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2011 Country Reports on Human Rights Practices - Sudan

EXECUTIVE SUMMARY

Sudan is a republic transitioning, after the secession of South Sudan in July, toward a new constitution from a power-sharing arrangement established by the 2005 Comprehensive Peace Agreement (CPA). The National Congress Party controls the government, with power concentrated in the hands of authoritarian President Omar Hassan al-Bashir and his inner circle. In April 2010 the country held its first national, multiparty elections in 24 years. The elections, which several opposition parties boycotted, did not meet international standards. Observers reported restriction of civil liberties, intimidation, threats of violence, lack of transparency in vote tabulation, and other problems. President Bashir was reelected, and his political party won 323 of 450 seats in the National Assembly. There were instances in which elements of the security forces acted independently of civilian control, especially in the Darfur Region and the Three Areas.

From January 9 to 15, citizens of South Sudanese origin voted in a referendum on the secession of South Sudan from Sudan. Ninety-eight percent voted for secession. International and national observers described the referendum process as consistent with international standards, peaceful, and orderly. The Republic of South Sudan formally gained its independence in July. Although required by the Comprehensive Peace Agreement, a simultaneous referendum on the status of Abyei was not held, and popular consultations in Southern Kordofan were indefinitely postponed. Blue Nile consultations were concluded, but the recommendations were not implemented by year's end. Conflict continued in Darfur, and conflict occurred in the three border areas of Abyei, Southern Kordofan, and Blue Nile (the Three Areas). Abyei's final sovereignty

status was not resolved, and the area was under joint administration by both Sudan and South Sudan.

The main human rights abuses during the year included the following: government forces and government-aligned groups committed extrajudicial and other unlawful killings; security forces committed torture, beatings, rape, and other cruel and inhumane treatment or punishment; and prison and detention center conditions were harsh and life threatening.

Other major abuses included arbitrary arrest and arbitrary, incommunicado, and prolonged pretrial detention; executive interference with the judiciary and denial of due process; obstruction of humanitarian assistance; restriction of freedoms of speech, press, assembly, association, religion, and movement; harassment of internally displaced persons; restrictions on privacy; harassment and closure of human rights organizations; violence and discrimination against women, including female genital mutilation; child abuse, including sexual violence and recruitment of child soldiers; trafficking in persons; violence against ethnic minorities; denial of workers' rights; and forced and child labor.

Except in rare cases, the government took no steps to prosecute or punish officials in the security services and elsewhere in the government who committed abuses. Security force impunity remained a serious problem.

Rebels in Darfur and the Three Areas also committed abuses during the year.

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

a. Arbitrary or Unlawful Deprivation of Life

The government and its agents committed arbitrary and unlawful killings.

Government forces, government-aligned militias, rebels, and interethnic fighting killed civilians in connection with the conflicts in Darfur and the Three Areas (see section 1.g.).

Security forces killed demonstrators. For example, on March 17, police opened fire on students protesting at the University of El Fasher in North Darfur, killing two, and dispersed others with tear gas. The students were protesting the government ban on all campus political activity.

On June 17, National Intelligence and Security Services (NISS) agents abducted and reportedly killed a Darfuri University of Khartoum student one day after he delivered a

speech about the situation in Darfur. On June 18, his body was discovered with signs of severe torture. NISS authorities claimed he had been electrocuted at the bakery where he worked; witnesses, however, stated that NISS authorities had captured and tortured him.

In February 2010 NISS agents arrested University of Khartoum student Mohamed Moussa Abdallah Bahr el Din. He was found dead the next day; his body showed signs of torture. At year's end there were no new developments in the case.

Authorities did not prosecute any police officers for the May 2010 killing of 17 and injuring of an estimated 200 during protests over a North Darfur Ponzi scam. As of year's end, there were no new developments.

b. Disappearance

There were reports of politically and ethnically motivated disappearances during the year in nonconflict areas.

In December armed elements in Khartoum, allegedly members of the South Sudanese Democratic Militia/Athor, conducted a series of raids against and kidnappings of at least 15 people of South Sudanese origin. Some were kidnapped for ransom, and others were reportedly pressed into the service of anti-South Sudanese government militias.

The whereabouts of an unknown number of Zaghawa Darfuris detained in Khartoum following the Justice and Equality Movement's (JEM) attack on Omdurman in 2008 remained unknown.

The government, as well as government-backed militias, were responsible for the disappearance of civilians during the year (see section 1.g.) in conflict areas.

Gunmen in Darfur abducted humanitarian workers and African Union – United Nations Mission in Darfur (UNAMID) personnel; this included criminal kidnappings for ransom and politically motivated kidnappings; some cases mixed both motives (see section 1.g.).

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

The interim national constitution prohibits such practices; however, government security forces continued to torture, beat, and harass suspected political opponents and others. In Darfur and other areas of conflict, government forces, rebel groups, and tribal factions committed torture and abuse (see section 1.g.).

In accordance with Sharia (Islamic law), the Criminal Act provides for physical punishments, including flogging, amputation, stoning, and crucifixion – the public display of a body after execution. In practice such physical punishment other than flogging was not frequently used. Traditional customary law commonly was applied to convicted defendants. Courts routinely imposed flogging, especially for production of alcohol.

Government security forces beat and tortured persons in detention, including members of the political opposition, civil society activists, and journalists. These persons were often subsequently released without charge.

For example, some of those arrested in the late January and early February antigovernment protests were subjected to torture and other forms of mistreatment while in detention. Safia Isaq, a recently graduated student allegedly involved in organizing protests through the Girifna movement on Facebook, was arrested by NISS on a separate occasion. Three security force members allegedly gang-raped her during detention (see section 1.d.).

Public order laws, in force in Khartoum State only, prohibit indecent dress, which is punishable by a maximum of 40 lashes, a fine, or both. Authorities applied these laws more frequently against women than men. They were applied to both Muslims and non-Muslims.

In December 2010 security forces arrested more than 44 persons, mostly women, demonstrating in reaction to a video that showed two police officers lashing a woman. Authorities later released the demonstrators on bail but charged them with public nuisance and disturbing the peace. As of year's end, there were no new developments.

Police and NISS officers forcibly dispersed protesters, which resulted in serious injuries and deaths (see sections 1.a. and 2.b.).

Security forces and armed nonstate actors raped women, including in connection with the conflicts in Darfur and the Three Areas (see section 1.g.).

Prison and Detention Center Conditions

Prison conditions throughout the country remained harsh, overcrowded, and life threatening. Health care often was below standard. Prisoners sometimes relied on family or friends for food. Officials continued to deny visits to prisoners arbitrarily.

The government mistreated some persons in custody. Security forces held some political and nonpolitical detainees incommunicado; beat them; deprived them of food, water, and toilets; and forced them to sleep on cold floors. Prisoners died from lack of health care and poor prison conditions. Generally, food, water, and sanitation were provided for prisoners, although the quality of all three was basic. Families of prisoners usually were allowed to supplement the meals of prisoners with food from the outside.

Most prisoners did not have access to beds; in general prisoners were provided with blankets in the winter. Ventilation and lighting conditions differed between prisons, and law enforcement figures reported that overcrowding was a problem.

There were reports of negligent deaths in prisons and pretrial detention centers, but comprehensive figures were not readily available.

On December 8 and 9, prisoners in El Fasher's Shala Prison rioted in protest of scheduled executions of Liberation and Justice Movement (LJM) and Justice and Equality Movement detainees. One prisoner was killed and 10 injured before the rioting ended. The prisoners from LJM, a movement that had signed a peace agreement with the government, were subsequently moved to Kober Prison in Khartoum.

The Ministry of the Interior reported there were 20,000 total prisoners, with 2,427 awaiting trial and 17,573 already sentenced.

Men and women were not held together. Incarcerated women reportedly received better quality food than men. In Khartoum juveniles were not held in adult prisons or jails but sometimes were held with adults elsewhere in the country.

Political prisoners were held in special sections of prisons. The main prison in Khartoum, Kober Prison, contained separate sections for political prisoners, those convicted of financial crimes, and an unknown number of JEM detainees.

Prisoners were allowed to take part in religious observance. There were locations in prisons for Islamic prayer but no dedicated areas for Christian observance. Christian priests were sometimes allowed to hold services in prisons, although access was not regular.

Authorities permitted prisoners, but not all detainees, to submit complaints to judicial authorities without censorship and to request investigation of credible allegations of inhumane conditions, which authorities investigated and documented. However, these rights were not always granted to pretrial detainees, political prisoners, and those in the custody of police or security forces.

The government allowed some restricted visits to prisons by human rights observers, although it continued to deny unrestricted access. The International Committee of the Red Cross did not have access to government prisons during the year. The Ministry of Justice occasionally granted UNAMID access to government prisons in the Darfur area during the year.

Prison officials in Darfur participated in UN Development Program-sponsored capacity-building training sessions during the year.

Rebel groups in Darfur periodically detained people they kidnapped in isolated locations, but there were no reports of prisons run by local warlords, paramilitary groups, or rebel forces.

d. Arbitrary Arrest or Detention

The interim national constitution prohibits arbitrary arrest and detention without charge; however, the government continued to arrest and detain persons arbitrarily, often under the National Security Act. Throughout the country arbitrary arrests and detention were common, including of UN employees.

For example, in January NISS agents arrested Hassan al-Turabi, head of the opposition Popular Congress Party, and nine other party members for calling on the government to carry out democratic reforms. All 10 were released in May without charge.

In January more than 100 persons, among them journalists, opposition members, and students, were arrested during protests inspired by events in Egypt and Tunisia. According to the UN's independent expert, most were released quickly after their arrests and without charges. However, more than 30 were held for an extended period after the protests and reportedly suffered abuse at the hands of authorities. Most were released by late May.

