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Sudan

	2016	2017		
Internet Freedom Status	Not Free	Not Free	Population:	39.6 million
Obstacles to Access (0-25)	16	16	Internet Penetration 2016 (ITU):	28 percent
Limits on Content (0-35)	18	18	Social Media/ICT Apps Blocked:	No
Violations of User Rights (0-40)	30	30	Political/Social Content Blocked:	No
TOTAL* (0-100)	64	64	Bloggers/ICT Users Arrested:	Yes
			Press Freedom 2017 Status:	Not Free

* 0=most free, 100=least free

Key Developments: June 2016 – May 2017

- Economic challenges intensified with high inflation rates in Sudan, resulting in higher cost and declining quality of services for Sudanese citizens in the past year (see **Availability and Ease of Access**).
- Social media users were active in organizing civil disobedience campaigns against cuts to subsidies on fuel, basic commodities, and medicine, though so-called Cyber Jihadists worked to thwart the campaigns through the impersonation of social media accounts and dissemination of misinformation (see **Media, Diversity, and Online Manipulation**; and **Digital Activism**).
- The highly restrictive Press and Printed Press Materials Law of 2004 was updated in November 2016 to include specific clauses pertaining to online journalism, extending onerous limitations long placed on the traditional press to the online sphere (see **Legal Environment**).
- Arrests and harassment for online activities continued in the past year, particularly as heavy-handed censorship on the print and broadcast sectors led journalists to migrate online to disseminate news (see **Prosecutions and Detentions for Online Activities**; and **Intimidation and Violence**).

Introduction

Internet freedom remained tenuous in Sudan in the past year, characterized by declining conditions for affordable access to quality ICT services and concerted effort to silence government critics amid a largescale civil disobedience campaign organized by activists on social media.

Social media and communications platforms were critical to the organization of civil disobedience campaigns in late 2016. Activists rallied online to protest cuts to subsidies for basic commodities, fuel, and medicines that had caused a 30 percent increase in petrol and diesel prices and a 300 percent price hike on some drugs. A 3-day nationwide civil disobedience campaign began on November 27, 2016, which involved strikes that successfully closed down businesses and schools in cities across the country. Activists called for a second civil disobedience campaign in December, which progovernment trolls known as the Cyber Jihadists attempted to thwart through the spread of propaganda and misinformation online. While the campaigns ultimately yielded few concessions, the effort helped restore trust in collective action and the power of organization, particularly against a government known for taking violent action against critics and protestors. The civil disobedience campaigns had enabled citizens to powerfully protest without taking to the streets and risking arrest or beatings.

Meanwhile, the authoritarian government under President Omar al-Bashir imposed greater restrictions on online activities. The highly restrictive Press and Printed Press Materials Law of 2004 was updated in November 2016 to include specific clauses pertaining to online journalism, extending onerous limitations long placed on the traditional press to the online sphere. Draft amendments to the IT Crime Act were introduced in June 2016 to further regulate online speech. Arrests and interrogations for online activities continued in the past year, particularly as heavy-handed censorship on the print and broadcast sectors led journalists to migrate online to disseminate news. Harassment and technical attacks against activists and online journalists remained high.

Obstacles to Access

Economic challenges intensified with high inflation rates in Sudan, resulting in higher cost and declining quality of services for Sudanese citizens in the past year. Mobile phone penetration continued to decline over a two year period, while floods damaged fiber optic cables and caused internet disruptions for numerous subscribers.

Availability and Ease of Access

Access to the internet remained challenging for Sudanese citizens during the coverage period amid declining quality and speeds, and increasing costs. Internet penetration stood at 28 percent in 2016, growing marginally from 26 percent in 2015, while mobile phone penetration declined from 71 percent to 69 percent, according to the latest data from the International Telecommunications Union (ITU).¹ The National Telecommunications Corporation (NTC) Communications Indicators Reports for the 2nd and 3rd quarters of 2016 indicated a drop in internet usage via mobile phones by 14 percent

1 International Telecommunication Union, "Percentage of Individuals Using the Internet, 2000-2016," and "Mobile-Cellular Telephone Subscriptions, 2000-2016," <http://bit.ly/1cblxxY>.

and 9 percent, respectively, though no reasons were provided for the drop.² Mobile penetration had declined the previous year as well.³

Key Access Indicators		
Internet penetration (ITU) ^a	2016	28.0%
	2015	26.6%
	2011	17.5%
Mobile penetration (ITU) ^b	2016	69%
	2015	71%
	2011	69%
Average connection speeds (Akamai) ^c	2017(Q1)	3.0 Mbps
	2016(Q1)	2.1 Mbps

^a International Telecommunication Union, "Percentage of Individuals Using the Internet, 2000-2016," <http://bit.ly/1cblxxY>.

^b International Telecommunication Union, "Mobile-Cellular Telephone Subscriptions, 2000-2016," <http://bit.ly/1cblxxY>.

^c Akamai, "State of the Internet - Connectivity Report, Q1 2017," <https://goo.gl/TQH7L7>.

