligations to fulfil minimum essential levels of ESCR are partly framed around three main tiers. The first is the obligation to respect human rights with a requirement that no policies exist that will have "unintended adverse consequences" in the realization of economic, social and cultural rights. Second, the obligation to protect under article 3 of the ICESCR demands that States proactively adopt constitutional and legislative reform to prohibit discrimination and facilitate access to resources especially for vulnerable groups. Third, the obligation to fulfil "requires States parties to take steps to ensure that in practice, men and women enjoy their economic, social and cultural rights on a basis of equality." This includes the obligation to avenues for redress such as courts and tribunals and make them accessible to disadvantaged and marginalized groups. These obligations have particular relevance in situations of armed conflict, and their prioritization in Darfur could be critical in the peace process and postconflict reconstruction.



## A Note on Economic, Social and Cultural Rights

International human rights law provides for a strong foundation for economic, social and cultural rights. The International Covenant on Economic, Social and Cultural Rights (ICESCR), which is ratified by a majority of States including Sudan, contains a regime of rights which are an integral part of the international human rights framework. Key elements of these rights are the right to food, water and sanitation, health, shelter and adequate housing, work, social security, education and cultural development. These rights apply to all individuals on the basis of equality and without discrimination.

In enforcement of these rights, States are obligated to do so without consideration of race, colour, sex, language, religion, political or other opinion, national or social origin, property, wealth, income level or sexual orientation. The legal foundations of economic, social and cultural rights means that they are justiciable, and that they can and should be claimed, including through the use of the formal justice system and other mechanisms for redress.

The range of issues that relate to economic, social and cultural rights impinge on people's quality of life, dignity, wellbeing and social advancement. This means that the rights must be enforced during peace and situations of conflict. This is particularly critical for regions such as Darfur whose post-conflict transition would be

meaningless without due consideration to economic, social and cultural rights.

UNAMID works closely with United Nations Agencies, Funds and Programmes as well as the Government of Sudan to strengthen mechanisms for the protection of civilians in Darfur. While an important part of this mandate relates to physical protection of civilians especially internally displaced persons, the provision of basic social services such as food, water, health-care continues to be critical continues to be critical with over 1.2 million people in Darfur dependent on some form of humanitarian assistance.

Through its reporting and monitoring work, UNAMID Human Rights Section highlights during engagements with State authorities, pressing needs and concerns of civilians whose vulnerabilities have been worsened by inadequate access to food, water, health care and other essential social needs. Collaboration with United Nations agencies and international partners is done to help identify areas of intervention and places of urgent need.

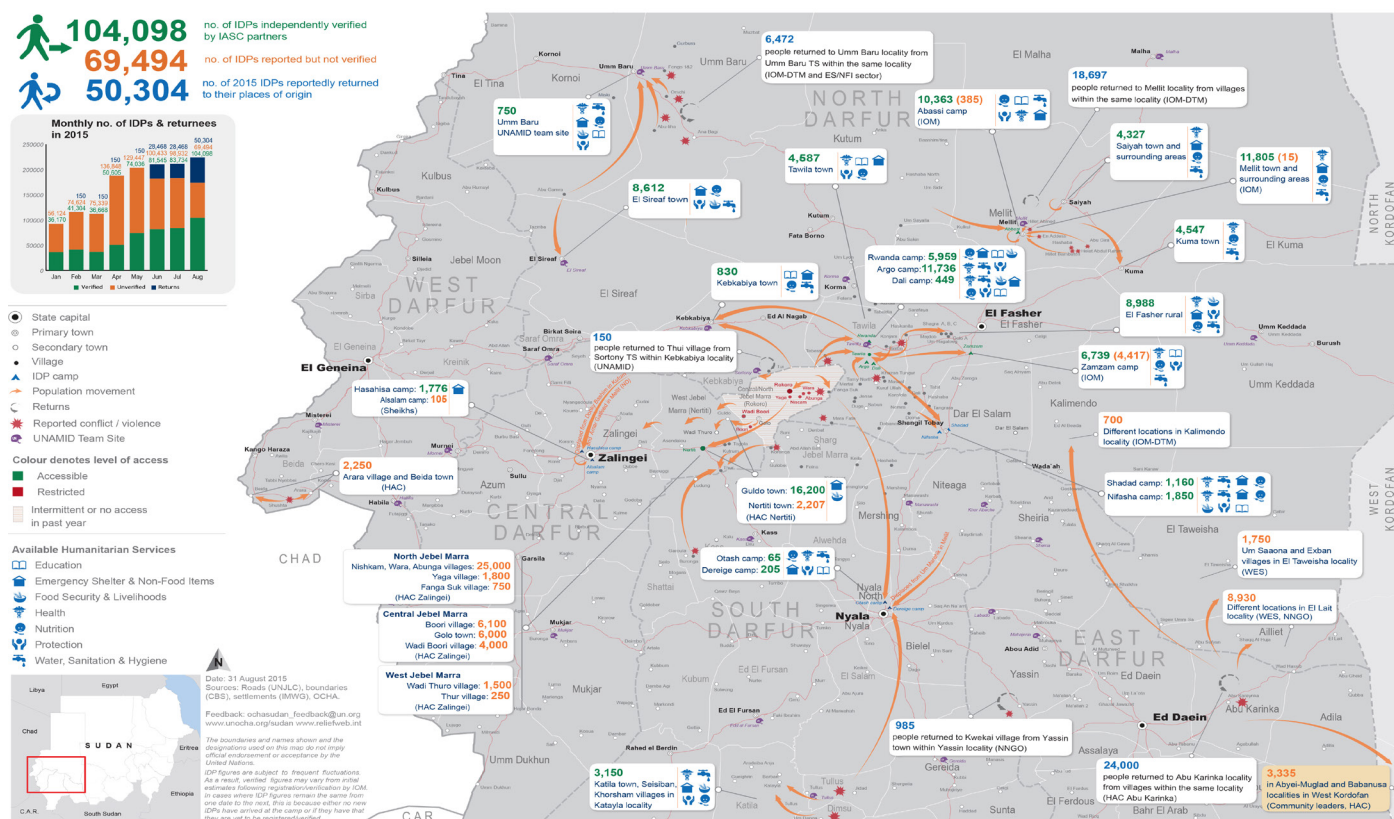
The engagements, outreach and advocacy for the fulfilment of economic, social and cultural rights for the people of Darfur are done at all times without prejudice to the primary responsibility of the Government of Sudan.

