

SUDAN 2019 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Sudan began the year as a republic with power concentrated in the hands of authoritarian President Omar Hassan al-Bashir and the National Congress Party (NCP). The NCP, which ruled for three decades with nearly absolute political authority, remained in power until early April. Protests that began in mid-December 2018 over economic concerns continued during the first few months of the year, growing in size and transforming into demands for regime change under the slogan Freedom, Peace, Justice. On February 22, President Bashir declared a state of emergency, which the National Assembly endorsed on March 11, for a period of six months. The Bashir regime then issued a series of decrees prohibiting the holding of public gatherings, processions, strikes, and similar activities without permission of the competent authority and gave security forces sweeping powers of arrest, search, and restriction of movement. Emergency courts were established to try arrested protesters. Nonetheless, the protests continued, and on April 6, following the largest demonstration to date, a “sit-in” was established in front of the headquarters of the armed forces.

On April 11, Omar al-Bashir was removed from his position as the president. A self-appointed Transitional Military Council (TMC) took over, with Lieutenant General Ahmed Awad Ibn Auf as de facto head of state. The TMC announced the suspension of the country’s constitution, dissolved the cabinet, the national legislature, state governments, and legislative councils and announced a three-month state of emergency, to be followed by a two-year transition period. Ibn Auf, however, was unacceptable to the Sudanese people and, in less than 24 hours, he was replaced by General Abdel al-Fatah Burhan. The Forces for Freedom and Change (FFC), a coalition of opposition parties, and the TMC began negotiations to form a transitional government while the sit-in continued. On June 3, security forces violently dispersed the protesters at the sit-in site, killing and injuring hundreds. After a few tense days, however, the two sides returned to the negotiations.

On July 5, the TMC and FFC verbally agreed to form a civilian-led transitional government (CLTG), and on August 17, signed a political agreement and a constitutional declaration formally establishing a new government. The CLTG is composed of a Sovereign Council, a Council of Ministers headed by the prime minister, and a Legislative Council. The 11-person Sovereign Council is composed of six civilians and five military officers. On August 20, Dr. Abdalla

Hamdok was sworn in as prime minister, thus dissolving the TMC. On September 5, Prime Minister Hamdok announced 18 of the 20 members of his cabinet. As of year's end, the Legislative Council had not been formed. Under the constitutional declaration, general elections are to be held in 2022. The country last held national elections (presidential and National Assembly) in 2015.

Under the Bashir regime, responsibility for internal security resided with the Ministry of Interior, which oversaw the police agencies: the Ministry of Defense; and the National Intelligence and Security Services (NISS). Ministry of Interior police agencies include the security police, Special Forces police, traffic police, and the combat-trained Central Reserve police. There was a police presence throughout the country. Under the CLTG, this structure changed. NISS was renamed the General Intelligence Service (GIS), and its mandate was narrowed to protecting national security, limiting its duties to gathering and analyzing information and submitting information and analysis to concerned authorities, whose functions and duties are prescribed by law. (For the purposes of this report, "NISS" will be used to refer to the intelligence service under the Bashir regime and "GIS" will be used to refer to the intelligence service under the CLTG.) The Ministry of Defense oversees all elements of the Sudanese Armed Forces (SAF), including the Rapid Support Forces, Border Guards, and Defense and Military Intelligence (DMI) units.

Bashir regime authorities at times did not maintain effective control over the security forces. While some problems persisted, control of security forces greatly improved under the CLTG.

The Bashir government repeatedly extended its 2016 unilateral cessation of hostilities (COH) agreement in Blue Nile and South Kordofan states (the "Two Areas") and ended offensive military action in Darfur. Clashes between the Sudan Liberation Army/Abdul Wahid (SLA/AW) and government forces resumed in 2018, and there were credible reports that villages in Darfur's Jebel Marra mountain range were targeted for attack during these clashes, resulting in thousands of newly displaced civilians. Nevertheless, the COH did allow for periods of increased stability and an overall improvement in the human rights situation in Darfur and the Two Areas. As part of its UN Security Council-mandated reconfigurations, the African Union/United Nations Hybrid Mission in Darfur (UNAMID) monitored the humanitarian and security situation in Jebel Marra, anchored by its new Golo Temporary Operating Base. In June the TMC and two main armed movements agreed to extend the COH agreement. The CLTG and various Sudanese armed groups launched multitrack negotiations on October

14 in Juba to achieve comprehensive peace within six months of the transition. The CLTG and rebel groups extended negotiations to discuss outstanding issues on December 14. In Darfur weak rule of law persisted, and banditry, criminality, and intercommunal violence were the main causes of insecurity.

Significant human rights issues under the Bashir government included: unlawful or arbitrary killings; forced disappearance; torture; and arbitrary detention, all by security forces; harsh and life-threatening prison conditions; political prisoners; arrests and intimidation of journalists, censorship, newspaper seizures, and site blocking; substantial interference with the rights of peaceful assembly and freedom of association, such as overly restrictive nongovernmental organization (NGO) laws; restrictions on religious liberty; restrictions on political participation; widespread corruption; lack of accountability in cases involving violence against women, including rape and female genital mutilation/cutting (FGM/C); trafficking in persons; outlawing of independent trade unions; and child labor. Respect for human rights, in particular fundamental freedoms of expression, assembly, and religion, greatly improved after the CLTG took power.

Bashir government authorities did not investigate human rights violations by NISS or any other branch of the security services. By year's end, however, the CLTG had launched a human rights investigation into the June 3 security force violations. In addition, the attorney general and security forces had agreed on a temporary process to remove immunity from security forces and government institutions involved in human right violations.

In Darfur and the Two Areas, paramilitary forces and rebel groups continued to commit killings, rape, and torture of civilians throughout the year. Local militias maintained substantial influence due to widespread impunity. There were reports of both progovernment and antigovernment militias looting, raping, and killing civilians. Intercommunal violence spawned from land tenure disputes and resource scarcity continued to result in civilian deaths, particularly in East, South, and North Darfur. The Bashir government continued its national arms collection campaign, which began in October 2017, mostly in Darfur. There were some human rights abuses reported in Abyei, a region claimed by both Sudan and South Sudan, generally stemming from tribal conflict between Ngok Dinka and Misseriya. Reports were difficult to verify due to limited access.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were numerous reports the Bashir government or its agents committed arbitrary or unlawful killings.

Security forces used lethal excessive force against civilians, demonstrators, and detainees, including in conflict zones (see section 1.g.); such acts significantly decreased under the CLTG.

During the months preceding the overthrow of President Bashir, security forces killed dozens of citizens in scattered incidents.

Following Bashir's fall, the TMC initially refrained from attacks on peaceful protesters. On June 3, however, security forces believed to have been led by the Rapid Support Forces (RSF) dispersed the two-month-long sit-in of tens of thousands of peaceful demonstrators in front of SAF headquarters in Khartoum. In addition to excessive use of force, there were reports of widespread rapes during the June 3 sit-in as well as reports of numerous protesters being thrown into the Nile River alive and left to drown. The TMC reported 87 dead and 168 wounded, while most civilian groups tallied almost 130 dead and 700 wounded. The constitutional declaration mandated the establishment of an independent national committee of inquiry to carry out an accurate and transparent investigation of violations committed on June 3. In September the CLTG formed an investigative committee to look into these incidents; its report remained pending at year's end.

Four teenagers were killed under the TMC after security forces disbanded protests in El-Obeid on July 29. Nine RSF members were dismissed and referred for prosecution on August 2; the case continued at year's end.

b. Disappearance

There were reports of disappearances by or on behalf of Bashir government authorities. As in prior years, this included disappearances in both nonconflict and conflict areas. Security forces detained political opponents incommunicado and without charge. NISS held some political detainees in isolation cells in regular prisons, and many were held without access to family or medical treatment and reportedly suffered physical abuse. Human rights activists asserted that NISS ran "ghost houses," where it detained opposition and human rights figures without acknowledging they were being held. Such detentions were prolonged at times.

According to the Bashir government, NISS maintained public information offices to address inquiries about missing or detained family members. Families of missing or detained persons reported such inquiries often went unanswered.

Following the June 3 crackdown on protesters (see section 1.a.), reported missing were dozens of persons whose relatives reported they were last seen during the protests. The bodies of two missing persons, Gusai Hamdato and Hassan Osman Abu Shanab, were identified by DNA tests, while the whereabouts of other missing persons remained unknown as of year's end.

Peaceful protesters were regularly detained under the Bashir regime. In the spring demonstrators at largely peaceful protests against commodity price increases were arrested. While many protesters were released on the day of arrest, security services detained opposition and human rights leaders for longer periods. Human rights defenders faced prolonged detention, usually in unknown NISS facilities and without access to family visits or legal counsel for periods up to five months.

During the Bashir regime, government forces, armed opposition groups, and armed criminal elements were responsible for the disappearance of civilians in conflict areas (see section 1.g.).

Since September, under the CLTG, there were no reports of arbitrary arrests or disappearances.

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

The 2005 Interim National Constitution and the 2019 constitutional declaration prohibit torture and cruel, inhuman, and degrading treatment. Under the Bashir regime, and continuing under the TMC, security forces reportedly tortured, beat, and harassed suspected political opponents, rebel supporters, and others. Reports of such behavior largely ceased under the CLTG, although there were isolated reports of intimidation by some potentially rogue elements of the security apparatus, particularly the RSF. Demonstrations during the CLTG were reportedly peaceful; police used nonviolent measures to maintain order.

