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2023 Country Report on Human Rights Practices: Sudan

EXECUTIVE SUMMARY

On April 15, fighting between the Sudanese Armed Forces and Rapid Support Forces resulted in a protracted conflict across the country and reports of serious and widespread abuses. Based on a careful analysis of the law and available facts, on December 6, U.S. Secretary of State Antony Blinken determined that members of the Sudanese Armed Forces and the Rapid Support Forces committed war crimes in Sudan. The Secretary also determined that members of the Rapid Support Forces and allied militias committed crimes against humanity and ethnic cleansing. As of October, UN and international media reported more than 10,500 civilian deaths. Although the conflict originated in Khartoum, the fighting quickly spread into Darfur, Blue Nile, and South Kordofan states (the Two Areas), and eastern Sudan, and rampant abuses were reported. As of year's end, fighting between Sudanese Armed Forces and Rapid Support Forces continued to intensify and spread to new areas of the country.

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings; enforced disappearance; cruel, inhuman, or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary arrest or detention; political prisoners or detainees; arbitrary or unlawful interference with privacy; serious abuses in a conflict, including unlawful or widespread civilian deaths or harm; serious restrictions on freedom of expression and media freedom, including violence and threats of violence against journalists, unjustified arrests and prosecutions of journalists, and censorship; serious restrictions on internet freedom; substantial interference with freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental and civil society organizations; inability of citizens to change their government peacefully through free and fair elections; serious government corruption; serious government restrictions on or harassment of domestic and international human rights organizations; extensive gender-based violence, including domestic and intimate partner violence, sexual violence, child, early and forced marriage, female genital mutilation/cutting, and other forms of such sexual violence; crimes involving violence or threats of violence targeting members of national/racial/ethnic groups or Indigenous peoples such as the Massalit; laws criminalizing consensual same-sex sexual conduct between adults, which were enforced; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; and prohibiting independent trade unions or significant or systematic restrictions on workers' freedom of association.

The government did not take credible steps to identify and punish officials who may have committed human rights abuses.

Militias affiliated with the Rapid Support Forces reportedly continued to commit killings, abductions, rape, sexual slavery, and other physical abuses and mistreatment of civilians in Darfur and across the country. Arab militias allied with the Rapid Support Forces conducted unlawful killings of ethnic Massalit civilians as they fled violence in West Darfur. Local militias maintained substantial influence and acted with widespread impunity. Intercommunal violence originating from land-tenure disputes and resource scarcity continued to result in civilian deaths, particularly in East, South, and North Darfur, as well as the Two Areas. There were also human rights abuses reported in Abyei, a region that Sudan and South Sudan both claimed. These abuses generally stemmed from local clashes regarding cattle and land between the Ngok Dinka and Misseriya Indigenous groups. Reports were difficult to verify due to access impediments. Weak rule of law persisted in Darfur, where fighting between the Sudanese Armed Forces and Rapid Support Forces, banditry, criminality, and intercommunal violence were the main causes of insecurity.

Section 1.

Respect for the Integrity of the Person

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

According to the United Nations, international human rights organizations, national civil society organizations, and media, the government or its agents committed numerous arbitrary or unlawful killings, including extrajudicial killings, during the year. The Sudanese Armed Forces (SAF), the Rapid Support Forces (RSF), armed militias affiliated with the government and the RSF, and ethnically based groups were responsible for widespread extrajudicial killings.

On February 28, security forces fired live ammunition at prodemocracy protesters in Khartoum, killing Ibrahim Mazjoob, age 16, and injuring dozens. Mazjoob's death drew significant public attention as a video on social media captured a Central Reserve Police officer charging him with an assault rifle and shooting him in the chest. Following a statement by the Ministry of Interior acknowledging Mazjoob's death, the public prosecutor indicted the police officer for premeditated murder on March 15. The case remained pending at year's end.

On June 14, following the outbreak of conflict and weeks of targeted killings of ethnic Massalit by the RSF and its allied-Arab militias, West Darfur Governor and Massalit leader Khamis Abbaker was executed by RSF troops after accusing them of committing genocide in El Geneina, according to Amnesty International. Videos on social media showed Abbaker being forced into a building by RSF soldiers, followed by a second video hours later showing Abbaker's dead body and troops in RSF uniforms celebrating around it.

Reuters reported at least 1,000 bodies, primarily of Massalit civilians, were buried in Al Ghabat cemetery in El Geneina following RSF and Arab militia attacks. The United Nations added that it received credible reports regarding the existence of at least 13 mass graves of Massalit and non-Arab tribe civilians in El Geneina and surrounding areas.

According to victim testimonies, there were numerous credible reports of extrajudicial killings and executions of SAF and RSF prisoners of war from both sides.

There were several reports the government or its agents committed arbitrary or unlawful killings through exchanges with rogue security force elements in Darfur and the Two Areas.

B. DISAPPEARANCE

There were numerous reports of disappearance by or on behalf of government authorities.

On July 19, an RSF intelligence unit reportedly detained Sudanese Congress Party (SCP) member Abdelbagi Murad in Khartoum and took him to an unknown destination. SCP member Ali Hussein remained missing since his abduction by the RSF in April. Local civil society organizations, including the Sudanese Group for Victims of Enforced Disappearance and Strategic Initiative for Women in the Horn of Africa, reported 430 cases of missing persons since April 15, reportedly perpetrated by the security forces and armed militias. Human rights defenders, resistance committee members, journalists, and activists were among those missing.

As of early November, the Office of the High Commissioner for Human Rights (OHCHR) was monitoring 715 cases of disappearance in Khartoum, North and South Kordofan, and Darfur. In

addition, reportedly 22,000 cases of missing persons had been filed with SAF-affiliated authorities in Port Sudan.

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

The 2019 constitutional declaration prohibited torture or inhuman treatment or punishment. Nevertheless, there were numerous credible reports of government forces, the RSF, and armed militias associated with both warring sides committing abuses, including torture, beatings, and harassment.

Security forces used live ammunition, tear gas, water cannons, and stun grenades against peaceful protesters. During these incidents, security forces reportedly killed protesters and injured hundreds.

The OHCHR reported that persons arrested following demonstrations were routinely and severely beaten with pipes, sticks, and batons, and were kicked by security forces, including when restrained. Severe beatings carried out by security forces at detention centers resulted in broken bones.

