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# COUNTRY REPORT ON HUMAN RIGHTS PRACTICES 2018 - SUDAN

## EXECUTIVE SUMMARY

Sudan is a republic with power concentrated in the hands of authoritarian President Omar Hassan al-Bashir and his inner circle. The National Congress Party (NCP) continued approximately three decades of nearly absolute political authority. The country last held national elections (presidential and National Assembly) in 2015. Key opposition parties boycotted the elections when the government failed to meet their preconditions, including a cessation of hostilities, holding of an inclusive “national dialogue,” and fostering of a favorable environment for discussions between the government and opposition on needed reforms and the peace process. Prior to the elections, security forces arrested many supporters, members, and leaders of boycotting parties and confiscated numerous newspapers, conditions that observers said created a repressive environment not conducive to free and fair elections. Only 46 percent of eligible voters participated in the elections, according to the government-controlled National Electoral Commission (NEC), but others believed the turnout was much lower. The NEC declared al-Bashir winner of the presidential election with 94 percent of the vote.

Civilian authorities at times did not maintain effective control over the security forces. Some armed elements did not openly identify with a particular security entity, making it difficult to determine under whose control they operated.

The government repeatedly extended its 2016 unilateral cessation of hostilities (COH) in Blue Nile and South Kordofan states (the “Two Areas”) and an end to offensive military action in Darfur. Clashes between the Sudan Liberation Army/Abdul Wahid (SLA/AW) and government forces resumed, however, in April and continued through July, and there were credible reports that villages in Darfur’s Jebel Marra mountain range were targeted for attack during these clashes, resulting in thousands of newly displaced civilians. Nevertheless, the COH did allow for periods of increased stability and an overall improvement in the human rights situation in Darfur and the Two Areas. As part of its UN Security Council-mandated reconfigurations, the African Union/United Nations Hybrid operation in Darfur (UNAMID) established a Jebel Marra Task Force and a temporary operating base in Golo to monitor the humanitarian and security situation in the area. In Darfur weak rule of law persisted, and banditry, criminality, and intercommunal violence were main causes of insecurity in Darfur.

Human rights issues included unlawful or arbitrary killings, forced disappearance, torture, and arbitrary detention, all by security forces; harsh and life-threatening prison conditions; political prisoners; arrests and intimidation of journalists, censorship, newspaper seizures, and site blocking; substantial interference with the rights of peaceful assembly and freedom of association, such as overly restrictive nongovernmental organization (NGO) laws; restrictions on religious liberty; restrictions on political participation; corruption; lack of accountability in cases involving violence against women, including rape and female genital mutilation/cutting (FGM/C); trafficking in persons; outlawing of independent trade unions; and child labor.

Government authorities did not investigate human rights violations by the National Intelligence and Security Services (NISS), the military, or any other branch of the security services, with limited exceptions relating to the Sudanese Armed Forces (SAF). Impunity remained a problem in all branches of the security forces and government institutions.

In Darfur and the Two Areas, paramilitary forces and rebel groups continued to commit killings, rape, and torture of civilians. Local militias maintained substantial influence due to widespread impunity. There were reports of both progovernment and antigovernment militias looting, raping, and killing civilians. Intercommunal violence spawned from land tenure and resource scarcity continued to result in civilian deaths, particularly in East, South, and North Darfur. The government continued its national arms collection campaign, which began in October 2017, mostly in Darfur.

There were some human rights abuses in Abyei, a region claimed by both Sudan and South Sudan, generally stemming from tribal conflict between Ngok Dinka and Misseriya. Reports were difficult to verify due to limited access.

## Section 1. Respect for the Integrity of the Person, Including Freedom from:

### A. ARBITRARY DEPRIVATION OF LIFE AND OTHER UNLAWFUL OR POLITICALLY MOTIVATED KILLINGS

There were numerous reports that the government or its agents committed arbitrary or unlawful killings.

Security forces used lethal excessive force against civilians, demonstrators, and detainees, including in conflict zones (see section 1.g.). On January 6, in El Geneina, West Darfur, Rapid Support Forces (RSF) used live ammunition against a large group of high school and university students protesting poor economic conditions in front of the regional governor's office. Several students were severely wounded and 19-year-old student Alzubair Ahmed Alsukairan died from a gunshot wound to the chest. The governor promised the police would investigate the student's death. As of year's end, no information on the investigation had been made public.

In response to protests that broke out on December 19 and spread throughout the country, security forces fired live ammunition in Gadaref city, Atbara city, and the Al haj Youssef neighborhood in Khartoum, resulting in credible reports of at least 30 deaths (see sections 1.c., 1.d., and 2.a.).

There were multiple reports during the year of deaths resulting from torture, including of a student who disappeared in January when participating in protests (see section 1.b.).

### B. DISAPPEARANCE

There were reports of disappearances by or on behalf of government authorities. As in prior years, this included disappearances in both nonconflict and conflict areas. Security forces detained political opponents incommunicado and without charge. NISS held some political detainees in isolation cells in regular prisons, and many were held without access to family or medical treatment and reportedly suffered physical abuse. Human rights activists asserted NISS ran "ghost houses" where it detained opposition and human rights figures without acknowledging they were being held. Such detentions were prolonged at times.

According to the government, NISS maintained public information offices to address inquiries about missing or detained family members. Families of missing or detained persons reported such inquiries often went unanswered.

The body of a 23-year-old Darfuri student was found in Barabar, River Nile State, on January 22. The student was reportedly last seen being arrested by NISS on January 16 upon his return to Wadi Alnil University in Barabar from Khartoum, where he participated in and documented protests against commodity price hikes. Local police confirmed that his body was found on the banks of the Nile River on January 22. Human rights activists reported that the student was killed in NISS custody and that his body showed signs of torture.

Peaceful protesters were regularly detained. In January and February, hundreds of demonstrators at largely peaceful protests against commodity price increases were arrested. While many protestors were released on the day of arrest, security services detained opposition and human rights leaders for longer periods. At least 150

human rights defenders faced prolonged detentions, usually in unknown NISS facilities and without access to family visits or legal counsel for various periods up to five months.

Government forces, armed opposition groups, and armed criminal elements were responsible for the disappearance of civilians in conflict areas (see section 1.g.).

## C. TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT

The 2005 Interim National Constitution prohibits torture and cruel, inhuman, and degrading treatment, but security forces reportedly tortured, beat, and harassed suspected political opponents, rebel supporters, and others.

In accordance with the government's interpretation of sharia (Islamic law), the penal code provides for physical punishments, including flogging, amputation, stoning, and the public display of a body after execution, despite the constitution's prohibitions. Courts routinely imposed flogging, especially as punishment for indecent dress and the production or consumption of alcohol.

The law requires police and the attorney general to investigate deaths on police premises, regardless of suspected cause. Reports of suspicious deaths in police custody were sometimes investigated but not prosecuted. On January 12, a pharmacist at Gireida Hospital in South Darfur died in police custody after spending two days in detention. He was arrested along with five colleagues for alleged involvement in the black market trade of prescription medications. The pharmacist's colleagues were released after one night's detention; all five showed signs of physical abuse. After the pharmacist's death, his family demanded an autopsy. A forensic doctor from Khartoum conducted the autopsy and reported that the deceased's body showed signs of severe torture, including a ruptured kidney, missing fingernails, and a cut in the spinal cord. Following his burial, a forensic doctor connected with the hospital in which he was treated issued a second report stating that the pharmacist died of natural causes. The deceased's family attempted to file a complaint, but local police reportedly refused to accept it. A committee chaired by the Gireida legislative council speaker and commissioner then publicly encouraged the family to accept government compensation in the amount of 300,000 SDG (\$6,380).

In May the Sudan News agency reported that Akasha Mohamed Ahmed, a businessman who was in NISS custody on corruption charges, committed suicide in prison. Ahmed, a known member of the NCP, was called into NISS' economic department after a dispute with the party. NISS said Ahmed made a confession and that the police were informed of this prior to his alleged suicide. His body was delivered to his family. There was no known investigation into Ahmed's death by year's end.

Civil society activists in Khartoum, former detainees, and NGOs all reported that government security forces (including police, NISS, SAF Directorate of Military Intelligence (DMI) personnel, and the RSF) tortured persons in detention, including members of the political opposition, civil society, and journalists. Reported forms of torture and other mistreatment included prolonged isolation, exposure to extreme temperature variations, electric shock, and the use of stress positions.

On February 5, Nasreldin Mukhtar Mohammed, a student at Omdurman's Holy Koran University and former head of the Darfur Students Association, was released from NISS custody. Mohammed had spent six months in solitary confinement in an unknown NISS facility. NISS arrested him in August 2017 for alleged involvement in protests at his university. During his detention, Mohammed's family, the Darfur Bar Association, and the Darfuri Students Association issued numerous statements expressing concern for Mohammed's prolonged detention without regular access to family visits or legal counsel.

Government authorities detained other members of the Darfur Students Association during the year. Upon release, many showed visible signs of severe physical abuse and reported they had been tortured. Darfuri students also reported being attacked by NCP student-wing members during protests. There were no known repercussions for the NCP youth that participated in violence against Darfuri students. There were numerous reports of violence

against student activists' family members. At year's end, the trial of nine Darfuri students from Bakht al Rida University in White Nile State accused of murdering two police officers during violent clashes between police officers and protesting students in May 2017 continued. The students were held for almost a year before the trial began.

Human rights groups alleged that NISS regularly harassed and sexually assaulted many of its female detainees.

The law prohibits indecent dress and punishes it with a maximum of 40 lashes, a fine, or both. The law does not specify what constitutes indecent dress. Officials acknowledged authorities applied these laws more frequently against women than men and applied them to Muslims and non-Muslims. Most women were released following payment of fines.

