

Flygtningenævnets baggrundsmateriale

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Freedom in the World - Sudan (2008)

Capital:
Khartoum

Population:
38,600,000

Political Rights Score: 7
Civil Liberties Score: 7
Status: Not Free

Overview

The Comprehensive Peace Agreement, which ended the war between northern and southern Sudan in 2005, began unraveling in 2007 amid accusations that the north was not adhering to its commitments. Meanwhile, the situation in western Sudan's conflict-ridden Darfur region remained grim, and nationally there were few positive developments with respect to political rights and civil liberties.

Sudan, Africa's largest country, achieved independence from Britain and Egypt in 1956, and it has been embroiled in civil wars for most of its subsequent history. The Anyanya movement, representing mainly Christian and animist black Africans in southern Sudan, battled Arab Muslim-dominated government forces from 1956 to 1972. In 1969, General Jafar Numeiri toppled an elected government and established a military dictatorship. The south gained extensive autonomy under a 1972 accord, and an uneasy peace prevailed for the next decade. In 1983, Numeiri restricted southern autonomy and imposed Sharia (Islamic law). Civil war between the north and the south resumed and would continue until 2004, causing the deaths of some two million people and the displacement of millions more. Meanwhile, Numeiri was overthrown in 1985. Civilian rule was restored in 1986, with the election of a government led by Prime Minister Sadiq al-Mahdi of the moderate Islamic Ummah Party. Lieutenant General Omar al-Bashir ousted al-Mahdi in a 1989 coup, and the deposed leader spent seven years in prison or under house arrest before fleeing to Eritrea. Until 1999, al-Bashir ruled through a military-civilian regime backed by senior Muslim clerics including Hassan al-Turabi, who wielded considerable power as the ruling National Congress Party (NCP) leader and speaker of the National Assembly.

Tensions between al-Bashir and al-Turabi climaxed in December 1999. On the eve of a parliamentary vote on a plan by al-Turabi to curb presidential powers, al-Bashir dissolved the legislature and declared a state of emergency. He fired al-Turabi as NCP head, replaced the cabinet with his own supporters, and held deeply flawed presidential and parliamentary elections in December 2000, which the NCP won overwhelmingly. In June 2000, al-Turabi formed his own party, the Popular National Congress (PNC), but he was prohibited from participating in politics. In January 2001, the Ummah Party refused to join al-Bashir's new government despite the president's invitation, declaring that it would not support totalitarianism.

Al-Turabi and some 20 of his supporters were arrested in February 2001 after he called for a national uprising against the government and signed a memorandum of understanding in Geneva with the Sudan People's Liberation Army (SPLA), the

main southern rebel group. In May 2001, al-Turabi and four aides were charged with conspiracy to overthrow the government; al-Turabi was placed under house arrest. He was moved to a high-security prison in September 2002 and then released in October 2003.

By sidelining al-Turabi, who was considered a leading force behind Sudan's efforts to export Islamic extremism, al-Bashir began to lift Sudan out of international isolation. Although Vice President Ali Osman Mohammed Taha—who replaced al-Turabi as Islamic ideologue—remained committed to Sudan's status as an Islamic state and to the government's self-proclaimed jihad against non-Muslims, al-Bashir managed to repair relations with several countries. After the September 11, 2001, terrorist attacks against the United States, he offered his country's cooperation in combating terrorism. Sudan had previously provided a safe haven for Osama bin Laden and al-Qaeda, his international terrorist network. In March 2004, al-Turabi was again placed under house arrest, this time on suspicion of plotting a coup with sympathizers of rebel groups in the western region of Darfur; al-Turabi had been outspokenly critical of the government's tactics in the region.

The Sudanese government also focused on ending its long-running conflict with the SPLA. After intense negotiations, the two sides signed the Comprehensive Peace Agreement (CPA) in January 2005. The pact included power-sharing provisions, with the NCP retaining a slight majority in parliament, as well as measures to share state revenues. The civil war had been fueled in part by competition for control of southern oil resources. However, the new agreement failed to address the human rights abuses committed by both sides. The government had bombed and destroyed civilian targets, denied humanitarian relief to rebel-held areas and internally displaced people, and forced conversions to Islam. For its part, the SPLA had also regularly attacked civilian targets and recruited child soldiers.

A key provision of the CPA allowed a referendum on southern independence to be held after a six-year transitional period, during which the government was obliged to withdraw 80 percent of its troops stationed in the south. In a serious disruption to the pact's implementation, longtime SPLA leader John Garang died in an August 2005 helicopter crash just 20 days after he was sworn in as first vice president of Sudan under an interim constitution. The incident sparked riots by supporters who suspected that the crash was not an accident, leading to at least 130 deaths and some 2,000 arrests. Garang's deputy, Salva Kiir, replaced him as SPLA leader and first vice president.

