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Freedom in the World - Sudan (2007)

Population:
41,200,000

Capital:
Khartoum

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

Overview

Although additional peace agreements with rebel groups were signed in 2006, the killing, rape, and displacement of civilians continued in Darfur, a vast area in western Sudan. For much of the year, the Sudanese government was locked in a bitter war of words with the United Nations, refusing to accept a proposed UN force that would replace the underfunded, 7,000-person African Union force already operating in Darfur.

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

Tensions between al-Bashir and al-Turabi climaxed in December 1999. On the eve of a parliamentary vote on a plan by al-Turabi to curb presidential powers, al-Bashir dissolved Parliament and declared a state of emergency. He fired al-Turabi as NCP head, replaced the cabinet with his own supporters, and held deeply flawed presidential and parliamentary elections in December 2000, which the NCP won overwhelmingly. In June 2000, al-Turabi formed his own party, the Popular National Congress (PNC), but he was prohibited from participating in politics. In January 2001, the Ummah Party refused to join al-Bashir's new government despite the president's invitation, declaring that it refused to support totalitarianism.

Al-Turabi and some 20 of his supporters were arrested in February 2001 after he called for a national uprising against the government and signed a memorandum of

understanding in Geneva with the Sudan People's Liberation Army (SPLA), the main southern rebel group. In May 2001, al-Turabi and four aides were charged with conspiracy to overthrow the government; al-Turabi was placed under house arrest. He was moved to a high-security prison in September 2002 and then released in October 2003.

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

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

A key provision of the CPA allowed a referendum on southern independence to be held after a six-year transitional period, during which the government was obliged to withdraw 80 percent of its troops stationed in the south. While the CPA has generally held, there have been serious disruptions. Just 20 days after he was sworn in as vice president of Sudan under an interim constitution, the SPLA's longtime leader, John Garang, died in an August 2005 helicopter crash, sparking riots by supporters who suspected that the crash was not an accident. At least 130 people were killed in the rioting, and some 2,000 were arrested. Garang's deputy, Salva Kiir, replaced him as SPLA leader and national vice president. A number of the CPA's provisions have yet to be implemented, and many Sudanese have questioned the government's commitment to the deal. Meanwhile, the government of southern Sudan has moved to assert its international position, hosting peace talks between the Ugandan government and a rebel group in 2006.

As Sudan's lengthy north-south conflict was coming to an end, another brutal internal conflict was escalating. In 2003, rebel groups in Darfur, a historically marginalized region in western Sudan, began attacking Sudanese military positions, although some observers have dated the first attacks to 2001 and 2002. The residents of Darfur, mostly black Muslim farmers or herders, had long clashed with some of the region's nomadic Arab tribes, and with one another, over land

use. The rebels also complained of discrimination by the Arab-dominated government. There had been periods of violence in Darfur since Sudanese independence, but the new conflict was on a different scale. By early 2004, government-supported Arab militias known as the Janjaweed had begun torching villages, massacring the inhabitants, slaughtering and stealing livestock, and raping women and girls. The military also employed some of the same scorched-earth tactics it had used in the south, bombing and strafing settlements from the air. Those who were not killed fled the violence, and one of the world's most acute refugee crises was born. Many arrived in internally displaced persons (IDP) camps within Darfur, while others gathered in refugee camps in neighboring Chad.

The African Union deployed a force to monitor a ceasefire signed by Sudan and two of the major rebel groups in April 2004 and increased the size of the force to 7,000 troops in 2005. However, it remained underfunded and was not authorized to intervene directly in the fighting, leading to calls for a 17,000-strong UN force.

The scale of the killing and displacement led to charges of genocide by international human rights groups, and the UN Security Council in September 2004 passed a resolution calling for a Commission of Inquiry. The commission's report, delivered to the Security Council in January 2005, stated that although the panel could not designate the killing as genocide, there was mass killing and rape. The commission also requested that the case be referred to the International Criminal Court.

Despite the ceasefire and UN negotiation efforts, the killing continued. As of 2006, credible estimates of the dead ranged from 70,000 to over 400,000, with more than two million displaced. Many in the IDP and refugee camps suffered from disease and starvation.

In May 2006, the Sudanese government signed the Darfur Peace Agreement with a faction of the Sudan Liberation Army (SLA), one of the western region's rebel groups, led by Minni Minnawi. All the other major rebel groups refused to sign the agreement, saying it did not address their concerns. After the signing of the pact, there were demonstrations and riots in the camps by those who opposed the agreement. The fighting in Darfur intensified, and the UN Security Council repeatedly reiterated its position that a UN force should be deployed in the region, but the Sudanese government refused, saying it would not compromise its sovereignty. However, on December 26, al-Bashir sent a letter to outgoing UN Secretary General Kofi Annan, saying that he accepted a compromise plan to strengthen the African Union presence in Darfur and eventually create a hybrid UN-AU force.

Another marginalized area, in eastern Sudan, has also been the scene of conflict in recent years. Local groups had clashed with the government's large military presence around Port Sudan on the Red Sea, an important oil-export terminal. The Beja Congress and the Rashaida Free Lions, an allied pair of rebel groups known as the Eastern Front, signed a peace agreement with the Sudanese government in October 2006. The Eastern Front gained some political power under the agreement.

Sudan's economy, while weak, has been improving thanks to high oil prices. The oil wealth and the involvement of Chinese firms in the country make economic sanctions over the Darfur issue unlikely.

