

EXECUTIVE SUMMARY

Khartoum, the capital of Sudan, sits at the confluence of the Blue and White Niles. Sudan itself, recipient of the rich and diverse influences from both northern and sub-Saharan Africa, sits at the confluence of different races, religions and cultures. This report finds that unlike the Nile, whose two branches meet and together form one of the world's mightiest rivers, Sudan remains racked by division and divergence, with inequality being their root cause.

The report identifies the ideology promoted by President Omar al-Bashir as a main factor driving the 21st Century metamorphoses of older patterns of discrimination and inequality. Since 1989, al-Bashir has sought to degrade and diminish the country's immense diversity in favour of a narrow vision of Sudan as a singularly Arab, Islamic, and male-dominated country. In so doing, the government has institutionalised discrimination on the basis of religion, ethnicity, political opinion, gender and sexual orientation. The state shows scant respect for the right to non-discrimination: the legal and policy framework is manifestly inadequate to provide protection from discrimination, and in many cases laws act as an instrument to promote, rather than prevent, discrimination.

Part 1: Introduction

Purpose and Structure of This Report

The purpose of this report is to describe and analyse discrimination and inequality in Sudan and to recommend steps aimed at combating discrimination and promoting equality. The report explores long-recognised human rights problems, while also seeking to shed light upon less well-known patterns of discrimination in the country. The report brings together – for the first time – evidence of the lived experience of discrimination and inequalities of many different forms with an analysis of the laws, policies, practices and institutions established to address them.

The report comprises four parts. Part 1 sets out the conceptual framework which has guided the authors' work, as well as the methodology applied during the research process. It then provides an overview of the demographic, economic, historical, social and political context of discrimination and in-

equality in Sudan. Part 2 discusses the principal patterns of discrimination and inequality affecting different groups in Sudan. Part 3 analyses the legal and policy framework as it relates to non-discrimination and equality. Part 4 contains conclusions and recommendations, drawn from an analysis of both the patterns of discrimination and inequality examined in Part 2 and the gaps, weaknesses and inconsistencies in the legal and policy framework identified in Part 3.

Conceptual Framework and Research Methodology

The conceptual framework of this report is the **unified human rights framework on equality** which emphasises the integral role of equality in the enjoyment of all human rights, and seeks to overcome fragmentation, inconsistencies and gaps in the field of equality law, policies and practices. The unified human rights framework on equality is a holistic approach which recognises both the uniqueness of each different type of inequality and the overarching aspects of different inequalities. The unified framework brings together:

- a. types of inequalities based on different grounds, such as race, gender, religion, nationality, disability, sexual orientation and gender identity, among others;
- b. types of inequalities in different areas of civil, political, social, cultural and economic life, including employment, education and the provision of goods and services; and
- c. status inequalities and socio-economic inequalities.

This conceptual framework is expressed in the Declaration of Principles on Equality, adopted in 2008 and endorsed by thousands of experts and activists on equality and human rights from all over the world.

This report is the outcome of the Equal Rights Trust's long-standing engagement with equality and human rights movements in Sudan. Between 2010 and 2014, the Equal Rights Trust and the Sudanese Organisation for Research and Development worked in partnership on a project designed to empower civil society to combat discrimination and promote equality in Sudan. Throughout this project, the partners undertook research on discrimination and inequality by gathering direct testimony, as well as reviewing research conducted by others. The Equal Rights Trust has also worked directly with

the Journalists for Human Rights network, supporting its efforts to promote human rights in Sudan, emphasising the importance of non-discrimination and equality in this struggle.

In the context of this work, the Trust had extensive opportunities to consult and conduct research on patterns of discrimination and inequality in Sudan. We have also independently reviewed existing literature on discrimination and inequality on different grounds, and analysed and assessed the country's legal and policy framework related to equality. Prior to publication, this report was the subject of an extensive consultation, in which its findings and conclusions were exposed to scrutiny by experts and stakeholders from civil society, government, academia and the media. We believe that as a result, the report's findings and conclusions have been significantly strengthened.

Country Context, Government and Politics

In addition to the conceptual framework, the first part of the report provides an overview of the demographic, economic, social, political and historical context in which discrimination and inequality occur in Sudan.

