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SUDAN¹

The 1989 military coup that overthrew Sudan's democratically elected government brought to power Lieutenant General Omar Hassan Al-Bashir and his National Salvation Revolution Command Council (RCC). Bashir and the RCC suspended the 1985 constitution, abrogated press freedom, and disbanded all political parties and trade unions. In 1993 the RCC dissolved itself and appointed Bashir President. In 1996 Bashir won highly structured national elections as President, while a National Assembly with 275 of 400 members popularly elected in a deeply flawed process replaced the transitional national assembly. The opposition boycotted the electoral process. Despite the adoption of a new Constitution through a referendum in June, the Government continues to restrict most civil liberties. Since 1989 real power has rested with the National Islamic Front (NIF), founded by Dr. Hassan al-Turabi who became Speaker of the National Assembly in 1996. NIF members and supporters continue to hold key positions in the Government; security forces; judiciary; academic institutions; and the media. The supreme political institution, the National Congress, which sets national policy guidelines, also is under NIF control. The judiciary is subject to government influence.

The civil war, which has resulted in the death of more than 1.5 million Sudanese, continued into its 16th year. The principal insurgent faction is the Sudan People's Liberation Movement (SPLM), the political wing of the Sudan People's Liberation Army (SPLA). The SPLA remains the principal military force in the insurgency. In April 1997 the South Sudan Independence Movement/Army which broke away from the SPLA in 1991, and several smaller southern factions concluded a peace agreement with the Government. However, the SPLM/SPLA, and most independent analysts regard the 1997 agreement as a tactical government effort to enlist southerners on the Government's side. During the year, the SPLM/SPLA and its northern allies in the National Democratic Alliance (NDA) carried out military offensives in areas along the borders with Ethiopia and Eritrea and in large parts of the south. As in 1997, neither side appears to have the ability to win the war militarily. There was limited progress toward peace during the year. Government and SPLM/SPLA delegations met with mediators from the Intergovernmental Authority for Development (IGAD) in Nairobi, Kenya and Addis Ababa, Ethiopia in May and August, respectively, and participated in IGAD-mediated peace talks. In July the two sides agreed on a 3-month humanitarian cease-fire in Bahr al Ghazal, which subsequently was extended to January 1999. In November, the Government and the SPLM signed an accord in Rome laying out a framework for the protection of aid workers and increasing access to parts of the country hit the hardest by the war and famine.

In addition to the regular police and the Sudan People's Armed Forces, the Government maintains an external security force, an internal security force, a militia known as the Popular Defense Forces (PDF), and a number of police forces, including the Public Order Police (POP) whose mission includes enforcing proper social behavior, including restrictions on alcohol and "immodest dress." In addition to the group of regular police forces, there is the Popular Police Force, which is made up of nominees from neighborhood popular committees for surveillance and services, and which  with

police powers for political and social ends. Members of the security forces committed numerous serious human rights abuses.

Civil war, economic mismanagement, over 4 million internally displaced persons in a country of an estimated 27.5 million persons, and, to a lesser extent, the refugee influx from neighboring countries have devastated Sudan's mostly agricultural economy. Approximately 80 percent of the labor force is engaged in agriculture. Exports of gum Arabic, livestock, and meat accounted for more than 50 percent of export earnings. Reforms beginning in the early 1990's that aimed at privatizing state run firms and stimulating private investment failed to revive a moribund economy saddled with massive military expenditures and a huge foreign debt of approximately \$21.5 billion. Per capita national income is estimated at \$900 per year.

The Government's human rights record remained extremely poor, and it continued to commit numerous, serious abuses. Citizens do not have the ability to change their government peacefully. Government forces were responsible for extrajudicial killings and disappearances. Government security forces regularly tortured, beat, harassed, arbitrarily arrested, and detained opponents or suspected opponents of the Government with impunity. Prison conditions are harsh, prolonged detention is a problem, and the judiciary is largely subservient to the Government. The authorities do not ensure due process and the military forces summarily tried and punished citizens. The Government infringed on citizens' privacy rights. The Government still does not fully apply the laws of war to the southern insurgency and has taken few prisoners of war (POW's).

The Government continued to restrict severely freedom of privacy, assembly, association, religion, and movement. However, the Government generally continued the easing of restrictions on press freedom that began in 1997. Nevertheless, the Government warned newspapers not to criticize the new Constitution, and closed several of them briefly. Moreover, all journalists continue to practice self-censorship. There are no independent human rights organizations. However, the Government resolved the problem of false accusations that it had made against the International Committee of the Red Cross (ICRC) in 1996 in which it alleged that the ICRC transported arms and ammunition. As a result, the ICRC increased operations during the year. In the context of the Islamization and Arabization drive, pressure--including forced Islamization--on non-Muslims remained strong. Fears of Arabization and Islamization and the imposition of Shari'a (Islamic law) fueled support for the civil war throughout the country. Discrimination and violence against women and abuse of children continued. Prostitution is a growing problem, and female genital mutilation is widespread. Discrimination against religious and ethnic minorities persisted, as did government restrictions on worker rights. Child labor is a problem, and slavery remains a problem. Government security forces were responsible for forced labor, slavery, and forced conscription of children.

Cooperation with United Nations (U.N.)-sponsored relief operations was mixed. Government forces periodically obstructed the flow of humanitarian assistance. Problems with relief flights in the south centered on the Government's denial of aircraft clearances the U.N.'s Operation Lifeline Sudan (OLS) for aid to Bahr al Ghazal in February and March.