In Darfur at least 29 Darfuris were arrested during the year and remained in arbitrary detention. This number does not include 46 Darfuris arrested between 2008-10 who continued in detention. On July 12, the government released 25 Darfuri political prisoners after it publicly stated it planned to release all political prisoners.

In August the wali of South Darfur granted amnesty to five sheikhs from Kalma Camp who had taken shelter in a UNAMID Community Policing Center inside the camp the prior year following a series of violent clashes within the camp. The five sheikhs were accused of killing supporters of the Doha peace process and faced death penalty charges. The

wali also announced the release of 72 prisoners and state pardons for additional prisoners.

Role of the Police and Security Apparatus

Several government entities have responsibility for internal security, including the police, NISS, Ministry of Interior, and Ministry of Defense. The NISS maintains security officers in major towns and cities. The Ministry of Interior controlled the Central Reserve Police (CRP). The Ministry of Defense's Border Intelligence Force (border guards), a loosely organized force composed largely of former Janjaweed Arab militia, operated in Darfur and elsewhere. The CRP also contains a number of former Janjaweed fighters. In November the CRP attacked the western section of the Zamzam internally displaced persons (IDP) camp in North Darfur, killing one IDP and injuring eight others.

Security force impunity was a serious problem. The 2010 National Security Act provides NISS officials with legal protection for acts involving their official duties. Abuses by security forces generally were not investigated. Security force corruption was a problem, and security force members often supplemented their incomes by extorting bribes.

On August 24, a military court tried three police officers accused of physically assaulting a doctor at the police hospital. The military court convicted both the three police officers and the doctor and sentenced them to one month in prison.

During the year the government named a special prosecutor from the Ministry of Justice to monitor NISS detentions. Nonetheless, the UN's independent expert remained concerned about weak judicial oversight of NISS arrests and detention and the failure of the security service's rules to take fully into account human rights principles and respect for the rule of law.

Arrest Procedures and Treatment While in Detention

Warrants are not required for an arrest. The criminal procedure law permits authorities to detain individuals for three days without charge, which can be extended for 30 days by order of the NISS director of security and another 15 days with the approval of the prosecuting attorney. Individuals accused of violating national security were frequently detained indefinitely without charge, although the National Security Act specifies such individuals may be detained without charge for three months, which the director of security may extend for another three months. The law provides for an individual to be informed of the charges at the time of arrest and for judicial determination without undue delay, but these provisions were rarely followed.

The law allows for bail, except for those accused of crimes punishable by death or life imprisonment, and there was a functioning bail system.

Although the law provides for access to a lawyer, government security forces often held persons incommunicado for long periods in unknown locations without access to lawyers or family members.

Arbitrary Arrest: The NISS, military intelligence, and Sudanese Armed Forces (SAF) arbitrarily arrested and detained persons. Authorities often detained persons for a few days before releasing them without charge, but many persons were held much longer.

The Sudanese People's Liberation Movement – North (SPLM-N), whose military arm was fighting the SAF in Southern Kordofan and Blue Nile states, reported military and intelligence forces abducted numerous civilian members of the movement during fighting in Blue Nile and Southern Kordofan during the year. Human rights groups were not able to verify most of these claims, although Human Rights Watch and Sudan-based human rights activists confirmed the detention by national security personnel in Damazin, Blue Nile, on September 2 of Abdelmoniem Rahma, a well-known Sudanese writer, artist, activist, and former adviser on cultural affairs to the governor of Blue Nile State. Rahma remained in detention without charge at year's end. The SPLM-N controlled swathes of territory in the two states and denied access to human rights monitors. It was also accused of abducting civilians.

Pretrial Detention: Lengthy pretrial detention was common. The large numbers of detainees and judicial inefficiency, such as the failure of judges to appear for court, resulted in trial delays. For example, the individuals arrested for their association with Radio Dabanga were held in pretrial detention from October 2010 until their trial began on June 16. They were cleared of all charges in December.

e. Denial of Fair Public Trial

Although the interim national constitution and the law provide for an independent judiciary, the judiciary was largely subservient to the president and the security forces, particularly in cases of alleged crimes against the state. On occasion courts displayed a degree of independence; however, political interference with the courts was commonplace, and some high-ranking members of the judiciary held positions in the Ministry of Interior or other ministries in the executive branch.

A state of emergency, which allows for arrest and detention without trial, remained in place in Darfur and was extended to Blue Nile State. The special courts from 2010

ceased to exist; however, the Ministry of Justice appointed a series of three special prosecutors for Darfur during the year.

The judiciary was inefficient and subject to corruption. In Darfur judges were often absent from their posts, delaying trials. Access to functioning courts was also a problem for residents in other remote areas.

Trial Procedures

The interim national constitution and law provide for fair and prompt trials as well as a presumption of innocence; however, this often was not respected. Trials are open to the public at the discretion of the judge. In cases of national security and offenses against the state, trials are usually closed. Juries are not used. The law stipulates the government is obligated to provide a lawyer for cases in which indigents are accused and for which the punishment might exceed 10 years' imprisonment or possibly execution. The accused can also request assistance through the legal aid department at the Ministry of Justice or the Sudanese Bar Association. Defendants and their attorneys generally have the right to present evidence and witnesses, be present in court, confront accusers, and have access to government-held evidence relevant to their cases. However, some defendants reportedly did not receive legal counsel, and counsel in some cases could only advise the defendant and not address the court. Persons in remote areas and in areas of conflict generally did not have access to legal counsel. There were reports the government sometimes did not allow defense witnesses to testify. Defendants have a right to appeal, except in military trials, where there is no appeal.

Lawyers wishing to practice were required to maintain membership in the government-controlled Sudanese Bar Association. The government continued to arrest and harass members of the legal profession whom it considered to be political opponents.

Military trials, which sometimes were secret and brief, did not provide procedural safeguards. For example, a defendant's attorney could advise the defendant but could not address the court.

The Special Courts Act created special three-person security courts to deal with violations of constitutional decrees, emergency regulations, and some sections of the penal code, including drug and currency offenses. Special courts, composed primarily of civilian judges, handled most security-related cases. Defendants in these courts had limited opportunities to meet with counsel and were not always allowed to present witnesses during trial.

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

While Islamic jurisprudence strongly influences the law, in domestic cases concerning Coptic Christians, such as divorce and other family matters, courts often allowed a Coptic priest, particularly the archbishop, to make the final ruling.

Political Prisoners and Detainees

The government held hundreds of political prisoners and detainees. Some political detainees were held in isolated cells in regular prisons, and many were held without access to family or medical treatment. Human rights organizations asserted that the NISS ran "ghost houses," where they detained opposition and human rights figures without confirming they were in detention by the state. Security forces detained without charge, tortured, and held incommunicado political opponents. Detentions of such persons were prolonged at times.

The government continued to arrest members and leadership of the Popular Congress Party (PCP), SPLM-N, and other opposition parties.

On September 12, shortly after the nationwide ban of the SPLM-N and following that party's public adoption of a regime change strategy in conjunction with armed Darfuri groups, police officials raided the house of prominent SPLM-N member Izdihar Guma. They arrested her and her husband and held them for five hours. Upon her release authorities put her under a travel ban limiting her movements to Khartoum. Approximately 26 members of the SPLM-N's leadership remained in detention at year's end. The NISS also confiscated SPLM-N property countrywide.

The government detained persons who participated in political protests.

The government severely restricted international humanitarian organizations' access to political detainees. The government allowed UNAMID extremely limited access to Darfuri political detainees in Khartoum and Darfur.

Civil Judicial Procedures and Remedies

Those seeking damages for human rights violations had access to courts; however, the judiciary was not independent. There were problems enforcing domestic court orders.

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

The interim national constitution and law prohibit such actions, but the government routinely violated these rights in practice. Emergency laws in Darfur and Blue Nile State legalize interference in privacy, family, home, and correspondence.

Security forces frequently conducted searches without warrants and targeted persons suspected of political crimes.

Police often entered IDP areas without a warrant in search of illegal alcohol brewing and seized property unrelated to brewing. Police also extorted money from illegal alcohol brewers by threatening them with prison.

The government monitored private communication and movement of individuals without legal process. A wide network of government informants conducted surveillance in schools, universities, markets, workplaces, and neighborhoods.

By law a Muslim man may marry a non-Muslim, but a Muslim woman cannot marry a non-Muslim unless he converts to Islam; this prohibition was not universally enforced. Non-Muslims may adopt only non-Muslim children; no such restrictions apply to Muslim parents.

g. Use of Excessive Force and Other Abuses in Internal Conflicts

Darfur

In Darfur fighting involving government forces, government-aligned militias, rebel groups, and ethnic groups continued. These groups killed, injured, and raped women and girls, used child soldiers, and displaced civilians. Darfur rebel factions, bandits, and unidentified assailants also killed, beat, and abducted civilians, humanitarian workers, and personnel of UNAMID. Interethnic violence was a severe problem and resulted in civilian deaths and displacement.

Clashes between the SAF, associated militias, and rebel forces, as well as tribal fighting and violent criminality, led to the killing of an estimated 939 people in Darfur during the year. In 2010, 2,321 confirmed killings occurred.

As a result of conflict, an estimated 1,945,000 civilians remained internally displaced, and approximately 274,640 refugees remained in Chad. According to UN estimates, as many as 70,000 persons were displaced between January and October in Darfur by government and rebel fighting as well as increased tribal violence. During the year the

Office of the UN High Commissioner for Refugees (UNHCR) verified 110,000 returns of IDPs and 30,000 refugees, mostly to areas in West Darfur.

