

Political Participation In Sudan

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Introduction

The rights to political and public participation play a crucial role in the promotion of democratic governance, the rule of law, social inclusion and economic development, as well as in the advancement of all human rights. The right to participate directly and indirectly in political and public life is an important element in the empowerment of individuals and groups and one of the key elements of human rights-based approaches to the elimination of marginalization and discrimination. The rights to participate are closely linked to other human rights such as the rights to peaceful assembly and association, freedom of expression and opinion, the right to education and the right to information. Equal political and public participation faces obstacles in many contexts. Such obstacles may include direct and indirect discrimination on grounds such as race, color, descent, sex, language, religion, political or other opinion, national, ethnic or social origin, property, birth, disability, nationality or other grounds. Even where there is no formal discrimination with regard to participation in political or public life, unequal access to other human rights would impede the effective exercise of political participation rights.

International human rights mechanisms have noted that women, indigenous peoples, minorities, persons with disabilities, human rights defenders, non-citizens and other marginalized or excluded groups and individuals often cannot participate fully in political and public affairs on an equal basis with others. The impact of this barrier is exacerbated where the grounds of discrimination are multiple or intersect. (16)

This report deals with the obstacles, challenges and stages of exclusion facing Sudanese political actors since 1956 in general and not in detail; however,

focusing on the period of Salvation rule until the outbreak of the December 2019 Revolution. The report also addresses the geography of Sudan as a whole under the issue of exclusion from political participation.

The report is concerned with defining terms and concepts related to political participation, such as marginalized groups and indigenous groups. In addition to pointing out the groups that have been excluded and discriminated against in the political domains and executive institutions, in view of regional, gender, ethnic, religious, cultural, class and social intersections. The report examines various forms of exclusion and discrimination experienced by marginalized communities and minorities, motives and causes; while suggesting that democratization in any society needs a number of drivers of which some are top-to-down factors such as modification of legislation, establishment of certain institutional procedures, or policies modification; while others are down-to-top factors, such as through societal change by organizing people around their interests, spreading awareness, or provoking public debate on issues of concern to citizens and related to their daily lives. Accordingly, the importance of supporting political participation and therefore how exclusion from organizing and participation in public spaces and decision-making affects life conditions. The report also discusses media and civil society organizations role in advocating, encouraging and supporting political participation.

The research team relied on primary sources by conducting a series of interviews with a number of experts, activists, human rights defenders and affected stakeholders, as well as secondary sources (books, reports, articles). The report concludes to some recommendations to reform injustice, entrench the right to political participation at community level, and address structural and institutional injustice.

Concepts/Terminology

1. The concept of political participation

Political scientist Majid Yahiya defines political participation as "the right that renders individuals entitled to contribute and participate in governing themselves, including what they exercise in practical life from participating in different types of elections and referenda, as well as the right to run for membership of elected bodies and councils, and finally the right to employment and in general participation in decision-making issued by state agencies and security authorities." (1)

Political participation is also defined as "the process of engaging and providing opportunities for citizens and groups to practice political activity according to the realities, whether the mechanisms of participation are for the purpose of support or opposition. It is concerned with the structural aspect of governance systems and the preparation of societal rules to contribute to raising and implementing demands and controlling and submitting political decisions." (2)

Furthermore, the Dictionary of the Social Sciences defines participation in the political sphere as: "It denotes the participation of citizens in the discussion of matters in a direct way in the activity of organized and stable groups indicating the high status of the individual, whereas the electoral participation only occurs at intervals and does not require any organizational effort from the average citizen." (Ibrahim Mazkour, 1975, p. 545)

2. Marginalized groups

Minority (also: minority group) is a term referring to a group of people with a distinct identity different from the majority which hold the most positions of power and privilege in a society. Minority is sometimes used to refer to power relations between two groups: the first dominant and controlling, and the other secondary and subordinate. Minorities are discriminated against and treated differently from the majority. The term "minority" is often used in civil and collective rights discourses.

A minority can refer to a group of people based on different backgrounds, such as: race, religion, language, geography, gender, sexual orientation, marital status, economic status, special needs, and political position. From an intersectional point of view, an individual can have two identities; One identity belonging to the minority and another belonging to the majority, based on the intersection of different social classifications. (For example, if a man is a Christian in a patriarchal Muslim society, then being a man entails that his identity belongs to the majority on the one hand, and being a Christian, his identity belongs to the minority on the other.) Minorities are often given multiple names that indicate their roots, origins and social identity, such as: community, class, sect or group) (16).

In most countries, members of minorities remain underrepresented in political and public processes and institutions of government "either because of a persistent and deliberate effort to limit their participation, or due to unintentional inequity in a variety of laws or policies, or owing to weak political will in society at large to remove structural obstacles to the full and equal participation of minorities in public life" (A/HRC/13/25). Guided by article 27 of the International Covenant on Civil and Political Rights, the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic

Minorities sets out minority rights and obliges States to respect, protect and promote these rights. Article 2.2 of the Declaration states that "persons belonging to minorities shall have the right to participate effectively in cultural, religious, social, economic and public life". This provision was interpreted as containing rights relating to the right to vote and be elected, to hold public office and to participate fully in other political and administrative activities, as well as through access to minority associations and the establishment of free contacts both within and across the State (15) (E/CN.4/Sub.2/AC.5/2005/2, paras. 36 and 37).

3. Indigenous communities

Indigenous communities, peoples and nations are "those who, having historically viable societies on their territory developed before the conquest and before colonialism, consider themselves distinct from the societies now prevailing in those territories, or in parts thereof, and are presently non-dominant groups in society, determined to preserve, develop and pass on to future generations their ancestral lands and ethnic identity as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and systems." " (Martins Kubo - 1984).