Insurgent groups continued to commit numerous, serious abuses. The SPLM/SPLA continued to violate citizens' rights, despite its claim that it was implementing a 1994 decision to assert civil authority in areas that it controls, and in many cases, has controlled for many years. The SPLM/SPLA was re-

sponsible for extrajudicial killings, beatings, arbitrary detention, forced conscription, slavery, and occasional arrests of foreign relief workers without charge. The SPLM/SPLA again failed to follow through on its promise to investigate a 1995 massacre. SPLM/SPLA officials were guilty of, or complicit in, theft of property of nongovernmental organizations (NGOs) and U.N. agencies operating in the south. The ICRC reported in 1996 that the SPLA had begun to observe some basic laws of war; it takes prisoners on the battlefield and permits ICRC visits to them. However, the SPLA did not allow the ICRC to visit prisoners accused by the insurgent group of "treason" or other crimes. It released some POW's during the year.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

In their attacks on insurgent forces, government troops killed a large number of civilians (see Section 1.g.). In the aftermath of SPLA attacks in late January in Wau, there were credible reports of reprisal killings of Dinka men by government forces. There were reports of scores of bodies of dead Dinka men being found in the area, reportedly as a result of either reprisal killings or interrogation by government security forces. On at least six occasions the Government bombed a hospital in the town of Yei, the center of SPLM civil administration, killing at least 15 persons (see Section 1.g.).

University of Khartoum law student Mohamed Abdelsalaam Babeker was found dead on October 4 in a university dormitory, after being arrested by NIF security forces on October 2. An autopsy indicated that the cause of death was a brain hemorrhage allegedly caused by a head wound. A case was filed against an unknown person and the police reportedly conducted an investigation, but released no information.

One of the persons accused of the June 30 Khartoum bombings reportedly died in custody. The defense counsel has demanded the release of the name of the deceased, but the prosecution refused.

On April 2, at the Atiafin conscript camp 15 miles southwest of Khartoum, 52 conscripts died. The Government states that the conscripts drowned when their boat sank during an escape attempt from the camp. However, opposition sources claim that 129 were killed, 55 by drowning, and 74 by shooting and from other wounds inflicted by government troops during the escape attempt. Eighteen bodies were identified and returned to families, and the remainder buried. There was no credible investigation of the incident.

Insurgent forces reportedly committed political and other extrajudicial killings, particularly in areas of active conflict; however, details generally were unavailable. There are reliable reports that rebel forces that captured villages along the border from Ethiopia in 1997 carried lists used to identify leading government figures whom they killed summarily. Rebels also killed a large number of civilians during their attacks on government forces (see Section 1.g.).

The SPLM/SPLA again failed to follow through on its promise to investigate a 1995 massacre.

b. Disappearance

There were continued allegations that the Government was responsible for the arrest and subsequent disappearance of those suspected of supporting rebels in government-controlled zones in the south and the Nuba mountains.

Persons arrested by government security forces often were held for long periods of time in unknown locations without access to their lawyers or family members.

In 1996 the Government established a Special Commission to Investigate Slavery and Disappearances, in response to a resolution passed by the 1995 U.N. General Assembly. The commission still is functioning and formed subcommittees in western and southern Sudan. It has not concluded its mission to produce a public report.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Government's official and unofficial security forces continued to torture and beat suspected opponents. They tortured youths, student leaders, and others whom they deemed opponents of the Government. The Government reportedly harassed, detained, and tortured lawyers whom they viewed as political opponents (see Section 1.e.). Refugees also were subjected to beatings and mistreatment (see Section 2.d.). The new Constitution passed by referendum in June prohibits torture; however, the new Constitution had not been implemented at year's end.

Security forces used excessive force, including beatings to disperse unapproved demonstrations. In August, security forces beat students at the University of Khartoum who were protesting an increase in university fees (see Section 2.b.). In 1997 the U.N. Special Rapporteur on Torture described torture as a fairly extensive problem.

On June 30, almost a dozen bombs exploded around Khartoum, in an alleged plot to mark official celebrations of the 1989 NIF coup. According to Amnesty International, Reverend Lino Sebit reportedly confessed to involvement in the Khartoum bombings (see Section 1.d.). His confession was reportedly a result of his torture and mistreatment. Defendants in a 1997 case accused of planning to plant bombs in different areas of the country alleged that they had been tortured.

The Criminal Act provides for punishments including flogging, amputation, and crucifixion—the public display of a body after execution.

There were reports that security forces continued to torture persons in "ghost houses," places where security forces detain government opponents; incommunicado under harsh conditions for an indeterminate time with no supervision by the courts or other independent authorities with power to release the detainees.

Conditions in government prisons remain harsh, overcrowded, and life threatening. Built before Sudan's 1956 independence, most prisons are poorly maintained, and many lack basic facilities such as toilets or showers. Health care is primitive and food inadequate. Minors often are held with adults. Female prisoners are housed separately from men; rape in prison reportedly is rare. Prison officials

arbitrarily denied family visits. While there are no independent domestic human rights organizations, international human rights officials have visited prisons in the past. High-ranking political prisoners reportedly often enjoy better conditions than other prisoners do.

There are credible reports of beatings and other punishment of prisoners by the SPLA rebels, but the only verifications have been reports by the ICRC and others who have been to SPLM prisoner war camps in earlier years. Prisoners reportedly have died while in SPLA custody due to the poor prison conditions.

The Government does not permit regular visits of prisons by human rights monitors, and no human rights observers are known to have visited prisons during the year.

Arbitrary Arrest, Detention, or Exile

Arbitrary arrest and detention remained problems. Legal provisions under the 1992 and 1995 National Security Acts and Criminal Code effectively set a fairly simple process to detain anyone for 3 months. A presidential determination, supported by a magistrate, may serve to detain a person for an additional 3 months. Allegations continue that some persons are detained indefinitely. The new Constitution passed by referendum in June prohibits arbitrary arrest and detention without charge; however, the new Constitution had not been implemented at year's end.

The law allows for bail, except for those accused of crimes punishable by death or life imprisonment. In theory the Government provides legal counsel for indigent persons in such cases. However, reports continue that defendants do not always receive this right, and that counsel in some cases only may advise the defendant and may not address the court. In some cases, courts have refused to allow certain lawyers to represent defendants. For example, in October the court ruled that leading human rights lawyer Ghazi Suleiman could not represent the accused in the Khartoum bombings trial.

