

65

07 MRS. 2001

U.S. DEPARTMENT OF STATE



[Home](#) | [Contact Us](#) | [FOIA](#) | [Search](#)
[About the State Department](#) | [Travel & Living Abroad](#) | [Business Center](#) | [Other Services](#) | [Employment](#)
[Press & Public Affairs](#) | [Countries & Regions](#) | [International Topics & Issues](#) | [History, Education & Culture](#)

Sudan

Country Reports on Human Rights Practices -2000
Released by the Bureau of Democracy, Human Rights, and Labor
February 2001



The 1989 military coup that overthrew Sudan's democratically elected government brought to power Lieutenant General Omar Hassan Al-Bashir and his National Salvation Revolution Command Council (RCC). Bashir and the RCC suspended the 1985 Constitution, abrogated press freedom, and disbanded all political parties and trade unions. In 1993 the RCC dissolved itself and appointed Bashir President. Presidential and parliamentary elections were held in December. All major opposition parties boycotted the elections, and there were allegations of official interference and electoral fraud. Bashir was elected to another 5-year term, and the National Congress/National Islamic Front (NC/NIF) won 340 out of 360 seats in Parliament in the deeply flawed process. Despite the adoption of a new Constitution through a referendum in June 1998, the Government continued to restrict most civil liberties. Since 1989 real power has rested with the NIF, founded by Dr. Hassan al-Turabi, who became Speaker of the National Assembly in 1996. In November 1998, the NIF renamed itself the National Congress (NC); NIF/NC members and supporters continue to hold key positions in the Government, security forces, judiciary, academic institutions, and the media. In December 1999, Bashir declared a 3-month state of emergency, dismissed Turabi, and disbanded Parliament 2 days before it was to vote on a bill introduced by pro-Turabi legislators to reduce Bashir's presidential powers. On March 12, the state of emergency, which suspends basic civil liberties including freedom of expression and association, was extended until the end of the year, and in late December it was extended for another year. In May Bashir expelled Turabi from the NC, which prompted Turabi to create a new political party, the Popular National Congress Party (PNCP). The judiciary is subject to government influence.

The civil war, which is estimated to have resulted in the death of 2 million persons, continued into its 18th year. The principal insurgent faction is the Sudan People's Liberation Movement (SPLM), the political wing of the Sudan People's Liberation Army (SPLA). The SPLA remains the principal military force in the insurgency. In April 1997, the South Sudan Independence Movement/Army, which broke away from the SPLA in 1991, and several smaller southern factions concluded a peace agreement with the Government. However, the SPLM/SPLA and most independent analysts regard the 1997 agreement as a tactical government effort to enlist southerners on the Government's side. The 1997 agreement remains largely unimplemented, and there was significant fighting between pro-government and anti-government elements who had signed the 1997 agreement during the year. In December 1999, Rieck Machar, a Southern leader who had signed the agreement, broke away from the Government and in January formed a new rebel movement, the Sudan People's Democratic Front (SPDF). The SPLM/SPLA and its northern allies in the National Democratic Alliance (NDA) carried out military offensives in limited areas along the borders with Ethiopia and Eritrea and in large parts of the south during the year. As in 1999, neither side appears to have the ability to win the war militarily; although oil revenues allowed the Government to invest increasingly in military hardware. There was no significant progress toward peace during the year. Government and SPLM/SPLA delegations met with mediators from the Kenya-based Peace Secretariat four times during the year and participated in Intergovernmental Authority for Development (IGAD)-mediated peace talks. The Bahr El Ghazal humanitarian cease-fire, which began in July 1998, was extended by both the Government and the SPLM several times in 1999, and in August 1999, the Government offered a comprehensive cease-fire, which in October 1999 it extended through January 15. However, the Government continued its bombing campaign during this period. The SPLM similarly extended its cease-fire through the same dates, but effectively limited its offer to the humanitarian cease-fire as agreed to in Bahr El Ghazal. In June the SPLA launched an offensive in Bahr El Ghazal and fighting between the Government and the SPLM resumed, marking the end of the humanitarian cease-fire.

In addition to the regular police and the Sudan People's Armed Forces, the Government maintains an external security force, an internal security force, a militia known as the Popular Defense Forces (PDF), and a number of police forces, including the Public Order Police (POP), whose mission includes enforcing proper social behavior, including restrictions on alcohol and "immodest dress." The Popular Police Force, which was made up of nominees from neighborhood popular committees for surveillance and services, was disbanded during the year. Members of the security forces committed numerous, serious human rights abuses.

Civil war, economic mismanagement, over 4 million internally displaced persons (IDP's) in a country of an estimated 27.5 million persons, and, to a lesser extent, the refugee influx from neighboring countries have devastated the country's mostly agricultural economy. Approximately 80 percent of the labor force is engaged in agriculture. Exports of gum Arabic, livestock, and meat accounted for more than 50 percent of export earnings. Private investment in the oil sector led to significant increases in oil production during the year. Reforms beginning in the early 1990's aimed at privatizing state-run firms and stimulating private investment failed to revive a moribund economy that maintains massive military expenditures and a large foreign debt of approximately \$21.5 billion. Per capita national income is estimated at \$900 per year.

The Government's human rights record remained extremely poor, and although there were some improvements in a few areas, it continued to commit numerous, serious abuses. Citizens do not have the ability to change their government peacefully. Government security forces were responsible for extrajudicial killings, and there were reports of Government responsibility for disappearances. Government security forces regularly beat, harassed, arbitrarily arrested and detained, and detained incommunicado opponents or suspected opponents of the Government with impunity, and there were a few reports of torture. Security forces beat refugees, reportedly raped women abducted during raids, and reportedly on occasion harassed and detained persons on the basis of their religion. Prison conditions remained harsh and life-threatening, prolonged detention is a problem, and the judiciary continued to be subservient to the Government. The authorities do not ensure due process, and the military forces summarily tried and punished citizens. The Government continues to infringe on citizens' privacy rights. The Government still does not fully apply the laws of war to the southern insurgency, has taken few prisoners of war (POW's), and does not cooperate with the International Committee of the Red Cross (ICRC) regarding POW's. Cooperation with U.N.-sponsored relief operations was poor. In 1999 the Government for the first time allowed U.N. teams to perform humanitarian assessments in the Nuba Mountains on two occasions, and in July the Government permitted an initial U.N. flight into the Nuba Mountains. Government forces continued to obstruct the flow of humanitarian assistance. Problems with relief flights in the south centered on the Government's frequent denials of aircraft clearances to the U.N.'s Operation Lifeline Sudan (OLS), particularly for Western Upper Nile.

Restrictions on press freedom continued as the Government repeatedly suspended publications that criticized or disagreed with the government line, and detained journalists. Moreover, all journalists continued to practice self-censorship. The Government continued to restrict severely freedom of assembly, association, religion, and movement. In the context of the Islamization and Arabization drive, government pressure-- including forced Islamization--on non-Muslims remained strong. Fears of Arabization and Islamization and the imposition of Shari'a (Islamic law) fueled support for the civil war throughout the country. Violence and discrimination against women and abuse of children remained problems. Prostitution is a growing problem, and female genital mutilation (FGM) is widespread. Discrimination and violence against religious minorities persisted, as did discrimination against ethnic minorities and government restrictions on worker rights. Child labor is widespread. Slavery and trafficking in persons remained problems. Government security forces were responsible for forced labor (including forced child labor), slavery, and the forced conscription of children.

Insurgent groups continued to commit numerous, serious abuses. The SPLM/SPLA continued to violate citizens' rights, despite its claim that it was implementing a 1994 decision to assert civil authority in areas that it controls, and in many cases, has controlled for many years. The SPLM/SPLA was responsible for extrajudicial killings, beatings, rape, arbitrary detention, and forced conscription. SPLM/SPLA officials were guilty of, or complicit in, theft of property of nongovernmental organizations (NGO's) and U.N. agencies operating in the south. The ICRC reported in 1996 that the SPLA had begun to observe some basic laws of war; it takes prisoners on the battlefield and permits ICRC visits to some of them. However, the SPLA has not allowed the ICRC to visit prisoners accused by the insurgent group of treason or other crimes.

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

There were reports of extrajudicial killings. In their attacks on insurgent forces, government troops killed a large number of civilians (see Section 1.g.). For example, at the beginning of November during an NDA attack on Kassala, 52 civilians and soldiers were killed during fighting between government and NDA troops (see Sections 1.c. and 1.g.). The Government suspended NGO operations in the area until the hostilities ended several days later. Government forces and allied militia pursued a scorched earth policy aimed at removing populations from around the newly built oil pipeline and other oil production facilities, which reportedly resulted in some deaths (see Section 1.g.). On numerous occasions, the Government bombed civilian facilities resulting in a number of civilian deaths, including children (see Section 1.g.). Explosions by government-laid landmines resulted in some deaths (see Section 1.g.). There were reports that during raids and attacks on civilian settlements, government forces killed a number of persons, and there were reports that persons abducted during those raids at times were killed (see Sections 1.b. and 6.c.). In early June in Gumriak, an attack by government air and ground forces in the vicinity of a Catholic mission reportedly resulted in the deaths of 32 persons, including women and children.

In February the Government's PDF allegedly attacked several villages in eastern Aweil and Twic counties, northern Bahr El Ghazal, killed 16 civilians, abducted over 300 women and children, stole cattle, and looted and burned villages. In November there were unconfirmed reports that the PDF attacked the village of Guong Nowh, killed several persons, abducted 24 persons, and stole cattle.

In September security forces in several cities in the north used tear gas and live ammunition to forcibly disperse some demonstrations; several persons were killed, and a number of persons were injured severely (see Section 2.b.).

There was no action taken in the 1999 case of Abdallah Chol, Hassan Abu Adhan, and Gladino (Sam) Okiény, who died as a result of torture while in the custody of military intelligence personnel.

University of Khartoum law student Mohamed Abdelsalaam Babeker was found dead in 1998 after being arrested by NIF security forces; an autopsy indicated that the cause of death was a brain hemorrhage allegedly caused by a head wound. A case was filed against an unknown person, and the police reportedly conducted an investigation; however, they did not release their findings by year's end.

There was no investigation into the January 1998 reports of reprisal killings of Dinka men by government forces.