On August 22, local and international media reported civilian detainees, including Walid Mohamed, Khaled Abdel Mahmoud, and Sidahmed Omer, were freed from SAF detention centers after nearly three months of detention at the Shajjara Armored Corps base. The detainees were reportedly subject to severe beatings, burnings of limbs, and deprivation of medical attention and food and water for extended periods. The accounts of the detainees at Shajjara Armored Base received significant media attention as they recounted their experiences in videos that were shared widely on social media. Ten detainees reportedly died during their detention at the Armored base. There were numerous reports of security forces committing sexual violence against women and girls across the country, including Darfur. In June, the OHCHR reported 18 verified cases of gender-based violence, including sexual violence, in Khartoum, involving 65 victims, of whom 10 were girls. According to the OHCHR, most attacks occurred in RSF-controlled territory by men wearing RSF uniforms.

Prison and Detention Center Conditions: Prison conditions were harsh and life threatening due to gross overcrowding, food shortages, inadequate sanitary conditions or health care, and physical abuse.

Abusive Physical Conditions: The most significant problems included gross overcrowding and inadequate access to quality food, potable water, sanitation, heating, ventilation, lighting, or medical care.

Since April, the RSF had reportedly established 44 centers for holding kidnapped persons in Khartoum and surrounding areas, while the SAF continued to operate eight detention centers, according to civil society groups and human rights organizations. Persons in these centers were reportedly subjected to starvation, sexual assault, beatings, and cruel treatment, with credible reports that scores died in the detention centers.

Authorities failed to maintain control of the detention centers in Khartoum, as police and correctional officers fled the detention centers during RSF attacks on the facilities in April, according to international media. Hundreds of prisoners escaped Kober Prison in Khartoum, including former President Omar al-Bashir — who as of late December was believed to be in a military hospital in Omdurman — Ahmed Haroun, and other former senior National Congress Party officials who were arrested following the 2019 revolution.

Administration: The police inspector general, the minister of justice, and the judiciary were authorized to inspect prisons, although it was unclear whether inspections were conducted during the year.

Independent Monitoring: The International Committee of the Red Cross was generally denied access to prisons, apart from installing water points and distributing hygiene products during the COVID-19 pandemic. International monitors were not allowed access to detainees. Following the start of the conflict in April, there was no access to detention facilities.

D. ARBITRARY ARREST OR DETENTION

The 2019 constitutional declaration prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The military government issued a decree in 2021 to expand the arrest, search, and seizure powers of the country's security forces, which upended the constitutional declaration's prohibition against arbitrary arrest and detention.

Security forces, the RSF, and armed militias regularly arrested and detained individuals arbitrarily, including protesters, human rights activists, journalists, resistance committee members, and civilians accused of supporting the opposite warring side.

According to the OHCHR, as of early November, the SAF and RSF had arbitrarily arrested thousands of civilians in Khartoum, Darfur, and the Two Areas, detaining them in official and unofficial detention centers.

Arrest Procedures and Treatment of Detainees

Under the law, warrants were not required for an arrest. The law permitted police to detain individuals for 24 hours for the purpose of inquiry. A magistrate could renew detention without charge for up to two weeks during an investigation. A superior magistrate could renew detentions for up to six months for a person who was charged. The General Intelligence Service was not allowed to detain individuals without permission of the attorney general, although the military government worked with Sudanese National Police to detain individuals based on its own investigations.

The law provided for an individual to be informed in detail of charges at the time of arrest, with interpretation as needed, and for judicial determination without undue delay. Following the October 2021 military takeover and especially after the outbreak of conflict, authorities routinely disregarded these laws.

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

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

By law any person could request legal assistance and had to be informed of the right to counsel in cases potentially involving the death penalty, imprisonment lasting longer than 10 years, or amputation if convicted. Accused persons could also request assistance through the legal aid department at the Ministry of Justice or the Sudanese Bar Association. The government was not always able to provide legal assistance, although legal aid organizations and lawyers partially filled the gap. Detainees arrested in connection with protesting the military takeover were routinely denied access to their families and to legal counsel.

Arbitrary Arrest: Following the October 2021 military takeover, hundreds were detained without charge, including high-level political actors and activists. Some were subsequently charged. Security forces detained resistance committee members, activists, and protesters, releasing most the same day or the day following the protest. Since April, the United Nations and human rights

organizations reported a marked increase in arbitrary detentions of human rights defenders, journalists, lawyers, civil society leaders, political activists, and resistance committee members.

In January, the OHCHR reported four instances of security forces in civilian clothing arresting resistance committee members in Khartoum and detaining them incommunicado from 12 hours to 30 days. The detainees reported being interrogated, subjected to electric shocks, and beaten with iron bars and hoses.

In September, African Center for Justice and Peace Studies reported a military intelligence unit in Blue Nile State detained and interrogated 30 human rights activists and defenders for reporting on the conflict and human rights violations. Additionally, the SAF reportedly arbitrarily arrested civilians in Khartoum and Blue Nile State, accusing them of having familial ties to RSF members and supporting the force.

Pretrial Detention: The law stated that pretrial detention could not exceed six months; however, the attorney general could authorize a second six-month period. Lengthy pretrial detention was common. The large number of detainees and judicial inefficiency resulted in trial delays.

E. DENIAL OF FAIR PUBLIC TRIAL

The constitutional declaration and relevant laws provided for an independent judiciary, but the government often did not respect judicial independence and impartiality.

Trial Procedures

The law provided for the right to a fair and public trial as well as a presumption of innocence; however, this provision was rarely respected. In cases of national security and offenses against the state, trials were usually closed.

By law, criminal defendants had to be informed promptly of the charges against them at the time of their arrest and charged in detail and with interpretation as needed.

Defendants generally had the right to present evidence and witnesses, be present in court, confront accusers, and have access to government-held evidence relevant to their cases. Throughout the year some defendants reportedly did not receive legal counsel, and counsel in some cases could only advise the defendant and not address the court. Defendants were not always permitted time and facilities to prepare their defense. Persons detained in connection with prodemocracy protests were routinely denied counsel. Persons in remote areas and in areas of conflict generally did not have access to legal counsel. The government sometimes did not allow defense witnesses to testify.

Military trials, which sometimes were secret and brief, lacked procedural safeguards. The law prescribed military trials for any civilians in SAF-controlled areas believed to be armed opposition or members of the RSF.

Three-person security courts dealt with violations of constitutional decrees, emergency regulations, and some sections of the penal code, including drug and currency offenses. Special courts primarily composed of civilian judges handled most security-related cases.

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

Political Prisoners and Detainees

There were credible reports that authorities held political prisoners and detainees from a few days to months prior to release. In February, the OHCHR assessed the December 2022 release of Dismantling Committee members Wagdi Saleh and Abdulla Sulieman as being the last of the prominent political detainees associated with the October 2021 military takeover. Since April, however, human rights organizations and the United Nations reported numerous cases of political party members, resistance committee members, and political activists being detained and held without charge.

