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2014 Scores

Status: Not Free

Freedom Rating (1 = best, 7 = worst): 7.0

Civil Liberties (1 = best, 7 = worst): 7

Political Rights (1 = best, 7 = worst): 7

OVERVIEW

The government of President Omar al-Bashir faced the most sustained challenge to its 24-year-long rule in 2013 when a decision in September to end fuel subsidies triggered spontaneous street protests and riots in several cities, including the capital, Khartoum. The regime quelled the disturbances violently, using live ammunition and detaining hundreds of protesters. Human rights monitoring groups put the number of dead at more than 200, while Sudan's Interior Ministry said it had arrested 700 "criminals."

Meanwhile, armed groups continued their push to topple the regime by force. Operating under the banner of the Sudan Revolutionary Front (SRF), the groups staged one of their biggest offensives to date in April, launching attacks on several areas of Northern and Southern Kordofan states. The SRF also formalized links with Sudan's political parties, signing what the groups called a New Dawn Charter for democratic change in January with the National Consensus Forces (NCF), a coalition of the main opposition parties and some civil society groups.

The conflicts in the Darfur region and Southern Kordofan and Blue Nile states continued in 2013. Ten years after the war in Darfur entered its deadliest phase, the year saw a surge in fighting that led to the displacement of an additional 400,000 people, according to estimates by the United Nations. Khartoum continued to obstruct the efforts of humanitarian agencies to assist civilians affected by the conflicts. In September, the United Nations reported that government restrictions on movement as well as intertribal fighting in Eastern Darfur state were delaying efforts to reach 150,000 newly displaced people. In Southern Kordofan and Blue Nile, well over one million people were believed to be displaced or otherwise severely affected by the fighting. The bleak situation facing civilians was compounded by severe food shortages. Indiscriminate aerial bombing was a feature of the Southern Kordofan and Blue Nile conflicts.

Relations with South Sudan remained volatile in 2013. Joint cooperation on oil production restarted in April, when South Sudan resumed using Sudan's pipelines in exchange for the

payment of transit fees. But Khartoum made repeated threats to stop exports in protest of what it said was South Sudan's ongoing support of armed rebels in Sudan. Meetings between al-Bashir and his South Sudanese counterpart, Salva Kiir, in April, September, and October helped ease tensions. The two leaders agreed to open their shared border to trade and to stop interfering in each other's conflicts. But no solution was found for the contested border area of Abyei, whose status is due to be decided by a long-delayed referendum. Frustrated by the impasse, residents of Abyei conducted an unofficial referendum in October that was criticized by the governments in both Khartoum and Juba.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 2 / 40

A. Electoral Process: 2 / 12

Sudan is governed according to a 2005 interim constitution. The document is being redrafted following the independence of South Sudan in July 2011, 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.

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. Members of the lower house of the bicameral legislature, the 450-seat National Assembly, were elected using a mixed majoritarian and party-list system. State legislatures chose the 50 members of the upper house, the Council of States. All lawmakers serve five-year terms. As a result of South Sudan's secession in 2011, the two chambers were reduced to 354 and 32 seats, respectively. Under the interim constitution, the president may serve a maximum of two five-year terms.

In the 2010 elections, the Sudan People's Liberation Movement (SPLM) – the dominant party in the South – and other leading opposition parties boycotted the national presidential and some legislative elections, citing unfair campaign conditions. Al-Bashir's long-ruling National Congress Party (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 voting period was plagued by irregularities, with reports of inaccurate voter rolls, ballot stuffing, and cash handouts to NCP voters.

As a result of the boycott, al-Bashir won the presidency convincingly, capturing 68 percent of the vote. The NCP won 323 seats in the National Assembly, 91 percent of the state assembly seats in the North, and 32 seats in the Council of States.

B. Political Pluralism and Participation: 3 / 16

The NCP's dominance of the political system in Sudan was reinforced by the independence of South Sudan, which signaled the end of a power-sharing government with the SPLM and the withdrawal of the South's representatives from parliament. The Khartoum government also launched a crackdown on other political parties. The SPLM-North (SPLM-N), an offshoot of the southern liberation movement, was banned from operating in 2011, following the outbreak of fighting in Blue Nile. Senior members of opposition parties, including the Popular Congress Party, Umma, and the Sudanese Communist Party (SCP), were detained for short periods without charge during student-led protests in June 2012. This pattern was repeated when protests broke out once more in September 2013. Amnesty International catalogued the arrest of at least 17 members of the SCP and noted reports of the arrest of 15 members of the Sudanese Congress Party.

