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Overall, the human rights situation in Sudan deteriorated in 2012, including new restrictions on civil and political rights. The ongoing conflict in Darfur and the border areas with South Sudan led to a worsening humanitarian situation, with continued reports of indiscriminate military tactics employed by the Sudanese Armed Forces leading to the displacement of hundreds of thousands of people within Sudan and into South Sudan. The UN's Office for the Coordination of Humanitarian Affairs (OCHA) reported at the end of 2012 that 695,000 people were thought to have been affected by the conflict. A further 240,000 refugees are estimated to have fled to South Sudan and Ethiopia. Since 2009, the government has placed severe restrictions on the operations of international NGOs, particularly those working on protection issues. These restrictions were tightened in June when Sudan's Humanitarian Affairs Commission closed down the activities of a number of organisations in the east of Sudan, reflecting a lack of serious commitment by the government to improve the human rights situation. The government showed some willingness to cooperate with the newly appointed UN Independent Expert on Human Rights when he visited in June, although he was not permitted to travel to areas of conflict. The government's Advisory Council on Human Rights has agreed to a more formalised dialogue with European Union missions in Sudan.

The UK's human rights objectives in 2012 focused on resolving conflict (through significant support to the African Union High-Level Implementation Panel), securing humanitarian access in conflict areas, and supporting civil and political freedoms. Although there was some progress in September towards resolving disagreements between Sudan and South Sudan, this had not translated into progress on human rights in the border areas by the end of the year. The government and the Sudan People's Liberation Movement-North (SPLM-N) showed no real willingness to come to the negotiating table. This was a major obstacle to progress on humanitarian access and the protection of civilians in South Kordofan and Blue Nile.

In 2013, the UK will continue to focus on conflict resolution and humanitarian access as priorities for our work. We are supporting the implementation of existing Sudan/South Sudan agreements and the ongoing efforts to resolve outstanding areas of dispute, including on the status of Abyei. We will continue to urge the government and the SPLM-N to negotiate a political settlement and

to agree access for the delivery of humanitarian assistance in the conflict areas. The FCO and DFID are working together to support steps towards free and fair elections in 2014 and 2015. These steps should include a transparent and participatory constitutional review process.

Elections

Sudan continues to operate under an interim national constitution drafted in 2005 as part of the Comprehensive Peace Agreement with South Sudan. The government has committed publicly to an open constitutional review process, which would include political opposition parties and civil society organisations. However, no such process has been formally initiated and opposition parties have expressed their unwillingness to engage in it, citing a lack of trust in the ruling National Congress Party's (NCP) ability to conduct a fair process.

Although the government has expressed its intention to allow civil society to participate in the process, this was undermined in May when security services harassed an umbrella organisation of 60 civil society groups, the Sudanese Initiative for Constitution-making, threatening its closure.

In 2012, the UK funded the activities of several national and international bodies engaged in civil society-led consultations and who advocated for an open and transparent constitutional review process.

Presidential and parliamentary elections are due in 2014 and 2015. DFID is preparing a programme of support to a freer and fairer electoral process in Sudan, building on previous programmes, which – if approved – they will begin to implement in 2013. The UK continues to urge the government to embark on a process of democratic reform, including through a transparent and inclusive constitutional review process.

Freedom of expression and assembly

The ruling NCP currently dominates the political scene in Sudan. While many opposition parties are allowed to operate, they are sometimes harassed by security services, including through monitoring of their activity, arbitrary arrest of individuals and suppression of political gatherings. The government refuses to recognise the SPLM-N as a political party.

The government responded violently to protests prompted by the austerity measures in Khartoum and other urban centres over the summer, with tear gas, violence and mass detentions. Protests were policed heavily, particularly by National Intelligence and Security Service officials. Local NGOs estimated that up to 1,000 protesters were detained nationwide over the June-July period. There were also examples of targeted assaults on female protesters. Some of those who were detained reported the use of torture and ill-treatment on the part of the security services. On 31 July, events escalated when the use of disproportionate force by police against students in Darfur resulted in the killing of 12 people, some of whom were under the age of 18 years. On 16 August, President Bashir announced the release without charge of those detained during the protests. Throughout the period, UK Government officials regularly raised concerns about the government of Sudan's response to protests. The then Minister for Africa, Henry Bellingham, made a statement in June regarding the UK's concerns about the restrictions on freedom of expression and called for the release of detainees.

