

SUDAN (48)

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SUDAN

The 1989 military coup that overthrew Sudan's democratically elected government brought to power Lt. General Omar Hassan Al-Bashir and his National Salvation Revolution Command Council (RCC). Bashir and the RCC suspended the 1985 Constitution, abrogated press freedom, and disbanded all political parties and trade unions. In 1993 the RCC dissolved itself and appointed Bashir President. In March 1996 Bashir won highly structured national elections as President, while a National Assembly with 275 of 400 members popularly elected in a deeply flawed process replaced the transitional national assembly. The opposition boycotted the electoral process. Despite promulgation of national institutions and an interim constitution through constitutional decrees, the Government continues to restrict most civil liberties. Since 1989 real power has rested with the National Islamic Front (NIF), founded by Dr. Hassan Al-Turabi, who became speaker of the National Assembly in 1996. NIF members and supporters continue to hold key positions in the Government; security forces; judiciary; academic institutions; and the media. The supreme political institution, the National Convention, which sets national policy guidelines, is also under NIF control. The judiciary is subject to government influence.

The civil war, which has resulted in the death of more than 1.5 million Sudanese, continued into its 15th year. The principal insurgent faction is the Sudan People's Liberation Movement (SPLM), a body created by the Sudan People's Liberation Army (SPLA). The SPLA remains the principal military force in the insurgency. In April the South Sudan Independence Movement/Army (SSIM/A), which broke away from the SPLA, and several smaller southern factions concluded a peace agreement with the Government. These former insurgent elements then formed the United Democratic Salvation Front (UDSF). However, the SPLM, its armed wing, the SPLM/A, and most independent analysts have regarded the April 21 Agreement as a tactical government effort to enlist southerners on its side. The SPLM/A and its northern allies in the National Democratic Alliance (NDA) carried out successful military offensives in areas along the borders with Ethiopia and Eritrea and in large parts of the south during the year. Neither side appears to have the ability to win the war militarily. There was some progress toward peace during the year. At a July meeting of the regional Intergovernmental Authority on Development (IGAD), President Bashir accepted the 1994 IGAD Declaration of Principles as "the basis for discussions and negotiations" for peace. The Government had rejected that document in 1994, while the SPLM/A had accepted it. Government and SPLM/A delegations met with the IGAD in September and participated in IGAD-mediated peace talks.

In addition to the regular police and the Sudan People's Armed Forces (SPAf), the Government maintains an external security organ, an internal security organ, a militia known as the Popular Defense Forces (PDF), and a number of police forces, including the public order police whose mission includes enforcing proper social behavior, including restrictions on alcohol and "immodest dress." In addition to the group of regular police forces, there is the Popular Police Force, which is made up of nominees from neighborhood popular

committees for surveillance and services, and acts with police powers for political and social ends. Members of the security forces committed numerous serious human rights abuses.

Civil war, economic mismanagement, over 4 million internally displaced persons in a country of an estimated 27.5 million persons, and, to a lesser extent, the refugee influx from neighboring countries have devastated Sudan's mostly agricultural economy. Exports of gum arabic, livestock, and meat accounted for more than 50 percent of export earnings. Reforms aimed at privatizing state-run firms and stimulating private investment failed to revive a moribund economy saddled with massive military expenditures and a huge foreign debt of approximately \$16 billion. Per capita national income is estimated at \$900 per year.

The human rights situation remained extremely poor, and the Government committed serious human rights abuses. Citizens do not have the ability to change their government peacefully. Government forces were responsible for extrajudicial killings and disappearances. Government security forces regularly tortured, beat, harassed, arbitrarily arrested, and detained opponents or suspected opponents of the Government with impunity. Prison conditions are harsh, and the judiciary is largely subservient to the Government. The authorities do not ensure due process, and the military forces summarily tried and punished citizens. The Government still does not fully apply the laws of war to the southern insurgency and has taken few prisoners of war.

The Government continued to restrict freedom of privacy, assembly, association, religion, and movement. The Government eased restrictions on freedom of the press in May; however, all journalists continue to practice self-censorship. There are no independent human rights organizations. In the context of the Islamization and Arabization drive, pressure—including forced Islamization—on non-Muslims remained strong. Fears of Arabization and Islamization and the imposition of Shari'a (Islamic law) fueled support for the civil war throughout the country. Discrimination and violence against women and abuse of children continued. Discrimination against religious and ethnic minorities persisted, as did government restrictions on worker rights. Child labor is a problem. Slavery remains a problem. Government security forces were responsible for forced labor, slavery, and forced conscription of children.