Indigenous peoples worldwide are estimated between 300 to 500 million. (5)

4. Denial of political participation

Equal political and public participation is hampered in many contexts. Such obstacles may include direct and indirect discrimination on grounds such as race,

color, descent, sex, language, religion, political or other opinion, national, ethnic or social origin, property, birth, disability, nationality or other grounds. Even where there is no formal discrimination with regard to participation in political or public life, unequal access to other human rights would impede the effective exercise of political participation rights. Women, indigenous peoples, minorities, persons with disabilities, human rights defenders, non-citizens, and other marginalized or excluded groups and individuals often cannot participate fully in political and public affairs on an equal basis with others. The impact of this barrier is exacerbated where the grounds of discrimination are multiple or intersecting.

A glimpse of contemporary political history

The alumni conference in 1938 formed the nucleus of resistance against English colonialism. Following independence, the parties failed to agree among themselves on any compromised formula upon the constitution and the system of government. This dispute continued for several years after independence. They failed also to provide a solution to the problem of South Sudan. Seizure of power by the army led by General Ibrahim Abboud on November 17, 1958, constituted the first defeat to multiparty system in Sudan and the prelude to a long series of military coups that marked the country's history. The first military rule had formed a technocratic civilian government. However, following deterioration of the situation in the south, the parties spoke out against the policies of the Abboud government through statements of their leaders and seminars of their cadres, especially in universities and higher institutes. The socio-political mobility started at the University of Khartoum in October following

the police shooting of the student Ahmed al-Qurashi Taha during a student assembly. Al-Qurashi's funeral procession turned into a demonstration attended by about 30,000 people, followed by similar demonstrations in other large cities across the country. Lieutenant General Ibrahim Abboud announced the resignation of his government and the dissolution of the military council, and agreed to form a transitional government headed by Sirrulkhatm Alkhalifa. Lt. General Abboud remained as head of state until pending replacement by a five-member presidential council to begin the second democratic term.

Military rule ended in October 1964, and party life was reinstated in Sudan for the second time. During this period, alongside the Southern Sudanese other movements entered Parliament representing forces from the peripheries, most notably the Beja Congress in eastern Sudan, which won 10 seats, and the Nuba Mountains Union in South Kordofan. Whereas the Umma Party was divided into two wings: Sadiq al-Mahdi wing and the Imam Hadi al Mahdi wing (Sadiq's uncle), the two Khatmiyya sect parties united under the name the Democratic Unionist Party, while the opposition South Sudanese SANU Party made it to the Parliament with 15 seats and the Southern Front with 10 seats. Leftists and communists were absent from parliament.

Dissolution of the Communist Party

In 1965, the Muslim Brotherhood accused a member of the Sudanese Communist Party of insulting Islam in public. The demonstrations calling for the Sudanese Communist Party dissolution ended with the Government raising the issue in Parliament, which overwhelmingly approved a draft resolution calling for the dissolution of the Communist Party, the prohibition of its activities, the expulsion

of its representatives from Parliament for the party's atheistic ideology, and the amendment of the interim Constitution in a way that would allow the implementation of the decision that was not possible under the Interim Constitution.

The Communist Party resorted to the Supreme Court and filed a lawsuit against the legitimacy of the government's decision, which ruled in its favor, confirming the unconstitutionality and nullity of the government's decision. However, Sadiq al-Mahdi's government ignored the Supreme Court's ruling and proceeded to implement its decision. In a move to circumvent the ban, the Communist Party participated in the January 1967 general elections under the name of the Socialist Party.

Just like the October 1964 protests starting in a simple spontaneity which quickly developed into a total civil disobedience compelling the military to cede power, the April 1985 protests began with simple spontaneous demonstrations against recent hikes in prices set by the government for some commodities, including sugar. The demonstrations of "bitter sugar" as it was called quickly had developed into continuous strikes and protests despite the government's retreat from the new pricing. The General Command of the army was forced to intervene to avoid deterioration of the security situation and spread of chaos for the shaky government headed by Vice President Omar Mohamed al-Tayeb who was unable to contain the crisis while President Gaafar Nimeiri was outside the country on a visit to the United States. Some of the army's top brass commanders met at the General Command on April 5 and it was agreed to side with the street protestors to spare the bloodshed. The Transitional Military Council comprised all corps commanders to ensure securing the capital. On the morning of Saturday, April 6, 1985, General Abdul Rahman Swar al-Dahab, Minister of Defense and

Commander-in-Chief of the People's Armed Forces, announced the seizure of power and the end of President Nimeiri's rule.

In a unique precedent, Lt. Gen., Abdul Rahman Swar Al-Dahab had the pledge he had made to the citizens of the one-year transitional period fulfilled, and voluntarily relinquishing power without any political or material compensation. Elections took place on time and won by the new Umma Party led by Sadiq al-Mahdi, leading ahead of other parties and assumed the presidency of the Council of Ministers, while the Democratic Unionist Party came in second place, which was led by Ahmed Al-Mirghani and assumed the presidency of the Council of the Head of State. The National Islamic Front Party and its leader Hassan al-Turabi assumed opposition, leading its ranks in the parliament. Swar al Dahab handed over power to the new civilian government.

Instability marked the third democratic period, with five coalition governments formed in four years. The Democratic Unionist Party (DUP), which left the coalition government, signed a peace agreement with the Sudan People's Liberation Movement (SPLM), which was achieving military victories as a result of military aid and political support from Ethiopia and some African countries bordering Sudan. The agreement stipulated for a ceasefire and the lifting of the state of emergency in order to pave the way for a general constitutional conference, preceded by a freeze on hudud punishments (Islamic law or September laws as they were called) or replaced by other new laws.