In 2007, SPLA leaders warned that the CPA was near collapse, accusing the NCP of reneging on its terms. For example, al-Bashir refused to recognize a special panel's decision that designated the resource-rich Abyei area as part of autonomous Southern Sudan.

As Sudan's northern and southern leaders were negotiating an end to the civil war, another violent internal conflict had been escalating. In 2003, rebel groups in Darfur began attacking Sudanese military positions, although some observers have dated the first attacks to 2001 and 2002. The residents of Darfur, mostly black Muslim farmers or herders, had long clashed with some of the region's nomadic Arab tribes, and with one another, over land use. The rebels also complained of discrimination by the Arab-dominated government. There had been periods of violence in Darfur since Sudanese independence, but the new conflict was on a different scale. By early 2004, government-supported Arab militias known as

janjaweed had begun torching villages, massacring the inhabitants, slaughtering and stealing livestock, and raping women and girls. The military also employed some of the same scorched-earth tactics it had used in the south, bombing and strafing settlements from the air. Those who were not killed fled the violence, and one of the world's most acute refugee crises was born. Many arrived in internally displaced persons (IDP) camps within Darfur, while others gathered in refugee camps in neighboring Chad.

The African Union deployed a force to monitor a ceasefire signed by Sudan and two of the major rebel groups in April 2004, and increased the size of the force to 7,000 troops in 2005. However, it remained underfunded and was not authorized to intervene directly in the fighting, leading to calls for a larger UN force.

The scale of the killing and displacement led to charges of genocide by international human rights groups, and the UN Security Council in September 2004 passed a resolution calling for a commission of inquiry. The commission's report, delivered to the Security Council in January 2005, stated that although the panel could not designate the killing as genocide, there was mass killing and rape. The commission requested that the case be referred to the International Criminal Court. In 2007, the ICC indicted Ahmed Haroun, a Sudanese official, and charged him with almost two dozen crimes including crimes against humanity. Haroun was subsequently appointed as a cabinet minister.

In May 2006, the government signed the Darfur Peace Agreement with a faction of the Sudan Liberation Army (SLA), one of the western region's rebel groups, led by Minni Minnawi. All the other major rebel groups refused to sign the agreement, saying it did not address their concerns. After the signing of the pact, there were demonstrations and riots in the camps by those who opposed it. Throughout 2006, the UN Security Council reiterated its position that a UN force should be deployed, but the Sudanese government refused, saying the move would compromise its sovereignty. Finally, in February 2007, Sudan agreed to allow UN peacekeepers. However, the deployments were subsequently stalled due to a combination of Sudanese obstruction and contributing countries' reluctance to commit troops and key equipment. In May, the United States signaled its displeasure with Sudan by imposing new sanctions on Sudanese firms and individuals.

Despite the peace efforts, the killing in Darfur continued. As of 2007, credible estimates of the dead ranged from 70,000 to over 400,000, with more than two million displaced. Many in the IDP and refugee camps suffered from disease and starvation.

Sudan's economy, while weak, has been improving thanks to high oil prices. China has been harshly criticized for lending Sudan diplomatic support and actively participating in its oil industry and other ventures. Pressure on world leaders to boycott the 2008 Beijing Summer Olympics over the Darfur issue and other human rights concerns increased steadily in 2007.

Political Rights and Civil Liberties

Sudan is not an electoral democracy. The last national elections took place in 2000, but major opposition parties boycotted the process and the European Union refused an invitation to monitor the balloting. President Omar al-Bashir and his NCP won easily, and the NCP remained the dominant party until the peace agreement with the SPLA was implemented in 2005. The SPLM—the SPLA's

postconflict political incarnation—and the existing Sudanese government formed a joint transitional administration, with the SPLM leader as first vice president. The joint presidency appointed members of the 450-seat lower house of parliament, the National Assembly, with the NCP holding 52 percent, the SPLA controlling 28 percent, and the rest of the seats divided among other northern and southern parties. The parliament's upper house is the 50-member Council of States. Although the current members of parliament were appointed, members of both chambers would serve five-year terms after the first elections, scheduled for 2008–09. The government's reluctance to give Darfur rebel groups more power in Khartoum stems in part from its desire to maintain its majority in parliament. Nine of Sudan's 30 cabinet ministries are now headed by members of the SPLM.

Sudan is one of the world's most corrupt states. It is ranked 172 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The news media face significant obstacles despite some improvements in the years since the signing of the CPA. Journalists were harassed for their work on several occasions in 2007. Article 39 of the 2005 interim national constitution recognizes the right to freedom of expression and the media, but the Press and Printed Material Act, passed in 2004, introduced a number of restrictions on journalists. The National Press Council, dominated by government appointees, licenses newspapers and monitors journalists, and the Ministry of Information tightly controls broadcast media. While some private radio stations broadcast in Khartoum and in Southern Sudan, the government monitors programming for offending material. The state-owned Sudan Radio and Television Corporation (SRTC) remains the only television broadcaster. Private ownership of newspapers is common, however, with numerous dailies and weeklies reflecting different points of view, including opposition publications and outlets with a Southern Sudanese perspective.

