



Rule of Law Newsletter

A Publication by UNAMID Rule of Law Section

Supporting sustainable peace and development by strengthening rule of law institutions in Darfur



On 5 December 2017, UNAMID's Rule of Law Section, in partnership with the Government of Canada, supported the construction of a dormitory, a child-friendly space and a visitors' bay for women inmates in Kutum prison, North Darfur. The project is part of the Mission's continued efforts to strengthen the rule of law across Darfur. Photo by Mohamad Almahady, UNAMID.

The Mandate of UNAMID -Rule of Law section is tailored on two pillars "Support to the mediation of community conflicts" and "Provision of a protective environment in Darfur" This edition of the newsletter focuses on the provision of a summary of the key activities and indicators that characterised the section in fulfilling its priorities; as specifically mandated by resolution 2363 (2017), OP 15 a (vii): i) Supporting the re-establishment of the criminal justice chain,

including police, justice and corrections, in areas that are key for the protection of and finding durable solutions for the displaced populations; ii) Strengthening the capacity of rural courts to address land disputes and other inter-communal conflict drivers; iii) Promoting accountability and the implementation of the DDPD through support to the Special Court and Special Prosecutor for Darfur Crimes together with key partners in the following areas during the year. ■

Partnerships towards sustainable peace and development by strengthening rule of law institutions in Darfur

During the year 2017, the Canadian Government allocated Nine Hundred Sixty One Thousand, Three Hundred and Ninety One US dollars (\$961,391.00) to fund two projects being undertaken within the framework of the United Nations Joint Rule of Law and Human Rights Programme in Darfur. The projects were developed in collaboration between UNAMID, UNDP and UNICEF with the purpose of supporting sustainable peace and development by strengthening

rule of law institutions in Darfur and support for the Action Plan to end Child recruitment. The Canadian Government contribution is currently kept within the UNAMID Trust Fund. An MoU between UNAMID and UNDP is in place for the portion of the fund transferred to UNDP as the designated administrator of the Financial Resources under the UN Joint Programme to implement UNDP and UNICEF activities. Most of the projects will be implemented by UNAMID. ■

Meeting with the Attorney General of the Sudan



A group photo of rural court judges in East Darfur after a training workshop in El Dean in May 2017.

During the year 2017, UNAMID Chief, Rule of Law Section (RoLS) had a meetings with the new Attorney-General of Sudan who reaffirmed his Office's support in bringing perpetrators of crime to justice. He

affirmed his desire and commitment to work in collaboration with UNAMID RoLS to enhance the capacity of prosecutors to address Darfur crimes under the Darfur Document for Peace and Development (DDPD). ■

Promoting mediation of community conflicts

Rule of Law Section (RoLS) organized a three days training for Judges in three Darfur states: East, West and North Darfur on “Mediation of Community Conflicts for Better Justice Delivery”. The participants comprised Rural Court Judges, District Court Judges and Senior Administrative Staff from respective states and the trainings were held at three states namely; El Daein, El Fasher and El Geneina. This marked the enhanced collaboration between UNAMID RoLS and Sudan Judiciary with active support from the Office of the Chief Justice from Khartoum, Training Department of Sudan Judiciary and the Chief Judges of respective states.

The objective of the trainings was to strengthen the capacity of lay Rural Judges (Umdas and tribal leaders in their communities with non-formal legal trainings) on mediation principles in addressing disputes regarding land, pastoral areas and other conflict drivers to enhance their abilities to resolve inter-communal disputes. The training facilitators included Chief Judges, Court of Appeal Judges and representatives from the Chief Justice of the Sudan Judiciary in Khartoum.

The key recommendation was to organize a similar in-depth training for Rural Court Judges in the localities and in the areas of return. The participants were equipped with knowledge, skills and methods on how to conduct proceedings including successful mediations to resolve community conflicts. UNAMID embarked on this training noting that Rural Courts populate the areas of return and thus often the only accessible justice actors in remote localities. UNAMID hopes that these initial trainings will further promote joint efforts between UNAMID and the Sudan Judiciary in developing guidance materials for common curricula for the Rural Court. ■

Improved Prison conditions

Laying of a Foundation stone in Kutum Prison

On 5 December 2017, the Director General of Prisons and Reform Sudan, together with UNAMID Rule of Law Section visited Kutum Prison to lay the foundation stone for the construction of a dormitory, child friendly space and visiting bay through the Canadian Government and UNAMID funding support. The delegation was welcomed by Kutum Locality Commissioner, Police and Military representatives, Elwaha Locality representative and other government officials.