Insurgent forces reportedly committed political and other extrajudicial killings, particularly in areas of active conflict; however, details generally were unavailable. There were reports that in July and August in the Western Upper Nile, SPLA forces and SPDF forces killed at least 50 civilians and abducted more than 20 women and children in intraethnic fighting.

Rebel forces killed a large number of civilians during their attacks on government forces (see Section 1.g.). Insurgent forces laid landmines indiscriminately on roads and paths that killed and maimed both soldiers and civilians (see Section 1.g.). Prisoners reportedly have died while in SPLA custody due to poor prison conditions (see Section 1.c.). There are reliable reports that rebel forces that captured villages along the border with Ethiopia in 1997 carried lists used to identify leading government figures whom they killed summarily.

In January two relief workers were killed in an attack by unidentified assailants. Also in January, rebels believed to be from the Ugandan Lord's Resistance Army (LRA) attacked a humanitarian vehicle, killing eight aid workers. Human Rights Watch (HRW) reported that the Sudan Alliance Forces (SAF), an NDA member, committed abuses against its soldiers accused of spying or defecting to another rebel group, including summary executions, torture, and detention of prisoners in a pit in the ground. SAF denied the allegations.

Sometime before March 30, 1999, a local Red Crescent worker and three government officials who accompanied an ICRC team near the town of Kong in the south were killed while in the custody of the SPLA under circumstances that remain unclear. The SPLM alleges that the four were killed in crossfire during a rescue attempt. The SPLM neither arranged for the return of the bodies nor permitted an independent investigation, and there was no further action on this case by year's end.

Interethnic and intraethnic tensions continued into the early part of the year resulting in numerous deaths. In the first half of the year, ongoing fighting between ethnic Dinkas and Didingas in the New Cush and Chukudum areas in Eastern Equatoria led to a number of deaths (see Section 5). Tensions eased with the departure of some Dinka to Bor County in May and June, and a dialog on a lasting resolution to the interethnic tensions continued during the year.

On December 8, supporters of the outlawed Takfeer and Hijra group killed 26 persons and injured 40 others at a Sunna mosque in Omdurman (see Section 5).

b. Disappearance

There were continued allegations that the Government was responsible for the arrest and subsequent disappearance of persons suspected of supporting rebels in government-controlled zones in the south and the Nuba Mountains. Persons arrested by government security forces often were held for long periods of time in unknown locations without access to lawyers or family members.

There were reports that during raids on civilian settlements, government forces abducted persons, including women and children (see Sections 1.g. and 6.c.). In the last 15 years, between 5,000 and 15,000 Dinka women and children have been abducted; between 10,000 and 12,000 persons, most of whom are Dinka, remained abducted at year's end. Observers believe that some of the abductees were sold into slavery, while others were used as forced labor or drafted into the military. In some cases, observers believe that the abductees escaped or eventually were released or ransomed, and that in other cases some were killed. In February the Government's PDF forces allegedly attacked several villages in eastern Aweil and Twic counties, northern Bahr El Ghazal, abducted over 300 women and children, killed 16 civilians, stole cattle, and looted and burned villages. In November there were unconfirmed reports that the PDF attacked the village of Guong Nowh, abducted 24 persons, killed several persons, and stole cattle.

HRW reported that Islamic student militias operating under the protection of security forces abducted and tortured a number of student activists.

In February a U.N. plane flew three commanders of a pro-government militia to another location where they attended a meeting with commanders of an anti-government militia; the pilots claim they did not know the identity of these passengers. When they returned, the pro-government militia detained the two pilots, a U.N. worker, and a Sudanese relief worker for 1 week.

There were reports that in July and August in the Western Upper Nile, SPLA and SPDF forces abducted over 20 women and children and killed at least 50 civilians during intraethnic fighting.

Approximately 3,000 Ugandan children have been abducted and forced to become soldiers or sex slaves for the LRA, a Ugandan armed opposition group in the south, which is actively supported by the Government (see Section 5).

There also were reports of periodic intertribal abductions of women and children in the Eastern Upper Nile (see Section 5).

In 1996 the Government established the Special Commission to Investigate Slavery and Disappearances in

response to a resolution passed by the 1995 U.N. General Assembly. The Commission technically still is functioning but has yet to produce a final report. In May 1998, the Government formed the Committee for the Eradication of the Abduction of Women and Children (CEAWAC). The Committee and UNICEF jointly sponsored a workshop on abductions in July 1999, during which the committee recognized abduction as a problem that the Government could and should address. The committee formed mechanisms to identify and return abductees. Several high-ranking Government officials participated in the activities of the committee. These mechanisms resulted in the identification and release of approximately 300 individuals who were returned to their homes during the year. An additional 1,200 have been identified; however, the Government's refusal to allow flights into SPLA territory prevented their return. In addition the Government did not record the identity of the abductors in these cases and chose not to prosecute the abductors.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The 1999 Constitution prohibits torture; however, government security forces continued to beat and harass suspected opponents and others. In 1997 the U.N. Special Rapporteur on Torture described torture as a fairly extensive problem; however, during the year, reports of torture were infrequent. Members of the security forces rarely, if ever, are held accountable for such abuses.

Security forces beat and otherwise abused youths and student leaders and others whom were deemed to be opponents of the Government.

There continued to be reports that security forces used "ghost houses," places where security forces tortured and detained government opponents incommunicado under harsh conditions for an indeterminate time with no supervision by the courts or other independent authorities with power to release the detainees; however, reports of the use of "ghost houses" ceased during the latter half of the year.

There continued to be reports that security forces harassed and at times used threats and violence against persons on the basis of their religious beliefs and activities (see Section 2.c.). For example, in June police in Hilla Kuku beat a Catholic seminarian on the neck and wrist with a stick after he refused to remove a wooden cross that he was wearing (see Sections 1.d. and 2.c.).

Security forces used excessive force, including beatings, tear gas, and firing of live ammunition to disperse unapproved demonstrations (see Section 2.b.). For example, in February security forces detained and beat two students for political activity (see Section 1.d.). Several times in September police used tear gas, batons, and live ammunition to disperse demonstrators and in some instances, beat or otherwise injured numerous individuals (see Section 2.b.). In May security forces raided Alnasr Technology College twice; they arrested, beat, and injured students, and fired bullets in the air to disperse a student protest on education issues. Security and police forces used sticks and tear gas in an attack on Juba University in Khartoum in June, arresting and detaining over 120 students. Refugees also were subjected to beatings and mistreatment (see Section 2.d.). HRW reported that Islamic student militias operating under the protection of security forces abducted and tortured a number of student activists.

Government forces were responsible for injuring many civilians during attacks on insurgent forces, during raids on civilian settlements, and while bombing civilian targets (see Section 1.g.). There were reports that persons abducted during those raids were subjected to torture and rape (see Section 6.c.). In November during an NDA attack on government forces in Kassala, government soldiers detained and severely beat a foreign International Red Cross worker (see Sections 1.d. and 1.g.). He was held incommunicado for two days and then released. Explosions of government-laid landmines resulted in a number of injuries (see Section 1.g.). Soldiers were responsible for raping women (see Section 1.g.).

In accordance with Shari'a (Islamic) law, the Criminal Act provides for physical punishments including flogging, amputation, stonings, and crucifixion—the public display of a body after execution. In a 1999 case involving ethnic clashes in the Darfur region in the west (see Section 5), an emergency court sentenced 10 persons to hanging and subsequent crucifixion. These sentences had not been carried out by year's end. During the year, there were six reported cases of amputations of limbs as punishment under Shari'a law for aggravated cases of theft.

The Government's "scorched earth" policy in the area surrounding the oil fields in Upper Nile resulted in a number of serious injuries (see Section 1.g.).

There was no investigation into, nor action taken, in the 1999 case in which prison officials tortured a convicted bank robber so severely while in detention that he was blinded.

Insurgent forces were responsible for a number of civilian injuries and for raping women (see Section 1.g.). Landmines laid indiscriminately in years past on roads and paths killed and maimed both soldiers and civilians (see Section 1.g.). There are credible reports of beatings and other punishment of prisoners by the SPLA rebels.

HRW reported that the Sudan Alliance Forces (SAF), an NDA member, committed abuses against its soldiers accused of spying or defecting to another rebel group, including torture, summary executions, and the detention of prisoners in a pit in the ground. SAF denied these allegations.

There were numerous injuries as a result of religious tensions. For example, on December 8, supporters of the outlawed Takfeer and Hijra group killed 26 persons and injured 40 others at a Sunna mosque in Omdurman (see Section 5).

Conditions in government prisons remain harsh, overcrowded, and life threatening. Built before the country's 1956 independence, most prisons are maintained poorly, and many lack basic facilities such as toilets or showers. Health care is primitive, and food is inadequate. Minors often are held with adults. There was a report in 1999 that 16 children who were living with their imprisoned mothers died of diseases. Female prisoners are housed separately from men; rape in prison reportedly is rare. Prison officials arbitrarily denied family visits. High-ranking political prisoners reportedly often enjoy better conditions than other prisoners do.

The Government does not permit regular visits to prisons by human rights monitors. No independent domestic human rights organizations monitor prison conditions.

Prisoners reportedly have died while in SPLA custody due to poor prison conditions. The SPLM allowed the ICRC to visit some POW's during the year and released some prisoners due to poor health.

d. Arbitrary Arrest, Detention, or Exile

The 1999 Constitution prohibits arbitrary arrest and detention without charge; however, the Government continued to use arbitrary arrest and detention in practice. Under the Constitution and the criminal code, an individual may be detained for 3 days without charge, which can be extended for 30 days by order of the Director of Security and another 30 days by the Director of Security with the approval of the prosecuting attorney. Under the amended National Security Act, which was approved on December 15 by the Council of Ministers and subsequently made law by presidential decree and supercedes the criminal code when an individual is accused of violating national security, an individual may be detained for 3 months without charge, renewable by the Director of Security for another 3 months. During the state of emergency, the Government is not constrained by the National Security Act and can detain individuals indefinitely without judicial review, which reportedly it has done. During the year, the Government used the state of emergency to detain over 100 individuals.

The law allows for bail, except for those accused of crimes punishable by death or life imprisonment. In theory the Government provides legal counsel for indigent persons in such cases; however, reports continue that defendants do not always receive this right, and that counsel in some cases only may advise the defendant and may not address the court. In some cases, courts have refused to allow certain lawyers to represent defendants.