In accordance with the government's interpretation of sharia (Islamic law), the Bashir penal code provided for physical punishments, including flogging, amputation, stoning, and the public display of a body after execution, despite the

constitution's prohibitions. Bashir government courts routinely imposed flogging, especially as punishment for indecent dress and the production or consumption of alcohol. In December the CLTG repealed the public order laws regarding indecent dress and behavior and started the process to amend the relevant criminal laws.

The law requires police and the attorney general to investigate deaths on police premises, regardless of suspected cause. Under the Bashir regime, reports of suspicious deaths in police custody were sometimes investigated but not prosecuted. Under the CLTG, security forces were prosecuted for deaths in police custody.

There were numerous reports of torture and sometimes deaths inside NISS detention facilities in connection with mass detentions that took place during the first few months of the year under the Bashir regime (see section 1.d.). The UN independent expert on the situation in Sudan reported having received information on the deaths of at least six persons inside NISS detention facilities between December 2018 and February. This included two cases in Southern Kordofan, two in Khartoum, one in al-Gedearaf, and one case in Kassala. The case in Kassala, according to credible reports, concerned a schoolteacher named Ahmed al-Khair, who allegedly died from torture by NISS on February 2 in the town of Khashm al-Qirbah, reportedly a few days after being arrested for participation in protests. NISS issued a statement denying responsibility for the death. The state attorney general in the city of Kassala, under the direct supervision of the investigative panel established by the attorney general, initiated an investigation of the case and at a February 7 press conference, reported the victim had been subjected to severe torture that resulted in his death. NISS was asked to make the security officials involved in the incident available for prosecution. On December 30, a total of 29 security officials were sentenced to death for their involvement in the death of Ahmed al-Khair.

Human rights groups alleged that NISS regularly harassed and sexually assaulted many of its female detainees during the Bashir regime.

Prison and Detention Center Conditions

The Ministry of Interior generally did not release information on physical conditions in prisons. Information about the number of juvenile and female prisoners was unavailable throughout the year.

Physical Conditions: Throughout the year, prison conditions throughout the country remained harsh and life threatening; overcrowding was a major problem. The Prisons and Reform Directorate, a branch of the national police that reports to the Ministry of Interior, oversees prisons. According to human rights activists and released detainees, under the Bashir regime, RSF and DMI officials also detained civilians on military installations, especially in conflict areas.

Overall conditions throughout the year, including food and sanitation, were reportedly better in women's detention facilities and prisons, such as the Federal Prison for Women in Omdurman, than at equivalent facilities for men, such as the main prison in Khartoum or the Kober or Omdurman Prisons. In Khartoum juveniles were not held in adult prisons or jails but were reportedly held with adults elsewhere.

Authorities generally provided food, water, and sanitation, although the quality of all three was basic. Prison health care, heating, ventilation, and lighting were often inadequate but varied from facility to facility. Some prisoners did not have access to medications or physical examinations. Family members or friends provided food and other items to inmates. Most prisoners did not have beds. Former detainees reported needing to purchase foam mattresses. These problems persisted throughout the year.

Under the Bashir regime, there were reports of deaths due to negligence in prisons and pretrial detention centers, but comprehensive figures were not available. Local press reported deaths resulting from suspected torture by police (see section 1.a.). Human rights advocates during the Bashir regime reported deaths resulted from harsh conditions at military detention facilities, such as extreme heat and lack of water.

Some former detainees reported security force members under the Bashir regime held them incommunicado; beat them; deprived them of food, water, and toilets; and forced them to sleep on cold floors. Released detainees under the Bashir regime also reported witnessing rapes of detainees by guards.

Political prisoners were held in separate sections of prisons. Kober Prison contained separate sections for political prisoners, those convicted of financial crimes, and those convicted of violent crimes. NISS holding cells in Khartoum North prisons were known to local activists as "the fridges" due to the extremely cold temperatures and the lack of windows and sunlight. There were no reported political prisoners under the CLTG.

Political detainees reported facing harsher treatment, although many prominent political detainees reported being exempt from abuse in detention. Numerous high-profile political detainees reported being held next to rooms used by security services to torture individuals. There were no reported political detainees under the CLTG.

Administration: Under the Bashir regime authorities rarely conducted proper investigations of credible allegations of mistreatment.

Although police allowed some visitors, including lawyers and family members, while prisoners were in custody and during judicial hearings, political detainees and others held by the Bashir regime in NISS custody were seldom allowed visits. The Bashir regime also regularly denied foreign prisoners held in NISS facilities visits from foreign government representatives.

Christian clergy held services in prisons. Access varied across prisons. In Omdurman Women's Prison, church services were held six times a week, but regularity of services in other prisons was not verified. Sunni imams were granted access to facilitate Friday prayers. Under the Bashir regime, Shia imams were not allowed to enter prisons to conduct prayers. Detained Shia Muslims were permitted to join prayers led by Sunni imams.

The police inspector general, the minister of justice, and the judiciary are authorized to inspect prisons.

Independent Monitoring: The Bashir government did not permit unrestricted monitoring by independent nongovernmental observers such as the International Committee of the Red Cross, although the CLTG lifted these restrictions during the year.

Under the Bashir regime, diplomatic missions were allowed limited monitoring access to prisons.

The Ministry of Justice occasionally granted UNAMID access to government prisons in Darfur, but with restrictions. The Bashir regime in most cases denied access to specific files, records, and prisoners. Consequently, UNAMID was unable to verify the presence or status of inmates who reportedly were held illegally as political prisoners. In the past UNAMID's human rights section had physical access to general prisons (excepting NISS and DMI detention centers) in

South, North, East, and West Darfur, but in Central Darfur (where most of the conflict occurred during the year) the Bashir regime did not grant UNAMID access to any prison or detention center.

d. Arbitrary Arrest or Detention

The Interim National Constitution as well as the 2019 constitutional declaration prohibited arbitrary arrest and detention and required individuals be notified of the charges against them when they are arrested. Arbitrary arrests and detentions, however, were widespread during the first few months of the year under the Bashir regime, which allowed for arrest by NISS without warrants and detention without charge for up to four and one-half months. This period was reduced to 24 hours under the TMC. Authorities often released detainees when their initial detention periods expired but took them into custody the next day for an additional period. During the first few months of the year, authorities, especially NISS, arbitrarily detained political opponents, protesters, human rights defenders, journalists, students, and professionals (see section 1.e.). The law does not provide for the right of persons to challenge the lawfulness of their arrest or detention in court. There were no reports of arbitrary arrest or detentions under the CLTG.

Arrest Procedures and Treatment of Detainees

Under the National Security Act, warrants are not required for an arrest. The law permits police to detain individuals for three days for the purpose of inquiry. A magistrate can renew detention without charge for up to two weeks during an investigation. A superior magistrate may renew detentions for up to six months for a person who is charged.

Under the Bashir regime, the law allowed NISS to detain individuals for up to 45 days before bringing charges. The NISS director could refer certain cases to the Security Council and request an extension of up to three months, allowing detentions of up to four and one-half months without charge. Authorities often released detainees when their detentions expired and rearrested them soon after for a new detention period, so that detainees were held for several months without charge and without official extensions. The TMC reduced the detention time to 24 hours. After the August signing of the constitutional declaration that limited the mandate of GIS (formerly NISS), the organization lost the ability to detain individuals.

The constitution and law provide for an individual to be informed in detail of charges at the time of arrest, with interpretation as needed, and for judicial determination without undue delay, but these provisions were rarely followed by the Bashir regime. Individuals accused of threatening national security routinely were charged under the national security law rather than the criminal code and frequently detained without charge.

The law allows for bail, except for those accused of crimes punishable by death or life imprisonment. There was a functioning bail system; however, persons released on bail often awaited action on their cases indefinitely.

Suspects in common criminal cases, such as theft, as well as in political cases were often compelled to confess guilt while in police custody through physical abuse and police intimidation of family members.

The law provides for access to legal representation, but security forces under the Bashir regime often held persons incommunicado for long periods in unknown locations. By law any person may request legal assistance and must be informed of the right to counsel in cases potentially involving the death penalty, imprisonment lasting longer than 10 years, or amputation. Accused persons may also request assistance through the legal aid department at the Ministry of Justice or the Sudanese Bar Association. Throughout the year the government was not always able to provide legal assistance, and legal aid organizations and lawyers partially filled the gap.

Arbitrary Arrest: NISS, police, and the DMI arbitrarily arrested and detained hundreds of persons during the first few months of the year under the Bashir regime. Authorities often detained persons for a few days before releasing them without charge, but many were held much longer. In response to mass protests during the first few months of the year, the Bashir government targeted political opponents, protesters, human rights defenders, journalists, students, professionals, and suspected rebel supporters (see section 1.e.).

NISS officials frequently denied holding individuals in their custody or refused to confirm their place of detention. In the first few months of the year, NISS called individuals to report to NISS offices for long hours on a daily basis without a stated purpose in lieu of formal detention. Many human rights observers considered this a tactic to harass, intimidate, and disrupt the lives of opposition members and activists, prevent “opposition” activities, and avoid the recording of formal detentions. These practices largely ended under the CLTG.

The Bashir regime sometimes sought the repatriation of Sudanese citizens living abroad who criticized the government online. This practice reportedly ended under the CLTG. Following the fall of the Bashir regime in April, General Burhan called for the release of all political prisoners including Sudanese human rights defender Hisham Ali. In May 2018 Saudi Arabian security services deported Ali for his social media posts critical of the Bashir regime. Upon arriving in Khartoum, the Bashir regime held Ali incommunicado and denied access to family visits or legal counsel. In July 2018 Ali was charged with four crimes against the state: undermining the constitution, waging war against the state, espionage, and entering and photographing military areas and works. At the time of his release in April, the attorney general dropped all charges against him.