The Locality commissioner briefed the team about the history of the security situation and issues affecting Kutum Locality and the Prison since the start of the Darfur war in 2003. He explained that breakdown of law and order worsened in 2012 and lawlessness took root with the closure of the prisons, police station and other justice institutions, due to insecurity. Prisoners were transferred to Shallah and Kheir Khanaga Prisons in El Fasher. Since then, the entire criminal justice system in Kutum the four surrounding localities collapsed. However, some state of normalcy has now returned as the military has tried to re-establish law and order. The Locality

Commissioner appreciated the effort of UNAMID for its support to the Prisons in Kutum Prison. With the laying of the foundation stone, when completed the prison would have the capacity to accommodate more prisoners

The Chief of Rule of Law Section on behalf of UNAMID stated that in 2015, the Mission approved four projects for support through QIPs in its efforts to support the Government in the restoration of the rule of law in the area and corridor. The projects included one additional dormitory constructed in Kutum Prison for pre-trial offenders. She stated that these efforts were in response to the urgent need to re-establish the criminal justice institutions in order to make them operational. She reiterated that UNAMID support is intended to strengthen the capacity of the prison system in the State to deliver to the community on its mandated tasks; contribute to the re-establishment of the criminal justice chain and functionality of the justice institutions in the areas of return. This would significantly contribute to the extension and restoration of state authority, stabilization, peace and security and help in the fight against impunity.

The Chief of Rule of Law Section asserted that these efforts would help improve access to justice in the neighboring and far flung localities of Al Waha, Umbaru, Korma, Kornoi and El Tine. The population expected to benefit from the institution include the returnees from these localities. The new dormitory is expected to provide an improved environment, provide for the separation of inmates according to categories (sentenced and pre-trials) and provide a conducive space for children accompanying mothers to prison. The humane, safe and secure environment created will positively contribute to the children’s emotional, psychological and physical development.

The Director General of Prisons and Reform also thanked UNAMID for all the support to the prisons system in Darfur and pledged continued cooperation in future for upcoming projects. He pledged to raise the fence and to donate a brick making machine to the prison in order to help the prisoners acquire the brick making skills. He pledged to visit Kutum again to receive the project once it is completed and ready for hand over to the Government. ■

Shallah Prison Infrastructure Development

During the 2017 fiscal year, UNAMID- Rule of Law Section (RoLS) in collaboration with GoS General Directorate of Prisons and Reform (GDPR) con-

structed a New Women prison at Shallah Federal with a child friendly space and an isolation room for the mentally challenged prisoners which resulted into the re-

location of women prisoners from the old Kheir Khanaga women prison (now turned into a museum) to the new facility in April, 2017.

Shallah Prison Infrastructure Development (from the previous page)



Photos of the old women prison at Kheir Khanaga-El Fasher now relocated to Shallah.



Photos of the new women prison at Shallah and its child friendly space.

Hand Over of Shallah Health Unit



UNAMID Chief Rule of Law Francoise Simard delivering a speech shortly before handing over a Health Unit to GoS Directorate of Prison and Reform.

On 7th December, 2017 UNAMID Rule of Law Prison Advisory Unit handed over a Health Unit to the Director General of Sudan Prisons

and Reform Maj-Gen. Hatim Alnoor Abdul Gadir at the New Shallah Women Prison, in El Fasher. The Health Unit formed phase six of the series

of infrastructure upgrades support to this specific Prisons. Infrastructure support programs through UNAMID QIPs commenced in December 2009

with the laying of the foundation stone for the first dormitory. This was followed by other components including kitchen, bathrooms and toilets, underground water tank, office block/documentation and records office, guard room, shelter, child friendly space, visiting bay, separation wall, heightening of the perimeter wall and now the Health Unit with the associated elements, which were being handed over to the Government for use by the Prisons administration.