In February human rights activist and journalist Wini Nawal Omer was arrested with three friends at a private residence in Khartoum and charged with attempting to commit an offense, possessing alcohol, and prostitution. At year's end their trial was ongoing. Omer was previously arrested in December 2017 for indecent dress after she attended a high profile public order hearing for 24 women arrested in December 2017 at a private residence for indecent dress.

## PRISON AND DETENTION CENTER CONDITIONS

The Ministry of Interior generally does not release information on physical conditions in prisons. Information about the number of juvenile and female prisoners was unavailable.

Physical Conditions: Prison conditions throughout the country remained harsh and life threatening; overcrowding was a major problem. The Prisons and Reform Directorate, a branch of the national police that reports to the Ministry of Interior, oversees prisons. According to human rights activists and released detainees, RSF and DMI officials also detained civilians on military installations, especially in conflict areas.

Overall conditions, including food, sanitation, and living conditions, were reportedly better in women's detention facilities and prisons, such as the Federal Prison for Women in Omdurman, than at equivalent facilities for men, such as the main prison in Khartoum, Kober, or Omdurman Prisons. In Khartoum juveniles were not held in adult prisons or jails, but they were reportedly held with adults elsewhere. During the year there was an unconfirmed report of a child dying in detention.

Authorities generally provided food, water, and sanitation, although the quality of all three was basic. Prison health care, heating, ventilation, and lighting were often inadequate, but varied from facility to facility. Some prisoners did not have access to medications or physical examinations. While prisoners previously relied on family or friends for food, during the year policy changed and families were no longer allowed to provide food or other items to family members. Most prisoners did not have beds. Former detainees reported needing to purchase foam mattresses.

There were reports of deaths due to negligence in prisons and pretrial detention centers, but comprehensive figures were not available. Local press reported deaths resulting from suspected torture by police (see section 1.a.). Human rights advocates reported that deaths resulted from harsh conditions at military detention facilities, such as extreme heat and lack of water.

Some former detainees reported security forces held them incommunicado; beat them; deprived them of food, water, and toilets; and forced them to sleep on cold floors. Released detainees also reported witnessing rapes of detainees by guards.

Political prisoners were held in separate sections of prisons. Kober Prison contained separate sections for political prisoners, those convicted of financial crimes, and those convicted of violent crimes. NISS holding cells in Khartoum North prisons were known to local activists as "the fridges" due to the extremely cold temperatures and the lack of windows and sunlight.

Political detainees reported facing harsher treatment, although many prominent political detainees reported being exempt from abuse in detention. Numerous high profile political detainees reported being held next to rooms used by security services to torture individuals.

Administration: Authorities rarely conducted proper investigations of credible allegations of mistreatment.

While police allowed some visitors, including lawyers and family members, while prisoners were in custody and during judicial hearings, political detainees and others held in NISS custody were seldom allowed visits. Authorities also regularly denied foreign prisoners held in NISS facilities visits from foreign government representatives.

Christian clergy held services in prisons. Access varied across prisons. In Omdurman Women's Prison, church services were held six times a week, but regularity of services in other prisons was not verified. Sunni imams were granted access to facilitate Friday prayers. Shia imams were not allowed to enter prisons to conduct prayers. Detained Shia Muslims were permitted to join prayers led by Sunni imams.

The police inspector general, the minister of justice, and the judiciary are authorized to inspect prisons.

Independent Monitoring: The government did not permit unrestricted monitoring by independent nongovernmental observers such as the International Committee of the Red Cross (ICRC). The ICRC was not allowed to visit prisons during the year.

Diplomatic missions were allowed limited monitoring access to prisons during the year. A group of representatives from diplomatic missions in Khartoum visited a prison in Abyei during an official trip to the area. The diplomats observed harsh treatment of detainees and prisoners.

The Ministry of Justice occasionally granted UNAMID access to government prisons in Darfur, but with restrictions. The government in most cases denied access to specific files, records, and prisoners. Consequently, UNAMID was unable to verify the presence or status of inmates who reportedly were held illegally as political prisoners. The human rights section had physical access to general prisons (excepting NISS and DMI detention centers) in South, North, East, and West Darfur, but in Central Darfur (where most of the conflict occurred during the year) UNAMID had no access to any prison or detention center.

The UN Independent Expert on the Situation of Human Rights in the Sudan (IE) was allowed access to Alshala Prison in El Fasher, North Darfur during the IE's April trip to the country.

## Role of the Police and Security Apparatus

Several government entities have responsibility for internal security, including the Ministry of Interior, which oversees the police agencies; the Ministry of Defense; and NISS. Ministry of Interior police agencies include the security police, Special Forces police, traffic police, and the combat-trained Central Reserve police. There was a police presence throughout the country.

The government attempted to respond to some interethnic fighting and, in a few instances, was effective in mediating peaceful solutions. The government had a poor record, however, in preventing societal violence. Numerous residents in Darfur, for example, routinely complained of a lack of governing presence or authority that could prevent or deter violent crime.

The law provides NISS officials with legal protection from criminal or civil suits for acts committed in their official capacity; the government reported NISS maintained an internal court system to address internal discipline and investigate and prosecute violations of the National Security Act, including abuse of power. Penalties included up to 10 years in prison, a fine, or both for NISS officers found in violation of the act. During the year the government provided more information about how many cases it had closed. A key national dialogue recommendation was to rescind unilateral additions to the constitution that exempt NISS from the national judicial system. Despite promises to implement all national dialogue recommendations, the government did not include NISS reforms as part of the national dialogue package of laws it presented to the National Assembly.

In February President Bashir appointed Salah Abdallah Mohamed Saleh, known as Salah “Gosh,” as the head of NISS. His first major act was to release about 80 political detainees arrested for supporting protests against the deteriorating economic situation, following a directive from President Bashir.

NISS is responsible for internal security and most intelligence matters. It functions independently of any ministry. Constitutional amendments passed in 2015 expanded NISS’s mandate to include authorities traditionally reserved for the military and judiciary. Under the amendments NISS may establish courts and is allowed greater latitude than other security services in making arrests.

The Ministry of Defense oversees all elements of the SAF, including the RSF, Border Guards, and DMI units.

The RSF is only nominally under the SAF; in fact it reports directly to the president. The RSF continued to play a significant role in government campaigns against rebel movements and was implicated in the majority of reports of human rights violations against civilians. The government tightly controlled information about the RSF, and public criticism of the RSF often resulted in arrest or detention (see section 2.a.).

On February 12, the RSF killed Khidir Mohamed, a businessman, in front of his home in Kassala City. The incident reportedly occurred after RSF soldiers took the personal belongings of a group of young men and then chased the young men into Kassala, where they ran into the home owned by Mohamed. Mohamed reportedly died immediately. Later in the month, citizens of Eastern Sudan put out a petition demanding the immediate withdrawal of RSF soldiers from Red Sea, Kassala, and Gedaref states. They cited the Mohamed case and warned that the RSF were jeopardizing the regions’ prospects of peace and development. The RSF has been present in Eastern Sudan since December 2017.

Impunity remained a serious problem throughout the security forces, although crimes involving child victims were prosecuted more regularly. Aside from the inconsistent use of NISS’ special courts (see above), the government rarely lifted police immunity or pressed charges against SAF officers. The government also generally failed to investigate violations committed by any branch of the security forces.

## D. ARBITRARY ARREST OR DETENTION

The Interim National Constitution prohibits arbitrary arrest and detention and requires that individuals be notified of the charges against them when they are arrested. Arbitrary arrests and detentions, however, remained common under the law, which allows for arrest by the NISS without warrants and detention without charge for up to four and one-half months. Authorities often released detainees when their initial detention periods expired but took them into custody the next day for an additional period. Authorities, especially NISS, arbitrarily detained political opponents and those believed to sympathize with the opposition (see section 1.e.). The law does not provide for the right of persons to challenge the lawfulness of their arrest or detention in court.

### Arrest Procedures and Treatment of Detainees

Under the National Security Act warrants are not required for an arrest. The law permits the police to detain individuals for three days for the purpose of inquiry. A magistrate can renew detention without charge for up to two weeks during investigation. A superior magistrate may renew detentions for up to six months for a person who is charged.

The law allows NISS to detain individuals for up to 45 days before bringing charges. The NISS director may refer certain cases to the Security Council and request an extension of up to three months, allowing detentions of up to four and one-half months without charge. Authorities often released detainees when their detentions expired and rearrested them soon after for a new detention period, so that detainees were held for several months without charge and without official extensions.

The constitution and law provide for an individual to be informed in detail of charges at the time of arrest, with interpretation as needed, and for judicial determination without undue delay, but these provisions were rarely followed. Individuals accused of threatening national security routinely were charged under the national security law, rather than the criminal code, and frequently detained without charge.

The law allows for bail, except for those accused of crimes punishable by death or life imprisonment. There was a functioning bail system; however, persons released on bail often awaited action on their cases indefinitely.

Suspects in common criminal cases, such as theft, as well as in political cases were often compelled to confess guilt while in police custody through physical abuse and police intimidation of family members.

The law provides for access to legal representation, but security forces often held persons incommunicado for long periods in unknown locations. By law any person may request legal assistance and must be informed of the right to counsel in cases potentially involving the death penalty, imprisonment lasting longer than 10 years, or amputation. Accused persons may also request assistance through the legal aid department at the Ministry of Justice or the Sudanese Bar Association. The government was not always able to provide legal assistance, and legal aid organizations and lawyers partially filled the gap.

Arbitrary Arrest: NISS, police, and the DMI arbitrarily arrested and detained persons. Authorities often detained persons for a few days before releasing them without charge, but many persons were held much longer. The government often targeted political opponents and suspected rebel supporters (see section 1.e.).

NISS officials frequently denied holding individuals in their custody or refused to confirm their place of detention. In lieu of formal detention, NISS increasingly called individuals to report to NISS offices for long hours on a daily basis without a stated purpose. Many human rights observers considered this a tactic to harass, intimidate, and disrupt the lives of opposition members and activists, prevent “opposition” activities, and avoid the recording of formal detentions.

