

**Flygtningenævnets baggrundsmateriale**

|                                    |                                   |
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| <b>Bilagsnr.:</b>                  | <b>274</b>                        |
| Land:                              | Sudan                             |
| Kilde:                             | Freedom House                     |
| Titel:                             | Freedom in the world 2013 – Sudan |
| Udgivet:                           | 24. maj 2013                      |
| Optaget på<br>baggrundsmaterialet: | 5. august 2013                    |



# Freedom in the World 2013 - Sudan

Publisher [Freedom House](#)

Publication Date 24 May 2013

Cite as Freedom House, *Freedom in the World 2013 - Sudan*, 24 May 2013, available at: <http://www.refworld.org/docid/51a75ecba.html> [accessed 11 July 2013]

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## 2013 Scores

Status: Not Free  
Freedom Rating: 7.0  
Civil Liberties: 7  
Political Rights: 7

## Overview

**Sudan's government struggled during 2012 to contain an economic crisis triggered by the 2011 independence of South Sudan. The two nations came close to war after South Sudan halted oil production and occupied Sudan's main oil field. An agreement to end many of their outstanding disputes was reached in September but failed to resolve the status of the Abyei region. Sudan's government responded brutally to social protests in June, conducting mass arrests and placing further restrictions on the embattled media. An armed uprising continued unabated in Southern Kordofan and Blue Nile states, worsening a dire humanitarian situation. A peace agreement in Darfur was in danger of unraveling following an upsurge of fighting.**

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Sudan has been embroiled in nearly continuous civil wars since gaining independence from Britain and Egypt in 1956. Between 1956 and 1972, the Anyanya movement, representing mainly black Africans in southern Sudan, battled Arab Muslim-dominated government forces. In 1969, General Jafar Numeiri took power in a coup. The South gained extensive autonomy under a 1972 accord, but Numeiri reneged on the deal in 1983 and imposed Sharia (Islamic law), igniting a civil war with the main rebel group, the Sudan People's Liberation Army (SPLA). The fighting lasted until 2004, causing the deaths of an estimated two million people. Numeiri was ousted in a popular uprising in 1985, and a civilian government elected in 1986 was overthrown three years later by General Omar al-Bashir. Over the next decade, al-Bashir governed with the support of senior Muslim clerics.

Al-Bashir oversaw flawed presidential and parliamentary elections in 2000, which the National Congress Party (NCP) (formerly the National Islamic Front) won overwhelmingly. The government ended the civil war with the South in January 2005 by signing the Comprehensive Peace Agreement (CPA) with the SPLA and its political arm, the Sudan People's Liberation Movement (SPLM). The pact established a power-sharing government in Khartoum between the

SPLM and the NCP, granted autonomy to a Government of Southern Sudan (GoSS) led by the SPLM, and allowed for a referendum on Southern independence to be held after a six-year transitional period.

While the CPA was being negotiated, a separate conflict erupted in Darfur. Rebels from Muslim but non-Arab ethnic groups attacked military positions in 2003, citing discrimination and marginalization by the government. In 2004, government-supported Arab militias known as *janjaweed* began torching villages, massacring the inhabitants, and raping women and girls. The military also bombed settlements from the air. More than two million civilians were displaced. The scale of the violence led to accusations of genocide by international human rights groups and the United States.

The government reached a peace agreement with one of Darfur's multiple rebel groups in 2006, but the others refused to sign the pact, and fighting continued despite the presence of international peacekeepers. In March 2009, the International Criminal Court (ICC) issued an arrest warrant for al-Bashir on charges of war crimes and crimes against humanity in Darfur; a charge of genocide was added in 2010.

National elections mandated by the CPA were held in 2010. The process was undermined by intimidation, vote-rigging, and restrictions on freedom of expression by the NCP in the North and the SPLM in the South. The SPLM and other parties ultimately boycotted the national presidential election, citing unfair campaign conditions. As a result, al-Bashir won convincingly, capturing 68 percent of the vote. The NCP won 323 of 450 seats in the National Assembly, the lower house of parliament, 91 percent of the state assembly seats in the North, and 32 seats in the 50-seat upper chamber, the Council of States, which is indirectly elected by the state legislatures. In the South, Salva Kiir of the SPLM was elected president of the GoSS.