The Africa Center for Justice and Peace Studies reported that on August 17, members of the SAF military intelligence unit dressed in plain clothes raided the offices of the Sudanese Communist Party in Blue Nile State, detaining 20 members of the party. The detainees were reportedly interrogated and beaten for being supporters of the RSF.

Local human rights organizations reported that in July, SAF military intelligence personnel arrested several resistance committee members and political activists in Northern State, including prominent activist Shareef El Hamdabi. The detainees reportedly were beaten and interrogated for their work on political matters.

F. TRANSNATIONAL REPRESSION

Not applicable.

G. PROPERTY SEIZURE AND RESTITUTION

Not applicable.

H. ARBITRARY OR UNLAWFUL INTERFERENCE WITH PRIVACY, FAMILY, HOME, OR CORRESPONDENCE

The law prohibited such actions, but the military government increasingly accessed, collected, or used private communications or personal data arbitrarily. There were also reports of security forces entering homes without judicial or other appropriate authorization in search of individuals believed to be involved in organizing protests or supporting opposing forces. There were extensive reports the RSF forcibly evicted civilians from homes and other civilian buildings in areas it occupied, especially in Khartoum and greater capital region.

I. CONFLICT-RELATED ABUSES

Following the outbreak of the conflict in April between SAF and RSF forces, violence increased and spread across the country, especially in Khartoum, Darfur, Blue Nile, and Kordofan states. In addition to the fighting between the SAF and RSF, and its allied-Arab militias, armed movements such as the Sudan People's Liberation Movement – North (SPLM-N) clashed with both the SAF and RSF and rival armed groups.

Killings: SAF personnel, RSF forces, and tribal groups committed killings in Khartoum, Darfur, and the Two Areas. The United Nations, Amnesty International, Human Rights Watch (HRW), and local human rights organizations documented and produced credible reports of targeted killings based on ethnicity committed by the RSF and allied militias in Darfur.

The RSF and allied-Arab militias conducted unlawful and reportedly extensive killings of ethnic Massalit civilians as they fled violence in West Darfur. HRW reported in August that there had been repeated deliberate attacks on civilians, most by RSF forces and allied-Arab militia targeting the ethnic Massalit population. According to HRW, thousands of RSF members and allied-Arab militias

attacked members of the Massalit community in Misterei on May 28, reportedly killing 28 and injuring hundreds. The attackers reportedly targeted neighborhoods that were predominantly Massalit, making clear their intentions to kill ethnic Massalit, especially men and boys.

A September 22 Reuters report claimed that between April 24 and June 9, more than 4,000 civilians, primarily Massalit, were killed and at least 10,000 injured in El Geneina. The violence forced more than 290,000 individuals to flee El Geneina for Chad, according to the UN Office for the Coordination of Humanitarian Affairs (OCHA).

There were widespread media reports that the SAF at times engaged in indiscriminate shelling and aerial bombardments in highly populated residential areas, including Khartoum, killing numerous civilians and destroying vital infrastructure. According to the OHCHR, the September 10 SAF airstrikes on Kubu Market in South Khartoum killed 51 civilians and injured an additional 50.

In June, international media reported that SAF shelling and airstrikes on a market in Nyala killed 24 civilians. Caught between SAF and RSF clashes, an additional 30 civilians, mostly women and children, were killed when the bridge they were hiding under collapsed due to the fighting.

In early June, fighting erupted between SPLM-N forces loyal to Abdelaziz al-Hilu and the SAF in South Kordofan and later spread to Blue Nile State, where forces loyal to opposing factions of SPLM-N Malik Agar clashed. Nearly 300,000 individuals fled their homes in the Two Areas because of the fighting. The general political and security situation of Abyei, the disputed territory between the country and South Sudan, continued to remain fragile and was marked by instances of violence between Misseriya and Ngok Dinka communities, and by violence between the Ngok Dinka and the Twic Dinka communities.

Abductions: According to nongovernmental organizations (NGOs) and the OHCHR, there were numerous reports of abductions by the RSF and tribal groups in Darfur, Khartoum, and Blue Nile States. Amnesty International reported that in late June, RSF members abducted 24 women and girls in Khartoum and took them to a hotel, where they were raped and used as sexual slaves.

There were numerous reports of SAF military intelligence units abducting human rights activists, protesters, and civilians accused of supporting the RSF or opposition forces.

There were also numerous criminal incidents involving kidnapping for ransom.

Abduction remained a lucrative method adopted by various tribes in Darfur to coerce the payment of *diya* (“blood money” ransom) claimed from other communities.

Physical Abuse, Punishment, and Torture: There were numerous reports that government security forces, progovernment and antigovernment militias, and other armed persons raped women and children.

Following the outbreak of the conflict in April, the United Nations and the Unit for Combatting Violence Against Women reported a marked increase in gender-based violence in Khartoum, West Darfur, and South Darfur, reportedly committed by the RSF and armed militias. As of early November, the OHCHR had received more than 170 allegations of conflict-related sexual violence, verifying 53 cases consisting of 129 victims (108 women, 20 girls, and one man). In the first few weeks of the conflict, the OHCHR observed a pattern of RSF troops and affiliated members committing conflict-related sexual violence while looting and breaking into civilian homes in Khartoum and targeting women and girls at checkpoints as they attempted to flee conflict areas. Later RSF troops conducted targeted abductions of women and girls in Khartoum, transporting them across the country to Central and South Darfur. While such incidents were difficult to verify, the OHCHR reported on firsthand accounts and observations of handcuffed women and girls on the back of trucks traveling west. Human rights organizations and the United Nations also reported increased risk of sexual violence against women and girls as armed men raided villages and camps for internally displaced persons (IDPs) and attacked them while they were traveling to safer areas.

The Strategic Initiative for Women in the Horn of Africa and international media reported an estimated 24 women and girls as young as 14 were kidnapped from South Darfur's Otash IDP camp and sexually assaulted in April, while 30 cases of sexual assault occurred in southern Khartoum as of mid-May, with women and girls being increasingly targeted and sexually assaulted by armed actors, particularly RSF personnel. International NGOs further noted a significant number of unconfirmed reports of conflict-related sexual violence committed by RSF soldiers, especially in Khartoum City's Mamoura area and the nearby city of Bahri's Kafouri District.

According to Amnesty International, on August 3, RSF members and allied fighters abducted 24 women and girls, some as young as 12, who were repeatedly raped by RSF personnel. Similar abductions and sexual violence reportedly committed by the RSF were reported in North Kordofan.

