

Report Launch: Criminalisation of Women in Sudan – A need for fundamental reform

The latest of our Sudan-South Sudan seminars at the School of Oriental and African Studies took place on December 4th 2017. The series is organised jointly by the Centre of African Studies at SOAS and the Society for the Study of the Sudans (UK), and it brings together academics and practitioners concerned with South Sudan and Sudan.

It launched the report *Criminalisation of Women in Sudan – A need for fundamental reform*¹ that was compiled by the Strategic Initiative for Women in the Horn of Africa (SIHA) and the Redress Trust. The speakers were **Najlaa Ahmed, Dr Carla Ferstman, Osman Mubarak** and **Dr Mohamed Abdelsalam Babiker**, and the discussion was organised and chaired by SSSUK member **Lutz Oette**.

Najlaa Ahmed, a Sudanese lawyer, spoke powerfully about her experience of defending women's rights in Sudan, drawing on her work there to describe the very difficult human rights situation and the gender-specific aspects that affect women, including stigma, and verbal and physical abuse.

Carla Ferstman, the Director of Redress, focused on the parts of the report that detail the conditions endured by women in Sudanese prisons where they often face abuse from other prisoners. She outlined the numerous ways in which women can fall foul of the Public Order Laws in Sudan, for instance, because of the way they are dressed. Once they are detained, they are open to abuse in the prisons. If women and girls are found guilty of Public Order offences, they can be lawfully lashed, leading to physical and mental trauma and humiliation for themselves and their families. The extent to which their treatment can be defined as 'torture' is a question raised in the report.

Osman Mubarak is a representative of SIHA who is currently studying at the University of Essex. SIHA works to protect women's rights in several countries in the Horn of Africa, including Sudan. Osman outlined how women's rights are enshrined in family law and the law of evidence, and spoke about how these laws work in Sudan. All citizens lack equal rights in Sudan, he said, but women face particular challenges, among them the Virginity and Public Order Laws which he said amounted to discrimination against women.

Mohamed Abdelsalam Babiker of the University of Khartoum asked, 'What is the possibility for reform?' He began by outlining the types of law in Sudan at differing levels and stated that laws can contradict each other. An

¹ The report can be found on our website at www.sssuk.org

independent judiciary is needed but has not been in place since 1989. Most of the current judges were trained after 1983 and so lack knowledge of any other type of law except *sharia'a*. He commented on the complexities of the current legal situation in Sudan and spoke about the need to harmonise rather than fundamentally change the law, without violating international human rights law.

Lutz Oette, a senior lecturer in law at SOAS, made several observations and asked probing questions of the speakers before throwing the session open to the floor for questions. This resulted in a lively and informative debate.