Authorities continued to detain political opponents of the Government during the year. The NGO Sudanese Human Rights Group (SHRG) reported several cases of this, including: A political activist who was detained in Atbara for several days in January; two students who were detained and beaten because of political activities in February; a lawyer and leading member of the National Democratic Alliance to Restore Democracy (NARD) who was arrested and detained in March; Dr. Tobi Madot, Chairperson of the Democratic Forces Front (JAD) who was detained in March; four students at the University of Sudan who were detained for 4 days in April for union activities (see Section 6.a.); Sid Ahmed Al-Hussein, deputy secretary-general of the Democratic Unionist Party (DUP), who was detained on several occasions in April; six members of the Communist Party who were detained in May; five students in Omdurman who were detained in June; leading members of the DUP and UMMA parties who were arrested and detained in June in Sennar City; a lawyer who was arrested for political activities in August in Khartoum; and a leading DUP member was arrested in September in Khartoum. Over 150 members of Hassan al-Turabi's PNCP were detained after allegedly participating in demonstrations against the Government in September and October. In general the Government detains persons for a few days before releasing them without charge or trial; however, detentions of PNCP and NDA members generally were much longer. There were unconfirmed reports that security forces tortured, detained without charge, and held incommunicado the members of PNCP. Human rights activist Ghazi Suleiman also was detained several times during the year. In addition to detentions, government security forces frequently harassed political opponents by summoning them for questioning, forcing them to remain during the day without questioning, and then ordering them to return the following day. This process sometimes continued for days.

In December government forces broke up a meeting of NDA representatives with a foreign diplomat, detained the diplomat briefly, eventually expelled the diplomat from the country, and arrested seven NDA representatives. In the following weeks, human rights activist Ghazi Suleiman and Ali Mahmoud Hassanein, head of the opposition Democratic Unionist Party, opposition lawyers for the NDA, were arrested by the Government (see Section 2.b.). After approximately 6 weeks in detention, the Government charged the NDA representatives with treason and sedition. There was no trial by year's end. The lawyers were not charged and remained in detention at year's end.

A number of journalists were arrested and detained during the year (see Section 2.a.).

In May security forces raided Alnasr Technology College twice; they arrested, beat, and injured students, and fired bullets in the air to disperse the students' protest on education issues (see Section 2.a.). Security and police forces used sticks and tear gas in an attack on Juba University in Khartoum in June, arresting and detaining over 120 students.

In November during an NDA attack on government forces in Kassala, government soldiers detained and severely beat a foreign International Red Cross worker (see Sections 1.a. and 1.g.). He was held incommunicado for 2 days and then released.

Security forces detained persons because of their religious beliefs and activities; however, such detentions decreased in the latter half of the year (see Section 2.c.). For example, in June police in Hilla Kuku detained

and beat a Catholic seminarian after he refused to remove a wooden cross that he was wearing; he later was released (see Sections 1.c. and 2.c.). Generally detentions based nominally on religion were of limited duration; because the practice of religion is not technically illegal, detainees could not be held formally on grounds indefinitely. However, the Government resorted to accusing, at times falsely, those arrested for religious reasons of other crimes, including common crimes and national security crimes, which resulted in prolonged detention. In May President Bashir ordered that all women in prison for violations of the Public Order Law be released and rescinded the prohibition on the brewing of alcohol; 563 women were released (see Section 2.c.). Despite the fact it is legal to brew alcohol, police continued to arrest southern women, and reportedly the police demand bribes in exchange for releasing the women.

In December the Government arrested and detained 65 leading members of the Takfeer and Hijra group following an attack on a rival group's worshippers; most of the individuals remained in detention and had not been tried as of year's end (see Sections 1.a., 1.c., and 5).

In September security forces detained numerous persons while forcibly dispersing demonstrations in several cities in the north (see Section 2.b.). In September security forces also briefly detained 25 women who participated in a National Democratic Women's Association demonstration against the governor of Khartoum's decree prohibiting women from working in hotels, restaurants, and gas stations (see Sections 2.b. and 5). In October police arrested and detained four students at a rally at the University of Khartoum (see Section 2.b.).

Persons arrested by government security forces often were held for long periods of time in unknown locations without access to lawyers or family members.

The Government does not use forced exile.

e. Denial of Fair Public Trial

The judiciary is not independent and is largely subservient to the Government. The Chief Justice of the Supreme Court, formerly elected by sitting judges, is nominated by a Judiciary Committee and appointed by the President. As the senior judge in the judicial service, the Chief Justice also controls the judiciary. On occasion some courts display a degree of independence. Appeals courts on several occasions overturned decisions of lower courts in political cases, particularly public order courts.

The judicial system includes four types of courts: Regular courts, both criminal and civil; special mixed security courts; military courts; and tribal courts in rural areas to resolve disputes over land and water rights and family matters. In November 1998, Parliament passed a bill to form a constitutional court, which was implemented in December 1998. The President appointed the court's seven members at the end of 1998. Within the regular court system there are civil and criminal courts, appeals courts, and the Supreme Court. Public order courts, which heard only minor public order issues, were suspended, and public order cases were heard in criminal courts.

The 1999 Constitution provides for fair and prompt trials; however, it has not resulted in changes in practice. The 1991 Criminal Act governs criminal cases, and the 1983 Civil Transactions Act applies in most civil cases. Military trials, which sometimes are secret and brief, do not provide procedural safeguards, sometimes have taken place with no advocate or counsel permitted, and do not provide an effective appeal from a death sentence. Other than for clemency, witnesses may be permitted to appear at military trials.

Trials in regular courts nominally meet international standards of legal protections. For example, the accused normally have the right to counsel, and the courts are required to provide free legal counsel for indigent defendants accused of crimes punishable by death or life imprisonment. However, in practice these legal protections are applied unevenly. Persons arrested by government security forces often were held for long periods of time in unknown locations without access to their lawyers or family members.

In 1989 the Special Courts Act created special three-person security courts to deal with a wide range of offenses, including violations of constitutional decrees, emergency regulations, some sections of the Penal Code, as well as drug and currency offenses. Special courts, on which both military and civilian judges sit, handle most security-related cases. Attorneys may advise defendants as "friends of the court" but normally may not address the court. Lawyers complain that they sometimes are granted access to court documents too late to prepare an effective defense. Sentences usually are severe and implemented at once; however, death sentences are referred to the Chief Justice and the Head of State. Defendants may file appellate briefs with the Chief Justice.

The Government dissolved the respected Sudanese Bar Association in 1989 and reinstated it with an NIF-controlled leadership in 1997. In 1997 elections for the leadership of the Bar Association, an NIF-associated group won overwhelmingly amid accusations of blatant fraud. Lawyers who wish to practice must maintain membership in the Bar Association. The Government continued to harass and detain members of the legal profession whom it views as political opponents.

The Government officially exempts the 10 southern states, whose population is mostly non-Muslim, from parts of the Criminal Act; however, the act permits the possible future application of Shari'a law in the south, if the State assemblies so decide. No reports cited court-ordered Hudood punishments, other than lashings, in government-controlled areas of the south. Fear of the imposition of Shari'a law remained a key problem in the rebellion.

Parts of the south and the Nuba Mountains fell outside effective judicial procedures and other governmental

functions. According to credible reports, government units summarily tried and punished those accused of crimes, especially for offenses against civil order.

Magistrates in SPLM/SPLA-held areas follow a penal code roughly based on the 1925 Penal Code. In rural areas outside effective SPLM control, tribal chiefs apply customary laws. In 1996 the SPLM proclaimed a civilian structure to eliminate the conduct of secret and essentially political trials such as those conducted by military commanders in previous years. The SPLM has a judicial system of county magistrates, county judges, regional judges, and a court of appeals. While officials have been appointed for most of these positions, the court system did not function in many areas due to lack of infrastructure, communications, funding, and an effective police force. Some cases were heard at the magistrate and county levels. The SPLM recognizes traditional courts or "Courts of Elders," which usually hear matters of personal affairs such as marriages and dowries, and base their decisions on traditional and customary law. Local chiefs usually preside over traditional courts. Traditional courts are particularly active in Bahr El Ghazal. The SPLM process of conducting a needs assessment for the courts continued during the year.

There are political prisoners in the country, although the Government maintains that it holds none. The Government usually charges political prisoners with a crime, allowing the Government to deny their status as political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The 1999 Constitution provides for the inviolability of communication and privacy; however, the Government routinely interferes with its citizens' privacy. Security forces frequently conducted night searches without warrants, and they targeted persons suspected of political crimes. During demonstrations in September (see Section 2.b.), riot police reportedly broke into private homes to search for demonstrators. Some residents of Khartoum filed lawsuits against the riot police for violating their privacy and damaging property in the aftermath of September 1999 riots; the suits eventually were dismissed as lacking jurisdiction. In the north, security forces also targeted persons suspected of making alcoholic beverages, which are illegal.

Security personnel routinely opened and read mail and monitored telephones. The Government continued to restrict the ownership of satellite dishes by private citizens through use of its licensing requirement.

A Muslim man may marry a non-Muslim, but a Muslim woman cannot marry a non-Muslim, unless he converts to Islam (see Section 5); however, this prohibition is not observed or enforced universally, particularly in the south and among Nubans. Non-Muslims may adopt only non-Muslim children; no such restrictions apply to Muslim parents.

Various government bodies have decreed on different occasions that women must dress according to modest Islamic standards (see Sections 2.c. and 5). Enforcement of female dress standards by the Public Order Police continues, but was reduced greatly during the year. There were no reports of corporal punishment to enforce public order during the year; enforcement generally took the form of verbal admonishment by security forces.

Non-Muslim prison inmates were pressured to convert to Islam, as were PDF trainees, children in government-controlled camps for vagrant minors, and persons in government-controlled peace camps (see Sections 1.g. and 2.c.).

Government forces pursued a scorched earth policy aimed at removing populations from around the newly built oil pipeline and other oil production facilities, which resulted in deaths and serious injuries (see Section 1.c.).

The Government continued to raze some squatter dwellings; however, the practice decreased greatly during the year.

A wide network of government informants conducted pervasive surveillance in schools, universities, markets, workplaces, and neighborhoods. However, government-instituted neighborhood "popular committees"—ostensibly a mechanism for political mobilization—which served as a means for monitoring households' activities were disbanded.

