

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	482
Land:	Sudan
Kilde:	Freedom House
Titel:	Freedom in the world 2020 – Sudan
Udgivet:	8. april 2020
Optaget på baggrundsmaterialet:	25. maj 2020



FREEDOM IN THE WORLD 2020

Sudan

12

NOT FREE

/100

<u>Political Rights</u>	2 /40
<u>Civil Liberties</u>	10 /60

LAST YEAR'S SCORE & STATUS

7 /100 Not Free

Global freedom statuses are calculated on a weighted scale. See the methodology.



Overview

The military leaders and civilian protesters who ousted the repressive regime of Omar al-Bashir and his National Congress Party (NCP) in 2019 are uneasy partners in a transitional government that—if successful—will be replaced by an elected government in 2022. Civic space is slowly opening to individuals and opposition parties, but security personnel associated with the abuses of old regime remain influential, and their commitment to political freedoms and civil liberties is unclear.

Key Developments in 2019

- President Omar al-Bashir, who came to power in a coup d'état in 1989, was overthrown by the military in April, after a protest movement beginning in December 2018 placed growing pressure on the government. The military initially attempted to rule without the input of civilian protesters, who originally demonstrated against rising commodity prices and pervasive economic hardship before calling for al-Bashir's resignation as the year opened.
- Security forces killed 127 protesters in the capital of Khartoum in June, sparking a backlash that forced the short-lived junta to include civilian leaders in a new transitional government as part of a power-sharing agreement reached in August.
- Al-Bashir was arrested by the military junta and charged with corruption by the succeeding transitional government in August. The former president was convicted in December and was sentenced to two years in a correctional facility. As the year came to a close, prosecutors also questioned him over his role in the 1989 coup that brought him to power. The transitional government remained undecided on whether to surrender al-Bashir to the International Criminal Court (ICC), which had charged him with crimes against humanity, war crimes, and genocide over his government's efforts to quell a rebellion in Darfur in 2009 and 2010.
- The transitional government made progress in resolving conflicts in the border regions of Darfur, Blue Nile, and South Kordofan, which have collectively

displaced nearly two million Sudanese. By December, the government had secured peace deals with 10 rebel groups, and committed to a roadmap to end the conflict in Darfur.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

0 / 4

President al-Bashir came to power in a coup d'état in 1989, and relied on his military and other supporters, and elections that did not meet democratic standards to maintain control. He was last reelected in 2015 with nearly 95 percent of the vote in a contest boycotted by opposition groups and marred by low turnout. al-Bashir was himself ousted in a coup d'état in April 2019 after sit-in protests were held near his compound and army headquarters in the capital city of Khartoum. These protests began in December 2018 when al-Bashir introduced austerity measures, cutting bread distribution and curtailing fuel subsidies, but protesters quickly called for the president's resignation as the movement grew.

The military first attempted to rule without civilian support, culminating in a violent crackdown of a Khartoum protest in early June that killed 127 people. The military officers who deposed President al-Bashir then held negotiations with the Forces of Freedom and Change (FFC), the opposition alliance that protested for al-Bashir's removal. After fraught negotiations, the two sides signed a power-sharing deal in August that established an interim government with a three-year mandate.

Those talks led to the creation of an 11-member Transitional Sovereign Council (TSC), which replaced the Transitional Military Council (TMC) responsible for the June massacre in Khartoum. The TMC's leader, General Abdel Fattah al-Burhan, was named

the TSC's chair for a 21-month term, after which a civilian will lead the council for 18 months. The deal also allowed the military to name five of its members, while the FFC named five. The eleventh member, a civilian, was named by acclamation by both sides.

That same month, civilian members of the TSC nominated prominent economist Abdalla Hamdok to serve as prime minister. Hamdok presides over a cabinet of 20 technocratic ministers, who wield day-to-day executive power under the transitional agreement. The military, however, has maintained control of the defense and interior ministries under the power-sharing deal. The prime minister chose most of his ministers from a list of nominees provided by the FFC. These power-sharing talks also yielded an interim constitution which superseded the 2005 constitution as well as all provincial charters.

State-level government remained in flux throughout 2019. Military state governors appointed by President al-Bashir remained in their posts, though the military expressed a desire to recall them during their ongoing talks within the TSC. Ongoing peace talks with rebel groups operating in border regions and with South Sudan also took precedence, and the governors' replacements have not been named by year's end.