In addition to Sudan's obligations under international law to enforce economic,

social and cultural rights, provisions in its domestic laws make strong provisions to this effect. Article 1(2) of the Interim National Constitution (INC) emphasizes that Sudan is committed "to respect and promote human dignity," while Article 10(1) states that "the overarching aims of economic development shall be eradication of poverty, attainment of the Millennium Development Goals, guaranteeing the equitable distribution of wealth, redressing imbalances of income and achieving a decent standard of life for all citizens." To this end, Article 10(2) provides that the "State shall develop and manage the national economy in order to achieve prosperity through policies aimed at increasing production, creating an efficient and self-reliant economy."

Indeed, eradicating poverty and achieving economic development in Darfur as envisioned in Sudan's constitution are lofty goals which fall in line with current international development agenda. But their realization would require not only strong commitment from the Government of Sudan, but also continuous support from the international community and development partners both in terms of supporting the peace process and helping open up opportunities for the people of Darfur. Through advocacy, outreach, reporting and monitoring, UNAMID HRS continues to play a part towards this endeavour. **HRS**

### SUDAN: 2015 New Displacements in Darfur as of 31 Aug 2015



# Sustainable Development Goals

End poverty in all its forms everywhere



Ensure access to affordable, reliable, sustainable and modern energy for all



Take urgent action to combat climate change and its impacts\*



End hunger, achieve food security and improved nutrition and promote sustainable agriculture



Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all



Conserve and sustainably use the oceans, seas and marine resources for sustainable development



Ensure healthy lives and promote well-being for all at all ages



Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation



Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss



Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all



Reduce inequality within and among countries



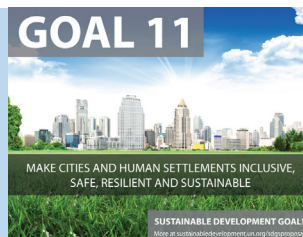
Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels



Achieve gender equality and empower all women and girls



Make cities and human settlements inclusive, safe, resilient and sustainable



Strengthen the means of implementation and revitalize the global partnership for sustainable development



Ensure availability and sustainable management of water and sanitation for all



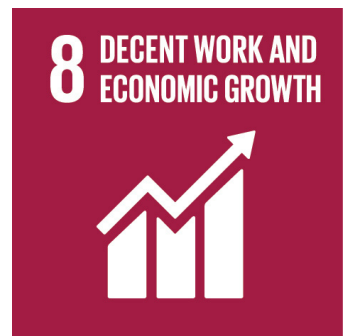
Ensure sustainable consumption and production patterns



\* Acknowledging that the United Nations Framework Convention on Climate Change is the primary international, intergovernmental forum for negotiating the global response to climate change.



# "No One Must Be Left Behind"



**SUSTAINABLE  
DEVELOPMENT** **GOALS**

# International Covenant on Economic, Social and Cultural Rights 1966

## Preamble

The States Parties to the present Covenant, Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world, Recognizing that these rights derive from the inherent dignity of the human person, Recognizing that, in accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as his civil and political rights, Considering the obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and freedoms, Realizing that the individual, having duties to other individuals and to the community to which he belongs, is under a responsibility to strive for the promotion and observance of the rights recognized in the present Covenant, Agree upon the following articles:

## PART I

### Article 1

1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
2. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.
3. The States Parties to the present Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right of self-determination, and shall respect that right, in conformity with the provisions of the Charter of the United Nations.