Authorities continued to detain political opponents of the Government during the year. Although the Government initially declined to name those arrested in the immediate aftermath of the Khartoum bombings, many detainees were prominent opposition political leaders. This contributed to a widespread belief that the arrests were intended to intimidate the opposition, rather than to prosecute those responsible for the bombings. On July 10, Ahmed Yusuf, Imam of the Ansar mosque in Omdurman, delivered a harshly critical of the Government and stated that the Government had fabricated the June 30 bombings to incriminate the Ansar sect and its leaders, several of whom were arrested. Yusuf and three other members of the Ansar Shura Council subsequently were arrested. The court acquitted all four defendants and ordered their immediate release, but reportedly they were rearrested immediately without charge and remain in detention.

Persons arrested by government security forces often were held for long periods of time in unknown locations without access to their lawyers or family members. Abo Al-Rahman Abdallan Nugdalla and Abo Al-Mahmoud Abbo, both opposition activists were held from June 29 and July 6, respectively, through late October, largely under such conditions. Catholic priests Reverend Lino Sebit and Reverend Hillary Boma, who were arrested on July 29 and August 1, respectively, and charged in connection with June 30 bombings in Khartoum, were held in unknown locations.

In May authorities detained for 5 hours Catholic Archbishop Gabriel Zubeir, allegedly to prevent him from attending IOAD sponsored peace talks in Nairobi, Kenya. Authorities also arbitrarily arrested and detained some refugees (see Section 2.d.), and detained lawyers whom it viewed as political opponents (see Section 1.e.).

SPLM/SPLA authorities detained a British highway contractor who was working on road rehabilitation for relief activities, for approximately 2 months before releasing him. He allegedly had been involved in dishonest business dealings with some SPLM/SPLA authorities.

The Government does not use forced exile; however, some prominent political leaders fled into exile.

e. Denial of Fair Public Trial

The judiciary is not independent and is largely subservient to the Government. The Chief Justice of the Supreme Court, formerly elected by sitting judges, is appointed. As the senior judge in the judicial service, the Chief Justice also controls the judiciary. In February in a rare display of independence, an appellate court overturned a public court conviction of human rights advocate Ghazi Suleiman. Suleiman was detained for 2 weeks and summarily tried and convicted allegedly for "destabilizing the peace." His conviction was overturned for lack of jurisdiction.

The judicial system includes four types of courts: Regular courts, both criminal and civil; special mixed security courts; military courts; and tribal courts in rural areas to resolve disputes over land and water rights and family matters. Parliament passed a bill in November to form a constitutional court. The bill passed into law in December. The new Constitution passed by referendum in June provides for fair and prompt trials; however, the new Constitution had not been implemented at year's end.

The 1991 Criminal Act governs criminal cases, and the 1983 Civil Transactions Act applies in most civil cases. Military trials, which are sometimes secret and brief, do not provide procedural safeguards, have sometimes taken place with no advocate or counsel permitted, and do not provide effective appeal from a death sentence. Other than for clemency, witnesses may be permitted to appear.

Trials in regular courts nominally meet international standards of legal protections. For example, the accused normally have the right to counsel, and the courts are required to provide free legal counsel for indigent defendants accused of crimes punishable by death or life imprisonment. In practice, however, these legal protections are applied unevenly. In the June bombings case, leading human rights lawyer Ghazi Suleiman was rejected by the court as a member of the defense team, reportedly because he had been requested by the defense counsel rather than by the defendants.

In 1989 the Special Courts Act created special three-person security courts to deal with a wide range of offenses, including violations of constitutional decrees, emergency regulations, some sections of the Penal Code, as well as drug and currency defenses. Special courts, on which both military and civilian judges sit, handle most security-related cases. Attorneys may advise defendants as "friends of the court" but normally may not address the court. Lawyers complain that they sometimes are granted access to court documents too late to prepare an effective defense. Sentences usually are severe and

implemented at once. However, death sentences are referred to the chief justice and the Head of State. Defendants may file appellate briefs with the Chief Justice.

The Government dissolved the respected Sudanese Bar Association in 1989 and reinstated it with an NIF-controlled leadership. In 1997 elections for the leadership of the Bar Association, an NIF-associated group won overwhelmingly amid accusations of blatant fraud. Lawyers who wish to practice must maintain membership in the Bar Association. Human rights monitors report that the Government continued to harass, detain, and torture members of the legal profession whom it viewed as political opponents.

The Government officially exempts the 10 southern states, whose population is mostly non-Muslim, from parts of the Criminal Act. However, the act permits the possible future application of Shari'a law in the south, if the state assemblies so decide. No reports cited court-ordered Hudud punishments, other than lashings, in government-controlled areas of the south. Fear of the imposition of Shari'a law remained a key problem in the rebellion.

Parts of the south and the Nuba mountains fell outside effective judicial procedures and other governmental functions. According to credible reports, government units summarily tried and punished those accused of crimes, especially for offenses against civil order.

Suspects in the Khartoum bombings were scheduled to be tried in a military court; however, at year's end, the High Court had not yet decided if the case should be heard by a military or civilian court. Some accused persons were shown confessing on television and implicating other defendants. President Bashir declared that the guilty would be subject to Shari'a punishments.

In April 1997, 19 persons were accused of planning to undermine the Government and bomb installations in Khartoum. They were detained for 6 months without charge and not allowed to meet with their families. They were charged in September 1997, and their trials began in criminal court in January. Only 13 persons were charged. The six persons released during the investigation became prosecution witnesses. Ten of the accused were convicted and sentenced to prison terms of from 5 to 10 years. One of those convicted was a 70-year-old man who was released due to his advanced age, in conformity with the 1991 Penal Code.

On February 27, the Gezira state government announced that a bomb had exploded at an electrical transformer. Police arrested four suspects who were tried in an ordinary criminal court in April. The prosecutor added 11 more defendants, all of whom are oppositionists living outside the country. In November 3 individuals were convicted of the bombings and sentenced from 3 years to life in prison. The remaining defendants were acquitted including the 11 defendants charged in absentia.