In response to mid-December protests, the government detained hundreds of persons, including students, Darfuris, opposition members, and journalists (see sections 1.a. and 2.a.).

The government sometimes sought the repatriation of Sudanese citizens living abroad who actively criticized the government online. Saudi Arabian security services arrested Sudanese human rights defender Hisham Ali at his home in Jeddah at the request of Sudanese security services and deported him to Khartoum on May 29. Ali had a large social media following under his pseudonym Wad Galiba; he used social media to write posts critical of the Sudanese government. Ali was also a founding member of the November 27th Movement, a loosely affiliated Sudanese civil society group. Upon arriving in Khartoum, Ali was held incommunicado and denied access to family visits or legal counsel. On July 15, Ali was charged with four crimes against the state: undermining the constitution, waging war against the state, espionage, and entering and photographing military areas and works. No trial date had been announced by year’s end.

Unlike in prior years, no local NGOs reported that women were detained because of their association with men suspected of being supporters of the Sudan People’s Liberation Movement-North (SPLM-N) (see section 1.g.).

Pretrial Detention: Lengthy pretrial detention was common. The large number of detainees and judicial inefficiency resulted in trial delays.

Detainee’s Ability to Challenge Lawfulness of Detention before a Court: Persons arrested or detained, regardless of whether on criminal or other grounds, were not entitled to challenge in court the legal basis or arbitrary nature of their detention and, therefore, were not able to obtain prompt release or compensation if unlawfully detained.

## E. DENIAL OF FAIR PUBLIC TRIAL

Although the constitution and relevant laws provide for an independent judiciary, courts were largely subordinate to government officials and the security forces, particularly in cases of alleged crimes against the state. On occasion courts displayed a degree of independence. Political interference with the courts, however, was commonplace, and some high-ranking members of the judiciary held positions in the Ministry of Interior or other ministries.

The judiciary was inefficient and subject to corruption. In Darfur and other remote areas, judges were often absent from their posts, delaying trials.

States of emergency continued in Darfur, Blue Nile, Southern Kordofan, North Kordofan, West Kordofan, and Kassala to facilitate the national arms collection campaigns. The states of emergency allowed for the arrest and detention of individuals without trial.

## Trial Procedures

The constitution and law provide for a fair and public trial as well as a presumption of innocence; however, this provision was rarely respected. Trials are open to the public at the discretion of the judge. In cases of national security and offenses against the state, trials are usually closed. The law stipulates that the government is obligated to provide a lawyer for indigents in cases in which punishment might exceed 10 years' imprisonment or include execution or amputation.

By law criminal defendants must be informed promptly of the charges against them at the time of their arrest and charged in detail and with interpretation as needed. Individuals arrested by NISS often were not informed of the reasons for their arrest.

Defendants generally have the right to present evidence and witnesses, be present in court, confront accusers, and have access to government-held evidence relevant to their cases. Some defendants reportedly did not receive legal counsel, and counsel in some cases could only advise the defendant and not address the court. Persons in remote areas and in areas of conflict generally did not have access to legal counsel. The government sometimes did not allow defense witnesses to testify.

Defendants have the right to appeal, except in military trials. Defendants were sometimes permitted time and facilities to prepare their defense, although in more political cases, charges could be disclosed with little warning and could change as the trial proceeded.

Lawyers wishing to practice are required to maintain membership in the government-controlled Sudanese Bar Association. The government continued to arrest and harass lawyers whom it considered political opponents.

Military trials, which sometimes were secret and brief, lacked procedural safeguards. The law subjects any civilians in SAF-controlled areas believed to be rebels or members of a paramilitary group to military trials. NISS and military intelligence officers applied this amendment to detainees in the conflict areas.

Three-person security courts deal with violations of constitutional decrees, emergency regulations, and some sections of the penal code, including drug and currency offenses. Special courts composed primarily of civilian judges handled most security-related cases. Defendants had limited opportunities to meet with counsel and were not always allowed to present witnesses during trial.

Due to long distances between court facilities and police stations in conflict areas, local mediation was often the first resort to try to resolve disputes. In some instances tribal courts operating outside the official legal system decided cases. Such courts did not provide the same protections as regular courts.

Sharia strongly influenced the law, and sharia in some cases was applied to Christians against their wishes in civil domestic matters such as marriage, divorce, and inheritance.

## Political Prisoners and Detainees

The government continued to hold political prisoners and detainees, including protesters. Due to lack of access, the numbers of political prisoners and detainees could not be confirmed. Government authorities detained Darfuri students and political opponents, including opposition members, throughout the year, often reportedly subjecting them to torture. The government severely restricted international humanitarian organizations' and human rights monitors' access to political detainees.

Hundreds of demonstrators were arrested in the waves of protests against commodity price hikes in January and February. The government initiated two major releases of political detainees in connection with the protests. On February 18, following a directive from President Bashir, NISS announced that "all political detainees" held for supporting protests would be released. In reality, an estimated 80 detainees were released and the government

followed up with an announcement that the release of the remaining political detainees, who were mainly from the larger opposition parties, would be contingent upon the “good behavior” of the opposition parties. On April 11, President Bashir issued another decree ordering the release of “all” political detainees. Since then the government has maintained that it does not hold political prisoners. Human rights groups continued, however, to regularly report the arrests of activists and opposition members for political reasons.

During the start of the price hike protests in January, security services placed some opposition leaders under what human rights groups called “preventative detention” following their parties’ calls for civil disobedience. Between January 7 and 18, security services arrested four Sudan Congress Party leaders, four Communist Party leaders, and one Baath Party leader. None of the party leaders had attended protests. Human rights groups allege that the government arrested them due to concern they would be influential in calling for protests. Their arrests occurred in addition to arrests of demonstrators.

On July 17, security services arrested Ahmed Aldai Bushara at his Khartoum home two days after Bushara posted a video on Facebook criticizing the bad economic situation and showing a long line of people waiting to purchase bread in his neighborhood. Bushara had a large social media following and was arrested two previous times. On August 25, Bushara began a hunger strike to protest his prolonged detention without charge. He was released on September 17. No charges were ever formally brought against him.

On August 13, the Supreme Court commuted the death sentence of Asim Omer for killing a police officer during 2016 protests at Khartoum University, and ordered a retrial, which began on September 18. Human rights groups alleged that the charges were due to Omer’s activism on behalf of Darfuri students’ right to education and his membership in an opposition party.

## Civil Judicial Procedures and Remedies

Persons seeking damages for human rights violations had access to domestic and international courts. The domestic judiciary, however, was not independent. There were problems enforcing domestic and international court orders. According to the law, individuals and organizations may appeal adverse domestic decisions to regional human rights bodies. Some individuals, however, reported they feared reprisal (see section 2.d.).

## F. ARBITRARY OR UNLAWFUL INTERFERENCE WITH PRIVACY, FAMILY, HOME, OR CORRESPONDENCE

The Interim National Constitution and law prohibit such actions, but the government routinely violated these rights. Emergency laws in Darfur, Blue Nile, Southern Kordofan, North Kordofan, West Kordofan, and Kassala States legalize interference in privacy, family, home, and correspondence for purposes of maintaining national security.

Security forces frequently searched and targeted persons suspected of political crimes. NISS often confiscated personal computers and other private property. Security forces conducted multiple raids on Darfuri students’ housing throughout the year. During the raids NISS confiscated students’ belongings, including laptops, school supplies, and backpacks. As of year’s end, the students’ belongings had not been returned.

The government monitored private communications, individuals’ movements, and organizations without due legal process. A wide network of government informants conducted surveillance in schools, universities, markets, workplaces, and neighborhoods.

## G. ABUSES IN INTERNAL CONFLICT

The government continued to renew a COH in conflict areas. Antigovernment armed movements respected the COH with the exception of SLA/AW. Armed clashes broke out between the government and SLA/AW in Jebel Marra, a mountain range that crosses four states in Darfur and is partially controlled by SLA/AW, between March and June.

Killings: During the year military personnel, paramilitary forces, and tribal groups committed killings in Darfur and the Two Areas. Most reports were difficult to verify due to continued prohibited access to conflict areas, particularly Jebel Marra in Central Darfur and SPLM-N-controlled areas in South Kordofan and Blue Nile States. Humanitarian access to Jebel Marra, however, increased compared to past years.

Between January 20th and 22nd, clashes occurred between internally displaced persons (IDPs) and Arab Beni Galba tribesmen in the IDP Hassahissa Camp near Zalingi in Central Darfur. On January 20, tribesmen attacked a group of IDPs protesting inside the camp. The tribesmen set fire to the water tanks in the camp, causing more protests. Seven IDPs were confirmed killed and 86 persons wounded.

Clashes between government forces and SLA/AW began on March 10 in East Jebel Marra, resulting in two dead SAF soldiers and one dead rebel. On March 11, SLA/AW forces reportedly ambushed a government convoy, resulting in three more SAF casualties and two SLA/AW casualties. Clashes continued into May, as the government launched an offensive against SLA/AW in South and Central Darfur. During the period at least two civilians were killed, 12 wounded, several SAF soldiers and rebels died, and at least 16 villages were attacked. Humanitarian organizations reported widespread population displacements to central Jebel Marra.

From June 13 to 16, government forces attacked SLA/AW positions in the southern Jebel Marra area; 16 soldiers and three SLA/AW fighters died. UNAMID received reports of villages being burned and civilian deaths and injuries, but could not verify the extent of the damage or number of civilian casualties, nor who caused the damage.

Government forces attacked the main SLA/AW stronghold of Boulay in northern Jebel Marra on June 28. On July 29 and 30 SLA/AW attacked Golol, which was captured by the government. The next day UNAMID received reports of SAF and the RSF targeting civilians alleged to sympathize with SLA/AW in villages in southern Jebel Marra.