## PART II

### Article 2

1. Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.
2. The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
3. Developing countries, with due regard to human rights and their national economy, may determine to what extent they would guarantee the economic rights recognized in the present Covenant to non-nationals.

### Article 3

The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.

### Article 4

The States Parties to the present Covenant recognize that, in the enjoyment of those rights provided by the State in conformity with the present Covenant, the State may subject such rights only to such limitations as are determined by law only in so far as this may be compatible with the nature of these rights and solely for the purpose of promoting the general welfare in a democratic society.

### Article 5

1. Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of

any of the rights or freedoms recognized herein, or at their limitation to a greater extent than is provided for in the present Covenant.

2. No restriction upon or derogation from any of the fundamental human rights recognized or existing in any country in virtue of law, conventions, regulations or custom shall be admitted on the pretext that the present Covenant does not recognize such rights or that it recognizes them to a lesser extent.

## PART III

### Article 6

1. The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.
2. The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.

### Article 7

The States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favourable conditions of work which ensure, in particular:

- (a) Remuneration which provides all workers, as a minimum, with:
  - (i) Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work;
  - (ii) A decent living for themselves and their families in accordance with the provisions of the present Covenant;
- (b) Safe and healthy working conditions;
- (c) Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence;
- (d) Rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays

### Article 8

1. The States Parties to the present Covenant undertake to ensure:
  - (a) The right of everyone to form trade unions and join the trade union of his choice, subject only to the rules of the organization concerned, for the promotion and protection of his economic and social interests. No restrictions may be placed on the exercise of this right other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;
  - (b) The right of trade unions to establish national federations or confederations and the right of the latter to form or join international trade-union organizations;
  - (c) The right of trade unions to function freely subject to no limitations other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;
  - (d) The right to strike, provided that it is exercised in conformity with the laws of the particular country.
2. This article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces or of the police or of the administration of the State.
3. Nothing in this article shall authorize States Parties to the International Labour Organisation Convention of 1948 concerning Freedom of Association and Protection of the Right to Organize to take legislative measures which would prejudice, or apply the law in such a manner as would prejudice, the guarantees provided for in that Convention.

### Article 9

The States Parties to the present Covenant recognize the right of everyone to social security,

including social insurance.

### Article 10

The States Parties to the present Covenant recognize that:

1. The widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while it is responsible for the care and education of dependent children. Marriage must be entered into with the free consent of the intending spouses.
2. Special protection should be accorded to mothers during a reasonable period before and after childbirth. During such period working mothers should be accorded paid leave or leave with adequate social security benefits.
3. Special measures of protection and assistance should be taken on behalf of all children and young persons without any discrimination for reasons of parentage or other conditions. Children and young persons should be protected from economic and social exploitation. Their employment in work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law. States should also set age limits below which the paid employment of child labour should be prohibited and punishable by law.

### Article 11

1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international cooperation based on free consent.
2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:
  - (a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;
  - (b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.

### Article 12

1. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.
2. The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for:
  - (a) The provision for the reduction of the stillbirth-rate and of infant mortality and for the healthy development of the child;
  - (b) The improvement of all aspects of environmental and industrial hygiene;
  - (c) The prevention, treatment and control of epidemic, endemic, occupational and other diseases;
  - (d) The creation of conditions which would assure to all medical service and medical attention in the event of sickness.

### Article 13

1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the



maintenance of peace.

2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:

- (a) Primary education shall be compulsory and available free to all;
- (b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;
- (c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;
- (d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;
- (e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.

3. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions.

4. No part of this article shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of this article and to the requirement that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

#### **Article 14**

Each State Party to the present Covenant which, at the time of becoming a Party, has not been able to secure in its metropolitan territory or other territories under its jurisdiction compulsory primary education, free of charge, undertakes, within two years, to work out and adopt a detailed plan of action for the progressive implementation, within a reasonable number of years, to be fixed in the plan, of the principle of compulsory education free of charge for all.

#### **Article 15**

1. The States Parties to the present Covenant recognize the right of everyone:
  - (a) To take part in cultural life;
  - (b) To enjoy the benefits of scientific progress and its applications;
  - (c) To benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.
2. The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for the conservation, the development and the diffusion of science and culture.
3. The States Parties to the present Covenant undertake to respect the freedom indispensable for scientific research and creative activity.
4. The States Parties to the present Covenant recognize the benefits to be derived from the encouragement and development of international contacts and co-operation in the scientific and cultural fields.