The Republic of the Sudan (Sudan) is a large country located in Northeast Africa. Sudan comprises 18 states over a total area of 1,886,068 sq km, making it the 16th largest country in the world. Until 2011, Sudan was composed of territory which currently makes up both present-day Sudan and the Republic of South Sudan. Following decades of conflict between forces from the north and south of Sudan, a peace agreement was reached in 2005. A referendum on independence for South Sudan was held in 2011 and South Sudan officially gained independence on 9 July 2011.

The population of Sudan is estimated, on the basis of the last census of 2008, at between 35 and 38 million people. Throughout its ancient and contemporary history, Sudan has been characterised by its immense ethnic diversity, but no credible estimates exist for the number of ethnic groups in Sudan today, as no census has been conducted since before the secession of South Sudan. According to UNDP estimates, Muslims comprise 97% of the population of post-secession Sudan. The Interim National Constitution states that Sudan "shall have as its sources of legislation Islamic sharia and the consensus of the people". Sudan recognises two official state languages: Arabic and English.

Despite the multiplicity of local languages spoken in the country, in practice Arabic is the common language of government and business.

World Bank estimates of Sudan's Gross Domestic Product for 2013 stood at \$66.55 billion (in current US\$), with Gross National Income per capita estimated at \$1,130. In 2013, the Human Development Index value for Sudan was 0.473, putting it at 166th place out of 187 countries ranked. Outcomes in education and healthcare reflect the country's low level of development.

Sudan declared its independence from the Anglo-Egyptian condominium in December 1955, and the British and Egyptian governments recognised it as independent shortly afterwards, on 1 January 1956. The country has experienced numerous military coups, some followed by popular uprisings. Sudan's constitutional development since 1956 reflects the country's turbulent recent history: in the 58 years since independence, the country has had eight different constitutions.

In 1983, then-President Nimeiry declared Sudan an Islamic state. A package of new laws, widely known as the "September laws", introduced principles based on sharia law into the Sudanese legal system. In 1989, another Islamic Movement coup established the current regime of Omar al-Bashir, a strong supporter of the application of sharia law.

Civil conflict between northern and southern Sudan began before independence and continued throughout the 1950s and 1960s. In 1972, the government and southern rebel groups signed the Addis Ababa peace agreement, establishing the Southern Sudan Autonomous Region. Conflict began again in 1983, following the introduction of sharia law, and continued until the signing of a Comprehensive Peace Agreement in 2005.

In 2003, violent conflict erupted in the region of Darfur. The war in Darfur and the resulting human rights violations have been widely documented by many international bodies and organisations. The scale of the violations was such that it prompted two arrest warrants by the International Criminal Court in 2009 and 2010 against President al-Bashir and others on charges of war crimes, crimes against humanity and genocide. After the secession of South Sudan, other conflicts broke out between the government and the Sudan People's Liberation Movement – North (SPLM-N) in disputed

areas along the border with South Sudan, in the South Kordofan and Blue Nile states.

The Islamist National Congress Party (NCP) (*al-Mu'tamar al-Waṭani*) has governed Sudan since coming to power in the 1989 coup and dominates the political landscape. In the 2010 election, the party received over 68% of the vote and 323 out of the 450 seats in the National Assembly, the lower house of Parliament. Since 2012, the opposition parties in coordination with SPLM-N have been calling for regime change. In 2011, 2012 and 2013, public protests and demonstrations were organised in Khartoum, in an effort to build popular support for change. The government responded with oppressive measures and long after the protests, continued to arrest and harass protesters and members of groups who may have represented any form of political opposition to the regime.

Despite a Constitution that calls for the protection of human rights and basic freedoms, Sudan fares poorly in terms of its human rights record. The country has received scores of 7 (the lowest level of freedom) in both “Political Rights” and “Civil Liberties” in the Freedom House rankings in 2014, earning it the status “Not Free”.

Part 2: Patterns of Discrimination and Inequality

Part 2 of the report identifies and discusses what the Equal Rights Trust’s research identified as the principal patterns of discrimination and inequality in Sudan. It is based on original direct testimony collected from a wide range of individuals, interviews with academics and experts, together with analysis of published research undertaken by international organisations, government bodies, non-governmental organisations and academics. The report also uses information from credible media reports and statistical data. It does not seek to create an exhaustive picture, but rather to provide an insight into what appear to be the most significant issues.