Human rights monitors reported that the government's national arms collection campaign was incomplete and directed at certain groups, while exempting some Arab groups. IDPs in Darfur also reported that they could not return to their original lands despite government claims the situation was secure, because their lands were being occupied by Arab nomads, who were not disarmed and could attack returnees.

Clashes also occurred between IDPs and government security services in Darfur. For example, between May 21 and 23, there were clashes at three camps around Zalingi: Khamsa Dagaig, Ardayba, and Jedda. Several IDPs were reportedly killed.

Nomadic militias also attacked civilians in the conflict areas. On June 4, Arab nomads attacked the village market of Hijeir Tono, South Darfur, resulting in nine deaths. The attack was reportedly in retaliation for the killing of two Arab nomads in the same village in February. Local villages blocked security services from transporting the bodies to Nyala for burial.

Abductions: There were numerous reports of abductions by rebel and tribal groups in Darfur. International organizations were largely unable to verify reports of disappearances. For example, on September 11, two IDP returnees were reported to have been kidnapped from Sortony IDP gathering site in North Darfur. Local sources reported that the abducted men were spies for SAF and were abducted by SLA/AW members.

There were also numerous criminal incidents similar to the following: In February four armed Arab tribesmen kidnapped two male Fur IDPs from a gathering site in Sortony, North Darfur. The victims were assaulted and robbed of their cash, donkeys, and personal belongings, and released the following day.

UNAMID reported that abduction remained a lucrative method adopted by various tribes in Darfur to coerce the payment of diya ("blood money" ransom) claimed from other communities.

Physical Abuse, Punishment, and Torture: Government forces abused persons detained in connection with armed conflict as well as IDPs suspected of having links to rebel groups. There were continuing reports that government security forces, progovernment and antigovernment militias, and other armed persons raped women and children.

Rebel groups in Darfur and the Two Areas reportedly detained persons in isolated locations in prison-like detention centers.

On August 11, the Sudan Liberation Army/Transitional Council released a statement announcing the death of four of its prisoners of war inside Al Huda Prison in Omdurman. They alleged the detainees died as a result of torture and negligence. They expressed concern for the fate of 11 other detainees in the prison.

The extent to which rebel groups committed new human rights abuses could not be accurately estimated, largely due to limited access to conflict areas. The state of detention facilities administered by SLA/AW and SPLM-N in their respective rebel-controlled areas could not be verified due to lack of access.

Human rights groups continued to report that government forces and militias raped, detained, tortured, and arbitrarily killed civilians in the five states of Darfur and government-controlled areas of Blue Nile.

Unexploded ordnance killed and injured civilians in the conflict zones. UNAMID reported four incidents and one person injured.

Child Soldiers: The law prohibits the recruitment of children and provides criminal penalties for perpetrators. The government made substantial efforts to end the recruitment and use of child soldiers by implementing the National Action Plan to Prevent the Recruitment and Use of Children in Armed Conflict, and there were no confirmed reports of recruitment or use of children by government security forces.

During the year the United Nations delisted the government and progovernment militias from its list of countries that actively recruit and use child soldiers. UNICEF noted that the country increased the transparency of its reporting and allowed UNICEF to conduct numerous monitoring and verification visits to SAF and RSF facilities in the past year; improved the effectiveness of its identification and provision of care to child soldiers from antigovernment groups; and increased antitrafficking training for law enforcement and judicial officials; among other improvements.

Allegations persisted, however, that armed rebel movements and government-aligned militias had child soldiers within their ranks. Many children continued to lack documents verifying their age. Children's rights organizations believed armed groups exploited this lack of documentation to recruit or retain children. Due to access problems, particularly in conflict zones, reports of the use of child soldiers among armed groups were limited and often difficult to verify.

Representatives of armed groups reported they did not actively recruit child soldiers. They did not, however, prevent children who volunteered from joining their movements. The armed groups stated the children were stationed primarily in training camps and were not used in combat.

There were reports of the use of child soldiers by the SPLM-N, but numbers could not be verified, in part due to lack of access to SPLM-N-controlled territories.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

Other Conflict-related Abuse: Although humanitarian access improved for UN and NGO staff considerably during the year, there were still incidents of restrictions on UN and NGO travel in some parts of North Darfur and East Jebel Marra based on what the government described as insecurity. The Humanitarian Aid Commission guidelines to ease restrictions on movement of humanitarian workers were not consistently implemented during the year.

From May to July, Sudanese Military Intelligence denied access to eastern Jebel Marra to UNAMID convoys approaching from Kass due to fighting between SLA/AW and government forces. UNAMID was therefore unable to verify civilian displacement and respond to immediate humanitarian needs.

The government continued periodically to use bureaucratic impediments to restrict the actions of humanitarian organizations, delaying the release of food and necessary equipment to UNAMID for prolonged periods. The resulting shortages hampered the ability of UNAMID troops to communicate, conduct robust patrols, and protect civilians; they incurred demurrage charges and additional costs for troop- and police-contributing countries and the United Nations.

In July heavy rains and floods in West Kordofan destroyed approximately 5,000 houses in residential neighborhoods; more than 7,000 families were displaced without access to shelter. Government authorities prevented humanitarian actors from conducting rapid assessments and providing services and supplies to the affected families.

UNAMID continued to report that criminality was the greatest threat to security in Darfur. Common crimes included rape, armed robbery, abduction, ambush, livestock theft, assault/harassment, arson, and burglary and were allegedly carried out primarily by Arab militias, but government forces, unknown assailants, and rebel elements also carried out attacks.

Humanitarian actors in Darfur continued to report that victims of sexual and gender-based violence faced obstructions in attempts to report crimes and access health care.

Although the government made public statements encouraging the return of IDPs to their homes and the closure of camps in Darfur since “peace” had come to Darfur, IDPs expressed reluctance to return due to lack of security and justice in their home areas.

Government forces at times harassed NGOs that received international assistance. The government sometimes restricted or denied permission for humanitarian assessments, refused to approve technical agreements, changed operational procedures, copied NGO files, confiscated NGO property, questioned humanitarian workers at length and monitored their personal correspondence, restricted travel, and publicly accused humanitarian workers of aiding rebel groups. There were no reports of humanitarian workers being targeted for kidnapping and ransom.

The UN secretary-general stated that the number of attacks against UN agencies and humanitarian organizations continued to decline.

Government restrictions in Sudan-administered Abyei limited NGOs’ activities, especially in the northern parts of Abyei. Additional problems included delays in the issuance of travel permits.

## Section 2. Respect for Civil Liberties, Including:

### A. FREEDOM OF EXPRESSION, INCLUDING FOR THE PRESS

The Interim National Constitution provides for freedom of expression, including for the press “as regulated by law,” but the government heavily restricted this right.

Freedom of Expression: Individuals who criticized the government publicly or privately were subject to reprisal, including arrest. The government attempted to impede such criticism and monitored political meetings and the press.

In January and February, at least 18 journalists were arrested in and around Khartoum while covering protests against the declining economic situation and bread price increases. Arrested journalists included employees of Agence France Presse, Reuters, and the BBC. Most were released shortly after arrest, but several from Sudanese media outlets were held up to two months in detention, including *Al Midan* correspondent Kamal Karrar. No formal charges were ever brought against any of the journalists.

Journalist Mohamed Osman Babiker was arrested and taken from his home in El Gezira on July 31, after Kassala state authorities filed a complaint against him under the Information Act of 2015 for criticizing the state’s branch of the National Congress Party on social media. Babiker was transferred from a jail in Khartoum to Kassala to await trial.

The government also curtailed public religious discussion if proselytization was suspected and monitored religious sermons and teachings (see the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/)).

Press and Media Freedom: The Interim National Constitution provides for freedom of the press, but authorities prevented newspapers from reporting on issues they deemed sensitive. Throughout the year the government verbally warned newspapers of “red line” topics on which the press could not report. Such topics included corruption, university protests, the weak economy and declining value of the Sudanese pound, deaths of persons in detention, the fuel crisis, government security services, and government action in conflict areas. Measures taken by the government included regular and direct prepublication censorship, confiscation of publications, legal action, and denial of state advertising. Confiscation after printing in particular inflicted financial damage on newspapers already under financial strain due to low circulation.

The government influenced radio and television reporting through the permit process, as well as by offering or withholding government payments for advertisements, based on how closely affiliated they were with the government.

The government controlled media through the National Council for Press and Publications (NCP), which administered mandatory professional examinations for journalists and oversaw the selection of editors. The council had authority to ban journalists temporarily or indefinitely. The registration of journalists was handled primarily by the Sudanese Journalists Network, which estimated there were 7,000 registered journalists in the country, although fewer than 200 of them were believed to be actively employed as journalists. The remainder were members of the government and security forces working on media issues, who received automatic licenses.

On June 10, the Parliament approved a new Combatting Cybercrimes Act for 2018. The new act makes spreading anything deemed to be “fake news” illegal and carries a punishment of up to three years’ imprisonment. On October 11, the act was applied after a judge sentenced a man in White Nile State to two years imprisonment and a fine of 10,000 SDG (\$215) for creating a fake Facebook account and posting indecent photographs. Human rights activists were concerned about the potential use of the law to further censor content in news and social media, but there have not been any known cases against human rights activists as of November.

Violence and Harassment: The government continued to arrest, harass, intimidate, and abuse journalists and vocal critics of the government. NISS required journalists to provide personal information, such as details on their ethnic group, political affiliation, and family.

Censorship or Content Restrictions: The government continued to practice direct prepublication and prebroadcast censorship of all forms of media. Confiscations of print runs was the censorship method most frequently used by NISS. This was an incentive to self-censorship. On June 10, authorities confiscated the full run of *Al Tayar* newspaper for publishing an article about the economic situation. The same day, NISS asked the article’s author, journalist Shamile al Noor, to report to NISS for questioning. He was questioned for three hours and then told to report back the following day, when NISS told him to stop commenting publicly on President Bashir. On October 4, NISS seized print runs of two newspapers and summoned their editors-in-chief for a meeting after the editors met with foreign ambassadors and charges. NISS summoned the editors for a second meeting on October 24.

