



Home Office

Country Policy and Information Note

Sudan: Opposition to the government, including sur place activity

Version 2.0

November 2018

Preface

Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in [the basis of claim](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (1) analysis of COI; and (2) COI. These are explained in more detail below.

Assessment

This section analyses the evidence relevant to this note – i.e. the COI section; refugee/human rights laws and policies; and applicable caselaw – by describing this and its inter-relationships, and provides an assessment on whether, **in general**:

- A person is reasonably likely to face a real risk of persecution or serious harm
- A person is able to obtain protection from the state (or quasi state bodies)
- A person is reasonably able to relocate within a country or territory
- Claims are likely to justify granting asylum, humanitarian protection or other form of leave, and
- If a claim is refused, it is likely or unlikely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case’s specific facts.

Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation’s (ACCORD), [Researching Country Origin Information – Training Manual, 2013](#). Namely, taking into account the COI’s relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a [terms of reference](#) which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the ‘cut-off’ date in the country information section. Any event taking place or report/article published after this date is not included.

All information is publicly accessible or can be made publicly available, and is from generally reliable sources. Sources and the information they provide are carefully considered before inclusion.

Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information, and
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate, balanced and corroborated, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a brief footnote; full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email [the Country Policy and Information Team](#).

Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

Contents

Assessment	6
1. Introduction.....	6
1.1 Basis of claim.....	6
1.2 Points to note.....	6
2. Consideration of issues.....	6
2.1 Credibility.....	6
2.2 Refugee convention.....	6
2.3 Exclusion.....	6
2.4 Assessment of risk.....	7
2.5 Protection.....	12
2.6 Internal Relocation.....	13
2.7 Certification.....	13
Country information	14
3. Political system.....	14
3.1 Overview.....	14
3.2 National Dialogue.....	16
3.3 ‘Sudan Call’.....	17
3.4 Ceasefire between government and rebel groups.....	19
3.5 US sanctions.....	19
4. Opposition political parties.....	20
4.1 Registered and unregistered groups.....	20
4.2 Opposition parties.....	20
4.3 Popular Congress Party.....	22
4.4 National Umma Party.....	23
4.5 Sudanese Communist Party (SCP).....	23
4.6 Democratic Unionist Party (SCP).....	24
5. Armed opposition groups.....	25
5.1 Areas of conflict.....	25
5.2 Darfuri groups.....	25
5.3 Sudan Liberation Movement / Army (SLM/A - MM)/ SLM-Minnawi.....	26
5.4 Sudan Liberation Movement / Army (SLM/A - AW)/ SLM-al-Nur.....	27
5.5 Justice and Equality Movement (JEM).....	27
5.6 South Kordofan and Blue Nile groups (the ‘Two Areas’).....	28
5.7 Human rights violations committed by armed groups.....	30
6. Treatment of opposition groups.....	31

6.1	Overview – freedom of expression, association and assembly	31
6.2	Enforced disappearances.....	35
6.3	Arbitrary arrest and detention	35
6.4	Treatment of political parties	37
6.5	Treatment of armed groups.....	39
6.6	Treatment of students	41
6.7	Treatment of Darfuri students.....	42
6.8	Treatment of civil society.....	44
6.9	Treatment of journalists and media workers.....	47
7.	Sur place activity in the UK.....	50
8.	Sudanese diaspora organisations.....	52
8.1	Type of diaspora organisations	52
8.2	Justice and Equality Movement.....	52
9.	Surveillance	53
9.1	Surveillance in Sudan.....	53
9.2	Surveillance abroad.....	54
10.	Treatment on return.....	59
	Terms of reference	60
	Bibliography	62
	Sources cited.....	62
	Sources consulted but not cited.....	66
	Version control.....	67

Assessment

Updated: 19 November 2018

1. Introduction

1.1 Basis of claim

1.1.1 Fear of persecution or serious harm by the state because of the person's actual or perceived opposition to the government.

1.2 Points to note

1.2.1 Opposition to the government should be viewed very broadly, and includes persons who may be perceived to oppose the government, members of political parties and armed opposition groups, journalists and media workers, bloggers, civil society activists, human rights lawyers/defenders and students.

1.2.2 Such persons may participate in activities inside and/or outside of Sudan.

[Back to Contents](#)

2. Consideration of issues

2.1 Credibility

2.1.1 For information on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).

2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

[Back to Contents](#)

2.2 Refugee convention

2.2.1 Actual or imputed political opinion.

2.2.2 Establishing a convention ground alone is not sufficient to be recognised as a refugee. The question to be addressed in each case is whether the particular person will face a real risk of persecution on account of their actual or imputed political opinion.