Sudan's continually deteriorating economy has created an expensive operating environment for the ICT sector, impacting both telecom companies and their subscribers. Inflation rose to over 30 percent in December 2016 amid rising food and energy prices, impacting the spending power of consumers for telecom services.⁴ As a result, Zain, the country's largest telecom operator, reported a decrease in net profit of 11 percent at the end of 2016.⁵ Exacerbating matters, the government's annual budget passed in December 2016 increased value-added taxes (VATs) on the telecommunications industry by 5 percentage points to 35 percent,⁶ which officials claimed would encourage telecoms to use their resources more efficiently.⁷ Meanwhile, the telecommunications industry blamed increasing prices on high licensing and registration fees and the proliferation of cheaper internet-enabled voice and messaging services such as WhatsApp that have disrupted their traditional revenue flows.

In addition to high prices, quality of service was poor and characterized by intermittent service disruptions throughout the year. In one outage, Dyn Research recorded an outage on the Sudatel network for 3.5 hours in August 2016 due to flood that damaged the network's fiber optic cables, resulting in 72 percent of Sudatel's internet routes taken offline.⁸

Electricity shortages also limit internet services in Sudan, especially in major cities that have experienced periodic power rationing amid electricity price increases, while most of the periphery

2 The National Telecommunications Corporation (2016). Communications Indicators Reports second quarter 2016 <http://bit.ly/2mF51SQ>; third quarter 2016 <http://bit.ly/2n7ZXtg>

3 See "Sudan," Freedom on the Net 2016.

4 "Sudan inflation rises to 30.47 pct in December," *Reuters Africa*, January 18, 2017, <http://bit.ly/2ncTg35>

5 "Zain phone network sees 11% drop in profits," *Middle East Monitor*, March 13, 2017, <http://bit.ly/2nkyGzC>

6 Sudan's budget shows deficit of 6.1 billion pounds and dependence on taxes by 74%," [in Arabic] *Sudan Tribune*, December 21, 2016, <http://bit.ly/2n08J5N>

7 "Parliament: Increase communication tax to rationalize telephone conversation," [in Arabic] *Al Sudan Alyoum*, December 24, 2016, <http://bit.ly/2oblvyA>

8 Dyn Research. (Aug 2, 2016). "Sudatel dropped offline for 3.5 hrs today downing 72% of Internet routes of #Sudan."

"Damage to the fiber paralyzes the Sudan's Internet and the pledges to address the damage," *Alrakoba*, August 3, 2016 (Arabic) <http://bit.ly/2v3ztHl> <http://bit.ly/2nkiLiX>

areas have unsteady or no electricity at all.⁹ Two major blackouts hit the country during the coverage period, negatively affecting internet access.¹⁰

Restrictions on Connectivity

Sudan is connected to the global internet through three international gateways controlled by the partly state-owned Sudan Telecom Company (Sudatel), Zain, and Canar Telecom,¹¹ which are in turn connected to four submarine cables: Saudi Arabia-Sudan-1 (SAS-1), Saudi Arabia-Sudan-2 (SAS-2), Eastern Africa Submarine System (EASSy), and FALCON.¹² Partial control over the international gateway has enabled the government to restrict internet connectivity during particular events in the past.

There were no reports indicating that the government blocked internet connection during the coverage period; however, Zain's subscribers experienced slow connections in the capital city and other major cities in October 2016,¹³ and a complete shutdown in March 2017 that lasted for four hours.¹⁴ The company attributed the disruption to a technical malfunction similar to one that had occurred on January 13, 2016, which saw the suspension of services for more than 12 hours.

ICT Market

There are four licensed telecommunications operators in Sudan: Zain, MTN, Sudatel, and Canar. All are fully owned by foreign companies with the exception of Sudatel, in which the government owns a 22 percent share.¹⁵ However, the Sudanese government holds significant sway over Sudatel's board of directors, which includes high-ranking government officials.¹⁶

Two providers, MTN and Sudatel, offer broadband internet, while Canar offers fixed phone lines and home internet. The Bank of Khartoum subsequently purchased Canar from UAE's Etisalat in June 2016, after the bank used its 3.7 percent share in Canar to block Zain's effort to purchase it. Observers believe the government's move to increase its market share of the telecom industry will have a negative impact on internet freedom for Sudanese users.

Regulatory Bodies

Sudan's telecoms sector is regulated by the National Telecommunications Corporation (NTC), which is housed under the Ministry of Telecommunications and Information Technology. The NTC is tasked with producing telecommunications statistics, monitoring the use of the internet, introducing new technology into the country, and developing the country's telecommunications

9 "Sudan: Fuel and Electricity Prices Increase in Sudan," *All Africa*, November 6, 2016, <http://bit.ly/2niOvqr>

10 "Power cuts throughout the day in most parts of Sudan," [in Arabic] *Dabanga Sudan*, October 14, 2016 <http://bit.ly/2mxYFo6>; "General electricity shutdown in Sudan after breakdowns in control devices," [in Arabic] *Sudan Tribune*, February 27, 2017, <http://bit.ly/2nOewPQ>

11 Doug Madory, "Internet Blackout in Sudan," Dyn Research, September 25, 2013, <http://bit.ly/1QN46V3>

12 Check interactive, Huawei Marine Networks, "Submarine Cable Map for Sudan," <http://bit.ly/1ZRMhKz>

13 "Zain Sudan out of coverage within the state of Khartoum," [in Arabic] *Mugrn.net*, October 22, 2016, <http://bit.ly/2nMePKz>