Fighting between government forces, irregular forces aligned with the government, and rebel groups particularly affected the area of Jebel Marra. In addition heavy fighting between government-supported militias and ethnic Zaghawa rebels, sometimes affiliated with the Sudan Liberation Movement/Minni Minnawi (SLM/MM), broke out in December 2010 and continued through May. Intercommunal violence continued during the year in North and South Darfur. Conflicts in IDP camps also resulted in deaths. Rape as well as recruitment of child soldiers continued to occur.

Government forces provided support, including weapons and ammunition, to government-aligned militias, and the government seldom took action against soldiers or militia members who attacked civilians. During the year the government began to provide weapons to African tribes to fight other African tribes; in past years the government primarily provided Arab tribes with weapons to fight against African tribes. Rebel forces reportedly received financial support from foreign sources during the year.

Fighting, insecurity, bureaucratic obstacles, and government and rebel restrictions reduced the ability of peacekeepers and humanitarian workers to access conflict-affected areas. Armed persons attacked, killed, injured, and kidnapped peacekeepers and aid workers. Humanitarian organizations often were not able to deliver humanitarian assistance in conflict areas, particularly in Jebel Marra.

Although different national and international nongovernmental organizations (NGOs) filled the void left when the government expelled 13 international and three local humanitarian NGOs in 2009, security concerns and the Emergency Law, which gives the government the right to search humanitarian workers and bar access to areas in conflict zones, continued to hamper humanitarian intervention. Lack of access and fear of government retribution reduced reporting on human rights violations, especially sexual and gender-based violence, and humanitarian situations during the year.

The government remained uncooperative with UN Security Council Resolution 1593 and with execution of the International Criminal Court (ICC) arrest warrants for President Bashir, Ahmad Muhammad Haroun, and Ali Muhammad Abd al-Rahman. In December the ICC's chief prosecutor requested the court issue a warrant for the arrest of Minister of Defense Abdurrahman Hussein for war crimes and crimes against humanity, stemming from his involvement in government efforts to suppress the violence in Darfur when he served as minister of the interior and special adviser to the president for Darfur. At year's end the court had not issued the requested warrant.

Developments with respect to the ICC prosecutor's 2008 request for an arrest warrant for three rebel commanders, Bahr Idress Abu Garda, Abdallah Banda Abakaer Nourain, and Saleh Jerbo Jamus, for war crimes committed during the 2007 attack on African Union peacekeepers at Haskanita, included the following: In February 2010 the ICC dropped charges against Abu Garda. In June 2010 Abdallah Banda and Saleh Jerbo, in response to summonses, appeared before the ICC Pretrial Chamber I. In November 2010 they waived their right to be present at the confirmation of charges hearing, which took place in December of that year. In March the ICC confirmed it would try Abdallah Banda and Saleh Jerbo, and the trial began in April.

There were no developments regarding the recommendations of the African Union High-Level Panel on the 2009 report on Darfur, including its recommendation to create a hybrid court of Sudanese and international judges to prosecute the most serious crimes committed in Darfur and a truth and reconciliation commission. Discussions with the government on implementing the panel's suggestions remained stalled.

The Three Areas

The border region of Abyei was the site of violence, widespread displacement, and human rights violations throughout the interim period of the CPA. Abyei was scheduled to have a referendum at the same time as South Sudan to determine if it would join with a possible new independent South Sudan or remain a part of Sudan. Disputes over who could vote in the referendum prevented it from taking place. The Sudanese government stated the Misseriya, who migrate yearly through Abyei from the North, should be eligible to participate, while the government of South Sudan and the SPLM stressed the protocol called only for Dinka Ngok and other residents, but not nomadic groups, to vote. This delay in the referendum caused an increase in tensions among ethnic groups in the area, and violence soon broke out between the SAF and Sudan People's Liberation Army (SPLA). An estimated 110,000 people were displaced from the region, mostly into the South, and the town of Abyei was largely destroyed and looted for the second time in the interim period. On June 27, the UN Security Council unanimously adopted Resolution 1990, establishing the UN Interim Status Force in Abyei (UNISFA) and mandating the deployment of 4,200 Ethiopian peacekeepers. By year's end UNISFA had fully deployed, with 3,653 troops on the ground. Ethiopian peacekeepers were carrying out the force's primary task of protecting the civilian population and establishing a safe and secure environment. Access to the Abyei area by international organizations and observers was not a problem following the deployment of UNISFA forces.

The UN reported arbitrary killings, disappearances, displacement, and detentions in Abyei, although these reports dramatically decreased after the deployment of UNISFA.

In June violence erupted in Southern Kordofan following the opposition SPLM-N refusal to accept the results of a closely contested election for state governor and government efforts to disarm elements of the SPLM-N's forces. Both SAF and SPLM-N forces were accused of targeting civilians and employing violence indiscriminately. According to the UN's Office for the Coordination of Humanitarian Affairs, the fighting created 300,000 "IDPs or Otherwise Severely Affected Persons" and 20,000 refugees from Southern Kordofan. The government of Sudan denied international humanitarian organizations access to the state, and international staff of NGOs operating there were expelled, making monitoring and verification of human rights abuses difficult.

In September in Blue Nile State violence between the SAF and SPLM-N flared. SPLM-N declarations of intent to overthrow the national government and accusations the SPLM-N was receiving material support from the government of South Sudan led to the dismissal of the pro-SPLM-N governor and the imposition of a national ban on the SPLM. The UN reported as many as 66,000 "IDPs or Otherwise Severely Affected Persons" and 67,000 refugees from Blue Nile at year's end. Continued denial of access for international humanitarian staff impeded reporting and verification of events.

Killings

In Darfur and the Three Areas, government forces and government-aligned militias killed civilians, including by repeated aerial bombardment of civilian areas. Ground attacks often followed aerial bombardments. Rebel forces also killed civilians during attacks. Attacks resulted in civilian displacement (see section 2.d.).

Violence in Jebel Marra – a mountainous area that reaches into each of the Darfur states – killed and displaced numerous civilians. In eastern Jebel Marra, government forces and Arab militias launched offensives against rebel forces based in the mountains. In western Jebel Marra, the government also launched aerial bombardment campaigns against rebel-held towns.

Fighting between the SAF and rebel forces in eastern Jebel Marra particularly affected Feina, Suni, Jawa, Golombai, and Fanga Suk villages. In western Jebel Marra, the villages of Nertiti, Sortony, Kaguro, and Rockero suffered from heavy fighting. In January the SAF launched an aerial and ground offensive around Shangil Tobaya, North Darfur, that caused deaths and large-scale civilian displacement. In April and May, heavy fighting broke out between government forces and rebels in the area around Muzbat and Um Baru, North Darfur, traditionally held by the SLM/MM. Humanitarian organizations lacked access to Jebel Marra, with the government permitting only brief day-trips to certain areas, making it difficult to gather information on the fighting's impact on

civilians. UNAMID documented gender-based violence in connection with the fighting in Jebel Marra.

There were numerous reports of aerial bombardments.

For example, on February 17, the government bombed Tukumare, North Darfur, killing at least three civilians and injuring three others.

On April 10-12, the government launched numerous aerial bombardment campaigns around Muzbat, North Darfur, followed by ground attacks.

From January to March, in South Darfur, fighting between government and Sudan Liberation Army/Minni Minawi (SLA/MM) forces displaced tens of thousands of persons from Khor Abeche and Shaeria. Negeha and Jaghara villages, near Khor Abeche, were burned. Humanitarian staff was denied access to Khor Abeche. In North Darfur, fighting between government forces and rebel groups in Dar al-Salaam and Shangil Tobaya continued from December 2010 through March, and sporadically afterward. There were reports of civilian deaths, looting, and destruction of civilian property during the fighting in both North and South Darfur.

On May 31, progovernment militia attacked the predominantly Zaghawa town of Abu Zerega, North Darfur, and killed two civilians, looted livestock, and took at least 14 civilians hostage. The hostages, with their hands tied behind their backs, were taken to a field and executed. During the government-led investigation that followed, one Zaghawa resident of Abu Zerega who had been an eyewitness to the looting and killings on May 31 was reportedly taken out of his vehicle and shot.

Inter- and intratribal conflict continued during the year, fueled by growing competition for resources exacerbated by desertification and population growth, the weakening of traditional mediation mechanisms, and the proliferation of arms. However, inter-Arab fighting markedly decreased during the year compared with a spike in incidents in 2010.

The UN reported that between January and October, intertribal violence killed approximately 95 persons. This accounted for 11.5 percent of violence-related deaths in Darfur. According to UN reports, fighting erupted in June between the Salamat and Habaniya tribes in Buram, South Darfur. The Humanitarian Aid Commission (HAC) confirmed 70 people were killed and an estimated 1,500 households were displaced as a result of the clashes.

On August 5, a Sierra Leonean peacekeeper serving with UNAMID was killed and a second was seriously injured when their car was ambushed by four gunmen in Duma Village, northeast of Nyala, South Darfur.

On October 10, unidentified assailants ambushed a UNAMID patrol in North Darfur's Zam Zam IDP camp. Two Rwandan soldiers, one Senegalese police advisor, and one attacker died during the ensuing firefight.

In January government-backed Misseriya militia attacked police positions near Maker, Abyei, leaving dozens dead. In February and March, Misseriya militia continued to attack police and civilians in Abyei, leaving as many as 154 dead.