Authorities used the Press and Publications Court, specializing in media issues and “newspaper irregularities” and established under the Press and Publications Act, to prosecute “information crimes.”

In early August the Speaker of the National Assembly met with editors-in-chief of major newspapers and instructed them to comply with red line topics and, in exchange, NISS would no longer confiscate newspapers. The NCP would then take on the responsibility of monitoring newspaper content. Some human rights groups expressed concern that this was a move by the government to further encourage self-censorship.

On July 31, the chief editor of *Al-Jareeda* newspaper, Ashraf Abdelaziz stated publically that NISS prevented the newspaper from being distributed for seven straight days, thus inflicting a huge financial loss on the paper.

Following the December protests, government censorship of media tightened, resulting in the arrests of several journalists and near daily confiscations of entire newspaper print runs. The NISS declared news on the protests a “red line” topic and then pre-censored newspapers to stop the publication of news on the protests.

Libel/Slander Laws: The law holds editors in chief criminally liable for all content published in their newspapers. In April Muhsin Musa was arrested in Kadugli, South Kordofan for defamation after he posted criticism of the fuel crisis and general economic conditions on his Twitter account. A few days later, police arrested Awadia Abdulrahman in Khartoum North for sharing Musa's posts.

National Security: The law allows for restrictions on the press in the interest of national security and public order. It contains loosely defined provisions for bans for encouraging ethnic and religious disturbances and incitement of violence. The criminal code, National Security Act, and emergency laws were regularly used to bring charges against the press. Human rights activists called the law a "punishment" for journalists.

NISS initiated and continued legal action against journalists for stories critical of the government and security services.

## Internet Freedom

The government regulated licensing of telecommunications companies through the National Telecommunications Corporation. The agency blocked some websites and most proxy servers judged offensive to public morality, such as those purveying pornography. There were few restrictions on access to information websites, but authorities sporadically blocked access to YouTube and "negative" media sites. On December 21, the government suspended service for key social media platforms including WhatsApp, Facebook and YouTube to disrupt communication among protestors. According to the International Telecommunication Union, approximately 28 percent of individuals used the internet in 2016.

Freedom House continued to rank the country as "not free" in its annual internet freedom report. According to the report, arrests and prosecutions under the Cybercrime Act grew during the year, reflecting a tactical shift in the government's strategy to limit internet freedom. The report noted that many journalists writing for online platforms published anonymously to avoid prosecution, while ordinary internet users in the country had become more inclined to self-censor to avoid government surveillance and arbitrary legal consequences.

## Academic Freedom and Cultural Events

The government restricted academic freedom, determining the curricula and appointing vice chancellors responsible for administration at academic and cultural institutions. The government continued to arrest student activists and cancel or deny permits for some student events. Youth activists reported some universities discouraged students from participating in antigovernment rallies and treated NCP students favorably. Some professors exercised self-censorship. On April 15, Esmatt Mahmoud, a philosophy professor at the University of Khartoum, was arrested after the university filed a complaint against him for a Facebook post he wrote criticizing the university's handling of personnel issues. The Public Order Police monitored cultural events, often intimidating women and girls, who feared police would arrest them for "indecent" dress or actions.

On May 28, NISS prevented a theater troupe, Al Samandal, from performing a play entitled "The Worker's Revolution" during a theater festival in Port Sudan.

# B. FREEDOMS OF PEACEFUL ASSEMBLY AND ASSOCIATION

The law provides for the freedoms of peaceful assembly and association, but the government restricted these rights.

## Freedom of Peaceful Assembly

Although the Interim National Constitution and law provide for freedom of peaceful assembly, the government severely restricted this right. The criminal code makes gatherings of more than five persons without a permit illegal. Organizers must notify the government 36 hours prior to assemblies and rallies.

On March 9, a Public Order Court convicted 12 youths of gross indecency, committing an indecent or immoral act, and alcohol and drug consumption. The individuals were arrested at Burri Beach in Khartoum and accused of belonging to a sunworshipping cult, after they had brought mattresses to sleep on the beach with the intention, reportedly, of waking early to watch the sunrise and then slaughter a sheep.

The government continued to deny permission to Islamic orders associated with opposition political parties, particularly the Ansar (Umma Party) and the Khatmiya (Democratic Unionist Party), to hold large gatherings in public spaces, but parties regularly held opposition rallies on private property. Government security agents occasionally attended opposition meetings, disrupted opposition rallies, or summoned participants to security headquarters for questioning after meetings. Opposition political parties claim they were almost never granted official permits to hold meetings, rallies, or peaceful demonstrations. Security forces used tear gas and other heavy-handed tactics against largely peaceful protests at universities or involving university students. NISS and police forces regularly arrested Darfuri students at various universities for publicly addressing civilians).

## Freedom of Association

The Interim National Constitution and law provide for freedom of association, but the government severely restricted this right. The law prohibits political parties linked to armed opposition groups. The government closed civil society organizations or refused to register them on several occasions.

Government and security forces continued arbitrarily to enforce legal provisions that strictly regulate an organization's ability to receive foreign financing and register public activities. The government maintained its policy of "Sudanization" of international NGOs. Many organizations reported they faced administrative difficulties if they refused to have progovernment groups implement their programs at the state level.

## C. FREEDOM OF RELIGION

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

## D. FREEDOM OF MOVEMENT

The Interim National Constitution and law provide for freedom of movement, foreign travel, and emigration, but the government restricted these rights for foreigners, including humanitarian workers. After the lifting of certain foreign economic sanctions in October 2017, however, the government slightly eased restrictions for humanitarian workers.

The government impeded the work of UN agencies and delayed full approval of their activities throughout the country, particularly in the Two Areas; however, there were fewer such restrictions than in prior years. NGOs also alleged the government impeded humanitarian assistance in the Two Areas. The SPLM-N also restricted access for humanitarian assistance in the Two Areas due to concerns over security of commodities crossing from government-held areas into SPLM-N-controlled areas.

Abuse of Migrants, Refugees, and Stateless Persons: Asylum seekers and refugees were vulnerable to arbitrary arrest and harassment outside of camps because they did not possess identification cards while awaiting government determination of refugee or asylum status. According to authorities registration of refugees helped provide for their personal security.

There were some reported abuses, including of gender-based violence, in refugee camps. The government worked closely with the Office of the UN High Commissioner for Refugees (UNHCR) to provide greater protection to refugees.

Refugees often relied on human trafficking and smuggling networks to leave camps. Smugglers turned traffickers routinely abused refugees if ransoms were not paid.

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/). [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/)

In-country Movement: The government and rebels restricted the movement of citizens in conflict areas (see section 1.g.).

Internal movement was generally unhindered for citizens outside conflict areas. Foreigners needed travel permits for domestic travel outside Khartoum, which were bureaucratically difficult to obtain. Foreigners were required to register with the Ministry of Interior's Alien Control Division within three days of arrival and were limited to a 15.5-mile radius from Khartoum. Once registered, foreigners were allowed to move beyond this radius, but travel outside of Khartoum State to conflict regions required official approval. Requirements for travel to tourist sites were loosened during the year.

Foreign Travel: The government requires citizens to obtain an exit visa to depart the country. Issuance was usually without complication, but the government continued to use the visa requirement to restrict some citizens' travel, especially of persons it deemed a political or security interest. A number of opposition leaders were denied boarding for flights out of the country, and in some cases their passports were confiscated.

Exile: The government observed the law prohibiting forced exile, but political opponents abroad risk arrest upon return. Some opposition leaders and NGO activists remained in self-imposed exile in northern Africa and Europe; other activists fled the country during the year. As of year's end, several prominent opposition members had not returned to the country under the 2015 general amnesty for leaders and members of the armed movements taking part in the national dialogue; some expressed concern about their civic and political rights even with the amnesty.

In February National Umma Party chair Sadiq al-Mahdi began self-imposed exile in Cairo. In April authorities charged al-Mahdi with attempting to overthrow the government. On July 10, Egyptian Authorities refused Al-Mahdi entry to Egypt upon his return from a meeting of the Sudan Call opposition network in Paris. The refusal reportedly came after the Sudanese and Egyptian governments signed an agreement to ban opposition activities in each other's countries and to collaborate on antiopposition efforts. Al-Mahdi then went to London and Jordan, but announced that he would return to the country in October.

## Internally Displaced Persons (IDPs)

Large-scale displacement continued to be a severe problem in Darfur and the Two Areas. The year saw an increase in conflict-related displacement in Jebel Marra, due to fighting between the government and armed opposition forces.

According to the United Nations and partners, during the year at least 15,000 persons were newly displaced in Darfur and 5,000 in South Kordofan, a substantial increase from 2017's estimated 10,000 newly displaced persons. The UN Office for the Coordination of Humanitarian Affairs reported the vast majority of the displacement during the year was triggered by intercommunal and other armed conflict. Many IDPs faced chronic food shortages and inadequate medical care. Significant numbers of farmers were prevented from planting their fields due to insecurity, leading to near-famine conditions in parts of South Kordofan. The government and the SPLM-N continued to deny access to humanitarian actors and UN agencies in areas controlled by the SPLM-N. Information about the number of displaced in these areas was difficult to verify. Armed groups estimated the areas contained 545,000 IDPs and severely affected persons during the year, while the government estimated the number as closer to 200,000. UN agencies could not provide estimates, citing lack of access. Children accounted for approximately 60 percent of persons displaced in camps.

Government restrictions, harassment, and the threat of expulsion resulted in continued interruption of gender-based violence programming. Reporting and outreach were limited (see section 5). Some UN agencies were able to work with the Darfur governor's advisers on women and children to raise awareness of gender-based violence and response efforts.

