

# Sudan

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

## Overview:

A long-simmering conflict in Sudan's western Darfur region exploded into widespread acts of ethnic cleansing, massacre, rape, and forced displacement in 2004. The United States classified the situation as genocide. Sudanese government forces and state-backed Arab militias killed at least 70,000 black Africans and created a massive refugee crisis affecting at least 1.5 million people. Despite a ceasefire between rebel groups and the government, and the passage of UN Security Council resolutions against Khartoum, attacks against civilians continued throughout the year. The conflict in Darfur threatened to jeopardize progress toward a final resolution of the 22-year-long war in the country's South. The government carried out a broad security clampdown in response to an alleged coup attempt, re-arresting Hassan al-Turabi, a leading Sudanese Muslim cleric and former leader of the ruling political party.

Africa's largest country, which achieved independence in 1956 after nearly 80 years of British rule, has been embroiled in civil wars for 38 of its 48 years as an independent state. The Anyanya movement, representing mainly Christian and animist black Africans in southern Sudan, battled Arab Muslim government forces from 1956 to 1972. In 1969, General Jafar Numeiri toppled an elected government and ushered in a military dictatorship. The South gained extensive autonomy under a 1972 accord, and for the next decade, an uneasy peace prevailed. Then, in 1983, Numeiri restricted southern autonomy and imposed Sharia (Islamic law). Civil war resumed, and Numeiri was overthrown in 1985. Civilian rule was restored in 1986 with the election of a government led by Sadiq al-Mahdi of the moderate Islamic Ummah Party. War, however, continued. Lieutenant General Omar al-Bashir ousted al-Mahdi in a 1989 coup, and al-Mahdi 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 (NC) party leader and speaker of the 360-member 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 NC head, replaced the cabinet with his own supporters, and held deeply flawed presidential and parliamentary elections in December 2000, which the NC 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 southern-based, rebel Sudanese People's Liberation Army (SPLA). In May 2001, al-Turabi and four aides were charged with conspiracy to overthrow the government and al-Turabi was placed under house arrest. In September 2002, he was moved to a high-security prison and subsequently 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—remains firmly committed to Sudan's status as an Islamic state and to the government's self-proclaimed jihad against non-Muslims, al-Bashir has managed in recent years to repair relations with several countries, including the United States. After the September 11 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 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 Darfur; Al-Turabi had been outspokenly critical of the government's tactics in the region. In September, al-Turabi was jailed amidst a broad security crackdown after the government said it foiled a coup attempt by his supporters. Thirty members of al-Turabi's PNC were detained, and authorities said they uncovered weapons caches in several locations around Khartoum.

Sudan's international image was substantially tarnished in 2004 as events in Darfur reached horrific proportions. The conflict began in earnest in February 2003 when the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM), representing black farmers and villagers in Darfur, attacked Sudanese military garrisons in the region. Darfur residents had long complained of official discrimination, a lack of economic and land rights, and occasional pogrom-style attacks by state-backed Arab militias, known as "Janjaweed." By early 2004, government and Janjaweed attacks against villages in Darfur were well underway, creating mass casualties and an enormous refugee crisis. Sudanese jet fighters and helicopter gunships routinely bombed and strafed villages. Horse- and camel-mounted Janjaweed militiamen, in seeming coordination with airborne government forces, would often follow air strikes, massacring survivors, especially men and boys. Hundreds of thousands of people, their villages torched, were forcibly displaced, relegated to makeshift, government-run refugee camps. Tens of thousands escaped westward to neighboring Chad. Attacks seemed to focus on three black tribal groups—the Fur, Massalit, and Zhagawa—which led to charges of racial discrimination, ethnic cleansing, and genocide by international human rights organizations. Many independent refugee accounts described a systematic campaign of rape of women by Janjaweed and government soldiers. By November 2004, approximately 70,000 people were dead and 1.5 million displaced.

Government-run camps for internally displaced people (IDPs) set up throughout Darfur lacked adequate sanitation facilities, water, or feeding centers. The government also routinely blocked humanitarian workers from accessing the camps. To discourage villagers from returning home, Janjaweed militiamen dumped the corpses of executed civilians into village wells to poison the water. Male refugees generally avoided venturing outside refugee camps for fear of being murdered; women generally went out in search of firewood and water, often exposing themselves to rape. By the fall of 2004, the World Health Organization announced that at least 10,000 people were dying monthly in the substandard and fetid camps. The UN World Food Program announced that nearly 22 percent of children under age five in Darfur were malnourished.

An April 2004 ceasefire between Darfur's rebel groups and government and Janjaweed forces broke down amidst renewed Janjaweed attacks and failure by the government to disarm the militias. In July, the United States declared that the situation in Darfur amounted to genocide and the African Union dispatched 300 monitors to the region. The UN Security Council adopted

a resolution imposing a 30-day deadline on Khartoum to restore stability by disarming the Janjaweed and allowing the safe return of refugees. The resolution did not outline penalties for failure to adhere to its terms, and the deadline passed without Sudanese government compliance. In August, the government and rebel groups began what would become on-and-off peace talks in Nigeria. Meanwhile, the United Nations reported that traumatized refugees were being forcibly returned to unsafe villages vulnerable to attack by the Janjaweed, in violation of the government's prior agreement with the UN. In September, reports of continued fighting and renewed refugee movements emerged. The UN Security Council authorized another resolution, but again declined to threaten specified sanctions.