14 "Technical malfunction disrupts mobile Internet service for Zain subscribers," [in Arabic] *Altareeq*, March 17, 2017, <http://bit.ly/2mYZmSU>

15 Rupa Ranganathan and Cecilia Briceno-Garmendia, *Sudan's Infrastructure: A Continental Perspective*, Africa Infrastructure Country Diagnostic, (Washington, D.C.): World Bank, June 2011), <http://bit.ly/1OOZoXz>

16 Sudan Central Bank, "The Present Board of Directors," <http://bit.ly/1jxA7pG>

and IT industry. It is also responsible for deciding what content should be accessible on the internet. Although it is a state body, the NTC receives grants from international organizations such as the Intergovernmental Authority on Development and the World Bank, and its website describes the body as “self-financing.”

Limits on Content

No online news outlet, social media, or communications platforms were restricted this year. Social media users were active in organizing civil disobedience campaigns against the government’s austerity measures, though so-called Cyber Jihadists worked to thwart the campaigns by impersonating social media accounts and disseminating misinformation.

Blocking and Filtering

The Sudanese government openly acknowledges blocking and filtering websites that it considers “immoral” and “blasphemous.” The NTC manages online filtering in the country through its Internet Service Control Unit and is somewhat transparent about the content it blocks, reporting that 95 percent of blocked material is related to pornography,¹⁷ though the regulator recently acknowledged that it had not been successful in blocking all pornographic sites in Sudan.¹⁸ The NTC also obligates cybercafé owners to download blocking and filtering software as a requirement to sustain their licenses.¹⁹

The NTC’s website gives users the opportunity to submit requests to unblock websites “that are deemed to not contain pornography,”²⁰ but it does not specify whether the appeals extend to political websites. Users attempting to access a blocked site are met with a black page that explicitly states, “This site has been blocked by the National Telecommunications Corporation,” and includes links to further information and a contact email address.²¹

In addition to the NTC, National Intelligence and Security Service (NISS) agents reportedly have the technical capability to block websites deemed harmful and threatening to Sudan’s national security,²² while the General Prosecutor also has the right to block any site that threatens national security or violates social mores.²³

Content Removal

The extent to which the government forces websites to delete certain content is unknown, though anecdotal incidents in the past few years suggests that some degree of forced content removal by

17 National Telecommunications Corporation, “Blocking Or Unblock Websites,” last modified September 21, 2016, <http://www.ntc.gov.sd/index.php/en/blocking-websites>

18 NTC: pornographic sites are increasing on the Internet and other online platform,” *Almeghar*, August 9, 2015, bit.ly/1X8CODm.

19 “Sudanese intelligence prosecutes Internet content that ‘threatens the morals of the nation,’” *Alhayat*, February 29, 2016, <http://bit.ly/21ifrTl>; “Khartoum’s Internet cafes in violations,” *Ashoroq*, September 24, 2016, <http://bit.ly/2pg7K23>

20 NTC, “Blocking Or Unblock Websites.”

21 Image of a blocked site: https://docs.google.com/file/d/0B6mgwvplJ6ladER_T3RTZW1jSkk/edit?pli=1

22 “Expert: NISS is capable of blocking websites that are posing a threat to Sudan’s national security,” *Aljareeda*, November 7, 2014.

23 “Cybercrime is an act of terrorism that threatens the sovereignty of the state,” [in Arabic] *Alintibaha*, August 13, 2014, <http://bit.ly/1NRfGg5>.

the state exists, and that such ad hoc requirements lack transparency. No specific incidents were reported during this report's coverage period.

Media, Diversity, and Content Manipulation

Compared to the highly restrictive space in the traditional media sphere—which is characterized by pre-publication censorship, confiscation of entire press runs of newspapers, and warnings from NISS agents against reporting on certain taboo topics;²⁴ the internet remains a relatively open space for freedom of expression, with bold voices expressing discontent with the government on various online platforms. Online news outlets such as Altareeg,²⁵ Altaghyeer,²⁶ Radio Dabnga,²⁷ Hurriyat, and Alrakoba cover controversial topics such as corruption and human rights violations. Facing heavy censorship, many print newspapers have shifted to digital formats, circulating censored or banned material on their websites and social media pages; as a result, Sudanese citizens increasingly rely on online outlets and social media for uncensored information.²⁸

WhatsApp has become particularly popular among Sudanese, who have turned to the platform's relative privacy and anonymity to share critical news via the app's group chat function.²⁹ Blogging is also popular, allowing journalists and writers to publish commentary free from the restrictions leveled on print newspapers and provides ethnic, gender, and religious minorities a platform to express themselves. The more active Sudanese bloggers write in the English language. However, self-censorship has risen in recent years. Many journalists writing for online platforms publish anonymously to avoid prosecution, while ordinary internet users in Sudan have become more inclined to self-censor to avoid government surveillance and arbitrary legal consequences.

