

Flygtningenævnets baggrundsmateriale

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Freedom in the World 2018

Sudan

Freedom Status:

Not Free



Freedom in the World Scores

Quick Facts

Population:

42,100,000

Capital:

Khartoum

GDP/capita:

\$2,514

Press Freedom Status:

Not Free

Net Freedom Status:

Not Free

Overview:

Sudan's political system is dominated by an authoritarian president, Omar al-Bashir, and his National Congress Party (NCP), which rely on repression and inducements to maintain power. The regime violently represses—including through attacks on civilians—groups representing regions, religions, and ethnicities that do not share its narrow nationalist vision. Civil society encounters severe restrictions, religious rights are not respected, and the media is closely monitored.

KEY DEVELOPMENTS IN 2017:

- President Omar al-Bashir formed a national unity government in May that included a small number of parties allied with his ruling NCP. Several members of the opposition were appointed to a new cabinet.
- Efforts to replace the 2005 interim constitution with a permanent document made little progress. Fissures emerged in the unity government when a series of proposed amendments to increase religious freedom and political rights and to end press censorship were rejected, and an amendment to curtail the powers of Sudan's internal security agency, the National Intelligence and Security Service (NISS), was gutted by the National Assembly.
- In October, the United States ended most of the economic sanctions it had imposed on Sudan in 1997, citing Khartoum's progress on fighting terrorism. The United States also pointed to Sudan's progress in maintaining a cessation of hostilities in Darfur, South Kordofan, and Blue Nile; increasing humanitarian access to people affected by the conflicts; and curtailing proxy support for armed factions in South Sudan's civil war.

- Sudanese authorities intensified their persecution of Christians, demolishing church buildings, ordering others closed, and arresting church leaders.

Political Rights and Civil Liberties:

POLITICAL RIGHTS: 4 / 40 (+2)

A. ELECTORAL PROCESS: 2 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

President al-Bashir was reelected in 2015 with 94 percent of the vote. The main opposition parties boycotted the election. They argued that free and fair elections were not possible until a national dialogue on Sudan's political and constitutional future was held. This dialogue did not begin until after the election and was boycotted by most of the opposition, which claimed it was an insincere effort by the NCP to stay in power.

The parties that chose to join in the dialogue were rewarded with representation in the new national unity government, which took office in May 2017. This followed the creation, in March, of the new position of prime minister, a step intended to reduce the powers of the executive. Al-Bashir awarded the position to a close ally, Bakri Hassan Saleh, who already held the position of first vice president.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The opposition boycott of the 2015 elections enabled the NCP to win a large majority in the National Assembly, where it claimed 323 of 426 seats. Many of the remaining seats were taken by NCP-aligned parties. The United States, the United Kingdom, and Norway—which did not send monitors—issued a joint statement expressing regret over Sudan's "failure to create a free, fair, and conducive elections environment."

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The National Election Commission is not independent; its chairman is an NCP official.

B. POLITICAL PLURALISM AND PARTICIPATION: 4 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Sudan has more than 100 political parties but they face obstacles that prevent them from operating and competing freely. The government imposes onerous regulations on opposition parties, and uses the NISS to intimidate, harass, and detain opposition officials. Four members of the National Consensus Forces, an opposition group, who had been held for two months after protesting economic austerity measures, were released in January 2017.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4 (+1)

The formation of the national unity government saw ministerial appointments handed out to opposition parties including the Popular Congress Party (PCP), which had members appointed to two minor ministries, and the National Umma Party and Democratic Unionist Party, which each had members appointed to one ministry. Meanwhile, harassment of opposition leaders and activists from parties outside the unity government continued.

Score Change: The score improved from 0 to 1 to reflect the representation of some opposition parties in the national unity government.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 1 / 4

Al-Bashir surrounds himself with a clique of unelected internal security and military officials, who influence decision-making. The NCP has a sizable Islamist wing, although its influence over policymaking has waned in recent years.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Sudan's political system heavily favors the ethnic groups, predominantly Arab and Muslim, who live around Khartoum. Peripheral regions—notably Darfur,

the Two Areas of South Kordofan and Blue Nile, and eastern Sudan—are marginalized. A total of 128 seats in the National Assembly are reserved for women, who are directly elected by a system of proportional representation.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

Al-Bashir dominates the other arms of government, despite attempts to dilute the powers of the presidency by reestablishing the post of prime minister. Soon after the formation of the national unity government, participants complained that their views were being overridden by the NCP. By June 2017, leading members of the PCP were threatening to quit the unity government, complaining that their involvement was “entirely unproductive.”