The 2005 Interim Constitution recognises freedom of the press, but the 2009 Press and Publication Act allows a government-appointed Press Council to prevent publication or broadcast of material it deems unsuitable. These powers were widely used in 2012. In addition, three national newspapers were closed and editions of other newspapers were routinely confiscated at the printing press. Some journalists were also banned from writing because of their previous reporting, and a prominent journalist was put on trial charged with threatening national security and was fined by the court. At the end of October, a freelance journalist, Somia Ismail Hundosa,

was reportedly detained by security services and tortured for several days as a result of her reports, which were critical of the ruling regime.

Access to the Internet in Sudan is subject to government control and was restricted during protests over the summer. In 2010, the government suspended the FM broadcasting licence of the BBC World Service in Arabic and has not reversed this decision.

Human rights defenders

We have received credible reports that NGO staff and political activists were detained and interrogated by security services in 2012, particularly if they were suspected of opposition to the regime, and/or having links to the SPLM-N or to South Sudan. We have raised our concerns with the government about these incidents.

Access to justice and the rule of law

The National Security Act in Sudan gives wide discretionary powers of arrest and detention to the National Intelligence and Security Services. Arbitrary arrest is common. In addition there is a state of emergency in 5 out of Sudan's 17 states, which enables the government to suspend the constitution and gives the President the right to establish special courts to handle criminal and terrorist cases.

The DFID Safety and Access to Justice Programme in Sudan embeds promotion of human rights principles in its training programmes with the police and judiciary. A key theme of the programme is the promotion of the rights of women, boys and girls, for example in its support to the Family and Child Protection Units of the Sudanese Police, and to implementation of the 2010 Child Act.

At the start of the year, the government appointed an independent National Human Rights Commission, which was a key recommendation under the UN Universal Periodic Review. In 2012 and 2013, the FCO is funding a capacity-building project for Sudan's new independent Human Rights Commission working with the University of Nottingham Human Rights Law Centre. This project intends to help the commission become an effective force for the protection of human rights in Sudan.

Death penalty

The death penalty is applicable for a number of offences in Sudan, including adultery, sodomy and alleged crimes of a religious or political nature. There were reports in the media in 2012 of death penalty sentences carried out for the offences of murder and child rape. British Embassy officials raised concerns regarding several cases of death penalty sentences for the charge of adultery in 2012. The sentences were all overturned on appeal.

Torture

Though torture is prohibited by the Interim Constitution, there are widespread reports that security forces routinely carry out torture, beatings, rape and other cruel and inhumane treatment or punishments. Prison and detention centre conditions were sometimes harsh and life threatening. We were particularly concerned by the case of British national, Magdy El-Baghdady, who was held by the Sudanese authorities and reportedly mistreated during his detention from February to May 2011. At Mr Baghdady's request, we first raised this issue with the Sudanese authorities in February 2012, after the conclusion of his appeal.

We requested that a prompt, impartial investigation be undertaken, and continue to press on this matter.

Conflict and protection of civilians

In July 2011, South Sudan seceded from Sudan and became independent under the Comprehensive Peace Agreement. A number of issues contained within this peace agreement, including border demarcation, citizenship, oil and the status of disputed areas, remained unresolved at the start of 2012 and have been a source of tension between Sudan and South Sudan throughout the year, with outright conflict briefly breaking out in April 2012. Although Sudan and South Sudan signed a series of agreements in September and the two presidents recommitted to them at a summit in Addis in January 2013, they have yet to be implemented.

The UK Government has deep concerns about ongoing conflict in South Kordofan and Blue Nile States. We have regularly expressed those concerns with the government and the SPLM-N, and pressed them to negotiate to agree a cessation of hostilities. The UN estimates that this conflict has now severely affected or displaced approximately 900,000 people, and predicts that food insecurity may reach crisis levels in some areas of the two states. The UK has made clear that the ongoing restrictions on humanitarian access to those in need of assistance are completely unacceptable. We also strongly condemn the use of indiscriminate tactics during this conflict, in particular the use of aerial bombardment by the Sudanese Armed Forces, which has put civilian lives at great risk. Such actions, which are likely to be violations of international humanitarian law, deserve credible and independent investigation, as the Foreign Secretary called for in June when the fighting began in Southern Kordofan. However, the ongoing fighting and the lack of access by third parties have prevented substantive progress on a credible investigation. In May, the UK played a leading role at the UN Security Council in the adoption of UNSCR 2046, which was the first time a Security Council resolution had looked to address the fighting in these two conflict areas. The UK Government provided financial and technical support to the mediation efforts of the African Union High-Level Implementation Panel. The Africa Conflict Pool Programme for Sudan/South Sudan was also used to support conflict prevention and resolution and to promote good governance.