Score Change: The score declined from 1 to 0 because President al-Bashir was removed from office in a military coup, whose leaders still serve in the transitional government that has not held new elections in 2019.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?

0/4

Sudan's revolution swept away the old bicameral National Legislature, whose members were last elected in 2015 in polls that did not uphold democratic standards and were largely boycotted by the opposition. Al-Bashir's political party, the National Congress Party (NCP), held 323 of the lower house's 426 seats before it was dissolved. The party itself was disbanded on orders of the TSC in November 2019.

Parties to the August 2019 talks instead created a Transitional Legislative Council (TLC) with 300 members, with the FFC selecting two-thirds of its members and other political parties choosing the rest in lieu of an election. The TLC's members, who remained unselected by year's end, are expected to hold office until elections are held in 2022.

Score Change: The score declined from 1 to 0 because the elected legislature was dissolved as part of the military coup, and plans for an interim legislative council were postponed.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?

0/4

The National Election Commission (NEC) was loyal to former President al-Bashir, and was headed by an NCP official. The NEC was replaced by a new Elections Commission by the TSC, and the interim constitution empowered the TSC to appoint its members. The new body will be responsible for organizing national elections in 2022, when the transitional period is to end. No members of the commission were named by year's end.

B. Political Pluralism and Participation

B1 0-4 pts

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

1/4

Under the al-Bashir regime, political parties faced harassment, intimidation, and bureaucratic hurdles when trying to participate in party politics. The TSC targeted high-ranking NCP members, which previously benefited from these circumstances, with arrest, including the acting party leader and a former vice president. Other prominent members were placed under house arrest. In November 2019, the TSC disbanded the NCP altogether, establishing committee to seize its assets.

While the transitional government has worked to disband the NCP, a competitive multiparty system has not been instituted in 2019, and some political groups have found themselves outside the transitional system. In April, members of the Popular Congress Party (PCP), whose Islamist founder was a prominent supporter of al-Bashir's 1989 coup, were attacked by protesters as they held a meeting in Khartoum in late April 2019. The PCP reported that at least 64 people were wounded during the incident, which was condemned by the TMC. The party subsequently decided not participate in talks to form a transitional government.

The Sudanese Communist Party (SCP), which played a significant role in the protest movement, refused to sign the power-sharing deal, objecting to the military's presence on the TSC. In November 2019, the RSF filed a complaint against Communist Party leader Siddig Yousef over his criticism of the paramilitary group's involvement in the June massacre in Khartoum.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

1/4

Under al-Bashir, opposition parties were hindered from gaining power through harassment, intimidation, and the arrests of their leaders. A small number of opposition politicians participated in a unity government formed in 2017, but al-Bashir dissolved it in 2019 in favor of an NCP-dominated government.

However, opposition groups saw early success during the protest movement that displaced al-Bashir, and have maintained influence as the transitional government took shape in August 2019. The interim constitution has also enshrined the right to

form political parties, though they will not be able to contest an election until 2022, when the transitional period is scheduled to end.

Score Change: The score improved from 0 to 1 because the new power-sharing government included opposition nominees and representatives, and the transition process raised the possibility of future transfers of power through elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1/ 4

Sudan's military has dominated the country's political system along with al-Bashir and the NCP, and attempted to rule without civilian involvement after ousting al-Bashir in April 2019. The TMC, which briefly held power between April and August, resorted to violence in an effort to maintain control, killing 127 people participating in a protest in Khartoum in June. The subsequent backlash forced the TMC to negotiate with civilian opposition groups, and allowed civilians to help form the TSC.

Military and security organizations that used force to oppose the protests have found themselves preserved within the TSC, however. The RSF, which was known for cracking down on prodemocracy protests during the al-Bashir era, was considered the primary force behind the government's violent response to the rebellion in Darfur in the 2010s, which prompted allegations of war crimes and genocide against al-Bashir.

The RSF also spearheaded the government's violent response against Khartoum protesters in June 2019. Despite this, the RSF was formalized and placed under army control when the interim constitution was formalized in August. Its feared leader, Lieutenant General Mohamed Hamdan Dagalo, served as the deputy leader of the defunct TMC and was subsequently named to the TSC that month.