Air raids resulted in civilian deaths throughout Southern Kordofan; similar tactics appeared to be employed in Blue Nile. For example, aerial bombardments occurred in Kadugli, Kauda, Dilling, Talodi, Um Durein, and other parts of Southern Kordofan. During the week of October 17, the UN reported nearly 2,000 refugees from Blue Nile State fled to Ethiopia to escape aerial attacks by the SAF. They fled bombings by Antonov planes on the towns of Bau, Sali, and Dinduro, all located between Kurmuk and Damazin.

During the June fighting in Southern Kordofan, the UN reported the SAF carried out shelling of densely populated areas. On June 8, SAF soldiers pulled a contractor with the UN Mission in Sudan (UNMIS) out of his vehicle in front of the UNMIS Kadugli compound. Soldiers proceeded to remove him from the area, and soon thereafter witnesses reported hearing gunshots and finding his corpse.

On May 19, SPLM forces attacked a UN convoy that was escorting withdrawing SAF forces from Kadugli, resulting in loss of life among the SAF forces.

The UN reported both the SAF and Sudan Peoples' Liberation Army-North (SPLA-N) allegedly laid antipersonnel land mines in Kadugli, resulting in civilian deaths.

Abductions

Unidentified assailants also abducted UN personnel in Darfur.

For example, on January 13, three Bulgarian UN pilots were kidnapped in West Darfur; they were released on June 6.

Anger about the Doha peace accords also led to abuses. Rebel forces outside of the process attacked those perceived to have collaborated with the government.

On September 13, alleged members of SLA/Abdul Wahid (SLA/AW) kidnapped Hawa Mohammed Arbab, a member of the West Darfur Legislative Council who participated in the Doha negotiations. She was released on October 20.

There were reports of several instances of forced disappearances in the Southern Kordofan conflict.

Physical Abuse, Punishment, and Torture

All parties to the conflict in Darfur and in the Three Areas were accused of perpetrating torture and other abuse. The government abused persons detained after armed conflict as well as IDPs suspected of having links to rebel groups. There were continued reports government security forces, both pro- and antigovernment militias, and other armed persons raped women and children.

Sexual and gender-based violence continued during the year throughout Darfur. Authorities often obstructed access to justice for rape victims. IDPs reported that perpetrators of such violence were often government force members, militia members, or unidentified men. Assailants assaulted, raped, threatened, shot, beat, and robbed women.

According to UN and Radio Dabanga reports, both state and nonstate armed actors raped at least 115 Darfuri women between February and December. This number did not include several mass rapes reported by the UN and Radio Dabanga. In addition, two boys were reportedly raped in North Darfur. The majority of victims identified their perpetrators as belonging to government-affiliated militias.

There were multiple reports of IDPs being harassed, arrested, and tortured by the NISS (also see section 2. d., IDPs), with UNAMID documenting cases of abuse, arbitrary arrest, and torture by security forces in Darfur, including the CRP.

Government officials were accused of employing torture and violent tactics against civilians throughout the Southern Kordofan conflict.

For example, on June 20, a young woman of Nuban descent was reportedly interrogated by police about her work with an international NGO; police beat her with their fists, sticks, rubber hoses, and electric cables. The UN confirmed her injuries shortly after the attack.

On June 16, SAF personnel detained, interrogated, and subjected to cruel and degrading treatment four UN Military Observers (UNMOs). The UN reported that the UNMOs were

lined up at gunpoint by an SAF captain when an SAF major entered the room and ordered him not to shoot.

Child Soldiers

The Armed Forces Act prohibits the recruitment of children and provides criminal penalties for perpetrators. However, eyewitness reports indicated child soldiers remained with most of the armed groups, including the SAF and Public Defense Forces, engaged in conflict; the problem was especially serious in Darfur and Southern Kordofan.

A UN report covering 2009 stated more than 14 Sudanese and foreign armed forces and groups in Darfur recruited and used children, especially in West Darfur. These groups included the SAF, police (including the CRP and Border Intelligence Force), government-aligned militias, Chadian rebels, JEM, JEM/Peace Wing, Movement of Popular Force for Rights and Democracy, SLA/AW, SLA/Abu Gasim/Mother Wing, SLA/Free Will, SLA/MM, SLA/Peace Wing, and SLA/Unity. Darfur rebel groups also recruited child soldiers in the Sudanese refugee camps in Chad in 2009.

Although UNICEF signed an action plan in 2007 with SLA/MM that committed the rebel group to identify locations where child soldiers operated, SLA/MM continued to use child soldiers. SLA/MM fighters reportedly raided Zam Zam IDP camp from time to time to capture youth allegedly involved in criminality and forcibly recruit them into the armed movement. JEM also reportedly used child soldiers during the year.

In June the general commander of the Sudan Liberation Movement – Abdel Wahid (SLM/AW), Mohammed Adam Abdel Salam Tarada, again issued a command prohibiting the use and recruitment of child soldiers.

From February through April, 574 children were released by JEM-Peace Wing, SLA-Peace Wing, and the Movement for Popular Forces for Rights and Democracy. In June 2010 JEM signed an action plan with UNICEF to end the use of child soldiers.

On September 13, the Sudan Disarmament, Demobilization, and Reintegration (DDR) Program, in collaboration with the West Darfur DDR Commission, UNICEF, and UNAMID launched a demobilization campaign in El Geneina, West Darfur, with approximately 350 minor excombatants participating. The former child soldiers come from the Justice and Equality Movement/Peace Wing, Sudan Liberation Army/Mustafa Terab, and the Liberation and Reform Movement.

There were no new developments in the 2008 case of children detained in connection with the JEM attack on Omdurman. As of December 2009, 119 children received pardons

and were released, but some children were sentenced to death and remained detained at year's end.

Also see the Department of State's [*2011 Trafficking in Persons Report*](#).

Other Conflict-related Abuses

All parties to the Darfur and Three Areas conflicts obstructed the work of humanitarian organizations, UNAMID, and UNMIS, increasing the displacement of civilians and abuse of IDPs. Violence, insecurity, and the denial of visas and refusal of access to international organizations reduced the ability of humanitarian organizations to provide needed services.

Despite the 2007 joint communique between the government and the UN, government forces frequently harassed NGOs that received international assistance, restricted or denied permission for humanitarian assessments, refused to approve technical agreements, changed procedures, copied NGO files, confiscated NGO property, questioned humanitarian workers at length and monitored their personal correspondence, delayed issuance of visas and travel permits, restricted travel, and publicly accused humanitarian workers of aiding rebel groups.

Darfur

During the year Operation Spring Basket, a UNAMID initiative in partnership with humanitarian organizations began, aimed at increasing secure access for humanitarian workers to Jebel Marra and areas of North Darfur previously inaccessible to them. The operation produced mixed results, as the NISS often denied flight permission to UN helicopters. Rebels also blocked access to areas under their control.

For example, access to the Darfuri Kalma IDP camp was granted on a case-by-case basis. On May 20, UNICEF staff were denied access while other organizations such as Care International Switzerland and OXFAM America were granted access the same month.

On February 10, security officials arrested 13 Medecins du Monde (MDM) local staff working in eastern Jebel Marra. By August all the employees were released. The government also expelled MDM from Darfur, allegedly for reporting false information regarding the security and humanitarian situations.

On May 6, a UNAMID national staff member was arrested allegedly for proselytizing and being affiliated with the SLA/AW movement. She was released on July 12.

Policy discrepancies between Darfur state-level and Humanitarian Aid Commission (HAC) officials in Khartoum adversely affected humanitarian operations.

The HAC continued to require that NGOs refrain from interviewing or selecting staff unless they used a five-person government selection panel with HAC officials present, significantly delaying the hiring of new staff in Darfur. The HAC also continued to impose additional requirements on humanitarian organizations during the year on an ad hoc basis, often at the state level.

Rebel forces and bandits obstructed humanitarian assistance, regularly attacked the compounds of humanitarian organizations, and seized humanitarian aid and assets, including vehicles. Kidnappings and attacks on humanitarian convoys continued during the year. Instability forced many international aid organizations to reduce their operations in Darfur.

The Three Areas

Since June and September, respectively, the government blocked access to Southern Kordofan and Blue Nile for international aid organizations.

For example, in August a joint UN/Sudanese government mission to assess the humanitarian situation and provide critical food aid to displaced people arrived in Kadugli, but the Southern Kordofan governor told the group to return to Khartoum before it could carry out its mission. Since that time no international organizations have been permitted to return to Southern Kordofan.

International aid organizations were similarly restricted from providing aid in Blue Nile State.

The SAF reportedly carried out house-to-house searches, resulting in arbitrary arrests and detentions.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Status of Freedom of Speech and Press

The interim national constitution provides for freedom of thought, expression, and of the press "as regulated by law"; however, the government severely restricted these rights in practice. The government, including the NISS, continued to censor print and broadcast media, arrest and torture journalists, and harass vocal critics of the

government. Nightly prepublication censorship of newspapers occurred from May to August. The government controlled the media through the National Press Council, which administered mandatory professional exams for journalists and editors. Journalists also practiced self-censorship.

The government directly controlled radio and television and required that both reflect government policies. Some foreign shortwave radio broadcasts were available, and a private FM radio station continued to operate. The government restricted UN radio. In addition to domestic and satellite television services, there was a pay cable network, which directly rebroadcast uncensored foreign news and other programs.

Freedom of Press: The constitution guarantees freedom of press but newspapers, especially privately owned and pro-opposition ones, were frequently subjected to measures to prevent them from reporting on issues deemed sensitive by authorities. Those measures included direct prepublication censorship, confiscation, legal proceedings, and denial of state advertising. Confiscation, in particular, inflicted severe financial damages on newspapers that were already hard-pressed due to low circulation.