Additionally, several opposition leaders associated with the New Dawn Charter had been arrested in January and held until April, when al-Bashir announced that all political prisoners would be released.

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.

C. Functioning of Government: 1 / 12

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. While the authorities have appealed for public help in exposing corruption, a whistleblower who provided information about graft in the police force was himself convicted of charges including ruining the reputation of the police, and was sentenced to four years in prison in August 2013.

Discretionary Political Rights Question B: -4 / 0

The government stands accused of attempting to change the ethnic distribution of the country through its response to an insurgency led by marginalized Muslim but non-Arab ethnic groups in Darfur. 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. In 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. Accusations of ethnically targeted violence have also been leveled against the government for its handling of the war in Southern Kordofan, beginning in 2011, in which Sudan's military launched aerial bombardments and indiscriminate shelling of civilian areas thought to be strongholds of support for the SPLM-N.

Civil Liberties: 5 / 60

D. Freedom of Expression and Belief: 3 / 16

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 raid printing facilities to confiscate editions of newspapers considered to be in violation of the act. By waiting until editions are printed, the authorities impose crippling financial losses on media houses. Media workers whose reports meet with official disapproval or who cover sensitive topics risk arrest. According to the Committee to Protect Journalists, an online journalist with *Al-Taghyeer* was arrested at a funeral in September 2013 and detained for eight days before being released. Foreign reporters were not immune to violence and threats. A British correspondent for Bloomberg reported being arrested and beaten up by police officers while covering an opposition party meeting in June, and said he had fled the country after his ordeal.

The pressure on the media intensified during and after the September protests. Journalists were ordered to describe the protesters as "vandals" and "saboteurs." The biggest-circulation newspaper in Sudan, *Al-Intibaha*, was closed in September for refusing to follow the government line and

only resumed publication more than a month later after its chairman – the president's uncle – stood down. At least three other newspapers were ordered to suspend publication for several days. Foreign media organizations including Al-Arabiya and Sky News had their Khartoum offices closed and their licenses temporarily suspended after they were accused by the authorities of trying to foment an Arab Spring-style uprising. During the height of the protests, the government shut down the internet altogether. At other points in the year, it prevented access to specific websites, including the opposition news site *Hurriyat* and the forum Sudanese Online.

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 authorities showed increased intolerance of Christians in late 2012 and 2013, destroying or shuttering several churches in the Khartoum area, closing church-affiliated nongovernmental organizations (NGOs), ordering expatriate Christian workers out of the country, and detaining a number of Evangelical Christians. These included Salwa Fahmi Suleiman Gireis, a Sudanese Christian and NGO worker who was arrested in February 2013 in Khartoum and held for seven weeks before being released without charge.

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. In December 2012, two Coptic Orthodox priests and three other Christians were held on suspicion of apostasy for converting a Muslim woman to their faith. They were later released. During the fighting in Southern Kordofan in 2012, government forces shelled churches, claiming that rebels used them as safe houses. The U.S. Commission on International Religious Freedom in its 2013 report recommended that the U.S. State Department renew its designation of Sudan as a country of particular concern.

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. Authorities responded harshly to protests connected to universities in 2011 and 2012, with security services in 2012 burning dormitories at Omburman University, attacking female students protesting against increased fees at Khartoum University, and raiding campuses across the country, rounding up hundreds of students. Universities were again targeted during the 2013 demonstrations. In September, police fired tear gas into the campus of Ahfad University for Women during protests against the regime. Darfuri students were targeted for arrest on multiple occasions during sporadic university protests throughout the first half of the year.

Sudan's security and intelligence service, the NISS, seeks to intimidate citizens who engage in private discussions on issues of a political nature. In May, two members of a doctors committee in El Geneina in Darfur were summoned by NISS agents and beaten after they held discussions with government officials over a pay dispute. The NISS accused them of inciting strike action. Members of a student group at Red Sea University were detained overnight after plans to hold a press conference on a controversial dam project were discovered in June.