B4 0-4 pts

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

1 / 4

The interim constitution commits Sudan to a plural, decentralized political system in which citizens are free to exercise their rights without discrimination on the grounds of political opinion or regional association.

Women have long been subject to restrictive laws on dress that were repealed by the transitional government in November 2019. Women have played an influential role in the protests that helped topple al-Bashir, as well as the transitional government that subsequently repealed those laws. Two women were named to the TSC in August 2019, though the vast majority of the council remains male. One woman, Raja Nichola Abdulmessih, is a member of the Coptic Christian minority.

Prime Minister Hamdok's technocratic cabinet also included four women, including Sudan's first-ever female foreign minister. In October, Nemat Abdallah Khair became the country's first woman to be named chief justice.

Despite this process, women involved in the protest movement criticized the TSC for its early failure to ensure equal representation in government. Protesters called for the TLC to maintain a 50 percent quota for women, but the interim constitution enshrined a 40 percent quota instead. Women also remained underrepresented in the TSC's commissions; the Women's Union of Sudan called for the TSC to address this imbalance in a September 2019 memorandum.

LGBT+ Sudanese remain at risk of lashings, imprisonment, and the death penalty for engaging in same-sex relations, which were outlawed in 1991. Almost no LGBT+ groups exist in Sudanese civil society to address their concerns.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?

0/4

While the transitional government includes civilians and representatives of opposition groups, it remains unelected; an elected legislature will not take office until 2022. Security forces also play a pivotal role in the TSC, which remains chaired by a military officer, and the defense and interior ministers are selected by the TSC's military members. These security forces are subject to reform based on provisions enshrined in the interim constitution, but civilian opposition leaders have described progress in that effort as hard-fought.

The July 2019 decision to restructure the feared National Intelligence and Security Service (NISS)—which harassed, detained, and tortured perceived opponents of al-Bashir's regime—was nevertheless considered a welcome early development. The NISS was replaced by the General Intelligence Service (GIS), which will focus on counterterrorism and anticorruption efforts.

Outside powers played a major role in shaping Sudan's political direction in 2019. Gulf countries including Saudi Arabia and the United Arab Emirates (UAE) tried to influence the transition in favor of the TMC by providing loans and diplomatic support to the junta, after it seized power in April 2019.

Score Change: The score declined from 1 to 0 because the transitional leadership lacked any electoral mandate and was formally headed by a military commander.

C2 0-4 pts

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

Corruption was a defining feature of the al-Bashir era, with an alliance of political, military, and business figures engaging in bribery and graft to consolidate power. The transitional government, which is responsible for setting up an anticorruption and public funds recovery commission, began efforts to track down and recover national assets stolen by members of al-Bashir's government in 2019. To date, its main target has been al-Bashir himself, who was charged with corruption in August; the former president was also charged with receiving illegally-transferred foreign currency from

Saudi Arabia's crown prince, Mohammed bin Salman. He was found guilty in December 2019, and was sentenced to two years in a reform institution.

However, members of the al-Bashir government who engaged in bribery during his rule have escaped scrutiny in 2019, with some maintaining positions in the transitional government. These include senior security officials who sold the services of their troops to foreign powers for use in the ongoing civil war in Yemen. Lieutenant General Dagalo's ascent to high office was aided by a personal fortune gained through violently-acquired gold mining and smuggling.

C3 0-4 pts

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

President al-Bashir's government was considered opaque before its overthrow, running large off-budget accounts and reserving up to 80 percent of the formal budget to security institutions. In his early engagements with foreign creditors, Prime Minister Hamdok pledged greater transparency, robust budget management, and an overhaul of the civil service.

The interim constitution requires members of the TSC, the Cabinet, governors, and members of the Transitional Legislative Council to file financial disclosures.

Add Q

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION	-2
---	-----------

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -2 / 0 (+1)

Former president al-Bashir faces outstanding arrest warrants from the International Criminal Court (ICC) on charges of war crimes, crimes against humanity, and genocide in Darfur, where an insurgency by a black Muslim minority began in 2003. By the end of 2019, the transitional government was undecided on whether to hand al-Bashir over to the ICC over his ethnically-charged campaign.