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is rampant among the NCP-linked elite and security agencies and efforts to control the problem have been insufficient. Corruption has exacerbated Sudan’s economic crisis, aggravating the hardships faced by most of its citizens. Citizens who expose public malfeasance face arrest. In July 2017, a journalist with *Al-Gareeda* newspaper who wrote about corruption in South Darfur’s Ministry of Finance was charged with defamation, a crime carrying a sentence of up to two years in prison.

C3. Does the government operate with openness and transparency? 0 / 4

Sudan’s government operates in an unaccountable manner. The bloated security institutions, which receive 78 percent of the national budget, are opaque and corrupt. Government ministries run large off-budget accounts and bodies intended to oversee public spending have been eroded.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION:

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? –3 / 0 (+1)

The government stands accused of attempting to change the ethnic composition of Sudan through its response to an insurgency led by marginalized non-Arab ethnic groups in Darfur. Tactics include the alleged use of chemical weapons against civilians as recently as 2016 and terror campaigns against civilians

conducted by a paramilitary group, the Rapid Support Forces, under the authority of the NISS. Al-Bashir faces outstanding arrest warrants from the International Criminal Court (ICC) on charges of war crimes, crimes against humanity, and—controversially—genocide in Darfur. Accusations of ethnically targeted violence have also been leveled against the government for its handling of the wars in the Two Areas of South Kordofan and Blue Nile, where there has been repeated, indiscriminate aerial bombardment of civilians. However, al-Bashir declared a unilateral cease-fire in all three areas in June 2016, which—despite violations by both sides—remained in place as of the end of 2017. One of the justifications used by U.S. officials for their decision to drop sanctions was that there were no confirmed incidents of aerial bombing in the Two Areas during the assessment period, which ran for much of 2017.

Score Change: The score improved from **−4** to **−3** to reflect the fact that, notwithstanding the ICC indictments against Bashir, Sudan has declared cease-fires in Darfur and the Two Areas that, despite violations, continue to hold.

CIVIL LIBERTIES: 4 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16

D1. Are there free and independent media? 0 / 4

Sudan's diverse media faces many obstacles due to government restrictions, censorship, and harassment of journalists by NISS agents. Journalists are forbidden to publish stories about 15 so-called red line issues, including articles about the NISS and the army. In July alone, at least three reporters were interrogated or detained by NISS agents for allegedly crossing these lines. In July, Saudi Arabia deported three Sudanese bloggers to Khartoum. The men, who had helped organize antigovernment protests, were detained and have been held incommunicado ever since. A favored NISS tactic is to seize the print runs of newspapers that publish articles it does not like. This practice occurred with regularity in 2017; even progovernment publications and a sports newspaper were impacted.

Approximately one-quarter of the population has access to mobile broadband services. The authorities have been accused of restricting internet access in order to stifle protests.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

Freedom of religion is guaranteed under the 2005 interim constitution but is not respected in practice. Since the independence of South Sudan in 2011, the small Christian community in Sudan has faced persecution and several churches have been shuttered. In January 2017, the Khartoum state government ordered the demolition of 27 churches within the state, many of them located on land wanted by real estate investors. The order is facing a court challenge. However, in May a building belonging to the Sudanese Church of Christ was demolished without warning. In addition, a ban has been placed on the construction of new churches. In January, two church leaders were jailed for 12 years each after being convicted of a range of offenses including “provoking hatred among sects.” A Czech national convicted alongside them was released a month later. In May, a man was charged with apostasy, which is a criminal offense punishable by death, after he tried to change his religious affiliation on state documents to “non-religious.” The charges were later dropped.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The government views students as a source of opposition and harshly responds to signs of restiveness on university campuses, often using NCP-affiliated students to attack and intimidate protesters. In three separate incidents in May 2017, violence was used to break up demonstrations at university sites. In the most serious incident, several students were injured and seven others arrested when progovernment student militia and NISS agents attacked a meeting at a hostel affiliated with Al-Azhari University in Khartoum. The meeting had been called to protest the expulsion of seven Darfuri students.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The NISS intimidates individuals who engage in private discussion of issues of a political nature, and reportedly monitors private communications without adequate oversight or authorization. People who take part in demonstrations or meetings considered unfriendly to the government face the threat of subsequent arrest and questioning by NISS agents.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

The authorities have repeatedly used deadly force to disperse protesters. In September 2017, a demonstration broke out in a camp for displaced people in Darfur, ahead of a scheduled visit by President al-Bashir. Live ammunition was used against the crowd, resulting in at least five deaths. No one has been held publicly accountable for the massacre of 185 protesters by the security forces as they peacefully demonstrated in Khartoum in 2013.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