On a less negative note, the Government continued cooperation with international human rights monitors. The U.N. Special Rapporteur on Sudan twice visited areas under the Government's control, although his first visit was aborted when he left the country after the Government stated that it could not ensure his security. The Government also invited the Working Group on Contemporary Forms of Slavery; it had not visited as of year's end.

Cooperation with U.N.-sponsored relief operations was mixed. Government forces periodically obstructed the flow of humanitarian assistance. Problems with relief flights in the south centered on the Government's denial of aircraft clearances to both the U.N. Operation Lifeline Sudan and the International Committee of the Red Cross (ICRC). The Government failed to resolve the problem of false accusations that it had made against the ICRC in November 1996 in which it alleged that the ICRC transported of arms and ammunition. As a result, the ICRC undertook only severely limited operations during the year.

Insurgent groups continued to commit numerous, serious abuses. The SPLM/A continued to violate citizens' rights, despite its claim to be implementing a 1994 decision to assert civil authority in areas that it controls, and in many cases, has controlled for many years. The SPLM/A was responsible for extrajudicial killings, beatings, arbitrary detention, forced conscription, and occasional arrests of foreign relief workers without charge. The SPLM/A again failed to follow through on its promise to investigate a 1995 massacre. SPLM/A leaders were guilty of, or complicit in, theft of property of nongovernmental organizations (NGO's) and U.N. agencies operating in the south. The ICRC reported in 1996 that the SPLA had begun to observe some basic laws of war; it takes prisoners on the battlefield and permits ICRC visits to them. However, the SPLA did not allow the ICRC to visit prisoners accused by the insurgent group of "treason" or other crimes.

RESPECT FOR HUMAN RIGHTS

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

Political and Other Extrajudicial Killing

In their attacks on insurgent forces, government troops killed civilians (see Section 1.g).

Insurgent forces committed political and other extrajudicial killings; however, details are generally unavailable. There are reliable reports that rebel forces that captured villages along the border with Ethiopia in January carried lists used to identify leading government figures whom they summarily killed.

Rebels also killed civilians during their attacks on government forces (see Section 1.g.).

Disappearance

There were continued allegations that the Government was responsible for the arrest and subsequent disappearance of those suspected of supporting rebels in government-controlled zones of the south and the Nuba Mountains.

In June the Government's Advisory Council on Human Rights released the results of an independent judicial commission's investigations into the fate of some of the scores of persons arrested by government forces in Juba in 1992 who had disappeared. The commission's report lacked details, and its description of the "confessions" of five citizens was not credible. These confessions formed the basis for the execution of these persons after a trial by a military tribunal, which reportedly was conducted under the law with the approval of the Attorney General.

In 1996 the Government established a Special Commission to Investigate Slavery and Disappearances in response to a resolution passed by the 1995 U.N. General Assembly.

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

The Government's official and unofficial security forces continued to torture and beat suspected opponents. In March the U.N. Special Rapporteur on Torture described torture as a fairly extensive problem.

Torture victims included youth and student leaders and those deemed opponents of the Government. In March armed security personnel with handheld radios detained Ahlia University student, Magdi Abdelmoniem Hassan, chairman of the student union of the university. They took him to two locations where they severely beat him. Photographs show wounds on his back and his medical report also indicated a ruptured eardrum. Senior political prisoners released in May after being held since January stated that fellow detainees who were youths and students and those allegedly affiliated with the rebels were beaten badly while in custody. In mid-September security forces arrested and beat Osman Zein Al-Abdin Issa, an independent student activist from Khartoum University. There were credible reports in September that security forces in Juba severely beat a Sudanese Protestant Christian clergyman. In December security forces beat approximately 50 women who attempted to deliver a petition to the U.N. office in Khartoum (see Section 2.a.). Security forces also beat defendants in the 1996 coup attempt (see Section 1.e.).

There were reports that security forces tortured persons in "ghost houses," places where security forces detain government opponents incommunicado under harsh conditions for an indeterminate time with no supervision.

vision by the courts or other independent authorities with power to release the detainees. The use of ghost houses increased in the first part of the year, then generally declined due to increased government control, which reduced the incidence of such abusive measures.

d. **Arbitrary Arrest, Detention, or Exile**

Arbitrary arrest and detention remain problems. Legal provisions under the 1992 and 1995 National Security Acts and Criminal Code effectively set a fairly simple process to detain anyone for 3 months. A presidential determination, supported by a magistrate, may serve to detain a person for an additional 3 months. Allegations continue that some individuals are detained indefinitely.

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

Authorities continued to detain political opponents of the Government during the year.

In December security forces beat and arrested approximately 50 women who had tried to deliver a petition to the U.N. offices in Khartoum (see Section 2.a.).

In the wake of January attacks into Sudan from across the Ethiopian border north and south of the Blue Nile river, authorities arrested many persons. The Government released prominent political figures by the end of May, but still held a number of student leaders and those said to have been accused of contacts with the insurgents at year's end.