2.2.3 For further information on assessing convention reasons, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

[Back to Contents](#)

2.3 Exclusion

2.3.1 Armed opposition groups operating in Darfur and the 'Two Areas' (Blue Nile and South Kordofan) have reportedly committed grave human rights violations and abuses (see Political system, [Armed opposition groups](#), specifically [Human rights violations committed by armed groups](#)).

- 2.3.2 If there are serious grounds for considering that a person was involved in or associated with such acts, or with the groups concerned, decision makers must consider whether one of the exclusion clauses is applicable, seeking advice from a Senior Caseworker if necessary.
- 2.3.3 For further guidance on the exclusion clauses and restricted leave, see the Asylum Instructions on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and [Restricted Leave](#).

[Back to Contents](#)

2.4 Assessment of risk

a. Activities in Sudan

- 2.4.1 The government restricts freedom of expression and assembly, and tightly controls the political space. This limits the ability of groups opposing the government – including political parties, civil society, students, lawyers, newspaper editors, bloggers and journalists – to operate openly and effectively, and to criticise or hold an alternative view to the government (see [Political system](#) and [Treatment of opposition groups](#)).
- 2.4.2 Persons who oppose the government are reported to be subject to reprisals and various abuses, including harassment, forced disappearance, arbitrary arrest and detention (which may vary from a few days to months and years), and ill-treatment by agents of the state, principally the National Intelligence and Security Service (NISS). The government's reaction to a perceived threat varies and may depend, in part, on the prevailing political climate as well as the person's profile and activities. Periods of high tension, such as the build-up to national elections, are likely to lead to an increase in harassment, arrest and detention of opposition activists (see [Political system](#) and [Treatment of opposition groups](#)).
- 2.4.3 In the country guidance case of [AY \[Political parties – SCP – risk\] Sudan CG \[2008\] UKAIT 00050](#), heard on 18 and 19 February 2008 and promulgated 16 May 2008, the Upper Tribunal (UT) found that opposition parties are allowed to function within relatively narrow parameters in Sudan. The Tribunal also found that:

'The Sudanese authorities do not seek or even attempt to take action which could amount to persecution against all political opponents but in the main they seek to control by the use of fear and intimidation. Depending on the particular circumstances of an individual, they may resort to stronger measures, particularly against those actively engaged in building up grass roots democracy, working in support of human rights and involved in open criticism of the regime's core ideology and philosophy.' (Paragraph 50).

'In general it will be difficult for ordinary members and supporters of the [Sudan Communist Party] SCP or any other political party to establish a claim for asylum. They will need to show that they have been engaged in specific activities likely to bring them to the attention of the adverse authorities such as active and effective local democratic activity or support for particular human rights activities. Whether any individual political activist is at risk will necessarily depend upon his individual circumstances set within the context of the situation as at the date of decision. This will include an

assessment of the nature of the activities carried out and how they will be seen by the authorities.’ (Paragraphs 51 and 53).

‘The legal status of an opposition party has no significant bearing in itself on whether an individual is likely to be at risk of persecution. Political activities also take place under the guise of cultural associations’. (Headnote 1- 4)

- 2.4.4 The later European Court of Human Rights (ECtHR) case of [A.A. v. Switzerland - 58802/12 - Chamber Judgment \[2014\] ECHR 3 \(07 January 2014\)](#), having deliberated in private on 3 December 2013, found that anyone opposing or suspected as opposing the regime would be likely to face a breach of Article 3 of the European Convention of Human Rights (inhuman or degrading treatment or punishment) on return to Sudan. The ECtHR considered the case of a Sudanese national who joined the Sudan Liberation Movement (SLM) – Unity after having left Sudan and engaging in political activities while in Switzerland. It found that the appellant, AA, might as a result of his sur place political activities be suspected of being affiliated with an opposition movement by the Sudanese government (paragraph 43).
- 2.4.5 It further held that:
- ‘With regard to the situation of political opponents of the Sudanese government, the Court nevertheless holds that the situation is very precarious. From the Country reports and the relevant case law... it is evident that suspected members of the SPLM-North [Sudan People’s Liberation Movement North], members of other opposition parties, civil society leaders and journalists are frequently harassed, arrested, beaten, tortured and prosecuted by the Sudanese authorities. Because of the ongoing war in different states, the SPLM-North has been banned by the Sudanese government and accordingly many people were detained because of their real or perceived links with that organisation. Furthermore, not only leaders of political organisations or other high-profile people are at risk of being detained, ill-treated and tortured in Sudan, but anyone who opposes or is only suspected of opposing the current regime... are at risk of treatment contrary to Article 3 of the Convention in Sudan.’ (paragraphs 40 and 42)
- 2.4.6 The ECtHR in the case of AA considered existing European caselaw and a selection of country information up to June 2013. The Upper Tribunal in the UK country guidance case of [IM and AI \(Risks - membership of Beja Tribe, Beja Congress and JEM\) Sudan CG \[2016\] UKUT 188 \(IAC\)](#), promulgated on 14 April 2016, heard on 28 and 29 July 2015, and 4 November 2015, also considered the risk faced by those involved in activities critical of the regime inside and outside of Sudan. The UT had access to information up to the middle of 2015, including contributions from expert witnesses.
- 2.4.7 The UT in [IM and AI](#) found, in analysis echoing that of the UT in the case of [AY](#), that whether a person would be at risk of persecution or serious harm depended on whether they were considered to pose a potential threat to the regime (see Headnote, paragraphs 1 and 3).
- 2.4.8 The UT also found that it is necessary to distinguish between those who were arrested and detained for a short period of time, designed to intimidate but did not amount to persecution, and those persons the regime considered a threat who may be subject to more severe treatment and, as a result, face