Political Rights and Civil Liberties

Sudan is not an electoral democracy. The last national elections took place in 2000, but major opposition parties boycotted the process and the European Union refused an invitation to monitor the balloting. President al-Bashir and his NCP won easily, and the NCP remained the dominant party until the peace agreement with the SPLA was implemented in 2005. The SPLM—the SPLA's postconflict political incarnation—and the existing Sudanese government formed a joint transitional administration, with the SPLM leader as first vice president. The joint presidency appointed members of the 450-seat lower house of Parliament, the National Assembly, with the NCP holding 52 percent, the SPLA controlling 28 percent and the rest of the seats divided among other northern and southern parties. The Parliament's upper house is the 50-member Council of States. Although the current members of Parliament were appointed, members of both chambers would serve five-year terms after the first elections, scheduled for 2008–2009. Part of the Sudanese government's reluctance to give Darfur rebel groups more power in Khartoum stems from its desire to maintain its majority in Parliament. Nine of Sudan's 30 cabinet ministries are now headed by members of the SPLM, including the Ministry of Foreign Affairs and the Ministry of Higher Education.

Sudan is one of the world's most corrupt states. It is ranked 156 out of 163 countries surveyed in Transparency International's 2006 Corruption Perceptions Index.

The interim constitution guarantees free speech. Khartoum's private press can be extremely critical of government policies. Sudanese journalists can write articles that would have been impossible in previous years, and they have been particularly emboldened following the signing of the CPA. However, reporters still practice self-censorship and face harassment by the government for critical reporting. In September 2006, the decapitated body of Mohamed Taha Mohamed Ahmed, editor of *Al-Wifaq* newspaper, was found a day after he was abducted from his home by unidentified assailants. He had been charged with blasphemy in 2005 after he published an article that questioned the prophet Muhammad's parental lineage; editors were warned not to write about the case. According to Human Rights Watch, at least 15 local and foreign journalists were detained over the course of 2006, although some of these detentions were very short. Human Rights Watch also charged that the practice of prepublication censorship, which the Sudanese government had ended in 2005, was restarted in September 2006. The same month, the authorities also warned journalists not to cover violent demonstrations that took place after price increases for basic goods were announced.

According to human rights groups, foreign journalists have difficulty obtaining visas to enter Sudan to cover the Darfur crisis, and even those who have visas face restrictions on movement and the ability to conduct interviews freely. Most broadcast media outlets are controlled by the government. Under the CPA, the United Nations was granted a license to establish a radio station in Sudan, and although the station has begun broadcasting, the government has restricted the reach of the broadcast to a very limited area. The news media enjoy more freedom in southern Sudan. The Sudanese government does not actively restrict the internet, but its penetration in the country is very limited.

The 2005 interim constitution stemming from the CPA guarantees freedom of worship. Before the peace agreement, Islam was the state religion, and Sharia

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

The SPLM controls the Ministry of Higher Education, and there are some critical voices in Sudan's private universities. Universities have also held forums for the discussion of critical topics. Overall, however, university professors practice self-censorship. The administration of public universities is controlled by the government.

While international nongovernmental organizations (NGOs) operate in Sudan, the government at times restricts their movement and activities, which often include providing essential humanitarian assistance. In May 2005, Sudanese police arrested a member of Doctors Without Borders after the group published a report describing systematic rape of women in Darfur by government and militia forces. The Sudanese army and police have also at times surrounded IDP camps in Darfur and barred outside access to camp inhabitants. Humanitarian workers have also been targeted, and in some cases kidnapped and killed, by rebel groups. There are several international NGOs operating throughout Sudan, particularly in Darfur and south Sudan. During the year, government authorities harassed NGO employees, sometimes detaining them. In July Tomo Kriznar, a Slovenian human rights activist, was arrested and charged with espionage. President Bashir pardoned him after Slovenia's president Janez Drnovsek, who had sent Kriznar to Darfur, intervened. NGO employees have also been harassed by rebel groups, and as the overall security situation deteriorated, the threat to NGO workers increased.

Al-Bashir's government quickly destroyed Sudan's powerful independent trade unions after coming to power in the 1989 coup. Currently, the only functioning union organization is the Sudan Workers Trade Unions Federation, with some 800,000 members. Its elections are rigged to ensure the victory of government-approved candidates.

The judiciary is not independent. The head of the judiciary, the chief justice of the Supreme Court, is a government appointee. Lower civilian courts provide some due process safeguards, but higher courts are subject to political control, and special security and military courts do not apply accepted legal standards. In response to the International Criminal Court investigation into crimes related to Darfur, the Sudanese government created the Special Courts for Darfur. The credibility of the courts has been challenged by legal experts. Sudanese criminal law is based on Sharia and provides for punishments such as flogging and amputation. Non-Muslim southern states are not subject to Sharia. Police and security forces practice arbitrary arrest and torture with impunity, and prison conditions do not meet international standards.

The Sudanese government has been accused of genocide by respected international human rights groups, and serious abuses occur in Sudan on a nearly

daily basis. During the war between the north and south, both sides committed serious crimes, although the government was the more frequent perpetrator. According to local sources, both the SPLA and the government of Sudan avoided including accountability for wartime abuses in the CPA. With regard to Darfur, human rights groups have also accused all sides of engaging in serious abuses. Most of the violations, however, have been perpetrated by the government and government-supported militias. The government and the Janjaweed have been accused of mass killings, rape, and looting of property. There have also been confirmed cases of slavery in Sudan.

Sudanese women face discrimination on many levels. Women in northern Sudan who are subject to Sharia face discrimination in matters of marriage, divorce, and inheritance. As in many other East African states, female genital mutilation is widely practiced despite being illegal. There have been credible reports of rape committed by Janjaweed and security forces on a large scale against women in Darfur. For a man to be found guilty of rape in Sudan, there must be four male eyewitnesses to the act, and accusers whose cases fail face prosecution. Adultery is a capital crime. Sudan has not ratified the international Convention on the Eradication of All Forms of Discrimination Against Women, arguing that it contradicts Sudanese values and traditions. Of the 450 members of the National Assembly, 66 are women.