The Chief Rule of Law, representing the UNAMID leadership in handing over the Health Unit stated that UNAMID is mandated to provide support for the strengthening of Rule of Law, a critical pillar that contribute to the Government's stabilization efforts, as it helps to create a secure environment where rule of law is upheld, rights of offenders re-

spected, accountability and transparency are buttressed, and with these constituting the principles upon which the management in North Darfur is built. Therefore, the support through these projects and in all other areas of work where UNAMID is engaged is a demonstration of the UN entities commitments to the overall institution building programs including institutional capacity building and improvement of the prisons living and working environment. Notably, these constituted the pillars of the MoU between the GoS Prisons & Reform and UNAMID, signed in February 2010 and which added to the implemented activities of the 5 years strategic plan of the Darfur Prisons system.

The handover ceremony of the health unit also included the inauguration of the new Shallah women prison which comprise one dormitory for women offenders and underground water reservoir that was supported through DPKO – UNDP GFP funding programme

The Director General (DG) of Prisons and Reforms, in his remarks upon taking over the Unit, appreciated the immense support rendered to GoS Prisons by UNAMID. He directed that all UNAMID projects be put to prudent use so as to realize the intended change to the Darfur prisons. He also noted that the projects had costed a colossal amount of money and they must be well utilized to achieve their purpose. He reaffirmed his personal commitment and that of his office towards the realization of these fundamental developments impacting the prisons in Darfur. He undertook to post a medical officer to the Health Unit at Shallah prison and ensure a sustainable supply of medical drugs and equipment, as well as the establishment of laboratory services in the new Health Unit. ■

Shallah Prison Infrastructure Development



Director General of Sudan Prisons and Reform Major General Hatim Alnoor with UNAMID Senior Corrections Advisor Mary Okumu during the Inauguration of New Shallah Women Prison.

During the 2017 fiscal year, UNAMID- Rule of Law Section (RoLS) in collaboration with GoS General Directorate of Prisons and Reform (GDPR) constructed a New Women prison at Shallah Federal with a child friendly space and an isolation room for the mentally challenged prisoners which resulted into the relocation of women prisoners from the old Kheir Khanaga women prison (now turned into a museum) to the new facility in April, 2017.

In sector West UNAMID –RoL section supported the establishment of humane, safe and secure prisons in priority areas of return. It is

in this regard that improvements to critical infrastructure gaps in the corrections area was undertaken through quick-impact projects. In July, 2017, UNAMID completed and handed over a women's dormitory at Ardamata Prison in El Geneina. The project provides female inmates with the basic needs and requirements including a conducive space for children accompanying their mothers to prison in compliance with Standard Minimum Rules for the treatment of offenders (Mandela Rules)

During the handover ceremony attended by Senior Government of Sudan

officials at the state level, UNAMID - Head of Office (HoO - Mr. Oumar Kane) stated that the projects will assist GoS prisons adhere to human rights standards. He commended RoLS and reaffirmed UNAMID's commitment to collaborate with the GoS, civil society and native administration leaders to bring lasting peace in Darfur and to support the Darfur community through various Quick Impact and Community-based projects. The Director of Ardamata Prisons (Col. Mamoun Adam Hamid), expressed appreciation to UNAMID for its support to prisons and the community, and assured of continued collaboration to improve prisons environment for inmates and staff.

The projects and programmes supported by UNAMID in Sector West, EL Geneina to date include; constructions of a training hall, water infrastructure projects, a health facility, a reception hall and providing vocational training skills to inmates and prison officials. The Chief Judge of West Darfur Mr. Badreldin Abdalla Mohamed commended UNAMID for the support and appealed for similar assistance to be offered to the men's dormitories too which are dilapidated ■



UNAMID - Head of Office HoO - Mr. Oumar Kane cuts a ribbon during a hand over of a health facility at Ardamata Prison in, EL Geneina West Darfur.

Government of Sudan commendation to UNAMID

Support was also provided to Senior GoS Prison management officials to attend international and regional conferences/seminars to facilitate institutional capacity through sharing of the existing best practices with their counterparts from different countries during international events such as the Annual International Corrections and Prison Association (ICPA) and the fourth African Corrections Services Association (ACSA) – held in Kigali (Rwanda) from 15 to 19 May where the Director General of Prisons and Reform Sudan was elected as Vice Chair, ACSA - Northern African Region.