In 1989, the Islamic Front staged a military coup under the name of the National Salvation Revolution. A coup whose political orientation was not known in the begining. Then the Islamic Front, led by Hassan Abdullah al-Turabi, emerged. As a result of the policies of the new Sudanese government, its foreign relations deteriorated and Sudan was boycotted.

As a result of the National Islamic Front radical policies, and its focus on its religiously waged wars in South Sudan, and the spending on the military and security establishment, armed movements have emerged against the policies of arming ethnic groups against each other and unbalanced development. These movements include: The Sudan Liberation Movement (SLM/A), one of the main political and military movements in Darfur, established against injustice in the Darfur region and other marginalized areas across Sudan. The original head of the movement was the lawyer Abdul Wahid Muhammad Nur, while Commander Minni Arko was its secretary-general. However, in 2004, following the Haskanita conference, the movement split into two parts: one led by Minni Arko and the other led by Abdul Wahid Muhammad Nur. Also prominent is the Justice and Equality Movement (JEM), founded in 2001 under the leadership of Khalil Ibrahim, a former minister in Bashir's government. The movement, which is believed to have been receiving direct support from some groups affiliated with the Popular Congress led by Hassan al-Turabi, has seen numerous defections in recent years. In the Blue Nile and the Nuba Mountains, the SPLM-N also witnessed a divide after splitting into two wings, one of which was led by Abdul Aziz Al-Helou and the other led by Malik Aqar. The Eastern Sudan Peace Agreement, aka Asmara Agreement or the East Peace Agreement is an agreement signed between the Government of Sudan and the Eastern Sudan Front in the Eritrean capital Asmara under the auspices of the Eritrean government on October 14, 2006, ending 13 years of armed action on the country's eastern border.

Political participation in the 2005 Naivasha Peace Agreement and the current transitional period

Political activist **Hussein Harran** says in his interview with Adeela's team:

"In that year, 2005, the war in Darfur had exacerbated, in the sense that the government after stopping the war in South Sudan had had all its war machine directed to Darfur. Groups there were against authority, so they were not only excluded, but were also subject to bombardment, directly attacked by weaponry, and suffered arbitrary arrests, restriction of movement consequently of trading. Taxes and customs duties have, furthermore, increased. As for the Transition period, I say frankly, the National Congress Party power did not go completely as there was some sort of political settlement; They exist until now the same old mentality of the post-colonial Sudanese elite (1956), i.e. the exclusion still persists and marginalization continues. Even those who are currently seizing power could not get over their consideration of all of Sudan as marginalized, forgetting there are specific groups and geographical areas that have been excluded more than others, and there is an imbalance in political representation and direct political participation."

As a result of wars and its consequential focus on military mobilization and spending, public education was and still is available only for specific groups, and mostly available solely in cities and some villages. Furthermore, the official state media was ordained to be the mouthpiece of the state in its war against citizens.

The coerced migration, isolation, displacement and push to asylum to which multiple groups have been subjected due to the non-stop fight have led to the denial of political participation. Due to displacement within Sudan and changes into the demographical settings, conflict and disputes arisen between IDPs and indigenous people in some areas. IDPs were also disenfranchised and exposed to many obstacles pertinent to political participation in public spheres and access to decision-making necessary to provide basic needs; hence, the deprivation of

health and educational services generates distrust in politics, so distancing may be an option for some.

Also, we might have our attention drawn to the fact that the decision rendering education in Arabic compulsory for all male and female students, as a form of exclusion for the groups which do not originally speak Arabic.

Labor laws that discriminate against women and a promotional system that is biased for men constitute a barrier to presence in public domains, added to the lack of supportive policies towards women's work, such as the availability of nurseries and determining times and venues of meeting, or considering alternate working hours from home.

Political participation and its intersections with identity politics

Persons with disabilities have the right to participate fully and on an equal basis with others in public and political affairs. While guarantees to rights of participation are per se important, they are also crucial in addressing exclusion, marginalization and disenfranchisement that persons with disabilities continue to face in all spheres of social, economic, cultural and political life.

Indigenous peoples are among the most excluded, marginalized and vulnerable groups in society. Discrimination against indigenous peoples negatively affects their ability to freely determine the orientation of their communities or participate in decision-making on issues affecting their human rights (15).

Wafa Adam Mahmoud Saleh, 43, a women's rights, gender and feminist activis, said:

"Political participation in the Sudan is concentrated on sons and daughters of the elite, the upper social classes and part of those middle classes who have benefited from their social status and capitalist positions; and some of the marginalized classes in the position of resistance, which are considered a rebellion against governments while it is a mere departure from marginalization and the lack of equitable wealth power-sharing. This is evident in areas of armed struggle movements, such as Darfur, Blue Nile, South Kordofan, the Nuba Mountains, and the southern states prior to the secession of South Sudan."

"Victims of marginalization are from the same ethnicities found in the above said areas. There is, however, regional marginalization represented in the concentration of power and politics among certain tribes in the same region, leading to strife, civil wars and genocide, as what happened to the Nuba tribes and tribes of Arab descent in Darfur. The wars of the South and the Nuba Mountains lasted for more than 40 years, and long before that was in place the colonial policy of closed territories. However, participation is as yet unclear. The process of exclusion from political participation affects people with different identities (gender, race, language, age, socioeconomic class) through blind policies and laws that do not take into account differences and diversity. For example, women are less involved in terms of participation– the discriminatory view – ethnicities that claim to be of Arab origin are more involved in participation than others and who do not speak Arabic as a mother tongue are less involved than those who speak Arabic," Wafa adds.