The Government continued to dismiss military personnel summarily as well as civilian government employees whose loyalty it considered suspect. The government committee set up in 1995 to review cases of persons summarily dismissed since the 1989 coup continued to function in theory; however, it has released no results since May 1996.

Government armed forces burned and looted villages and stole cattle (see Sections 1.a. and 1.g.).

The Government continued to conscript citizens forcibly, including high school age children (see Sections 5 and 6.c.).

As a result of the prolonged war, approximately 4 million persons are displaced internally (see Section 2.d.).

The insurgent SPLM/SPLA generally is not known to interfere with privacy, family, home, or correspondence in areas that it controls, although correspondence is difficult in war zones; however, rebel factions continued to conscript citizens forcibly including high school age children (see Sections 5 and 6.c.).

There were unconfirmed reports that the SPLA forcibly recruited Sudanese refugees in northern Uganda for service in their forces.

g. Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts

Since the civil war resumed in 1983, an estimated 2 million persons have been killed, and 4 million displaced internally as a result of fighting between the Government and insurgents in the south, interethnic fighting, and famine. The civil war continued despite limited cease-fires, and all sides involved in the fighting were responsible for violations of humanitarian norms. At year's end, the Government controlled virtually all of the northern two-thirds of the country but was limited to garrison towns in the south. In June the SPLA launched an offensive in Bahr El Ghazal, fighting resumed between the SPLA and government forces, and the humanitarian cease-fire broke down. During the year, government bombings continued, often killing or injuring innocent civilians and destroying homes, schools, and hospitals. Some Government bombing intentionally was directed at civilian targets; most bombing was indiscriminate and resulted in deaths and injuries or destruction of property. In early February, government bombs struck a school in the Nuba Mountains, killing 15 persons and wounding 17 others. On March 4, a government bombardment of the town of Yirol damaged the compound of Irish NGO Concern, killing 2 persons and wounding 11 others. On March 14, government forces bombed the Diocese of Torit hospital, killing one person and injuring seven others. In early July in Rumbek, a young girl and a pregnant woman were killed and 23 persons were injured when bombs hit an open area between the Catholic and Episcopal churches and a market place. On July 15, the Government bombed the town of Chelkou and damaged an ICRC airstrip, an ICRC plane, and relief station, and injured an ICRC employee. In mid-September on two different occasions, government bombs killed 11 persons in Narus and Ikotos, and the Diocese of Torit Clinic was destroyed. On November 21, government forces bombed Yei; 19 persons were killed and 45 others were injured. In November government forces also bombed the towns of Polit Abur and Ikotos, killing 8 persons and seriously injuring 32 others.

The Government also conducted bombing raids that targeted NGO's and often impeded the flow of humanitarian assistance to the south. On March 1, the Government bombed a hospital run by the NGO Samaritan's Purse in Lui in Western Equatoria. Norwegian People's Aid reported that on April 16, government forces dropped bombs near a child feeding compound. On July 28, in Akhuem in northern Bahr El Ghazal, several bombs landed close to a Doctors Without Borders plane and near its health center, prompting the medical team to evacuate the area. On August 7, government planes bombed an airstrip in Mapel where an OLS plane was parked. On August 9, government aircraft again bombed Mapel endangering U.N. personnel and facilities. On October 12, bombs were dropped on the towns of Ikotos and Parajok in Eastern Equatoria, which, according to relief workers, occurred during a food distribution and injured at least seven persons, including four persons seriously. On October 23, relief workers reported that 23 bombs were dropped on the town of Nimjule in 2 separate attacks during a 12-day cease-fire to allow for a U.N. polio vaccination campaign. No one was injured, although a nursery and several houses were destroyed.

The Government and government-allied militia carried out raids and attacks on civilian settlements particularly in Bahr El Ghazal. These raids were accompanied by killings, abductions, rapes, the burning and looting of villages, the theft of cattle, and significant displacement of civilian populations. However, the Government pledged to end this practice, and there were fewer reports of such raids during the year (see Sections 1.a., 1.b., 1.c., and 6.c.).

The Government and government-associated forces have implemented a scorched earth policy along parts of the oil pipeline and around some key oil facilities. These forces have injured persons seriously, destroyed villages, and driven out inhabitants in order to create an uninhabited security zone.

Victims of government bombings, and of the civil war in general, often flee to government-controlled peace camps. Some NGO's reported that persons in the peace camps were subject to forced labor and at times pressured to convert to Islam (see Section 2.c.).

Government forces routinely kill rebel soldiers captured in battle. Only a small group of prisoners captured before the 1989 coup and a few soldiers taken in the east in 1998 and during the year reportedly are held as POW's in government-controlled areas. The Government does not concede that it holds POW's. It has not responded to ICRC inquiries about POW's and has refused the ICRC access to POW's.

Government forces in the south raped women and forcibly conscripted men and boys (see Sections 1.f. and 6.c.). Government forces routinely displaced, killed, and injured civilians, and destroyed clinics and dwellings intentionally during their offensive operations. At the beginning of November, during an NDA attack on Kassala, 52 civilians and soldiers were killed during fighting between government and NDA troops.

In addition to bombings that have made humanitarian assistance difficult, the Government routinely has denied flight clearances. The Government banned all relief flights to Western Upper Nile and Eastern Equatoria during the year. In July the Government informed OLS that it would require 7 days notice for all relief flights (previously 48 hours notice was required), thus reducing OLS's flexibility. Until 1999 the Government had not permitted U.N. humanitarian assistance to Blue Nile. In June 1999 and September 1999, U.N. teams conducted humanitarian assessment visits to rebel-held areas of the Nuba Mountains, and in October 1999, the U.N. conducted a humanitarian assessment in government-held areas of the Nuba Mountains. During the year, the Government on two occasions permitted polio eradication teams to visit the Nuba Mountains but denied access for other humanitarian assistance.

During a March 1999 visit by the U.N. Special Representative for Children and Armed Conflict, both the

Government and SPLM/SPLA agreed to stop using anti-personnel mines. However, in the early part of the year, a government militia raided a relief center at Mading and placed landmines in an NGO compound forcing the permanent evacuation of the center. Reportedly the SPLA continued to lay landmines in Eastern Equatoria for defense purposes. Injuries continued to occur during the year from landmines previously laid by the Government to protect garrison towns and from landmines laid by the SPLA and its allies during the course of the war.

Northern Muslim opposition groups under the 1995 NDA umbrella structure, which includes the SPLA, took military action against the Government. The NDA attacked government garrisons, the oil pipeline, and strategic points near the Ethiopian and Eritrean borders.

There were reports that in July and August in the Western Upper Nile region rebel SPLA and SPDF forces killed at least 50 civilians and abducted over 20 women and children in intraethnic fighting (see Section 5). In Kerial and Koch, soldiers burned huts and looted food and other household goods, and several chiefs reported that their villagers were forced to relocate.

The SPLA has taken a number of prisoners over the years. The SPLA often cooperates with ICRC and allows regular visits to prisoners. The SPLA released a limited number of POW's for health reasons during the year. Prisoners reportedly have died while in SPLA custody due to extremely poor prison conditions.

There are credible reports of SPLA taxation and occasional diversion of relief supplies. The SPLM leadership repeatedly has committed itself to eliminating these problems; however, in practice it appears unable to impose consistently those commitments on its representatives in the field. There were reports that the Sudan Relief and Rehabilitation Association (SRRA) diverted humanitarian food to the SPLA.

Insurgent forces in the south forcibly conscripted men and boys and reportedly raped women (see Sections 1.f. and 6.c.). Insurgent forces also routinely displaced, killed, and injured civilians, and destroyed clinics and dwellings intentionally.

In March the SPLM/SPLA expelled 11 NGO's, which handled 75 percent of NGO-provided humanitarian aid entering the south, for refusing to sign a memorandum of understanding (MOU) on NGO activities that had been under negotiation for several years. Several other NGO's that refused to sign left the area before the deadline. All but a few of the NGO's that were expelled or left before the deadline returned to the southern part of the country and later in the year signed the MOU (see Section 2.b.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The 1999 Constitution provides for freedom of thought and expression, and freedom of the press "as regulated by law;" however, the Government severely restricts freedom of speech and of the press. Government detentions of journalists, intimidation, surveillance, and suspensions of newspapers continued to inhibit open, public discussion of political issues. Journalists practice self-censorship.

As a result of a limited easing of press restrictions that the Government began in 1997, some lively discussions of domestic and foreign policy were published in the press. Nonetheless, the Government still exercised control of news reporting, particularly of political topics, the war, and criticism of the Government, through the National Press Council and security forces. The National Press Council applies the Press law and is directly responsible to the President. It is charged with licensing newspapers, setting press policy, and responding to complaints. In the event of a complaint, it can give a newspaper a warning or suspend it for up to 15 days. It also can suspend a newspaper indefinitely and suspend journalists for up to 2 weeks. The National Press Council consists of 21 members: 7 selected by the President; 5 from the National Assembly; 7 directly elected by journalists from the Journalists' Union; and 2 selected by the Journalists' Union leadership. In February President Bashir fired five members of the National Press Council because they had been selected by the dissolved National Assembly (see Section 3). Observers believe the Journalist's Union is government-controlled. The National Press Council was active in suspending journalists and newspapers during the year.

The Government restricted freedom of the press through detention of journalists and editors (see Section 1.d.), the confiscation of already printed editions, prepublication censorship, and pressure, which resulted in self-censorship.

In March security forces arrested and detained Kamal Hassan Bakheit, Chief Editor of "Al Sahafa" and four of the paper's journalists for publishing poetry calling on Egypt to rescue the country from "the unjust war" and writing an article supportive of the NDA. In May security forces arrested Idris Hassan, Chief Editor, and El Badawi Yousif, Editing Director of "Al Rai Al-Aam" newspaper for "crimes against the state" involving alleged false accusations and insults to public servants executing judicial proceedings. They were released after 1 day, and those editions of the newspaper were confiscated. In August security forces arrested Osman Mirghani, journalist for "Al Rai Al-Aam" for an article criticizing government education policy. In August security forces also arrested Alwola Burhi Kaidani, journalist for "Al-Rai Al Akhar" for an "anti-government" article.

In July the National Press Council suspended an independent Arabic daily Al-Rai Al-Aam for 1 day following the publication of an article critical of the police.