persecution or serious harm. Ultimately, in order to determine who is at risk it is necessary to undertake a comprehensive assessment of the person's particular profile and activities (see Headnote, paragraphs 3 and 4).

2.4.9 The UT in [IM and AI](#), noting that its determination needed to be read fully, held that:

'In order for a person to be at risk on return to Sudan there must be evidence known to the Sudanese authorities which implicates the claimant in activity which they are likely to perceive as a potential threat to the regime to the extent that, on return to Khartoum there is a risk to the claimant that he will be targeted by the authorities. The task of the decision maker is to identify such a person and this requires as comprehensive an assessment as possible about the individual concerned. (Headnote 1)

'The evidence draws a clear distinction between those who are arrested, detained for a short period, questioned, probably intimidated, possibly rough handled without having suffered (or being at risk of suffering) serious harm and those who face the much graver risk of serious harm. The distinction does not depend upon the individual being classified, for example, as a teacher or a journalist (relevant as these matters are) but is the result of a finely balanced fact-finding exercise encompassing all the information that can be gleaned about him... Distinctions must be drawn with those whose political activity is not particularly great or who do not have great influence. Whilst it does not take much for the NISS to open a file, the very fact that so many are identified as potential targets inevitably requires NISS to distinguish between those whom they view as a real threat and those whom they do not.

'It will not be enough to make out a risk that the authorities' interest will be limited to the extremely common phenomenon of arrest and detention which though intimidating (and designed to be intimidating) does not cross the threshold into persecution.

'The purpose of the targeting is likely to be obtaining information about the claimant's own activities or the activities of his friends and associates.

'The evidence establishes the targeting is not random but the result of suspicion based upon information in the authorities' possession, although it may be limited.

'Caution should be exercised when the claim is based on a single incident. Statistically, a single incident must reduce the likelihood of the Sudanese authorities becoming aware of it or treating the claimant as of significant interest.

'Where the claim is based on events in Sudan in which the claimant has come to the attention of the authorities, the nature of the claimant's involvement, the likelihood of this being perceived as in opposition to the government, his treatment in detention, the length of detention and any relevant surrounding circumstances and the likelihood of the event or the detention being made the subject of a record are all likely to be material factors... The decision maker must seek to build up as comprehensive a picture as possible of the claimant taking into account all relevant material

including that which may not have been established even to the lower standard of proof.

‘Once a composite assessment of the evidence has been made, it will be for the decision maker to determine whether there is a real risk that the claimant will come to the attention of the authorities on return in such a way as amounts to more than the routine commonplace detention but meets the threshold of a real risk of serious harm.’ (paragraphs 229-236)

2.4.10 Whether a person is at risk of such treatment will depend on

- The nature and profile of their activities, and the organisation they represent
- Their personal circumstances (including their ethnicity)
- Whether they have come to the attention of the authorities previously and, if so, the nature of this interest
- Whether the state may perceive them as posing a threat

2.4.11 The onus is on the person to demonstrate that their profile and activities will mean that they are likely to face a risk of persecution on return.

2.4.12 For more analysis and information on treatment of returnees, including those considered a threat to the regime, see the country policy and information note on [Sudan: return of unsuccessful asylum seekers](#). See also the country policy and information note on [Sudan: non-Arab Darfuri](#) for more information on the treatment of that particular ethnic group including returnees.

2.4.13 For guidance on assessing risk more generally, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

[Back to Contents](#)

b. Sur place activity

2.4.14 The Sudanese authorities are intolerant of opposition both inside and outside of Sudan, and the regime monitors members of the diaspora in the UK and in other states (see [Surveillance](#)).