Ceasefires in Darfur, South Kordofan and Blue Nile States, which were agreed in October 2019, have led to a reduction in violence after years of fighting in these border regions. The ceasefire in South Kordofan, which borders South Sudan, was first signed in 2018, and was extended in an agreement with the TMC before its dissolution. Prime Minister Hamdok also visited North Darfur in November 2019 to interact with people displaced by the conflict there. Despite this progress, the Office of the UN High Commissioner for Refugees (UNHCR) reported that 1.9 million Sudanese were still internally displaced by these conflicts in an August 2019 report.

Score Change: The score improved from –3 to –2 because cease-fires in Darfur, Blue Nile and South Kordofan, which held intermittently in recent years, were extended throughout 2019 amid renewed peace talks, easing pressure on local populations.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?	1 /4
---------------------------------------	-------------

The interim constitution agreed in August 2019 guarantees freedom of the press, but Sudan's government has historically been hostile to journalists. When protests began in December 2018, national newspapers were repeatedly closed, and journalists were

detained without charge. In February 2019, the NISS interrogated Shamael al-Nur, a journalist at the *Al-Tayyar* newspaper, after antigovernment material was posted on its Facebook page. The TMC was similarly repressive during its short time in power, closing the Sudan bureau of Al-Jazeera in May 2019; it was reopened in August. The TMC also detained Sadiq al-Rizaigi, president of the Sudanese Journalists' Union (SJU) and editor in chief of the newspaper *Al-Sayha*, for five days in July 2019; the TMC gave no reason for his arrest.

The TSC has refrained from the most aggressive tactics used by the al-Bashir government, though journalists have criticized its activities. The SJU and the International Federation of Journalists (IFJ) condemned the government's decision to close trade union organizations associated with the old regime, including the SJU, in December 2019.

The RSF has remained active in its targeting of journalists since the rise of the transitional government. In November 2019, it filed a complaint against Hanadi el-Siddig, editor in chief of the newspaper *Akhbar El-Watan*, over her newspaper column. El-Siddig was subsequently charged with violating the Information Crimes Act.

Score Change: The score improved from 0 to 1 because the transitional government began to lift some of the previous government's most severe restrictions on reporting in the latter part of the year.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?

1/4

Sudan is 97 percent Muslim, with a small Christian minority. Under al-Bashir, Christians were persecuted and churches were shuttered, often under the pretext that they lacked appropriate permits. Sudanese repression of Christian groups accelerated after the conflict in Darfur escalated, and NGOs that supported this minority were forced out of the country.

The TSC's interim constitution, by contrast, has enshrined freedom of worship, and notably did not identify Islam as the country's preferred religion. The TSC also agreed to issue clear guidelines for those seeking planning permission for new churches, and overruled a Khartoum State regulation forcing Christian schools to hold classes on Sundays. Christians also welcomed the appointment of a Coptic Christian judge to one of the TSC's civilian seats.

Score Change: The score improved from 0 to 1 because the government took minor steps to improve conditions for the Christian minority in early 2019, and Christian groups played a visible role in the year's democracy movement, reportedly holding services at protest events.

D3 0-4 pts

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

Al-Bashir's government regularly interfered in Sudanese education, opposing students who participated in the protest movement that led to his eventual overthrow. Two university students were killed in River Nile State in December 2018, as the protests accelerated. By February 2019, the Sudanese government shuttered all universities in the country, as the movement gained further momentum. As the protest movement set its sights on the military junta that briefly ruled Sudan after al-Bashir's ouster, the RSF maintained a violent campaign against students, killing four protesters in the University of Khartoum when it assaulted the campus in early June 2019. The Scholars at Risk Network documented 10 incidents where campuses, students, and educators were targeted in the first half of 2019.

Since the TSC's creation, university students have maintained pressure, demanding the dismantling of student groups loyal to al-Bashir, the withdrawal of police forces on campuses, and the departure of administrators tied to the former government. In response, the TSC moved to disband NCP groups in higher education, ahead of the reopening of campuses in October 2019. The prime minister also dismissed 28

university chancellors and 35 vice chancellors, many of whom were affiliated with the NCP.

Despite this, campuses remained sites of conflict as the year progressed. Students loyal to the NCP attacked a group of students supporting the transitional government at Alzaiem Alazhari University in late October 2019, injuring at least 27 people. In late November, over 200 students from the University of Dongola resigned from the student body, accusing the administration of racism when responding to complaints over the quality of lecturers. Administrators had allegedly singled out four of their group for their Darfuri origin, accusing them of inciting their fellow students.