Zainab Mohammed Al-Hassan, a Medical Laboratories student at the University of Kassala, member of the Feminist Platform, adds:

"For me, as an individual from Eastern Sudan, lacking representation in power means that the authorities are not aware of my needs and priorities well and

rather deals with me with superiority without analyzing my situation, which is certainly very different from theirs. Sudan is not a state of one race, one shape or one ethnicity. We are in a country with multiple identities and religions. We must all be represented in the authority so that we can express ourselves, instead of being expressed about by others. For instance, we as women from Eastern Sudan have less educational opportunities and therefore we are deprived of opportunities to participate in public life which offers experience and from training and rehabilitation opportunities that push us forward and our state to progress. Also, the same applies to our society, which is considered a tribal society characterized by poverty, illiteracy and diseases: the three hypostasis that kill us! Even the chances that we will modify the form of our transactions and turn from tribal to civil are non-existent because we are not represented in power, our language is vague for the state, the media is still neglecting our presence. For us, the State per se, is a secondary entity; the first and foremost is the tribe, then the state comes, and so on."

The right to equal participation in public life for all is a fundamental feature of the concept of democracy, and the effective participation of all individuals and groups in political and public affairs is the basis for the realization of human rights and a key component of rights-based strategies aimed at eliminating all forms of discrimination and inequalities. (6)

According to Nahla al-Badri, the general coordinator of Women's Awareness Initiative, also activist in gender issues, political participation and local communities and minorities in the Blue Nile State:

"Political participation is going through a crisis as it is linked to religion, culture, ethnicity and tribe. There are no equal origins for political participation, one of the things that I work on is educating groups to have a minimum level of

knowledge of their rights so as to exercise them. So, the exclusion of these groups from political participation comes through ignorance. To me, for example, that all documents and government laws and legislation are all written in one language, which is Arabic, while the majority of the population of the region does not speak Arabic, this is one of the tools of exclusion in the sense that they are being excluded them from knowledge on rights, while justice requires that each and every one stands at the same distance from knowledge. Additionally, one of the practices that contribute to the exclusion from political participation is the lack of information and keeping citizens in the loop. Also, it has to do with religion."

Commenting on levels of political participation, Nahla said:

"Talking about political participation, we always think at national and state government levels, while it should actually start from the lowest and smallest government unit in the neighborhood, or service and development committees. It is from here upwards the progress should take place to the highest level; and each person may participate at each level according to their capabilities. Denial of political participation as we can see it, reflecting, for example, in the simplest ethnic group, such as the Maban, as more than 90% of Maban Children work in sideline jobs and are called *Shammasha* in the market places. They have no identification papers and are born without birth certificates, which deprives them of education and health services. Adding to them the kids of Gumuz and the Beach, even their next generations will be in the same situation suffering from marginalization. Rectifying this situation perhaps need more than fifty years, a direct impairment of exclusion from participation. Of course this also is applied to the countryside, for example, in Kadallo, people graduating from universities could be counted in one hand. Personally, until now I know only one person,

Mohamed Adam and also in Ingesana only Al- Sheikh and Mohammed Ramadan and very few who have taken refuge in refugee camps in Ethiopia to get the opportunities."

Political participation in the Darfur, South Kordofan and Blue Nile regions

1. Darfur

The conflict in Darfur began in 2003 and the Darfur region suffered from the negative effects of economic, political and social marginalization for many years, including the poor infrastructure, development and investment projects, and the huge lack in health and educational services, in addition to the spread of unemployment among young people, which prompted some of them to join rebel groups.

The Darfur region was excluded from political participation. We can say that roots to such exclusion began since the times of British rule and its unwavering efforts to impose control over the region's riches. Successive Sudanese governments followed heed, excluding citizens instead of enhancing opportunities for political participation and proposing the principle of equality.

To put exclusion in context, it is necessary to point out regimes' political projects and the way in which things were managed because the key stake in participation is to provide opportunity for societies to make decisions and implement them through representatives, but governments and all political forces of parties and organizations neglect the involvement of everyone to be monopolize politics and leave others to be represented with no authorization nor consent. (7)

In an interview with Harran, the political activist, **Hussein Harran**, he said:

"I have found that we have been living in exclusion since birth and that was no sheer feeling., as all the indicators point out to this. Available opportunities barely exist, even as regards education with its dire situation. These constitutes some sort of exclusion; infrastructure is lacking, and so forth". (8)

The injustice inflicted on the young Darfuris extends to universities, where they are subjected to arrests if not only institutional discrimination just because they are from Darfur. They even face an unfair bureaucracy if they think about establishing an association or group with political, cultural and other activity. Political activist

"After I joined university, the exclusion increased a lot because from the first year I was active in the public domain so I was under pressure. In 2015, I became president of the Darfur Students Association at the university, and the violations increased by the security apparatus because I am a political activist and then a Darfurian; here the exclusion is complex, because you are an anti-authority in addition to being from Darfur. We have been classified as one of the most militant groups against the existing authority. The *Kaizan* (Muslim Brotherhood) believe that the Zaghawa and non-Arab groups in Darfur, in particular, are the ones holding the most grudge against them, while they are the ones the most subject to abuse. For example, while in detention, they ask you, where are you from? I was arrested three times, the first of which was in the Middle Compound dormitory at midnight, where most of the students originate from the peripheries, coming from as far as the Gezira and Darfur. The second time when I was twice the president of the Darfur Students' Association, in 2015 and 2016; and the usual interrogation question about one’s tribe, where one’s coming from

and to which ethnic group does one belongs all just add insult to injury; and all are forms of exclusion."