There were numerous reports of abuse committed by government security forces, rebels, and armed groups against IDPs in Darfur, including rapes and beatings (see section 1.g.).

Outside IDP camps and towns, insecurity restricted freedom of movement; women and girls who left the towns and camps risked sexual violence. Insecurity within IDP camps also was a problem. The government provided little assistance or protection to IDPs in Darfur. Most IDP camps had no functioning police force. International observers noted criminal gangs aligned with rebel groups operated openly in several IDP camps.

As in previous years, the government did not establish formal IDP or refugee camps in Khartoum or the Two Areas.

## Protection of Refugees

UNHCR reported more than 927,000 refugees and asylum seekers in the country. The government's Commission for Refugees estimated the total refugee population could be as high as 1.3 million persons, because a large number of potential refugees and asylum seekers remained unregistered. UNHCR reported there were countless South Sudanese in the country who were unregistered and at risk of statelessness.

Approximately 4,200 refugees from Chad and 5,100 refugees from the Central African Republic lived in Darfur. New Eritrean refugees entering eastern Sudan often stayed in camps for two to three months before moving to Khartoum, other parts of the country, or on to Libya in an effort to reach Europe. In eastern Sudan, UNHCR estimated there were 131,000 refugees from Eritrea and Ethiopia. According to UNHCR an average of 500 to 1,000 new asylum seekers arrived each month in eastern Sudan, but over 70 percent migrated onward. The government has eased international humanitarian NGOs' access to eastern Sudan, as it did throughout the country.

During the year UNHCR and the government amended the official South Sudanese refugee statistics to include South Sudanese living in Sudan before December 2013. UNHCR estimated that 768,819 South Sudanese refugees were in Sudan. The government claimed that there were between 2 and 3 million South Sudanese refugees in Sudan. Many South Sudanese refugees arrived in remote areas with minimal public infrastructure and where humanitarian organizations and resources were limited.

According to UNHCR, Khartoum hosted an estimated 285,000 South Sudanese refugees, including 47,000 refugees who lived in nine settlements known as "open areas" until August. A December 2017 joint government and UN assessment of the open areas indicated gaps in protection, livelihood, shelter, health, and education services.

Sudan's and South Sudan's "four freedoms" agreement provides their citizens reciprocal freedom of residence, movement, economic activity, and property ownership, but was not fully implemented. The government stated that, because South Sudanese are recognized as refugees (since 2016), their rights were governed by the Asylum Act, justifying a lack of implementation of the four freedoms. Implementation also varied by state in each country. For example, South Sudanese in East Darfur had more flexibility to move around (so long as they were far away from the nearest village) than did those in White Nile State. Recognition as refugees allowed South Sudanese to receive more services from UNHCR. At the state level, however, governments still referred to them as "brothers and sisters."

Refoulement: The country is a signatory to the 1951 Convention Relating to the Status of Refugees and generally respected the principle of nonrefoulement with a few notable exceptions. With UNHCR's assistance authorities were trained on referral procedures to prevent refoulement, including of refugees who previously registered in other countries. There were no reported cases of refoulement during the year; however, individuals who were deported as illegal migrants may have had legitimate claims to asylum and/or refugee status.

Access to Asylum: The law requires asylum applications to be nominally submitted within 30 days of arrival in the country. This time stipulation was not strictly enforced. The law also requires asylum seekers to register both as refugees with the Commission for Refugees and as foreigners with the Civil Registry (to obtain a "foreign" number).

The government granted asylum to many asylum seekers, particularly from Eritrea, Ethiopia, Somalia, and Syria; it sometimes considered individuals registered as asylum seekers or refugees in another country, mostly in

Ethiopia, to be irregular movers or migrants. Government officials routinely took up to three months to approve individual refugee and asylum status, but they worked with UNHCR to implement quicker status determination procedures in eastern Sudan and Darfur to reduce the case backlog.

Since the beginning of the Syrian conflict in 2011, more than 12,500 Syrians have registered with UNHCR. Government sources, however, claimed that there were 106,000 Syrians in the country. The government waived regular entry visa requirements for Yemenis. As of September more than 3,200 Yemeni refugees had registered in the country.

Freedom of Movement: The country maintained a reservation on Article 26 of the UN Convention on Refugees of 1951 regarding refugees' right to move freely and choose their place of residence within a country. The government's encampment policy requires asylum seekers and refugees to stay in designated camps; however, 76 percent of South Sudanese refugees (the great majority of refugees in the country) lived with the local community in urban and rural areas. The government continued to push for the relocation of South Sudanese refugees living outside of Khartoum city to the White Nile state refugee camps. UNHCR notified the government that relocations must be voluntary and dignified. By year's end the government had yet to relocate South Sudanese refugees to camps. The government allowed the establishment of two refugee camps in East Darfur and nine refugee camps in White Nile for South Sudanese refugees.

Refugees who left camps without permission and were intercepted by authorities faced administrative fines and return to the camp. Refugees and asylum seekers in urban areas, excluding Egyptians, Syrians, Yemenis, Iraqis, and Palestinians, were also subject to arrest. On average 150-200 refugees and asylum seekers were detained in Khartoum each month and assisted with legal aid by the joint UNHCR and Commission for Refugees legal team.

Employment: The government in principle allows refugees to work informally, but rarely granted work permits (even to refugees who obtained degrees in the country). A UNHCR agreement with the Commission for Refugees to issue more than 1,000 work permits to selected refugees for a livelihood graduation program implemented in Kassala and Gadaref was, due NISS suspension of the granting of permits, only 27 work permits were issued during the year, compared with 25 in 2016.

Some refugees in eastern states found informal work as agricultural workers or laborers in towns. Some women in camps reportedly resorted to illegal production of alcohol and were harassed or arrested by police. In urban centers the majority of refugees worked in the informal sector (for example, as tea sellers, house cleaners, and drivers), leaving them at heightened risk of arrest, exploitation, and abuse.

Temporary Protection: The government generally provided first asylum/temporary protection to individuals who might not qualify as refugees.

## Section 3. Freedom to Participate in the Political Process

The country continued to operate under the Interim National Constitution of the Comprehensive Peace Agreement (CPA). It provides citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage. Citizens were unable to exercise this right in practice. Post-CPA provisions provide for a referendum on the status of Abyei and popular consultations in Blue Nile and Southern Kordofan.

Several parts of the CPA, designed to clarify the status of southern-aligned groups remaining in the north following South Sudan's secession continued to be the subject of negotiations between the governments of Sudan, South Sudan, and rebel groups.

## ELECTIONS AND POLITICAL PARTICIPATION

Recent Elections: National executive and legislative elections, held in April 2015, did not meet international standards. The government failed to create an environment conducive to free and fair elections. Restrictions on political rights and freedoms, lack of a credible national dialogue, and the continuation of armed conflict on the country's peripheries contributed to a very low voter turnout. Observers noted numerous problems with the pre-election environment. The legal framework did not protect basic freedoms of assembly, speech, and press. Security forces restricted the actions of opposition parties and arrested opposition members and supporters. Additionally, there were reported acts of violence during the election period.

The main opposition parties--Umma National Party, National Consensus Forces, Sudanese Congress Party, Sudanese Communist Party, and the Popular Congress Party--boycotted the election; only the ruling NCP and National Unity parties participated.

According to the chair of the National Election Commission, 5,584,863 votes were counted in the election, representing approximately a 46 percent participation rate. According to the African Union and other observers, however, turnout was considerably lower. The NCP won 323 seats, the Democratic Unionist Party 25, and independents 19 seats in the 426 seat National Assembly; minor political parties won the remaining seats. The independents, many of whom were previously ejected from the NCP, were prevented by the government from forming a parliamentary group. The States Council consisted of 54 members, with each state represented by three members.

General elections for president and the National Assembly are scheduled to be held every five years; the next is scheduled for April 2020.

Political Parties and Political Participation: The NCP dominated the political landscape, holding well over a two-thirds majority in the National Assembly. The Original Democratic Unionist Party, the Registered Faction Democratic Unionist Party, and independents held the remaining seats.

The Political Parties Affairs Council oversees the registration of political parties. The ruling party controls the council. The council continued to refuse to register the Republican (Jamhori) Party, an Islamic reform movement which promotes justice and equality. The party leader filed an appeal in the Constitutional Court in 2017, which remained pending at year's end.

The Political Parties Affairs Council listed 92 registered political parties. The Umma Party and the Democratic Unionist Party have never registered with the government. The government continued to harass some opposition leaders who spoke with representatives of foreign organizations or embassies or travelled abroad (see section 2.d.).

Authorities monitored and impeded political party meetings and activities, restricted political party demonstrations, used excessive force to break them up, and arrested opposition party members.

Participation of Women and Minorities: Women have the right to vote and hold public office. Since the 2015 elections, women have held 25 to 30 percent of National Assembly seats and 35 percent of Senate seats. Eight women served in ministerial following a September government re-shuffle. A few religious minorities participated in government. There were prominent Coptic Christian politicians in the National Assembly, Khartoum city government, and Khartoum state assembly. A member of the national election commission was Coptic. An Anglican woman served as the state minister of water resources and electricity.

## Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials; nevertheless, government corruption at all levels was widespread. The government made a few efforts to enforce legislation aimed at preventing and prosecuting corruption.

Corruption: According to the World Bank's most recent Worldwide Governance Indicators, corruption was a severe problem. The law provides the legislative framework for addressing official corruption, but implementation

was weak, and many punishments were lenient. Officials found guilty of corrupt acts could often avoid jail time if they returned ill-gotten funds. Journalists who reported on government corruption were sometimes intimidated, detained, and interrogated by security services.