E. Associational and Organizational Rights: 1 / 12

Freedom of assembly and association are provided for by the interim constitution and by law. Free assembly was violently curtailed when a series of mostly peaceful street protests against the government's decision to end fuel subsidies broke out in September. Security forces turned live ammunition on demonstrators in Khartoum, Wad Madani, and other towns. The African Centre for Justice and Peace Studies, which monitors human rights in Sudan, confirmed the deaths of 170 protesters killed by gunfire during the protests. At least 15 of the dead were children. In one

incident, security forces opened fire on mourners as they left a funeral for a young pharmacist killed during protests the day before.

The operating environment for NGOs is difficult. All NGOs must register with a government body, the Humanitarian Assistance Commission (HAC). The HAC regularly places restrictions or bans on the operations of NGOs and the movements of their workers, particularly in conflict-affected areas such as Darfur, 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.

F. Rule of Law: 0 / 16

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 (Islamic law) and allows punishments such as flogging and cross-amputation (removal of the right hand and left foot). In February 2013, Human Rights Watch cited credible reports that government doctors had carried out a sentence of cross-amputation that month on a convicted armed robber in Khartoum.

In April, al-Bashir announced the release of all political prisoners. Those who were set free in the following weeks included senior military officers accused of a coup plot against the government in late 2012 and political leaders associated with the New Dawn Charter. But a wave of fresh arrests took place in the wake of the September street protests. According to the African Centre for Justice and Peace Studies, at least 800 people were detained, including some who were arrested as they sought medical treatment. Many of those arrested were held under the 2010 National Security Act, which 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 youth movements such as Girifna and Sudan Change Now.

The Sudanese government continues to wage war and inflict political terror on marginalized groups in Darfur, Southern Kordofan, and Blue Nile. This has included indiscriminate bombing of civilians, murder, forced displacement of communities, the burning of villages, and the use of rape as a weapon of war. In addition, the authorities have impeded the efforts of NGOs to reach conflict-affected communities with emergency humanitarian supplies, leading to accusations that the government is engaged in "starvation warfare." Following the major SRF military offensive in April, national security agents in Khartoum arbitrarily rounded up more than 25 Darfuri civilians, as well as Nuba civilians from Southern Kordofan, in what Human Rights Watch described as an act of retaliation. Some were still being held incommunicado two months later.

At least 55 members of the joint UN-African Union peacekeeping force in Darfur have been killed since 2007. They included seven members of a patrol who were shot dead in a firefight following an ambush by unidentified assailants in Southern Darfur in July 2013 and three Senegalese members of a police unit killed in Western Darfur by unknown assailants in October. Separately, shells fired at a UN base in Southern Kordofan had killed an Ethiopian peacekeeper in June in an incident blamed on rebels.

The approximately one million Southerners who remained in the North following South Sudan's independence face serious discrimination. Under a political agreement reached by Khartoum and Juba in 2012, Southerners living in Sudan were guaranteed rights of residency and movement as well as the right to engage in economic activity and acquire property. However, the agreement,

which has yet to be fully implemented, 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.

More than 125,000 refugees from neighboring Chad and Eritrea live in Sudan. In October, the office of the UN High Commissioner for Refugees announced that Sudan would grant work permits to 30,000 mostly Eritrean refugees in the east of the country.

G. Personal Autonomy and Individual Rights: 1 / 16

Unresolved 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 interrupted.

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. Two women convicted of adultery in separate cases in 2012 were sentenced to death by stoning, although the death penalty was eventually dropped in both cases. Police use provisions of Sudan's Criminal Act outlawing "indecent and immoral acts" to prohibit women from wearing clothing of which they disapprove. In March, 150 women were arrested in one day in Southern Darfur because some of them were wearing what the authorities described as tight clothes, and some were not wearing socks. They were all convicted of public order violations and fined. Female genital mutilation is widely practiced. There are no laws specifically prohibiting domestic violence, spousal rape, or sexual harassment.

The U.S. State Department in its 2013 Trafficking in Persons Report named Sudan as 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.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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