2. Kordofan – Nuba Mountains

Ruling authorities in the country since the departure of the colonizer have been applying exclusion on others and the non-inclusiveness of all citizens in decision-making. For all those reasons mentioned above, the ruling National Congress Party has been keen since the first war in the nineties of the last century to extend its influence, impose hegemony and exclude all political and social forces representing an obstacle against the implementation of its plan drawn for the region through a series of criminal policies and practices against Nuba, the largest population group in the region which enjoys historical rights in it. It is seen as a group opposed in its visions and general orientations to the central idea emanating from the ruling elite and its accomplices from the people of central and riverine northern Sudan and the large margin. Arbitrary arrests have targeted enlightened Nubians with the intention of displacing and intimidating them.

The situation in the Nuba Mountains did not change following the expansion of the Naivasha Agreement in 2005, but rather worsened; and the National Congress Party deliberately continued looting money and wealth. The most important and largest of these irregularities was the falsification of the first census, which showed that the population of the state was 1,400,000 people. However, the supplementary census (re-counted) reached 2,508,268 people, a difference amounting to about the half. The falsification of the census was linked to the falsification of the electoral register of the state's national constituencies during the first elections of 2010. This complex fraud has resulted in the false

representation of the state's population at the national level and the erosion of their rights to wealth and power. (9)

3. The Blue Nile

The Blue Nile State suffered from the scourge of war, destruction and plundering of wealth and land; not to mention exclusion from political participation throughout the rule of the National Congress Party. 50% of the state's population was displaced or subjected to coerced immigration to other places where they lost basic and property rights, land, agriculture and economic resources, thus weakening their existence as displaced people and their right to political participation. Some communities entered into conflicts of this kind between the indigenous people of the region and the displaced and forcibly displaced. There is also a conflict as to who are the indigenous Blue Nile people as indigenous communities and thus banned participating. The reason for this conflict is the political polarization between the National Congress and the Sudan People Liberation Movement. (10)

Power-sharing formula in the state following the signing of the Naivasha Agreement in 2005, was 45% to the People's Movement and 55% to the National Congress. A division from the start constituting an exclusion to political forces and all other groups. Participation was contingent upon the political affiliation either to the Popular Movement or the National Conference. A study conducted by Ustaza Nahla Al-Badri on a sample of ten schools from East and North Rosaires revealed that only four students speak Arabic, which indicates the extent of marginalization and exclusion that the Blue Nile is exposed to in adopting the curriculum in Arabic.

Women and Political Participation:

There are multiple intersecting forms of discrimination that have a particularly negative impact on the free exercise of participatory rights. International human rights mechanisms have taken note of cases of discrimination against Roma women who have been denied the enjoyment of the rights of political and public participation on the basis of their minority status, nationality, gender. The situation of indigenous people with disabilities is another example of the negative impact of cross-cutting discrimination on the rights of political and public participation (E/C.19/2013/6). "These groups should not be seen as uniform or distinct. In order to understand the impact of discrimination on marginalized groups, it is important to acknowledge the different life experiences of groups and individuals belonging to them" (A/HRC/26/29, para. 13).

The duty to prohibit and correct discrimination applies to formal, actual, direct and indirect forms of discrimination in the public and private spheres. According to the Commission on Economic, Social and Cultural Rights, elimination of discrimination requires "in practice adequate attention to groups of individuals with historical or persistent bias, rather than merely comparing the formal treatment received by individuals in similar situations", which means that States are obliged, where necessary, to adopt temporary special measures to mitigate or eliminate conditions that favor de facto inequalities. These temporary special measures could include the adoption of a quota system to enable underrepresented groups, such as women, indigenous peoples, minorities or persons with disabilities, to exercise their right to participate on an equal basis in political and public affairs within legislative and other public decision-making

bodies.15 Sudanese women gained the right to stand for election and suffrage in 1964 after their participation in the October Revolution, but then their political participation weakened. Perhaps the most prominent reason for women's political participation is society's view of women as not fully citizens. Therefore, women's participation in the political process and decision-making is one of the biggest problems facing women in public life.

Wafaa Adam, a feminist with over 14 years of experience working on women's rights, human rights, gender, humanitarian accountability, social inclusion, grant management, networks, organizing, policy and advocacy, says in her interview:

"Political participation in Sudan is concentrated on the elite, the upper social class, part of the middle class who have benefited from their social positions and some of the marginalized classes in the resistance, who is considered a rebellion against the government while it is a departure from marginalization and the lacking fair power and wealth sharing." (11)

The civil war in conflict zones has left women homeless, with no breadwinners and subjected them to the worst conditions of life such as killing, displacement, rape and abduction. Women in Darfur were one of the main pillars of the region's pre-war productive process, but after the war destroyed their livelihoods, they turned to full dependence on assistance provided by the United Nations and international organizations.

Women in the camps continue to suffer from rape, physical violence, disease, lack of health services, poor education for schoolgirls, who are taken out of early classes to help their families work, and the severe psychological damage of losing relatives, husbands and children in the war. All this renders women in the camps

unable to think about anything but providing a living, let alone political participation and decision-making. Same situation applies among women in the East. Due to media absence, a major violation was practiced against them, and they became excluded from political participation. Women from Darfur, the Nuba Mountains and the Blue Nile are discriminated against because of their ethnic and geographical status and because they are women.

Halima Ishaq, Director of the Hadar Organization for Women and Children's Care and the activist in human rights, women, children and youth issues, said in her interview:

"In the context of the women's exclusion from political participation in the agreements concluded, we find the exclusion of women belonging to non-dominant ethnicities and vice versa during the election period, we find a very large crowd of women and marginalized groups to use their votes to win elections, i.e. exploiting women to win elections." (12).

"In addition, justice institutions in Sudan are designed for privileged people from distinct economic and social class, a certain geographical area and a sense of blocked justice. Their presence at public domains is not linked to criminal laws only, but also to the regulations and guidelines that exist within institutions and the civil service, where there is a certain limit for the advancement of women, adds Zainab.