The Government does not use forced exile; however, some prominent political leaders fled into exile.

e. **Denial of Fair Public Trial**

The judiciary is not independent and is largely subservient to the Government. The Chief Justice of the Supreme Court, formerly elected by sitting judges, is now appointed. As the senior judge in the judicial service, he also controls the judiciary.

The judicial system includes four types of courts: Regular courts, both criminal and civil; special mixed security courts; military courts; and tribal courts in rural areas to resolve disputes over land and water rights and family matters.

The 1991 Criminal Act governs criminal cases, and the 1983 Civil Transactions Act applies in most civil cases. Military trials, which are sometimes secret and brief, do not provide procedural safeguards, have sometimes taken place with no advocate or counsel permitted, and do not provide effective appeal from a death sentence. Other than for clemency, witnesses may be permitted to appear.

Trials in regular courts nominally meet international standards of legal protections. For example, the accused normally have the right to counsel, and the courts are required to provide free legal counsel for indigent defendants accused of crimes punishable by death or life imprisonment. In practice, however, these legal protections are unevenly applied.

In 1989 the Special Courts Act created special three-person security courts to deal with a wide range of offenses, including violations of constitutional decrees, emergency regulations, some sections of the Penal Code, as well as drug and currency offenses. Special courts, on which both military and civilian judges sit, handle most security related cases. Attorneys may advise defendants as "friends of the court" but normally

may not address the court. Lawyers complain that they are sometimes granted access to court documents too late to prepare an effective defense. Sentences are usually severe and implemented at once. Death sentences, however, are referred to the Chief Justice and the Head of State. Defendants may file appellate briefs with the Chief Justice.

In December authorities convicted 35 women on charges of "disturbance" and "raising riots" in an apparently rigged trial (see Section 2.a.).

The Government dissolved the respected Sudanese Bar Association in 1989 and reinstated it with an NIF-controlled leadership. Lawyers who wish to practice must maintain membership in the Bar Association. The results of the September election of officers of the Bar Association, marked by blatant irregularities, were nullified under widespread suspicion of fraud by supporters of the NIF. Bar Association elections were conducted again in December. The NIF-associated group won overwhelmingly, again amid accusations of blatant fraud. Human rights monitors report that the Government continued to harass, detain, and torture members of the legal profession whom it viewed as political opponents.

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

Parts of the south and the Nuba Mountains fell outside effective judicial procedures and other governmental functions. According to credible reports, government units summarily tried and punished those accused of crimes, especially for offenses against civil order.

Sentences were announced during the year for persons accused in the 1996 coup attempt. Reports of the secret trials indicated that 12 defendants were convicted and sentenced to imprisonment for up to 7 years for the March coup attempt. Seven civilians and nine soldiers were convicted in the April coup attempt and sentenced to up to 5 years' imprisonment. Many defendants from both cases were acquitted, including cameraman Osama Ghandi. According to Human Rights Watch, Ghandi retracted his confession in court and showed scars that resulted from beatings used to obtain his confession.

Magistrates in SPL/M/A-held areas follow a Penal Code roughly based on the 1925 Sudan code. In rural areas outside effective SPL/M control, tribal chiefs apply customary laws. In 1996 the SPLM proclaimed a civilian structure to eliminate the secret and essentially political trials conducted by military commanders in previous years, but at year's end there was still no evidence to indicate that any such civilian trials had been held.

The Government maintains that it holds no political prisoners.

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

The Government routinely interferes with its citizens' privacy.

Security forces frequently conducted night searches without warrants. They targeted persons suspected of political crimes, and in the north, persons suspected of making alcoholic beverages, which are illegal.

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

A Muslim man may marry a non-Muslim, but a Muslim woman cannot marry a non-Muslim, unless he converts to Islam. However, this prohibition is not universally observed, particularly in the south and among Nubians. Non-Muslims may adopt only non-Muslim children; no such restrictions apply to Muslims.

Various government bodies have decreed on different occasions that women must dress according to modest Islamic standards (see Sections 1.c. and 5.).

The Government razed thousands of squatter dwellings in Khartoum during the year. Most inhabitants knew that their homes were slated for destruction but not when it would occur. Bulldozers typically arrived unannounced in a neighborhood and carried out the razing the same day. Although the Government promised to sell the inhabitants a plot of land for approximately \$145, many were made homeless temporarily. Usually, the inhabitants established temporary shelters on the site of their razed dwellings until they could gain title to a plot of land. Muslims who did not have sufficient money to purchase the land and construct a dwelling could obtain assistance from Islamic charities; others could not. By September the Khartoum state government had begun to implement procedures to grant title and move squatters in advance of demolition.