Magistrates in SPLM/SPLA-held areas follow a penal code roughly based on the 1925 Sudan Code. In rural areas outside effective SPLM control, tribal chiefs apply customary laws. In 1996 the SPLM proclaimed a civilian structure to eliminate the conduct of secret and essentially political trials such as those conducted by military commanders in previous years. However, at year's end, there was no evidence that the SPLM held any such civilian trials.

There are political prisoners in the country, although the Government maintains that it holds none. The Government usually charges political prisoners with a crime, allowing the Government to deny their status as political prisoners. The press reported in October that National Congress official Dr. Nutasim Abdelrahim stated that the National Congress seeks to release the country's political prisoners in 1999.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Government routinely interferes with its citizens' privacy. Security forces frequently conducted night searches without warrants. They targeted persons suspected of political crimes. In the north they also targeted persons suspected of making alcoholic beverages, which are illegal. The new Constitution passed by referendum in June provides for the inviolability of communication and privacy; however, the new Constitution had not been implemented at year's end.

Security personnel routinely opened and read mail and monitored telephones. The Government continued to restrict the ownership of satellite dishes by private citizens through use of its licensing requirement.

A Muslim man may marry a non-Muslim, but a Muslim woman cannot marry a non-Muslim, unless he converts to Islam (see Section 5). However, this prohibition is not observed or enforced universally, particularly in the south and among Nubans.

Non-Muslims may adopt only non-Muslim children; no such restrictions apply to Muslim parents.

Various government bodies have decreed on different occasions that women must dress according to modest Islamic standards (see Sections 1.c. and 5). Non-Muslim prison inmates were pressured to convert to Islam (see Section 2.c.).

The Government continued to raze squatter dwellings in Khartoum during the year, but its efforts to implement procedures to grant title and move squatters in advance of demolition improved significantly. However, in November, the Government bulldozed a squatter village in an area known as Carton Kassala, leaving at least 3,000 persons homeless.

A wide network of government informants conducted pervasive surveillance in schools, universities, markets, workplaces, and neighborhoods. The Government disbanded political parties and prevented citizens from forming new political groups (see Section 2.b.). It continued to dismiss military personnel summarily as well as civilian government employees whose loyalty it considered suspect. The Government committee set up in 1995 to review cases of persons summarily dismissed since the 1989 coup continued to function in theory. However, it has released no results since May 1996.

Government-instituted neighborhood "popular committees"-- ostensibly a mechanism for political mobilization--served as a means for monitoring households' activities. These committees caused many citizens to be wary of neighbors who could report them for "suspicious" activities, including "excessive contact" with foreigners. The committees also furnished or withheld documents essential for obtaining an exit visa. In high schools, students sometimes were pressured to join pro-regime youth groups.

Both the Government and rebel factions continued to conscript citizens forcibly, including high school age children (see Sections 5 and 6.c.).

As a result of the prolonged war, approximately 4 million persons are displaced internally (see Section 2.d.).

The insurgent SPLM/SPLA is not known to interfere with privacy, family, home, or correspondence in areas that it controls, although correspondence is difficult in war zones.

g. Use of Excessive Force and Violations of Humanitarian Law In Internal Conflicts

Since the civil war resumed in 1983, more than 1.5 million persons have been killed, and 4 million displaced internally as a result of fighting between the Government and insurgents in the south. Approximately 70,000 civilians died of war-related causes in the first half of the year. The civil war continued unabated, and all sides involved in the fighting were responsible for abuses in violation of humanitarian norms. At year's end, the Government controlled virtually all the northern two-thirds of the country, but was limited to garrison towns in the south. Government aircraft bombed civilian areas in the south. A number of these bombings targeted the town of Yei, the center of SPLM civil administration, causing numerous civilian casualties. On September 28, bombs from aircraft struck the clearly marked Norwegian People's Aid-run Hospital. Whatever its intended targets, government aerial bombing is so inaccurate that it puts civilians at risk regularly.

Government forces routinely killed rebel soldiers captured in battle. Only a small group of prisoners captured before the 1989 coup and a few soldiers taken early in the year reportedly are held as POW's in government-controlled areas. The Government has not granted ICRC access to the POW's.

Government restrictions in practice limited or denied travel by nongovernmental relief organizations to many areas long controlled by insurgents. The U.N.'s OLS, a coalition of relief and aid NGOs, generally was allowed to operate in the south. However, in February and March, the Government denied flight clearances to the OLS, which exacerbated the humanitarian crisis sparked by the February SPLA attack on Wau town and resulted in the death of thousands and the malnourishment of hundreds of thousands of persons.

Members of both parties to the conflict in the south raped women. Both routinely displaced, and often killed, civilians or destroyed clinics and dwellings intentionally during their offensive operations. Bahr Al Ghazal warlord Kerubino Koanyin Bol, aligned with the SPLM/SPLA since January, commands forces that were widely reported to have raped and pillaged among villages in northern Bahr Al Ghazal when he was aligned with the Government.

Insurgent forces along the border with Eritrea laid land mines, which wounded civilian travelers as well as military forces. Insurgent shelling of the town of Kassala near the Eritrean border reportedly killed and displaced civilians.

Northern Muslim opposition groups under the 1995 NDA umbrella structure, which includes the SPLA, took military action against the Government. The NDA attacked government garrisons and strategic points near the Ethiopian and Eritrean borders. Its forces also laid land mines indiscrimina-

rely on roads and paths that killed and maimed both soldiers and civilians. The SPLA has taken a number of prisoners over the years. The ICRC regularly visited many of these prisoners. The SPLM/SPLA stated that it released many prisoners during the year, but that many voluntarily chose to join the insurgent forces or not to return to the north. The SPLM/SPLA returned 77 POW's to the Government via the ICRC on August 20. Prisoners reportedly have died while in SPLA custody due to extremely poor prison conditions, although there is no evidence of the massacres alleged by some in the north.