In late October, in the face of mounting international pressure, the Sudanese government approved the dispatch of 3,500 additional African Union troops. Their mobilization was delayed, however, because of lack of funds; the United States provided air transport for some. Khartoum approved the dispatch of the additional troops on condition that they not assume a civilian protection role. Rebel groups reported fresh government air attacks after Khartoum signed a peace pact in November and agreed to ban military flights over Darfur.

The Darfur crisis threatened to derail progress made in finally resolving the 22-year-long civil war in the country's South. While hostilities in the South declined markedly in 2004, a final settlement to the conflict was not achieved by the end of the year. The war pitted government forces and government-backed, northern Arab Muslims against African animists and Christians in the country's oil-rich South. A convoluted mix of historical, religious, ethnic, and cultural tensions has made peace elusive, while competition for economic resources—most notably, oil—has fueled the conflict. Past ceasefire attempts have failed, with Khartoum insisting on an unconditional ceasefire and the SPLA demanding the establishment of a secular constitution first.

Throughout the war, the government regularly bombed civilian targets, including villages, churches, and humanitarian relief facilities. The government also denied humanitarian relief workers access to rebel-held areas or areas containing large concentrations of internal refugees. The SPLA also engaged in attacks on civilians and child soldier recruitment. Human Rights Watch has documented how the Sudanese government used roads, bridges, and airfields built by international oil companies to wage war in the South, especially in the oil rich Western Upper Nile region. Some of the companies were criticized for ignoring government attacks against civilian targets.

A peace plan proposed in December 2001 by former U.S. senator John Danforth called for "one country, two systems" in Sudan, with an Islamic government in the North and a secular system in the South. The international community stepped up its mediation efforts in the civil war in 2002, in part to prevent Sudan from becoming a breeding ground for terror, as Afghanistan had prior to September 11, 2001. In 2003, substantive peace talks under the auspices of the Intergovernmental Authority on Development (IGAD) finally resulted in a relaxation of hostilities and a high degree of optimism that a final resolution of the conflict was within reach. In December 2003, an agreement was reached on the sharing of oil wealth.

Talks continued in 2004, culminating in the June signing of the Nairobi Declaration. The agreement paved the way toward a comprehensive ceasefire and a six-year transition period leading to a referendum on southern secession, during which time the government would withdraw 80 percent of its troops from the South. However, continued negotiations in the summer broke down amidst the worsening crisis in Darfur, effectively stalling the IGAD

process. Several international nongovernmental organizations (NGOs) expressed concern that the West was neglecting the IGAD process while focusing almost exclusively on Darfur.

By October, the protocols signed in 2003 were still not in place. However, optimism was high that a peace accord would be signed early in the New Year.

While the United Nations has lifted sanctions against Sudan, the United States still maintains its own based on the country's human rights abuses and its alleged continuing support for terrorism.

### **Political Rights and Civil Liberties:**

Sudanese citizens cannot change their government democratically. December 2000 presidential and parliamentary elections cannot credibly be said to have reflected the will of the people. The major opposition parties, which are believed to have the support of most Sudanese, boycotted in protest of what they said were attempts by a totalitarian regime to impart the appearance of fairness. The European Union declined an invitation to monitor the polls to avoid bestowing legitimacy on the outcome. Omar al-Bashir, running against former president Jafar Numeiri and three relative unknowns, won 86 percent of the vote. NC candidates stood uncontested for nearly two-thirds of parliamentary seats. Voting did not take place in some 17 rebel-held constituencies, and government claims of 66 percent voter turnout in some states were denounced as fictitious. The president can appoint and dismiss state governors at his discretion.

Sudan was ranked 122 out of 146 countries surveyed in the 2004 Transparency International Corruption Perceptions Index.

There is little press freedom in Sudan. Journalists practice self-censorship to avoid harassment, arrest, and closure of their publications. However, there are several daily newspapers and a wide variety of Arabic- and English-language publications, and while all of these are subject to censorship, some do criticize the government. Radio and television stations are owned by the government and are required to reflect government policy in broadcasts. Penalties apply to journalists who allegedly harm the nation or economy or violate national security. A 1999 law imposes penalties for "professional errors." In recent years, several journalists have been detained without explanation and newspapers have been arbitrarily shut down by the authorities. There were reports throughout the year that the government was preventing journalists from traveling to Darfur in order to cover the conflict there.

Islam is the state religion, and the constitution claims Sharia (Islamic law) as the source of its legislation. At least 75 percent of Sudanese are Muslim, though most southern Sudanese adhere to traditional indigenous beliefs or Christianity. The overwhelming majority of those displaced or killed by war and famine in Sudan have been non-Muslims, and many have starved under a policy of withholding food pending conversion to Islam. Officials have described their campaign against non-Muslims as a holy war. Under the 1994 Societies Registration Act, religious groups must register in order to legally gather. Registration is reportedly difficult to obtain. The government denies permission to build churches and sometimes destroys Christian schools, centers, and churches. Roman Catholic priests face random detention and interrogation by police.