HRW reported that between April 24 and June 26, there were 78 victims of rape in West Darfur. In interviews with HRW, survivors accused the RSF and Arab men in civilian clothing of committing the abuses.

As of early October, the UN Joint Human Rights Office reported 52 incidents of conflict-related sexual violence, involving 106 victims in Khartoum, Darfur, and the Two Areas.

There were reports that both the SAF and RSF committed sexual abuse and other forms of mistreatment of detainees held in the reportedly 50 unlawful detention centers set up during the year.

The UN Panel of Experts reported that in areas of Jebel Marra under government control, bordering Sudan Liberation Army/Abdul Wahid al-Nur (SLA-AW) areas, some civilians, in particular traders, were harassed and sometimes unlawfully detained by security forces on the assumption that they supported the SLA-AW. Armed opposition groups in Darfur and the Two Areas reportedly detained persons in isolated locations in prison-like detention centers.

The extent to which armed opposition groups committed human rights abuses could not be accurately assessed due to limited access. The state of detention facilities administered by the SLA-AW and SPLM-N in their respective armed opposition-controlled areas also could not be assessed for the same reason.

Child Soldiers: The law prohibited the recruitment of children and provided criminal penalties for perpetrators.

There were credible reports the RSF and SAF recruited unaccompanied children and children from poor families and used child soldiers in the conflict since April 15. In June, SAF Commander General Abdel Fattah al-Burhan called on the young and those capable of fighting to join the armed forces to fight the RSF. As a result, more than 50 recruitment camps were established in Northern, River Nile, and Khartoum states, with human rights organizations reporting children were among the new recruits. According to the United Nations, the RSF and SAF forcibly recruited children in the outskirts of Khartoum. During the year, the RSF posted several videos to social media that appeared to show children in RSF uniforms serving as drivers or holding machine guns. As of early November, the OHCHR had verified 1,194 cases of recruitment and use of child soldiers, predominately in Khartoum and North Darfur, attributed to both RSF and SAF elements.

UNICEF reported an estimated 19 million children were out of school due to more than 10,000 school closures, increasing the risk of forced recruitment by armed groups.

Allegations persisted that armed opposition movements conscripted and retained child soldiers within their ranks. Many children continued to lack documents verifying their age. Children's rights organizations believed armed groups exploited this lack of documentation to recruit or retain children. Due to access problems, reports of the use of child soldiers by armed groups were limited and often difficult to verify.

Other Conflict-related Abuse: The environment for humanitarian operations across the country remained difficult and dangerous, only increasing in difficulty following the outbreak of the conflict in April. The SAF and RSF and armed groups severely restricted the ability of the United Nations, international organizations, and NGOs to deliver humanitarian assistance to areas severely impacted by the conflict. Access was impeded by bureaucratic barriers, including denial of visas, travel permits, and lengthy inspections of humanitarian assistance. Additionally, direct fighting in areas where humanitarian needs were most dire prevented humanitarian actors from delivering assistance.

The security environment remained dangerous for humanitarian aid workers, as more than 19 humanitarian aid workers had been killed and 24 detained between April and October, according to OCHA. On April 15, three World Food Programme (WFP) staff members were killed in the fighting between the RSF and the SAF in North Darfur. According to the WFP, more than 53 humanitarian warehouses were looted, resulting in a loss of 40,000 tons of WFP food assistance, and 87 UN agency offices destroyed across the country.

Both the RSF and SAF were reported to have deliberately targeted civilian property, including schools and health-care facilities. According to Safeguarding Health in Conflict Coalition, at least 195 attacks on health-care facilities occurred as of September, including SAF bombing destroying Abulhol Medical Center in Khartoum State on September 30 and the RSF attacking staff at Al-Nau Hospital in Omdurman on September 21.

According to OCHA, as of November, more than 4.9 million individuals were internally displaced, and more than 1.2 million persons had fled the country since April 15.

Section 2.

Respect for Civil Liberties

A. FREEDOM OF EXPRESSION, INCLUDING FOR MEMBERS OF THE PRESS AND OTHER MEDIA

The 2019 constitutional declaration provided for the unrestricted right of freedom of expression and freedom of the press as regulated by law, but the military government, SAF, and RSF violated these rights and committed abuses, including killings of journalists, arbitrary detention of activists, and censorship.

Freedom of Expression: There were numerous reports of reprisals against individuals who criticized the government, with the primary exception of criticism of the security services. Prodemocracy protesters frequently faced excessive use of force in protests; the security services claimed this was to protect sensitive government sites.

Violence and Harassment: Government security forces intimidated or detained journalists whose reporting they perceived as unfavorable. They confiscated or damaged journalists' equipment and restricted their movements. During the year, security forces interrogated, harassed, detained, and imprisoned journalists, forcing some to go into hiding. On October 10, the Sudanese Journalists Syndicate and the Committee to Protect Journalists reported RSF members killed Sudan Bakra journalist Halima Idris Salim by running her over with a vehicle while she was reporting on the conflict in Omdurman.

On May 16, RSF soldiers reportedly abducted Al Jazeera journalists Ahmed Fadl and Rashid Gibril in Khartoum, where they were held overnight, beaten, and threatened before having their cars

stolen. According to the Sudanese Journalists Syndicate, SAF troops briefly detained and physically assaulted BBC journalist Muhammad Othman on April 15.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: The government sought to maintain strict control of media, both print and electronic. Civil society organizations and the Sudanese Journalists Syndicate reported numerous incidents of abuses.

On January 26, military intelligence officers arrested Ali Mohammed Hajo, a human rights activist, for publishing a report on Facebook that alleged mistreatment and torture of detainees at a military intelligence detention center in Blue Nile State. The governor of Blue Nile State ordered Hajo imprisoned, without trial or legal representation, for three months. Media practiced self-censorship, especially with respect to reporting on corruption and the security services.

Libel/Slander Laws: The law held editors in chief criminally liable for libel or slander for all content published or broadcast. There were no reported prosecutions under this law during the year.

Internet Freedom

The government restricted and disrupted access to the internet during prodemocracy protests and military campaigns. Following the outbreak of the conflict, SAF and RSF forces struck critical telecommunications infrastructure, severely damaging or destroying the equipment. This led to communication blackouts in conflict areas such as West Darfur. There were credible reports the government monitored private online communications of human rights and civil society activists, often targeting and intimidating these individuals for content critical of the government.

B. FREEDOMS OF PEACEFUL ASSEMBLY AND ASSOCIATION

The law provided for the freedoms of peaceful assembly and association, but the government generally did not respect these rights.