2.4.15 The ECtHR in [AA](#) observed in regard to sur place activities that ‘it has been acknowledged that the Sudanese government monitors activities of political opponents abroad’ (para 40). The court went on to observe that:

‘... it is generally very difficult to assess in cases regarding sur place activities whether a person is genuinely interested in the political cause or has only become involved in it in order to create post-flight grounds. In similar cases, the Court has therefore taken into account factors such as whether the applicant was a political activist prior to fleeing his home country, and whether he played an active role in making his asylum case known to the public in the respondent State.’ (para 41)

2.4.16 The UT in the case of [IM and AI](#) made specific findings about ‘sur place’ activity in paragraphs 209-15 of its determination. It concluded that even where a foreign mission, including that of Sudan, has the will and the means to monitor its nationals, for example by taking photographs and/or videoing

people during demonstrations or through the use of informants within diaspora communities, this does not mean that a person would be at risk simply for taking part. What was required was an individual assessment of the person's profile.

2.4.17 The UT further held that '...it is clear that the Sudanese authorities conduct surveillance on its nationals' outside of Sudan and that:

'...whilst a single reported incident of an embassy official using a camera to video demonstrators in 2006 would hardly be persuasive, it is a reasonable inference that a regime that feels threatened from those abroad as well as those at home will wish to gather such information as is reasonably available as to the level of opposition expressed by those in an expatriate community and, where possible, the identity of the groups and the individuals within them.' (paragraph 211)

2.4.18 The UT noted the 'formidable difficulties in ascertaining the identity of a person in a photograph unless the person i[s] known to the person who identifies him' and '[a]bsent facial recognition techniques about which we have no evidence, there is no evidence that a person could be identified from banks of photographs taken at demonstrations across the world when he is returned to Khartoum.' (paragraph 213)

2.4.19 However, the UT also found that 'there is direct evidence that some returnees have been confronted with photographs taken by covert operations in the United Kingdom conducted on behalf of the security services' and that 'It is not, therefore, a fanciful claim that individuals can be identified by embassy or other staff.' (paragraph 214)

2.4.20 The UT went on to find that:

'The obvious cost and effort render it probable (like any other intelligence-gathering organisation) that these resources are targeted at those that pose the most obvious risk. In a crowd of dozens of people, surveillance is unlikely to be carried through in an attempt to identify the rank-and-file participants and is more likely to be focussed on leaders, organisers, those often or regularly seen at such events and those present at events which are likely to attract the particular sensitivity of the Sudanese officials here, perhaps outside the embassy or perhaps at a significant anniversary or commemoration.' (para 214)

2.4.21 It further held that:

'... [there are] obvious difficulties [which] arise in relation to establishing what information finds its way back to the authorities in Sudan about the activities of individuals whilst in the United Kingdom. It is a forlorn hope that an individual will establish - save in the rarest of cases - that an informer has identified him at a particular event on a particular day or that an embassy official has photographed a protest in circumstances that he is then able to identify the participants. We doubt whether the risk can be elevated to a finding that there is a real risk of his doing so. Nevertheless the evidence should not be discarded for that reason alone but falls into the jig-saw of evidence building up the composite picture of the individual. It is at the end of this entire process that the decision maker then reaches his single conclusion on the issue of a real risk.' (para 215).

2.4.22 While the UT in [IM and AI](#) did not identify risk factors, emphasising the need to look at all of the facts of a case in the round, decision makers may find the following relevant as the **types** of factors that may be material to assessing whether a person may face a risk based on their sur place activities. These include whether a person:

- has been of previous interest to the authorities in Sudan and abroad (including being on a travel watch list)
- has promoted (what could be construed as) anti-regime opinions through online media, such as Twitter, Facebook and Youtube as well as Sudanese community forums
- has or had contact with Sudanese opposition groups inside and outside of Sudan, including attending public meetings or events, being a member or supporting opposition groups, or has an online profile connected with opposition groups that can be traced to the individual or email addresses linked to opposition groups
- has an association with an opposition group, the nature of that group, and the extent to which that group is currently targeted in Sudan by the Sudanese government.
- has family connections or personal links to known political opponents

2.4.23 In paragraph 235 of [IM and AI](#) the UT found that:

‘Where the claim is based on events outside Sudan, the evidence of the claimant having come to the attention of Sudanese intelligence is bound to be more difficult to establish. However it is clear that the Sudanese authorities place reliance upon information-gathering about the activities of members of the diaspora which includes covert surveillance. The nature and extent of the claimant’s activities, when and where, will inform the decision maker when he comes to decide whether it is likely those activities will attract the attention of the authorities, bearing in mind the likelihood that the authorities will have to distinguish amongst a potentially large group of individuals between those who merit being targeted and those that do not.’