The editor in chief of the newspaper Al-Rai al-Akher, who was arrested in June 1999, and the editors in chief of

two other newspapers, Elsharee Elsyasi and Al-Ousbou, who reportedly were arrested at the same time all were released after a few days.

All journalists, even in the privately owned Arabic daily press, continued to practice self-censorship. There are 11 daily newspapers and one English newspaper, which generally represents the viewpoint of southerners. Of the Arabic papers, one is government-controlled, several generally reflect the Government's viewpoint, and several are independent. A wide variety of Arabic and English publications are available; however, they are subject to censorship.

Radio and television are controlled directly by the Government and are required to reflect government policies. Television has a permanent military censor to ensure that the news reflects official views. There are no privately owned television or radio stations, although one television cable company is jointly owned by the Government and private investors.

The Government often charged that the international, and particularly the Western, media have an anti-Suda. and anti-Islam bias.

In spite of the restrictions on ownership of satellite dishes, citizens have access to foreign electronic media; the Government does not jam foreign radio signals. In addition to domestic and satellite television services, there is a pay cable network, which directly rebroadcasts uncensored Cable News Network (CNN), the British Broadcasting Company (BBC), the London-based, Saudi-owned Middle East Broadcasting Corporation (MBC), Dubai-TV, Kuwait-TV, and a variety of other foreign programming.

Uncensored Internet access is available through two Internet service providers.

Rebel movements have provided relatively few opportunities for journalists to report on their activities.

Academic freedom is restricted. In public universities, the Government appoints the vice-chancellors who are responsible for running the institutions. While many professors' lecture and write in opposition to the Government, they must exercise self-censorship. Private universities are not subject to direct government control; however, professors also exercise self-censorship.

Security forces detained, and at times, beat student activists (see Sections 1.c. and 1.d.). In May security forces raided Alnasr Technology College twice; they arrested, beat, and injured students, and fired bullets in the air in an effort to disperse a student protest on education issues. On a few occasions, security forces forcibly dispersed student demonstrations, killing and injuring some students (see Section 2.b.).

The Government officially requires that young men between the ages of 17 and 19 enter military service to be able to receive a certificate on leaving secondary school, which is a requirement for entry into a university (see Section 5). This decree effectively broadened the conscription base.

b. Freedom of Peaceful Assembly and Association

The declaration of the state of emergency and of martial law on June 30, 1989, effectively eliminated the right of assembly, and the Government continued to severely restrict this freedom. The authorities permitted only government-authorized gatherings and routinely denied permission for or disrupted gatherings they view as politically oriented. Islamic orders associated with opposition political parties, particularly the Ansar and Khatimia, regularly have been denied permission to hold large public gatherings. In June the Independent Students Congress group of Sennar University organized an unapproved political rally at the University. Armed troops intervened and fired automatic weapons on the campus; the troops killed a student, seriously injured another, and approximately 20 students were hospitalized. In September demonstrators in several cities in the northern part of the country protested poor economic conditions, lack of water and electricity, government failure to pay teacher salaries, and compulsory military conscription. Claiming that the demonstrations threatened to become violent, police and security forces used tear gas and live ammunition to disperse demonstrators; the security forces killed several persons, and detained and beat numerous individuals. The individuals later were released. Also in September, the National Democratic Women's Association, which is associated with the NDA, held a peaceful demonstration against the Khartoum governor's decree banning women from working in public places. Riot police dispersed the protesters using tear gas; numerous women were injured, and security forces arrested and later released more than 25 women. In September and October, over 150 members of Hassan al-Turabi's PNCP were detained after allegedly participating in demonstrations against the Government (see Section 1.d.). In October police used batons and tear gas to break up a rally and protest held by the PNCP and Islamic students at the University of Khartoum; students allegedly fired shots at the police, pelted them with stones, and used Molotov cocktails. Six policemen were injured, and four students were arrested but later were released.

In December government forces broke up a meeting of NDA representatives with a foreign diplomat, detained the diplomat briefly, and eventually expelled him from the country; they also arrested seven NDA representatives. After approximately 6 weeks of detention, the Government charged the NDA representatives with treason and sedition. There was no trial by year's end. In the following weeks, human rights activist Ghazi Suleiman and Ali Mahmoud Hassanein, head of the opposition Democratic Unionist Party, opposition lawyers for the NDA, were arrested by the Government (see Section 1.d.). The lawyers were not charged and remained in detention at year's end. Following the incident, the Government announced restrictions on diplomatic, international, and regional organizations' contact with any Sudanese political organizations, including the NDA, that it considered to be waging war against it. The Government stated it would restrict travel into rebel-controlled areas without prior written permission from the Ministry of External Affairs; however, this restriction

was not enforced during the year.

The Government severely restricted freedom of association. In December 1998, implementing legislation linked to the new Constitution that in theory would allow the existence of political parties passed into law. As a result, there are now 20 officially registered political parties; however, the legislation includes restrictions that effectively prohibit traditional political parties if they are linked to armed opposition to the Government. Observers believe that the Government controls professional associations.

In March the SPLA implemented a MOU drafted in August 1999 that was the subject of negotiation between the SPLM, NGO's, and donors. It included items such as: Increased SPLA control over NGO interaction with local communities; SPLA control over the planning and distribution of humanitarian assistance; a requirement to work "in accordance with SPLA objectives" rather than solely humanitarian principles; the payment of "security fees;" and additional fees for services, including charges for the landing of aircraft carrying humanitarian aid and for NGO movement within SPLA-held areas. In March the SPLA expelled 11 NGO's, which handled 75 percent of NGO-provided humanitarian aid entering southern Sudan, for refusing to sign the MOU; several NGO's who refused to sign the memorandum left the area before the deadline (see Section 1.g.). Most NGO's returned by year's end, and most NGO's that provide assistance to the south reported that the MOU had little or no effect on their operations.

c. Freedom of Religion

The 1999 Constitution provides for freedom of religion; however, the Government severely restricts this right in practice. The Government treats Islam as the state religion and has declared that Islam must inspire the country's laws, institutions, and policies. The Constitution states that "Shari'a and custom are the sources of legislation."

Religious organizations are subject to the 1994 Societies Registration Act, which replaced the controversial 1962 Missionary Societies Act. The act theoretically allows churches to engage in a wider range of activities than did the Missionary Act, but churches are subject to the restrictions placed on nonreligious corporations. Religious groups, like all other organizations, must be registered in order to be recognized or to gather legally. The Government also requires that houses of worship be approved. Registered religious groups are exempt from most taxes. Nonregistered religious groups, on the other hand, find it impossible to construct a place of worship or to assemble legally. Registration reportedly is very difficult to obtain in practice, and the Government does not treat all groups equally in the approval of such registrations and licenses.

Muslims may proselytize freely in the government-controlled areas, but non-Muslims are forbidden to proselytize. Foreign missionaries and religiously oriented organizations continue to be harassed by authorities; however, there were fewer reports of harassment in the second half of the year. On occasion requests by foreign missionaries and religiously oriented organizations for work permits and residence visas were delayed or denied. The Government refused to renew visas of several long-term Catholic missionaries, forcing them to leave the country and reapply with no assurances that the visas will be granted again. The Government generally is least restrictive of Christian groups that historically have had a presence in the country, including Copts, Roman Catholics, and Greek Orthodox, and is more restrictive of newer arrivals.

Although the Government considers itself an Islamic government, restrictions often are placed on the religious freedoms of Muslims, particularly against those orders linked to opposition to the Government. Islamic orders such as the Ansar and the Khatimia regularly are denied permission to hold large public gatherings (see Section 2.b.).

The Government permits non-Muslims to participate in services in existing and otherwise authorized places of worship; the Government continued to deny permission for the construction of Roman Catholic churches, although some other Christian groups have received permission. However, the Government permitted some makeshift structures to be used.

There is a longstanding dispute between the Episcopal Church and the Government. In September 1999, the Episcopal Church stated that the Government had moved to seize a portion of the property on which church offices in Omdurman stand. A government-run health care center had operated on the site since 1973. The Church claims that it has a freehold title to the land, while the Government claims that it is a leasehold. The Church claims that the courts will not act independently of the Government in the case. The case still is unresolved. In December 1999, police injured five persons in a clash in northwest Khartoum over an Episcopal Church school. Local authorities claim that the school was built without a proper permit. Despite a court ruling in favor of the Church, the school eventually was taken over by the Government and reopened as a Government school.

Government authorities, using soldiers for security, reportedly have razed approximately 30 religious buildings with bulldozers since 1990. In June 1999, local press reports indicated that an agreement had been signed between the Human Rights Committee of the National Assembly and the Minister of Engineering Affairs of Khartoum State not to remove schools or houses of worship during slum demolitions unless adequate alternative sites were found. In October 1999, the First Vice President directed that the demolition of churches and other Christian facilities in Khartoum be suspended and that a committee be formed under the Second Vice President to review the issue; the committee was formed and began operations during the year. During the year, no religious schools or houses of worship were razed. The Government was trying to take over the unused part of a Christian cemetery in Khartoum in order to build shops; the dispute was not resolved by year's end.

The Government requires instruction in Islam in public schools in the north. In public schools in areas in which Muslims are not a majority, students have a choice of studying Islam or Christianity; however, Christian courses are not offered in the majority of public schools, ostensibly due to a lack of teachers or Christian students, and, in practice this means that many Christian students attend Islamic courses.

Children who have been abandoned or whose parentage is unknown--regardless of presumed religious origin--are considered Muslims and can be adopted only by Muslims. Non-Muslims may adopt only other non-Muslim children. No equivalent restriction is placed on adoption by Muslims of orphans, or other abandoned children. These children are considered by the State to be both Sudanese citizens and Muslims, and therefore can be adopted only by Muslims. In accordance with Islamic law, Muslim adopted children do not take the name of their adoptive parents and are not automatic heirs to their property.

Various government bodies have decreed on different occasions that women must dress according to modest Islamic standards. This, at the least, entails wearing a head covering. For example, in January 1999, the governor of Khartoum State announced that women in public places and government offices and female students and teachers would be required to conform to what is deemed an Islamic dress code. However, none of these decrees have been the subject of legislation, and enforcement of the dress code regulations was uneven. During the year, dress code enforcement was relaxed and, when it occurred, generally consisted of verbal admonishment by security forces. In September the Governor of Khartoum State issued a decree forbidding women from working in businesses that serve the public such as hotels, restaurants, and gas stations, defending the ban as necessary under Shari'a law to protect the dignity of women (see Section 5). At year's end, the decree was before the Constitutional Court pending a decision on appeal.