A wide network of government informants conducted pervasive surveillance in schools, universities, markets, workplaces, and neighborhoods. The Government disbanded political parties and prevented citizens from forming new political groups. The Government continued to summarily dismiss military personnel and other government employees whose loyalty was suspect. The government committee set up in August 1995 to review cases of persons summarily dismissed since the 1989 coup in theory continued to function. However, no results have been released since May 1996.

Government-instituted neighborhood "popular committees"—ostensibly a mechanism for political mobilization—served as a means for monitoring households' activities. These committees caused many citizens to be wary of neighbors who could report them for "suspicious" activities, including "excessive" contact with foreigners. The committees also furnished or withheld documents essential for obtaining an exit visa. In high schools, students were sometimes pressured to join pro-regime youth groups.

Both the Government and rebel factions continued to conscript citizens forcibly, including high school age children (see Section 6.c.).

The insurgent SPLM/A is not known to interfere with privacy, family, home, or correspondence in areas that it controls, although correspondence is difficult in war zones.

g. Law In Use of Excessive Force and Violations of Humanitarian

Internal Conflicts

Since the civil war resumed in 1983, more than 1.5 million people have been killed as a result of fighting between the Government and insurgents in the south. The civil war continued unabated, and all sides involved in the fighting were responsible for abuses in violation of humanitarian norms. At year's end, the Government controlled virtually all the northern two-thirds of the country, but had lost significant areas of the southern third to the SPLA. In January insurgents operating under the NDA moved from small scale activities in the areas that border Ethiopia and Eritrea to larger scale attacks. Government aircraft and helicopter gun ships bombed or attacked civilian areas in the south and, according to African Rights, in the Nuba Mountains. The NGO Christian Solidarity International reported government bombing of villages in Blue Nile province.

Government aircraft dropped bombs near Moyo and Koboko in Uganda. The Government admitted that the Moyo bombing was in error, but did not comment on the Koboko bombing.

Government forces routinely killed rebel soldiers captured on the battlefield. Only a small group of prisoners captured before the 1989 coup are reported held as prisoners of war in government-controlled areas. These persons are believed to be held in Juba and were visited by the ICRC in past years.

Government restrictions in practice limited or denied travel by relief nongovernmental organizations to many areas long controlled by insurgents. The U.N.'s Operation Lifeline Sudan, a coalition of relief/aid NGO's, was allowed to operate in the south.

Rape of women is committed by members of both parties to the conflict in the south. Both sides routinely displaced and often killed civilians or destroyed clinics and dwellings intentionally during their offensive operations.

Insurgent forces along the border with Eritrea laid land mines, which caused casualties to civilian travelers as well as to military forces.

Northern Muslim opposition groups under the 1995 NDA umbrella structure, which includes the SPLA, took military action against the Government. The NDA attacked government garrisons and strategic points near the Ethiopian and Eritrean borders and seized a number of villages during attacks in January. Its forces also indiscriminately laid land mines on roads and paths, which killed and maimed both soldiers and civilians. The SPLA has taken a number of prisoners over the years, many during its offensive from October to December 1995. The ICRC regularly visited many of these prisoners, but was refused permission to visit SPLA criminal and civil prisoners. The SPLM/A has returned some prisoners of war to the Government under parole.

Section 2 Respect for Civil Liberties, including:

a.

Freedom of Speech and Press

The Government severely curtails freedom of speech and press. Government intimidation and surveillance, fostered in part by an informer network, continued to inhibit open, public discussion of political issues. Journalists practice self-censorship.

On December 1, security forces severely beat 50 women who attempted peacefully to deliver a petition to the U.N. offices in Khartoum. A total of 36 women were subsequently arrested and charged with "disturbance" and "raising riots." The women were tried that night in a public order proceeding whose outcome apparently was predetermined by the authorities. All except one of the women were fined approximately 56 each; the other woman was lashed 40 times. Of the five defense lawyers, the male lawyer was fined approximately \$300, and the four female lawyers were sentenced to 10 lashes each, on undetermined charges. The Government failed to condemn, investigate, or discuss the action, and both the brutal attack and the rigged trial apparently were intended to intimidate and humiliate opponents of the regime.

The Government strictly controlled the print media, including government dailies, but eased its restrictions in May. It modified the November 1996 Press and Publications Law. It changed, among other things, the composition of the Press Council, which oversees journalism and media affairs. Some lively discussions of domestic and foreign policy have taken place in the press since then. However, in mid-May police detained and released on bail Alwan reporter Ishraga Al-nour for writing that the inadequate training of the Popular Police resulted in injuries, threatening public safety. The Popular Police eventually withdrew the charges against her. At least five privately owned daily newspapers operated as of year's end. Al-rai Al-akher resumed publishing in June, having won a court case against the Government dating to its closure the previous year. A wide variety of Arabic and English publications are available, but they are subject to censorship. All journalists, even in the privately owned Arabic daily press, still practice self-censorship.