Unlike in prior years, there were no reports during the year of women detained because of their association with men suspected of being supporters of the Sudan People's Liberation Movement-North (SPLM-N) (see section 1.g.).

Pretrial Detention: Lengthy pretrial detention was common throughout the year. The large number of detainees and judicial inefficiency resulted in trial delays.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: Under the Bashir regime, persons arrested or detained, regardless of whether on criminal or other grounds, were not entitled to challenge the legal basis or arbitrary nature of their detention in court and, therefore, were not able to obtain prompt release or compensation if unlawfully detained.

e. Denial of Fair Public Trial

Although the constitution and relevant laws provide for an independent judiciary, under the Bashir regime, courts were largely subordinate to government officials and the security forces, particularly in cases of alleged crimes against the state. On occasion courts displayed a degree of independence. Political interference with the courts, however, was commonplace, and some high-ranking members of the judiciary held positions in the Ministry of Interior or other ministries. The 2019 constitutional declaration mandated a number of judicial reforms. As of November the CLTG and Council of Ministers had passed bills to dismantle the National Congress Party (NCP) and abolish the public order law.

Throughout the year, the judiciary was inefficient and subject to corruption. In Darfur and other remote areas, judges were often absent from their posts, delaying trials.

States of emergency continued in Darfur, Blue Nile, Southern Kordofan, North Kordofan, West Kordofan, and Kassala to facilitate the Bashir regime's national arms collection campaigns. The states of emergency allowed for the arrest and detention of individuals without trial under the Bashir regime.

Trial Procedures

The constitution and law provide for a fair and public trial as well as a presumption of innocence; however, this provision was rarely respected. Trials are open to the public at the discretion of the judge. In cases of national security and offenses against the state, trials were usually closed. The law stipulates the government is obligated to provide a lawyer for indigents in cases in which punishment might exceed 10 years' imprisonment or include execution or amputation.

By law criminal defendants must be informed promptly of the charges against them at the time of their arrest and charged in detail and with interpretation as needed. Individuals arrested under the Bashir regime by NISS often were not informed of the reasons for their arrest.

Defendants generally have the right to present evidence and witnesses, be present in court, confront accusers, and have access to government-held evidence relevant to their cases. Throughout the year some defendants reportedly did not receive legal counsel, and counsel in some cases could only advise the defendant and not address the court. Persons in remote areas and in areas of conflict generally did not have access to legal counsel. The government sometimes did not allow defense witnesses to testify.

Defendants have the right to appeal, except in military trials. Defendants were sometimes permitted time and facilities to prepare their defense, although in more political cases under the Bashir regime, charges could be disclosed with little warning and could change as the trial proceeded.

Lawyers wishing to practice were required to maintain membership in the government-controlled Sudanese Bar Association; the CLTG dismantled this union in December. The Bashir government arrested and harassed lawyers whom it

considered political opponents; there were no reports of such arrests under the CLTG.

Military trials, which sometimes were secret and brief, lacked procedural safeguards. The law subjects any civilians in SAF-controlled areas believed to be rebels or members of a paramilitary group to military trials. Under the Bashir regime, NISS and military intelligence officers applied this amendment to detainees in the conflict areas.

Three-person security courts deal with violations of constitutional decrees, emergency regulations, and some sections of the penal code, including drug and currency offenses. Special courts composed primarily of civilian judges handled most security-related cases. During the Bashir regime, defendants had limited opportunities to meet with counsel and were not always allowed to present witnesses during trial.

Due to long distances between court facilities and police stations in conflict areas, throughout the year, local mediation was often the first resort to try to resolve disputes. In some instances tribal courts operating outside the official legal system decided cases. Such courts did not provide the same protections as regular courts.

Sharia strongly influenced the law, and under the Bashir regime sharia in some cases was applied to Christians against their wishes in civil domestic matters such as marriage, divorce, and inheritance.

Political Prisoners and Detainees

The Bashir regime held political prisoners and detainees, including protesters. Due to lack of access, the numbers of political prisoners and detainees could not be confirmed. Bashir regime authorities detained Darfuri students and political opponents, including opposition members, often reportedly subjecting them to torture. The Bashir regime severely restricted international humanitarian organizations' and human rights monitors' access to political detainees.

Unrest that started in December 2018 continued into 2019 when hundreds of demonstrators were arrested in the waves of protests against commodity price hikes in January and February. In February the Bashir regime began to arrest journalists, holding them in undisclosed locations, and then issued arrest warrants for dozens more, a majority of them foreign journalists. On February 21, the Bashir regime arrested major opposition leaders in attempts to prevent additional

planned protests, including Merriam al-Mahdi, deputy leader of the National Umma Party; Sara Nugdallah, National Umma Party secretary-general; Sudanese Communist Party political secretary Mokhtar al-Khatib; Mohamed Youssef Mustafa, Sudanese Professionals Association representative and professor at the University of Khartoum; Ibrahim Taha Ayoub, former foreign minister; and Yahya al-Hussein, head of the Sudanese Baath Party--among others--and later releasing them, all before former president Bashir declared a state of emergency on February 22.

On April 11, the TMC head announced the arrest of former president Bashir and the release of all political prisoners.

On August 8, former TMC president General Abdel al-Fatah Burhan issued a decision cancelling the death sentences issued in absentia against 17 SPLM-N leaders, including Malik Agar and Yassir Arman. In 2014 a special court in Sinja, Sennar State, had issued a death-by-hanging sentence in absentia against SPLM-N chairperson General Agareral Agar, secretary general Arman, and 17 others following the outbreak of violence in South Kordofan and Blue Nile in June and September 2011, respectively.

Politically Motivated Reprisal Against Individuals Located Outside the Country

There were credible reports that for politically motivated purposes the Bashir regime attempted to exert bilateral pressure on other countries aimed at having them take adverse action against human rights defenders, including acts of intimidation and forcible return to Sudan, where they reportedly feared torture. For example, there were numerous cases of Sudanese human rights defenders resident in Egypt who faced intimidation at the hands of local Egyptian security forces, allegedly at the behest of NISS. There were also reports of human rights defenders resident in the Gulf who faced deportation to Sudan. In 2018 Saudi Arabia deported a human rights defender to Sudan, reportedly at the request of NISS officials. That individual was reportedly tortured upon return but was released during the year (see section 1.d.). Such practices largely ceased under the CLTG, although there were some reports of continuing intimidation of Sudanese activists overseas, in particular in Egypt.

Civil Judicial Procedures and Remedies

Persons seeking damages for human rights violations had access to domestic and international courts. Under the Bashir regime the domestic judiciary was not independent, and problems persisted under the CLTG. There were problems enforcing domestic and international court orders. According to the law, individuals and organizations may appeal adverse domestic decisions to regional human rights bodies. Some individuals, however, reported they feared reprisal (see section 2.d.).

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The Interim National Constitution and law prohibit such actions, but the Bashir government routinely violated these rights. Emergency laws in Darfur, Blue Nile, Southern Kordofan, North Kordofan, West Kordofan, and Kassala States legalize interference in privacy, family, home, and correspondence for purposes of maintaining national security.

Security forces under the Bashir regime frequently searched and targeted persons suspected of political crimes. NISS often confiscated personal computers and other private property. Security forces conducted multiple raids on Darfuri students' housing throughout the year. During the raids NISS confiscated students' belongings, including laptops, school supplies, and backpacks. As of year's end, the students' belongings had not been returned.

The Bashir government monitored private communications, individuals' movements, and organizations without due legal process. A wide network of government informants conducted surveillance in schools, universities, markets, workplaces, and neighborhoods.

This type of activity appeared to have ceased, or been dramatically reduced, under the CLTG.

g. Abuses in Internal Conflict

The Bashir government continued to renew a COH in conflict areas. Antigovernment armed movements respected the COH with the exception of the SLA/AW. Armed clashes broke out between the government and the SLA/AW in Jebel Marra, a mountain range that crosses four states in Darfur and was partially controlled by the SLA/AW.

Killings: Throughout the year military personnel, paramilitary forces, and tribal groups committed killings in Darfur and the Two Areas. Most reports were difficult to verify due to continued prohibited access to conflict areas, particularly Jebel Marra in Central Darfur and SPLM-N-controlled areas in South Kordofan and Blue Nile States. Humanitarian access to Jebel Marra remained stable compared with past years.

Members of the security forces continued to be implicated in human rights violations in conflict areas, even under the CLTG. For example, security personnel allegedly killed a 36-year-old man and injured three civilians in a September 5 attack in the Golo area of Jebel Marra. On September 18, local activists organized a vigil and demanded prosecution of the security officials. Security forces reportedly arrested five of the local activists. They were subsequently released.

Human rights monitors reported the Bashir government's national arms collection campaign was incomplete and directed at certain groups, while exempting some Arab groups. Internally displaced persons (IDPs) in Darfur also reported they could not return to their original lands, despite government claims the situation was secure, because their lands were being occupied by Arab nomads who were not disarmed and could attack returnees.

Nomadic militias also attacked civilians in conflict areas.

Abductions: There were numerous reports of abductions by rebel and tribal groups in Darfur. International organizations were largely unable to verify reports of disappearances.

There were also numerous criminal incidents involving kidnapping for financial gain.

UNAMID reported that abduction remained a lucrative method adopted by various tribes in Darfur to coerce the payment of *diya* ("blood money" ransom) claimed from other communities.