On September 28, the government closed the independent newspaper *Al Jarida* for reporting on the Sudanese military presence in Abyei. The government authorized its reopening in late December, but it had not resumed publishing because the government-run National Publications Council refused to approve the paper's requests for new editorial staff hires.

On September 14, NISS agents confiscated copies of the progovernment daily *Akhbar Al-Yawm* after it published statements by Khalil Ibrahim, the then leader of the rebel JEM. Sudanese security authorities instructed newspapers to refrain from reporting on statements by or activities of rebel groups in the country.

Violence and Harassment: Individuals who criticized the government publicly or privately were subject to reprisal, including arrest. The government attempted to impede such criticism and monitored political meetings. Authorities continued to target aggressively journalists and publications through contrived legal proceedings, politicized criminal charges, and confiscations.

Journalists were subjected to arrest, harassment, intimidation, and violence due to their reporting.

For example, on January 10, authorities in Khartoum detained two journalists from *Bar'ut*, a weekly publication in eastern Sudan. The journalists, Abouicha Kazem and Abdelgader Bakash, were accused of attacking the constitution because they had

discussed the idea of a partition of the East of the country in the context of the referendum on self-determination in the South. Both were released without charge after three weeks.

Three journalists, Abuzar Al-Amin, Al-Tahir Abu Jawhara, and Ashraf Abdelaziz, from the PCP-affiliated newspaper *Rai-Al-Shaab*, were detained and charged with crimes against the state in May 2010. Abdelaziz and Abu Jawhara were released on February 2 after serving their one-year sentences (originally two years but reduced by an appeal court). Al-Amin was released on bail on August 8 after serving one year of his original five-year sentence and was facing the possibility of life imprisonment or the death penalty on new charges including criminal conspiracy, criminal offences, attacks on the state aimed at undermining the constitutional system, and publishing false information.

In October and November 2010, security forces arrested several Darfuri activists and an individual who worked for Radio Dabanga. Abdelrahman Adam, a freelance journalist detained since October 2010, and three other persons, who denied being Radio Dabanga employees, were detained for allegedly divulging state secrets, undermining the constitutional system, calling for resistance, and inciting sedition. They were later released, and charges were dropped in December.

The NISS also required journalists to provide personal information, such as details on their tribe, political affiliation, and family.

The government selectively restricted international media. Some foreign journalists were denied visas; others had regular access to opposition politicians, rebels, and civil society advocates.

Internet Freedom

The government monitored Internet communications, and the NISS read e-mail messages between private citizens. The National Telecommunications Corporation blocked some Web sites and most proxy servers deemed offensive to public morality. While there generally were no restrictions on access to news and information Web sites, authorities regularly blocked access to YouTube. During the 2010 elections, the government blocked access to the Sudan Vote Monitor Web site.

Academic Freedom and Cultural Events

The government restricted academic freedom. For public universities the government determined the curriculum and appointed the vice chancellors, who were responsible for administering the institutions. Some universities required students to participate

regularly in progovernment rallies and other activities, and some professors exercised self-censorship. The government regularly arrested student activists. Security forces used tear gas and other heavy-handed tactics against peaceful protests occurring at universities or involving university students.

Public Order Police continued to visibly monitor public gatherings and cultural events, often intimidating women and girls, who feared police would arrest them for "indecent" dress or actions.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

Although the interim national constitution and law provide for freedom of assembly, the government severely restricted this right in practice. In 2010 the National Elections Commission issued a circular note requiring 72-hour prior notice for political rallies, which it later reduced to 36 hours.

The government continued to deny permission to Islamic orders associated with opposition political parties, particularly the Anwar (Umma Party) and Khatmiya (Democratic Unionist Party), to hold large gatherings in public spaces, but parties regularly held opposition rallies on private property. Government security agents occasionally attended opposition political meetings, disrupted opposition rallies, and summoned participants to security headquarters for questioning after political meetings.

During protests in late January and early February, NISS officials reportedly organized a fake burial for a student reported killed during demonstrations. Officials then arrested at least 20 people who came to the funeral.

Police use of excessive force to disperse demonstrators resulted in deaths and injuries (see section 1.d.).

Authorities generally took no action against security force members that used excessive force.

Freedom of Association

The interim national constitution and law provide for freedom of association, but the government severely restricted this right in practice. The law effectively prohibits political parties linked to armed opposition to the government. In September the government closed SPLM-N offices in Khartoum and other states and arrested several

leaders; 16 other political parties were also banned in September for having links with South Sudan. There were approximately 52 registered political parties. The Umma Party, Democratic Unionist Party, and Communist Party were not officially registered with the government. The government continued to harass some opposition leaders who spoke with foreign organizations or embassies.

c. Freedom of Religion

See the Department of State's [*2010 International Religious Freedom Report*](#).

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The interim national constitution and law provide for freedom of movement, foreign travel, emigration, and repatriation, but the government restricted these rights in practice.

The government's encampment policy requires asylum seekers and refugees to stay in 12 designated camps. The government did not allow IDP camps to be established in Southern Kordofan and Blue Nile states.

The government impeded the work of the UNHCR and delayed full approval of UNHCR activities, particularly in North and South Darfur, the Three Areas, and eastern Sudan. While in some cases it cooperated with the UNHCR and other humanitarian assistance organizations in assisting refugees and asylum seekers, the government restricted and harassed such organizations. The UNHCR confirmed the government continued to disregard international agreements and targeted refugees and asylum seekers for abuse. Although the government permitted most refugees from Eritrea and Ethiopia to remain in the country, there were reports during the year that NISS agents forced some Eritrean refugees back across the border before the HAC could process them.

In October the government reportedly handed over more than 300 Eritreans to the Eritrean military without screening them for refugee status.

In-country Movement: In Darfur the government and rebels restricted the movement of citizens and UN and humanitarian organization personnel (see section 1.g.).

While movement was generally unhindered for citizens outside conflict areas, foreigners needed government permission for domestic travel outside Khartoum, which was often difficult to obtain. Foreigners must register with the police on entering the country, obtain permission from the police to move more than 15.5 miles outside Khartoum or

from one city to another, and reregister at each new location within three days of arrival.

The government delayed issuing humanitarian and diplomatic visas and travel permits for Darfur to foreign NGO staff and denied access to international staff during ongoing violence in the Three Areas.

Foreign Travel: The government required citizens to obtain an exit visa if they wished to depart the country. Issuance was usually pro forma, and the government did not use the visa requirement to restrict citizens' travel during the year.

Unlike in the previous year, the government did not restrict persons from traveling outside of the country to attend conferences.

Exile: The law prohibits forced exile, and the government did not use it. However, opposition leaders and NGO activists remained in self-imposed exile throughout northern Africa and Europe, and other activists fled the country during the year.

Internally Displaced Persons (IDPs)

Large-scale displacement continued to be a severe problem. There were an estimated 1,945,000 IDPs in Darfur, 1.5 million displaced South Sudanese, and 68,000 IDPs in the East. In Blue Nile and Southern Kordofan there were 81,000 and 330,000 IDPs, respectively. Approximately 80 percent of the 130,000 people initially displaced in Blue Nile had returned home. There were modest voluntary returns of IDPs in Darfur. An estimated 120,000 persons were displaced from Abyei, mostly into the South.

As of September there were 274,640 registered refugees from Darfur in Chad. There was no complete breakdown of refugee populations from Blue Nile and Southern Kordofan, but there were 85,000 refugees from Sudan in the Maban area of South Sudan, while the total number of refugees from Sudan in South Sudan was 102,900.

While in previous years the UN estimated there were approximately 2.7 million IDPs in Darfur, more recent data from the UNHCR indicated the number of IDPs in Darfur to be 1.945 million. In the first half of the year, the UN reported continued fighting between the government and armed rebels caused the displacement of 70,000 new IDPs.

In West Darfur, humanitarian partners provided assistance to more than 20,000 returnees. In 2011 the UNHCR verified 110,000 returns of IDPs and 30,000 refugees, mostly to areas in West Darfur.

The total number of returnees, including spontaneous returnees, may be much higher and was difficult to verify.

IDPs in Darfur faced major humanitarian needs. Although other international humanitarian NGOs replaced 13 expelled by the government in 2009, the delivery of humanitarian services continued to suffer from logistical and security constraints.

During the year the World Food Program cut food distribution by half in Darfur as it reassessed the number of IDPs requiring assistance and found it was lower than previous estimates. The organization reported no significant increase in malnutrition rates after the reduction in distributions.

Government attempts to resettle IDPs were modest but generally successful. There were no reports of forced resettlement, and a significant number of IDPs resettled spontaneously.

Government restrictions, harassment, and the threat of expulsion resulted in the continued closure of most gender-based violence programming. While gender-based violence programming was mainstreamed into other humanitarian efforts, reporting and reach were severely curtailed (see section 1.g.). Some UN agencies successfully worked with offices of Advisors on Women and Children to the Governor in Darfur to raise awareness on the issue of sexual and gender-based violence.

There were numerous reports of abuses committed by security forces, rebels, and militias against IDPs, including rapes and beatings. Abuse of IDPs by government forces and government-backed militias in the Southern Kordofan conflict were reported.

For example, according to the UN, on June 8, four armed men entered an IDP area outside of the UNMIS perimeter in Kadugli. Witnesses claimed the men abducted three IDPs from the area on suspicion they were SPLM-N supporters.

On June 7, three IDPs who had been assisting UNMIS personnel to load supplies were pulled out of a truck and beaten by SAF personnel. A UNMIS staff member who attempted to intervene was threatened at gunpoint by one of the soldiers.