Radio and television are controlled directly by the Government and are required to reflect government and NIF policies. Sudan television has a permanent military censor to ensure that the news reflects official views.

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

In spite of the restrictions on ownership of satellite dishes, citizens have access to foreign electronic media; the Government does not jam foreign radio signals. In addition to its own domestic and satellite television services, Sudan television offers a pay cable network of six channels, which directly rebroadcasts uncensored Cable News Network (CNN), the London-based, Saudi-owned Middle East Broadcasting Corporation (MBC), Dubai TV, and Kuwait TV. Rebel movements have provided relatively few opportunities for journalists to report on their activities.

Academic freedom does not exist. Public and most private universities, closed since January largely as a result of NIF students' efforts to influence by violence the outcome of student government elections, reopened in October. The closure effectively ended academic debate, which had included a vigorous campus polemic with pro-NIF and anti-Government sentiments prominently displayed and heard. Before the January closure, the Government had used political criteria whenever possible in appointing new faculty members.

b. Freedom of Peaceful Assembly and Association

The declaration of the state of emergency and of martial law on June 30, 1989, effectively eliminated the right of assembly, and the Government severely restricted this freedom. The authorities permitted only government-authorized gatherings. The Government dispersed several unapproved demonstrations during the year. In December security forces beat and arrested approximately 50 women who had tried to deliver a petition to the U.N. offices in Khartoum. Thirty-six women were charged with "disturbance" and "raising riots" (see Section 2.a.). The Government dissolved all political parties in 1989, and prohibits citizens from forming new political groups or other associations. In 1989 the Government dissolved the Bar Association and reinstated it under NIF leadership with highly controlled elections. All lawyers who wish to practice in Sudan must maintain membership in the organization (see Section 1.e.).

Professional association members accused the Government of manipulating the elections in many associations. In November, journalists severely criticized the Government's manipulation of Journalists' Union elections in November to ensure victory by progovernment candidates. In Bar Association elections held in December, the NIF-associated group won overwhelmingly amid accusations of blatant fraud.

c. Freedom of Religion

Although the Government has stated that all religions should be respected and that freedom of worship is ensured, in practice the Government treats Islam as the state religion and has declared that Islam must inspire the country's laws, institutions, and policies. The 1994 Societies Registration Act replaced the controversial Missionary Societies Act of 1962. It theoretically allows churches to engage in a wider range of activities than did the missionary act, but churches are subject to the restrictions placed on nonreligious corporations. The Government permits non-Muslims to participate in services in existing and otherwise authorized places of worship. The Government continued to deny permission to build Roman Catholic churches. Some makeshift structures have been permitted. In March authorities began to demolish multi-use Roman Catholic church buildings in the Kalakala area of Khartoum state. This is believed to be the first attack on legally owned church property in Sudan. The Khartoum state government publicly claimed that the demolitions were part of village planning. The church's attorney discussed rebuilding the structures with the authorities.

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

Authorities continued to restrict the activities of Christians, followers of traditional African beliefs, and other non-Muslims, and there continued to be reports of harassment and arrest for religious beliefs and activities.

Muslims may proselytize freely, but non-Muslims are forbidden to proselytize. Foreign missionaries and religiously oriented organizations continued to be harassed by authorities, and their requests for work permits and residence visas are delayed.

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

PDF trainees, including non-Muslims, are indoctrinated in the Islamic faith. In prisons, Government-supported Islamic NGO's offer inducements to, and pressure on, non-Muslim inmates to convert. Islamic NGO's in war zones are reliably reported to withhold food and other services from the needy unless they convert to Islam. Children, including non-Muslim children, in camps for vagrant minors are required to study the Koran, and there is pressure on non-Muslims to convert to Islam (see Section 5).

In rebel-controlled areas, Christians, Muslims, and followers of traditional African beliefs generally worship freely.

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

The Government restricted freedom of movement by denying exit visas to some categories of persons, including policemen and doctors. The Government also kept lists of political figures and other citizens not permitted to travel abroad. A leading lawyer and advocate of human rights, Ghazi Suleiman, was not permitted to travel to the West because the Government includes him on such a list. Because of tensions with Egypt, the authorities denied many requests for travel to that country.

Women may not travel abroad without the permission of their husbands or male guardians. Some former political detainees were forbidden to travel outside Khartoum. Movement was generally free for other citizens outside the war zones, but those who failed to produce an identity card at checkpoints risked arrest. Foreigners needed permits, which were difficult to obtain and often refused, for domestic travel outside of Khartoum. Foreign diplomats, however, could travel to many locations under government escort. Foreigners must register with the police on entering the country, seek permission to move from one location to another, and reregister at each new location within 3 days of arrival.