Physical Abuse, Punishment, and Torture: Bashir regime forces abused persons detained in connection with armed conflict as well as IDPs suspected of having links to rebel groups. There were continuing reports that government security forces, progovernment and antigovernment militias, and other armed persons raped women and children throughout the year. Rebel groups in Darfur and the Two

Areas reportedly detained persons in isolated locations in prison-like detention centers.

According to the UN Panel of Experts, on August 20, three girls between the ages of 13 and 15 were beaten and raped near the Kalma IDP camp in North Darfur by unknown assailants. According to the UN Panel of Experts, in early September four women survived an attempted sexual assault by RSF personnel in Kutam village, North Darfur. One of the survivors was hospitalized for a head injury.

The extent to which rebel groups committed human rights abuses could not be accurately estimated, largely due to limited access to conflict areas. The state of detention facilities administered by the SLA/AW and SPLM-N in their respective rebel-controlled areas could not be verified due to lack of access.

Under the Bashir regime and the TMC, human rights groups continued to report government forces and militias raped, detained, tortured, and arbitrarily killed civilians in the five states of Darfur and government-controlled areas of Blue Nile. Under the CLTG, human rights groups reported armed individuals committed rape and arbitrarily killed civilians in the five states of Darfur and government-controlled areas of the Blue Nile. While some wore government paraphernalia, i.e., uniforms, it is not clear that the individuals were actual official government security forces or militia.

Unexploded ordnance killed and injured civilians in the conflict zones.

Child Soldiers: The law prohibits the recruitment of children and provides criminal penalties for perpetrators. During the year the United Nations verified the forcible recruitment of children by the RSF in Darfur; reportedly the children were trained to disrupt the demonstrators at the sit-in site in Khartoum, where they were later deployed. In addition, media and other sources reported the recruitment of Sudanese child soldiers, some younger than 15, by the RSF to take a direct part in hostilities in Yemen.

Allegations persisted that armed rebel movements and Bashir regime-aligned militias had child soldiers within their ranks. Many children continued to lack documents verifying their age. Children's rights organizations believed armed groups exploited this lack of documentation to recruit or retain children. Some children were recruited from the Darfur region to engage in armed combat overseas, including in Yemen. Due to access problems, particularly in conflict

zones, reports of the use of child soldiers among armed groups were limited and often difficult to verify.

Representatives of armed groups reported they did not actively recruit child soldiers. They did not, however, prevent children who volunteered from joining their movements. The armed groups stated the children were stationed primarily in training camps and were not used in combat.

There were reports of the use of child soldiers by the SPLM-N, but numbers could not be verified, in part due to lack of access to SPLM-N-controlled territories.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Other Conflict-related Abuse: Although humanitarian access improved considerably during the year for UN and NGO staff, there were still incidents of restrictions on UN and NGO travel in some parts of North Darfur and East Jebel Marra based on what the government described as insecurity. The CLTG took steps to allow for unfettered humanitarian access. For example, under guidance from Prime Minister Hamdok, the Humanitarian Aid Commission issued guidelines to ease restrictions on movement of humanitarian workers. While the guidelines were not consistently implemented, there was marked improvement.

The Bashir government continued to use bureaucratic impediments to restrict the actions of humanitarian organizations, delaying the release of food and necessary equipment to UNAMID for prolonged periods. The resulting shortages hampered the ability of UNAMID troops to communicate, conduct robust patrols, and protect civilians and incurred demurrage charges and additional costs for troop- and police-contributing countries and the United Nations. This practice was being reduced under the CLTG.

UNAMID continued to report criminality was the greatest threat to security in Darfur. Common crimes included rape, armed robbery, abduction, ambush, livestock theft, assault and harassment, arson, and burglary and were allegedly carried out primarily by Arab militias, although government forces, unknown assailants, and rebel elements also carried out attacks throughout the year.

Humanitarian actors in Darfur continued to report victims of sexual and gender-based violence faced obstructions in attempts to report crimes and access health care.

Although the 2019 constitutional declaration pledged to implement compensation to allow for the return of IDPs, the latter expressed reluctance to return due to lack of security and justice in their home areas.

Bashir government security forces at times harassed NGOs that received international assistance. The Bashir government sometimes restricted or denied permission for humanitarian assessments, refused to approve technical agreements, changed operational procedures, copied NGO files, confiscated NGO property, questioned humanitarian workers at length and monitored their personal correspondence, restricted travel, and publicly accused humanitarian workers of aiding rebel groups. The CLTG ended the practice and began welcoming back international NGOs the Bashir regime had expelled in 2009. There were no reports of humanitarian workers being targeted for kidnapping and ransom.

The UN secretary-general stated the number of attacks against UN agencies and humanitarian organizations continued to decline.

Government restrictions in Sudan-administered Abyei limited NGOs' activities, especially in the northern parts of Abyei. Additional problems included delays in the issuance of travel permits.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The Interim National Constitution provided for freedom of expression, including freedom for the press "as regulated by law," but the former Bashir regime heavily restricted this right. The 2019 constitutional declaration provides for the unrestricted right of freedom of expression and for freedom of the press as regulated by law, and the CLTG reportedly respected these rights.

Freedom of Expression: Individuals who criticized the Bashir regime publicly or privately were subject to reprisal, including arbitrary arrest. The Bashir regime attempted to impede such criticism and monitored political meetings and the press. There were no reports of this occurring under the CLTG.

According to the Sudanese Journalists Network, between late December 2018 and mid-March, the Bashir regime arrested 90 journalists. All journalists have been released.

The former regime also curtailed public religious discussion if proselytization was suspected and monitored religious sermons and teachings (see the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>).

Press and Media, Including Online Media: The Interim National Constitution provided for freedom of the press, but Bashir regime authorities prevented media from reporting on issues they deemed sensitive. From January through April, the Bashir regime restricted coverage of the protests, resulting in the arrest of numerous journalists and near-daily confiscations of entire newspaper print runs. NISS declared news of the protests a “red line” topic and increased precensoring of newspapers to prevent publication of newspapers reporting on the protests. Journalists responded by staging peaceful demonstrations, and several newspapers ceased operations in protest against the escalating censorship. The former regime attempted to control reporting by staging pro-Bashir demonstrations and planting bogus news stories that blamed civil unrest on Darfuri rebels.

The former regime influenced radio and television reporting through the permit process as well as by offering or withholding regime payments for advertisements, based on how closely affiliated media outlets were with the regime.

The former regime controlled media through the National Council for Press and Publications, which administered mandatory professional examinations for journalists and oversaw the selection of editors. The council had authority to ban journalists temporarily or indefinitely. The registration of journalists was handled primarily by the Sudanese Journalists Network, which estimated there were 7,000 registered journalists in the country, although fewer than 200 of them were believed to be actively employed as journalists. The remainder were members of the former regime and security forces working on media issues who received automatic licenses.

The former regime arbitrarily arrested journalists, detaining them and holding them incommunicado, sometimes for weeks.

The CLTG reportedly respected press and media freedoms.

Violence and Harassment: The Bashir regime arrested, harassed, intimidated, and abused journalists and vocal critics of the regime. NISS required journalists to provide personal information, such as details on their ethnic group, political

affiliation, and family. On March 2, NISS officers stormed the office of the Qatari and international news channel al-Jazeera in Khartoum and arrested correspondents Tahir El Mardi, Ismail Adam, Majdi Sadig, Ahmed Yassin, and Ahmad El Baseily. NISS subjected them to verbal and physical abuse before releasing them the next day. There were no reports of the CLTG using these tactics.

Censorship or Content Restrictions: The former regime practiced direct prepublication and prebroadcast censorship of all forms of media. Confiscations of print runs was the censorship method most frequently used by NISS. This was an incentive to self-censorship. There were no reports of government censorship or print confiscations under the CLTG.

Former regime authorities used the Press and Publications Court, which specialized in media issues and “newspaper irregularities” and established under the Press and Publications Act, to prosecute “information crimes.”

Following the protests that began in December 2018 and continued throughout the first few months of the year, media censorship under the Bashir regime tightened, resulting in the arrests of several journalists and near-daily confiscations of entire newspaper print runs. NISS declared news on the protests a “red line” topic and then precensored newspapers to stop the publication of news on the protests. For example, on January 2, NISS forced editors of *al-Tayar* newspaper to remove columnist Shamaiel Alnour’s articles from the newspaper and remove her name and photo from all locations on the newspaper’s website due to her critical reports on the Bashir regime. NISS refused to allow the newspaper to refer to the column as “banned.”

Libel/Slander Laws: The law holds editors in chief potentially criminally liable for all content published in their newspapers.

National Security: Under the Bashir regime, the law allowed for restrictions on the press in the interests of national security and public order. It contained loosely defined provisions for bans on encouraging ethnic and religious disturbances and incitement of violence. The criminal code, National Security Act, and emergency laws were regularly used to bring charges against the press. Human rights activists called the law a “punishment” for journalists.

Under the Bashir regime, NISS initiated legal action against journalists for stories critical of the former regime and security services.

Actions to Expand Freedom of Expression, including for the Media: The 2019 constitutional declaration provides for freedom of expression and the media, and the CLTG took measures to respect these rights.

At the UN General Assembly on September 25, Prime Minister Hamdok underscored, “Never again in the new Sudan will a journalist be repressed or jailed.” He also declared, “A free press is an important pillar in promoting democracy, good governance, and human rights.”

The CLTG extended entry to foreign journalists, including the return of al-Jazeera, which had been banned earlier in the year. Foreign journalists from al-Jazeera, BBC News, and Monte Carlo have returned to the country.

Internet Freedom

The former Bashir regime and TMC restricted and disrupted access to the internet and censored online content, and there were credible reports the Bashir regime and the TMC monitored private online communications without appropriate legal authority. The CLTG generally respected internet freedom.