Freedom of Peaceful Assembly

The law provided for freedom of peaceful assembly, but the government restricted this right. Peaceful protests were violently suppressed by security forces throughout the year.

On April 6, resistance committees organized protests across the country in opposition to the signing of an anticipated political agreement, with the largest crowds gathering in Khartoum, Omdurman, and Port Sudan. Security forces used live ammunition and deployed tear gas and other violent crowd control measures to disperse the crowds. Hundreds were reportedly injured, many from security forces firing tear gas canisters at point blank range. Human rights organizations also reported that security forces in Port Sudan, Red Sea State, chased protesters to their lodgings.

Prior to the outbreak of conflict in April, after which street protests became rare, security forces killed and injured protesters during violent crackdowns. To prevent protesters from peacefully gathering in sensitive locations, including the Presidential Palace, security forces blocked bridges with shipping containers and closed roads with barbed wire.

Freedom of Association

Although the 2019 constitutional declaration provided for the freedom of association, the law included many restrictions on civil society organizations and NGOs, and the country lacked labor union laws. Since the onset of the conflict, government forces used the threat of RSF repression as an excuse to deny civil society groups the ability to gather or demonstrate.

C. FREEDOM OF RELIGION

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

D. FREEDOM OF MOVEMENT AND THE RIGHT TO LEAVE THE COUNTRY

The law provided for the freedom of internal movement, foreign travel, and emigration, and while the government largely respected these rights, restrictions remained on travel to conflict areas.

The OHCHR reported that both the RSF and SAF denied civilians safe passage to flee the fighting or to evacuate the injured in Khartoum and Omdurman. In El Geneina, the RSF and allied militias targeted members of the Massalit community as they attempted to flee violence in Darfur. Amnesty International and HRW reported that hundreds, including women and children, were killed as they attempted to cross the border.

In-country Movement: Armed opposition groups reportedly restricted the movement of citizens in conflict areas.

Internal movement was generally unhindered for citizens outside conflict areas prior to April 15. For domestic travel outside of Khartoum, foreigners needed travel permits, which were difficult to obtain. Foreigners were required to register with the Ministry of Interior's Alien Control Division within three days of arrival and were limited to a 15.5-mile radius of Khartoum. Once registered, foreigners were allowed to move beyond this radius, but travel to conflict regions required additional approval.

E. PROTECTION OF REFUGEES

Humanitarian organizations reported the government increased bureaucratic processes following the outbreak of the conflict, inhibiting efforts to provide protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

In late March, more than 1.1 million registered refugees and asylum seekers were in the country, with more than 800,000 from South Sudan. As some South Sudanese and Syrian refugees and asylum seekers did not present themselves to the government's Commission on Refugees (COR) or to the UN High Commissioner for Refugees (UNHCR) for registration, the total number of refugees and asylum seekers was generally assumed to be higher. In addition, UNHCR reported there were many South Sudanese in the country who were unregistered and at risk of statelessness. By the end of September, after more than four months of fighting, UNHCR reported the registered refugee and asylum seeker population was just less than 960,000.

Since the start of the conflict in April, more than 4.4 million persons were displaced as of the end of September, including hundreds of thousands of refugees who were seeking safety in the country. As of late October, UNCHR reported nearly 192,000 refugees and asylum seekers, mainly from Khartoum, were secondarily displaced to 11 states within the country. The majority moved to White Nile State, and as a result, the state housed the largest number of refugees in the country. Since the government did not waive travel authorization requirements, refugees previously residing in Khartoum who fled the conflict in Khartoum were at risk of being detained by government authorities and could face problems obtaining assistance in their new displacement locations.

Access to Asylum: The law provided for the granting of asylum or refugee status, and the government had a system for protecting refugees. The law nominally required asylum applications to be submitted within 30 days of arrival in the country. This time stipulation was not strictly

enforced. The law also required asylum seekers to register both as refugees with the COR and as foreigners with the Civil Registry (to obtain a “foreigner” number).

The government granted asylum to asylum seekers primarily from Eritrea, Ethiopia, Somalia, and Syria; it sometimes considered individuals registered as asylum seekers or refugees in another country, mostly in Ethiopia, to be illegal migrants. Government officials routinely took up to three months to approve individual refugee and asylum status claims.

Abuse of Refugees and Asylum Seekers: Asylum seekers and refugees who did not possess identification cards while awaiting government determination of refugee or asylum status were vulnerable to arbitrary arrest and harassment outside camps. Refugees registered in Khartoum who fled the conflict were reportedly also vulnerable to arrest and harassment for traveling without prior authorization. There were reported abuses, including sexual exploitation and abuse, rape, and other forms of gender-based violence, in COR-managed refugee camps.

Following the outbreak of the conflict, many South Sudanese refugees left Sudan to return to South Sudan, but there were reports of sexual violence, extortion, and theft along the route to South Sudan.

Prior to the conflict refugees often relied on smuggling networks to leave camps. Smugglers routinely abused refugees if ransoms were not paid.

Freedom of Movement: The government’s encampment policy required asylum seekers and refugees to stay in designated camps; however, 65 percent of South Sudanese refugees (the great majority of refugees in the country) lived with local communities in urban and rural areas. The government did not actively push for South Sudanese living outside Khartoum to relocate to refugee camps, but reports indicated these refugees were facing challenges after fleeing Khartoum. Refugees who left camps without permission and were intercepted by authorities continued to face administrative fines despite widespread conflict. Refugees and asylum seekers in urban areas remained subject to arrest and detention. UNHCR continued to work with legal partners to visit immigration detention centers and to provide persons of concern with legal assistance, such as release from detention centers and help in navigating court procedures.

Employment: The government allowed refugees to work informally but rarely granted work permits (even to refugees who obtained university degrees in the country). The government required refugees to apply for a “foreigner number” to obtain a work permit, but most refugees did not have one, which resulted in a low number of issued work permits. Some refugees found informal or seasonal work as agricultural workers or laborers in towns. Some women in camps reportedly resorted to illegal alcohol production and were harassed or arrested by police. In urban centers, most refugees worked in the informal sector (for example, as tea sellers, house cleaners, and drivers), leaving them at heightened risk of arrest, exploitation, and abuse.

F. STATUS AND TREATMENT OF INTERNALLY DISPLACED PERSONS (IDPS)

Following the outbreak of the conflict in April, more than 4.9 million persons were internally displaced according to OCHA. Countrywide, there were more than 7.1 million IDPs as of October, according to OCHA. In addition, more than 1.1 million individuals fled the country, crossing into neighboring countries, including Chad, Egypt, South Sudan, Central African Republic, and Ethiopia.