Foreign NGO staff sometimes had problems obtaining entry visas or work or travel permits once they had entered the country.

Insurgent movements also required that foreign NGO personnel obtain permission before traveling to areas that they control, although they generally granted such permission. In July the SPLM detained a Roman Catholic priest who sought to enter one of their zones without a valid permit and returned him to the aircraft in which he arrived for dispatch back to Kenya.

Tens of thousands of persons, largely southerners and westerners displaced by famine and civil war, continued to live in squatter slums in the Khartoum area. According to the Khartoum state government, a master

plan seeks to upgrade conditions in some camps, requiring movement of populations to other areas so that roads may be built or enlarged and services established. The Khartoum state government is in contact with foreign NGO's and U.N. agencies concerning this effort. During the year, the Government razed thousands of squatter dwellings in Khartoum (see Section 1.F).

The Government cooperated with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian assistance organizations and accorded refugees relatively good treatment. UNHCR statistics for 1996 estimated that there were 1 million refugees, with 148,000 in camps and 750,000 scattered in urban areas throughout the country.

The Government provides first asylum, although no figures are available for 1997.

There were no reports of forcible repatriation of refugees, regardless of their status. Some reports cited mistreatment of refugees, including beatings and arbitrary arrests. Refugees could not become resident aliens or citizens, regardless of their length of stay. The Government allowed a large number of refugees to work. SPLA military gains in the areas across the Uganda border enabled a number of Sudanese refugees to return to Sudan. According to the UNHCR, as many as 223,720 Sudanese refugees remained in Uganda; some left camps and returned to Sudan in the wake of SPLM/A seizure of areas north of the Sudan-Uganda border. Refugees fled from Sudan to Ethiopia, Eritrea, and Kenya.

On September 22, Action Contre le Faim's humanitarian activities were abruptly halted by the SPLM/A without explanation on undefined security grounds. The organization was forced to leave SPLM-controlled areas within 72 hours.

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

Citizens had no genuine opportunity to change their government peacefully. The NIF retains control of the Government and seeks to ensure that its vision of national institutions including, ultimately, a new constitution would prevail.

The Government established a committee to draft a constitution in July, under the leadership of widely respected legal figures.

In 1989 the RCC abolished all political parties and temporarily detained the major party leaders. In 1990 the RCC rejected both multiparty and one party systems, establishing 2 years later an entirely government-appointed transitional national assembly, based on a Libya-style political structure with ascending levels of nonpartisan assemblies. The essentially powerless appointed legislature was replaced following the 1996 elections by an elected National Assembly, in which 125 of its 400 members were appointed from the National Convention. Opposition parties boycotted the election.

The federal system of government was instituted in 1995, and is slowly developing a structure of 26 states, which the Government sees as a possible inducement to the insurgents for accommodation through a principle of regional autonomy.

Women are underrepresented in government and politics. The Minister of Health is the only woman in the Cabinet. Women have the right to vote. Seats in the National Assembly are set aside for representatives of women's organizations and for female student representatives. Twenty-five women are members of the 400-person National Assembly.

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

Due to government restrictions on freedom of association (see Section 2.b.), there are no independent domestic human rights organizations; however, individual human rights activists operate in anonymity.

The Human Rights Advisory Council, a government body whose rapporteur is the Solicitor General for Public Law, continued its active role in addressing human rights problems within the Government. The Advisory Council issued two reports in June. One detailed the inadequate results of a judicial commission inquiry into events in Juba in 1992 (see Section 1.b.). The other was a report of the special commission charged with the investigation into allegations of slavery (see Section 6.c.).

The Government continued efforts begun in 1996 to implement international conventions and basic human rights practices. U.N. Special Rapporteur on Sudan Gaspar Biro visited in January and again in September. However, his January visit coincided with insurgent attacks north and south of the Blue Nile, and the Government stated that it could not ensure his security. He left the country immediately. The Government's invitation to the U.N.'s Working Group on Contemporary Forms of Slavery remains open.

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

A governmental decree prohibits discrimination based on religion or sex. Redress is provided through the administrative courts or the Labor Office. The 1992 General Education Act stipulates equal opportunity in education for the disabled. Mechanisms for social redress, especially with respect to violence against women and children, are particularly weak.

Women

Violence against women continues to be a problem, although accurate statistics on violence against women do not exist. Many women are reluctant to file formal complaints against such abuse, although domestic violence is a legal ground for divorce. The police do not normally intervene in domestic disputes. Displaced women from the south were particularly vulnerable to harassment, rape, and sexual abuse. The Government did not address the problem of violence against women, nor was it discussed publicly.