This part of the report presents evidence of discrimination and inequality on grounds of, *inter alia*, religion or belief, race and ethnicity, political opinion, gender, disability, sexual orientation and health status. In respect of each ground, the report discusses the ways in which people experience discrimination and inequality in a range of areas of life, including as a result of discriminatory laws,

actions of state actors carrying out public functions, exposure to discriminatory violence and discrimination in areas such as employment, education and access to goods and services. While there are clear differences between the problems experienced by those suffering discrimination and inequality on each of the grounds covered – and unique problems affecting some groups – the research identifies a number of common patterns and inter-relationships between the forms of discrimination experienced on different grounds. This makes it possible to highlight several key themes in this study.

The first key theme is the role played by the **identity politics of the current Sudanese regime aimed at empowering an Arab Islamic identity** in creating, perpetuating and metamorphosing patterns of discrimination in Sudan. While for the sake of an equality law analysis it is necessary to distinguish forms of discrimination on different grounds, in the Sudan, discrimination often occurs on a **blend of grounds in which ingredients of religion, ethnicity and political opinion are almost inevitably found**, albeit in varying proportions. President al-Bashir came to power in a coup in 1989 and has maintained a strong grip on power since that time. His National Congress Party has imposed a conservative Islamist ideology, centred on the application of sharia law through the secular legal system, and has restricted the freedoms of those who advocate or are associated with alternative visions.

Somewhat contrary to Islamic tradition which emphasises religious belonging over ethnic origins, the al-Bashir regime has developed a **dualist ethno-religious ideology** in which ethnicity plays an equally important part with religion. Influences from the secular pan-Arab movement and Arab nationalism of the earlier decades have been interwoven with Islamic principles. As the struggle for power in Sudan since independence has been severe and marked by violence and brutality, the need for ideological justification has been particularly acute. This has resulted in a strong **politicisation of the central ideological values around ethno-religious identity**: ethno-religious questions in today's Sudan are not a matter of academic cultural interest but of life and death.

As a result, religious minorities and those promoting more moderate versions of Islam experience discrimination on the basis of their religion or belief and severe restriction on their religious freedoms, but their experience is strongly influenced by the political context. Furthermore, the regime has clamped down on the freedoms of those who challenge the imposition of an Islamist

ideology for purely political reasons, rather than because of religious doctrine. Members of opposing political movements, together with social activists, members of civil society organisations, academics and students, journalists and others face discrimination on the basis of their political opinion, both in the exercise of their political freedoms and in other areas of life. Members of ethnic groups which are, or are perceived to be, in conflict with the regime are subjected to armed violence in their homelands, and to other forms of discrimination when residing elsewhere in the country, again because of the politicisation of race and ethnicity.

A closely related theme of this part of the report is the **role of the state in creating and perpetuating the conditions for discrimination**. Discrimination based on gender is legitimised and institutionalised by a number of laws which discriminate against women, and laws which are applied disproportionately against women. While racial/ethnic discrimination is found less in law and predominantly in practice (with the exception of nationality law which discriminates explicitly on the basis of ethnicity), the chief ethnic discriminator is the state, acting through such state agents as the armed forces, the police and the security services. Their actions – and their passivity in the face of violations by private actors – in the course of the last two decades have built a culture of impunity in which discrimination thrives.

Finally, the third key theme is the **gender dimension running through all patterns of discrimination** discussed in this part of the report. There are cases of discrimination, of course, where gender plays no role, but these are rare. The vast majority of cases identified for this report, if seen in context, will reveal the deep-seated gender bias. For example, discrimination on grounds of political opinion can overlap with discrimination on grounds of ethnicity, as certain ethnic groups are perceived to support certain political opposition parties or resistance movements. But looking deeper and broader, one would see that politically or ethnically motivated conducts are not gender neutral. They are as gendered, as gender and sexuality are politicised.

Part 2 of the report attempts to disentangle the various forms of discrimination and arrange them in categories according to recognised grounds, while keeping in mind their interrelatedness. It begins by examining those patterns of discrimination which are most closely tied to the ethno-religious ideology promoted by the government: discrimination on the basis of religion or be-

lief, race and ethnicity and political opinion. It then examines the situation of women, who experience severe discrimination as a result of discriminatory laws and the actions of state agents, but who also suffer discrimination and violence at the hands of private actors. The report then examines the situation of persons with disabilities, lesbian, gay and bisexual persons and persons experiencing discrimination on the basis of their health status.