In response to Sudan's more vibrant online information landscape, the government employs a concerted and systematic strategy to manipulate online conversations through its so-called Cyber Jihadist Unit. Established in 2011 in the wake of the Arab Spring, the unit falls under the National Intelligence and Security Service (NISS) and works to proactively monitor content posted on blogs, social media websites, and online news forums.³⁰ The unit also infiltrate online discussions in an effort to ascertain information about cyber-dissidents and is believed to orchestrate technical attacks against independent websites, especially during political events.³¹

In the past year, Cyber Jihadists worked to thwart civil disobedience campaigns organized on social media in response to austerity measures. After a successful campaign in November 2016—which saw widespread strikes close down businesses and schools across Khartoum in the largest demonstration of public dissent since antigovernment protests in September 2013—Cyber Jihadists mobilized against plans for a second civil disobedience campaign planned for December 2016.

24 "Sudanese Security continues crackdown on press, journalists strike," *Sudan Tribune*, December 01, 2016, <http://bit.ly/2okLkM0>

25 *Altareeg* was established in January 2014.

26 *Altaghyeer* [Arabic for change with political connotation] was established in 2013 following the government's crackdown on independent journalists, who were eventually banned from practicing traditional journalism in Sudan.

27 Launched from the Netherlands in November 2008, Radio Dabnga focuses on reporting on Darfur and has a strong online presence and wide audience in conflict areas. Its website is bilingual and runs in depth reports and features. It is a project of the Radio Darfur Network. Dabnga, "About Us," <http://bit.ly/1LkMr5H>.

28 "Blocking information in Sudan revives websites," *Aljazeera*, January 9, 2017, <http://bit.ly/2nloyos>

29 Khalid Albaih, "How WhatsApp is fueling a 'sharing revolution' in Sudan," *The Guardian*, October 15, 2015, <https://www.theguardian.com/world/2015/oct/15/sudan-whatsapp-sharing-revolution>

30 "Sudan to unleash cyber jihadists," *BBC*, March 23, 2011, bbc.in/1V3FWdi.

31 See Freedom on the Net, Sudan 2015, bit.ly/1QQpZp5.

Deploying a concerted social media operation, Cyber Jihadists created dozens of fake social media profile to infiltrate prominent Facebook and WhatsApp groups organizing the campaign and exposed the identities of some activists to the authorities. The operation also involved spreading misinformation, such as comments posted about medications purchased at regular prices to contradict the reality of rising prices, doctored photos posted of populated streets during the disobedience campaign to give the impression that the call for strikes had failed, and false reports that the government was planning to reinstate subsidies.³² Online activists said they were reported to the police for participating in Facebook groups supporting the disobedience (see Prosecutions and Arrests for Online Activities).³³

Digital Activism

Social media and communications platforms were critical to the organization of protests and civil disobedience campaigns in late 2016. The campaigns were launched in protest of government subsidy cuts to basic commodities, fuel, and medicines that had caused a 30 percent increase in petrol and diesel prices and a 300 percent price hike on some drugs.³⁴ The #ReturnSubsidiesForMedicines trended across Sudan, Egypt, and Saudi Arabia, and won support from citizens in the region, including celebrities from Lebanon, Bahrain, Kuwait, and UAE,³⁵ which led to high profile coverage of the campaign in reputable news channels.³⁶ Digital activism also encouraged citizens to demonstrate in the streets of Khartoum,³⁷ leading to several arrests,³⁸ while Sudanese citizens in the diaspora supported their fellow countrymen and women by organizing protests in front of Sudanese embassies around the world,³⁹ the reports of which the government denied.⁴⁰

The protests later evolved into a 3-day nationwide civil disobedience campaign beginning on November 27, 2016, which involved strikes that closed down businesses and schools in cities across the country.⁴¹ The Sudanese president ridiculed the disobedience campaign, calling it a failure,⁴² though not before announcing plans to reduce the prices of life-saving medication for hypertension, diabetes, Parkinson's, and mental diseases two days before the campaign began in an effort to diffuse tensions.⁴³ Prices were only moderately reduced from the highly inflated price hikes.

32 Details of the National Congress Party's report on social media operation to address (Civil Disobedience)," [in Arabic] Al-Jareeda, March 1, 2017, retrieved from <http://bit.ly/2oUaOUI>

33 Author interview, December 2016.

34 "Sudan steeled for sharp price rises as state cuts fuel and electricity subsidies," *The Guardian*, November 10, 2016, <http://bit.ly/2fAbKXt>; "#ReturnSubsidiesForMedicines trends as the Sudanese struggle to afford basic drugs," *Albawaba*, November 21, 2016, <http://bit.ly/2fjbfm9>

35 "Sudan's drug crisis goes viral on Twitter," [in Arabic] *Alarab*, November 25, 2016, <http://bit.ly/2ocF6zk>

36 [Sky News Arabia]. (2016, November 23, 2016). *Results of #ReturnSubsidiesForMedicines in Sudan*. [Video File]. Retrieved from <http://bit.ly/2jRMHDW>; "How did the high prices of medicine affect lives of Sudanese?," [in Arabic] BBC Arabic, November 22, 2016, <http://bbc.in/2nQ3pBs>; "Will civil disobedience work in Sudan?," *Aljazeera English*, November 30, 2016, <http://bit.ly/2olAljB>