Some aspects of the law and many traditional practices discriminate against women. Gender segregation is common in social settings. In keeping with Islamic law, a Muslim woman has the right to hold and dispose of her own property without interference. Women are ensured inheritance from their parents. However, a daughter inherits half the share of a son, and a widow inherits a smaller percent. It is much easier for men to initiate legal divorce proceedings than for women. These rules apply only to Muslims and not to those of other faiths, for whom religious or tribal laws apply. Although a Muslim man may marry a non-Muslim, a Muslim woman cannot marry a non-Muslim unless he converts to Islam. Women cannot travel abroad without the permission of their husbands or male guardians (see Section 2.d.).

A number of government directives require that women in public places and government offices and female students and teachers conform to what is deemed an Islamic dress code. This, at the least, entailed wearing a head covering. However, enforcement of the dress code regulations was uneven.

Credible but unconfirmed reports continued that women held in special camps in the south were sold to northerners to work as domestic servants (see Section 6.c.).

Children

A considerable number of children suffered serious abuse, including enslavement and forced conscription in the war zones. There continued to be credible but unconfirmed reports of the existence of special camps in the south in which people from the north or from abroad came to purchase women and children for work as domestic servants (see Section 6.c.).

Education is compulsory through grade eight. The Government forcibly conscripted young men and boys into the military forces, as did the insurgents. In June the Government decreed that young men, typically of ages 17 to 19 must enter military service to be able to receive a certificate on leaving secondary school.

Such a certificate is a requirement for entry into a university, and the decree effectively broadened the conscription base. In September the Government attempted to send a number of such youths to combat zones for advanced military training, presumably for ultimate incorporation into the SPAF. A number of youths fled at the airport, which resulted in considerable public attention and press criticism.

The Government has operated camps for vagrant children. Police periodically patrol the streets of Khartoum and other major cities, taking children whom police personnel deem homeless to these camps, where they are detained for indefinite periods. Health care and schooling at the camps are generally poor, basic living conditions are often primitive. All the children, including non-Muslims, must study the Koran, and there is pressure on non-Muslims to convert to Islam (see Section 2.c). Teenagers in the camps are often conscripted into the PDF.

Female genital mutilation (FGM), which is widely condemned by international health authorities as damaging to both physical and psychological health, is widespread, especially in the north. An estimated 90 percent or more of females in the north have been subjected to FGM, with consequences that have included severe urinary problems, infections, and even death. Infibulation, the most severe type of FGM, is also the most common type. It is usually performed on girls between ages 4 and 7. It is often performed by traditional practitioners in improvised, unsanitary conditions, causing severe pain and trauma to the child. No form of FGM is illegal under the Criminal Code. However, the health law forbids doctors and midwives from performing infibulation. Women displaced from the south to the north reportedly are increasingly imposing FGM upon their daughters, even if they themselves have not been subjected to it. The Government has neither arrested nor prosecuted any persons for violating the health law against infibulation.

Two local NGO's with funding from the U.N. and a government agency are actively involved in efforts to eradicate FGM, which they describe as a "harmful practice." A small but growing number of urban, educated, families are completely abandoning the practice. A larger number of families, in a compromise with tradition, have adopted the least severe form of FGM as an alternative to infibulation.

People With Disabilities

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

Religious Minorities

Muslims predominate in the north, but are in the minority in the south, where most people practice traditional African religions or Christianity. There are 1 to 2 million displaced southerners in the north who practice traditional African religions or Christianity. About 500,000 Coptic Christians live in the north.

Government and SPLM/A delegations met with IGAD in September and participated in IGAD-mediated peace talks in Nairobi in October and November. The delegations discussed the role of religion in national affairs and the predominantly non-Muslim Southern region's right to self-determination. Further meetings are scheduled for 1998.

In government-controlled areas of the south, there continued to be credible evidence of an unwritten policy of Islamization of public institutions. In the past, some non-Muslims lost their jobs in the civil service, the judiciary, and other professions. Few non-Muslim university graduates found government jobs. Some non-Muslim businessmen complained of petty harassment and discrimination in the awarding of government contracts and trade licenses. There were also reports that Muslims receive preferential treatment for the limited services provided by the Government, including access to medical care.

National/Racial/Ethnic Minorities

Sudan's estimated population of 27.5 million is a multiethnic mix of over 500 Arab and African tribes with scores of languages and dialects. The Arab, Muslim culture in the north and central areas and the non-Muslim, African culture in the south are the two dominant cultures. Northern Muslims, who form a majority of about 16 million, have traditionally dominated the Government. The southern ethnic groups fighting the civil war (largely followers of traditional African religions or Christians) seek independence, or some form of regional self-determination, from the north.