2.4.24 The available evidence indicates that the situation for persons opposing the regime both inside and outside of Sudan continues to be that found by the UT in the country guidance case of [IM and AI](#). Those who oppose the government and are considered a threat to it may be at risk of serious harm or persecution.

2.4.25 Whether a person is at risk of such treatment will depend on a case-specific assessment, based on the same factors as those outlined above, with the onus on the person to demonstrate that they would be at risk of persecution or serious harm.

[Back to Contents](#)

2.5 Protection

2.5.1 As the person’s fear is of persecution/serious harm at the hands of the state, they will not be able to avail themselves of the protection of the authorities.

- 2.5.2 For guidance on protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

[Back to Contents](#)

2.6 Internal Relocation

- 2.6.1 As the person's fear is of persecution/serious harm at the hands of the state internal relocation will not be reasonable.

- 2.6.2 For further guidance on internal relocation, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

[Back to Contents](#)

2.7 Certification

- 2.7.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

- 2.7.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

[Back to Contents](#)

Country information

Updated: 19 November 2018

3. Political system

3.1 Overview

3.1.1 The Australian Government's Department of Foreign Affairs and Trade (DFAT) report on Sudan of April 2016 'based on DFAT's on-the-ground knowledge and discussions with a range of sources in Sudan and other parts of Africa, including the UN, civil society organisations and representatives from the international community'¹ observed:

'The Government is dominated by the National Congress Party (NCP) which is an Islamist party and an offshoot of the pan-Arab Muslim Brotherhood. The NCP seized power in 1989 following a successful coup against Sadiq al-Mahdi's coalition government. [Omar Hassan] Bashir was sworn in as President in 1993 and was most recently re-elected in 2015 in the first elections held since South Sudan's secession. The African Union Election Observation Mission found that the legal framework and capacity of the National Electoral Commission were conducive to democratic elections. However, Government figures put turnout at 46 per cent and the African Union Election Observation Mission raised concerns over the increased powers of the National Intelligence and Security Service (NISS), the quality of the voter registration process and the lack of clarity surrounding the delineation of constituency boundaries.'²

3.1.2 Global Security observed in 2016, 'The regime insiders are all from the same part of the country and same three tribes, are all of the same generation, all went to the same schools (many in the US in the 1970s and 1980s during the Nimeiry years) and all grew out of the same NIF movement (with Turabi) in the late 1980s.'³

3.1.3 The US State Department human rights report for Sudan (USSD) covering 2017, published April 2018, noted:

'Sudan is a republic with power concentrated in the hands of authoritarian President Omar Hassan al-Bashir and his inner circle. The National Congress Party (NCP) continued 28 years of nearly absolute political authority. The country last held national elections (presidential and National Assembly) in April 2015. Key opposition parties boycotted the elections when the government failed to meet their preconditions, including a cessation of hostilities, holding of an inclusive "national dialogue," and fostering of a favorable environment for discussions between the government and opposition on needed reforms and the peace process. In the period prior to the elections, security forces arrested many supporters, members, and leaders of boycotting parties and confiscated numerous

¹ Australian Government, Department of Foreign Affairs and Trade (DFAT), 'DFAT Country Information Report – Sudan' (p4), 27 April 2016, [url](#)

² Australian Government, 'DFAT Country Information Report – Sudan' (p7), 27 April 2016, [url](#)

³ Global Security, 'National Congress Party', 3 June 2016, [url](#)

newspapers, conditions that observers said created a repressive environment not conducive to free and fair elections. Only 46 percent of eligible voters participated in the elections, according to the government-controlled National Electoral Commission (NEC), but others believed the turnout to have been much lower. The NEC declared al-Bashir winner of the presidential election with 94 percent of votes.⁴

3.1.4 The same source observed that ‘The NCP dominated the political landscape, controlling all of the regional governorships and holding a two-thirds majority in the National Assembly. The Original Democratic Unionist Party, the Registered Faction Democratic Unionist Party, and independents held the remaining seats.’⁵

3.1.5 The USSD report for 2017 also noted:

‘[Sudan...] continued to operate under the Interim National Constitution of the Comprehensive Peace Agreement (CPA). The constitution provides citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage. Citizens were unable to exercise this right in practice.

‘...The national-level executive and legislative elections, held in April 2015, did not meet international standards. The government failed to create a free, fair, and conducive elections environment. 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...