#### **PART IV**

#### **Article 16**

1. The States Parties to the present Covenant undertake to submit in conformity with this part of the Covenant reports on the measures which they have adopted and the progress made in achieving the observance of the rights recognized herein.
  - (a) All reports shall be submitted to the Secretary-General of the United Nations, who shall transmit copies to the Economic and Social Council for consideration in accordance with the provisions of the present Covenant;
  - (b) The Secretary-General of the United Nations shall also transmit to the specialized agencies copies of the reports, or any relevant parts therefrom, from States Parties to the present

Covenant which are also members of these specialized agencies in so far as these reports, or parts therefrom, relate to any matters which fall within the responsibilities of the said agencies in accordance with their constitutional instruments.

#### **Article 17**

1. The States Parties to the present Covenant shall furnish their reports in stages, in accordance with a programme to be established by the Economic and Social Council within one year of the entry into force of the present Covenant after consultation with the States Parties and the specialized agencies concerned.
2. Reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the present Covenant.
3. Where relevant information has previously been furnished to the United Nations or to any specialized agency by any State Party to the present Covenant, it will not be necessary to reproduce that information, but a precise reference to the information so furnished will suffice.

#### **Article 18**

Pursuant to its responsibilities under the Charter of the United Nations in the field of human rights and fundamental freedoms, the Economic and Social Council may make arrangements with the specialized agencies in respect of their reporting to it on the progress made in achieving the observance of the provisions of the present Covenant falling within the scope of their activities. These reports may include particulars of decisions and recommendations on such implementation adopted by their competent organs.

#### **Article 19**

The Economic and Social Council may transmit to the Commission on Human Rights for study and general recommendation or, as appropriate, for information the reports concerning human rights submitted by States in accordance with articles 16 and 17, and those concerning human rights submitted by the specialized agencies in accordance with article 18.

#### **Article 20**

The States Parties to the present Covenant and the specialized agencies concerned may submit comments to the Economic and Social Council on any general recommendation under article 19 or reference to such general recommendation in any report of the Commission on Human Rights or any documentation referred to therein.

#### **Article 21**

The Economic and Social Council may submit from time to time to the General Assembly reports with recommendations of a general nature and a summary of the information received from the States Parties to the present Covenant and the specialized agencies on the measures taken and the progress made in achieving general observance of the rights recognized in the present Covenant.

#### **Article 22**

The Economic and Social Council may bring to the attention of other organs of the United Nations, their subsidiary organs and specialized agencies concerned with furnishing technical assistance any matters arising out of the reports referred to in this part of the present Covenant which may assist such bodies in deciding, each within its field of competence, on the advisability of international measures likely to contribute to the effective progressive implementation of the present Covenant.

#### **Article 23**

The States Parties to the present Covenant agree that international action for the achievement of the rights recognized in the present Covenant includes such methods as the conclusion of conventions, the adoption of recommendations, the furnishing of technical assistance and the holding of regional meetings and technical meetings for the purpose of consultation and study organized in conjunction with the Governments concerned.

#### **Article 24**

Nothing in the present Covenant shall be interpreted as impairing the provisions of the Charter of the United Nations and of the constitutions of the specialized agencies which define the respective responsibilities of the various organs of the United Nations and of the specialized agencies in regard to the matters dealt

with in the present Covenant.

#### **Article 25**

Nothing in the present Covenant shall be interpreted as impairing the inherent right of all peoples to enjoy and utilize fully and freely their natural wealth and resources.

#### **PART V**

#### **Article 26**

1. The present Covenant is open for signature by any State Member of the United Nations or member of any of its specialized agencies, by any State Party to the Statute of the International Court of Justice, and by any other State which has been invited by the General Assembly of the United Nations to become a party to the present Covenant.
2. The present Covenant is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.
3. The present Covenant shall be open to accession by any State referred to in paragraph 1 of this article.
4. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.
5. The Secretary-General of the United Nations shall inform all States which have signed the present Covenant or acceded to it of the deposit of each instrument of ratification or accession.

#### **Article 27**

1. The present Covenant shall enter into force three months after the date of the deposit with the Secretary-General of the United Nations of the thirty-fifth instrument of ratification or instrument of accession.
2. For each State ratifying the present Covenant or acceding to it after the deposit of the thirty-fifth instrument of ratification or instrument of accession, the present Covenant shall enter into force three months after the date of the deposit of its own instrument of ratification or instrument of accession.

#### **Article 28**

The provisions of the present Covenant shall extend to all parts of federal States without any limitations or exceptions.

#### **Article 29**

1. Any State Party to the present Covenant may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate any proposed amendments to the States Parties to the present Covenant with a request that they notify him whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that at least one third of the States Parties favours such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of the States Parties present and voting at the conference shall be submitted to the General Assembly of the United Nations for approval.
2. Amendments shall come into force when they have been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of the States Parties to the present Covenant in accordance with their respective constitutional processes.
3. When amendments come into force they shall be binding on those States Parties which have accepted them, other States Parties still being bound by the provisions of the present Covenant and any earlier amendment which they have accepted.