The Bashir regime regulated licensing of telecommunications companies through the National Telecommunications Corporation. The agency blocked some websites and most proxy servers judged offensive to public morality, such as those purveying pornography. The TMC shut down internet access on June 3, the same day security forces violently dispersed peaceful demonstrators from the sit-in in front of the SAF headquarters (see sections 1.a. and 1.c.). Internet service to the country was restored on July 7.

Freedom House continued to rank the country as “not free” in its annual internet freedom report. According to the report, arrests and prosecutions under the Cybercrime Act grew during the year, reflecting a tactical shift in the government’s strategy to limit internet freedom. The report noted many journalists writing for online platforms published anonymously to avoid prosecution, while ordinary internet users in the country had become more inclined to self-censor to avoid government surveillance and arbitrary legal consequences.

Academic Freedom and Cultural Events

The Bashir government restricted academic freedom, determined the curricula, and appointed vice chancellors responsible for administration at academic and cultural

institutions. The Bashir regime continued to arrest student activists and cancel or deny permits for some student events. Youth activists reported some universities discouraged students from participating in antigovernment rallies and gave NCP students preferential treatment. Some professors exercised self-censorship. In January the Bashir regime arrested at least nine prominent academics, many from the University of Khartoum, for criticizing the regime. On February 19, the Bashir regime closed all public and private universities in the country to suppress political criticism. In April the TMC ordered universities to reopen, but not all did. After the CLTG was established, however, all major universities reopened.

b. Freedoms of Peaceful Assembly and Association

The law provides for the freedoms of peaceful assembly and association, but the Bashir regime and the TMC restricted these rights. These rights, however, were generally respected by the CLTG.

Freedom of Peaceful Assembly

Although the Interim National Constitution and law provide for freedom of peaceful assembly, the Bashir regime severely restricted this right. The criminal code makes gatherings of more than five persons without a permit illegal. Organizers must notify the regime 36 hours prior to assemblies and rallies.

On June 3, security forces violently dispersed thousands of peaceful protesters, killing more than 100 who had assembled on the streets in front of SAF headquarters (see sections 1.a. and 1.c.). On July 28, soldiers killed as many as eight high school students in Nyala, South Darfur, when they were protesting the price of bread.

The Bashir regime denied permission to Islamic orders associated with opposition political parties, particularly the Ansar (National Umma Party) and the Khatmiya (Democratic Unionist Party), to hold large gatherings in public spaces, but parties regularly held opposition rallies on private property. Bashir government security agents occasionally attended opposition meetings, disrupted opposition rallies, or summoned participants to security headquarters for questioning after meetings. Opposition political parties claimed they were almost never granted official permits to hold meetings, rallies, or peaceful demonstrations. Security forces used tear gas and other heavy-handed tactics against largely peaceful protests at universities or involving university students. NISS and police forces regularly arrested Darfuri students at various universities for publicly addressing civilians.

Freedom of Association

The Interim National Constitution and law provide for freedom of association, but the former regime severely restricted this right. The law prohibits political parties linked to armed opposition groups. The Bashir government closed civil society organizations or refused to register them on several occasions.

Former regime security forces arbitrarily enforced legal provisions that strictly regulated an organization's ability to receive foreign financing and register public activities. The former regime maintained its policy of "Sudanization" of international NGOs. Many organizations reported they faced administrative difficulties if they refused to have proregime groups implement their programs at the state level.

The 2019 constitutional declaration specifies the rights to peaceful assembly and association.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement

The Interim National Constitution and law provide for freedom of movement, foreign travel, and emigration, but the Bashir government restricted these rights for foreigners, including humanitarian workers. After the lifting of certain foreign economic sanctions in 2017, the government slightly eased restrictions for humanitarian workers and invited previously banned humanitarian groups back into the country, although the new measures were implemented unevenly in the field. In December the International Rescue Committee, banned in 2009, opened an office in Khartoum.

The former regime impeded the work of UN agencies and delayed full approval of their activities throughout the country, particularly in the Two Areas; however, there were fewer such restrictions than in prior years. NGOs also alleged the Bashir government impeded humanitarian assistance in the Two Areas. The SPLM-N also restricted access for humanitarian assistance in the Two Areas due to

concerns over the security of commodities crossing from government-held areas into SPLM-N-controlled areas.

In-country Movement: The Bashir regime and rebels restricted the movement of citizens in conflict areas (see section 1.g.).

Under the Bashir regime, internal movement was generally unhindered for citizens outside conflict areas. Foreigners needed travel permits for domestic travel outside Khartoum, which were bureaucratically difficult to obtain. Foreigners were required to register with the Ministry of Interior's Alien Control Division within three days of arrival and were limited to a 15.5-mile radius from Khartoum. Once registered, foreigners were allowed to move beyond this radius, but travel outside of Khartoum State to conflict regions required official approval. The CLTG eased these requirements, especially for travel to tourist sites.

Foreign Travel: The Bashir government required citizens to obtain an exit visa to depart the country. Issuance was usually without complication, but the Bashir government continued to use the visa requirement to restrict some citizens' travel, especially of persons it deemed a political or security interest. A number of opposition leaders were denied boarding for flights out of the country, and in some cases their passports were confiscated.

Exile: The Bashir government observed the law prohibiting forced exile, but under the Bashir regime political opponents abroad risked arrest upon return. Under the Bashir government, some opposition leaders and NGO activists remained in self-imposed exile in northern Africa and Europe. Other activists fled the country after security forces disbanded sit-ins in June, but the majority of these activists returned after the CLTG took power. After the removal of the former president, the TMC forcibly deported leaders of armed movements to South Sudan. During and following the revolution, however, several prominent opposition members returned to Sudan to participate in the formation of the new government. Some members of the armed movements remained in exile, and some expressed concern about their civic and political rights even with the 2015 general amnesty for those taking part in the national dialogue.

e. Internally Displaced Persons

Large-scale displacement continued to be a severe problem in Darfur and the Two Areas.

According to the United Nations and partners, during the year an estimated 27,000 persons were newly displaced in Jebel Marra, Blue Nile, and South Kordofan. Of those, approximately 19,000 were mostly displaced in Jebel Marra alone. The UN Office for the Coordination of Humanitarian Affairs reported the vast majority of the displacement during the year was triggered by intercommunal and other armed conflict. There was an increase in reports of IDPs attempting to return to or access their farmlands in Darfur. Many IDPs faced chronic food shortages and inadequate medical care. Significant numbers of farmers were prevented from planting their fields due to insecurity, leading to near-famine conditions in parts of South Kordofan. The Bashir government and the SPLM-N continued to deny access to humanitarian actors and UN agencies in areas controlled by the SPLM-N. Information about the number of IDPs in these areas was difficult to verify. Armed groups estimated the areas contained 545,000 IDPs and severely affected persons during the year, while the government estimated the number as closer to 200,000. UN agencies could not provide estimates, citing lack of access. Children accounted for approximately 60 percent of persons displaced in camps.

Bashir government restrictions, harassment, and the threat of expulsion resulted in continued interruption of gender-based violence programming. Reporting and outreach were limited (see section 5). Some UN agencies were able to work with the Darfur governor's advisers on women and children to raise awareness of gender-based violence and response efforts.

Throughout the year, there were reports of abuse committed by government security forces, rebels, and armed groups against IDPs in Darfur, including rapes and beatings (see section 1.g.).

Outside IDP camps and towns, insecurity restricted freedom of movement; women and girls who left the towns and camps risked sexual violence. Insecurity within IDP camps also was a problem. The government provided little assistance or protection to IDPs in Darfur. Most IDP camps had no functioning police force. International observers noted criminal gangs aligned with rebel groups operated openly in several IDP camps. The protests in Khartoum redirected government forces, namely the RSF, from Darfur to Khartoum, leaving a security vacuum, which prompted an increase in violence.

As in previous years, neither the Bashir government nor the CLTG government established formal IDP or refugee camps in Khartoum or the Two Areas.

f. Protection of Refugees

The Office of the UN High Commissioner for Refugees (UNHCR) reported 1,056,536 refugees and asylum seekers in the country, the majority of whom were South Sudanese. The South Sudanese and Syrian refugee and asylum seeker populations did not regularly present themselves to the government's Commission for Refugees or to UNHCR for registration. UNHCR reported there were countless South Sudanese in the country who were unregistered and at risk of statelessness.

Approximately 3,091 refugees from Chad and 13,747 from the Central African Republic lived in Darfur. New Eritrean refugees entering eastern Sudan often stayed in camps for two to three months before moving to Khartoum, other parts of the country, or on to Libya in an effort to reach Europe. In eastern Sudan, UNHCR estimated there were 7,300 new arrivals, mostly from Eritrea, as of October. There was a 50 percent rate of onward movement from the eastern refugee camps. The Bashir government eased international humanitarian NGOs' access to eastern Sudan, as it did throughout the country, and the CLTG lifted restrictions further.

In 2018 UNHCR and the government amended the official South Sudanese refugee statistics to include South Sudanese living in Sudan before December 2013. UNHCR estimated that 859,000 South Sudanese refugees were in Sudan. The government claimed there were between two and three million South Sudanese refugees in Sudan. It remained unclear how the government was categorizing who was South Sudanese and who was Sudanese. Many South Sudanese refugees arrived in remote areas with minimal public infrastructure and where humanitarian organizations and resources were limited.