Emergency law severely restricts freedom of assembly and association. Students are forbidden to participate in political activities, according to the Acts of Student Codes, introduced in 2002 after several university students in Khartoum were suspended for engaging in human rights activities, including organizing symposiums on women's rights and attending a conference

on democracy. Other students have been expelled for organizing political activities, and security forces have forcefully broken up demonstrations and periodically closed the University of Khartoum.

According to the *Los Angeles Times*, in April Janjaweed gunmen attacked a school in the Darfur town of Kailek, killing six teachers and 36 children. Many other villages reported similar attacks on schools, stemming from what was claimed to be a government policy of anti-black discrimination.

While many international NGOs operate in Sudan, the government at times restricts their movement and ability to carry out their work, which often includes providing essential humanitarian assistance. In early November, the UN World Food Program reported that Sudanese army and police had surrounded IDP camps in Darfur and were barring outside access to the camps' inhabitants. Humanitarian workers have also been targeted, and in some cases kidnapped and killed, by rebel groups.

There are no independent trade unions. The Sudan Workers Trade Unions Federation is the main labor organization, with about 800,000 members. Local union elections are rigged to ensure the election of government-approved candidates. A lack of labor legislation limits the freedom of workers to organize or bargain collectively.

The judiciary is not independent. The chief justice of the Supreme Court, who presides over the entire judiciary, is government-appointed. Regular courts provide some due process safeguards, but special security and military courts, which are used to punish political opponents of the government, provide none. "Special Courts" often deal with criminal matters, despite their use of military judges. Criminal law is based on Sharia and provides for flogging, amputation, crucifixion, and execution. Ten southern, predominantly non-Muslim states are officially exempted from Sharia, although criminal law allows for its application in the future if the state assemblies choose to implement it. Arbitrary arrest, detention, and torture are widespread, and security forces act with impunity. Prison conditions do not meet international standards.

Serious human rights abuses by nearly every faction involved in the country's longstanding civil war and in the Darfur conflict have been reported. Secret police reportedly have operated "ghost houses"—detention and torture centers—in several cities. Government forces are said to have routinely raided villages, burning homes, killing residents, and abducting women and children to be used as slaves in the North. Relief agencies have discovered thousands of people held captive in the North and have purchased their freedom so they could return to the South. In 2002, the International Eminent Persons Group—a fact-finding mission composed of humanitarian relief workers, human rights lawyers, academics, and former European and American diplomats—confirmed the existence of slavery in Sudan. The group also reported on abductions and forced servitude under the SPLA's authority. Although there has been no organized effort to compile casualty statistics in southern Sudan since 1994, the total number of people killed by war, famine, and disease is believed to exceed two million, with millions more displaced as refugees.

In February, national security agency officials arrested Salih Mahmoud Osman, a lawyer and member of the Sudanese Organization Against Torture (SOAT), after he advocated publicly on behalf of civilians in Darfur. He reportedly began a hunger strike at the end of June while being held incommunicado and without having been formally charged. According to Amnesty International, in August several civilians in Darfur reported being imprisoned for speaking with foreign journalists and visiting dignitaries, including U.S. secretary of state Colin Powell and UN secretary general Kofi Annan. SOAT has reported on the arbitrary arrest and torture of several

people, including students suspected of engaging in political activities or harboring SPLA sympathies.

An anonymously written book about ingrained discrimination in Sudan circulated widely during the year. Called the "Black Book," it laid out in succinct detail a broad system of favoritism of northern Arabs over other peoples in Sudan. The book states that Sudan's northern region, constituting roughly 5 percent of the country's population, is overly represented in government. Most of the national budget is devoted to northern development, with other, non-Arab regions notably neglected by Khartoum, the book says. Equality of opportunity and business and property rights are generally restricted to Sudan's Arab Muslim community.

Women face discrimination in family matters such as marriage, divorce, and inheritance, which are governed by Sharia. Women are represented in parliament and hold 35 of the assembly's 360 seats. Public order police frequently harass women and monitor their dress for adherence to government standards of modesty. Female genital mutilation occurs despite legal prohibition, and rape is reportedly widespread in war zones. In March, the BBC reported the mass rape of at least 100 women by militiamen in Darfur. UN High Commissioner for Human Rights Louise Arbour speculated during the year that the systematic raping of women in Darfur would constitute crimes against humanity. There was also evidence of official attempts to cover up the problem: police arrested a Darfur man filing a complaint with the African Union ceasefire commission about attacks against women at a camp in El Fasher. He was released only after UN intervention. According to Amnesty International, women have less access to legal representation than men. President al-Bashir announced in January 2001 that Sudan would not ratify the international Convention on Eradication of All Forms of Discrimination against Women because it "contradicted Sudanese values and traditions." Children are used as soldiers by government and opposition forces in the Darfur conflict, just as they were used in the civil war in the South.