Religious institutions have a major role in political exclusion. For instance, when Fatima Ahmed Ibrahim entered the parliament, religious institutions buzzed with her participation as they believe that a people who make a woman their ruler will never succeed. The quota system was not a success. Therefore, in one of the years there was that march by the former regime's affiliates to this effect (to be

able to take their rights in full). Professor Fatima Abdel Mahmoud did participate in the elections and her project was successful, however, she did not seem to be serious enough to run for presidency in Sudan. The society sees that (fine are her wordings, yet in the end she is just a woman)." (13).

Nothing changed after the revolution, as should women not already enjoyed a partisan membership, they cannot seize any opportunity to of political representation nor participation. Here rises a question as to whether all women had the same opportunities and capabilities to be members within parties. Otherwise this participation in its current form is incomplete. We can say claim that the patriarchal partisan institutions do not consider their structure, discourse and programs for women, but only add a "office of women's affairs" without going into discussions on home unpaid work and the responsibility of care and domestic work and the intersection therein with political participation.

How private domains affect public domains as part of political participation and the civic engagement in decision-making

In the Declaration of Freedom and Change Coalition, the process of excluding women continued from negotiations with the military council, as well as agreements and peace negotiations. The misleading, symbolic representation of certain women, however, did not add much. Even if there were women within structures, obstacles would have been placed before them such as deliberate evading from meetings or even scheduling and coordination of very late meetings. Azza Al-Rasheed, a Political Science graduate from Al-Neelain University, originally from Zalingei locality, active in public affairs, women and children's issues, peace issues and community coexistence, speaks in her interview:

“I did attend the Juba platform 2019 representing the civil society and we did fix the 40% quota for women, but what happened was the same as in Doha. Yesterday I had a television interview where I discussed the need for woman representation, a move none but the SPLM-N / Malik Agar has dared to take, which was Buthaina Dinar. The rest of movements did not bring forth any woman as minister or for the Sovereign Council, notwithstanding that all movements had women, i.e., the civil society. They did not make room for any woman. Also, the appointment of governors that took place two weeks ago, three governors were instated in North, West Darfur and the Blue Nile, but no woman was tenured."

Women's political empowerment is one of the most important pillars of IDEA's programs in Sudan. The program seeks to support initiatives aimed at promoting women's political participation and inclusion in all aspects of Sudan's democratic transition. This short documentary celebrates five stories about women's political participation in Sudan. It highlights the importance of expanding the concept of political participation, beyond mainstream political activities, to include all activities that demand economic rights. (17)

According to the article Women's Political Participation: An Introduction to Modernity18, municipal elections represent an opportunity for women to assume more political responsibility at the local level as a prelude to a greater positioning in decision-making at the national level. Therefore, the drafting of a municipal electoral law that adheres to the principles enshrined in the Constitution, ensuring equality between men and women, would contribute to the consolidation of women's effective political participation and act as a starter for eradicating the dominance of patriarch mentality. Forces of modernism no longer confront the traditional forces within society, the state and the regime, as this confrontation does not cost much as evidenced by the democratic, political

and human rights gains that have been achieved by the struggle. Rather, confrontation has become inevitable and fierce against the forces of the Islamist regime that penetrate the state and society to gain their power. Therefore, it is necessary to intensify efforts and gather forces between components of partisan and civil modernist forces to confront the reactionist torrent of human rights, and rehabilitate their organizational and cultural structures to carry out the tasks of spreading the culture and values of modernity and human rights and raising the younger generations on them. Here comes the central role of women within the family and in the field of work, as well as within elected institutions and in their social environment. Not every political participation of women serves modernization and democratization. Women of the Islamist movement are present in legislative institutions, but they perpetuate tyranny and support legislation that confiscates women's rights. Therefore, the conscious political participation of women remains the real gateway to the modernization of the structures of the state and society. The status of women remains a real criterion for the extent of modernization and democratization within any society.

Political Participation and Youth

Forming the political awareness of young people, especially in how to involve youth in decision-making and take responsibility in party structures, we notice a kind of objective barriers to the process of renewing elites, and allowing more space for young people to express their opinions, ideas and ambitions. Large groups of young people face obstacles and choose to withdraw from political action, as this reality is a lack of trust in the discourse and practice of the political actor. At the same time, we note that there is an increasing involvement of young

people within civil society organizations because of the opportunities it provides in supervising and strengthening the capabilities of young people in an atmosphere of innovation and leadership, while parties still rely on classic mechanisms towards youth. How can the offer of political parties be reconsidered? (19)

Young men and women are systematically marginalized due to their young age, limited opportunities and lack of experience. The presence of young people in decision-making positions benefits society as a whole, Sudanese society We find the exclusion of young people in conflict areas, the reluctance of young Sudanese to participate in politics because of parties and their long-term conflict and their extreme failure and lack of renewal of their life phases, youth were an indirect reason for the exclusion of young people.

The Security Council's Resolution 2250 of 9 December 2015 comes to encourage the participation of youth in the process of peacebuilding, security and decision-making, making youth and youth leadership institutions an essential partner to confront extremism and violence, and move from conflict to peacebuilding at the local and international levels.

- Youth participation in decision-making.
- Partnership: Youth interaction with the government.
- Protection: Activating a mechanism to protect civilians, including youth.
- Prevention: Allowing young people to establish activities to build an environment that rejects extremism and promotes a culture of tolerance.
- Disarmament and youth reintegration: removing youth from militias by providing better opportunities.