OCHA reported the majority of IDPs, more than three million, were from Khartoum State and the Darfur region, coinciding with the locations where the heaviest fighting between the warring sides occurred.

IDP camps in Central and South Darfur were either attacked or caught in the crossfire between the warring sides, leading to the deaths of six IDPs in El Hasaheisa IDP camp on September 26.

Since April, humanitarian workers received an increasing number of reports of gender-based violence, including sexual violence, particularly against IDPs and women and girls in conflict areas. In January, an estimated 3.1 million women, girls, and other individuals were at risk of sexual violence, according to the original 2023 Humanitarian Response Plan; however, after the eruption of the conflict, the number of persons threatened with sexual violence increased to 4.2 million, according to the revised 2023 plan. There were reports of widespread abuse committed by government security forces and armed opposition groups against IDPs in Darfur, including rapes and beatings.

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

For further information about IDPs in the country, please see the materials of the Internal Displacement Monitoring Center: <https://www.internal-displacement.org>.

G. STATELESS PERSONS

Many South Sudanese refugees in the country not registered with the government risked statelessness.

Section 3.

Freedom to Participate in the Political Process

The 2019 constitutional declaration provided that every citizen had the right of political participation and the right to participate in public affairs in accordance with the law.

ELECTIONS AND POLITICAL PARTICIPATION

Abuses or Irregularities in Recent Elections: National executive and legislative elections took place in 2015 under the regime of former President Bashir and were not deemed to be free or fair. The main opposition parties at that time – National Umma Party, National Consensus Forces, Sudanese Congress Party, Sudanese Communist Party, and Popular Congress Party – boycotted the elections, leaving only the ruling National Congress and National Unity Parties to participate.

Under the Bashir regime, general elections for president and the National Assembly were scheduled to be held every five years. Under the political agreement and the constitutional declaration signed in 2019, elections were scheduled to be held in 2022, but the October 2020 signing of the Juba Peace Agreement and amendment to the constitutional framework postponed elections until 39 months after the signing, delaying planned elections until early 2024.

Section 4.

Corruption in Government

The law provided criminal penalties for corruption by officials, but the government did not implement the law effectively. There were numerous reports of government corruption during the year.

Corruption: The law provided the legislative framework for addressing official corruption. The civilian-led transitional government (CLTG), before the October 2021 military takeover, used existing law and the constitutional declaration to combat official corruption, and in 2021, it established the Anti-Corruption and Public Asset Recovery Commission. The commission was charged with investigating, detecting, and preventing a wide range of corrupt acts; however, it was dissolved following the 2021 military takeover, and several of its leaders were charged with crimes or faced intimidation.

A special anti-corruption attorney investigated and prosecuted corruption cases involving officials, their spouses, and their children. Punishments for conviction of embezzlement included imprisonment or execution for public-service workers, although these sanctions were almost never carried out.

For additional information concerning corruption in the country, please see the Department of State's *Investment Climate Statement* for the country, and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

Section 5.

Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

Following the civilian-led transitional government through April, domestic and international human rights groups generally operated with limited government restriction, monitoring and investigating human rights conditions and cases and publishing their findings, although some restrictions existed, especially in areas experiencing violence, and some human rights groups feared government retribution. Since April, there were numerous credible reports of SAF and RSF forces killing, abducting, arbitrarily arresting, and intimidating organizations engaged in monitoring or investigating human rights.

On September 3, the Darfur Bar Association reported that RSF and affiliated militia members killed 10 lawyers and human rights activists in Nyala and El-Geneina for their work documenting human rights abuses.

On August 30, SAF officers reportedly detained 10 activists from Mothers for Sudan in Damazine for organizing a vigil for the victims of the conflict and criticizing the SAF for failing to protect civilians and committing sexual violence against women.

The United Nations or Other International Bodies: Access by UN agencies to Darfur, the Two Areas, and other conflict-affected regions remained difficult, as travel into and around such areas was curtailed during periods of violence. Since April, insecurity and bureaucratic impediments, including visa and travel permit restrictions, issuance of residency permits, and other obstacles impeded UN agencies' ability to monitor and report on human rights. Humanitarian actors also faced severe interference. In November the government asked the UN to immediately terminate the mandate of the UN Integrated Transitional Assistance Mission in Sudan (UNITAMS).

In January, the International Criminal Court (ICC) prosecutor reported to the UN Security Council that cooperation with government authorities deteriorated due to continued visa restrictions for ICC staff, lack of access to documentation and witnesses, and other bureaucratic impediments. Authorities failed to transfer wanted individuals to The Hague, and those in government custody escaped from prison in the wake of the conflict.

Government Human Rights Bodies: Human rights defenders were allowed to file complaints with the National Human Rights Commission, although the commission remained inactive during the year.

Section 6.

Discrimination and Societal Abuses

WOMEN

Rape and Domestic Violence: Rape and sexual harassment were criminal offenses, and a rape survivor could not be prosecuted for adultery. Marital rape was not recognized. Domestic violence was a crime.

Female Genital Mutilation/Cutting (FGM/C): FGM/C remained a problem, and the procedure continued to be used on women and girls throughout the country. In 2020, the CLTG formally criminalized FGM/C. The law provided a penalty of three years' imprisonment for anyone convicted of practicing FGM/C. There were no reports of the law criminalizing FGM/C being enforced under the military government. According to UNICEF and the UN Population Fund (UNFPA), the prevalence rate of FGM/C experienced by girls and women between ages 15 and 49 was 87 percent. Its prevalence varied geographically and depended on the local ethnic group.

Other Forms of Gender-based Violence or Harassment: Following the outbreak of the conflict in April, the United Nations and the Unit for Combatting Violence Against Women reported a marked increase in gender-based violence in Khartoum, West Darfur, and South Darfur, reportedly committed by the RSF and allied armed militias.

The OHCHR received regular reports of incidents of rape and gender-based violence. Human rights organizations cited substantial barriers to reporting gender-based violence, including cultural norms, police reluctance to investigate, and the widespread impunity of perpetrators.

Discrimination: The law, including many traditional legal practices and certain provisions of Islamic jurisprudence, continued to discriminate against women. In accordance with common Islamic judicial interpretation, a Muslim widow should inherit one-eighth of her husband's estate; of the remaining seven-eighths, two-thirds should go to the sons and one-third to the daughters. In certain probate trials, a woman's testimony was not considered equal to a man's; the testimony of two women was required. In other civil trials, the testimony of a woman equaled that of a man.

