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Freedom of the Press 2011 - Sudan

Status: Not Free

Legal Environment: 26

Political Environment: 30

Economic Environment: 22

Total Score: 78

Press freedom in Sudan deteriorated in 2010, especially after the April elections; these were the first elections held since 1986. Prior censorship, initially lifted by presidential decree in September 2009, was reinstated in practice only weeks after voting day. President Omar al-Bashir received more than 68 percent of the vote in the election, but rather than leading to a relaxation of the constraints on the press, there was a clear tightening of the space in which the private media operate. Journalists were arrested and tortured, documents were confiscated, and papers were closed for days. The situation also became more challenging for journalists in the South, which typically has had a more liberal media environment. As Southern Sudan prepared for the January 2011 referendum on its independence, journalists there were harassed and restrictions were imposed on covering issues such as ethnic violence and corruption.

Article 29 of the 2005 Interim National Constitution, adopted in connection with that year's Comprehensive Peace Agreement (CPA) between the government – led by Bashir's National Congress Party (NCP) – and the South's Sudan People's Liberation Movement (SPLM), nominally protected freedom of the press and citizen expression. The CPA created a new space for journalists to express their voice and reduced the common practice of censoring newspapers prior to publication. Another step toward greater freedom of the press was taken in June 2009, when the government replaced the highly

restrictive Press and Printed Press Materials Law. However, media freedom organizations have criticized the new law for falling short of international standards. It states that "no restrictions will be placed on freedom of the press except on issues pertaining to safeguarding national security and public order and health," and contains loosely defined provisions related to the encouragement of ethnic and religious disturbances and incitement of violence. The law also gives the National Press and Publication Council the authority to shut down newspapers for three days without a court order. However, some of the most criticized components of earlier drafts – including fines of more than \$20,000 for violators of the law – were removed from the final version.

Defamation is a criminal offense in both Northern and Southern Sudan. There is no freedom of information law, and access to public information is difficult. The Ministry of Information manages the broadcasting licensing process in Sudan, with help from the Ministry of Telecommunications and Postal Services in Southern Sudan. The licensing process is highly politicized in the North, where progovernment stations have an easier time acquiring a license. The process is fairer in the South, but at times may fall victim to prejudice from tribal sentiments. The National Press Council regulates the journalism profession and the entry into the field in Northern Sudan. Journalists in the North are required to pass a test prior to receiving accreditation and a license. However, entry into the profession is relatively free in the South.

During the run-up to the elections in April 2010, the Sudanese saw slight relaxations of censorship and restrictions to the media. In September 2009, following internal pressure from media owners and unions and the increasing presence of international organizations ahead of the national elections, Bashir eliminated the previously common practice of censorship of newspapers by the National Intelligence and Security Service (NISS). According to International Media Support, the tone of the election coverage was in general neutral or positive, although during the final month of the campaign it did become more aggressive. Cases of hate speech and inflammatory language were registered. The media in the North tended to privilege the NCP, while the media in the South were biased toward the SPLM, both in terms of the amount of time allocated to the party and the positive tone of the coverage.

After the results of the election were announced, an emboldened government, especially in the North, started applying harsher measures toward its critics. As a result, journalists were often censored, harassed, intimidated, and even tortured by authorities and government agents. Just weeks after the elections, NISS visits to newspapers resumed in an effort to impose pre-publication censorship. In May 2010, four journalists of the newspaper *Rai al-Shaab*, owned by Hassan al-Turabi, a one-time ally of Bashir, were arrested for reporting that Iranian forces were in Sudan to assist insurgents in

Africa and the Middle East. The journalists' lawyers reported that their clients had been tortured in prison. Three of the four journalists were later convicted of "undermining the constitutional system" and sentenced to prison terms ranging from two to five years. In April, the newspapers *Ajras al-Huriya* and *Al-Midan* were visited by NISS and as a result, copies of the papers were confiscated and journalists were prohibited from publishing some of the stories they had been working on. In other newspapers, self-censorship continued to be a common practice. Issues such as the crisis in Darfur, the work of the International Criminal Court, Sudan's poor human rights record, and the corruption of state officials remained absent from the pages of the main media outlets. Foreign journalists in Sudan have occasionally experienced difficulties in their reporting and are generally viewed with suspicion by the authorities. In addition to normally denying visas or permits to visit areas such as Darfur, in the past the Sudanese government had expelled foreign correspondents from the country. There were no reports of extralegal harassments or murders against journalists during the year. However, the turbulent political situation – especially after the Justice and Equality Movement, the strongest rebel group in Darfur, ended peace talks in May – continued to create a dangerous environment for journalists to cover the news in Darfur.

Although still better than in the northern part of Sudan, press freedom conditions in the South also deteriorated in 2010. Security forces and members of the Sudan People's Liberation Army – the SPLM's military wing – attempted to censor and influence content in the South. In the run-up to the 2011 referendum on Southern Sudan's independence, SPLM members started putting greater pressure on journalists, in an attempt to prevent them from reporting cases of ethnic violence and corruption scandals among government officials. In March, two radio stations in the southern state of Central Equatoria were raided as a result of their moderate criticism of some SPLM figures. The UN-sponsored Miraya FM was also accused of being biased and supporting an external agenda that was not benefiting the people of Sudan.

There are several private daily and weekly newspapers that cover local and national news, but most operate in the North. Experts have argued that there is little difference between private and state-run media, as all are subject to serious government intrusion, ranging from interference in management to censorship of content. Newspapers are generally too expensive for most Sudanese. The government runs one Arabic and one English-language newspaper. The state dominates the broadcast media, which are the main source of information for much of Sudan's population. Television programming continues to be formally censored, and radio content must reflect the government's views. In the aftermath of the elections, the operations of the popular international broadcasters have been obstructed by the Sudanese government. In August, the government suspended the British Broadcasting Corporation's license to rebroadcast

locally in the north of the country. Radio France Internationale's Arabic Service had similar problems when its license to rebroadcast was revoked in October. Ownership of media houses, in general, is not transparent. There are no laws requiring the release of ownership information. Moreover, many owners refrain from acknowledging ownership in order to evade tax codes and avoid possible attacks. Journalists receive low pay, and many freelance journalists do not earn enough to cover the cost of living. Some analysts believe this has partially led to corruption within the media where journalists, as well as editors, sell stories to politicians. The advertising market is strong in the North, but almost nonexistent in the South. In the North, state-owned media receive subsidies from the government. Independent media do not receive public subsidies, but do receive secret financial support if their coverage is deemed friendly to the government. In addition, authorities reportedly put pressure on advertisers, prohibiting them from placing ads in newspapers that are deemed critical of the government.

Internet penetration in Sudan is relatively high for sub-Saharan Africa. According to Internet World Stats' most recent statistics, 9.3 percent of the population accessed the medium as of 2009. The government is believed to monitor the internet, including e-mail and correspondence. It also blocks websites, especially those with explicit sexual content, ostensibly to preserve ethical standards. Only a few days after the beginning of the April voting, the website Sudan Vote Monitor was blocked in Sudan. The website had been launched by a civil society organization and used the Ushahidi platform along with other tools to report irregularities in the voting process and in the counting of the ballots.