With respect to **discrimination and inequality on the basis of religion or belief**, section 2.1 of the report identifies a significant number of discriminatory legal provisions, which exist despite constitutional guarantees of freedom of religion and non-discrimination on the basis of religion or belief. Since 1983, many criminal and civil statutes have been amended or replaced to make them compliant with a particular, narrow interpretation of sharia law, with the result that certain laws discriminate on the basis of religion and gender. Section 125 of the Criminal Law Act has been applied as a *de facto* blasphemy provision, while section 126 explicitly prohibits apostasy; both provisions limit religious freedom and freedom of expression and constitute discrimination on grounds of religion or belief. Section 152 of the Criminal Law Act prohibiting “indecent conduct” or the wearing of indecent dress has been applied in ways which indirectly discriminate against non-complying Muslims. This section also presents evidence of discrimination against Christians, who have faced increased pressure since the secession of South Sudan at the hands of both state and non-state actors, with cases involving attacks on religious buildings, the closure of churches and Christian educational institutions, arrests for proselytisation and the confiscation of religious literature. It also identifies a number of recent cases in which Christians were subject to religiously-motivated violence. A few cases of persecution on other religious minorities, such as Baha’i and Shia, are briefly presented. Finally, the section comments on religious discrimination in employment and education.

Section 2.2 of the report examines **discrimination and inequality on the basis of race and ethnicity**. In a country where ethnicity is highly politicised, and where ethnic conflict continues to determine the lives of millions of people, this form of discrimination – if one was under obligation to assign ratings – should be rated as perhaps the most serious. The entire future of the country, in our view, critically depends on whether or not stakeholders will address pervasive and systemic racial/ethnic discrimination effectively. This section argues that inequality in general and racial/ethnic inequality in

particular is the root cause of the ethno-religious conflicts in the south (prior to 2011), Darfur, the East and latterly in South Kordofan and Blue Nile states. The section presents evidence of ethnic discrimination and violence committed by state actors, which is essentially legitimised by immunity laws with impunity consequences. The report touches upon the impact of the amendments made to the Nationality Act in 2011 revoking the nationality of persons who originally came from today's South Sudan but have an established presence in Sudan. The law has put an estimated 300-350,000 persons of South Sudanese origin at risk of statelessness. This section of the report goes on to present evidence of ethnic discrimination in access to resources, political participation, employment and education.

The section of the report dealing with **discrimination on the basis of political opinion** (section 2.3) presents cases in which the abuse suffered is best described as being based on political opinion, despite the difficulty of disentangling the political from the ethnic, gender and other dimensions of discrimination in the Sudanese context. Political discrimination is presented here as an element of a range of other human rights abuses – including extrajudicial killings, torture and ill-treatment, arbitrary and prolonged detention and the denial of political freedoms – directed at those who oppose, or are perceived to oppose the regime. The report presents first-hand testimony from individuals arrested for their participation in protests against the regime in 2011, 2012 and 2013, and estimates the number of people killed and detained during the most recent wave of protests. It finds compelling evidence of discriminatory torture and ill-treatment of those involved in the protest movements. The section further discusses the discriminatory denial of freedoms of expression, assembly and association, through restrictions on media freedom and the freedoms of civil society organisations to convene meetings and undertake activities. Finally, we identify patterns of political discrimination in the allocation of land and in the areas of employment and education.

Section 2.4 of the report examines **gender inequality** in Sudan, finding that two principal factors inform the experience of women and girls: the existence of a significant number of discriminatory laws and the continuing prevalence of conservative social perceptions of women, which are enhanced by official ideology. This section identifies a wide range of discriminatory legal provisions. Particularly significant problems are identified in the Muslim Personal Status Act, which reflects patriarchal conceptions of women's role in society, and the

Criminal Law Act, which provides ineffective protection from sexual violence and contains a provision on indecent dress which has been used to prosecute many hundreds of women. The most serious allegations we have made in this section relate to gender-based violence, in particular sexual violence in conflict zones and at the hands of state agents. The section presents a number of distressing cases of women who have been subjected to violence by the police and security services. The Equal Rights Trust welcomes the steps taken by the government to tackle female genital mutilation, but notes that the practice remains legal in large parts of the country and enforcement of existing laws is not effective. The last portion of section 2.4 comments on patterns of discrimination and inequality affecting women in employment and education, and welcomes progress made in increasing women's participation in public life.