The Southern referendum on independence took place in January 2011. The largely peaceful process resulted in an overwhelming vote – almost 99 percent – in favor of independence. A separate referendum to decide the future of the contested border enclave of Abyei did not go ahead as planned because of disagreements over who was eligible to vote. Sudan occupied the region in May, only withdrawing following the deployment of UN peacekeepers.

The state of Southern Kordofan, close to the border with the South, became the next flashpoint. Much-delayed state elections were held in May 2011, resulting in a narrow victory for the NCP candidate, which was rejected by the SPLM. Clashes erupted the following month when Khartoum brought forward a deadline for Southern-aligned forces in the state to disarm. In the following weeks, Sudan's military launched aerial bombardments and indiscriminate shelling of civilian areas. The United Nations accused Northern troops of carrying out "targeted killings and summary executions."

The violence quickly spread eastwards to Blue Nile State. Khartoum accused the SPLM-North (SPLM-N), an offshoot of the liberation movement in the South, of leading a rebellion. Al-Bashir declared a state of emergency and banned the SPLM-N as a political party in September 2011, detaining scores of its members throughout the country. For its part, the SPLM-N pledged to work for regime change in Khartoum and announced the formation of the Sudan Revolutionary Front, an alliance with other rebel groups intent on toppling the NCP.

The fighting in Southern Kordofan and Blue Nile continued in 2012, with only a brief pause during the rainy season. It resulted in a devastating humanitarian crisis which was compounded by the refusal of the authorities in Khartoum to allow relief organizations to access areas controlled by the SPLM-N. At the end of 2012, the United Nations estimated that more than 200,000 refugees had fled to Ethiopia and South Sudan and another 700,000 people had been either internally displaced or "severely affected" by the fighting. A food security assessment conducted

in SPLM-N controlled areas in August found that more than 80 percent of households were surviving on only one meal a day.

The border conflicts soured relations with the South, which formally became the independent Republic of South Sudan on July 9, 2011. Khartoum accused the SPLM of aiding the rebels, and negotiations stalled on a host of bilateral issues, including border demarcation, management of the oil industry, and defining citizenship in the two new countries. These disputes peaked in January 2012, when the government in Juba, angered by Khartoum's refusal to set a fair price for use of its oil pipeline, shut off oil production entirely. The decision had a catastrophic effect on both countries' economies and led to border skirmishes between the two militaries which resulted in the SPLA occupying Sudan's main oil field, Heglig, in March. The United Nations demanded an end to hostilities and set a deadline of May for the two sides to resolve their outstanding disputes. The SPLA withdrew in April and talks resumed. A deal was signed in September to demilitarize the border and open the way for the resumption of oil production. No agreement was reached by year's end on the disputed border enclave of Abyei.

In Darfur, a 2011 peace agreement signed by the government with one of the minor rebel groups led to the establishment of a Darfur Regional Authority in February 2012, which included provisions to compensate victims of the war and return displaced people to their homes. However, the security situation deteriorated in the second half of 2012. There were renewed clashes between the main rebel groups and government forces. In July, the security forces used live ammunition in Nyala to end a peaceful protest against rising prices by high school students. At least a dozen people were killed and about 100 others injured. In September, the United States condemned Khartoum for launching indiscriminate bombing raids in North Darfur, reporting that at least 70 civilians were killed in the violence.

The incident in Nyala was the deadliest episode in a series of protests against the regime in Khartoum, led mainly by university students and young people. The authorities used violence and mass arrests to restore order following a series of demonstrations in Khartoum and other major towns in June. Many of the detained said they were tortured in custody. Journalists and human rights groups who tried to report on the protests were arrested and harassed. Human Rights Watch and Amnesty International estimated that at the height of the demonstrations, approximately 2,000 people were held in detention. Most were released without charge within days after promising to refrain from political activities but scores of others were convicted of public order offences, receiving fines or lashings. Unrest within the ruling party broke into the open in November when the authorities announced that a coup plot had been foiled. Several high profile military and security officials were detained and were awaiting formal charges at year's end.

### **Political Rights and Civil Liberties**

Sudan is not an electoral democracy. Although the first multiparty elections in 24 years were held in 2010, they were plagued by irregularities and failed to meet international standards, according to monitors from the United States, the European Union, and Sudan itself.