There have been credible reports of SPLA taxation and diversion of relief supplies. In recognition of the problem, the SPLM/SPLA cooperated with the OLS to produce a joint analysis of the humanitarian crisis in SPLM controlled areas of Bahr Al Ghazal and to seek solutions to problems of diversion. In November the Government and the SPLM signed an accord in Rome that provided for greater protection for aid workers and greater access to the areas hit hardest by war and famine. The SPLA released some POW's during the year.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Government severely restricts freedom of speech and of the press. Government intimidation and surveillance, facilitated in part by an informer network, continued to inhibit open, public discussion of political issues. Journalists practice

self-censorship. The new Constitution passed by referendum in June provides for freedom of thought and expression, and freedom of press "as regulated by law," however, the new Constitution had not been implemented at year's end.

The Government generally continued the limited easing of press restrictions that it began in 1997, and some lively discussions of domestic and foreign policy were published in the press. Nonetheless, the Government still exercised control of news reporting, particularly of political topics. For example, the trials of Reverends Hillary Boma and Lino Sebit were closed to foreign journalists (see Section 2.c.).

In July the National Council for Press and Publications ordered that all newspapers to refrain from criticizing the new Constitution. It also warned newspapers not to "defend or carry out propaganda for acts of opposition against the authorities in order to safeguard social peace." The order, signed by the council's secretary general, Osman Abu Zaid, instructed newspapers to promote "dialog and national consensus and to allow the expression of opposition only from those who are not involved in terrorism or violence."

Security forces seized editions of private newspapers on several occasions. Police reportedly entered the offices of the privately owned Al Shari Al Siyassi twice in July and seized the July 4 and July 6 editions. The July 4 edition of Al Rai Al Aakhari and the July 8 editions of Al Rai Al Aam and Al Shari Al Siyassi similarly were not placed on the market.

All journalists, even in the privately-owned Arabic daily press, still practice self-censorship. There are nine daily newspapers, and a wide variety of Arabic and English publications are available, but they are subject to censorship.

Radio and television are controlled directly by the Government and are required to reflect government and NIF policies. Sudan television has a permanent military censor to ensure that the news reflects official views.

The Government often charged that the international, and particularly the Western, media, have an anti-Sudan and anti-Islam bias.

In spite of the restrictions on ownership of satellite dishes, citizens have access to foreign electronic media; the Government does not jam foreign radio signals. In addition to its own domestic and satellite television services, Sudan television offers a pay cable network of six channels, which directly rebroadcasts uncensored Cable News Network (CNN), the London-based, Saudi-owned Middle East Broadcasting Corporation (MBC), Dubai-TV, and Kuwait-TV. Rebel movements have provided relatively few opportunities for journalists to report on their activities.

Academic freedom does not exist. The Government closed public and most private universities from January until October 1997 largely as a result of NIF students' use of violence to influence the outcome of student government elections. Schools were closed again in September, initially for a period of 1 month. The Government announced that the closure was intended to allow students to join the war effort. All schools had reopened at year's end. Before the closures, the Government used political criteria whenever possible in appointing new faculty members.

b. Freedom of Peaceful Assembly and Association

The declaration of the state of emergency and of martial law on June 30, 1989 effectively eliminated the right of assembly, and the Government severely restricted this freedom. The authorities permitted only government-authorized gatherings. The Government dispersed several unapproved demonstrations during the year, often with excessive force that included beatings and teargas. For example, in August security forces beat students at the University of Khartoum after they protested a rise in University fees. The Government dissolved all political parties in 1989, and prohibited citizens from forming new political groups or other associations.

The Government severely restricted freedom of association. In December implementing legislation linked to the new Constitution that in theory would allow the existence of political parties passed into law. However, the legislation included restrictions that apparently would effectively prohibit traditional political parties, which are linked to armed opposition to the Government.

Professional association members accused the Government of manipulating the elections held by many associations. In November 1997, journalists severely criticized the Government's manipulation of journalists' union elections to ensure victory by pro-government candidates. In Bar Association elections for its leadership held in December 1997, the NIF-associated group won overwhelmingly amid accusations of blatant fraud.

c. Freedom of Religion

The Government has stated that all religions should be respected and that freedom of worship is ensured; however, the Government restricts freedom of religion in practice. The Government treats Islam as the state religion and has declared that Islam must inspire the country's laws, institutions, and policies. The new Constitution passed by referendum in June provides for freedom of religion but states that "Shari'a and custom are the sources of legislation;" however, the new Constitution had not been implemented at year's end. The 1994 Societies Registration Act replaced the Controversial 1962 Missionary Societies Act. It theoretically allows churches to engage in a wider range of activities than did the Missionary Act, but churches are subject to the restrictions placed on nonreligious corporations. The Government permits non-Muslims to participate in services in existing and otherwise authorized places of worship. The Government continued to deny permission to build Roman Catholic churches, but permitted some makeshift structures to be used. In February the authorities took full possession of the Catholic Club after refusing to allow renewal of the lease. Government authorities, using soldiers for security, have razed approximately 30 religious buildings by bulldozer since 1990.

While non-Muslims may convert to Islam, the 1991 Criminal Act makes apostasy (which includes conversion to another religion) by Muslims punishable by death. In midyear the Government began prosecution of an apostasy case against Faki Koko, a Nubian who was accused of converting from Islam. At year's end, Faki Koko reportedly remained in prison, but had not been tried.

Authorities continued to restrict the activities of Christians, followers of traditional African beliefs, and other non-Muslims, and there continued to be reports of harassment and arrest for religious beliefs and activities. Catholic priests report that they routinely are stopped and interrogated by police. In May Catholic Archbishop Gabriel Zuheir was detained for hours, apparently to prevent his attendance at IGAD. The Government tried Reverend Hillary Boma and Reverend Lina Tyano in a military court. It charged them and 18 other persons with some of the June 30 bombings. If convicted they would face death and

post-execution crucifixion. All but two of the defendants are southerners.

Muslims may proselytize freely, but non-Muslims are forbidden to proselytize. Foreign missionaries and religiously oriented organizations continue to be harassed by authorities, and their requests for work permits and residence visas are delayed.