In appreciation of the work UNAMID has done, the mission was presented with the GoS Commendation award which was received by the UNAMID Chief Rule of Law Who represented the UNAMID Joint Special Representative on 18 July, 2017 during Mandela Day celebrations.



Group photo of Correctional chiefs from Africa during the ACSA meeting



Maj-Gen. Hatim Alnoor Abdul Gadir - The Vice Chair ACSA, Northern African Region



The UNAMID Chief, Rule of Law receiving the GoS Award Certificate from the Sudan Police Commissioner General during Mandela Day celebrations in Khartoum, Sudan.



UNAMID Joint Special Representative and his deputy receiving the GoS Award Certificate from the Chief, Rule of Law & Senior Corrections Advisor

Institutional development

National Prisons Development Committee (NPDC) meetings

On 6 December, 2017, another NPDC meeting was held in El Fasher chaired by the Director General of Sudan Prisons and Reform to adopt another batch of Standard Operating Procedures (SOPs) and to review the implementation of the five year strategic plan (20-14 – 2018) among other issues. This was follow up on the first meeting held on 7 March, 2017, which had the former DJSR in attendance.

The meeting resolved to set up a technical committee chaired by the co-coordinator of Darfur prisons Maj. General Hassan A Kambal. The committee which is composed of UNAMID and the Directorate of Prisons and Reform was tasked to review the 5 years strategic plan implementation and come up with modalities for rescheduling some of the uncompleted planned activities, as it draws close to the end of its implementation period. The need for a donor round table conference to mobilize funds for the implementation of the 5 years strategic plan was also identified as part of the terms of reference for the committee.

It was further resolved that there was need for expanded focus on infrastructural development in the locality prisons whose infrastructure are in dire state; need for enhanced Training of Trainers courses to prison officers that will assist sustainability once UNAMID completes its mandate; need for a Joint strategic planning review of the ongoing strategic plans and respective implementation between UNAMID and the GoS Directorate of Prisons and Reform; adoption and implementation of the developed standard operating procedures by the Government for use in prisons.

With regard to rehabilitation programs



National Prisons Development Committee Meeting and Validation Workshop on Prisons Policy Documents in El Fasher, Darfur

the committee resolved to focus on Agriculture as tool for rehabilitation of offenders which could also assist in ensuring food security in prisons while at the same time help in reducing on the government expenditure on upkeep of inmates.

During the meeting numerous achievements were cited and commended, especially UNAMID support towards the construction of Shallah Women Prison in El Fasher. The Health Unit facility at Shallah Women which was handed over on 7 December 2017 was also mentioned as one of the vital projects which would benefit both the prisons and neighborhood communities. In this regard, the Prison administrations were encouraged to make maximum utilization of the infrastructural facilities developed and funded through UNAMID initiatives. The administration was further urged to mainstream gender in all prison development programs including recruitment and training of staff.

The Director General of Prisons and Reform, Sudan, thanked UNAMID for their partnership and pledged his support and collaboration in terms of developing a more cordial working environment.

Rule of Law also continued with its strong campaign for the establishment and adoption of SoPs as a tool to ensure better management of the prison system in Darfur. During the National Prisons Development Committee (NPDC) meeting held on 7 March, 2017 in EL Fasher, eight (8) SoPs were validated and adopted for use in the Darfur prison system. The policy documents will help to improve management and operations to ensure transparency and accountability in prisons; and guide human resource development programmes in an effort to professionalize the service, to comply with international standards and best practices in correctional management, uphold rule of law and contribute to public safety and security. The prison policy documents validated and adopted included; Inspections and Audit guidance manual, Prison Strategic Training Framework and Curricula, and Standard Operating Procedures on prisoner admission, prison key control, searches, counting of prisoners and vocational training. The GoS commitment to improving prisons conditions despite the many challenges like; weak security, lack of adequate amenities for prisoners, manual records, detention of mentally ill persons in prisons due to the unavailability of mental health institutions and overcrowding is acknowledged.



