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Freedom of the Press 2016 - Sudan

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Press Freedom Status: Not Free

Legal Environment: 25 / 30 (↑1) (0 = best, 30 = worst)

Political Environment: 36 / 40 (↓3) (0 = best, 40 = worst)

Economic Environment: 22 / 30 (↓1) (0 = best, 30 = worst)

Press Freedom Score: 85 / 100 (↓3) (0 = best, 100 = worst)

Quick Facts

Population: 40,883,900

Net Freedom Status: Not Free

Freedom in the World Status: Not Free

Internet Penetration Rate: 26.6%

Overview

The Sudanese government regularly engages in a number of repressive practices to maintain control over the information landscape, including prepublication censorship, suspension of critical outlets, confiscation of newspaper pressruns, and arbitrary detention of journalists.

Key Developments

- The parliament adopted a Freedom of Information Law in January 2015, but journalists and other critics argued that it could simply centralize executive control over public information.
- The editors of three newspapers were arrested and charged with offenses that could carry the death penalty during the year, though all were released pending trial.
- State security personnel seized more than 50 newspaper pressruns during the first half of 2015, marking an escalation of the practice compared with 2014.

Legal Environment: 25 / 30 (↑1)

Freedom of the press and freedom of expression are nominally protected under Article 39 of the 2005 Interim National Constitution – adopted as part of the 2005 Comprehensive Peace Agreement (CPA) between the Khartoum government and the then insurgent Sudan People's Liberation Movement (SPLM). South Sudan, led by the SPLM, gained full independence in 2011, but a permanent constitution for Sudan has not yet been adopted. While the CPA initially created some space for journalists to report more freely and reduced the common practice of prepublication censorship, the legal environment for Sudanese media remains extremely difficult.

The 2009 Press and Publications Act allows for restrictions on the press in the interests of national security and public order, contains loosely defined provisions related to bans on the encouragement of ethnic and religious disturbances and the incitement of violence, and holds editors in chief criminally liable for all content published in their newspapers. Several other laws have been used against the press, including elements of the 1991 penal code, the 2010 National Security Forces Act, and emergency measures that have been enacted in the restive regions of Darfur and Kordofan.

The editor of the Communist Party newspaper *Al-Midan* was charged in January 2015 with offenses including undermining the constitutional system and publishing false news, apparently for the paper's coverage of a rebel group. She was released on bail, but faced a possible death sentence if convicted. In December 2015, authorities arrested the editors of the privately owned newspapers *Al-Tayar* and *Al-Saiha* after they criticized the government over electricity shortages. The two men were reportedly charged with abusing their positions, publishing false news, and undermining the constitutional system. They were also freed on bail and faced possible death sentences.

Defamation can be treated as either a criminal offense or a civil matter. There have been relatively few high-profile criminal defamation cases against journalists in recent years, as authorities more often respond to critical reporting with other measures, including arbitrary detentions and suspension of outlets.

The parliament passed a Freedom of Information Law in January 2015. The legislation, first proposed in 2011, includes 12 categories of exemptions to protect information from public release, including national security and foreign policy matters. Journalists and other critics argued that its provisions would leave the executive branch with centralized control and broad discretionary authority over access to information.

The press law requires journalists to register with the National Council for Press and Publications (NCP), an entity supervised by the president that also has authority to shut down newspapers for three days without a court order. The NCP, a large proportion of whose members are appointed by the president, regulates the journalism profession and entry into the field. Journalists are required to pass a test prior to receiving accreditation and a license. The Ministry of Information manages broadcast licensing in a highly politicized manner, allowing progovernment stations to acquire licenses more easily than independent outlets.

The official journalists' union is effectively controlled by the government, but some media professionals have formed independent associations, such as the Sudanese Journalists Network (SJN). The network organized a strike in May 2015 to protest the government's repeated confiscation of newspaper pressruns.

Journalists are sometimes barred from traveling abroad if their work is deemed to conflict with the country's national security or foreign policy interests. Security services are believed to engage in regular surveillance of independent journalists and freedom of expression activists.

Political Environment: 36 / 40 (↓3)

Authorities in Khartoum maintain a tight grip on Sudan's media sector. National Intelligence and Security Service (NISS) agents and other officials exercise prepublication censorship through direct, often informal instructions to editors. Outlets that fail to comply can face suspension or the confiscation of pressruns at the point of production. Among a number of other suspensions during 2015, the NISS suspended the business weekly *Elaph* without explanation in July, and *Al-Tayar* was suspended two days before its editor was arrested in December. A 2012 ban on *Al-Tayar* had been lifted in 2014.

The National Telecommunications Corporation (NTC) closely monitors the internet and blocks websites that are deemed to violate norms of public morality, and the NISS is reportedly capable of blocking websites on national security grounds. An NISS "cyberjihadist" unit proactively monitors social media and other online platforms, attempts to spread misinformation and manipulate discussions, and collects information on critical writers. News websites periodically suffer from cyberattacks that activists attribute to the authorities. At least three news outlets reported cyberattacks ahead of national elections in April 2015.

The government's repressive measures have compelled most journalists to engage in self-censorship.

The authorities reportedly monitor foreign journalists in the country and require permission for local journalists to work with foreign outlets. Media personnel have difficulty accessing large parts of the country due to multiple ongoing insurgencies. Reporters also face interference or risk arrest while attempting to cover demonstrations

and other news events. Three journalists were arrested and briefly detained in July 2015 as they sought to document a doctors' strike in eastern Sudan.

Security forces, and in some cases armed nonstate actors, regularly harass, threaten, or attack media workers. Arbitrary arrests and detentions without charge are common. In September 2015, for example, the NISS held journalist Eiman Mustafa of *Al-Jarida* for questioning on three consecutive days. The agents reportedly focused on an article addressing conflicts of interest among lawmakers, and on Mustafa's political or activist affiliations. Also that month, the NISS detained Hiba Abedazeem of *Al-Sudani* for questioning on an article about water pollution.

Economic Environment: 22 / 30 (↓1)

The state dominates the broadcast media, which are the main source of information for much of the population. The state-run television and radio stations largely convey the government's views, and while a number of private commercial stations are able to operate, they generally avoid reporting on political affairs and focus instead on entertainment and music. Radio outlets supported by international and nongovernmental organizations serve populations in certain areas; Radio Dabanga, for instance, broadcasts to Darfur in local languages. Online newspapers and websites, some of which are based abroad, are also an increasingly important news source for those with access. Internet penetration in Sudan stood at nearly 27 percent in 2015.

In the print sector, most outlets are privately owned, though ownership of media houses in general is not transparent, and a number are affiliated with the ruling party or other political groups. There are nearly 20 political dailies operating in the country, plus dozens of sports and social affairs publications. Cost remains an impediment to widespread circulation, with some readers renting copies of newspapers rather than buying them outright.

Newspaper production and distribution are also seriously impaired by state security agents who halt printing or seize entire pressruns to block unapproved content and inflict financial damage on critical outlets. This problem was especially acute during 2015. The NISS seized editions of 14 dailies on a single day in February, and 10 on May 25. By midyear the authorities had confiscated a total of more than 50 pressruns since January, up from 35 in all of 2014. Other financial pressures on private media include high operating and licensing costs as well as politicized allocation of state advertising.

Journalists work for low pay amid a rising cost of living. These conditions foster corruption and bribery in the industry, and drive many Sudanese media professionals to seek employment abroad, particularly in the Middle East.