D4 0-4 pts

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

2/4

The NISS reportedly monitored private communications without oversight or authorization during the al-Bashir era, and the government often used defamation laws to prosecute social media users who criticized it. After the al-Bashir government fell in April 2019, the TMC that temporarily replaced it resorted to shutting internet access entirely. Access was unavailable for much of June 2019, beginning with the RSF's massacre of protesters in Khartoum early that month. The blackout also coincided with the #BlueForSudan Twitter campaign calling for the formation of a civilian government.

The interim constitution issued by the new government affirms the right to privacy, including citizens' right to engage in private correspondence without interference. The new government has begun to dismantle the surveillance state that was synonymous with the former regime, notably by restructuring the NISS in July 2019.

Score Change: The score improved from 1 to 2 because self-censorship among ordinary citizens ebbed during the protest movement and after the power-sharing agreement, and the transitional leadership moved to reorganize the NISS and reduce its internal security role.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?	0 /4
-------------------------------	-------------

The security forces repeatedly used deadly force against protesters during the movement to oust al-Bashir, denying their freedom to assemble. When the RSF attacked a protest outside of military headquarters in Khartoum in June 2019, it resorted to burning down the demonstrators' camp and dumping the bodies of some of its 127 victims into the River Nile. Doctors were subsequently attacked in hospitals as they tended to the injured. The RSF violently attacked another assembly in El-Obeid in July, the state capital of North Kordofan, while power-sharing talks were taking place; six people were killed, including four high school students.

Even after the TSC affirmed the right to assemble in its interim constitution, security forces have sometimes denied this right in practice. In September 2019, students encountered live ammunition and tear gas when they protested food shortages in the city of Nyala, the state capital of Southern Darfur. More than 20 people were wounded.

In other instances, demonstrations took place with minimal obstruction from the authorities. Thousands of people gathered outside the presidential palace in Khartoum in September 2019, demanding the appointment of judicial officials and the prosecution of security officers accused of killing protesters earlier in the year. Security forces used tear gas to disperse the crowd, but refrained from engaging in the more violent tactics seen earlier in 2019. October protests held in Khartoum, North Darfur, and Northern State took place peacefully.

E2 0-4 pts

--	--

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

2/4

Under al-Bashir, international and domestic nongovernmental organizations (NGOs), faced serious hurdles or were banned from operating altogether. Upon taking office, the new government signaled a loosening of restrictions on civil society. In September 2019, the Office of the UN High Commission on Human Rights (OHCHR) signed an agreement with the foreign minister to open offices in Sudan.

That same month, the TSC announced as part of an agreement with armed opposition forces that will allow NGOs expelled by al-Bashir to resume humanitarian operations in conflict-affected areas. By December, the World Food Program (WFP) was delivering assistance to parts of Blue Nile State, to which it had been denied access since 2011.

Score Change: The score improved from 1 to 2 because the transitional government took steps to facilitate international NGOs' access to the country, including to conflict areas.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?

1/4

Independent trade unions were largely absent during the al-Bashir era; his government banned them after taking power in 1989, and instead coopted the Sudan Workers' Trade Unions Federation (SWTUF). Professional organizations unsuccessfully attempted to form confederations in 2012 and 2014, but the Sudanese Professionals Association (SPA) was founded in late 2016. The SPA, an umbrella organization for unrecognized unions and workers' syndicates, decided to back the fledgling protest movement, calling for al-Bashir to step down in January 2019 and engaging in a civil disobedience movement against the short-lived military junta that June. The SPA has since played a role the transitional government, with one of its members being named to the TSC.

The interim constitution also affirmed the right for workers to form and join trade unions to protect their interests when it was published in August 2019. The transitional government also established a committee tasked with dissolving institutions linked to the NCP. This included the SWTUF, which was dissolved in December 2019 along with the Sudan Journalists Union (SJU). The International Trade Union Confederation's African arm criticized the decision, however, saying it violated their members' right to assemble.