A special anticorruption attorney investigates and prosecutes corruption cases involving officials, their spouses, and their children. Punishments for embezzlement include imprisonment or execution for public service workers, although these sanctions were almost never carried out. All bank employees were considered public-service workers.

Reporting in the media on corruption was considered a “red line” set by NISS and a topic authorities for the most part prohibited newspapers from covering (see section 2.a.).

In early April President Bashir launched a new campaign to fight corruption. In the weeks that followed, several high-level NCP-affiliated heads of banking institutions were arrested for alleged financial abuses, such as bribery and money laundering, and for national security crimes. Those arrested included former Finance Minister Badr Eddine Mahmoud, Faisal Islamic Bank General Manager Al Baqir Al Nouri, and Chairman of the Islamic Insurance Company Mohammed Hassan.

On July 30, President Bashir opened a new Anti-Corruption Investigation Unit (ACIU) under NISS authority. The ACIU has a mandate to fight corruption in government and preserve public money. The ACIU acts in addition to the Anti-Corruption Commission, which was established in 2014 under the jurisdiction of the prosecutor general.

Financial Disclosure: The law requires high-ranking officials to disclose publicly income and assets. There are no clear sanctions for noncompliance, although the Anti-Corruption Commission possesses discretionary powers to punish violators. The Financial Disclosure and Inspection Committee and the Unlawful and Suspicious Enrichment Administration at the Justice Ministry both monitored compliance. Despite three different bodies ostensibly charged with monitoring financial disclosure regulations, there was no effective enforcement or prosecution of offenders.

## Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

The government was uncooperative with, and unresponsive to, domestic human rights groups. It restricted and harassed workers of both domestic and international human rights organizations.

According to international NGOs, government agents consistently monitored, threatened, prosecuted, and occasionally physically assaulted civil society human rights activists. Unlike in previous years, there were no reports that the government arrested NGO-affiliated international human rights and humanitarian workers.

The United Nations or Other International Bodies: Government denial of visas continued to undermine UNAMID’s human rights section in particular; it had a vacancy rate of 44 percent, largely as a result of visa denials. International observers alleged the section was targeted to curtail human rights reporting on the Darfur conflict. As of October four visa applications for UNAMID’s human rights section were awaiting government action. In addition to general limitations on UNAMID’s access to Darfur, other limitations remained in place specific to UNAMID human rights reporting, including verification of sexual and gender-based abuse.

The government is a party to the African Charter on Human and Peoples’ Rights.

During the year the government generally permitted visits by the UN independent expert on the situation of human rights in Sudan, Aristide Nononsi. Nononsi, however, was not generally granted meaningful access to the

conflict areas. While he met with some independent civil society organizations, most of his meetings were with government officials or government-aligned NGOs. Government officials tightly controlled his schedule, and his opportunities to meet with independent civil society organizations were few.

Government Human Rights Bodies: Human rights defenders regularly filed complaints with the National Human Rights Commission regarding perceived human rights violations.

## Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

### WOMEN

Rape and Domestic Violence: Rape and sexual harassment are criminal offenses, and a rape victim cannot be prosecuted for adultery. Marital rape is not recognized.

There were no reliable statistics on the prevalence of rape and domestic violence. The international expert on the human rights situation in Sudan and UNAMID's human rights section reported that they received regular reports of incidents of rape and sexual and gender-based violence (see section 1.g.). Monitoring groups reported that the incidence of rape and sexual assault increased as the economic situation worsened during the year. Human rights organizations cited substantial barriers to reporting sexual and gender-based violence, including cultural norms, police reluctance to investigate, and the widespread impunity of perpetrators.

On April 19, a criminal court in Omdurman convicted 19-year-old Noura Hussein of the murder of her husband under article 130 of the 1991 Criminal Code. Hussein was sentenced to death on May 3, but an appeals court later reduced the sentence to five years' imprisonment and payment of blood money to her deceased husband's family. Hussein became engaged at the age of 15 under pressure from her family and was married three years later. Her defense team and supporters report that she was raped by her husband with the help of male family members after she refused to consummate the marriage, and claimed Hussein acted in self-defense. The case generated substantial attention to the country's family and marriage laws and provoked a national movement calling for legal reform and an end to child marriage.

Female Genital Mutilation/Cutting (FGM/C): FGM/C remained a problem throughout the country. No national law prohibits FGM/C, and the procedure continued to be used on women and girls throughout the country. The government launched a national campaign in 2008 to eradicate FGM/C by 2018; since 2008 five states passed laws prohibiting FGM/C: South Kordofan, Gedaref, Red Sea, South Darfur, and West Darfur. The government, with the support of the first lady, continued to prioritize the "saleema" (uncut) campaign, which raised public awareness. The government continued to work with UNICEF, the UN Population Fund (UNFPA), and the World Health Organization to end FGM/C.

According to UNICEF and UNFPA, the prevalence rate of FGM/C among girls and women between 15 and 49 years old was 87 percent. Prevalence varied geographically and depended on the local ethnic group.

For more information, see [data.unicef.org/resources/female-genital-mutilation-cutting-country-profiles/](https://data.unicef.org/resources/female-genital-mutilation-cutting-country-profiles/).

Sexual Harassment: There were frequent reports of sexual harassment by police. The government did not provide any information on the number of sexual harassment reports made. NGOs, not the government, made most efforts to curb sexual harassment.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The law, including many traditional legal practices and certain provisions of Islamic jurisprudence as interpreted and applied by the government, discriminates against women. In accordance with Islamic judicial interpretation, a Muslim widow inherits one-eighth of her husband's estate; of the remaining seven-eighths, two-thirds goes to the sons and one-third to the daughters. In certain probate trials, a woman's

testimony is not considered equal to a man's; the testimony of two women is required. In other civil trials, the testimony of a woman equals that of a man.

By law a Muslim man may marry a Jewish or Christian woman. A Muslim woman may not marry a non-Muslim man and may be charged with adultery if she does so.

Various government institutions required women to dress according to Islamic or cultural standards, including wearing a head covering. In Khartoum Public Order Police occasionally brought women before judges for allegedly violating Islamic standards. One women's advocacy group estimated that in Khartoum, Public Order Police arrested an average of 40 women per day. Islamic standards for dress generally were not legally enforced for non-Muslims, but were culturally enforced.

## CHILDREN

Birth Registration: The Interim National Constitution states persons born to a citizen mother or father have the right to citizenship. The law, however, granted citizenship only to children born to a citizen father by descent until July 2017, when the Supreme Court recognized the right of mothers to confer citizenship on their children.

Most newborns received birth certificates, but some in remote areas did not. Registered midwives, dispensaries, clinics, and hospitals could issue certificates. Failure to present a valid birth certificate precludes enrollment in school. Access to health care was similarly dependent on possession of a valid birth certificate, but many doctors accepted a patient's verbal assurance that he or she had one.

Education: The law provides for tuition-free basic education up to grade eight, but students often had to pay school, uniform, and examination fees to attend. Primary education is neither compulsory nor universal.

Child Abuse: The government tried to enforce laws criminalizing child abuse and was more likely to prosecute cases involving child abuse and sexual exploitation of children than cases involving adults. Some police stations included "child friendly" family and child protection units and provided legal, medical, and psychosocial support for children.

Early and Forced Marriage: The legal age of marriage was 10 years for girls and 15 years or puberty for boys. The government and the president's wife continued to work to end child marriage.

Sexual Exploitation of Children: Penalties for the sexual exploitation of children vary and can include imprisonment, fines, or both. The government tried to enforce laws criminalizing child sexual exploitation.

There is no minimum age for consensual sex or a statutory rape law. Pornography, including child pornography, is illegal. Statutes prescribe a fine and period of imprisonment not to exceed 15 years for child pornography offenses.

Displaced Children: Internally displaced children often lacked access to government services such as health and education due to both security concerns and an inability to pay related fees. In July UNICEF reported that approximately 960,000 children were internally displaced.

Institutionalized Children: Police typically sent homeless children who had committed crimes to government camps for indefinite periods. Health care, schooling, and living conditions were generally very basic. All children in the camps, including non-Muslims, had to study the Quran.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at [travel.state.gov/content/childabduction/en/legal/compliance.html](https://travel.state.gov/content/childabduction/en/legal/compliance.html).

## ANTI-SEMITISM

A very small Jewish community remained in the country, predominantly in the Khartoum area. Societal attitudes were generally not tolerant of Jewish persons, although anti-Semitic acts were rare.

## TRAFFICKING IN PERSONS

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

## PERSONS WITH DISABILITIES

Although the law and the Interim National Constitution, provides protection for persons with disabilities, social stigma and a lack of resources hindered the government's enforcement of disability laws. The law does not specifically prohibit discrimination against persons with disabilities.

Social stigma and lack of resources often prevented government and private entities from accommodating persons with disabilities in education and employment. Appropriate supports were especially rare in rural areas.

The government had not enacted laws or implemented effective programs to provide for access to buildings, information, and communication for persons with disabilities.

## NATIONAL/RACIAL/ETHNIC MINORITIES

The population includes more than 500 ethnic groups, speaking numerous languages and dialects. Some of these ethnic groups self-identify as Arab, referring to their language and other cultural attributes. Northern Muslims traditionally dominated the government.

## ACTS OF VIOLENCE, DISCRIMINATION, AND OTHER ABUSES BASED ON SEXUAL ORIENTATION AND GENDER IDENTITY

The law does not specifically prohibit homosexuality but criminalizes sodomy, which is punishable by death. Lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons are not considered a protected class under antidiscrimination laws. Antigay sentiment was pervasive in society. LGBTI organizations increasingly felt pressured to suspend or alter their activities due to threat of harm. Several LGBTI persons felt compelled to leave the country due to fear of persecution, intimidation, or harassment.

There were no reports of official action to investigate or punish those complicit in LGBTI-related discrimination or abuses.

## HIV AND AIDS SOCIAL STIGMA

There was societal discrimination against persons with HIV/AIDS.