37 "Students' demonstrations in northern of Khartoum expressing ovation of #ReturnSubsidiesForMedicines," [in Arabic] *Sudan Tribune*, November 24, 2016, <http://bit.ly/2nQ6Qbb>

38 "Arrests at more price hike protests in Sudan," *Radio Dabanga*, November 24, 2016, <http://bit.ly/2ftiLYc>

39 "Civil Disobedience Spreads Across Sudan," *Voice of America*, November 29, 2016, <http://bit.ly/2oUWEQL>

40 "Ghandour: We did not received any comments from outside parties regarding the civil disobedience," [In Arabic] *Al Ray Alaam*, November 30, 2016, <http://bit.ly/2nQ5cGF>

41 "Sudan's civil disobedience begins amid varying popular response," *Sudan Tribune*, November 28, 2016, <http://bit.ly/2fDbiWQ>; "Khartoum: empty streets in the first days of 'civil disobedience,'" [in Arabic] *Sky News Arabia*, November 27, 2016, <http://bit.ly/2oRUytK>

42 "Sudanese President: Civil disobedience is a failure of one million percent," [in Arabic] *Alarabiya*, November 29, 2016, <http://bit.ly/2nX0xnn>

43 "Sudan announces reduction of medicine prices," *Radio Dabanga*, November 27, 2016, <http://bit.ly/2giZKJP>

The relative success of the November civil disobedience campaign encouraged a group of online activists to call for an open-ended campaign on December 19,⁴⁴ which Cyber Jihadists attempted to thwart through the spread of propaganda and misinformation online (see Media, Diversity, and Content Manipulation). While the December 19 campaign was less successful than the November protests, the combined effort helped restore trust in collective action and the power of organization, particularly against a government known for taking violent action against critics and protestors. The civil disobedience campaigns enabled citizens to powerfully protest without taking to the streets and risking arrest or beatings.⁴⁵

Violations of User Rights

The highly restrictive Press and Printed Press Materials Law of 2004 was updated in November 2016 to include specific clauses pertaining to online journalism, extending onerous limitations long placed on the traditional press to the online sphere. Draft amendments to the IT Crime Act were introduced in June 2016 to further regulate online speech. Arrests and interrogations for online activities continued in the past year, particularly as heavy-handed censorship on the print and broadcast sectors led journalists to migrate online to disseminate news. Harassment and technical attacks remained high.

Legal Environment

Sudan has restrictive laws that limit press and internet freedom. Most notably, the Informatic Offence (Combating) Act 2007 (known as the IT Crime Act, or electronic crimes law)⁴⁶ criminalizes the establishment of websites that criticize the government or publish defamatory material and content that disturbs public morality or public order.⁴⁷ Violations involve fine and prison sentences between two to five years.

In June 2016, the Minister of Communications and Information Technology announced draft amendments to the electronic crimes law, which are expected to include defamation on social media platforms and communications apps,⁴⁸ and increase penalties to up to 10 years in prison.⁴⁹ In early 2017, the First Deputy Prosecutor of the Cyber Crime Unit, Abdel Moneim Abdel Hafez, also stated that the government was seeking to implement programs that control the spread of information

44 "Sudanese activists call for open-ended general strike in December," *Afro Insider!*, November 29, 2016, <http://bit.ly/2oloXtA>

45 "Sudan's social media campaign of civil dissent boosts hopes of change," *The Guardian*, January 11, 2017, <http://bit.ly/2ji4yRd>

46 The Informatic Offence (Combating) Act, 2007, <http://bit.ly/1NkNx1R>.

47 Abdelgadir Mohammed Abdelgadir, *Fences of Silence: Systematic Repression of Freedom of the Press, Opinion and Expression in Sudan*, (International Press Institute, 2012) <http://bit.ly/1Pv7nee>. According to Section 4, crimes against public order and morality Sudan cyber law, of Sudan's Cybercrime Law (2007), intentional or unintentional producing, preparing, sending, storing, or promoting any content that violates public order or morality, makes the offender liable to imprisonment of 4 to 5 years or a fine or both. The maximum penalty for committing both crimes is 7 years or fine or both. Also, under the same section, creating, promoting, using, website that calls for, or promote, ideas against public law or morality is punished by 3 years in prison or fine or both. Cyber defamation crimes necessitate 2 years in prison or fine or both. Public order is not defined clearly in the law. Subsequently, most of the opposition content online falls under this section making online activists liable under this law.

48 "Al-Bashir is wages war against Internet activists with the draft law against cybercrime," [in Arabic] *Al-Youm Al-Sabi*, June 12, 2016, <http://bit.ly/2oWlaQa>

49 "Minister of Communications: informatics crimes punishable upto 10 years," [in Arabic] *Al-Youm Al-Tali*, October 4, 2017, retrieved from <http://bit.ly/2nYMJZr>

on social media.⁵⁰ The Minister of Justice also approved establishing a new cybercrimes prosecution unit in August 2016.⁵¹