The GoS Director General of Prisons and Reform Mjr. Gen. Hatim Alnoor together with the co-coordinator of Darfur prisons Mjr. Gen Hassan Kambal flanked by UNAMID – Chief RoLS Francoise Simard the Senior Corrections Advisor Mary Okumu and UNAMID Police Deputy Commissioner Frank Sammy Kwofie

Expanding the frontiers of Customary Justice in Darfur

Customary justice is often either wrongly or rightly accused by the human rights fraternity, of violating human rights. However, this is rapidly changing and instead customary justice is increasingly being used as a bulwark for the protection of human rights as the example of Darfur demonstrates.

Darfur, in common with the rest of the Sudan has historically had one of the most respected customary justice systems which endured until the outbreak of the tragic conflict in 2003. The conflict almost ruined the entire customary justice system in Darfur as all communities were displaced from their villages and found themselves herded into several internally displaced persons (IDPs) camps dotted around the region. During the conflict, 2.7 million Darfurians became IDPs and the once vibrant rural courts which administered customary justice closed shop.

Since UNAMID started operations in Darfur, the Rule of Law Section (RoLS) has been advocating and supporting the re-establishment of the judicial institutions especially in the rural areas as part of its strategy to enhance access to justice for the rural populations. Hence, since 2015, UNAMID took a deliberate decision to

support the revitalization of these very important customary justice mechanisms, and harness their potential to mediate the sporadic inter-communal conflicts, over land and other natural resources, in order to enhance peace prospects in Darfur.

Mediation of conflict by the rural courts is more advantageous than other forms of mediation because their outcomes do not only have legal validity but also have a written record and are appealable through the hierarchy of the Sudanese judiciary. Prior to the Darfur conflict, the rural courts used to mediate community conflict over land arising out of the hawakeer tenure system.

Thus, after consultation with the key stakeholders including the federal and state level Judicial authorities, the RoLS launched a capacity building training programme for the orientation of the rural court judges to mediate community conflict in their areas of responsibility in addition to their regular judicial functions.

The programme has so far benefitted 140 rural court judges from 70 rural courts across the Darfur region. Although the exact numbers of the cases mediated by the rural courts are not readily available, the recent RoLS reports from the field indicate

that more and more people are taking their disputes to be mediated by the rural courts as opposed to taking the law in their own hands and resorting to violence.

There is a growing trust and confidence placed in the rural courts to mediate disputes, both personal and communal and give a settlement that is fair and just for all parties. UNAMID is encouraged by the positive results coming out of this initiative and will continue to support not only the capacity reinforcement of the rural courts but also their effective integration with the formal judiciary rural courts and town courts in Sudan. This is a form of traditional justice mechanism that applies customary law in the resolution of disputes and/or conflicts which is why they are also called customary courts. After independence, these courts were brought under the aegis of the state and currently they constitute the lower tier of the Sudanese judiciary, and their jurisdiction is regulated through decrees of their establishment issued by the Chief Justice from time to time. Besides, these courts are also part of the native administration a factor which gave them more influence and respect in their communities. ■

Re-establishing the Criminal Justice Chain

The Chief Rule of Law Section visited Ardamata prison in West Darfur which was identified as one of the returnee areas for the RoL's assessment for re-establishment of the criminal justice chain. UNAMID and RoL's mandate under the UN Security Council Resolution lays emphasis on the identification of returnee areas. The delegation met the State Director of Prisons (SDoP) and discussions centred on the cooperation between the prison authorities and UNAMID which are key in the re-establishment of the criminal justice chain. Ardamata prison is the only prison serving over 7 localities and needed support to improve its security and infrastructure as well as the professionalization of its staff and management.

In another development, the Chief,

RoLS shared the assessment mission study in West Darfur (covering Mornei, Beida, Habila and El-Geneina) with the Office of the General Prosecutor in El Geneina. The prosecution offices have been operational since 2015 in all 7 localities of West Darfur, despite very difficult conditions due to inadequate logistical support. The General Prosecutor Office hopes that an increased deployment of prosecutors would be made in the light of the expected new recruitment of prosecutors for the whole of Sudan. He requested for UNAMID support in the training of prosecutors and indicated that the new initiatives taken on the National Dialogue will reduce political interference in the rule of law efforts and pave the way for a better protective environment. ■