Reasons for young people's refrain from politics and joining parties (20)

Field studies conducted by some organizations where young people themselves pinpoint a set of factors that limit their political participation, which can be summarized in the following points:

- Absence of political representation of young people due to lack of democracy within partisan institutions.
- No clearly defined partisan platforms that distinguish one party from another, motivate and give due attention to the youth segment.
- Meagre or non-existent opportunity offered for young people within the political parties to run in legislative and local elections.
- Young people feel unable to participate and influence decisions and laws that regulate how to exercise their rights to living, life and politics.
- Parties' political platforms lack due attention to the youth segment and their aspirations.
- Prevalence of illiteracy and poverty, especially among young people, play two key roles in their reluctance to participate in political life, as the satisfaction of the basic needs of young people, such as finding suitable job opportunities, marriage and building their independent life, is not achieved, which negatively affects young people's voluntary work, starting and ending with political participation.
- Poor democratic culture among young people and the gap between political knowledge and political participation.
- The weak role of media in general, official and partisan, and the inability of the media to broadcast values or put forward behavioral models that feed into democratic practices as the media moves from top to bottom without

getting feedbacks, in the sense of transferring reactions of the base to the top and communicating their aspirations to political leaders.

- Factors related to youth's culture of a lost trust as to the significance of political participation for the individual or the society.
- There is a general sense of lack of seriousness in regard to political reform, elections' fairness and the efficacy of participation.
- Absolute distrust of free participation and a widespread belief that those who freely express their opinion gets hurt.
- Poor political and social awareness and the absence of proper socialization that urges young people to participate positively, and even fear on the part of most families from politics and their flagrant opposition to their youngsters' interest in politics, and any form of political participation.
- Lack of curricula dedicated to democratic culture and awareness of political participation.
- Absence of specialized democracy institutes that educate students and the public, as in many democratic countries.
- Lack of sound democratic rules in the formation and management of parties, organizations and student unions at schools and universities, hence denying young people the opportunity for political training and effective political upbringing.
- Lost trust in many icons of political action and accusing some of them of corruption.
- The large generations gap and the control of a generation of older guard over the leadership of important parties and institutions, and the lacking opportunity for young people to participate effectively, all created a sense of desperation.

In general, damages resulting from exclusion off political participation:

- Certainly, the damage of a deteriorating economy, inflation and lack of job opportunities. Most of the groups that suffered from wars lost their main source of income, agriculture or others, which led to the deterioration of the economic conditions of these groups.
- The psychological and moral damage suffered by children from aerial bombardment to seeing death and destruction; and the psychological effects on women and girls, especially if they are survivors of rape crimes, sexual and physical abuse; and the strong psychological trauma to men and combatants on the battlefields.
- Denial of participation in decision-making and public participation
- Social conflicts resulting from wars, creating a state of injustice towards other groups in addition to creating social hierarchies among citizens.
- Inequity in the provision of sustainable development opportunities and sometimes centralization of development. There is a perception to explain this concept through (The Hamdi Triangle), by which I mean Abdel Rahim Hamdi, the former finance minister during the Bashir's rule, who has laid a developmental plan in Sudan exclusive for the triangle that comprises Kosti in the White Nile, Al-Obied in North Kordofan to the Northern state and then Gedaref, believing that these are the areas where development should take place; thinking that it is difficult for the rest or remaining areas to stay unified under one Sudan. Therefore, there is no need to waste resources to develop such areas; not to mention that these areas are similar and with overlapping ethnicities and harmonious with each other and that all the problems of Sudan since 1956 are due to areas outside the

Hamdi Triangle. This was stated by Hamdi when asked in the media. He did not deny the claim but rather said it expresses his personal opinion. Yet it is the state's vision.

- Lack of opportunities for positive discrimination, even in light of the recent political transformations in favor of the groups that have been subjected to historical injustice; because the opportunities to politically participate is limited to the elite.
- Failure to allow for the political participation or participation in decision-making means failure to provide basic health, education and other services to the marginalized and invisible groups.
- Child labor: wars in different regions resulted in the displacement of large groups, with the deteriorating economic conditions, increasing the phenomena of displacement and child labor; the failure of the state to assume its responsibility towards them makes the cycle continue: displacement, economic deterioration, unemployment, and lack of health, security and education. This leads some to join armed groups and militias, as happened to children conscript with the Rapid Support Forces (RSF). Also, the lack of identification papers depriving those children recognition as citizens and consequently the deprivation of education, jobs and others.
- Increased rate of violence at public streets -the emergence of gangs called "Tisa'a Taweela" (the lengthy 9)- and domestic violence; we recall the case of Mawadda, who was killed in a mosque when she was eight months pregnant by her husband belonging to the armed movements.

The impact of laws on the process of exclusion from political participation

Article 25 of the International Covenant on Civil and Political Rights, stipulates that states parties are obliged with regard to the right of the individual to take part in public affairs, to elect and be elected in periodic and genuine elections and to have equal access to public service. A number of other international human rights instruments as well contain guarantees regarding the equal enjoyment of public participation rights, including The International Declaration of Human Rights, article 21; The International Covenant on Economic, Cultural Rights, Article 8; Elimination of All Forms of Discrimination against Women, Articles 7-89; Declaration of Persons Belonging to National, Religious, Ethnic, and Linguistic Minorities, Article 2(2)); and the Rights of Indigenous Peoples, Articles 5, 189.