The country is governed according to the 2005 interim constitution. The document is being redrafted following the independence of South Sudan, though the process has stalled. Members of the opposition and civil society have so far been excluded from consultations over the constitution-writing process and claim that proposed revisions would lead to a more repressive system of governance. According to the interim constitution, the president is currently elected to serve a maximum of two five-year terms. Members of the lower house of the bicameral legislature, the 450-seat National Assembly, were elected in 2010 using a mixed majoritarian and party-list system. State legislatures chose the 50 members of the upper house, the Council of States. All lawmakers are to serve six five-year terms. As a result of South Sudan's secession, the two chambers were reduced to 340 and 30 seats, respectively.

Ahead of the 2010 elections, the NCP manipulated the census used to compile the electoral roll, overstating the population in areas of core support and undercounting opposition strongholds. Although 72 political parties nominated candidates for the elections, many of them were not allowed to campaign freely and rarely received official permission to hold public events. The leading opposition parties boycotted the presidential election in the North, and several also withdrew from the legislative polls. The voting period was plagued by irregularities, with reports of inaccurate voter rolls, ballot stuffing, and cash handouts to NCP voters.

The NCP's dominance of the political system in the North was reinforced by the independence of South Sudan, which signaled the end of the Government of National Unity and the withdrawal of the South's representatives from parliament. The Khartoum government also launched a crackdown on other political parties. The SPLM-N was banned from operating in September 2011, following the outbreak of fighting in Blue Nile State. Senior members of opposition parties, including the Popular Congress Party, Umma, and the Sudanese Communist Party, were detained for short periods without charge during student-led protests in June 2012. Two leading figures in the PCP were held for five months before being released without charge in June.

The influence of the military clique within the NCP has subverted the political system to such an extent that analysts believe a "soft coup" may have taken place in 2011, with senior generals taking over responsibility for key government decisions,

Sudan is considered one of the world's most corrupt countries. Power and resources are concentrated in and around Khartoum, while outlying states are neglected and impoverished. Members of the NCP, particularly those from favored ethnic groups, tightly control the national economy and use the wealth they have amassed in banking and business to buy political support. The International Crisis Group estimates that the party's top leadership owns more than 164 companies, which get the pick of the government's contracts. Sudan was ranked 172 out of 176 countries surveyed in Transparency International's 2012 Corruption Perceptions Index.

The 2005 interim constitution recognizes freedom of the press, but the media face significant obstacles in practice. The 2009 Press and Publication Act allows a government-appointed Press Council to prevent publication or broadcast of material it deems unsuitable, temporarily shut down newspapers, and impose heavy fines for violations of media regulations. Members of the National Intelligence and Security Services (NISS) routinely raided printing facilities in 2012 to confiscate editions of newspapers considered to be in violation of the Act. By waiting until editions had been printed, the authorities imposed crippling financial losses on newspapers, forcing at least five out of business. Other papers were shut down for extended periods, including *Alwan* and *Rai al-Shaab*, which halted production in January, and *Al-Tayar*, which was suspended in February and closed in June on the orders of the NISS. Newspaper editors were told not to publish articles by at least a dozen individual reporters.

Journalists risked prosecution for reporting on the antigovernment protests of June 2012 and a long list of other proscribed topics. According to the Committee to Protect Journalists, at least seven reporters were detained for covering the demonstrations and held until the end of August without charge. Foreign media organizations were also targeted, including Agence France Presse, whose offices were raided in June after one of its reporters photographed a protest in Omdurman, and Bloomberg, whose correspondent was deported for covering the demonstrations.

Religious freedom, though guaranteed by the 2005 interim constitution, is not upheld in practice. Approximately 97 percent of Sudan's population is Muslim, nearly all of whom are Sunni. The law prohibits apostasy, blasphemy, and conversion to any religion apart from Islam. The government uses religious laws to persecute political opponents. In 2011, 129 Darfuris were charged with apostasy, which carries a maximum sentence of death, although they were released after agreeing to follow the government's interpretation of Islam. During the fighting in Southern

Kordofan state in 2012, government forces shelled churches, claiming that rebels used them as safe houses.