#### **Article 30**

Irrespective of the notifications made under article 26, paragraph 5, the Secretary-General of the United Nations shall inform all States referred to in paragraph 1 of the same article of the following particulars:

- (a) Signatures, ratifications and accessions under article 26;
- (b) The date of the entry into force of the present Covenant under article 27 and the date of the entry into force of any amendments under article 29.

#### **Article 31**

1. The present Covenant, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.
2. The Secretary-General of the United Nations shall transmit certified copies of the present Covenant to all States referred to in article 26.

## UNAMID and the Promotion of Economic, Social and Cultural Rights in Darfur

The need to address issues of access to food, water and sanitation, education, shelter, health care and livelihoods in conflict and post-conflict situations is seen as providing urgent humanitarian assistance to satisfy basic needs of populations at risk. Many who support humanitarian response address these issues from a moral standpoint to help others in difficult circumstances. What is important to remember is that these actions whether from humanitarian or development perspectives are based on international human rights law, which has a well-established legal framework for the promotion of socio-economic rights. States have the primary responsibility and obligation to promote and respect the rights of their populations by providing opportunities to realize them with the support of international partners.

In the context of UNAMID, although its establishment was in response to the human rights violence and abuses arising from the conflict, it also has the mandate to facilitate the delivery of humanitarian assistance and support the mediation of community conflict as well as tackle their root causes. This role involves issues relating to food security, access to water, health care and land for livelihood activities. Collectively, these elements constitute a set of rights known as economic, social and cultural rights (ESCR), which are governed by the International Covenant on Economic, Cultural and Social Rights. The Covenant has been ratified by a majority of States including Sudan. The legal basis for socio-economic rights are also sourced from instruments from other bodies such as the United Nations General Assembly, which often reflects intentions and aspirations of member states.

The provision of humanitarian assistance in Darfur, though provided by the United Nations Country Team, is however facilitated by UNAMID through regular military escorts and other logistical support. This means that unless UNAMID provides physical protection to facilitate the distribution of food and access to water points, health services and educational materials, much of Darfur's population of over four million will be without critical humanitarian assistance. The scale of the development needs of Darfur have prompted the incorporation of economic and social rights in peace agreements. The Doha Document for Peace and Development in Darfur (DDPD), which forms the basis of the current road map for peace in Darfur, outlines key intervention areas with

a post-conflict development model that places emphasis on access to social services, opportunities to improve livelihoods and living conditions.

UNAMID quick impact projects (QIPS) build on both the development vision of the DDPD and the pressing humanitarian needs of Darfur. Through QIPS, UNAMID provides access to water, health, education and improvement in infrastructure worth over six million dollars. Another program of activity, the Community Labour-Intensive Project (CLIP) provides similar support programs for youth with positive impact across communities in Darfur. Due to the many challenges and needs of the people of Darfur, these projects and programs may not provide all the solutions, but they offer a good foundation upon which United Nations agencies and international development partners could build on to achieve a meaningful post-conflict transition for Darfur.

Through its monitoring and reporting work, UNAMID Human Rights Section plays a critical role in highlighting inadequacies in basic social services including water, health care and sanitation in communities, internally displaced persons' (IDP) camps, schools and prisons. In particular, access to health services for victims of conflict-related sexual violence remains a challenge, which UNAMID HRS continues to highlight with State authorities and stakeholders. Similarly, advocacy initiatives are undertaken to ensure adequate provision of universal primary education to children in IDP camps. In addition, technical support is offered in the form of recommendations on legislative and policy reform aimed at strengthening the provision of social services.

In 2015, the lifespan of the Millennium

Development Goals, which were initiated 15 years ago as benchmark for human development, comes to an end. They are now being replaced by new development thresholds represented by the 17 Sustainable Development Goals (SDGs). The SDGs adopt a human rights-based approach to development with promises to advance economic, social and cultural rights including in conflict and post-conflict situations such as Darfur. Moreover, the SDGs recognize that countries in situations of conflict, affected by complex humanitarian emergencies need special attention. In particular, goal 16 of the SDGs calls for the "promotion of peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels." Seven of the SDG goals are directly related to economic and social rights issues, some of which resonate with the root causes of the Darfur conflict.