Trial Monitoring

SORTONY CASE: The RoLS continued to monitor the Sortony case involving the above mentioned trial of 2 Rezaian Arab men who had attacked, killed 8 IDPs (adult males, including two male children aged 7 and 5 years) and injured an unidentified number of IDPs working in their fields. The incident occurred in May 2016 in an IDP camp outside of Sortony town, near Kabkabiya. In June 2016, the case was sent to the Special Criminal Court in El Fasher. The court examined a UNAMID Police Advisor, as a witness for the prosecution on 28/3/2017. The hearing was adjourned to 17 April 2017, for examination of other prosecution witnesses. After adjournment of the trial to accommodate a new

judge assigned to hear the case, the trial was reconvened in the entire last week of April where the court examined witnesses including those who were injured in the incident. The next hearing date was scheduled for 11 May, 2017. RoLS and the Human Rights Section facilitated the travel of witnesses from Sortony by UNAMID special flight on 27 April 2017.

On 11/12/2017, the trial continued and in this session, the defense lawyers submitted a document and affirmed that it has been issued from the Military Headquarters to prove their allegation that the accused persons are affiliated to the Military Institution in Kutum since 2005. The defense first raised the point of immunity of the accused being part of the GoS armed forces on 28 September, 2017, by attempting to tender a document to this effect. The Special Prosecutor then objected to the tender on the ground that the document did not meet the basic formalities required by the law for the tender of official documents and that the defense had not raised the fact that the 2 accused were military men in the proceedings before this. The court on this trial date on 11/12/2017 is satisfied that the tender had met with the formalities required by law as it was issued by an official institution, the Military Headquarters. The defense lawyers for the 2 accused are now required to submit their written pleadings on 21/12/2017, after which the court will fix a date for the final judgement.

Comment: It is observed that the affiliation or membership to the GoS armed forces has made a successful prosecution close to impossible under Sudan laws (the National Security Forces Act, the Armed Forces Act and the Police Forces Act) as these laws offer immunity from criminal prosecution. This means that no criminal action can begin against a member of the armed forces unless the immunity has been waived by a superior officer. It is unsettling that the fact of such immunity and the evidence was not raised in the investigation stage or at the beginning of the trial which raises a concern on the bona fide (good faith) nature of the document as it was tendered “af-

ter the fact”. That allegation of mala fide (bad faith) was not raised by the prosecution and the court had accepted the tendered document on face value. There is also no attempt made by prosecution for a waiver of immunity in court upon the successful tender by defense lawyers. It remains to be seen how the judge will view the ‘late tender of immunity’ on the facts and evidence in his judgment.

AZERNI MURDER CASE OF MASALIT TRIBESMEN: The National press reported about a Special Criminal Court in El Geneina which delivered death sentences to five Arabs accused for the murder of two Masalit tribesmen while they were working on their farm at Azerni locality near El Geneina. The Rule of Law Section is making a follow up to obtain detailed information on the case which may constitute a test case in addressing cases of impunity.

CHILD RAPE CASES CONVICTIONS: Information on two convictions on children rape cases from El Fasher; in one case the accused who raped a 17 year old girl was sentenced to twenty years imprisonment and in the other case of rape of a male child of 5 years by a youth of 17 years, the accused youth was sent to reformatory for two years and the court ordered the family of the accused to pay a fine to the victim.

In April, 2017, RoLS Sector West was informed of a case involving 2 accused of Arab ethnicity who had been convicted of the murder of 2 people of the Msaliet and Tama tribe on 2 April, 2017, and sentenced to death. The incidents took place in Foro Baranga locality in West Darfur on 24 November 2016 and on 26 December 2016. RoLS met with the 2 defense lawyers for the accused and the court administrator. The lawyers promised to lodge an appeal against the sentence.

Comment: Both cases were handled by the Special Prosecutor and both the prosecutions and convictions are important signals in stemming the tide of rising impunity and a return to the rule of law. In May 2017, a Special Criminal Court in Nyala, which is not part of the Special Court for Darfur

Crimes, sentenced two accused who were charged with robbery (carjacking at gun point) of a car rented by UNAMID in January 2016 in Nyala to 10 years imprisonment. They were arrested two days after committing the crime and were tried on 1 March 2016, found guilty and sentenced to three years imprisonment. However, upon appeal against the sentence by the Special Prosecutor for Darfur Crimes, their sentence was enhanced to ten years imprisonment and payment of a fine.