Respect for academic freedom is limited. The government administers public universities, monitors appointments, and sets the curriculum. Authorities do not directly control private universities, but self-censorship among instructors is common. Student associations are closely monitored for signs of antigovernment activities. Khartoum University was closed for two months following protests at the end of 2011. The authorities responded harshly to renewed demonstrations in 2012, many of which originated in universities. The security services burned dormitories at Omburman University, attacked female students protesting against increased fees at Khartoum University, and raided campuses across the country, rounding up hundreds of students.

The student-led protests of June and July 2012 led to broad restrictions on freedom of assembly. Peaceful demonstrations calling for political and economic reform were met with violence by security personnel, who attacked protesters and in one case, fired live ammunition on a crowd of young students in Nyala in Darfur.

The operating environment for nongovernmental organizations (NGOs) is difficult. In Darfur, government-backed forces and the main rebel groups place restrictions on the movements of aid workers and peacekeepers. A total of 43 members of the joint United Nations-African Union peacekeeping force in Darfur have been killed since 2007. They include four peacekeepers whose convoy was attacked by unknown assailants in September 2012 near Geneina. Independent NGOs continue to be denied access to the conflict-affected states of Southern Kordofan and Blue Nile.

Trade union rights are minimal, and there are no independent unions. The Sudan Workers' Trade Unions Federation has been co-opted by the government. All strikes must be approved by the government.

The judiciary is not independent. Lower courts provide some due process safeguards, but the higher courts are subject to political control, and special security and military courts do not apply accepted legal standards. Sudanese criminal law is based on Sharia and allows punishments such as flogging.

The National Security Act, which took effect in 2010, gives the NISS sweeping authority to seize property, conduct surveillance, search premises, and detain suspects for up to four and a half months without judicial review. The police and security forces routinely exceed these broad powers, carrying out arbitrary arrests and holding people at secret locations without access to lawyers or their relatives. Human rights groups accuse the NISS of systematically detaining and torturing opponents of the government, including Darfuri activists, journalists, and members of the youth Girifna movement. Approximately 2,000 people were arrested following anti-government protests in June 2012. Most were held without charge before being released in August. Some activists were singled out for harsh sentences. They included Jalila Khamis Koko, an SPLM-N activist who was convicted of crimes against the state in September and sentenced to death.

It is widely accepted that the government has directed and assisted with the systematic killing of tens or even hundreds of thousands of people in Darfur since 2003, including through its support for militia groups that have terrorized civilians. Human rights groups have documented the widespread use of rape, the organized burning of villages, and the forced displacement of entire communities. The government continued to wage war against its own citizens in Southern Kordofan and Blue Nile in 2012, using indiscriminate force against civilians, including aerial bombardments. NGOs accused the government of pursuing "starvation warfare" by denying humanitarian access to populations caught up in the fighting. Ethnic groups considered unfriendly to the government were targeted for attack, notably the Nuba people, who largely sided with the SPLM during the civil war.

The approximately one million Southerners who remained in the North following South Sudan's independence face serious discrimination. Under the political agreement reached by Khartoum and Juba in September, Southerners living in Sudan will be guaranteed rights of residency and movement as well as the right to engage in economic activity and acquire property. However, the agreement does not address the question of citizenship, putting some people at risk of being reclassified as "foreigners" even if they have lived in Sudan their entire lives.

Ongoing disputes over portions of the new international boundary between Sudan and South Sudan have curtailed freedom of movement and trade across the border and caused serious hardship to pastoralist groups whose migratory routes have been severed.

Female politicians and activists play a role in public life in Sudan, and women are guaranteed a quarter of the seats in the National Assembly. In daily life, however, women face extensive discrimination. Islamic law denies women equitable rights in marriage, inheritance, and divorce. Police use provisions of Sudan's Criminal Act outlawing "indecent and immoral acts" to prohibit women from wearing clothing of which they disapprove. Female genital mutilation is widely practiced. Rape has been used as a weapon of war in Darfur and other conflict zones in Sudan.

The U.S. State Department considers Sudan to be a source, transit, and destination country for persons trafficked for forced labor and sexual exploitation. The Sudanese military and Darfur rebel groups continue to use child soldiers.

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