‘General elections for president and the National Assembly are scheduled to be held every five years. The next general election is scheduled for April 2020. The previous (nationwide excluding conflict areas) gubernatorial election was held in April 2010. The National Assembly changed the constitution in January 2015 to authorize the president to appoint the governors instead of voters selecting them. Under this amendment President Bashir appointed 18 state governors.’⁶

3.1.6 Human Rights Watch also noted in their World Report 2016, published on 27 January 2016, that President al-Bashir’s April 2015 re-election did not meet international standards. The report noted that ‘In the lead up to, during, and after the national elections, from April 13 to 16, 2015, security forces arrested dozens of opposition party members, students, and political activists campaigning for an elections boycott. Many reported they were detained for several days and subjected to harsh beatings before being released without charge’⁷.

⁴ USSD, ‘Country Reports on Human Rights Practices for 2017’, Sudan (summary) 20 April 2018, [url](#)

⁵ USSD, ‘Country Reports on Human Rights Practices for 2017’, Sudan (section 3) 20 April 2018, [url](#)

⁶ USSD, ‘Country Reports on Human Rights Practices for 2017’, Sudan (section 3) 20 April 2018, [url](#)

⁷ Human Rights Watch, World Report 2016: Sudan, 27 January 2016, [url](#)

3.1.7 The independent Sudanese radio station, Radio Dabanga, reported in May 2018 that:

‘A coalition of opposition parties, the National Consensus Forces (NCF), stated that it will not participate in the 2020 elections and refuses to meet with the ruling party to discuss these elections.

‘The national consensus forces have agreed to step up political action against the NCP regime as its leaders agreed to work to topple the regime, not to engage in dialogue with it and refuse to participate in the presidential elections in 2020.

‘[...] Al Bashir already declared his intention to step down in 2015. In an interview with a Sudanese newspaper in March 2013, the president said that his party deliberated to select a new presidential candidate for the elections of 2015. But his NCP insisted that he continued in office, which he did after the elections that resulted in the favour of the ruling party.’⁸

3.1.8 Al Jazeera, Reuters and The Sudan Tribune reported that President Omar al-Bashir will be the NCP’s candidate in the 2020 election, which surpasses the two five-year term limit that a president may spend in office^{9 10 11}.

3.1.9 The Sudan Tribune also observed that the NCP Shura (consultative) Council revised the party statute, giving al-Bashir the chance to run for a third term¹².

[Back to Contents](#)

3.2 National Dialogue

3.2.1 The DFAT report of April 2016, based on a range of sources, noted:

‘In January 2014, Bashir announced that a National Dialogue would be held aimed at engaging all parties in a discussion about democratic reform. The announcement was met with scepticism by the unarmed opposition (a collective term used to refer to opposition parties who are not actively involved in conflict activities) and the armed opposition who claimed that the Government needed to demonstrate its commitment to working with them before a successful National Dialogue could be held. The National Dialogue began on 10 October 2015, with participation from some opposition parties, including the Popular Congress Party. It featured debates on Sudanese identity, human rights, the economy, governance and foreign relations. However, participation by the unarmed opposition and armed opposition has been limited. Informal pre-National Dialogue talks mediated by the African Union between the Government and Sudan Revolutionary Front continue.’¹³

3.2.2 In his report to the UN Security Council of 23 March 2017, the UN Secretary General observed:

‘In line with the recommendations of the National Dialogue, the National Assembly endorsed amendments to the constitution on 26 December 2016, which included: the creation of a Government of National Reconciliation with

⁸ Radio Dabanga, ‘Opposition parties to boycott Sudan elections in 2020’, 1 May 2018, [url](#)

⁹ Al Jazeera, ‘Sudan: Ruling party chooses Bashir as candidate for 2020 election’, 10 August 2018, [url](#)

¹⁰ Reuters, ‘Sudan’s ruling party backs Bashir for 2020 election: SUNA’, 10 August 2018, [url](#)

¹¹ Sudan Tribune, ‘Sudan Call adopts plans to resist al-Bashir’s reelection’, 20 August 2018, [url](#)

¹² Sudan Tribune, ‘Sudan’s NCP denies nominating al-Bashir for re-election in 2020’, 20 August 2018, [url](#)