While non-Muslims may convert to Islam, the 1991 Criminal Act makes apostasy (which includes conversion to another religion) by Muslims punishable by death.

Authorities continued to restrict the activities of Christians, followers of traditional indigenous beliefs, and other non-Muslims, and there continued to be reports that security forces harassed and arrested persons for religious beliefs and activities (see Section 1.d.).

There were reports that police in Hilla Kuku harassed members of the Catholic Church. In June a Catholic seminarian reported that police stopped him at the bus station in Hilla Kuku and ordered him to remove a wooden cross that he was wearing. When he refused, the police took him to a police station, detained him, and beat him on the neck and wrist with a stick. After 3 hours of interrogation, they returned the cross and released him. In July at the same bus station, a Catholic worker was abducted by unidentified men, reportedly security personnel, and taken to an unidentified house. He was kept in a chair, with his hands tied behind his back, and questioned about church activities. He was released after dark but warned not to discuss the incident.

The Government officially exempts the 10 southern states, whose population is mostly non-Muslim, from parts of the Criminal Act, which permits physical punishments based on Shari'a (Islamic law). In June approximately 100 Christian secondary school students were not allowed to continue compulsory military service because they left their duties to pray; it was unclear if these students were abused because they were Christian. Without successfully completing military service, they will not be allowed to enter the university.

PDF trainees, including non-Muslims, are indoctrinated in the Islamic faith. In prisons and juvenile detention facilities, government officials and government-supported Islamic NGO's pressured and offered inducements to non-Muslim inmates to convert. Some persons in the government-controlled camps for internally displaced persons reportedly were subject to forced labor and at times pressured to convert to Islam (see Section 1.f.). Children, including non-Muslim children, in camps for vagrant minors are required to study the Koran, and there is pressure on non-Muslims to convert to Islam (see Section 5). There are credible reports that some boys in vagrant camps and juvenile homes have undergone forced circumcision. Some children from Christian and other non-Muslim families, captured and sold into slavery, were converted forcibly to Islam.

The Government bombed villages in the Nuba Mountains and other southern rebel-held areas, at times striking hospitals, schools, mosques, Christian churches, and religious services (see Section 1.g.). For example, on February 8, government forces bombed a Catholic school in the Nuba Mountains killing at least 14 children and 1 teacher, and wounding 14 other persons. Government officials described the incident as a legitimate bombing. On March 14, government forces bombed the Diocese of Torit hospital, killing 1 person and injuring 7 others. In September government forces dropped 12 bombs on a Catholic mission, injuring 6 persons and destroying a medical dispensary.

In June a group of 12 armed police entered the priests' residence of the Catholic Comboni College secondary school with a warrant to search for illegal immigrants and foreign currency. The rooms of two priests and a medicine storeroom were searched. The police did not arrest anyone, and spoke with one priest. Police took a camera, a file of newspaper cuttings, five boxes of slides, a corrector tape, three floppy disks, and a bottle of whiskey. The items were accounted for at the time and returned 2 days later. A mobile telephone and cash are believed to have disappeared, but were not listed among the items taken by police during the search. No charges were filed in the case. The Catholic Comboni College has a religiously and ethnically mixed student body and generally operates without interference or harassment.

There were some areas in which the Government took steps that improved religious freedom somewhat, including releasing religious prisoners and detainees, relaxing enforcement of public order laws, releasing women imprisoned under the public order law, and easing restrictions on religious visitors and gatherings. For example, during the year, the Archbishop of Canterbury visited the country as did German evangelist Reinhard

Bonnke. Open air services in Khartoum were attended by tens of thousands of persons. Catholic Church representatives said thousands of persons routinely attended jubilee festivities in government-held areas without interference or harassment.

In rebel-controlled areas, Christians, Muslims, and followers of traditional indigenous beliefs generally worship freely, although it appears that many of the region's Muslim residents have departed voluntarily over the years. The SPLM officially favors secular government; however, the SPLM is dominated by Christians, and local SPLM authorities often have a very close relationship with local Christian religious authorities.

Government and SPLM/SPLA delegations participated in four rounds of IGAD-mediated peace talks in Kenya during the year. The delegations continued discussions of the role of religion in national affairs without resolution. The Government continues to insist that Shari'a or Islamic law form the basis of a unified state while southerners insist on a secular state.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The 1999 Constitution provides for freedom of movement and residence, including exit from and entry into the country; however, the Government restricted these rights in practice. The Government denied exit visas to some categories of persons, including policemen and physicians. The Government also maintains lists of political figures and other citizens who are not permitted to travel abroad.

Women may not travel abroad without permission of their husbands or male guardians. Some former political detainees have been forbidden to travel outside Khartoum. Movement generally was unhindered for other citizens outside the war zones, but travelers who failed to produce an identity card at checkpoints risked arrest. Foreigners needed permits, which were often difficult to obtain and sometimes were refused, for domestic travel outside of Khartoum; however, foreign diplomats can travel to many locations under government escort. Foreigners must register with the police on entering the country, seek permission to move from one location to another, and reregister at each new location within 3 days of arrival. Foreign NGO staffs sometimes had problems obtaining entry visas or work or travel permits once they had entered the country. In December the Government announced restrictions on travel by diplomatic, international, and regional organizations and others into rebel-controlled areas without prior written permission from the Ministry of External Affairs; however, this restriction was not enforced during the year.

Insurgent movements also require that foreign NGO personnel obtain permission before traveling to areas that they control, although they generally granted such permission. NGO workers who have worked in government-held territory encountered problems receiving permission to work or travel in insurgent-held territory. In March the SPLA drew up a Memorandum of Understanding for NGO's to sign that restricted much of their work in the southern part of the country and, as a result, many NGO's left the country (see Section 1.g.).

Tens of thousands of persons, largely southerners and westerners displaced by famine and civil war, continue to live in squatter slums in the Khartoum area. The Khartoum State government plans to upgrade conditions in some camps, requiring the movement of populations to other areas so that roads may be built or enlarged and services established. The state government is in contact with foreign NGO's and U.N. agencies concerning this effort.

Approximately 380,000 Sudanese are refugees in neighboring countries. Refugees have fled to Uganda, Ethiopia, Eritrea, Kenya, the Democratic Republic of the Congo, and the Central African Republic. Up to 4 million persons are displaced internally due to the civil war.

The law includes provisions for the granting of refugee or asylum status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government cooperated with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian assistance organizations and accorded refugees generally good treatment. The UNHCR estimated that there were approximately 400,000 refugees, primarily from Eritrea, Ethiopia, Chad, Uganda, the Democratic Republic of the Congo, and Somalia. Approximately 150,000 refugees are in camps, and the rest are scattered in urban areas throughout the country. The Government provides first asylum, although no statistics were available for the year.

In April the Government signed an agreement with the Government of Eritrea to repatriate longtime Eritrean refugees in Sudan; however, it was not implemented because of the conflict between Eritrea and Ethiopia.

In August the UNHCR signed an agreement with the Government of Sudan and the Government of Ethiopia to repatriate pre-1991 Ethiopian refugees to their homeland by the end of the year; however, only some of the Ethiopian refugees were repatriated by year's end.

There were some reports of the mistreatment of refugees, including beatings and arbitrary arrests by government officials. Refugees could not become resident aliens or citizens, regardless of their length of stay. The Government allowed a large number of refugees to work.

There were unconfirmed reports that the SPLA forcibly recruited Sudanese refugees in northern Uganda for service in their forces.

There were no reports that the Government forcibly returned persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens had no genuine opportunity to change their government peacefully. Presidential and parliamentary elections were held in December and there were allegations of serious irregularities; including official interference, electoral fraud, inadequate opportunities for all voters to register, and inadequate election monitoring. All major opposition parties boycotted the election. Bashir was elected to another 5-year term, and the NC/NIF won 340 out of 360 seats in Parliament in the deeply flawed process.

In December 1999, President Bashir declared a 3-month state of emergency, dismissed the speaker of the National Assembly, Dr. Turabi, and disbanded Parliament 2 days before it was to vote on a bill introduced by pro-Turabi legislators to reduce Bashir's presidential powers. Bashir suspended the Parliament on the grounds that it was necessary for the unity of the country. The State of Emergency remained in effect throughout the year and was extended through next year. The new Parliament elected in December is expected to take office in February 2001.

The Constitution, which provides in theory for a wide range of rights, was passed by referendum in June 1998, and was implemented early in 1999. There was widespread skepticism about the Government's claims that the constitutional referendum passed with 96.7 percent approval and 91.9 percent participation. Critics of the new Constitution charged that it neither was drafted nor passed with truly national participation. Some critics also objected to the statement that "Islamic law" would be among "the prevalent sources of law" in regard to amending the Constitution (see Section 5). The new Constitution has resulted in few changes in practice.

In 1989 the National Salvation Revolution Command Council (RCC) abolished all political parties and detained the major party leaders for a short period. In 1990 the RCC rejected both multiparty and one party systems and, 2 years later, established an entirely government-appointed Transitional National Assembly, based on a Libyan-style political structure with ascending levels of nonpartisan assemblies. The essentially powerless appointed legislature was replaced following the 1996 elections by an elected National Assembly. In December 1998, implementing legislation linked to the new Constitution passed a law that would allow the restricted existence of political parties. As a result, there are 20 officially registered political parties; however, the legislation included restrictions that effectively prohibit traditional political parties if they are linked to armed opposition to the Government. The Government continued routinely to deny permission for and disrupt gatherings that it viewed as politically oriented (see Section 2.b.). Security forces arrested, detained, and on occasion, beat political opponents during the year (see Sections 1.c. and 1.d.).

The federal system of government was instituted in 1995 and slowly is developing a structure of 26 states, which the Government considers a possible inducement to the insurgents for accommodation through a principle of regional autonomy; however, southerners are underrepresented in the Government. This underrepresentation remained a key obstacle to ending the rebellion.