NGOs, particularly those that work on human rights issues, face harassment and arrest. Three human rights defenders working for the organization TRACKs were sentenced to one year in prison in March 2017 for offenses including disseminating false information. The men were released the following day, having already served one year in detention since their arrest in March 2016. A human rights defender working on Darfur, Mudawi Ibrahim Adam, was held for more than eight months for “waging war against the state” before the charges were dropped in August. In 2017, the government eased some restrictions on the movement of humanitarian workers in conflict zones. In March, Sudan opened a humanitarian corridor to enable the World Food Program to move emergency assistance to famine-afflicted parts of South Sudan. The authorities continued to obstruct the movements of the UN/African Union Hybrid Operation in Darfur (UNAMID).

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Trade union rights are minimal, and there are no independent unions. The Sudan Workers’ Trade Unions Federation has been coopted by the government, which also must approve all strikes. Doctors’ organizations have been targeted following a strike by medical staff in 2016. The authorities have harassed the Central Committee of Sudanese Doctors, a body set up in 2016 to rival the pro-doctors union. In April 2017, its chairman and former chairman were arrested, accused of forming an illegal organization.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary is not independent. Lower courts provide some due process safeguards, but the higher courts are subject to political control. Special security and military courts do not apply accepted legal standards.

F2. Does due process prevail in civil and criminal matters? 0 / 4

The 2010 National Security Act 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 NISS has systematically detained and tortured government opponents, including Darfuri activists, students, and journalists. In April, the National Assembly delayed consideration of a constitutional amendment to scale back the powers of the NISS, instead proposing language to keep its authorities intact. Under the Police Act of 2008, police officers are immune from prosecution.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Torture and abuse of detainees and prisoners is rampant, with political detainees from Darfur subject to particularly harsh treatment. In the parts of Sudan worst affected by conflict—Darfur and the Two Areas—cease-fires resulted in some improvements, including a reduction in aerial bombing of civilians. However, human rights abuses by government or government-backed forces like the paramilitary Rapid Support Forces (RSF) continued. In May and June 2017, villages were targeted and tens of thousands of civilians displaced during fighting between RSF and two rebel groups in central and west Darfur. In one incident, in June, soldiers from the Sudanese Armed Forces opened fire on a market, killing 11 people. Ten women and girls were raped and property was looted.

The death penalty is applied to a broad range of offenses and has been used against members of the political and armed opposition, particularly in Darfur. 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).

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Sudan's many ethnic, regional, and religious groups face political, social, and economic marginalization. Same-sex sexual acts are illegal, though this prohibition does not appear to be strongly enforced. Official and societal discrimination against LGBT (lesbian, gay, bisexual, and transgender)

individuals is widespread. Sudan passed legislation in 2014 to strengthen the rights of asylum seekers, but these rights are not respected in practice. In August 2017, 30 Eritrean youth were deported to risk possible persecution in their home country.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 1 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

The government restricts freedom of movement in conflict-affected areas, particularly in Darfur, South Kordofan, and Blue Nile, where a state of emergency is in place. Women are not allowed to travel or obtain state identification without the permission of a male guardian. These restrictions are used to target female activists and journalists.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Sudanese citizens are allowed to buy land and set up businesses but encounter many obstacles in practice. Weak land rights have been a chronic driver of conflict in Sudan, exploited by corrupt government officials and unscrupulous investors to evict smallholders to make way for commercial development. In 2016, 200 families in Omdurman were left homeless after local authorities demolished their homes and sold their land to an investment company.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 0 / 4

Women face extensive discrimination. Islamic law denies women equal rights in marriage, inheritance, and divorce. Traditional and religious law restricts the property rights of women. Women convicted of adultery can face the death penalty. Police use criminal code provisions outlawing “indecent and immoral acts” to prohibit women from wearing clothing of which they disapprove. Violence against women is a major problem, particularly in conflict-affected regions, and few perpetrators are brought to justice. There has been no accountability for the more than 200 women and girls who were raped, some of them repeatedly, when soldiers entered Tabit, in North Darfur state, in 2014.

In August 2017, Sudan's constitutional court clarified one of the unresolved issues of South Sudan's independence when it ruled that children born to parents of mixed Sudanese and South Sudanese nationality were entitled to Sudanese citizenship.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

Economic mismanagement by the government and the concentration of wealth in the hands of a military, religious, and business elite linked to the NCP have deprived ordinary Sudanese of economic opportunity and condemned them to poverty.

According to the U.S. Department of State, Sudan is failing to take adequate steps to eliminate the trafficking of persons and denies the existence of sex trafficking of women and children.