Outside of IDP camps, insecurity restricted IDP freedom of movement; women and girls who left the towns and camps risked sexual violence. Insecurity within IDP camps was also a problem. Conflicts regarding political representation in the Doha peace processes resulted in deaths and additional displacements during the year. This was exacerbated by the proliferation of arms in the camps. 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 rebel groups operated openly in several IDP camps and operated back and forth across the border with Chad.

In early June 10 people were killed in an internal conflict in Hassahissa Camp after they were accused of being government agents pretending to be SLA/AW supporters.

Similar politically motivated violence erupted in Hamidiya and Hassahissa IDP camps in West Darfur in February, June, and August. There were multiple cases reported of IDPs being harassed, arrested, and tortured by the NISS. The government harassed IDPs in Darfur who spoke with foreign observers. For example, Ibrahim Jallab Izairg, an IDP activist from Hassahissa Camp, was arrested on May 8 after he met with a foreign diplomat.

In September the government pardoned five sheikhs (tribal leaders) from Kalma IDP Camp who were accused of instigating violence in the camp in July 2010 that led to clashes between pro-Doha and anti-Doha factions within the camp and the deaths of at least 35 people. The sheikhs sought refuge at the UNAMID Community Policing Center in the camp in July 2010; the government sentenced them to death in 2010 but pardoned them in September after they spent more than a year in the center.

Two IDPs who were arrested following a UN Security Council visit to Darfur in October 2010 were released on July 13, following President Bashir's decree to release all political prisoners.

Between one and 1.5 million IDPs lived in Khartoum State, many of them in shantytowns rather than in the four formal camps. Many South Sudanese IDPs in Sudan have lived in the country for decades, formed families, and found mainly informal employment. At year's end Sudan and South Sudan had not reached an agreement regarding the status of South Sudanese in Sudan in the post-CPA period. At times government officials made statements supporting the expulsion of South Sudanese and at other times called for their protection.

Displaced South Sudanese in and around Khartoum were subject to arrest, flogging, fines, warrantless searches, and imprisonment in relation to prohibitions against alcohol. The government restricted access to formal IDP camps around Khartoum.

In the East the government continued to restrict humanitarian access. These restrictions significantly limited the ability of humanitarian organizations to provide services to vulnerable groups such as IDPs and refugees. Approximately 50 percent of IDPs and refugees in camps received food rations. According to the UNHCR, there were an

estimated 70,000 Eritrean and Ethiopian refugees in eastern camps and another 26,000 in Khartoum.

In Southern Kordofan 73,000 people were displaced in the June and July fighting. In Abyei approximately 110,000 were displaced, with many crossing the border into South Sudan. (See section 1.g. for information about abuse of IDPs in the Abyei, Southern Kordofan, and Blue Nile conflicts.)

Protection of Refugees

Access to Asylum: The laws provide for the granting of asylum or refugee status. The government granted asylum to many asylum seekers, but there was no standard determination procedure or documentation. Officially, the government should grant prima facie refugee status to asylum seekers. However, during the year it required Eritreans to register as asylum seekers rather than automatically granting the appropriate refugee status, a policy contrary to national law governing refugee status. Most Eritreans who entered the country appeared to be familiar with the new steps required to register with the government as an asylum seeker. However, police reportedly arrested more than 300 Eritreans attempting to reach Egypt. Officials reportedly turned them over to Eritrean officials without screening them or allowing them to request asylum.

Government officials routinely took up to three months to approve refugee status.

Nonrefoulement: In practice the government did not provide protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion.

Refugee Abuse: Refugees were vulnerable to arbitrary arrest, harassment, and beatings because applicants did not receive identification cards while awaiting government determination of refugee status. Refugees could not become resident aliens or citizens, regardless of their length of stay.

Employment: Refugees are entitled to work permits but in practice rarely received them. A 2007 decree prohibits international NGOs from hiring refugees.

Access to Basic Services: Government-supervised primary education, while not free, was available to IDP and refugee children in Khartoum and in refugee camps outside Khartoum at a cost of 30 Sudanese pounds (approximately \$10 at official rates) per month.

Temporary Protection: The government provided temporary protection to individuals who might not qualify as refugees under the 1951 refugee convention and the 1967 protocol.

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

Sudan continued to operate under the CPA interim national constitution, but with all references to the South removed. The interim constitution provides citizens with the right to change their government peacefully. Post-CPA provisions relating to this right include those providing for a referendum on the status of Abyei and popular consultations in Blue Nile and Southern Kordofan.

The CPA called for a referendum in January for South Sudanese to vote either for unity with the country or secession, and for a concurrent referendum to determine if Abyei would remain part of Sudan or join South Sudan. The referendum for South Sudanese secession concluded on schedule with an overwhelming majority voting for separation in a process that international observers described as peaceful and credible. The results of that referendum were implemented on July 9 as the new Republic of South Sudan gained its independence – the Republic of Sudan was the first to recognize the newly independent country. Preparations for the Abyei referendum remained stalled due to disagreement over voter eligibility and violence.

The last national- and state-level executive and legislative elections were held in April 2010 but did not meet international standards (see Elections and Political Participation below).

Sudan's executive leadership is made up of a three-member presidency consisting of a president, first vice president, and second vice president. President Omar Hassan al-Bashir, who won the election in 2010, promoted Ali Osman Taha (National Congress Party, NCP) to the position of first vice president in September and appointed El-Haj Adam Yousif (NCP), a Darfuri, as the second vice president. The appointment of Yousif came after the government signed the Doha Darfur Peace Document, which contained the condition of a vice presidential appointment from a Darfuri ethnic group.

The interim constitution also provides a formula for allocating seats in the bicameral legislature (composed of a postsecession 340-member National Assembly and 30-member Council of States) and cabinet prior to the elections. The formula reserved 52 percent of the positions for the NCP and 14 percent for northern opposition parties, including those from Darfur.

Elections and Political Participation

Following CPA guidelines, the Southern Sudan Self-Determination Referendum was held from January 9 to 15. Voters cast 3,851,994 ballots, reflecting almost 98 percent registered voter turnout; 98.8 percent of voters chose secession for the South. Observers reported the process was generally fair, despite some logistical, procedural, and security problems. Turnout for the referendum in the North was low due to distance from voting centers, limited awareness the vote would occur, and ambiguity about the future of Southerners in the North. Also a heightened security presence around polling centers in northern Sudan may have dissuaded voters from participation. On July 9, the South peacefully seceded from Sudan, becoming the new country of South Sudan.

The CPA also provided for a popular consultation process to obtain the views of persons in Blue Nile and Southern Kordofan on the CPA, so that their respective legislatures could negotiate any shortcomings in the constitutional, political, or administrative arrangements of the CPA with the government. The CPA stated the consultations were to be completed by July 8, prior to the secession of South Sudan. The National Assembly extended this process on July 20. In Blue Nile the first stage of consultations was held between January 14 and February 2 at more than 100 hearing centers across the state. Further stages of the process, including review by the government in Khartoum, remained stalled at year's end. In Southern Kordofan popular consultations continued to be delayed as disputes remained over a census and due to violence in the area.

Gubernatorial elections took place in Southern Kordofan from May 2 to 7. NCP candidate and ICC indictee Ahmed Haroun won the vote amid allegations by the opposition SPLM of material irregularities. According to foreign election observers, the vote was "peaceful and credible." However, they noted there existed a climate of insecurity and tension, and there were irregularities including lapses in voter identification procedures. The SPLM ultimately refused to accept the outcome of the elections, and violence soon erupted between NCP and SPLM supporters; popular consultations were not carried out.

The proposed Abyei referendum, designed to allow the region's residents to vote to join South Sudan or remain unified with Sudan, was derailed by violence in January and June. Concerned parties could not agree on residency status for members of the nomadic Misseriya tribe – who spend part of the year in Abyei – with Sudan supporting the right to vote of the Misseriya and Southerners rejecting it. The referendum process remained on hold.

Recent Elections: The country's first multiparty national and state-level executive and legislative elections in more than 24 years occurred in 2010. The SPLM candidate for president of Sudan, Yasir Arman, withdrew from the race just before the polling. The

elections, which several opposition parties boycotted, did not meet international standards. Basic freedoms were circumscribed throughout the process. Despite significant technical and commodities assistance from the international community, logistical preparations were inadequate. Intimidation and threats of violence occurred. The conflict in Darfur did not permit a tranquil electoral environment. The counting and tabulation process was disorganized, not transparent, and did not follow procedural safeguards put in place by the National Elections Commission. According to a foreign NGO, problems with counting and the tabulation process raised "questions about the accuracy of the election results."

President Omar Hassan al-Bashir (NCP) was reelected, as was first vice president (and later government of South Sudan president) Salva Kiir Mayardit (SPLM). Ali Osman Taha was reappointed to his position of second vice president. After the secession of South Sudan, the post of first vice president was vacant until Ali Osman Taha assumed it in September. El-Haj Adam Yousif, an NCP member from South Darfur, was appointed as the second vice president.

In the National Assembly, the NCP won 323 seats, the SPLM 99 seats, and other parties and independents 24 seats; four constituencies were vacant. NCP gubernatorial candidates won all elected governor posts in Sudan with the exception of Blue Nile State, where the SPLM incumbent won. However, immediately after the start of hostilities in Blue Nile on September 1, Khartoum deposed the state's SPLM governor and installed a temporary military government.

Observers noted numerous problems with the preelection environment. The legal framework did not protect basic freedoms such as assembly, speech, and press. Security forces restricted the actions of opposition parties, including through the arrest of opposition members and supporters. There was insufficient voter information, and logistical preparations for the vote were not adequate.