Women are underrepresented in government and politics, although they have the right to vote. There is one female Minister, who serves as a government advisor; one female State Minister, who serves on the Council of Ministers and is the former head of the legislative committee of Khartoum State; and there is one female Supreme Court judge.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Due to government restrictions on freedom of association (see Section 2.b.), there is only one independent domestic human rights organizations--the Sudan Human Rights Organization. There is one local NGO that addresses health concerns related to the practice of female genital mutilation (FGM) and other "traditional" practices (see Section 5). During the year, the Government conducted bombing raids that targeted NGO's and often impeded their activities in the south (see Section 1.g.).

Government-supported Islamic NGO's pressured imprisoned non-Muslims to convert to Islam. There were reports that Christian NGO's used their services to pressure persons to convert to Christianity during the year.

The Human Rights Advisory Council, a government body whose rapporteur is the Solicitor General for Public Law, continued its role in addressing human rights problems within the Government. The Council is composed of representatives of human rights offices in 22 government ministries and agencies. While the council is charged with investigating human rights complaints, its effectiveness was hampered by lack of cooperation on the part of some of the ministry and agency offices. In May 1998, the Government formed the CEAWAC, which in turn formed mechanisms to identify and return abductees (see Sections 1.b. and 6.f.).

In September 1998, the U.N. named a new Special Rapporteur on Sudan, Leonardo Franco. Franco visited the country in February and filed a report with the UNHCR and the U.N. General Assembly.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The 1999 Constitution prohibits discrimination based on race, sex, or religious creed; however, discrimination against women and ethnic minorities continued. Mechanisms for social redress, especially with respect to violence against women and children, are weak. The 1992 General Education Act stipulates equal opportunity in education for the disabled.

Women

Violence against women continued to be a problem, although, because reliable statistics do not exist, the extent is unknown. Many women are reluctant to file formal complaints against such abuse, although it is a legal ground for divorce. The police normally do not intervene in domestic disputes. Displaced women from the south were vulnerable to harassment, rape, and sexual abuse. The Government does not address the problem of violence against women, nor is it discussed publicly. The punishment for rape under the Criminal Act varies from 100 lashes to 10 years imprisonment to death. In most cases, convictions are not announced; however, observers believe that sentences often are less than the maximum provided for by law. Prostitution is a growing problem, although there is no sex tourism industry. There are no specific laws regarding sexual harassment.

Some aspects of the law, including certain provisions of Islamic law as interpreted and applied by the Government, and many traditional practices, discriminate against women. Gender segregation is common in social settings. In accordance with Islamic law, a Muslim woman has the right to hold and dispose of her own property without interference. Women are ensured inheritance from their parents; however, a daughter inherits half the share of a son, and a widow inherits a smaller percent than do her children. It is much easier for men to initiate legal divorce proceedings than for women. These rules only apply to Muslims and not to those of other faiths, for whom religious or tribal laws apply. Although a Muslim man may marry a non-Muslim, a Muslim woman cannot marry a non-Muslim unless he converts to Islam; however, this prohibition is not observed or enforced in areas of the south not controlled by the Government, nor among Nubians. Women cannot travel abroad without the permission of their husbands or male guardians (see Section 2.d.); however, this prohibition is not enforced strictly for women affiliated with the NCP.

A number of government directives require that women in public places and government offices and female students and teachers conform to what the Government deemed an Islamic dress code. This, at the least, entailed wearing a head covering. However, enforcement of the dress code regulations has been uneven. During the year, dress code enforcement was relaxed and, when it occurred, generally consisted of verbal admonishment by security forces. In May a presidential decree released 563 women who were in prison for violating the Public Order Law. Most were southerners who had been convicted of illegally making and selling alcohol in Khartoum. Subsequent to the decree, police continued to arrest numerous women for the same violation and reportedly the police demand bribes in exchange for releasing the women.

Women generally are not discriminated against in the pursuit of employment; however, in September the Governor of Khartoum State issued a decree forbidding women from working in businesses that serve the public, including hotels, restaurants, and gas stations. The Governor defended the ban as necessary to protect the dignity of women and to adhere to Shari'a law. Within a week, the Constitutional Court suspended the ruling, and the case was pending appeal at year's end.

Women enjoy equal access to education. Approximately 50 percent of university students are women, in part because men are conscripted for war.

There are credible reports that government and government-associated forces abducted and sold women for work as domestic servants and concubines (see Sections 6.c. and 6.f.).

Children

Education is compulsory through grade eight, although local inability to pay teachers' salaries reportedly has resulted in declining attendance. In the northern part of the country, boys and girls generally have equal access to education, although many families with restricted income choose to send sons and not daughters to school. Girls do not have equal access to education in the south. The male literacy rate is 57.7 percent, and the female literacy rate is 34.6 percent; however, this rate is for the country as a whole; the literacy rate in the south reportedly is lower due to a lack of schools in many areas.

A considerable number of children suffered serious abuse, including abduction, enslavement, and forced conscription in the war zones (see Sections 1.f., 6.c., and 6.f.). There continued to be credible reports that government and government-associated forces abducted children for purposes of forced labor (see Sections 6.c. and 6.d.).

The Government forcibly conscripted young men and boys into the military forces to fight in the civil war. Conscription frequently was carried out by government authorities who raided buses and other public places to seize young men. The Government officially requires that young men between the ages of 17 and 19 years enter military service to be able to receive a certificate on leaving secondary school. Such a certificate is a requirement for entry into a university, and the decree effectively broadened the conscription base. There are credible reports that the government-controlled militia leader, Paulino Matip, forcibly conscripted boys as young as 10 years of age to serve as soldiers. In October the SPLA pledged to demobilize child soldiers from its forces, and during the year, 116 boys were removed from the army and placed in school. There are credible reports that child soldiers continued to serve in the SPLA.

The Government operated camps for vagrant children. Police typically send homeless children who have committed crimes to these camps, where they are detained for indefinite periods. Health care and schooling at the camps generally are poor, and basic living conditions often are primitive. All of the children in the camps, including non-Muslims, must study the Koran, and there is pressure on non-Muslims to convert to Islam (see Section 2.c.). There were reports that boys in these camps and in homes for delinquent youths were forced to undergo circumcision. Teenagers in the camps often are conscripted into the PDF (see Section 1.f.).

During the last 10 years, thousands of children were abducted by the government-supported LRA, a Ugandan

armed opposition group with bases in the southern part of the country (see Section 6.f.). The LRA forced many of the boys to become soldiers and the girls to become sex slaves. In December 1999, the Governments of both countries agreed to stop supporting each other's rebel armies and to return abductees. Subsequently, the Government assisted in repatriating a small number of individuals who had escaped from the LRA. In September both Governments agreed at the Winnipeg International Conference on War Affected Children to work for the speedy release and repatriation of LRA captives; however, implementation has proved problematic due to a lack of cooperation on the part of the LRA.

Female genital mutilation (FGM), which is widely condemned by international health experts as damaging to both physical and psychological health, is widespread, especially in the north. An estimated 90 percent or more of females in the north have been subjected to FGM, with consequences that have included severe urinary problems, infections, and even death. Infibulation, the most severe type of FGM, is also the most common type. Usually it is performed on girls between the ages of 4 and 7 by traditional practitioners in improvised, unsanitary conditions, causing severe pain, trauma, and risk of infection to the child. No form of FGM is illegal under the Criminal Code; however, the health law forbids doctors and midwives from performing infibulation. Women displaced from the south to the north reportedly are imposing FGM increasingly on their daughters, even if they themselves have not been subjected to it. A small but growing number of urban, educated families are abandoning the practice completely. A larger number of families, in a compromise with tradition, have adopted the least severe form of FGM, Sunna, as an alternative to infibulation. The Government neither arrested nor prosecuted any persons for violating the health law against infibulation. The Government does not support FGM, and recently it has introduced information about FGM in some public education curriculums. One local NGO is working to eradicate FGM.

People with Disabilities

The Government does not discriminate against disabled persons but has not enacted any special legislation for the disabled, such as mandating accessibility to public buildings and transportation for the disabled. The 1992 General Education Act requires equal educational opportunities for the disabled.

Religious Minorities

Muslims predominate in the north, but are in the minority in the south, where most citizens practice traditional indigenous religions or Christianity. There are from 1 to 2 million displaced southerners in the north who largely practice traditional indigenous religions or Christianity. About 500,000 Coptic Christians live in the north. Traditionally there have been amicable relations between the various religious communities, although in previous years there were a small number of clashes.

There are reliable reports that Islamic NGO's in war zones withhold food and other services from the needy unless they convert to Islam. There were reports that Christian NGO's used their services to pressure persons to convert to Christianity during the year.

Non-Muslims legally are free to adhere to and practice their faiths; however, in practice the Government's treatment of Islam as the state religion creates an atmosphere in which non-Muslims are treated as second class citizens (see Section 2.c.). In government-controlled areas of the south, there continued to be credible evidence of prejudice in favor of Muslims and an unwritten policy of Islamization of public institutions, despite an official policy of local autonomy and federalism. In the past, some non-Muslims lost their jobs in the civil service, the judiciary, and other professions. Few non-Muslim university graduates found government jobs. Some non-Muslim businessmen complained of petty harassment and discrimination in the awarding of government contracts and trade licenses. There also were reports that Muslims receive preferential treatment for the limited services provided by the Government, including access to medical care.

On December 8, supporters of the outlawed Takfeer and Hijra Muslim groups attacked a rival group's worshippers at a Sunna mosque in Omdurman during Ramadan prayers, killing 26 persons and injuring 40 others. The Government arrested and detained 65 leading members of the Takfeer and Hijra group; most of the individuals remained in detention and had not been tried as of year's end.

National/Racial/Ethnic Minorities

The estimated population of 27.5 million is a multiethnic mix of over 500 Arab and African tribes with scores of languages and dialects. Northern Muslims, who form a majority of approximately 16 million persons, traditionally have dominated the Government. The southern ethnic groups fighting the civil war (largely followers of traditional indigenous religions or Christians) total approximately 6 million and seek independence, or some form of regional self-determination, from the north.

The Muslim majority and the NIF/NC-dominated Government continued to discriminate against ethnic minorities in almost every aspect of society. Citizens in Arabic-speaking areas who do not speak Arabic experienced discrimination in education, employment, and other areas. The use of Arabic as the language of instruction in higher education discriminated against non-Arabs. For university admission, students completing high school are required to pass examinations in four subjects: English language; mathematics; Arabic language; and religious studies. Even at the university level, examinations in all subjects except English language were in the Arabic language, placing nonnative speakers of Arabic at a disadvantage.