As of October UNHCR Khartoum hosted an estimated 284,000 South Sudanese refugees, including 60,000 refugees who lived in nine settlements known as "open areas." South Sudanese refugees in the open areas made up approximately 20 percent of the overall South Sudanese refugee population and were considered among the most vulnerable refugee communities. A 2017 joint government and UN assessment of the open areas indicated gaps in protection, livelihood, shelter, health, and education services.

Sudan's and South Sudan's "four freedoms" agreement provides their citizens reciprocal freedom of residence, movement, economic activity, and property ownership, but it was not fully implemented. The Bashir government stated that, because South Sudanese are recognized as refugees (since 2016), their rights were governed by the Asylum Act, justifying a lack of implementation of the four

freedoms. Implementation also varied by state in each country. For example, South Sudanese in East Darfur had more flexibility to move around (so long as they were far away from the nearest village) than did those in White Nile State. Recognition as refugees allowed South Sudanese to receive more services from UNHCR. At the state level, however, governments still referred to them as “brothers and sisters.”

Abuse of Migrants, Refugees, and Stateless Persons: Asylum seekers and refugees were vulnerable to arbitrary arrest and harassment outside of camps because they did not possess identification cards while awaiting government determination of refugee or asylum status. According to authorities, registration of refugees helped provide for their personal security.

There were some reported abuses, including gender-based violence, in refugee camps. Throughout the year, the government worked closely with UNHCR to provide greater protection to refugees.

Refugees often relied on human trafficking and smuggling networks to leave camps. Smugglers turned traffickers routinely abused refugees if ransoms were not paid. In June South Sudanese refugees living in open areas in Khartoum and in refugee camps in White Nile State were attacked by the host communities. Fear of violence prompted some of the South Sudanese refugee population in Khartoum and White Nile to return to South Sudan. South Sudanese refugee returnees faced arrest, extortion, and theft along the route through Sudan to South Sudan.

See the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report>.

Refoulement: The country generally respected the principle of nonrefoulement with a few notable exceptions. With UNHCR’s assistance, authorities were trained on referral procedures to prevent refoulement, including of refugees who previously registered in other countries. There were no reported cases of refoulement during the year; however, individuals who were deported as illegal migrants may have had legitimate claims to asylum or refugee status.

Access to Asylum: The law requires asylum applications to be nominally submitted within 30 days of arrival in the country. This time stipulation was not strictly enforced. The law also requires asylum seekers to register both as refugees with the Commission for Refugees and as foreigners with the Civil Registry (to obtain a “foreign” number).

Throughout the year, the government granted asylum to many asylum seekers, particularly from Eritrea, Ethiopia, Somalia, and Syria; it sometimes considered individuals registered as asylum seekers or refugees in another country, mostly in Ethiopia, to be irregular movers or migrants. Government officials routinely took up to three months to approve individual refugee and asylum status, but they worked with UNHCR to implement quicker status determination procedures in eastern Sudan and Darfur to reduce the case backlog.

Since the beginning of the Syrian conflict in 2011, more than 93,000 Syrians have registered with UNHCR. Throughout the year, government sources, however, claimed there were far more Syrians in the country than were registered with UNHCR and the Commission for Refugees. The government waived regular entry visa requirements for Yemenis throughout the year. As of October more than 1,600 Yemeni refugees had registered in the country.

Freedom of Movement: The country maintained a reservation on Article 26 of the UN Convention on Refugees of 1951 regarding refugees' right to move freely and choose their place of residence within a country. The government's encampment policy throughout the year requires asylum seekers and refugees to stay in designated camps; however, 76 percent of South Sudanese refugees (the great majority of refugees in the country) lived with the local community in urban and rural areas. Throughout the year the government continued to push for the relocation of South Sudanese refugees living outside Khartoum city to the White Nile state refugee camps. UNHCR notified the government relocations must be voluntary and dignified. By year's end the CLTG had yet to relocate South Sudanese refugees to camps. The government allowed the establishment of two refugee camps in East Darfur and nine refugee camps in White Nile for South Sudanese refugees.

Refugees who left camps without permission and were intercepted by authorities faced administrative fines and return to the camp. Refugees and asylum seekers in urban areas were also subject to arrest and detention. UNHCR worked with legal partners to visit the immigration detention centers and to provide persons of concern with legal assistance, such as release from detention centers and help navigating court procedures. UNHCR assisted 1,907 persons of concern in 2018; as of June it had assisted 370 persons of concern during the year. On average, 150 to 200 refugees and asylum seekers were detained in Khartoum each month and assisted with legal aid by the joint UNHCR and Commission for Refugees legal team.

Employment: Throughout the year, the government in principle allowed refugees to work informally, but rarely granted work permits (even to refugees who obtained degrees in the country). A UNHCR agreement with the Commission for Refugees to issue more than 1,000 work permits to selected refugees for a livelihood graduation program was being implemented in Kassala and Gedaref. The commission issued 35 work permits in 2018 and 188 work permits in 2017. To get a work permit, NISS required refugees to apply for a “foreigner number,” but most refugees did not have a “foreigner number”--which is why the number of issued work permits was low. Some refugees in eastern states found informal work as agricultural workers or laborers in towns. Some women in camps reportedly resorted to illegal production of alcohol and were harassed or arrested by police. In urban centers the majority of refugees worked in the informal sector (for example, as tea sellers, house cleaners, and drivers), leaving them at heightened risk of arrest, exploitation, and abuse.

Temporary Protection: The government claimed to register asylum seekers as soon as it could and, if the first point of entry was in East Sudan, then registration normally would take place in 72 hours. Asylum seekers underwent a security check by NISS (later GIS) that could take one to two months. The Commission for Refugees proceeded with a refugee status determination assessment, which took an estimated 14 days. Asylum seekers are given full protection during this time.

g. Stateless Persons

Not applicable.

Section 3. Freedom to Participate in the Political Process

The constitutional declaration revoked the Interim National Constitution of 2005 along with the states’ constitutions, but the laws issued pursuant to these documents remained in force. The constitution states every citizen has the right of political participation and the right to participate in public affairs in accordance with the law.

On April 15, the TMC announced the National Congress Party would not be part of the transitional government but could participate in elections.

Elections and Political Participation

Recent Elections: National executive and legislative elections held in 2015 did not meet international standards. The government failed to create an environment conducive to free and fair elections. Restrictions on political rights and freedoms, lack of a credible national dialogue, and the continuation of armed conflict on the country's peripheries contributed to a very low voter turnout. Observers noted numerous problems with the pre-election environment. The legal framework did not protect basic freedoms of assembly, speech, and press. Security forces restricted the actions of opposition parties and arrested opposition members and supporters. Additionally, there were reported acts of violence during the election period.

The main opposition parties--National Umma Party, National Consensus Forces, Sudanese Congress Party, Sudanese Communist Party, and the Popular Congress Party--boycotted the election; only the ruling NCP and National Unity Parties participated.

According to the chair of the National Election Commission, 5,584,863 votes were counted in the election, representing a participation rate of approximately 46 percent. According to the African Union and other observers, however, turnout was considerably lower. The NCP won 323 seats, Democratic Unionist Party 25, and independents 19 seats in the 426 seat National Assembly; minor political parties won the remaining seats. The government prevented the independents, many of whom were previously ejected from the NCP, from forming a parliamentary group. The States Council consisted of 54 members, with each state represented by three members.

Under the former regime, general elections for president and the National Assembly were scheduled to be held every five years. Under the Political Agreement and the constitutional declaration signed in August, elections are expected to be held in 2022.

Political Parties and Political Participation: The NCP dominated the political landscape, holding well over a two-thirds majority in the former National Assembly. The Original Democratic Unionist Party, the Registered Faction Democratic Unionist Party, and independents held the remaining seats.

The Political Parties Affairs Council oversees the registration of political parties. The ruling party controls the council. The council refused to register the Republican (Jamhori) Party, an Islamic reform movement that promotes justice and

equality. The party leader filed an appeal in the Constitutional Court in 2017, which remained pending at year's end.

The Political Parties Affairs Council listed 92 registered political parties. The National Umma Party and the Democratic Unionist Party have never registered with the government. The Bashir regime government harassed some opposition leaders who spoke with representatives of foreign organizations or embassies or travelled abroad (see section 2.d.).

Bashir authorities monitored and impeded political party meetings and activities, restricted political party demonstrations, used excessive force to break them up, and arrested opposition party members.

Participation of Women and Minorities: The constitutional declaration states that every citizen has the right of political participation and the right to participate in public affairs in accordance with the law. In addition, it states the state shall guarantee the equal rights of women and men to the enjoyment of political rights. In the CLTG cabinet, women held four of the 20 ministerial posts, including the post of foreign affairs. There is one woman on the Sovereign Council, who is also a Coptic Christian, a minority religion in the country. In addition, the constitutional declaration requires at least 40 percent of the Legislative Council be women, although the Legislative Council had not been formed by year's end.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials; nevertheless, government corruption at all levels was widespread. The Bashir government made a few efforts to enforce legislation aimed at preventing and prosecuting corruption.

Corruption: According to the World Bank's most recent Worldwide Governance Indicators, corruption was a severe problem. The law provides the legislative framework for addressing official corruption, but implementation under the Bashir regime was weak, and many punishments were lenient. Officials found guilty of corrupt acts could often avoid jail time if they returned ill-gotten funds. Under the Bashir regime, journalists who reported on government corruption were sometimes intimidated, detained, and interrogated by security services.

A special anticorruption attorney investigated and prosecuted corruption cases involving officials, their spouses, and their children. Punishments for embezzlement include imprisonment or execution for public service workers,

although these sanctions were almost never carried out. All bank employees were considered public-service workers.