During voting observers found incorrect or incomplete voter registries and noted this resulted in disenfranchisement. Location information for polling centers was not sufficiently clear. Many centers did not open on time and received polling materials late. Mistakes on ballots were a problem. Problems with safeguards at polling centers included not following procedures pertaining to indelible ink, voter identification, and ballot box seals. Observers also reported intimidation and harassment. A video posted to the Internet shortly after the elections showed what appeared to be a uniformed elections official stuffing a sealed ballot container with paper. In Darfur participation of IDPs in the election was low.

The vote tabulation process was seriously flawed. During vote counting, officials did not follow proper procedures or properly reconcile ballots counted with those received. Logistical problems delayed the transport of materials such as ballot boxes and results forms. Officials did not follow the electronic tabulation process, which resulted in inability to verify results. Observers had difficulty getting access to tabulation centers. Observers noted "parallel tabulation operations" in Khartoum and South Darfur. In these cases observers were able to access official centers, but there were other places where access was denied while tabulation was underway.

Political Parties: The NCP dominated the government. Authorities impeded and monitored political party meetings and activities, restricted political party demonstrations, used excessive force to break them up, and arrested opposition party members. In September the SPLM-N leadership called for the overthrow of the government and was outlawed as a political party. Its offices in Khartoum and other states were closed after the outbreak of violence in Blue Nile State. The government confiscated party documents and property. In early September at least 25 SPLM members were arrested, including an SPLM-N member of Parliament, Ezdihar Goumaa. Following the suppression of the SPLM-N, the government banned 16 other political parties for representing Southerners. At the end of the year, 26 SPLM-N employees remained in detention, according to the party.

Participation of Women and Minorities: Women have the right to vote. The 2008 National Elections Law calls for 25 percent of the seats in the national and state assemblies to be filled from state-level women's lists. Women won 95 of the 340 seats in the National Assembly. Women held five of 30 seats in the Council of States and seven of 66 cabinet positions in the newly formed government.

Section 4. Official Corruption and Government Transparency

The law does not specifically address official corruption. However, officials are subject to the Financial Service Audit law that calls for a special anticorruption attorney to investigate and try corruption cases. Criminal law provides punishments for embezzlement that can include execution for public service workers. All bankers are considered public service workers. Officials frequently engaged in corrupt practices.

There are no laws providing for public access to government information, and the government did not provide such access.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The government was uncooperative with, and unresponsive to, domestic human rights groups. Workers of both domestic and international human rights organizations were restricted and harassed.

The government harassed, arrested, beat, and prosecuted human rights activists for their activities.

For example, on June 25, the NISS arrested Bushra Gamar Hussein Rahma, a human rights activist from Southern Kordofan, in Omdurman. From the time of his arrest, he was held incommunicado and denied access to his family and his lawyer. At year's end Bushra remained in prison without charge.

In December 2010 a court sentenced Mudawi Ibrahim Adam, former director of the Sudan Social Development Organization, to one year in prison and a fine of 3,000 Sudanese pounds (\$1,000) for embezzlement. He was previously acquitted of those charges in 2009, a finding that the HAC appealed but regarding which it reportedly did not provide any new evidence. Authorities released Mudawi in January.

The government restricted, harassed, and arrested NGO-affiliated international human rights and humanitarian workers, including in Darfur (see section 1.g.).

The government refused and delayed the issuance of visas to international NGO workers and restricted their access to parts of the country.

NGOs must register with the HAC, the government's entity for regulating humanitarian efforts. The HAC obstructed the work of NGOs, including in Darfur and the Three Areas (see section 1.g.). During the year the HAC often changed its rules and regulations without prior notification.

The government continued to use bureaucratic impediments to restrict the actions of humanitarian organizations, contrary to provisions in the 2007 joint communique between the government and the UN. This included delaying the issuance of visas and travel permits to humanitarian workers.

Government Human Rights Bodies: The government's Advisory Council for Human Rights did not respond to requests by international organizations to investigate human rights violations and did not provide lists of detained individuals to the international community.

The National Commission for Human Rights Act, purportedly created by law in 2009, had not been established by year's end.

The government did not cooperate with the ICC (see section 1.g.).

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The interim national constitution prohibits discrimination based on race and gender, but the government did not effectively enforce these provisions. The law does not address discrimination based on disability, language, or social status.

Women

Rape and Domestic Violence: The punishment for rape varies from 100 lashes to 10 years' imprisonment to death; however, the government did not effectively enforce these provisions. Spousal rape is not addressed in the law. In most rape cases, convictions were made public; however, observers thought sentences often were less than the legal maximum. There was no information available on the number of persons who were prosecuted, convicted, or punished for rape.

Rape of women and girls throughout the country, including in Darfur, continued to be a serious problem (see section 1.g.). Authorities often obstructed access to justice for rape victims.

By law, if a woman accuses a man of rape and fails to prove her case, she may be tried for adultery. In practice victims sometimes refused to report their cases to family or authorities due to fear they would be punished or arrested for "illegal pregnancy" or adultery (see section 1.d.).

The law does not specifically prohibit domestic violence. Violence, including spousal abuse, against women was common, although there were no reliable statistics on its prevalence. Women who filed claims were subjected to accusations of lying or spreading false information, harassment, or detention, which made many women reluctant to file formal complaints, although such abuse constituted grounds for divorce. The police normally did not intervene in domestic disputes. Statistics on the number of abusers prosecuted, convicted, or punished were not available.

Female Genital Mutilation (FGM): See section 6, Children.

Sexual Harassment: No law specifically prohibits sexual harassment, although the law prohibits gross indecency, which is defined as any act contrary to another person's modesty. The penalty for gross indecency is imprisonment of up to one year and 40 lashes. There were frequent reports of sexual harassment by police in Darfur and elsewhere.

Reproductive Rights: Couples were able to decide freely on reproductive issues. Contraception, skilled medical attendance during childbirth, and obstetric and postpartum care were not always accessible in rural areas. The UN Population Fund estimated the maternal mortality rate at 750 deaths per 100,000 live births. Women had equal access to diagnosis and treatment for sexually transmitted diseases.

Discrimination: The law discriminates against women, including many traditional legal practices and certain provisions of Islamic jurisprudence as interpreted and applied by the government. In accordance with that interpretation, a Muslim widow inherits one-eighth of her husband's estate; of the remaining seven-eighths, two-thirds goes to the sons and one-third to the daughters. Depending on the wording of the marriage contract, it is often much easier for men than women to initiate legal divorce proceedings. In certain probate trials, the testimony of women is not considered equivalent to that of men; the testimony of two women is considered equivalent to that of one man. In other civil trials, the testimony of a woman is considered equivalent to that of a man.

A Muslim woman cannot legally marry a non-Muslim unless he converts to Islam. This prohibition usually was neither observed nor enforced among certain populations.

To obtain an exit visa, children must receive the permission of both mother and father.

Various governmental bodies have decreed women must dress modestly according to Islamic or cultural standards, including wearing a head covering. However, women often appeared in public wearing trousers or with their heads uncovered. In Khartoum persons known as Public Order Police occasionally brought women before judges for allegedly violating Islamic standards.

The Ministry of Social Welfare, Women, and Child Affairs was responsible for matters pertaining to women.

Women experienced economic discrimination in access to employment, credit, pay for substantially similar work, and owning or managing businesses. Women were accepted in professional roles; for example, more than half the professors at Khartoum University were women.

Children

The interim national constitution states that persons born to a Sudanese mother or father have the right to citizenship. Although the interim constitution eliminated gender discrimination in conferring nationality on children, the legal definition of "responsible

parent" used in the July amendment to the 1994 nationality law remains the child's father. The term refers to a mother only in cases where she has been granted sole legal custody. This change means that a child of a Sudanese mother and South Sudanese father could lose his or her Sudanese nationality. The law passed the national legislature, and although the president failed to sign the law within the mandated 30-day limit, the law passed de facto into force in mid-August.

Birth Registration: Most Sudanese newborns had access to birth certificates, but some living in remote areas did not. Registered midwives, dispensaries, clinics, and hospitals could issue certificates. A Sudanese birth certificate does not automatically qualify a child for citizenship.

Education: The law provides for tuition-free basic education up to grade eight; however, students often had to pay school, uniform, and exam fees. In Darfur few children outside of cities had access to primary education.

Child Abuse: Child abuse and abduction were widespread in conflict areas. Criminal kidnapping of children for ransom was reported on several occasions during the year.

Child Marriage: The law establishes the legal age of marriage as 10 for girls and 15 or puberty for boys. There were no reliable statistics on the extent of child marriage, but it remained a problem.

Harmful Traditional Practices: Female genital mutilation remained widespread. A 2010 Sudan Household Health Survey, the most recent available, reported FGM incidence at 65.5 percent, a 5 percent decrease from 2006. Ministry of Health bylaws prohibit FGM by physicians and medical practitioners; however, midwives continued to perpetrate FGM. The government actively campaigned against it in partnership with UNICEF, civil society groups, and the High Council for Children's Welfare. Several NGOs also worked to eradicate FGM.

Sexual Exploitation of Children: Child prostitution and trafficking of children also remained problems. Penalties for offenses related to child prostitution and trafficking varied and could include imprisonment and/or fines.

There is no minimum age for consensual sex or a statutory rape law. Pornography, including child pornography, is illegal.

Child Soldiers: Armed groups continued to recruit and deploy child soldiers in internal conflicts (see section 1.g.).

Displaced Children: Internally displaced children often lacked access to government services such as education.