## OTHER SOCIETAL VIOLENCE OR DISCRIMINATION

Clashes sometimes resulted from conflicts over land rights, mineral ownership, and use of gold-mining areas, particularly in the Jebel Amer area in North Darfur. Observers believed those clashes resulted in deaths and displacement. Largely unregulated artisanal gold-mining activities continued in all of the Darfur states, although it was a lesser source of tension between communities than in previous years. Claims to land rights continued to be mostly ethnic and tribal in nature.

## PROMOTION OF ACTS OF DISCRIMINATION

The government, government-supported militias, and rebel groups reportedly promoted hatred and discrimination, using standard propaganda techniques. The government often used religiously charged language to refer to suspected antigovernment supporters.

The government did not take measures to counter hate speech.

## Section 7. Worker Rights

### A. FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING

The law provides that employees of companies with more than 100 workers can form and join independent unions. Other employees can join nearby, preexisting unions. The law establishes a single national trade union federation and excludes police, military personnel, prison employees, legal advisers in the Justice Ministry, and judges from membership. In some cases membership in international unions was not officially recognized.

The Sudan Workers' Trade Union Federation, a government-controlled federation of 18 state unions and 22 industry unions, is the only official umbrella organization for unions. There were no NGOs that specialized in broad advocacy for labor rights. There were unrecognized "shadow unions" for most professions. For example, the government recognized only the Sudan Journalists Union, whose membership included all journalists, including the spokesperson of the Sudan Air Force, as well as NISS media-censorship officials. Most independent journalists, however, were members of the nonregistered Sudan Journalist Network, which organized advocacy activities on behalf of journalists.

The law denies trade unions autonomy to exercise the right to organize or to bargain collectively. It defines the objectives, terms of office, scope of activities, and organizational structures and alliances for labor unions. The government's auditor general supervised union funds because they are considered public money. The law regulates unions' right to conduct strikes. Some unions have by-laws that self-restrict their right to strike. Labor observers believed some of these self-restrictions were imposed to maintain favor with the government. The law requires all strikes in nonessential sectors to receive prior approval from the government after satisfying a set of legal requirements. Specialized labor courts adjudicate standard labor disputes, but the Ministry of Labor has the authority to refer a dispute to compulsory arbitration. Disputes also may be referred to arbitration if indicated in the work contract. The law does not prohibit antiunion discrimination by employers.

Police could break up any strike conducted without prior government approval. There were several cases of strikes reported during the year.

Bureaucratic steps mandated by law to resolve disputes between labor and management within companies may be lengthy. Court sessions may involve additional significant delays and costs when labor grievances are appealed.

The government did not effectively enforce applicable laws. Freedom of association and the right to collective bargaining were not respected. There were credible reports the government routinely intervened to manipulate professional, trade, and student union elections.

According to the International Trade Union Confederation, in oil-producing regions police and secret service agents, in collusion with oil companies, closely monitored workers' activities.

## B. PROHIBITION OF FORCED OR COMPULSORY LABOR

The law prohibits and criminalizes all forms of forced or compulsory labor. The government, however, did not effectively enforce the law. Resources, inspections, and remediation were inadequate, and penalties for violations in the form of fines were rarely imposed and insufficient to deter violations. Most of the violations existed in the farming and pastoral sectors. Enforcement proved difficult in rural areas and areas undergoing conflict.

The government stated it investigated and prosecuted cases of forced labor, but it did not compile comprehensive statistics on the subject. Some government officials claimed that forced labor had been eradicated and denied reports that citizens engaged in this practice.

There were reports some children were engaged in forced labor, especially in the informal mining sector. Some domestic workers were believed to work without pay. Women refugees were especially prone to labor violations.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

## C. PROHIBITION OF CHILD LABOR AND MINIMUM AGE FOR EMPLOYMENT

The law prohibits the worst forms of child labor. The Interim National Constitution mandates that the state protect the rights of children as provided in international and regional conventions ratified by the country. The law defines children as persons younger than 18 years old and prohibits children younger than 14 from working, except in agricultural work that is not dangerous or harmful to their health. The Ministry of Social Welfare, Women, and Child Affairs is responsible for enforcing child labor laws.

The Child Act goes on to define working children as persons between 14 and 18 years old. The law also prohibits the employment of such persons between 6 p.m. and 8 a.m.

The law allows minors to work for seven hours a day broken by a paid hour of rest. It is illegal to compel minors to work more than four consecutive hours, work overtime, or work during weekly periods of rest or on official holidays. The law prohibits employers from waiving, postponing, or reducing annual leave entitlements for minors. The government did not always enforce such laws due to inadequate resources and societal complicity.

Child labor was a serious problem, particularly in the agricultural sector where the practice was common. Most other child labor occurred in the informal urban sector, including in menial jobs for which the government lacked the resources to monitor comprehensively. Children were engaged in shining shoes, washing and repairing cars, collecting medical and other resalable waste, street vending, begging, construction, and other menial labor.

The International Labor Organization monitored forced child labor in gold mining. UNICEF received unverified reports revealing the dangerous conditions under which children were working in gold mining, including requirements to carry heavy loads and to work at night and within confined spaces and exposure to mercury and high temperatures. There were reports children as young as 10 years old were used in artisanal gold mining.

throughout the country. According to multiple reputable sources, thousands of children worked in artisanal gold mining, particularly in River Nile, Blue Nile, West Darfur, and North Darfur States, resulting in large numbers of students dropping out of school.

There were reports of the use of child soldiers by the SPLM-N, but numbers were difficult to verify (see section 1.g.).

## D. DISCRIMINATION WITH RESPECT TO EMPLOYMENT AND OCCUPATION

Law and regulations prohibit discrimination based on race, sex, gender, disability, tribe, and language, but they are unevenly applied. There is no legal protection from discrimination based on sexual orientation or gender identity, HIV or other communicable disease status, political opinion, social or national origin, age, or social status. The law does provide protection based on religion or ethnicity, but provides for accommodations based on Islamic practices, including reduced working hours during the month of Ramadan and paid leave to perform Hajj pilgrimage. Labor laws apply to migrant workers with legal contracts, but foreign workers who are not considered to have legal status also are not provided legal protections from abuse and exploitation.

The government did not effectively enforce antidiscrimination laws and regulations in the workplace; penalties in the form of fines were rarely imposed and were insufficient to deter violations. Discrimination occurred in employment and occupation based on gender, religion, and ethnic, tribal, or party affiliation. Ethnic minorities often complained that government hiring practices discriminated against them in favor of “riverine” Arabs from northern Sudan. Ethiopians, Eritreans, and other refugees or migrants were often exposed to exploitative work conditions.

There were reports that some female refugees and migrants working as domestic workers or tea sellers were not compensated for their work, required to pay “kettle taxes” to police, sexually exploited, or trafficked. More than 10,000 women in the informal sector depended on selling tea on the streets of Khartoum State for their livelihoods, most after having fled conflict in Darfur and the Two Areas. Despite the collective activism of many tea sellers, harassment of tea sellers and confiscation of their belongings continued as in previous years.

Due to their uncertain legal status, many refugees and migrants did not report discrimination or abuse due to fear of imprisonment or repatriation.

Migrant workers and some ethnic minorities were unaware of their legal rights, suffered from discrimination, and lacked ready access to judicial remedies. The International Organization of Migration established a migrants’ reception center in Khartoum that included workshops on workers’ rights and the hazards of migration.

## E. ACCEPTABLE CONDITIONS OF WORK

The minimum monthly wage for public-sector workers was 425 SDG (\$9), set by the High Council of Salary in the Ministry of Cabinet Affairs. The minimum monthly salary in the private sector is set by agreements made between individual industries and the High Council of Salary, and it varied among industries. An estimated 46 percent of citizens lived below the poverty line of 12 SDG (\$0.25) per person per day. Most public-sector employees received wages below the poverty line.

The law limits the workweek to 40 hours (five eight-hour days, not including a 30-minute to one-hour daily break), with days of rest on Friday and Saturday. Overtime should not exceed 12 hours per week or four hours per day. The law provides for paid annual leave after one year of continuous employment and paid holidays after three months.

The laws prescribe occupational safety and health standards. Any industrial company with 30-150 employees must have an industrial safety officer. A larger company is required to have an industrial safety committee that

includes management and employees. Committees and officers are required to report safety incidents to the Ministry of Labor. The law requires the owner of an industrial company to inform workers of occupational hazards and provide means for protection against such hazards. Management is also required to take necessary precautions to protect workers against industrial accidents and occupational diseases, but the law does not recognize the right of workers to remove themselves from dangerous work situations without loss of employment. Some heavy industry and artisanal mining operations, notably gold extraction, reportedly lacked sufficient safety regulations.

Safety laws do not apply to domestic servants; casual workers; agricultural workers other than those employed in the operation, repair, and maintenance of agricultural machinery; enterprises that process or market agricultural products such as cotton gins or dairy-product factories; jobs related to the administration of agricultural projects, including office work, accounting, storage, gardening, and livestock husbandry; or to family members of an employee who live with the employee and who are completely or partially dependent on the employee for their living.

Representatives of the Eritrean and Ethiopian communities in Khartoum stated undocumented migrants in the capital were subjected to abusive work conditions. They also reported many undocumented workers did not report abuse due to fear authorities might deport them to Eritrea because of their illegal status.

The Ministry of Labor, which maintained field offices in most major cities, is responsible for enforcing these standards. Various types of labor inspectors included specialists on labor relations, labor conflicts, and vocational, health, and recruitment practices. They operated on both federal and state levels.

Standards were not uniformly enforced. Although employers generally respected the minimum wage law in the formal sector, in the informal sector wages could be significantly below the official rate. Since enforcement by the Ministry of Labor was minimal, working conditions generally were poor. Inspections and enforcement were generally minimal in both the formal and informal sectors.