By law, a Muslim man could marry a Jewish or Christian woman. A Muslim woman could not marry a non-Muslim man and could be charged with adultery if she did so. Although the CLTG abolished the previous discriminatory Public Order Law, individual officers reportedly still applied it ad hoc.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Prior to the start of the April conflict, the Ministry of Health in coordination with international organizations provided access to sexual and reproductive health services for survivors of sexual violence in conflict areas. By law, abortion for pregnant survivors of rape was limited to individuals who were raped in the country and required verification, which impacted refugees fleeing from Ethiopia, according to humanitarian organizations. The ministry also provided preventive treatment for sexually transmitted infections and emergency contraceptives, depending on the public-health infrastructure and availability of medications. The government relied on international organizations to provide contraceptive supplies and certain essential medicines.

As of the end of September, the health system was on the verge of collapse with approximately 70 percent of hospitals in conflict-affected states nonfunctional due to violence and insecurity, shortage of medical supplies, and lack of cash to meet operational costs and salaries. The World Health

Organization verified 60 attacks on hospitals and clinics. Those hospitals and clinics that did function were overwhelmed by the influx of IDPs.

Women living in rural areas did not always have access to contraceptives, skilled medical attendance during childbirth, and obstetric and postpartum care.

In 2020, the UNFPA estimated the maternal mortality rate was 270 deaths per 100,000 live births and skilled health-care personnel attended 78 percent of births. The high maternal mortality rate stemmed in large part from the convergence of the following factors: early child marriages; lack of access to reproductive health and emergency obstetric care, particularly in rural areas; lack of access to family planning services; poor sanitation; lack of transportation in rural areas; and poor public-health infrastructure in rural areas where the population experienced chronic undernourishment, malaria, hemorrhagic fevers, and anemia.

The UNFPA estimated that 10 percent of girls and women between ages 15 and 49 used a modern method of contraception.

SYSTEMIC RACIAL OR ETHNIC VIOLENCE AND DISCRIMINATION

The population included more than 500 ethnic groups speaking numerous languages and dialects. Some of these ethnic groups self-identified as Arab, referring to their language and other cultural attributes. There were several cases of interethnic violence in conflict regions.

On April 5, clashes between Funj and Hausa tribe members in Blue Nile State resulted in the deaths of five individuals. The violence reportedly originated when Funj members attacked a Hausa farm, initiating retaliatory attacks. There were multiple reports of hate speech and discriminatory language during the year. Reports increased following the outbreak of the conflict. The United Nations and international human rights organizations reported the RSF and allied militias used hate speech to polarize communities in West Darfur and justify the targeted killings of members of the Massalit community, including the Governor of West Darfur, Khamis Abbaker.

CHILDREN

Birth Registration: Failure to present a valid birth certificate precluded enrollment in school. Access to health care was similarly dependent on possession of a valid birth certificate, but many doctors accepted a patient's verbal assurance that he or she had one.

Child Abuse: There were laws criminalizing child abuse, but the government did not enforce them effectively, especially following the outbreak of conflict.

Child, Early, and Forced Marriage: The legal age of marriage was 10 for girls and 15 or puberty for boys. According to UNICEF and the UNFPA, 12 percent of women were married before age 15, and 34 percent were married before age 18. In some cases, men married girls to exploit their labor.

Sexual Exploitation of Children: Penalties for conviction of sexual exploitation of children varied and included imprisonment, monetary fines, or both. There was no minimum age for consensual sex and no statutory rape law. Pornography, including child pornography, was illegal. Statutes prescribed a fine and period of imprisonment not to exceed 15 years for conviction of child pornography offenses.

ANTISEMITISM

The known Jewish community in the country consisted of two individuals in the Khartoum area, who left the country after the start of the conflict. Societal attitudes were generally not tolerant of

Jewish persons, although antisemitic acts were rare.

TRAFFICKING IN PERSONS

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

ACTS OF VIOLENCE, CRIMINALIZATION, AND OTHER ABUSES BASED ON SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, OR SEX CHARACTERISTICS

Criminalization: The law criminalized sodomy for men, which was punishable by five years in jail for an initial offense, and it criminalized other same-sex sexual conduct for both men and women as “indecent acts,” punishable by up to one year in prison and fines. The law was enforced. In 2020, the CLTG abolished corporal and capital punishment for sodomy, although NGOs reported flogging was still conducted.

Violence and Harassment: According to lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) community leaders and organizations, intimidation and physical attacks against the community continued. LGBTQI+ members and civil society organizations also reported increased hate speech targeting LGBTQI+ persons.

Discrimination: The law did not prohibit discrimination by state or nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics. Anti-LGBTQI+ sentiment was pervasive in society. There were some reports of medical professionals refusing to provide medical services to LGBTQI+ persons following the disclosure of their sexual orientation or gender identity or expression. There were no reports of official action to investigate or punish those complicit in discrimination or abuses of LGBTQI+ persons.

Availability of Legal Gender Recognition: Legal gender recognition was not available.

Involuntary or Coercive Medical or Psychological Practices: There were no reports of involuntary or coercive medical or psychological practices targeting LGBTQI+ individuals.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: LGBTQI+ organizations reported restrictions on their freedom of assembly and increased pressure to suspend or curtail activities due to fear of harassment, intimidation, or abuse. Some LGBTQI+ activists reported they left the country due both to violence associated with the war and because of targeting for violence or harassment based on sexual orientation or gender identity or expression.

PERSONS WITH DISABILITIES

Although the law and the constitutional declaration provided protections for persons with disabilities, social stigma and a lack of official support hindered the government's enforcement of disability laws. The law did not specifically prohibit discrimination against persons with disabilities.

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

OTHER SOCIETAL VIOLENCE OR DISCRIMINATION

Clashes often resulted from conflicts concerning land rights, mineral ownership, and use of gold-mining areas, particularly in the Jebel Amer area in North Darfur. Observers believed those clashes resulted in deaths and displacement in past years. Largely unregulated artisanal gold-mining activities continued in every Darfur state, although it was a lesser source of tension among communities than in previous years. Claims to land rights continued to be mostly ethnic and tribal in nature. Other clashes took place in the states of Red Sea, Kassala, Blue Nile, West Kordofan, and South Kordofan.

Section 7.

Worker Rights

A. FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING

In November 2022, a court ruled to affirm labor protections in the constitution, labor laws, and the trade union act. This ruling lifted the ban on the Sudan Worker Trade Union Federation and its affiliated unions and professional associations that the CLTG enacted in 2019 and military leaders placed into effect in 2021. The constitution, labor laws, and the trade union act provided for workers to form and join independent unions, bargain collectively, and conduct legal strikes. The trade union act prohibited antiunion discrimination.