¹³ Australian Government, ‘DFAT Country Information Report – Sudan’ (p8), 27 April 2016, [url](#)

a four-year mandate; a post of Prime Minister within the framework of the presidential system; modifications to the composition of the National Assembly and state legislative councils; and the separation of the posts of Attorney General and Minister of Justice. The opposition parties, referring to numerous arrests made since November 2016 in connection with the protests against subsidy cuts, demanded that constitutional amendments also include guarantees for political freedom. The leaders of the seven opposition parties that had participated in the National Dialogue process met with the Dialogue Implementation Committee on 28 December 2016, and proposals for additional constitutional amendments were submitted to the National Assembly on 18 January 2017. Those proposals are currently under review by a parliamentary committee established to study them. On 1 March 2017, President Al-Bashir appointed the First Vice-President, Lieutenant Colonel Barki Hasan Saleh, to the post of Prime Minister. He was sworn in on the following day, while maintaining his post as First Vice-President. In his new role, Prime Minister Saleh will oversee the implementation of the outcome of the National Dialogue, including the formation of a Government of National Reconciliation following the dissolution of the current Government on 2 March 2017. The reaction of the opposition parties was muted, with some preferring the status quo rather than transformation.¹⁴

3.2.3 The UN Security Council's 'Special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the strategic review of the African Union-United Nations Hybrid Operation in Darfur', published in June 2018, stated that 'there have been, however, encouraging developments regarding the constitutional review based on the outcome of the national dialogue'¹⁵.

3.2.4 Radio Dabanga stated in an online article dated 1 May 2018, '[The Sudan Communist Party] recently rejected a dialogue request by Sudan's ruling National Congress Party. A statement issued by the party confirmed that "there is no dialogue with the regime, but overthrowing it, handover of power to the people and the establishment of a democratic alternative". The party vowed to continue planning for a general political strike and civil disobedience actions to reach that goal'.¹⁶

[Back to Contents](#)

3.3 'Sudan Call'

3.3.1 Janes noted in July 2017:

'... Given the ruling National Congress Party's dominance of government, the most likely challenge to the administration will emerge from grassroots opposition motivated by economic grievances, such as those stemming from the removal of wheat subsidies on 2 January 2018. This followed the removal of fuel subsidies and in November 2016 and recurrent fuel

¹⁴ UN Security Council, 'Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur', para 18, 23 March 2017, [url](#)

¹⁵ UN Security Council, 'Special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the strategic review of the African Union-United Nations Hybrid Operation in Darfur', para 3, 1 June 2018, [url](#)

¹⁶ Radio Dabanga, 'Opposition parties to boycott Sudan elections in 2020', 1 May 2018, [url](#)

shortages, which are increasing living costs. These adverse economic conditions are causing greater co-operation between political and armed opposition groups, under the "Sudan Call" movement. Resulting anti-government protests are unlikely to escalate like those in September 2013, which caused an unanticipated cabinet reshuffle. The security forces are better prepared, there lacks opposition co-ordination at the elite level of politics, and because the wealthier middle classes in Khartoum are largely insulated from the current price rises. The groups likely to be involved fall under the umbrella movement, "Sudan Call", and include the Islamist National Umma Party (NUP), the Sudan Congress Party led by Omer Yusef al-Digair, and four other anti-government and armed groups represented by the National Consensus Forces.

'The political opposition has a negligible presence in parliament and limited influence over government decision-making. Furthermore, the National Intelligence and Security Services (NISS) has penetrated the ranks of opposition political parties. The NISS also exercises punitive legal powers that undermine the opposition's ability to stage public meetings or protests, or criticise the government through the heavily state-controlled media.'¹⁷

3.3.2 The Sudan Tribune reported:

'The Leadership Council of the opposition Sudan Call alliance Sunday reiterated its rejection of the re-election of incumbent President Omer al-Bashir for a third term and adopted a plan to resist government plans to amend the constitution.

'[...] the alliance which gathers political and military groups said they decided to intensify the internal mobilisation and to carry out an international campaign against al-Bashir's re-election.

"The Leadership Council adopted a plan to resist amending the Constitution through a joint action with all the opposition (forces), says a statement released at the end of the meeting on Sunday evening.

"The alliance will launch a public and legal campaign, and will reach out international organizations, countries and parliaments". Further, they will take advantage of the lessons learnt from the successful campaign that forced Congo's President Joseph Kabila to abandon his bid for a third term, stressed the statement.

'Several opposition groups including some Sudan Call members said they would participate in the 2020 elections if al-Bashir does not run for president again.

'[...] The Sudanese authorities prevented three members of the Leadership Council from travelling to Paris. The restrictive measure is imposed against the opponents every time the Sudan Call holds a meeting.