Conflict continued in Darfur despite the signature in 2011 of the Doha Document for Peace in Darfur (DDPD). There was some progress in implementation of this agreement – the Darfur Regional Authority was inaugurated in February and all requisite commissions and ministries were established. The All Darfur Conference for Peace and Development and a Joint Assessment of Development Needs mission were held in 2012, but further progress needs to be made in 2013 for it to be judged a success. Progress on the ground in Darfur continues to be hampered by the lack of governmental funding for implementation of the DDPD. The region has also witnessed increased insecurity as a result of the outbreak of new hostilities, which led to new displacements of civilians. Armed groups, militias and government-linked security forces were all reported to have committed violations and abuses, including the killing of civilians and sexual gender-based violence. There were also a number of kidnaps of humanitarian workers and United Nations-African Union Mission in Darfur (UNAMID) staff in Darfur in 2012. There are 3.4 million people receiving humanitarian assistance in Darfur, of whom 1.2 million are internally displaced according to the UN Office for the Coordination of Humanitarian Affairs.

In the East of Sudan, the UN High Commissioner for Refugees and the International Organisation for Migration (IOM) estimate that thousands of refugees, asylum seekers, migrants and Sudanese nationals rely on smugglers to transport them into, through and out of Sudan every year. Exit visa requirements from Eritrea into Sudan as well as Sudan's strict encampment policy leave asylum seekers and refugees with no feasible alternatives but to rely on smugglers to assist with such irregular movement. UNHCR estimates that approximately 3,000 persons enter the East of Sudan from Eritrea every month, of which an average of 2,000 seek asylum in the Shagarab camp. The vast majority of these seek to move on in a matter of weeks. A sophisticated network set up by smugglers enables movement of people efficiently from Eritrea through the East of Sudan to Khartoum, Yemen, Saudi Arabia, Egypt, Israel and beyond. UNHCR and IOM received a significant and increasing number of reports in 2012 of migrants, refugees and asylum seekers en route who have been subjected to kidnapping, extortion, torture and severe sexual and physical

violence by criminal groups involved in the smuggling of persons. We have also received credible reports that human organ-trafficking may be taking place linked to this activity.

Freedom of religion or belief

Although the constitution provides that Sharia Law should not be applied to non-Muslims, in practice, there continue to be arrests for offences such as the possession of alcohol and inappropriate dress. In April, rioters attacked a church compound located on disputed land in Khartoum and set it on fire, allegedly following incitement from a local imam. These actions were officially condemned by the government of Sudan as well as Muslim religious leaders.

Women's rights

Female politicians play a role in public life in Sudan, and women are guaranteed a quarter of the seats in the National Assembly. In practice however, women face considerable discrimination, in particular in family and property matters, and gender-based violence is widespread.

Police have used provisions of the Criminal Code outlawing "indecent and immoral acts" to prohibit women from wearing clothes of which they disapprove. In April and again in June, two women were sentenced to death by stoning because of adultery. Both sentences were overturned on appeal. The women were sentenced under article 146 of Sudan's Criminal Act of 1991, which provides that the penalty for adultery by a married person is execution by stoning, and the penalty for an unmarried person is 100 lashes. UK Government officials raised concerns with the government of Sudan in these cases prior to the convictions being overturned.

Female genital mutilation (FGM) is widely practised – it is understood that at least 64% of the female population aged 16-49 have undergone some form of genital mutilation (approximately 12 million women). A new DFID programme to eradicate FGM will begin in 2013.

Reports persist of rape being used as a tactic of warfare in Darfur and other conflict-affected areas.

Lesbian, gay, bisexual and transgender rights

Homosexual relations are criminalised in Sudan with such activity liable to be punished through floggings, fines, prison sentences and even the death penalty. In 2012, there were credible reports in the press that some homosexual men were charged with indecent acts and sentenced to prison terms or floggings.

Children's rights

Gaps remain in the implementation of the Child Act (enacted in 2010), which raises the age of criminal responsibility, criminalises child exploitation and abuse and, among other things, prohibits recruitment of children to armed groups. We have received credible reports of the use of child soldiers, particularly by armed militia groups in Darfur, South Kordofan and Blue Nile States. A UNICEF mission to South Kordofan in August reported seeing no boys over the age of 12 in areas where IDPs had gathered.

Racism

Sudan's interim national constitution prohibits discrimination based on race, but this provision is not effectively enforced. There is evidence of discrimination according to race or ethnicity in many areas of society in Sudan, including employment and education. There were also credible reports in 2012 that detainees from certain ethnic groups faced worse treatment when compared to other ethnic groups, particularly Arab tribes.

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