IN MAY, 2017, the Special Criminal Court in Nyala sentenced to death, a 24 year old man, charged with rape and murder of a 6 year-old girl under the Child Act 2010 and the Criminal Act 1991. The incident occurred in Hai Al Wohda locality west of Nyala Central Prison, and prosecuted by the Special Prosecutor. The victim had gone out to buy milk from a shop about 80 meters from her family house in the morning on 15 May, 2017 and did not return. Her absence was reported to police who searched the shop and found the body of the girl. The trial commenced on 24 May 2017 and in a one-day session, the court found the accused guilty of rape and murder under Sections 45B and 86 of the Child Act 2010 and Section 130 of the Criminal Act 1991. The Doctor in his evidence in court confirmed that the victim died of rape and suffocation.

A TRIAL involving 5 Sudan military personnel, who were accused of robbery of property and livestock in the Sirba locality, was heard in West Darfur. The 5 accused raised the issue of immunity as members of the military (Article 34 of the Armed Forces Bill 2007 provides immunity for the acts of the members of the armed forces in discharge of their duty). The case was adjourned to 5 June for examination of witnesses. However, upholding immunity in a case of common criminality remains a challenge to the judiciary in Sudan, since the issue of immunity of the GoS armed personnel while discharging their official duties, has been a contentious for the Darfuris and the Rule of Law institutions in the unresolved cases of crime under the DDPD. ■

Construction of Child and Family Court in Zalingei



UNAMID SC HoO with the heads of the Judiciary in Central Darfur

Central Darfur was established as a new State on 10 January 2012 after signing of DDPD. Previously it was part of El Geneina, West Darfur State as such most of the state institutions in the newly formed state were dependent on El Geneina West Darfur. The rule of law institutions was not an exception. As a new state, Central Darfur is missing several institutions to strengthen the rule of law besides the locality still being affected by the conflict between GoS and SLA in Jebel Marra with a large population affected by inter-communal conflict such as Salamat and Misseriya in Um Dukhun. To comply with existing policy regulations of the country, it is important to note that the Government of Sudan has taken some measures to improve the national juvenile justice system including the ratification of the Child Act in 2010 on the establishment of family and child protection units, as well as the family and child court. Due to lack of infrastructure for the family and child court, the entity usually used the same judicial facility in Zalingei, which due to several years of neglect was rundown and in a state of disrepair. The absence of the family and child court, including waiting rooms

affected effective and user friendly service delivery for family and children who come to seek for different legal services. As a result, Zalingei communities and its surrounding areas have been suffering from lack of services from the court for a decade.

In October 2016, in an effort to address the challenges, the chief of the Judiciary requested the UN Mission to support the construction of a child and family court in Zalingei. The construction of the child and family court funded by UNAMID QIPs in collaboration with Al Nahda Organization for Development and Gender Studies (a National Non-Governmental Organization) was undertaken. The successful completion of the project in March 2017 has improved the quality of services for families and children attending the court. In addition, the project has created a convenient working environment for the legal practitioners leading to increased motivation, which is an important ingredient in the effective and efficient delivery of justice.

The handover ceremony in April 2017 was attended by representatives from Ministry of Social Welfare, Judiciary, Director NISS, UNICEF, Sector Police Commander and

the Umda of Zalingei town. The HoO appreciated the state chief of Judiciary for his support that led to the timely and cost effective implementation of the project. He also stated that, the project contributed to the protection of civilians which is one of the mission mandates that support the GoS to implement their mandate in the justice department.

The Chief of Judiciary commended UNAMID for the continued support for the Judiciary recalling the previous projects on rehabilitation of Zalingei court and rehabilitation of Zalingei public court. He also appreciated the training of the rural court judges in 2015, an activity that has contributed to peace and stability in the State.



The newly built family and child court in Zalingei Central Darfur State



UNAMID HoO Sector Central, RoL and CAS with the heads of the Judiciary and Native Administration in Central Darfur State Mandela Day Celebration



Senior GoS officials at the Mandela day event i.e Deputy Chief Justice, Sudan Police Commissioner General and his counterpart from Prisons (Maj.Gen.Hatim Elnour Aldelgadair Adam) during the Mandela Day Celebration.