Under the Bashir regime, media reporting on corruption was considered a “red line” set by NISS and a topic authorities for the most part prohibited newspapers from covering (see section 2.a.). While reporting on corruption was no longer a red line under the CLTG, media continued to practice self-censorship on issues related to corruption.

In August former president Bashir was formally indicted on charges of corruption and illegal possession of foreign currency. Bashir’s trial began in August; in December he was convicted and sentenced to two years’ imprisonment on these charges. Other more serious charges were pending at year’s end.

Financial Disclosure: Under the Bashir regime, the law required high-ranking officials to disclose publicly income and assets. There were no clear sanctions for noncompliance, although the Anticorruption Commission possessed discretionary powers to punish violators. The Financial Disclosure and Inspection Committee and the Unlawful and Suspicious Enrichment Administration at the Justice Ministry both monitored compliance. Despite three different bodies ostensibly charged with monitoring financial disclosure regulations, there was no effective enforcement or prosecution of offenders.

The 2019 constitutional declaration includes financial disclosure and prohibition of commercial activity provisions for members of the Sovereign Council and Council of Ministers, state and regional governors, and members of the Transitional Legislative Council. It also mandates an Anticorruption and Restoration of Stolen Wealth Commission.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

The Bashir regime was uncooperative with, and unresponsive to, domestic human rights groups. It restricted and harassed workers of both domestic and international human rights organizations.

According to international NGOs, Bashir government agents consistently monitored, threatened, prosecuted, and occasionally physically assaulted civil society human rights activists. Unlike in previous years, there were no reports that the Bashir government arrested NGO-affiliated international human rights and

humanitarian workers. Under the CLTG, cooperation with NGOs greatly improved.

The United Nations or Other International Bodies: The Bashir government's denial of visas undermined UNAMID's human rights section in particular. UNAMID adapted by utilizing other UNAMID international staff for human rights functions but still had a vacancy rate of 25 percent due to visa denials. International observers alleged the section was targeted to curtail human rights reporting on the Darfur conflict. As of September, seven visa applications for UNAMID's human rights section were awaiting government action. In addition to general limitations on UNAMID's access to Darfur, other limitations remained in place specific to UNAMID human rights reporting, including verification of sexual and gender-based abuse. UNAMID's mandate anticipated a reduced presence in Darfur.

Sudan is a party to the African Charter on Human and Peoples' Rights.

The UN independent expert was not permitted to visit the country. The independent expert submitted four written requests to the government through its permanent mission in Geneva, requesting permission to conduct a field visit. In early April the government granted permission for the independent expert to conduct a visit from April 27 to May 5. On April 23, however, following the removal on April 11 of President al-Bashir, the TMC requested the independent expert postpone his field visit to a time to be determined later. Upon follow-up, no new official invitation was extended to the independent expert.

The CLTG responded positively to overtures from the UN Office of the High Commissioner for Human Rights to re-establish an office in the country. On September 25, the CLTG signed what the United Nations called a "milestone agreement" to open a UN Office of the High Commissioner for Human Rights in Khartoum, with field offices in Darfur, the Two Areas, and East Sudan. The Khartoum office was scheduled to open in January 2020.

Government Human Rights Bodies: Human rights defenders under the Bashir regime regularly filed complaints with the National Human Rights Commission regarding perceived human rights violations. The commission typically referred complaints back to the accused institution.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: Rape and sexual harassment are criminal offenses, and a rape victim cannot be prosecuted for adultery. Marital rape is not recognized.

There were no reliable statistics on the prevalence of rape and domestic violence. The UN international expert on the human rights situation in Sudan and UNAMID's human rights section reported they received regular reports of incidents of rape and sexual and gender-based violence (see section 1.g.). Monitoring groups reported the incidence of rape and sexual assault increased as the economic situation worsened during the year and intercommunal violence increased. Human rights organizations cited substantial barriers to reporting sexual and gender-based violence, including cultural norms, police reluctance to investigate, and the widespread impunity of perpetrators.

On June 3, during the security forces clearance of peaceful demonstrators in front of SAF headquarters, there were credible reports of rape by security forces, including the RSF.

Female Genital Mutilation/Cutting (FGM/C): FGM/C remained a problem throughout the country. No national law prohibits FGM/C, and the procedure continued to be used on women and girls throughout the country. The Bashir government launched a national campaign in 2008 to eradicate FGM/C by 2018; since 2008, five states passed laws prohibiting FGM/C: South Kordofan, Gedaref, Red Sea, South Darfur, and West Darfur. The Bashir government, with the support of the former first lady, prioritized the *saleema* (uncut) campaign, which raised public awareness. The Bashir government worked with UNICEF, the UN Population Fund (UNFPA), and the World Health Organization to end FGM/C.

According to UNICEF and UNFPA, the prevalence rate of FGM/C among girls and women between the ages of 15 and 49 was 87 percent. Prevalence varied geographically and depended on the local ethnic group.

For more information, see Appendix C.

Sexual Harassment: There were frequent reports of sexual harassment by police. The Bashir government did not provide any information on the number of sexual harassment reports made. NGOs, not the Bashir government, made most efforts to curb sexual harassment.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The law, including many traditional legal practices and certain provisions of Islamic jurisprudence as interpreted and applied by the Bashir government, discriminates against women. In accordance with Islamic judicial interpretation, a Muslim widow inherits one-eighth of her husband's estate; of the remaining seven-eighths, two-thirds goes to the sons and one-third to the daughters. In certain probate trials, a woman's testimony is not considered equal to a man's; the testimony of two women is required. In other civil trials, the testimony of a woman equals that of a man.

By law a Muslim man may marry a Jewish or Christian woman. A Muslim woman may not marry a non-Muslim man and may be charged with adultery if she does so.

Various Bashir government institutions required women to dress according to Islamic or cultural standards, including wearing a head covering. In Khartoum, public order police occasionally brought women before judges for allegedly violating Islamic standards. One women's advocacy group estimated that in Khartoum, public order police arrested an average of 40 women per day. Islamic standards for dress generally were not legally enforced for non-Muslims but were culturally enforced. In December the public order law, which provided the authority for these arrests, was repealed.

Children

Birth Registration: The Interim National Constitution states that persons born to a citizen mother or father have the right to citizenship. The law, however, granted citizenship only to children born to a citizen father by descent until July 2017, when the Supreme Court recognized the right of mothers to confer citizenship on their children. The 2019 constitutional declaration states every child born to a Sudanese mother or father has the inviolable right to enjoy Sudanese nationality and citizenship.

Most newborns received birth certificates, but some in remote areas did not. Registered midwives, dispensaries, clinics, and hospitals could issue certificates. Failure to present a valid birth certificate precludes enrollment in school. Access

to health care was similarly dependent on possession of a valid birth certificate, but many doctors accepted a patient's verbal assurance that he or she had one.

Education: The law provides for tuition-free basic education up to grade eight, but students often had to pay school, uniform, and examination fees to attend. Primary education is neither compulsory nor universal.

Child Abuse: The government tried to enforce laws criminalizing child abuse and was more likely to prosecute cases involving child abuse and sexual exploitation of children than cases involving adults. Some police stations included "child friendly" family and child protection units and provided legal, medical, and psychosocial support for children.

Early and Forced Marriage: The legal age of marriage was 10 years for girls and 15 years or puberty for boys. The Bashir government and the former president's wife worked to end child marriage.

Sexual Exploitation of Children: Penalties for the sexual exploitation of children vary and can include imprisonment, fines, or both. The Bashir government and CLTG tried to enforce laws criminalizing child sexual exploitation.

There is no minimum age for consensual sex or a statutory rape law. Pornography, including child pornography, is illegal. Statutes prescribe a fine and period of imprisonment not to exceed 15 years for child pornography offenses.

Displaced Children: Internally displaced children often lacked access to government services such as health and education due to security concerns and an inability to pay related fees. UNICEF estimated 960,000 children were internally displaced.

Institutionalized Children: Police typically sent homeless children who had committed crimes to government camps for indefinite periods. Health care, schooling, and living conditions were generally very basic. All children in the camps, including non-Muslims, had to study the Quran.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

A very small Jewish community remained in the country, predominantly in the Khartoum area. Societal attitudes were generally not tolerant of Jewish persons, although anti-Semitic acts were rare.

In September the newly installed minister for religious affairs called for all Jews of Sudanese origin to return to the country and underscored that Sudan is a pluralistic society.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

Although the law, the Interim National Constitution, and the constitutional declaration provide protection for persons with disabilities, social stigma and a lack of resources hindered the government's enforcement of disability laws. The law does not specifically prohibit discrimination against persons with disabilities.

Social stigma and lack of resources often prevented government and private entities from accommodating persons with disabilities in education and employment. Appropriate supports were especially rare in rural areas.

The Bashir government did not enact laws or implement effective programs to provide for access to buildings, information, and communication for persons with disabilities.

In December, Prime Minister Hamdok tweeted, "Care for the challenges faced by persons with disabilities symbolizes wellness and development in any democratic society."

National/Racial/Ethnic Minorities

The population includes more than 500 ethnic groups speaking numerous languages and dialects. Some of these ethnic groups self-identify as Arab,

referring to their language and other cultural attributes. Northern Muslims traditionally dominated the government.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

The law does not specifically prohibit homosexuality but criminalizes sodomy, which is punishable by death. Lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons are not considered a protected class under antidiscrimination laws. Antigay sentiment was pervasive in society. LGBTI organizations increasingly felt pressured to suspend or alter their activities due to threat of harm. Under the Bashir regime several LGBTI persons felt compelled to leave the country due to fear of abuse, intimidation, or harassment.