In November 2022, the Sovereign Council issued a decree suspending the activities of trade unions, professional unions, the Sudanese Business Union, and Federation of Employers. Government reports indicated the intention was to prevent reinstatement of unions with close ties to the Bashir regime and curb the return of previous regime figures to positions of influence. The decree ordered government authorities to create a steering committee to enforce the Sovereign Council decision. Some legal restrictions limited these rights, and the government did not effectively enforce laws protecting freedom of association, collective bargaining, and the right to strike. Penalties for violation were commensurate with those under other laws involving denials of civil rights but were never applied against violators.

On January 8, the Administrative Chamber of the Supreme Court suspended implementation of the November 2022, decree, which in turn suspended the activities of all trade unions pending an appeal.

Military leaders detained and assaulted union and association members during prodemocracy protests. These alleged violations affected the right to organize and bargain collectively by appointing unelected steering committees to take control of unions, syndicates, and professional associations. Employees could form their own independent unions in companies with a minimum number of employees or join preexisting unions.

Labor codes and the trade union act established a single national trade union federation and excluded police, military personnel, prison employees, Ministry of Justice legal advisors, and judges from membership. In some cases, membership in international unions was not officially recognized. The law excluded domestic servants, most agricultural workers, and casual workers. The right to strike was prohibited, instead stipulating that workers had to use a cumbersome bureaucratic process to resolve labor disputes, including compulsory arbitration or complex conciliation and mediation procedures. Workers who engaged in labor outside the provisions of the labor code could legally be penalized with prison and compulsory labor.

Credible reports indicated that government and military officials discriminated against unions, using the state of transition and subsequent military takeover to delay and avoid enforcement of

existing laws protecting the freedom of association and the right of collective bargaining. There were credible reports that military leaders continued to take illegal action against trade union freedoms including dissolutions, arrests, property confiscation, and intimidation.

B. PROHIBITION OF FORCED OR COMPULSORY LABOR

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

C. PROHIBITION OF CHILD LABOR AND MINIMUM AGE FOR EMPLOYMENT

The constitution and the law prohibited forced labor and set the minimum age for work at 14 in most sectors, with some light work permissible at age 12. The law specified that no child under 18 years of age shall be recruited in the army and imposed penalties in cases of recruitment. Despite these prohibitions, the government did not enforce the law. International organizations and civil society groups reported that armed forces and groups persisted in recruiting and using children under 18, with instances of forced labor. Penalties were not applied against violators. The law provided occupational safety and health restrictions for children but the government did not enforce them; penalties were not applied.

The law provided that primary education be free and compulsory from ages 6-13 years, but international organizations reported that one third to half of all children did not attend school. School associations imposed fees to supplement the low level of government funding for education. Students were also required to pay the costs of uniforms, textbooks, and basic school supplies like pen and paper, in order to attend. Many schools remained closed since the COVID-19 pandemic or were severely understaffed.

D. DISCRIMINATION (SEE SECTION 6)

E. ACCEPTABLE CONDITIONS OF WORK

Wage and Hour Laws: The law provided for minimum wage for some sectors. The government set a minimum wage, which was below the poverty line.

Employers generally respected the minimum wage law in the formal sector. Wages in the informal sector were often significantly less than the official rate.

The law limited the workweek to 40 hours (five eight-hour days, not including a 30-minute to one-hour daily break), with days of rest on Friday and Saturday. Overtime could not exceed 12 hours per week or four hours per day. The law provided for paid annual leave after one year of continuous employment and paid holidays after three months. Women were limited to certain occupations and shifts. For example, women were prohibited from working in hazardous occupations and forbidden to work between 10 p.m. and 6 a.m. except in administrative or technical jobs.

Occupational Safety and Health: The laws prescribed occupational safety and health (OSH) standards, but workers in the country's major industry, agriculture, were expressly excluded from OSH protections. Any industrial company with 30 to 150 employees was required to have an industrial safety officer. A larger company was required to have an industrial safety committee that included management and employees. Committees and officers were required to report safety incidents to the Ministry of Labor and Social Development. OSH experts did not actively identify unsafe conditions or respond to worker complaints.

The law required the owner of an industrial company to inform workers of occupational hazards and provide means for protection against such hazards. Management was also required to take necessary precautions to protect workers against industrial accidents and occupational diseases. The law did not recognize the right of workers to remove themselves from dangerous work situations without loss of employment. Some heavy industry and artisanal mining operations, notably gold extraction, reportedly lacked sufficient safety regulations.

Safety laws did not apply to domestic servants, casual workers, or agricultural workers other than those employed in the operation, repair, and maintenance of agricultural machinery. Safety laws covered enterprises that processed or marketed agricultural products, such as cotton gins or dairy product factories, and jobs related to the administration of agricultural projects, including office work, accounting, storage, gardening, and livestock husbandry. Family members of an employee who lived with the employee and who were completely or partially dependent on the employee for their living received no protections.

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

Little data were available on workplace accidents, but media reported significant injuries occurred in gold mines. In South Kordofan, activists protesting the toxic mercury and cyanide waste dumped during mining closed at least 10 gold-mining plants during the past few years. Despite the transitional government's 2019 prohibition on the use of mercury and cyanide in gold mining, artisanal gold mining using these hazardous methods continued to injure workers; enforcement was ineffective.

Wage, Hour, and OSH Enforcement: The government did not effectively enforce wage, hour, and OSH laws, and penalties were not sufficient to deter violations. Penalties were less than those for similar crimes, such as fraud or negligence. Penalties were rarely applied against violators.

The Ministry of Labor and Social Development maintained field offices in most major cities and was responsible for enforcing wage, hour, and OSH standards. The ministry employed labor inspectors, including specialists on labor relations, labor conflicts, and vocational, health, and recruitment practices, but the number of inspectors was insufficient to enforce compliance.

Almost 90 percent of citizens were employed in the informal sector, according to reports by economists. IDPs were also among informal-sector entrepreneurs. They were a source of cheap, casual labor in areas ranging from labor in the construction industry to selling tea or cooked food along the streets. Some informal-sector work was illegal, such as the production and sale of alcohol and commercial sexual exploitation. Another activity was the exchange of hard currency into Sudanese currency, either in the country or in currency markets outside the country. The remitted income was redistributed through family networks and supported a substantial portion of the population. The government tried to suppress, control, or tax the informal sector but without success. No government entity provided social protections for workers in the informal economy.