Further, it has strengthened the capacity of the juvenile justice system players in applying restorative justice standards more effectively when dealing with children and young people in conflict with the law. In recognition of the special needs of the children, the facility offers an appropriate place for redress between parents and children, in addition to psycho-social support particularly to children whose parents are experiencing divorce or separation and are in need of an appropriate place to seek professional counseling.

RoL and GoS prison authorities participated in the organization of the Mandela Day celebration, held in Khartoum in July, 2017. The event was attended and officiated by the Sudan Police Commissioner General and other senior GoS officials including the Deputy Chief Justice, the Director General of Sudan Prisons and Reform, representatives of NGOs, human rights organizations and UNAMID team led by Chief Rule of Law Section and the Senior Corrections Advisor. On this day, National Prison

Services worldwide commemorate their commitment to the UN Standard Minimum Rules (renamed Mandela Rules) for the treatment of offenders in prisons. In his welcome note, the Commissioner General of the Sudan Police Forces stated that Sudan was committed to ensure that the Mandela Rules are applied in the treatment and care of offenders through out detention facilities and that a strategic plan (approved by the GoS Council of Minis-

ters) was being implemented with one key component being the establishment of four modern reform centers including Nyala Reform Complex in South Darfur which is currently under construction. He went on to underscore the fact that despite GoS commitment to improve detention conditions, there was still a lot to be done and that GoS is committed to taking the lead.

The Director General of Prisons and Reform promised

to re-open the Prisons College (in Khartoum) to enable specialist officers to be trained before their deployment to various prison institutions. The training programmes will focus on the strategic and operational development of Prisons in Darfur and how the joint efforts of GoS and other stakeholders can help improve prison conditions.

The UNAMID Chief, Rule of Law Section reflected on the Mission's support towards the realization of the aspirations of the Mandela Rules as it relates to peace and security in Darfur. The rules are of significant value and influence as they guide the development of prison policies and practice which provide a roadmap for prison reforms. Emphasis was made on the need to uphold transparency and accountability in the management and operations of prisons in order to contribute to the rule of law and protection of civilians within the communities where released offenders are reintegrated. GoS released one thousand six hundred and sixteen (1,616) well behaved inmates to help decongest the prisons to mark this day during which the Directorate of Prisons and Reform also organized sports competition for inmates. ■



Captain of the winning team of the football games lifting the trophy during Mandela Day Celebration

Capacity building – a key component towards re-establishing the Criminal Justice Chain in Darfur

Towards re-establishing the criminal justice chain in Darfur, UNAMID's Rule of Law Section (RoLS) undertook a two-week capacity building workshops for one hundred and sixty (160) newly recruited prison officers in year 2016/2017 (in Sectors North, South, West and East) on human rights and basic prison duties including the implementation of Standard Operating Procedures (SoPs) recently developed with technical advice from RoLS covering a wide range of prison issues. These trainings help equip the new prison officers with the necessary skills and knowledge on the application of SoPs on the treatment and care of prisoners in accordance with the Mandela Rules, 2015 and to enhance the capacity of prison officials to handle offenders humanely and

with respect for their human rights and dignity. RoLS also undertook outreach workshops and trainings for prosecutors and police investigators in North Darfur in El Fasher and in El Geneina - West Darfur, aimed at sensitization on International fair Trial standards, Investigations, and ensuring the independence and impartiality of prosecutors.

The RoLS continued to conduct training prison officers on the implementation of the Standard Operating Procedures. A total of 360 officers were trained 180 of the trainees were new recruits while the other groups comprised serving officers who were trained from their respective localities in all the five sectors in the region.

The section also focused on the extension of state authority pillar in its

mandate by provision of the critical interventions of institutional building through equipping GoS and in particular prison officials with advisory and mentoring support to enhance long lasting management and operational capacity of the prisons institutions including technical support in the development and implementation of the Darfur Prisons' 5 years (2014-2018) Strategic Plan; training and capacity building of staff; establishment of livelihood skills training ventures for prisoners towards their rehabilitation and community reintegration upon release; infrastructure upgrades to improve prison conditions to make them humane, safe and secure and development of key strategic documents towards professionalizing the prison system. ■

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