There were no reports during the year of official action to investigate or punish those complicit in LGBTI-related discrimination or abuses.

HIV and AIDS Social Stigma

There was societal discrimination against persons with HIV/AIDS.

Other Societal Violence or Discrimination

Clashes often resulted from conflicts over land rights, mineral ownership, and use of gold-mining areas, particularly in the Jebel Amer area in North Darfur. Observers believed those clashes resulted in deaths and displacement. Largely unregulated artisanal gold-mining activities continued in all of the Darfur states, although it was a lesser source of tension between communities than in previous years. Claims to land rights continued to be mostly ethnic and tribal in nature.

Promotion of Acts of Discrimination

The Bashir government, Bashir government-supported militias, and rebel groups reportedly promoted hatred and discrimination, using standard propaganda techniques. The Bashir government often used religiously charged language to refer to suspected antigovernment supporters.

The Bashir government did not take measures to counter hate speech.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides that employees of companies with more than 100 workers can form and join independent unions. Other employees can join preexisting unions. The law establishes a single national trade union federation and excludes police, military personnel, prison employees, legal advisers in the Justice Ministry, and judges from membership. In some cases membership in international unions was not officially recognized.

The TMC dissolved all trade unions and associations in April but restored the right to form unions on May 22. On November 26, the CLTG dissolved all trade unions and associations as part of its effort to dismantle the remnants of the Bashir regime. The CLTG allowed the formation of new trade unions.

The law under the Bashir regime and the TMC denied trade unions autonomy to exercise the right to organize or to bargain collectively. It defined the objectives, terms of office, scope of activities, and organizational structures and alliances for labor unions. The law required all strikes in nonessential sectors to receive prior approval from the government after satisfying a set of legal requirements. Specialized labor courts adjudicated standard labor disputes, but the Ministry of Labor had the authority to refer a dispute to compulsory arbitration. Disputes also may have been referred to arbitration if indicated in the work contract. The law did not prohibit antiunion discrimination by employers.

Police could break up any strike conducted without prior government approval. There were several strikes reported during the year.

Bureaucratic steps mandated by law to resolve disputes between labor and management within companies were lengthy. Court sessions involved additional significant delays and costs when labor grievances were appealed.

The Bashir government did not effectively enforce applicable laws. Freedom of association and the right to collective bargaining were not respected under the Bashir regime. There were credible reports the government routinely intervened to manipulate professional, trade, and student union elections.

The Sudan Workers' Trade Union Federation, a Bashir government-controlled federation of 18 state unions and 22 industry unions, was the only official umbrella organization for unions. No NGOs specialized in broad advocacy for labor rights.

There were unrecognized “shadow unions” for most professions. During the protests these became known as the Sudanese Professional Association, and their members were leading activists during the protests and the later negotiations between the TMC and FFC leading to the establishment of the CLTG. For example, the Bashir government recognized only the Sudan Journalists Union, whose membership included all journalists, including the spokesperson of the Sudan Air Force, as well as NISS media-censorship officials. Most independent journalists, however, were members of the nonregistered Sudan Journalist Network, which organized advocacy activities on behalf of journalists.

According to the International Trade Union Confederation, in oil-producing regions, police and secret service agents, in collusion with oil companies, closely monitored workers’ activities.

b. Prohibition of Forced or Compulsory Labor

The law criminalizes all forms of forced or compulsory labor. The Bashir government, however, did not effectively enforce the law. Resources, inspections, and remediation were inadequate, and penalties for violations in the form of fines were rarely imposed and insufficient to deter violations. The Bashir government stated it investigated and prosecuted cases of forced labor, but it did not compile comprehensive statistics on the subject. Some government officials claimed forced labor had been eradicated and denied reports that citizens engaged in this practice.

Most of the violations existed in the farming and pastoral sectors. There were reports some children were engaged in forced labor, especially in the informal mining sector. Some domestic workers were reported to be working without pay. Women refugees were especially prone to labor violations.

Also see the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the worst forms of child labor. The constitutional declaration provides for the state to protect the rights of children as provided in international and regional conventions ratified by the country. The law defines children as persons younger than 18 and prohibits children younger than 14 from working, except in agricultural work that is not dangerous or harmful to their health. The Ministry of Labor and Social Affairs is responsible for enforcing child labor laws.

The Child Act defines working children as persons between the ages of 14 and 18. The law also prohibits the employment of such persons between 6 p.m. and 8 a.m.

The law allows minors to work for seven hours a day broken by a paid hour of rest. It is illegal to compel minors to work more than four consecutive hours, work overtime, or work during weekly periods of rest or on official holidays. The law prohibits employers from waiving, postponing, or reducing annual leave entitlements for minors. During the year, the government did not effectively enforce such laws. Penalties for violations were not sufficient to deter violations.

Child labor took place, most commonly in the agricultural sector, and also in other elements of the informal sector, including shoe shining, car washing, collecting medical and other resalable waste, street vending, begging, construction, and other menial labor. Children working in the informal sector were vulnerable to chronic illnesses and car accidents.

The International Labor Organization monitored forced child labor in gold mining. UNICEF received unverified reports revealing the dangerous conditions under which children were working in gold mining, including requirements to carry heavy loads and to work at night and within confined spaces and exposure to mercury and high temperatures. There were reports that children as young as 10 were used in artisanal gold mining throughout the country. According to multiple reputable sources, thousands of children worked in artisanal gold mining, particularly in River Nile, Blue Nile, West Darfur, and North Darfur States, resulting in large numbers of students dropping out of school.

There were reports of the use of child soldiers by the SPLM-N, but numbers were difficult to verify (see section 1.g.).

Also see the Department of Labor's *List of Goods Produced by Child Labor or Forced Labor* at <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods>.

d. Discrimination with Respect to Employment and Occupation

Law and regulations prohibit discrimination based on race, sex, gender, disability, tribe, and language, but they were not consistently enforced. There is no legal protection from discrimination based on sexual orientation or gender identity, HIV or other communicable disease status, political opinion, social or national origin,

age, or social status. The law does provide protection based on religion or ethnicity. In practice employers determined whether or not they would accommodate religious or ethnic practices. For example, employers adopted Islamic practices, including reduced working hours during the month of Ramadan and paid leave to perform the Hajj pilgrimage. Labor laws apply to migrant workers with legal contracts, but foreign workers who do not have legal status are not provided legal protections from abuse and exploitation.

The Bashir government did not effectively enforce antidiscrimination laws and regulations in the workplace; penalties in the form of fines were rarely imposed and were insufficient to deter violations. Discrimination occurred in employment and occupation based on gender, religion, and ethnic, tribal, or party affiliation. Ethnic minorities reported that government hiring practices discriminated against them in favor of “riverine” Arabs from northern Sudan. Ethiopians, Eritreans, and other refugees or migrants were often exposed to exploitative work conditions.

There were reports some female refugees and migrants working as domestic workers or tea sellers were not compensated for their work, required to pay “kettle taxes” to police, sexually exploited, or trafficked. Female tea sellers also reported harassment and confiscation of their belongings. Observers reported, however, such harassment had stopped under the CLTG, though challenges persisted.

Migrant workers and some ethnic minorities were unaware of their legal rights, suffered from discrimination, and lacked ready access to judicial remedies. The International Organization of Migration (IOM) established migrants’ reception centers in Khartoum in 2015 and Gedaref in March that included workshops on workers’ rights and the hazards of migration. The state government allocated the land and building to the IOM.

e. Acceptable Conditions of Work

The government sets a minimum wage, which is below the poverty line. Although employers generally respected the minimum wage law in the formal sector, wages in the informal sector were often significantly below the official rate. Enforcement by the Ministry of Labor and Social Affairs was minimal. Inspections and enforcement were inadequate in both the formal and informal sectors.

The law limits the workweek to 40 hours (five eight-hour days, not including a 30-minute to one-hour daily break), with days of rest on Friday and Saturday. Overtime should not exceed 12 hours per week or four hours per day. The law

provides for paid annual leave after one year of continuous employment and paid holidays after three months.

The laws prescribe occupational safety and health standards. Any industrial company with 30 to 150 employees must have an industrial safety officer. A larger company is required to have an industrial safety committee that includes management and employees. Committees and officers are required to report safety incidents to the Ministry of Labor and Social Affairs. The law requires the owner of an industrial company to inform workers of occupational hazards and provide means for protection against such hazards. Management is also required to take necessary precautions to protect workers against industrial accidents and occupational diseases. The law does not recognize the right of workers to remove themselves from dangerous work situations without loss of employment. Some heavy industry and artisanal mining operations, notably gold extraction, reportedly lacked sufficient safety regulations.

Safety laws do not apply to domestic servants; casual workers; agricultural workers other than those employed in the operation, repair, and maintenance of agricultural machinery; enterprises that process or market agricultural products, such as cotton gins or dairy-product factories; jobs related to the administration of agricultural projects, including office work, accounting, storage, gardening, and livestock husbandry; or to family members of an employee who live with the employee and who are completely or partially dependent on the employee for their living.

Representatives of the Eritrean and Ethiopian communities in Khartoum stated that undocumented migrants in the capital were subjected to abusive work conditions. They also reported many undocumented workers did not report abuse due to fear authorities might deport them to Eritrea because of their illegal status.

The Ministry of Labor and Social Affairs, which maintained field offices in most major cities, is responsible for enforcing these standards. The ministry employed labor inspectors, including specialists on labor relations, labor conflicts, and vocational, health, and recruitment practices. The government did not effectively enforce wage, hour, and occupational safety and health laws, and penalties were not sufficient to deter violations.