The SDGs have set new objectives and aspirations for sustainable development in member states of the United Nations that should build on the achievements of the Millennium Development Goals of 2000. These new targets for 2030, embrace the principles of equality and non-discrimination and integrate economic, social and environmental aspects, recognizing that their inter-linkages are necessary for development. The range of issues these goals set out to address are at the heart of the causes of conflict in many regions including Darfur. The achievement of the goals will not only address deficiencies in human development, but also contribute much more to the attainment of peace as envisioned in the DDPD. HRS

**"The United Nations' 2030 Agenda for Sustainable Development constitutes universal recognition that the challenges faced by any one of us may swiftly become crises faced by all. It grasps that these challenges cannot effectively be met by tinkering around the edges of economic, social and political governance, but require a fundamental shift in the dominant development model in all countries. The new Agenda offers real hope for stability, prosperity and conflict prevention. It points to development that is sustainable, equitable for all, environmentally sound, and grounded in human rights. Its promises must be implemented."**

**Zeid Ra'ad Al Hussein, United Nations High Commissioner for Human Rights**



## FAO Promotes Food Security in Darfur through Improved Tenure Rights and Land use Management

*Access to land for livelihood activities such as farming is an important element in the realization of food security. International human rights law provides for food security as a foundation of the right to food. In this guest article from the FAO Country Office in Khartoum, an important lesson is shared on the value of dialogue among conflicting communities and its impact on the realization of tenure rights to achieve food security, economic independence and dignity for communities in Darfur.*

Since its eruption in 2003, the Darfur conflict has generated competition between local farming and herding communities over scarce natural resources, which reduced the availability of local and nutritious food and undermined the resilience of its people. From January-October 2014, the Food and Agriculture Organization of the United Nations (FAO) implemented a project funded by the United Nations Darfur Community Peace and Stability Fund (DCPSF) to address the effects of conflicts between competing communities through dialogue. This initiative has enabled vulnerable farming and herding communities to continue their livelihood activities with noticeable economic and social benefits for their families.

Over the years, over a million of Darfur's farmers have been displaced into internally displaced persons camps, with limited access to their farmlands and use of lands for grazing by local herders. This has provoked inter-communal conflicts over the use of forest, land and water resources, and these conflicts have limited community access to local food. As a result, the majority of farmers have been forced to diversify their livelihoods with maladaptive, short-term and quick-return strategies, including excessive tree cutting for charcoal and brick production, and the burning of pasture lands and blocking of livestock migration and trade routes in an effort to deter herders. In turn, the destruction of local pasture lands and routes has forced herders to seek grazing land away from traditional migratory routes with little access to veterinary services and water, which makes livestock more prone to disease and reduces herders' ability to produce meat and milk.

In collaboration with UNAMID and State ministries, FAO organized a series of crop and livestock protection peace campaigns to promote trust between local farming and pastoralist communities in conflict over resource use in the area. The campaign project used a multi-pronged approach to achieve peace among conflicting livelihood groups and help restore the natural resources base for sustainable livelihood activities between conflicting communities. The project established conflict resolution mechanisms and local peace committees to engage community leaders in regular meetings to discuss disputes over access to farming areas, grazing rights of livestock of pastoralists' communities. These initiatives facilitated conflict resolution, with the local peace committees resolving 15 disputes over natural resource



*On 5th June 2014, UNAMID provides logistical support by transporting representatives of Beni Hussein and Abbala tribes to Kabkabiya North Darfur, to participate in a reconciliation conference. The meeting was initiated by the reconciliation committee composed of Sheikh Musa Hilal and traditional leaders from different tribes in the area. Photo by Hamid Abdulsalam, UNAMID.*

**"The quest for food security can be the common thread that links the different challenges we face and helps build a sustainable future."**

**José Graziano da Silva, Director General (FAO)**

use by the end of the campaign project.

In addition, farm inputs and livestock treatment and vaccination services were also provided to increase the productivity of both farmers and herders. Rangeland restoration activities, such as pasture rehabilitation and reforestation, were also undertaken, including the establishment of three community forests. FAO also rehabilitated shallow wells in the region, which reduced conflicts over water resources by increasing shared access to water and facilitating trust between farming and pastoralist communities. By facilitating cooperation and understanding among conflicting groups through good governance practice, mediation and targeted livelihood support, the peace campaigns led to the signing of a local peace agreement around crop protection, harvesting and grazing rights, and herding routes. One key marker of the project's success was that crop and pasture destruction in the region was eliminated by the latest harvesting period of December 2014 – January 2015.

These successes demonstrate the importance of tenure rights in resolving conflicts over competing claims for land use and control in Darfur, and in enabling local communities to grow their own food and pursue their livelihoods during crisis. FAO hopes to further promote responsible governance of tenure rights and land use management in the Darfur region and

beyond through the implementation of Voluntary Guidelines on the Governance of Tenure (VGGT) initiative. The Peace and Stability Through Responsible Tenure Governance project will pay close attention to the needs of the rural poor who are often marginalized under tenure problems and weak governance.