There were reports that in July and August in the Western Upper Nile, predominantly Nuer SPLA forces and predominately Nuer SPDF forces killed at least 50 civilians and abducted more than 20 women and children in intraethnic fighting.

There also were periodic reports of intertribal abductions of women and children in the south, primarily in the Eastern Upper Nile. The abductions are part of traditional warfare in which the victor takes women and children as a bounty and frequently tries to absorb them into their own tribe.

In March 1999, at a grassroots peace conference in Wunlit, Bahr El Ghazal, representatives of the Nuer and Dinka tribes signed a peace covenant. The Dinka and the Nuer are the two largest tribes and had been on opposite sides of the war since 1991. The Wunlit accord provided concrete mechanisms for peace, including a cease-fire, an amnesty, the exchange of abducted women and children, and monitoring mechanisms. The Wunlit accord greatly reduced conflict between the Dinka and Nuer tribes during the year. Thousands of Nuer IDP's have fled into Dinka lands from Upper Nile, and generally they were well received.

A similar attempt in April and May in Lilir to broker peace on the East Bank among various ethnic groups, including Dinka, Nuer, and Murle clans was less successful, and some of the conflicts between these groups continued.

Although details generally were unavailable, there were credible reports of civilian casualties as a result of ongoing fighting between ethnic Dinkas and Didingas in the New Cush and Chukudum areas in eastern Equatoria (see Section 1.a.). Interethnic tensions in the first half of the year resulted in some deaths. Interethnic tensions eased in May and June with the departure of some Dinka to Bor County as part of a relocation program to return them to their homes after having been displaced by the war.

Section 6 Worker Rights

a. The Right of Association

The RCC abolished the pre-1989 labor unions, closed union offices, froze union assets, forbade strikes, and prescribed severe punishments, including the death penalty, for violations of its labor decrees. Several unions functioned during the year, including the government-controlled Sudan Workers' Trade Union Federation (SWTUF); however, there were no independent unions. The Government dismissed many labor leaders from their jobs or detained them, although most of those arrested during the year were freed by year's end. For example, in April security forces detained four students at the University of Sudan for 4 days for union activities. The 1999 Constitution provides for the right of association for economic and trade union purposes; however, it has resulted in no changes in practice.

The SWTUF is the leading blue-collar labor organization with about 800,000 members. In 1992 local union elections were held after a delay to permit the government-controlled steering committees to arrange the outcomes. The elections resulted in government-approved slates of candidates voted into office by prearranged acclamation. In 1997 largely the same leadership was reelected.

There were some teacher strikes during the year, some lasting several months, to protest the government's failure to pay salaries. During some of the strikes, police and security forces used tear gas and live ammunition to disperse demonstrators; the security forces killed several persons, and detained and beat numerous individuals (see Sections 1.c. and 2.b.).

Unions remained free to form federations and affiliate with international bodies, such as the African Workers' Union and the Arab Workers' Union.

b. The Right to Organize and Bargain Collectively

A 1989 RCC constitutional decree temporarily suspended the right to organize and bargain collectively. Although these rights were restored to labor organizing committees in 1996, government control of the steering committees meant in practice that the Government dominates the process of setting wages and working conditions. The continued absence of labor legislation allowing for union meetings, the filing of grievances, and other union activity greatly reduced the value of these formal rights. Although local union officials have raised some grievances with employers, few carried them to the Government. The law does not prohibit antiunion discrimination by employers. The 1999 Constitution provides for the right of organization for economic or trade union purposes; however, it resulted in no changes in practice.

A tripartite committee comprising representatives of the Government, labor unions, and business sets wages. Specialized labor courts adjudicate standard labor disputes; however, the Ministry of Labor has the authority to refer a dispute to compulsory arbitration.

In 1993 the Government created two export processing zones (EPZ's); it later established a third at Khartoum International Airport. During the year, only the EPZ at Khartoum International Airport was open. The labor laws do not apply in the EPZ's.

c. Prohibition of Forced or Compulsory Labor

The 1999 Constitution prohibits forced or compulsory labor; however, slavery persists, particularly affecting women and children. The taking of slaves, particularly in the war zones, and their transport to parts of central and northern Sudan continued.

There have been frequent and credible reports that Baggara raiders, supported by government troops, took women and children as slaves during raids in Bahr El Ghazal state. The Government did not take any action to halt these practices and continued to support some Baggara tribal militias. The majority of the victims were abducted in violent raids on settlements carried out by government-affiliated militias accompanying and guarding troop trains to the southern garrison town of Wau. During the raids, the militias, which frequently are not paid by the Government for their services, exact their own remuneration by abducting women and children, looting villages, and stealing cattle to take back to the north. Civilians often were killed and villages were destroyed. The Government has pledged to end this practice, and there were fewer reports of such raids during the year (see Sections 1.b. and 1.g.). Following the raids, there were credible reports of practices such as the sale and purchase of children, some in alleged slave markets, and the rape of women. Abductees frequently are forced to herd cattle, work in the fields, fetch water, dig wells, and do housework. Abductees are subjected to torture and rape, and at times, are killed. These practices all have a pronounced racial aspect, as the victims are exclusively black southerners and members of indigenous tribes of the Nuba Mountains.

The Government long has denied slavery but acknowledges that abductions occur. The Government also denies involvement or complicity in slavery, and states that hostage taking often accompanies tribal warfare, particularly in war zones not under government control. However, in 1998 the Government formed the Committee to Eliminate the Abduction of Women and Children (CEAWAC) and pledged to end the practice of hostage-taking. Since the creation of CEAWAC, reports of abductions and slavery have been less frequent. However, during the year the Government refused to approve flight clearances for the transfers of the abductees, which has prevented additional reunifications, and the Government did not record the identity of the abductors or forced labor owners and chose not to prosecute them.

The law prohibits forced and bonded labor by children; however, the Government does not enforce it effectively. There continued to be credible reports that government or government-associated forces took children as slaves.

Both the Government and rebel factions continued to conscript men and boys forcibly into the fighting forces (see Sections 1.f. and 5). Conscripts face significant hardship and abuse in military service. The rebel factions continued to force southern men to work as laborers or porters.

Approximately 3,000 Ugandan children have been forced to become soldiers or sex slaves for the LRA, a Ugandan armed opposition group in the south, which is actively supported by the Government (see Section 5).

d. Status of Child Labor Practices and Minimum Age for Employment

The legal minimum age for workers is 18 years; however, the law is not enforced in practice. Children as young as 11 or 12 years of age worked in a number of factories, particularly outside the capital, including the factories at Um Ruwaba that produce edible oils. In addition severe poverty has produced widespread child labor in the informal, unregulated economy. In rural areas, children traditionally assist their families with agricultural work from a very young age. The 1999 Constitution provides that the State protect children from exploitation; however, it resulted in no changes in practice.

Child labor exists in SPLM/SPLA-held areas, particularly in the agricultural sectors. Child labor in such areas is exacerbated by lack of schools, extreme poverty, and the lack of an effective legal minimum age for workers.

The Government does not adhere to the ILO Convention 182 on the worst forms of child labor and has not taken any action to investigate abuses or protect child workers.

The law prohibits forced and bonded labor by children; however, the Government does not enforce it effectively, and there were credible reports that children are taken as slaves (see Sections 6.c. and 6.f.).

e. Acceptable Conditions of Work

The legislated minimum wage is enforced by the Ministry of Labor, which maintains field offices in most major cities. Employers generally respect the minimum wage. Workers who are denied the minimum wage may file a grievance with the local Ministry of Labor field office, which then is required to investigate and take appropriate action if there has been a violation of the law. In January 1999, the minimum wage theoretically was raised from approximately \$9 (24,000 Sudanese pounds) per month to approximately \$11 (3,000 Sudanese dinars or 30,000 Sudanese pounds) per month; however, most government offices continue to pay the old rate. The Sudanese Workers Trade Union Federation requested the Minister of Finance to execute the increase retroactively, and the Minister promised to increase the minimum wage when submitting the next Government budget; however, such an increase of the minimum wage had not occurred by year's end. The current minimum wage is insufficient to provide a decent standard of living for an average worker and family.

The workweek is limited by law to six 8-hour days, with a day of rest on Friday, which generally is respected.

Legal foreign workers have the same labor rights as domestic workers. Illegal workers have no such protections and, as a result, typically work for lower wages in worse conditions than legal workers.

Although the laws prescribe health and safety standards, working conditions generally were poor, and enforcement by the Ministry of Labor is minimal. The law does not address the right of workers to remove themselves from dangerous work situations without loss of employment.

f. Trafficking in Persons

Although the law does not specifically prohibit trafficking in persons, the 1999 Constitution specifically prohibits slavery and forced labor; however, slavery persists, particularly affecting women and children (see Sections 5 and 6.c). The taking of slaves, particularly in war zones, and their transport to parts of central and northern Sudan, continued. Credible reports persist of practices such as the sale and purchase of children, some in alleged slave markets. Libyans have been implicated in the purchase of Sudanese slaves, particularly women and children who were captured by government troops. During the year, there were occasional reports of abductions of women and children by government and government-associated forces who sold women for domestic servants.

There were unconfirmed reports that the SPLA forcibly recruited Sudanese refugees in northern Uganda for service in their forces.

There are credible reports that intertribal abductions of women and children continued in the southern part of the country.

During the past 10 years, approximately 3,000 Ugandan children were kidnaped by the LRA, taken to southern Sudan, and forced to become sex slaves or soldiers. The Government actively supported the LRA. There were also reports in previous years that the LRA had sold and traded some children, mostly girls, or provided them as gifts, to arms dealers in Sudan. In December 1999, the Government agreed to cease supporting the LRA. During the year, there were talks between both Governments aimed at repatriation of the abductees (see Section 5).

While the Government has pledged to end abduction and slavery, and the creation of the CEAWAC in May 1998 (see Section 1.b.) has resulted in the return of approximately 300 abducted individuals, 10,000 to 12,000 slaves remain in captivity at year's end. During the year, the Government's refusal to approve flight clearances for the transfers of the abductees prevented additional reunifications. Furthermore, the Government did not record the identity of the abductors or forced labor owners, and chose not to prosecute them.

[End.]

[Privacy Notice](#) | [Disclaimers](#) | [Archive](#)