Score Change: The score improved from 0 to 1 because independent professionals' unions played a leading role in the protest movement and the formation of the transitional government.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?	1 /4
------------------------------------	-------------

The interim constitution envisages comprehensive legal reform, including the establishment of an independent judiciary, to replace the politically-influenced judiciary of the al-Bashir era. The first senior appointments were announced in October 2019, following large protests calling for an acceleration of judicial reform. The new chief justice, who was appointed that month, is the first woman to hold the position in Sudan's history.

A separate system of military courts will try cases involving members of the armed forces and security services.

Score Change: The score improved from 0 to 1 because a new chief justice was appointed with the support of civilian officials and protesters, clearing the way for further reforms of the judiciary.

F2 0-4 pts

--	--

Does due process prevail in civil and criminal matters?

O/4

Hundreds of antigovernment protesters were detained in the months leading to al-Bashir's removal, including members of political parties, the SPA, journalists, and students. The majority were either held without charge or sentenced by emergency courts, and were released when the al-Bashir government fell. The short-lived TMC also engaged in arbitrary arrests; detainees included three leaders of the Sudan People's Liberation Movement–North (SPLM-N), who were deported to South Sudan after meeting Ethiopian prime minister Abiy Ahmed during his effort to mediate the ongoing crisis. Most of these detainees were released by the end of June.

The interim constitution called for the establishment of a new public prosecutor's office when it was published in August 2019. Taj al-Ser Ali al-Hebr was appointed to the role in October, with one of his first cases being the prosecution of former president al-Bashir. Al-Hebr's office also prosecuted 27 members of the security forces for their detention and killing of a schoolteacher in February 2019, winning death sentences against them in late December.

Though the interim constitution enshrines the right to due process, it also contains a provision allowing the government to claim emergency powers to suspend parts of the document. This took place in October, when the transitional government extended a nationwide state of emergency imposed by al-Bashir in February. The FFC said the measure was needed because of ongoing insecurity, and the need to complete the prosecution of former regime members.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?

O/4

Torture and abuse of prisoners was rampant under al-Bashir, and intensified as antigovernment protests gathered momentum, according to UN human rights monitors. Civilians were frequently victims of deadly violence during the final months

of al-Bashir's rule and the TMC's short time in power. In July 2019, the Central Committee of Sudanese Doctors reported that 246 people had been killed and more than 1,300 wounded since the start of the protest movement in December 2018, most of them killed by the security forces.

To date, almost none of the perpetrators of these attacks have been held to account, though eight RSF members were arrested in August 2019 for their involvement in the June massacre in Khartoum. In September, Prime Minister Hamdok announced the creation of an independent committee to investigate the incident. Human Rights Watch (HRW) was critical of the committee, noting that a defense ministry official was named to the committee by the prime minister. Members of the protest movement called for an international probe, but were rebuffed by the military members of the TSC. The committee was due to release its initial findings at the end of 2019. It remains unclear whether other serious human rights abuses committed before and during the transition will be properly investigated.

The transitional government's constitution permits the use of the death penalty, which has already been imposed at least once when 27 security officers were given death sentences for their involvement in torturing and killing a protestor in a December 2019 trial. Sudanese criminal law is based on Sharia (Islamic law) and allows punishments including flogging and cross-amputation (removal of the right hand and left foot).

People in Sudan have also suffered from the effects of insurgencies for several years, with the UNHCR counting nearly 1.9 million internally displaced persons in Sudan in August 2019. The transitional government committed itself to a six-month timetable to reach peace agreements with armed groups operating in Darfur, South Kordofan State, and Blue Nile State when it promulgated its interim constitution in August 2019. In September, the transitional government signed a declaration establishing a roadmap for negotiations. That declaration included commitments to release political prisoners of war and rescind death sentences imposed on the armed groups' leaders. Talks between the government and representatives of five groups began in October.

In late December 2019, the government reached a deal with nine rebel groups that included a roadmap to end the conflict in Darfur, address the destruction of property during the conflict, and facilitate the return of Sudanese displaced by the fighting. Another rebel group came to terms with the transitional government separately earlier that month.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?

0/4

Successive governments in Sudan neglected populations living in the periphery of the country, sparking uprisings that were met with indiscriminate force. As antigovernment protests gathered pace during the first half of 2019, demonstrators in these regions—particularly Darfur—faced deadly reprisals from security forces.