Activities will focus on community-based peace building by facilitating dialogue and expanding local peace committees; reducing community resource competition through mapping of communal resources and services and support for joint community development plans; facilitating voluntary return of IDPs through integration and basic service provision and rehabilitation; and building community resilience through livelihood supports to ensure families' access to local and nutritious food.

Strengthening tenure rights for the rural poor is an important strategy to address some of the factors that are deepening Darfur's food insecurity and high rates of poverty. By addressing the root causes of natural resource degradation and communal conflicts in Darfur, FAO works to ensure the availability of local and nutritious food for vulnerable communities in order to save lives and lift people from poverty. The expansion of these efforts is key to achieving trust among affected communities and building sustainable peace in Darfur.

HRS

## UNAMID Promotes Right to Water at the Ardamata State Prison



Col. Yusuf Jumah, Director of El Geneina Prison explains an important point to the Chief Human Right Section, Ms. Isha Dyfan, while the West Darfur Director of Prisons listens. photo by Ruben Inaju, UNAMID.

International human rights law contains a body of principles for the protection of all persons under any form of detention or prison conditions. Generally referred to as the standard minimum rules for the treatment of prisoners, it provides that all prisoners and detainees must be treated with respect for their human dignity, with regards to the conditions of their detention. Access to basic social services is an important part of this protection. However, in the situation of an active armed conflict such as Darfur, the rights and welfare of prisoners could be compromised in the absence of advocacy and support

partners. Through its monitoring activities, UNAMID Human Rights Section (HRS) raises awareness on the rights and conditions of prisoners with State authorities. Such engagements have provided an opportunity to highlight concerns and provide solutions.

In one such activity, UNAMID HRS facilitated the rehabilitation of the water supply and sewage system at Ardamata State Prison in West Darfur. Beneficiaries of the project include prison officials and 250 prison inmates, who now have access to clean water supply with sewage facilities. Funded by UNAMID through the quick

impact project initiative (QIPS), the rehabilitation included the extension of a water pipeline to the male and female wings of the prison, office administration block, and construction of two new bathrooms and renovation of three others, construction of two abolition units as well as installation of three water tanks. In addition to the core beneficiaries, families who live nearby will also have access to the water facilities installed at the prison premises.

At a handing-over ceremony of the project to the West Darfur State Prison Directorate, Isha Dyfan, Chief of UNAMID HRS, reiterated the commitment of UNAMID to fulfill its mandate as well as improve the lives of the people of Darfur. She informed that UNAMID had completed more than 155 projects in West Darfur with an investment of about US\$4.5 million. She also stressed that UNAMID would continue to work with all stakeholders to build peace and improve the socio-economic rights of the Darfur people. For his part, the State Director of Prisons, Col. Abdulrhman Abuwasaki, thanked UNAMID for the support and emphasized that the administration of prison was committed to improve the living standards of prison inmates as well as protect their rights and welfare. The project was implemented by the Community Development Foundation, a local NGO operating in West Darfur. HRS

## Promoting Access to Education for IDPs as a Human Right

The conflict in Darfur continues to disrupt social and economic lives and has resulted in the displacement of 2.5 million people. Despite efforts by UNAMID, United Nations agencies and non-state actors, the conditions in internally displaced persons' (IDP) camps remain desperate. In over 60% of the 98 IDP camps in Darfur, access to food, health care and other essential social amenities are either limited or totally absent. In particular, one major issue that continues to cause major concern is the limitation in access to education especially among IDP children. While the protracted conflict remains the main contributing factor to this problem, inadequate resources and poor social infrastructure in Darfur have aggravated access to education. During routine monitoring visits to IDP camps across Darfur by UNAMID Human Rights Section (HRS), IDP leaders often raise concerns about the plight of IDP children and the effects poor access to education and shortage of facilities would have on their emotional and social development.

In IDP camps where advocacy by UNAMID HRS in collaboration with United Nations agencies have resulted in establishment of schools, high cost of educational materials and tuition remain obstacles to attainment of universal primary education in Darfur. This situation is a cause for concern given that Sudan ratified the United Nations Convention on the Rights of the Child (CRC) in 1990, committing itself to protect and assure the right to education for all children including the right of access to education for refugees and IDPs. Article 28 of the CRC imposes obligations on States Parties to "recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular: (a) Make primary education free and compulsory to all; (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering

financial assistance in case of need." While school enrolment for IDP children has increased over the years, poor resources and existing difficulties experienced by families mean that progress in advancing access to primary education among IDP children continue to be slow.