On the impact of laws on exclusion from participation in the Sudanese context, there is no law explicitly stating that the inhabitants of a particular area are excluded, that one is from tribe x, or because one's color is such and such. However, there are unwritten policies and an ideological state orientation that tries to exclude others directly, an issue the state did not deny (prior to his arrest, Ali Osman Mohamed Taha have had the Sudanese classified into two groups: those who took to the streets in demonstrations, part of them are our children, we may sit with them and see their demands, while others, in terms of political analysis, are those coming from areas outside the Hamdi Triangle are destined to imprisonment, and this is what happened). (14)

CSOs and the defenders of the right to political participation:

International human rights mechanisms drew attention to the key role of human rights defenders and civil society organizations in the promotion and respect of

all human rights, including the right to political and public participation.1 However, in many contexts, human rights defenders and civil society organizations have been subjected to forms of discrimination such as costly administrative requirements, criminalization of their activities, stigmatization, harassment and other forms of violent reprisals that prevent them from freely exercising their right to participate in the discussion of issues of concern. Discrimination, unequal treatment, harassment and restrictions on the right to participate in public and political life are often practiced against human rights defenders and civil society organizations defending the rights of marginalized groups.1 Among the most vulnerable are organizations and individuals defending the rights of persons with disabilities, youth, children, women, lesbian, gay, bisexual, transgender, hermaphrodite, members of minorities, indigenous peoples, internally displaced persons and non-citizens such as refugees, asylum-seekers and migrant workers15 (A/HRC/26/29, paras. 10 and 11).

Exclusion from political participation and the transitional justice

Justice (21) is defined as:

"The range of judicial and non-judicial measures applied by different States to address gross human rights violations inherited during a particular political era. These measures include prosecutions, fact-finding commissions, reparation programs and various forms of institutional reform which ultimately helps to establish a new political phase in which law and political stability prevail."

Since the inception of the Salvation regime, serious human rights violations have been committed on an ongoing basis. Through transitional justice, states aim to

promote social peace by reprisals against criminals, who have violated the laws of the country, human values and customs in force. By following an approach to justice for violations committed by the dictatorship, citizens feel that this is an acknowledgment of the right to justice, and an acknowledgment of the occurrence of grave violations, and thus a condemnation of the crimes committed and the rehabilitation of victims and the oppressed through reparations. The importance of justice against human rights violations lies in that it is, after all, a right, and having a social impact on peacebuilding and social coexistence.

In the context of the political transition from dictatorship to democracy, justice must accommodate political and security conditions, and responds to the goals of justice and peacebuilding: two inseparable ones that benefit each other, so justice is an indispensable necessity; and above all, conditions must be created in societies, social injustice must be removed, the concept of justice must be clarified for those affected, and institutional and legal reform must be carried out to achieve it.

Current status

It is highly noted that the exclusion continues even after the December revolution, especially for non-Arabic-speaking groups, the Maban tribe, for instance, women group. Although the Constitutional Charter allocated 40% for women's political representation, yet the Declaration of Forces of Freedom and Change did exclude women even from the Resistance Committees, negotiations with the Military Council and the deliberations on the Constitutional Charter, and

that the presence of one woman never will represent all the women in Sudan; and in meetings, always determined late as they are, women were made absent.

Recommendations

The rights of political and public participation are wide-ranging and extend from electoral rights to equal access to public services and forms of direct and indirect participation in the conduct of public affairs at all levels from domestic to international. A number of international human rights mechanisms have recognized that participatory rights can now be understood as encompassing the right to be consulted and to have equal and effective opportunities to participate in decision-making processes on all matters of public interest:

- Comprehensive legislation should be adopted, enforced and monitored to integrate the principle of substantive equality into the national constitutional framework.
- Discriminatory legislation should be repealed, all forms of discrimination, including multiple and intersecting discrimination, should be prohibited in public and private life, and effective access to justice should be ensured for all those who were subject to discrimination. Steps should be taken to ratify and implement international human rights treaties, including those with individual petition or grievance mechanisms, and to ensure that these treaties are operationalized in national law.
- To increase equal participation in all aspects of political and public life, legislation should be enacted to adopt temporary special measures for underrepresented groups - including women, indigenous peoples,

minorities and persons with disabilities - adapted to the national context and combined with other participatory programs.

- Legislation should be enacted to encourage media outlets to provide independent and pluralistic services and to ensure that journalists, human rights defenders and civil society organizations are able to function freely. Administrative requirements relating to the registration and financing of civil society organizations, the organization of peaceful assemblies and other activities related to the exercise of the rights of political and public participation should be reviewed to ensure that they are non-discriminatory and do not impose excessive restrictions on the enjoyment of the rights to participate in public affairs.

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References

1. Political participation: mechanisms and influencing factors a theoretical study, Majid Mohyi Al Ghazal.
2. Interview with Haj Kakka; Khartoum, July 18th
3. Interview with political activist Hussein Harran; Khartoum, July 5th 2021 at 3 pm.
4. Marginalized Groups and the Challenges They Face; Fasania Newspaper, article, Zahia Faraj Ali, 22/2/2020
5. Study Guide, Indigenous Peoples' Rights, University of Minnesota Human Rights Library
6. Human Rights Council, 27th Session Annual Report of the Office of the United Nations High Commissioner 30/6/2014
7. Hajj Kakka interview, 18 June 2021 in Khartoum
8. Previous reference, interview with Hussein Harran
9. Facts of the Conflict in the Nuba Mountains; Article, Al-Rakoba Net, Salah al-Din Saeed Jamien
10. Interview with Nahla al-Badri; June 24th, 2012 - Khartoum.
11. Interview with Wafaa Adam; March 25th, 2021 - Omdurman
12. Interview with Halima Ishaq
13. Interview with Maram Hamed
14. Previous reference: Hussein Harran interview, July 5th
15. Factors impeding equal political participation and steps to be taken to overcome these challenges; Report by the Office of the United Nations High Commissioner for Human Rights, 2017
16. shorturl.at/buxH2
17. shorturl.at/etT2

18. shorturl.at/dhwU7
19. shorturl.at/bjnM1
20. shorturl.at/hkzJN
21. shorturl.at/rtuG5

Other readings:

- shorturl.at/wEFPQ
- shorturl.at/nsCK9
- shorturl.at/rtBC1
- shorturl.at/kwJQY


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