Children who have been abandoned or whose parentage is unknown--regardless of presumed religious origin--are considered Muslims and can be adopted only by Muslims. Non-Muslims may adopt only other non-Muslim children. No equivalent restriction is placed on adoption by Muslims of orphans, or other abandoned children. These children are considered by the State to be both Sudanese citizens and Muslims, and therefore can be adopted only by Muslims. In accordance with Islamic law, Muslim adopted children do not take the name of their adoptive parents and are not automatic heirs to their property.

PDF trainees, including non-Muslims, are indoctrinated in the Islamic faith. In prisons, government-supported Islamic NGO's offer inducements to, and pressure non-Muslim inmates to convert. There are reliable reports that Islamic NGO's in war zones withhold food and other services from the needy

unless they convert to Islam. Children, including non-Muslim children, in camps for vagrant minors are required to study the Koran and there is pressure on non-Muslims to convert to Islam (see Section 5).

In rebel-controlled areas, Christians, Muslims, and followers of traditional African beliefs generally worship freely.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Government restricted freedom of movement by denying exit visas to some categories of persons, including policemen and physicians. The Government also maintained lists of political figures and other citizens not permitted to travel abroad. The new Constitution passed by referendum in June provides for freedom of movement and residence, and exit from and entry into the country; however, the new Constitution had not been implemented at year's end.

Women may not travel abroad without permission of their husbands or male guardians. Some former political detainees were forbidden to travel outside Khartoum. Movement generally was unhindered for other citizens outside the war zones, but travelers who failed to produce an identity card at checkpoints risked arrest. Foreigners needed permits, which were difficult to obtain and often were refused, for domestic travel outside of Khartoum. However, foreign diplomats could travel to many locations under government escort. Foreigners must register with the police on entering the country, seek permission to move from one location to another, and reregister at each new location within 3 days of arrival. Foreign NGO staff sometimes had problems obtaining entry visas or work or travel permits once they had entered the country.

Insurgent movements also required that foreign NGO personnel obtain permission before traveling to areas that they control, although they generally granted such permission. NGO workers who have worked in government-held territory reportedly encountered problems receiving permission to work or travel in insurgent-held territory.

Tens of thousands of persons, largely southerners and westerners displaced by famine and civil war, continued to live in squatter slums in the Khartoum area. The Khartoum state government plans to upgrade conditions in some camps, requiring the movement of populations to other areas so that roads may be built or enlarged and services established. The Khartoum state government is in contact with foreign NGO's and U.N. agencies concerning this effort. During the year, the Government razed thousands of squatter dwellings in Khartoum (see Section 1.f). Many of those displaced were moved to "planned" settlement areas, but in most cases those areas had no greater services than the squatter camps and were further from areas of economic activity.

The law include provisions for the granting of refugee or asylee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government cooperated with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian assistance organizations and accorded refugees relatively good treatment. The UNHCR estimated that there were approximately 380,000 refugees, with 150,000 in camps and 230,000 scattered in urban areas throughout the country.

The Government provides first asylum, although no statistics were available for the year.

There were no reports of forcible repatriation of refugees, regardless of their status. Some reports cited mistreatment of refugees, including beatings and arbitrary arrests. Refugees could not become resident aliens or citizens, regardless of their length of stay. The Government allowed a large number of refugees to work. Unrest in the Democratic Republic of Congo encouraged an estimated 30,000 Sudanese refugees to return to Sudan. Nearly 350,000 Sudanese are refugees in neighboring countries. Refugees fled from Sudan to Ethiopia, Eritrea, and Kenya.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens had no genuine opportunity to change their government peacefully. The NIF retains control of the Government and seeks to ensure that its institutions prevail.

A new national Constitution, which provides in theory for a wide range of rights, was passed by referendum in June. There was widespread skepticism of the Government's claims that the constitutional referendum passed with 96.7 percent approval and 91.9 percent participation. Critics of the new Constitution charged that it neither was drafted nor passed with truly national participation. Some critics also objected to the statement that "Islamic law" would be among "the prevalent sources of law" in regard to amending the Constitution. However, the actual effect of the new Constitution remains unclear, since implementing legislation had not been passed by year's end, and its provisions remain untested.

In 1989 the National Salvation Revolution Command Council (RCC) abolished all political parties and detained the major party leaders for a short period. In 1990 the RCC rejected both multiparty and one party systems, establishing 2 years later an entirely government-appointed Transitional National Assembly, based on a Libyan-style political structure with ascending levels of nonpartisan assemblies. The essentially powerless appointed legislature was replaced following the 1996 elections by an elected National Assembly in which 125 of the 400 members were appointed from the National Congress. Opposition parties boycotted the election.

The federal system of government was instituted in 1995 and is developing slowly a structure of 26 states, which the Government considers a possible inducement to the insurgents for accommodation through a principle of regional autonomy. However, southerners are underrepresented in government. This underrepresentation remained a key problem to ending the rebellion.

Women are underrepresented in government and politics. The Minister of Manpower is the only woman in the Cabinet. There are two female state ministers in the Ministry of Social Planning. Women have the right to vote. Seats in the National Assembly are set aside for representatives of women's organizations and for female student representatives. A total of 25 women are members of the National Assembly.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Due to government restrictions on freedom of association (see Section 2.b.), there are no independent domestic human rights organizations; however, individual human rights activists operate in anonymity. There are two local NGOs that address health concerns related to the practice of female genital mutilation (FGM) (see Section 5). No international NGOs visited the country during the year.

Government-supported Islamic NGO's pressured imprisoned non-Muslims to convert to Islam. The Government resolved the problem of false accusations that it had made against the International Committee of the Red Cross (ICRC) in 1996 in which it alleged that the ICRC transported arms and ammunition. As a result, the ICRC increased operations during the year.

The Human Rights Advisory Council, a government body whose rapporteur is the Solicitor General for Public Law, continued its active role in addressing human rights problems within the Government. The Advisory Council urged revision of procedures that restrict travel of women under 50 years of age outside the country. The Government has not reacted. The Advisory Council also urged the Government to release political prisoners.