The section focused on the **position of persons with disabilities** (section 2.5) acknowledges the steps taken by the government to improve their situation. Nevertheless, the Equal Rights Trust is concerned that cases of direct discrimination in both employment and education are widespread. The report finds little evidence of public or private actors taking reasonable accommodation measures, even where required to do so by law. What is missing from this section may be as important as that which is included: unfortunately, we have not been able to include information about the treatment of persons with mental disabilities. These are the invisible victims who should have been, but are not, highlighted in this study. While this omission reflects the invisibility of this group in Sudanese society, it also creates an obligation for the Equal Rights Trust to return and focus on them in a future initiative.

There is effectively no openly homosexual population in Sudan, and international human rights and LGBT organisations have not had much to say about the situation facing this community. Even making contact with the underground LGB community in the country is a serious logistical challenge. Indeed, in order to include the brief section in this report covering discrimination based on **sexual orientation** (section 2.6), the Equal Rights Trust took substantial security risks. The section provides a first-hand insight into the recent experience of a group of gay Sudanese men, discussing the discrimination and other serious human rights abuses which they face, motivated by their sexuality. The legal environment of Sudan is uncompromisingly hostile to this community. Same-sex conduct between men is explicitly criminalised, while other provisions in the Criminal Law Act have been used to prosecute members of the LGB com-

munity. LGB persons face extremely high levels of social stigma and a high risk of discriminatory violence. Those who are exposed as gay, lesbian or bisexual can hardly enjoy a normal life in Sudan.

The final section of Part 2 examines patterns of discrimination on the basis of **health status** (section 2.7). It finds that, despite a number of welcome policy measures, persons living with HIV/AIDS and tuberculosis face discrimination and disadvantage. Unlike with sexual minorities however, the government, aligned with and supported by the international community, appears to be on their side.

Part 3: Legal and Policy Framework Related to Equality

Part 3 of the report discusses the legal and policy framework related to non-discrimination and equality in Sudan, in order to assess its adequacy in providing protection from discrimination and the extent to which Sudan is in compliance with its international law obligations in this regard. It discusses both the international legal obligations of the state and the domestic legal and policy framework which protects the rights to equality and non-discrimination. In respect of domestic law, it examines the Interim National Constitution, specific anti-discrimination laws, and non-discrimination provisions in other areas of law. It also examines government policies which have an impact on inequality. The final section assesses the system of implementation and enforcement, including a review of the national human rights institution and the jurisprudence of the Sudanese courts.

Section 3.1 assesses Sudan's **record of participation in international instruments**. It finds that Sudan, having acceded to only five of the nine core UN human rights treaties, has a poor record of international participation. Sudan has ratified neither the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, nor the Convention on the Elimination of Discrimination against Women. The state has also resisted calls to ratify the optional protocols which allow individual complaints under the international instruments to which it is party. At the regional level, Sudan has ratified both the African Charter on Human and Peoples' Rights and the African Charter on the Rights and Welfare of the Child, but has notably failed to ratify the Protocol on the Rights of Women in Africa. Article 27(3) of the Interim National Constitution, which provides for the direct effect of

international human rights instruments to which Sudan is party, has not been applied in practice.

Section 3.2 analyses Sudan's domestic legal system, starting with the 2005 **Interim National Constitution**. It finds that, despite providing arguably the best level of human rights protection of any of Sudan's eight constitutions since independence, the Interim National Constitution provides weak protection for the rights to equality and non-discrimination. The principal equality and non-discrimination provision – Article 31 – does not prohibit discrimination in the enjoyment of human rights, as required by both the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights, nor does it provide a general prohibition on discrimination in all areas of life governed by law, as required by Article 26 of the ICCPR. Instead, it guarantees only equal protection of the law without discrimination on a strictly limited list of grounds, leaving the material scope of protection unclear. The personal scope of protection from discrimination is limited, omitting grounds such as disability, sexual orientation and health status. Article 32, which prohibits discrimination against women, is broader in scope than Article 31, but is undermined by a large number of gender-discriminatory laws that remain in force today and have not been found unconstitutional. The report argues that Article 45 which protects persons with “special needs” and the elderly is problematic, not least in the lack of definition of “special needs”. We further commend the inclusion of a provision on the rights of ethnic and cultural minorities, but express concern about the absence of a constitutional prohibition of advocacy of national, racial or religious hatred.