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

Section 6 Worker Rights

a. The Right of Association

The RCC abolished the pre-1989 labor unions, closed union offices, froze union assets, forbade strikes, and prescribed severe punishments, including the death penalty, for violations of its labor decrees. The Government dismissed many labor leaders from their jobs or detained them, although most of those arrested were later freed.

The Sudan Workers Trade Unions Federation is the leading blue-collar labor organization with about 800,000 members. In 1992 local union elections were held, after a delay to permit the government-controlled steering committees to arrange the outcomes. The elections resulted in government-approved slates of candidates voted into office by prearranged acclamation.

The U.S. Government in 1991 suspended Sudan's eligibility for trade benefits under the Generalized System of Preferences because of its violations of worker rights.

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

b. The Right to Organize and Bargain Collectively

A 1989 RCC constitutional decree temporarily suspended the right to organize and bargain collectively. Although these rights were restored to labor organizing committees in 1996, government control of the steering committees meant in practice that the Government dominates the process of setting wages and working conditions. The continued absence of labor legislation allowing for union meetings, filing of grievances, and other union activity greatly reduced the value of these formal rights. Although local union officials raised some grievances with employers, few carried them to the Government.

Wages are set by a tripartite committee comprising representatives of the Government, labor unions, and business. Specialized labor courts adjudicate standard labor disputes.

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

c. Prohibition of Forced or Compulsory Labor

Although the law prohibits forced or compulsory labor, slavery persists. According to the report by the U.N. Special Rapporteur, reports and information from a variety of sources after February 1994 indicate that the number of cases of slavery, servitude, slave trade, and forced labor have increased alarmingly. The taking of slaves, particularly in war zones and their export to parts of central and northern Sudan continued. There also continued to be credible, but unconfirmed, reports continue that women and children were sold and sent to the north or abroad to work as domestic servants, agricultural laborers, and sometimes concubines. The national government did not take any action to halt these practices. Credible reports persist of practices such as the sale and purchase of children, some in alleged slave markets. In 1996 representatives of Christian Solidarity International arranged the purchase of children. The average price per child was reportedly about \$300 worth of cattle, or \$500 if the purchaser was a Westerner.

Reliable reports indicate the direct and general involvement of the SPAF, the PDF, and government-supported armed militias in the abduction and deportation of civilians from the conflict zones to the north. These practices all have a pronounced racial aspect, as the victims are exclusively black southerners and members of indigenous tribes of the Nuba Mountains.

In some instances, local authorities took action to stop slavery; in other cases, the authorities did nothing to stop the practice. In response to a resolution of the 1995 U.N. General Assembly, the Government in May 1996 established a Special Commission to Investigate Charges of Slavery (see Section 1.b.), including the reported use of Nuba children as house servants by military officers. In a preliminary report issued in June, the Commission concluded that Nubans are not working as forced labor on ranches given to government supporters, and that house servants of military and civilian government officials are paid fixed salaries in accordance with the relevant statute.

Both the Government and rebel factions continued to forcibly conscript men of military age into the fighting forces (see Sections 1.f. and 5). For example, in February a group of national service trainees was unexpectedly taken to Khartoum and flown to Juba, where the trainees were expected to serve in combat. Conscripts face significant hardship and abuse in military service. The rebel factions continued to force southern men to work as laborers or porters.

d. Status of Child Labor Practices and Minimum Age for

Employment

The law prohibits forced child labor; however, the Government does not effectively enforce it (see Section 6.c.). The legal minimum age for workers is 16 years, but the law is loosely enforced by inspectors from the Ministry of Labor and in the official or wage economy. Children as young as 11 or 12 years of age worked in a number of factories, particularly outside the capital, including the factories at Um Ruwaba that produce edible oils. In addition severe poverty has produced widespread child labor in the informal, unregulated economy. In rural areas, children traditionally assist their families with agricultural work from a very young age.

e. Acceptable Conditions of Work

The legislated minimum wage is enforced by the Ministry of Labor, which maintains field offices in most major cities. Employers generally respect the minimum wage. Workers who are denied the minimum wage may file a grievance with the local Ministry of Labor field office, which is then required to investigate and take appropriate action if there has been a violation of the law. The minimum wage continues to be approximately \$8.25 (14,000 Sudanese pounds) per month, which is insufficient to provide a decent standard living for an average worker and family. The workweek is limited by law to six 8-hour days, with a day of rest on Friday. Although the laws prescribe health and safety standards, working conditions were generally poor, and enforcement by the Ministry of Labor minimal. The law does not address the right of workers to remove themselves from dangerous work situations without loss of employment.