The U.N. named a new Special Rapporteur on Sudan, Leonardo Franco, in September. Neither he nor his predecessor, Gaspar Biro, visited during the year. The Government's invitation to the U.N.'s Working Group on Contemporary Forms of Slavery remains open.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

A governmental decree prohibits discrimination based on religion or sex. Redress is provided through the administrative courts or the labor office. The 1992 General Education Act stipulates equal opportunity in education for the disabled. Mechanisms for social redress, especially with respect to violence against women and children, are particularly weak. The new Constitution passed by referendum in June prohibits discrimination based on race, sex, or religious creed; however, the new Constitution had not been implemented at year's end.

Women

Violence against women continues to be a problem, although accurate statistics on violence against women do not exist. Many women are reluctant to file formal complaints against such abuse, although domestic violence is a legal ground for divorce. The police normally do not intervene in domestic disputes. Displaced women from the south were particularly vulnerable to harassment, rape, and sexual abuse. The Government did not address the problem of violence against women, nor was it discussed publicly. The punishment for rape under the Criminal Act varies from 100 lashes and 10 years imprisonment to death. In most cases, convictions are not announced, but observers believe that sentences are often less than the maximum provided for.

Some aspects of the law and many traditional practices discriminate against women. Gender segregation is common in social settings. In keeping with Islamic law, a Muslim woman has the right to hold and dispose of her own property without interference. Women are ensured inheritance from their parents. However, a daughter inherits half the share of a son, and a widow inherits a smaller percent. It is much easier for men to initiate legal divorce proceedings than for women. These rules only apply to Muslims and not to those of other faiths, for whom religious or tribal laws apply. Although a Mus-

lim man may marry a non-Muslim, a Muslim woman cannot marry a non-Muslim unless he converts to Islam. Women cannot travel abroad without the permission of their husbands or male guardians (see Section 2.d.).

Prostitution is a growing problem, although there is no sex tourism industry. There are no specific laws regarding sexual harassment.

A number of government directives require that women in public places and government offices and female students and teachers conform to what it deemed an Islamic dress code. This, at the least, entailed wearing a head covering. However, enforcement of the dress code regulations was uneven.

There are credible reports that the Government and insurgents seized and sold women for work as domestic servants (see Section 6.c.).

Children

Education is compulsory through grade eight, although local inability to pay teachers' salaries reportedly has resulted in declining attendance. Boys and girls are treated similarly in the educational system.

A considerable number of children suffered serious abuse, including enslavement and forced conscription in the war zones (see Sections 1.f. and 6.c.). There continued to be credible reports that the Government seized children for purposes of forced labor (see Section 6.c.).

The Government forcibly conscripted young men and boys into the military forces, as did the insurgents. The Government officially requires that young men, typically of ages 17 to 19, must enter military service to be able to receive a certificate on leaving secondary school. Such a certificate is a requirement for entry into a university and the decree effectively broadened the conscription base. On April 2, at least 52 conscripts died while attempting to escape from the Aitahun conscript camp (see Section 1.a.).

The Government operates camps for vagrant children. Police typically send homeless children who have committed crimes to these camps, where they are detained for indefinite periods. Health care and schooling at the camps generally are poor, basic living conditions are often primitive. All the children in the camps, including non-Muslims, must study the Koran, and there is pressure on non-Muslims to convert to Islam (see Section 2.c.). Teenagers in the camps often are conscripted into the PDF.

As many as 3,000 Ugandan children, abducted from northern Uganda by the Lord's Resistance Army (LRA), an Ugandan armed opposition group, were held in the southern part of the country. These children were forced to become soldiers or sexual slaves. The Government actively supported the LRA.

FGM, which is widely condemned by international health experts as damaging to both physical and psychological health, is widespread, especially in the north. An estimated 90 percent or more of females in the north have been subjected to FGM, with consequences that have included severe urinary

problems, infections, and even death. Infibulation, the most severe type of FGM, is also the most common type. It is performed usually on girls between the ages of 4 and 7. It is performed often by traditional practitioners in improvised, unsanitary conditions, causing severe pain, trauma, and risk of infection to the child. No form of FGM is illegal under the Criminal Code. However, the health law forbids doctors and midwives from performing infibulation. Women displaced from the south to the north reportedly are increasingly imposing FGM on their daughters, even if they themselves have not been subjected to it. The Government neither arrested nor prosecuted any persons for violating the health law against infibulation.

Two local NGO's, with funding from the U.N. and a government agency, are involved actively in efforts to eradicate FGM, which they describe as a "harmful practice." A small but growing number of urban, educated families are abandoning the practice completely. A larger number of families, in a compromise with tradition, have adopted the least severe form of FGM as an alternative to infibulation.

People With Disabilities

The Government does not discriminate against disabled persons but has not enacted any special legislation or taken other steps, such as mandating accessibility to public buildings and transportation for the disabled. The 1992 General Education Act requires equal educational opportunities for the disabled.

Religious Minorities

Muslims predominate in the north, but are in the minority in the south, where most citizens practice traditional African religions or Christianity. There are from 1 to 2 million displaced southerners in the north who practice traditional African religions or Christianity. About 500,000 Coptic Christians live in the north.

Government and SPLM/SPLA delegations participated in IGAD-mediated peace talks in Nairobi, Kenya, and Addis Ababa, Ethiopia in May and August, respectively. The delegations continued discussions of the role of religion in national affairs and the predominantly non-Muslim southern region's right to self-determination. Further meetings are scheduled for 1999.

In government-controlled areas of the south, there continued to be credible evidence of prejudice in favor of Muslims and an unwritten policy of Islamization of public institutions, despite an official policy of local autonomy and federalism. In the past, some non-Muslims lost their jobs in the civil service, the judiciary, and other professions. Few non-Muslim university graduates found government jobs. Some non-Muslim businessmen complained of petty harassment and discrimination in the awarding of government contracts and trade licenses. There also were reports that Muslims receive preferential treatment for the limited services provided by the Government, including access to medical care.