In November 2016, the highly restrictive Press and Printed Press Materials Law of 2004 was updated to include specific clauses pertaining to online journalism, extending onerous limitations long placed on the traditional press to the online sphere,⁵² such as provisions that hold editors-in-chief liable for all content published by their press outlets.⁵³ National security imperatives also restrict journalism, particularly under the 2010 National Security Act, which gives the National Intelligence and Security Service (NISS) immunity from prosecution and the permission to arrest, detain, and censor journalists under the pretext of national security.⁵⁴

In December 2016, the vice president of the ruling National Congress Party (NCP) announced that online activists would not be allowed to enter Sudan and that they would be detained upon arrival.⁵⁵

In October 2017, the ministry of information and broadcasting proposed new amendments to the Press and Publications Act that will reportedly require digital newspapers to register with the Journalism Council and subject social media to other government controls.⁵⁶

Prosecutions and Detentions for Online Activities

Arrests and interrogations for online activities continued in the past year, particularly as heavy-handed censorship on the print and broadcast sectors led journalists to migrate online to disseminate news. The arrests reflect an ongoing tactic to limit internet freedom by silencing critical voices and encouraging self-censorship.

In November 2016, Ameen Sendada, a journalist for *Port Sudan*, published news about a cholera outbreak in his city and the government's negligent response on his Facebook page. Government officials had denied the spread of cholera across several states and claimed that the cases were watery diarrhea.⁵⁷ NISS agents called Sendada for questioning about his Facebook post, releasing him after four hours of interrogation. He was forced to sign a pledge to report to the security office at 10am on the following Monday.⁵⁸ Shortly after, he was reportedly banned from practicing journalism.⁵⁹

50 "Computer Crime Expert Abdel Moneim Abdel Hafez speaks to," [in Arabic] *Al-Intibaha*, January 16, 2017, <http://bit.ly/2ofVdwk>

51 "Establishment of a new cyber crimes prosecution unit," [in Arabic] *Al-Jarida*, August 9, 2016, retrieved from <http://bit.ly/2oQbUkR>

52 "Ministry of Justice receives amendments to the Sudanese Press Law of 2016," [in Arabic] *Altareeq*, November 8, 2016, <http://bit.ly/2nvP1Tr>; "The Sudanese Press Freedom Forum: online journalism to be included in the Press Law," [in Arabic] *Alshafa*, August 30, 2016, <http://bit.ly/2nSjYwB>

53 Committee to Protect Journalists, "Repressive press law passed in Sudan," June 11, 2009, <https://cpj.org/x/2c67>.

54 Amnesty International, "Sudanese security service carries out brutal campaign against opponents," July 19, 2010, <http://bit.ly/1OP3OOi>.

55 "The National Congress Party threatens to prevent online activists from entering Sudan," [in Arabic] *Alsayha*, December 30, 2016, <http://bit.ly/2oWkvzh>; "Ibrahim Mahmoud threatens to prevent online opponents from entering Sudan," [in Arabic] *Alhowsh*, December 30, 2016, <http://bit.ly/2oPQhRP>

56 Sudanese Cabinet Press Release, October 26, 2017. <https://goo.gl/anHZQX>; "Amendments to the Press Law to restrict social media and increase newspapers' suspension days," *Altaghyeer*, (Arabic), November 11, 2017. <https://goo.gl/ZUmTw1>; "Sudan: A new law includes digital press to the Press Council's jurisdiction," *Altareeq* (Arabic), Nov 6, 2017. <https://goo.gl/NnCxgZ>

57 "The Sudanese government denies the spread of a cholera epidemic in the country," *Al-Araby Al-Jadeed*, September 15, 2016, <http://bit.ly/2oRm5p8>

58 "Port Sudan' Maritime Ports students block the national road and the security service is investigating a journalist," *Radio Dabanga*, November 21, 2016, <http://bit.ly/2nt4QdQ>

59 "Journalists complain of harassment in Sudan's Red Sea state," *Radio Dabanga*, April 6, 2017, <http://bit.ly/2okKOBw>

Political activists faced legal charges under the IT Crimes Act, 2007 during the coverage period. In March 2017, three civil society activists working with the Centre for Training and Human Development (TRACKS) were found guilty under article 14 of the IT Crimes Act for alleged pornography found on their computers, which observers believe was planted to discredit them in the eyes of the court. The three defendants were subsequently released on time served and each fine 50,000 SDG (approximately US\$7,463) after being detained for 10 months.⁶⁰

In April 2017, a journalist was arrested under the article 15 of the Cybercrime Act for posting on social media. The plaintiff in the case is the Minister of Health of the Al Qadarif state.⁶¹

The civil disobedience campaigns organized on social media in late 2016 also led to several arrests.⁶² Additionally, at least three members of a female-only Facebook group who organized other protests in Khartoum and other cities around the country were arrested in November 2016.⁶³