Sections 3.2.2 and 3.2.3 deal with protections from discrimination in national legislation. These sections find that beyond the Constitution, Sudanese legislation provides very little protection from discrimination. Section 3.2.2 looks for **specific anti-discrimination laws** but does not find any that would deserve such description. Despite its obligations under international law to adopt such laws, Sudan has introduced neither comprehensive anti-discrimination legislation, nor any specific anti-discrimination laws. The National Disability Act – the only piece of legislation targeted at the needs of a group commonly exposed to discrimination – does not prohibit discrimination on grounds of disability and does not provide a general obligation of reasonable accommodation. The Act falls far short of the standard required by the Con-

vention on the Rights of Persons with Disabilities, a treaty to which Sudan became party in 2009.

Section 3.2.3 assesses **non-discrimination provisions in other areas of law**. Again, its findings are disappointing. Legislation governing nationality and citizenship, family law, and education and healthcare laws contain no guarantees of non-discrimination. The Criminal Law Act contains a single provision prohibiting the promotion of hatred on the basis of ethnicity, colour or language. In the area of employment, the Labour Act provides no protection from discrimination, but the National Civil Service Act contains both a provision on equal pay for equal work and a positive action provision in favour of persons with disabilities.

Section 3.3, which examines **government policies**, finds that these do not fill the gaps in protection which result from the absence of a legislative framework. Most significantly, the National Human Rights Action Plan adopted in 2013 does not set out concrete targets and provides no mechanisms to allow civil society, the media or the public to hold state actors accountable. However, the government has adopted several specific policies that are relevant to equality. These include policies on internally displaced persons, persons with HIV/AIDS, and the empowerment of women, among others. As a general rule, recent government policies are adequate and comprehensive, but aspirational: they do not appear to be related to resources or to create specific powers for the stakeholders.

The final section of Part 3 analyses the enforcement of laws and implementation of policies related to equality. It finds that the absence of effective constitutional and legislative protections for the rights to equality and non-discrimination is exacerbated by **weak and ineffective enforcement procedures and implementation practices**. Necessary measures to ensure access to justice – including clear procedure rules, rules permitting standing for interested parties, legal aid and specific provisions governing evidence and proof – are absent from the legal framework. Members of the National Human Rights Commission were not appointed until 2012, despite the Commission having been established by statute in 2009. At the time of writing, the Commission has not been rated by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, but its constituting legislation clearly falls short of the standards required by the Commit-

tee in respect of independence. Our analysis of Sudanese jurisprudence finds that the Constitutional Court, which is empowered to receive complaints of discrimination under the Constitution, has a weak record.

In sum, this part of the report finds that Sudan's legal and policy framework is manifestly inadequate to address the patterns of discrimination and inequality identified in part 2.

Part 4: Conclusions and Recommendations

Part 4 of the report presents its conclusions and makes recommendations to the Sudanese government. Section 4.1 sums up the conclusions of parts 2 and 3. It reiterates the view that the root cause of Sudan's multitude of past and current conflicts is inequality, and that the key discriminator on grounds of religion, ethnicity, political opinion and gender is the state. Rather than standing as a guarantor and protector of equality rights, the state recycles disadvantage through the enactment and enforcement of discriminatory laws, or through the activities of the armed forces, security services, police or other state actors. We also state, in conclusion of our legal analysis, that the system of laws, policies and practices in Sudan is manifestly inadequate to effectively combat discrimination and advance equality.

Thus, the overall conclusion of this report is that the government of Sudan is **failing in its obligation to respect, protect and fulfil the rights to equality and non-discrimination.**

Section 4.2 of the report presents the Equal Rights Trust's recommendations, whose purpose is to strengthen protection from discrimination and to enable Sudan to meet its obligations under international law to respect, protect and fulfil the rights to non-discrimination and equality. All recommendations are based on international law related to equality, and on the Declaration of Principles on Equality, a document of international best practice which consolidates the most essential elements of international law related to equality.

The report makes recommendations in ten areas:

- Mainstreaming of equality principles in conflict resolution, peace building and development policies;

- Ensuring justice for victims of serious cases of past discrimination;
- Strengthening of international commitments related to equality;
- Repeal or amendment of national legislation which violates the rights to equality and non-discrimination;
- Enactment of substantive law protecting the rights to equality and non-discrimination;
- Enforcement of the rights to equality and non-discrimination;
- The duty of the government to gather and disseminate information relevant to equality;
- Policies to respect and promote the rights to equality and non-discrimination;
- Education on equality; and
- Prohibition of regressive interpretation, derogations and reservations.