The transitional government's interim constitution commits the government to uphold the human rights of Sudan's citizens without discrimination and ensure equal treatment the law. The charter also calls for accountability for war crimes, crimes against humanity, and other serious violations of human rights. The document ultimately envisages the establishment of a Commission for Transitional Justice to try cases, but this commission was not established by the end of 2019.

Same-sex relations remain illegal in Sudan, though this prohibition has been inconsistently enforced. Official and societal discrimination against LGBT+ Sudanese remains widespread.

Refugees and asylum seekers residing in Sudan have also been subject to poor treatment, despite legislation passed in 2014 that was meant to strengthen the rights of asylum seekers. The UNHCR surveyed refugees from the Central African Republic (CAR), Eritrea, and South Sudan living in nine states in Sudan throughout 2018, before publishing the results in July 2019; participants reported pervasive insecurity, restrictions on freedom of movement, and poor access to public services.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

0/4

The transitional government affirmed freedom of movement and the right to travel—including overseas—for all citizens in its interim constitution. However, the TSC has maintained the al-Bashir government's state of emergency, imposing curfews and restricting movement in South Kordofan State in October 2019. Neighborhood committees in the state alleged that security forces arbitrarily arrested individuals during the state of emergency.

The TSC also used emergency powers in the city of Port Sudan in September 2019 following clashes between tribal groups that left at least 16 people dead. The groups quickly reached a settlement, after Lieutenant General Dagalo threatened to expel both tribes from the country in a speech.

G2 0-4 pts

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

1/4

Weak land rights have been a chronic driver of conflict in Sudan. In a succession of opaque deals, the al-Bashir regime leased large parcels of arable land to foreign countries for export crop production. In some cases, local populations were forced from their land or had their water supplies depleted.

The interim constitution guarantees the right to own property and protects citizens from having their property acquired by the state without compensation. The new

government has stated its intention to address these grievances, and had to make good on its word as early as September 2019, when it negotiated a settlement between tribal groups in Port Sudan. However, neighborhood committees in South Kordofan State warned that security forces were seizing property while enforcing the state of emergency there.

Women are denied equal inheritance rights due to the use of Sharia law, and have relatively weak property rights compared to men due to traditional and religious statute.

G3 0-4 pts

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

0/4

Women have long been subject to strict “public order” and morality laws which restricted their ability to interact with men outside their immediate families. Sudan’s criminal code allowed for women to be lashed for violating these laws. One women’s organization catalogued more than 45,000 uses of the law in 2016 alone. In November 2019, the TSC repealed the Public Order Act, though related criminal code statutes remained in force at the end of the year.

Sharia law denies women equal rights in marriage and divorce. Women convicted of adultery can face the death penalty.

Violence against women remains a major problem. The Central Committee of Sudanese Doctors documented 70 rapes committed during the RSF’s attacks on protesters in Khartoum in June 2019. Neither female genital mutilation nor child marriage are outlawed.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?

0/4

Bleak economic conditions, unemployment, and the high prices of basic goods were among the root causes of the revolution that helped topple al-Bashir's government. Prime Minister Hamdok's government voiced a commitment to reversing these issues, though the economy remained weak through 2019. The International Monetary Fund (IMF) held consultations with the transitional government in late 2019, and warned that high inflation, a persistent deficit, and low growth would remain without significant reform.

The transitional government took early steps towards clamping down on harmful environmental practices in the gold mining sector. In October 2019, it announced a ban on the use of cyanide and mercury in gold extraction, following protests in mining areas in South Kordofan that resulted in a heavy-handed response from the RSF. Though the transitional government has included the fight against exploitation as an early agenda item, security personnel who hold positions in the government have profited from illicit economic activities, including smuggling.

Migrants, refugees, and asylum seekers who travel to and through Sudan remain vulnerable to criminal networks engaged in human trafficking and smuggling.



On Sudan

See all data, scores & information on this country or territory.

See More [➤](#)

Country Facts

Global Freedom Score

12/100 Not Free

Internet Freedom Score

25/100 **Not Free**

Other Years

2019

**Be the first to
know what's
happening.**

Email

Join the Freedom House
monthly newsletter

Subscribe

ADDRESS

1850 M St. NW Floor 11
Washington, DC 20036
[\(202\) 296-5101](tel:2022965101)

GENERAL INQUIRIES

info@freedomhouse.org

PRESS & MEDIA

press@freedomhouse.org

@2020 FreedomHouse