National/Racial/Ethnic Minorities

Sudan's estimated population of 27.5 million is a multiethnic mix of over 500 Arab and African tribes with scores of languages and dialects. The Arab Muslim culture in the north and central areas and the non-Muslim African culture in the south are the two dominant cultures. Northern Muslims, who form a majority of about 16 million, traditionally have dominated the Government. The southern ethnic groups fighting the civil war (largely followers of traditional African religions or Christians) seek independence, or some form of regional self-determination, from the north.

The Muslim majority and NIF-dominated government continued to discriminate against ethnic minorities in almost every aspect of society. Citizens in Arabic-speaking areas who do not speak Arabic experienced discrimination in education, employment, and other areas. The use of Arabic as the language of instruction in higher education discriminated against non-Arabs. For university admission, students completing high school are required to pass examinations in four subjects: English language, mathematics, Arabic language, and religious studies. Even at the university level, examinations in all subjects except English language were in the Arabic language, placing nonnative speakers of Arabic at a disadvantage.

Section 6 Worker Rights

a. The Right of Association

The RCC abolished the pre-1989 labor unions, closed union offices, froze union assets, forbade strikes, and prescribed severe punishments, including the death penalty, for violations of its labor decrees. The Government dismissed many labor leaders from their jobs or detained them, although most of those arrested later were freed.

The Sudan Workers Trade Unions Federation is the leading

blue-collar labor organization with about 800,000 members. In 1992 local union elections were held after a delay to permit the government-controlled steering committees to arrange the outcomes. The elections resulted in government-approved slates of candidates voted into office by prearranged acclamation. In 1997 largely the same leadership was reelected.

Unions remained free to form federations and affiliate with international bodies, such as the African Workers' Union and the Arab Workers' Union.

The U.S. Government in 1991 suspended Sudan's eligibility for trade benefits under the generalized system of preferences because of its violations of worker rights.

The new Constitution passed by referendum in June provides for the right of association for economic and trade union purposes; however, the new Constitution had not been implemented at year's end.

b. The Right to Organize and Bargain Collectively

A 1989 RCC constitutional decree temporarily suspended the right to organize and bargain collectively. Although these rights were restored to labor organizing committees in 1996, government control of the steering committees meant in practice that the Government dominates the process of setting

wages and working conditions. The continued absence of labor legislation allowing for union meetings, the filing of grievances, and other union activity greatly reduced the value of these formal rights. Although local union officials raised some grievances with employers, few carried then to the Government. The law does not prohibit antiunion discrimination by employers. The new Constitution passed by referendum in June provides for the right of organization for economic or trade union purposes; however, the new Constitution had not been implemented at year's end.

Wages are set by a tripartite committee comprising representatives of the Government, labor unions, and business. Specialized labor courts adjudicate standard labor disputes.

In 1993 the Government created two export processing zones (EPZ's); it later established a third at Khartoum International Airport. During the year, only the EPZ at Khartoum International Airport was open. The labor laws do not apply in the EPZ's.

c. Prohibition of Forced or Compulsory Labor

Although the law prohibits forced or compulsory labor, slavery persists, particularly affecting women and children. The taking of slaves, particularly in war zones and their transport to parts of central and northern Sudan, continued. There were frequent and credible reports that Baggara raiders, supported by PDF and regular government troops, took hundreds of women and children slaves during raids in Barr Al Gghazal during April, May, and June. The Government did not take any action to halt these practices. Credible reports persist of practices such as the sale and purchase of children, some in alleged slave markets. These practices all have a pronounced racial aspect, as the victims are exclusively black southerners and members of indigenous tribes of the Nuba mountains. Unlike in past years, there were no reports that local authorities took actions to prevent slavery. The Government denies involvement or complicity in slavery, and states that hostage taking often accompanies tribal warfare, particularly in war zones not under government control. The new Constitution passed by referendum in June prohibits slavery and forced labor; however, the new Constitution had not been implemented at year's end.

The law prohibits forced and bonded labor by children; however, the Government does not enforce it effectively. There continued to be credible reports that the Government took hundreds of children as slaves. Approximately 3,000 Ugandan children were forced to become soldiers or sex slaves for the LRA, a Ugandan armed opposition group in South Africa, which is actively supported by the Government (see Section 5).

Both the Government and rebel factions continued to conscript men of military age forcibly into the fighting forces (see Sections 1.f. and 5). Conscripts face significant hardship and abuse in military service. The rebel factions continued to force southern men to work as laborers or porters.

d. Status of Child Labor Practices and Minimum Age for Employment

The legal minimum age for workers is 16 years, but the law is enforced loosely by inspectors from the Ministry of Labor and only in the official or wage economy. Children as young as 11 or 12 years of age worked in a number of factories, particularly outside the capital, including the factories at Um Ruwaba that produce edible oils. In addition severe poverty has produced widespread child labor in

the informal, unregulated economy. In rural areas, children traditionally assist their families with agricultural work from a very young age. The law prohibits forced and bonded labor by children; however, the Government does not enforce it effectively (see Section 6.c.). The new Constitution passed by referendum in June provides that the State will protect children from exploitation; however, the new Constitution had not been implemented at year's end.

e. Acceptable Conditions of Work

The legislated minimum wage is enforced by the Ministry of Labor, which maintains field offices in most major cities. Employers generally respect the minimum wage. Workers who are denied the minimum wage may file a grievance with the local Ministry of Labor field office, which then is required to investigate and take appropriate action if there has been a violation of the law. The minimum wage was raised in March and again in July to approximately \$13.50 (22,000 LS). However, as a result of the weakening Sudanese pound, this equated to a net decline in wages, and is insufficient to provide a decent standard of living for an average worker and family.

The workweek is limited by law to six 8-hour days, with a day of rest on Friday, which generally is respected.

Legal foreign workers have the same labor rights as Sudanese workers. Illegal workers have no such protections and, as a result, typically work for lower wages in worse conditions than legal workers.

Although the laws prescribe health and safety standards, working conditions generally were poor, and enforcement by the Ministry of Labor is minimal. The law does not address the right of workers to remove themselves from dangerous work situations without loss of employment.

¹ The United States does not have diplomatic representation in Sudan. This report draws in part on non-U.S. Government sources.