Internet penetration in Sudan is among the highest in sub-Saharan Africa but is limited to urban areas. The government has not displayed much interest in censoring this new medium, apart from the blocking of pornographic content. Political debates online are flourishing on highly popular websites, which are frequented by local users and Sudanese living abroad.

Press freedom conditions in Southern Sudan are better than in areas controlled directly by Khartoum. Journalists in the south are not as restricted as those in the north and have more leeway to criticize government policies.

The 2005 interim constitution guarantees freedom of worship. Before the CPA was implemented, Islam was the state religion, and Sharia (Islamic law) was described as the source of legislation. The majority of the population in the north is Sunni Muslim, while the majority in the south is animist and Christian. There is also a sizeable Christian population in Khartoum. Sudan's northern states are now subject to Sharia, but those in the south are not. Christians face discrimination and harassment in the north, where permits to build churches are sometimes denied. Under the 1994 Societies Registration Act, religious groups must register in order to legally gather, and registration is reportedly difficult to obtain. The north-south conflict was characterized as jihad by the government, and in some cases non-Muslims were forced to convert to Islam.

Both the Ministry of Higher Education and the Ministry of Education are headed by SPLM members. The government administers public universities, but there are private institutions of higher learning with prominent professors as well. Sudan's universities have been the sites of debate and more open discussion of critical issues, but security services do monitor them, and there is a certain amount of self-censorship.

As the Darfur crisis garners more negative attention for Sudan, the government is growing more hostile toward international nongovernmental organizations (NGOs) operating in the country, particularly because many NGOs are spearheading pressure campaigns against it from cities like London, Washington, and New York. Many local and international NGOs still operate in the country, but the government restricts their activities at times and can suspend or expel foreign NGOs it considers troublesome. NGOs are also subject to physical danger if they operate in conflict areas like Darfur.

Sudanese trade unions were very active politically until the al-Bashir regime seized power in the 1989 coup. Since then, they have been effectively destroyed. Some union leaders were forced from their jobs and harassed by authorities. The Sudan Workers Trade Unions Federation, the union umbrella organization, has been co-opted by the government and is not a credible, independent advocate of workers' interests.

The judiciary is not independent. The head of the judiciary, the chief justice of the Supreme Court, is a government appointee. Lower courts like the Town Benches and District Courts provide some due process safeguards, but higher courts are subject to political control, and special security and military courts do not apply accepted legal standards. In response to the International Criminal Court investigation into crimes related to Darfur, the government created the Special Courts for Darfur; their credibility has been challenged by legal experts. Sudanese criminal law is based on Sharia and provides for punishments such as flogging and amputation, although non-Muslim southern states are not subject to Sharia. Police and security forces practice arbitrary arrest and torture with impunity, and prison conditions do not meet international standards. With the signing of the CPA, the government created the National Judicial Service Commission (NJSC) to manage the judicial system; coordinate the relationships between judiciaries at the national, Southern Sudan, and state levels; and oversee the appointment, approval, and dismissal of judges. However, the NJSC is not independent or free from government pressure.

Credible reports have described the mass scale of killing and rights violations in Darfur. While some groups have not characterized the killings as genocide, it is widely accepted that for the past five years, the Sudanese government has directed and assisted the systematic killing of tens or, more likely, hundreds of thousands of people in the region. In March 2007, a UN panel headed by Nobel laureate Jody Williams issued a report finding that the government "has manifestly failed to protect the population of Darfur from large-scale international crimes, and has itself orchestrated and participated in these crimes." The report also said that "the principal pattern is one of a violent counterinsurgency campaign waged by the government of the Sudan in concert with janjaweed militia, and targeting mostly civilians." It added, "Rebel forces are also guilty of serious abuses of human rights and violations of humanitarian law...but the overwhelming burden of guilt lies with the government and the militia (janjaweed)." The government rejected the report

and tried to stop the UN Human Rights Council from considering it.

Female politicians and activists play a role in public life, but they face extensive legal and societal discrimination. Islamic law denies northern women equitable rights in marriage, inheritance, and divorce. Female genital mutilation is widely practiced in both northern and southern Sudan. Local and international human rights groups have gathered a great deal of evidence on the use of rape in the Darfur conflict in an attempt to bring perpetrators to justice and end the practice. Sudan has not ratified the international Convention on the Eradication of All Forms of Discrimination Against Women, arguing that it contradicts Sudanese values and traditions.