Institutionalized Children: The government operated reformatory camps for vagrant children. Police typically sent homeless children who had committed crimes to these camps, where they were detained for indefinite periods. Health care, schooling, and living conditions at the camps generally were very basic. All children in the camps, including non-Muslims, must study the Qur'an, and there was pressure on non-Muslims to convert to Islam. War Child and other international and domestic humanitarian NGOs were permitted to monitor the camps and sometimes assisted the government with certain aspects of camp operations.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Anti-Semitism

The Jewish community remained miniscule, and there were no reports of anti-Semitic violence during the year; however, government officials made anti-Semitic comments, and government-controlled newspapers featured anti-Semitic caricatures.

Trafficking in Persons

See the Department of State's [2011 Trafficking in Persons Report](#).

Persons with Disabilities

While the law does not specifically prohibit discrimination against persons with disabilities, it stipulates "the state shall guarantee to persons with special needs the enjoyment of all the rights and freedoms set out in the constitution, access to suitable education, employment, and full participation in society." The government has not enacted laws or implemented effective programs to ensure access to buildings for persons with disabilities. Credible sources noted prisoners with mental disabilities were chained 24 hours a day if they were considered a danger to themselves. Mentally disabled prisoners were not exempted from trial, although their cases could be deferred during treatment.

National/Racial/Ethnic Minorities

The population is a multiethnic mix of more than 500 Arab and African tribes with numerous languages and dialects. These designations are often self-identified, referring

to language and other cultural attributes. Northern Muslims traditionally dominate the government. Interethnic fighting in Darfur was between Muslims who considered themselves either Arab or non-Arab and also between different Arab tribes.

The Muslim majority and the government continued to discriminate against ethnic minorities in almost every aspect of society. Citizens in Arabic-speaking areas who did not speak Arabic experienced discrimination in education, employment, and other areas.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The law prohibits sodomy, which is punishable by death; however, there were no reports of antisodomy laws being applied. There were no known lesbian, gay, bisexual, or transgender (LGBT) organizations.

Official discrimination based on sexual orientation and gender identity occurred. Societal discrimination against LGBT persons was widespread. Vigilantes targeted suspected gay men and lesbians for violent abuse, and there were public demonstrations against homosexuality.

Other Societal Violence or Discrimination

There was discrimination against persons with HIV/AIDS. Social taboos about discussing sex out of wedlock in a conservative society complicated the work of activists and the international community to confront the issue.

Promotion of Acts of Discrimination

The government and government-supported militias reportedly promoted hatred and discrimination, using standard propaganda techniques to incite tribal violence.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of association for economic and trade union purposes. The 2010 Trade Union Act established a single national trade union federation. The law allows workers to join independent international unions, but in some cases their membership was not officially recognized. Only the government-controlled SWTUF, which consists of 25 state unions and 22 industry unions, can function legally; all other unions were banned. The law requires all unions to be under the umbrella of the Sudan Worker's Trade Union Federation (SWTUF). The law denies trade unions autonomy to

exercise the right to organize or to bargain collectively. The law defines the objectives, terms of office, scope of activities, and organizational structures and alliances for labor unions. The government's auditor general supervised union funds because they were considered public money.

The constitution grants unions the right to strike. Nonetheless, the government restricted this right in practice. Some unions have bylaws that self-restrict their right to strike. Specialized labor courts adjudicated standard labor disputes, but the Ministry of Labor has the authority to refer a dispute to compulsory arbitration. Disputes can be referred to arbitration if this is stated in the work contract.

The law does not prohibit antiunion discrimination by employers. Labor laws apply to migrant workers with legal contracts and protect all Sudanese, regardless of regional or tribal identity. In practice migrant workers and some ethnic minorities suffered from discrimination, lack of knowledge of their legal rights, and lacked ready access to judicial remedies.

Courts exist to look into labor complaints; however, bureaucratic steps mandated by law to resolve disputes within companies can be lengthy in practice. In addition, court sessions can involve significant delays and costs when appealing labor grievances.

There were credible reports that the government routinely intervened to manipulate professional, trade union, and student union elections.

For many years the International Trade Union Confederation (ITUC) raised concern over the following issues: trade union monopoly controlled by the government, denial of trade union rights in the export processing zone, and nearly nonexistent collective bargaining. The International Labor Organization expressed concern in a 2011 report over allegations of the "brutal and fatal repression of workers in the oil sector, who demanded improved working conditions."

According to ITUC, in the oil-producing regions, police and secret service agents, in collusion with oil companies, closely monitored workers' activities. In addition, the government-controlled SWTUF was used as part of the government's strategy to control workers to ensure a regular flow of oil. However, there were no reports of murder, arrests, threats, or unfair dismissal of union leaders and members by government or employers during the year.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor, including by children. In practice enforcement proved challenging in rural areas and areas undergoing conflict.

Although the government continued to deny that slavery and forced labor existed in the country, the government's Committee for Eradication of Abduction of Women and Children (CEAWC) – which ceased operations in August 2010 – stated that up to 10,700 South Sudanese, Rizegat, and Misseriya abductees from the Second Sudanese Civil War possibly remained in captivity in Southern Kordofan and parts of greater Bahr al Ghazal. It was not clear to what extent those abductees were involved in forced labor.

While noting the government's statement that after the end of the civil war abductions had stopped completely, the International Labor Organization's (ILO) Conference Committee on the Observation of Standards reported in 2011 that there was no verifiable evidence that forced labor had been completely eradicated in practice.

The ILO continued to urge the government to address continuing violations in certain regions in which "victims are forced to perform work for which they have not offered themselves voluntarily, under extremely harsh conditions, and combined with ill treatment which may include torture and death." The ILO also expressed concern over the lack of accountability of perpetrators and sufficient victim rehabilitation measures.

Representatives of the Eritrean community in Khartoum stated undocumented Eritreans in the capital were subject to abusive work conditions. They also reported that many undocumented workers did not report abuse out of fear that authorities might deport them back to Eritrea due to their illegal status.

The forcible recruitment of persons into armed groups continued (see section 1.g.).

The government stated it investigated and prosecuted cases of forced labor during the year but did not compile comprehensive statistics on the subject.

Also see the Department of State's [*2011 Trafficking in Persons Report*](#).

c. Prohibition of Child Labor and Minimum Age for Employment

The interim national constitution mandates protection of children from exploitation. The Child Act of 2010 defines children as persons younger than 18; however, the act does not explicitly prohibit child labor. The labor law does not clearly define the age for child labor, but its provisions suggest that 12 years is the minimum age for employment. The Ministry of Social Welfare, Women, and Child Affairs is responsible for enforcing child labor laws.

The law forbids the employment of young persons in hazardous industries and jobs, or in jobs requiring significant physical effort or that are harmful to their morals. The law also forbids the employment of young persons between 8 p.m. and 6 a.m., although authorities may exempt young persons between the ages of 15 and 16 from this restriction. It is illegal to employ children under the age of 12, except in state vocational training schools and training workshops and jobs performed under apprenticeship contracts. Work that is supervised by family members and does not include nonfamily members, such as on family farms, is also excluded from these provisions.

The law allows minors to work for seven hours a day broken by a period of one paid hour of rest. It is illegal to make a young person work more than four consecutive hours, work overtime, or work during weekly periods of rest or on official holidays. To waive, postpone, or reduce annual leave entitlements is also prohibited. However, the government did not always effectively enforce such laws.

Child labor was a serious problem, particularly in the agricultural sector where the practice was common. Most child labor occurred in the informal sector and in menial jobs that the government lacked the resources to monitor comprehensively. Children were engaged in shining shoes, washing and fixing cars, collecting medical and other resalable waste, street vending, begging, agricultural work, construction, and other menial labor.

The use of child soldiers and child trafficking were problems.

d. Acceptable Conditions of Work

The minimum wage set by the High Council of Salary in the Ministry of Cabinet Affairs is 265 Sudanese pounds (approximately \$90) per month for the public sector. The minimum salary in the private sector is set by agreement between individual industries in the private sector and the High Council of Salary, and it varies among industries.

The law limits the workweek to 40 hours (five eight-hour days, which does not include a 30 minute to one hour daily break), with days of rest on Friday and Saturday. Overtime should not exceed 12 hours per week or four hours per day. There is no prohibition on excessive compulsory overtime.

The laws also prescribe occupational safety and health standards. The right of workers to remove themselves from dangerous work situations without loss of employment is not recognized. Any industrial company with between 30 and 150 employees must have an industrial safety officer; any company over that size should have an industrial safety

committee that includes management and employees. Committees and officers are supposed to report safety incidents to the Ministry of Labor. The law requires that the owner of an industrial company must inform workers of occupational hazards and provide means for protection against such hazards. Management is also required to take necessary precautions to protect workers against industrial accidents and occupational diseases. Some heavy industry and artisanal mining operations were reported to not have sufficient safety regulations.

The above-mentioned safety laws do not apply to domestic servants as defined by the 1955 Domestic Servants Act; agricultural workers other than those employed in the operation, repair, and maintenance of agricultural machinery, enterprises that process or market agricultural products such as cotton gins or dairy product factories, or jobs related to the administration of agricultural projects including office work, accountancy, storage, gardening, and livestock husbandry; family members of the employee who live with the employee and who are completely or partially dependant on him for their living; and casual workers.

The Ministry of Labor, which maintained field offices in most major cities, is responsible for enforcing these standards. There were various types of labor inspectors, including specialists on labor relations, labor conflicts, vocational/health practices, and recruitment practices. They operated on both federal and state levels.

However, these standards were not effectively enforced in practice. Although employers generally respected the minimum wage law in the formal sector, in the informal sector wages could be significantly below the official rate. Since enforcement by the Ministry of Labor was minimal, working conditions generally were poor.