In a new development, the authorities increasingly pursued online activists based outside Sudan, particularly those who live in Saudi Arabia, in addition to banning such activists from entering the country (see Legal Environment). In December 2016, Saudi authorities, detained two Sudanese online activists based in Saudi Arabia, Elgasim Seed Ahmed and Elwaleed Imam, at the behest of the Sudanese authorities, for supporting the civil disobedience campaigns on social media.⁶⁴ Ahmed is the founder of a public Facebook group called, "The tragedy of the military and Keizan governance in Sudan,"⁶⁵ which is critical of the Sudanese government and has over 173,400 members. The page was also later hacked after the arrests (see Technical Attacks). Along with Imam, Ahmed was also a founding member of a Facebook page called, "Abna' Al-Sahafa" ("Citizen of Al-Sahafa" in Arabic), which facilitated humanitarian assistance and basic services to Sudanese people in need.⁶⁶ NISS official reportedly traveled to Saudi Arabia to interrogate the detainees who were held incommunicado before they were extradited to Sudan in July.⁶⁷ Other online activists were reportedly arrested along with Ahmed and Imam, including Alaa Eldin Dafa Alla Alamin (Ad Divina), who was also active in the online civil disobedience campaign.⁶⁸

Surveillance, Privacy, and Anonymity

Unchecked surveillance of ICTs is a grave concern among citizens in Sudan, where the government is known to actively monitor internet communications on social media platforms and target online

60 International Federation for Human Rights. "SUDAN: TRACKS-affiliated rights defenders sentenced, fine and finally released after ten months of arbitrary detention," March 8, 2017 <http://bit.ly/2oQdoeV>

61 "Assayha's correspondent deported to Khartoum in light of a complaint filed by Al Qadarif state's Minister of Health," [in Arabic] Assayha, April 4, 2017, <http://bit.ly/2pj9Az8>

62 Author interview January 2017.

63 "Social media, women 'play prominent role' in Sudan protest actions, *Radio Dabanga*, December 12, 2016, <http://bit.ly/2hldWFH>

64 Amnesty International, "Two Sudanese Dissidents Interrogated For Activism," Urgent Action Update, March 20, 2017, <http://bit.ly/2nWYv6v>

65 The tragedy of the military and Kiezan governance in Sudan [in Arabic]. (n.d.). In *Facebook* [Group page]. Retrieved April 2016 from <http://bit.ly/2okKwua>

66 The Observatory for the Protection of Human Rights Defenders, "Saudi Arabia/Sudan: Secret detention of Messrs. Waleed Imam and Algasim Mohamed Sidahmed," January 17, 2017, <http://bit.ly/2nX1CLM>

67 Front Line Defenders, "AL-QASEM MOHAMMAD SAYYED AHMAD DETAINED IN UNKNOWN LOCATION BY SAUDI AUTHORITIES AND AT RISK OF DEPORTATION TO SUDAN," Action, 7 April 2017, <http://bit.ly/2ocCmCi>

68 Sudan Human Rights Network, "Urgent Action; fear of deportation and other ill-treatment: Alaa Eldin Dafa Alla Alamin (Ad' Difina), Urgent Action, 22 January 2017, <http://bit.ly/2oQuWlv>

activists and journalists during politically sensitive periods. The NISS regularly intercepts private email messages, enabled by sophisticated surveillance technologies.⁶⁹

Internal emails leaked by hackers in July 2015 confirmed that the NISS had purchased Hacking Team's Remote Control System (RCS) spyware in 2012,⁷⁰ which has the ability to steal files and passwords, and to intercept Skype calls and chats.⁷¹ While other leaked emails revealed that the company had discontinued business with Sudan in November 2014,⁷² Citizen Lab research found that Sudan also possesses high-tech surveillance equipment from the U.S.-based Blue Coat Systems, a technology company that manufactures monitoring and filtering devices. The surveillance system was initially traced to three networks inside Sudan, including on the networks of the private telecom provider Canar.⁷³

Sudanese authorities increasingly requested user information from social media platforms. In its global government transparency report covering January to December 2016, Facebook disclosed that it had received a total of five Requests for User Data, which Facebook did not provide.⁷⁴ Sudanese authorities had requested information for a total of 18 accounts since 2013.⁷⁵

Article 9 of the NTC's General Regulations 2012, based on the 2001 Communications Act, obligates mobile companies to keep a complete record of their customers' data, thus requiring SIM card registration, which was enacted in 2008.⁷⁶ The government reportedly plans to link SIM cards to users' national identification numbers in the future,⁷⁷ while the Ministry of Information stated in March 2016 that it is considering new requirements to register all mobile devices with real names.⁷⁸

Cybercafés lack privacy and are also subject to intrusive government surveillance. In September 2016, NISS agents raided internet cafes in Khartoum in search of content threatening "public morals."⁷⁹ They had previously raided internet cafes in February 2016.⁸⁰

Intimidation and Violence

Online journalists and activists often face extralegal intimidation, harassment, and violence for their online activities. Female activists in particular were subject to multilayered attacks on social media.

Online activists supporting the civil disobedience campaigns in November and December 2016 were subject to threats and intimidation by government supporters and Cyber Jihadists.⁸¹ In one example,

69 See, "Sudan," Freedom on the Net 2015, Freedom House.

70 PDF of a receipt that shows the National Intelligence and Security Services of Sudan purchased Hacking Team's services: <http://bit.ly/1Pv9A9p>.

71 Hacking Team, "Customer Policy," accessed February 13, 2014, <http://bit.ly/1GnkbjG>.

72 Cora Currier and Morgan Marquis-Boire, "A Detailed look At Hacking Team's Emails About Its Repressive Clients," *The Intercept*, July 7, 2015, <http://bit.ly/1jxGv0h>.