A recent survey conducted by UNAMID HRS of two IDP camps—Nifasher and Shaddad IDP camps in North Darfur—illustrates the extent of the problem. In Nifasher and Shaddad IDP camps, two schools with 4000 pupils have only two professional teachers. Although the schools benefit from the services of volunteering teachers, they are seriously insufficient to cater for the educational needs of a large number of pupils. Lack of training and specialized skills among volunteering teachers also impact on the quality of education for IDP children. In this context, support from non-state actors could go a long way in addressing gaps in access to education. In both Nifasher and Shaddad IDP camps, some funding was sourced from Plan Sudan International NGO, but



the programme ended prematurely leaving beneficiary schools in great difficulties. High cost of tuition is beyond the reach of IDP families, forcing thousands of IDP children out of school across Darfur. During the rainy seasons, number of IDP children dropping out of school increases significantly as children lend a hand to household farming activities.

Despite these challenges, ongoing programs implemented by United Nations agencies provide some hope in promoting access to education in Dar-

fur. For example, a project administered by the United Nations Children's Fund (UNICEF) provide support for 750 children across IDP camps in Tawilla and Shangil Tobaya. The support includes provisions of school materials, construction and rehabilitation of classrooms. As an implementing partner, the State Ministry of Education handles the operation of the schools including recruitment of teachers. Through this scheme, all schools in Nifasher, Shaddad and Dabanera IDP camps have been absorbed

in the formal school system. Notwithstanding, the primary responsibility for the provision of education rest on the Government of Sudan. It must therefore make investment in education so as to significantly improve conditions in schools, expand access and make primary education free and compulsory in line with international human rights law.

UNAMID and United Nations agencies will continue to work closely with State authorities to help fulfil the human right to education for all children in Darfur. **HRS**

## UNAMID HRS Engages Stakeholders on Economic, Social and Cultural Rights



*Participants at the stakeholders workshop on Economic, Social and Cultural Rights, Khartoum, 28-29 July 2015.*

Economic, social and cultural rights (ESCR) are major part of the international human rights system. Their promotion is seen as an important step towards tackling impoverishment, underdevelopment and social injustice. These factors are generally perceived as causes of conflict and social unrest especially in countries where governance is weak and resources limited. It is important, therefore, that effective mechanisms are established and strengthened for monitoring and reporting on economic, social and cultural rights. From 28-29 July 2015, UNAMID HRS in collaboration with Sudan's National Commission for Human Rights (NCHR) and the Programme on Women's Economic, Social and Cultural Rights (PWESCR) conducted a two-day workshop on engaging stakeholders on the monitoring and reporting of ESCR. The workshop was held in preparation for the 56th Session of the Committee on Economic, Social and Cultural Rights (CESCR), which will convene in October 2015 in Geneva to review Sudan's progress on the enforcement of ESCR.

In light of the forthcoming review, the workshop focused on building the capacity of stakeholders on the review process and understanding of key concepts and terminologies of the CESCR. In her open-

ing remarks, Isha Dyfan, Chief of UNAMID Human Rights Section, reinforced the commitment of UNAMID to provide technical assistance to both the NCHR and the justice sector in Sudan. She also highlighted the importance of ESCR in the improvement of social and economic wellbeing of communities.

Kamal Dindrawi, the head of the capacity building committee of the NCHR, underscored the importance of the workshop and emphasized that the role of the NCHR and civil society organizations is to raise awareness and share ideas on the need to promote and incorporate ESCR

in the social and economic lives of communities.

For her part, Ms. Priti Darooka, the Executive Director of the PWESCR, underlined the need for accurate dissemination of information and its utilization in the improvement of the economic and social advancement of people especially in developing countries. Using other countries' experiences as examples, Ms. Darooka showed the importance of the ESCR framework and how it can be used for the development and enrichment of national policies and programs. A video showing the CESCR at work provided an insight into the review process. Other speakers at the workshop included Ms Khadiga El-fadil, a representative of Sudan's Advisory Council on Human Rights.

Key outcome of the workshop included consensus and action plan on the need for legislative reform to promote human rights especially economic, social and cultural rights; duty of States to address obstacles to the right to development; the importance of promoting ESCR in situations of armed conflict; responsibility of States to allocate financial and human resources to enhance security, protect citizens and provide humanitarian aid to victims of armed conflict. The workshop was attended by 30 participants drawn from the NCHR and local civil society groups. **HRS**

**"Upholding human rights is intrinsic to the obligations of sovereignty, and constitutes the fundamental basis for a healthy State. The voice of human rights is raised in support of your governance – to assist in building societies that are resilient, peaceful and prosperous. Instability is expensive. Conflict is expensive. Offering a space for the voices of civil society to air grievances, and work towards solutions, is free. When ordinary people can share ideas to overcome common problems, the result is better, more healthy, more secure and more sustainable States."**

**Zeid Ra'ad Al Hussein**  
**United Nations High Commissioner for Human Rights**





On 19 May 2015, Tabit, North Darfur, a resident of Thabit addressing a gathering during the visit of Ms. Rashida Manjoo, the Special Rapporteur on violence against women. Photo by Mohamad Almahady, UNAMID.