73 Ellen Nakashima, "Report: Web monitoring devices made by US firm Blue Coat detected in Iran, Sudan," *Washington Post*, July 8, 2013, <http://wapo.st/1Pv95fA>.

74 Facebook Government Requests Report, Sudan January 2016 - June 2016, <http://bit.ly/2oPS750>.

75 "Sudan seeks to disclose 18 accounts from the Facebook," *Alahdath News*, December 22, 2016, <http://bit.ly/2nvsNRC>; "Sudan requests information on 4 Facebook users: report," *Sudan Tribune*, April 14, 2014, <http://bit.ly/2oTjIXL>.

76 SIM card registration compromises mobile phone users' privacy and anonymity, as it requires an official identification card and home address information. "NTC announces the end of grace period to register sim cards," [in Arabic] *Sudani Net*, June 1, 2014, <http://bit.ly/1W2A0n3>.

77 "Sudan: Telecoms companies block non-registered SIM cards," *African Manager*, June 1, 2014, <http://bit.ly/1NRIJ8x>.

78 "A proposal for a new cybercrime law that stipulates prison sentences unto to 3 years," *AlUaridah*, March 20, 2016.

79 "Ethical violations inside Internet cafes in Khartoum," [in Arabic] *Arabs Today*, September 24, 2016, <http://bit.ly/2ol1gSk>.

80 "Sudanese intelligence prosecutes Internet content that 'threatens the morals of the nation,'" *Alhayat*, February 29, 2016, <http://bit.ly/21ftrT>.

81 Author's interviews December 2016 - January 2017.

a video circulating on Facebook showed an official lifting weights while threatening those who support the disobedience in November.⁸²

In the wake of the disobedience campaign in December 2016, Shamael Al-Noor, a journalist working with *Al-Tayyarr* newspaper in Sudan who writes about corruption and Islamist extremism, faced intense online harassment and bullying after she posted on Facebook about crackdowns on the press during the campaign and how the public was seeking uncensored information from social media.⁸³ Trolls (who were likely Cyber Jihadists) targeted online activists who expressed support for Al-Noor with threats of legal consequences.⁸⁴ Despite the harassment, Al-Noor continued to support the disobedience campaigns, along with 500 other reporters and writers.⁸⁵ She came under attack again in February 2017 for a column criticizing the government's public health policies and obsession with women's piety in public, resulting in radicalized voices waging a personal vendetta against her.⁸⁶ Al-Noor filed a complaint to the police and to Cyber Crime Unit.⁸⁷

Technical Attacks

Independent news sites are frequently subject to technical attacks, which many believe are perpetrated by the government's Cyber Jihadist Unit. Attacks usually intensify during political events and unrest, while some prominent news sites ward off daily DDoS attempts.⁸⁸ Several online outlets reported technical attacks against their websites in the past year, but they were able to respond by increasing their cyber security capabilities.⁸⁹

Online activists reported an increase in technical attacks against their social media and email accounts during the civil disobedience campaigns in November and December 2016.⁹⁰ A few WhatsApp groups organizing the civil disobedience campaigns were reportedly hacked by Cyber Jihadists, via malware sent to one of the group members, which exposed information about the group organizers.

Throughout 2017, a Facebook page created by Sudanese women to post screenshots of sexual harassment incidents faced several hacking attempts following strong condemnation from numerous male users.⁹¹ The women also have a private group with over 7,300 members on social media called Inboxat [Arabic for "Inbox messages"] where they share sexual harassment messages they receive on social media with one another.⁹²

82 Facebook video <http://bit.ly/2oWh1wH>

83 Shamael ENoor [December 14, 2016]. In Facebook [Personal Account]. <http://bit.ly/2ofln2p>; Dr. Mohi El Din Titaw [December 15, 2016]. In Facebook [Personal Account]. <http://bit.ly/2ofmvmv>

84 Screenshot of the threat <http://bit.ly/2nRJB0G>

85 "More than 500 Sudanese journalists and writers support civil disobedience," [in Arabic] *Aljamaheer*, December 18, 2016, <http://bit.ly/2nRlo9m>

86 Frontline Defenders, "JOURNALIST SHAMAEL AL-NOOR THREATENED," February 22, 2017 <http://bit.ly/2oW40Dd>

87 Journalists for Human Rights (JHR). (2017). Status of Sudanese women journalists from 8 March 2016 to 8 March 2017. [Press release].

88 Author's interview with internal sources who requested to stay anonymous with this info to avoid making their vulnerabilities known.

89 Author interview February 2017.

90 Author interview February 2017.

91 "After (30) thousand girls pledged to publish their own messages .. a war of (inboxat) .. prestigious personalities at risk," [in Arabic] *Al-Sudani*, March 2, 2017, retrieved from <http://bit.ly/2ogdfzW>

92 Inboxat [in Arabic]. (n.d.). In Facebook [Group page]; "Sudanese women confront harassment with 'Inboxat'," [in Arabic] *Sarmad*, March 28, 2017, <http://bit.ly/2oU6t48>; "Inboxat: The nightmare of the harassers," [in Arabic] *Al Sudan Alyoum*, March 30, 2017, <http://bit.ly/2ofXgjl>