'[...] Earlier this week, the Sudan Call executive body announced the participation in its meetings for the first time of two representatives of the Internally Displaced People (IDP) and refugees.'¹⁸

¹⁷ Janes, 'Sentinel Security Assessment', Sudan, Internal affairs, updated 11 October 2018, [url](#)

¹⁸ Sudan Tribune, 'Sudan adopts plans to resist al-Bashir's reelection', 20 August 2018, [url](#)

[Back to Contents](#)

3.4 Ceasefire between government and rebel groups

- 3.4.1 The June 2018 UN Security Council Report noted, 'Although the Government and the armed groups have not agreed on a permanent ceasefire, they continue to extend temporary cessations of hostilities. On 19 March, the President of the Sudan, Omar Hassan al-Bashir, extended the Government's unilateral ceasefire until 30 June 2018, while SLA/MM [Sudan Liberation Army – Minni Minawi], SLA/TC [Sudan Liberation Army – Transitional Council] and JEM [Justice Equality Movement] extended theirs until 6 August 2018.'¹⁹
- 3.4.2 On 8th August 2018, the Sudan Tribune reported that the same three parties further extended the unilateral ceasefire for three months²⁰.
- 3.4.3 However, Human Rights Watch reported in its 2018 World Report that:
- 'Despite the [Sudanese] government's unilateral ceasefire and reduced fighting in all three war zones, government forces and allied militia attacked civilians including in displaced persons camps throughout the year. In May and June, the RSF attacked villages in North and Central Darfur, forcing tens of thousands to flee. RSF fighters were responsible for large-scale attacks on villages during counterinsurgency campaigns from 2014 to 2016.
- 'In Southern Kordofan and Blue Nile, the six-year conflict continued, with sporadic government attacks on civilians. In Blue Nile and in refugee camps in neighboring South Sudan, displaced communities fought along ethnic lines following a split within the leadership of the armed opposition, Sudan People's Liberation Army-North.
- 'In the rebel held areas of both states, hundreds of thousands lacked sufficient food and basic supplies because the government and rebels failed to agree on modalities for the delivery of essential items.'²¹

[Back to Contents](#)

3.5 US sanctions

- 3.5.1 In October 2017, the BBC reported:
- 'The US is lifting most of the economic and trade sanctions it first imposed on Sudan two decades ago.
- 'However Sudan will remain listed as a state sponsor of terror.
- 'US officials said Sudan had made progress in counter-terrorism and human rights issues. The process of lifting the sanctions began under the Obama administration earlier this year.
- 'Sudan's President Omar al-Bashir remains wanted by the International Criminal Court for alleged war crimes.'²²

¹⁹ UN Security Council, 'Special report of the Chairperson of the African Union Commission and the Secretary-General of the United Nations on the strategic review of the African Union-United Nations Hybrid Operation in Darfur', (para 6), 1 June 2018, [url](#)

²⁰ Sudan Tribune, 'Three armed groups extended unilateral ceasefire in Darfur', 9 August 2018, [url](#)

²¹ Human Rights Watch, World Report 2018, 18 January 2018, [url](#)

²² BBC News, 'Sudan sanctions...', 6 October 2017, [url](#)

3.5.2 Amnesty International observed in its 2017/2018 report, 'The State of the World's Human Rights':

'In January, the US government partially lifted economic sanctions imposed on Sudan since 1997, which included unfreezing assets and banking, commercial and investment transactions. The US government agreed to lift all economic sanctions in October, stating that Sudan's government demonstrated its commitment to achieving progress in five key areas including: a marked reduction in offensive military activity culminating in a pledge to maintain a cessation of hostilities in conflict areas in Sudan; and improved humanitarian access throughout Sudan.'²³

[Back to Contents](#)

4. Opposition political parties

4.1 Registered and unregistered groups

4.1.1 The USSD report on human rights for 2017 noted:

'The Political Parties Affairs Council oversees the registration of political parties. The ruling party controls the council; it is not an independent body. The council continued to refuse to register the Republican (Jamhori) Party, which opposes violent extremism and promotes secularism. The party leader condemned the decision and filed a complaint in the Constitutional Court, which remained pending at year's end.

'The Political Parties Affairs Council listed 92 registered political parties. The Umma Party and the Democratic Unionist Party have never registered with the government. The government continued to harass some opposition leaders who spoke with representatives of foreign organizations or embassies or travelled abroad.

'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.'²⁴

[Back to Contents](#)

4.2 Opposition parties

4.2.1 Opposition parties include:

- Umma National Party
- National Consensus Forces
- Sudanese Congress Party
- Popular Congress Party
- Sudanese Communist Party²⁵

²³ Amnesty International, 'The state of the world's human rights', (page 344), 22 February 2018, [url](#)

²⁴ USSD, 'Country Reports on Human Rights Practices for 2017', Sudan (section 3), 20 April 2018, [url](#)

²⁵ USSD, 'Country Reports on Human Rights Practices for 2017', Sudan (section 3), 20 April 2018, [url](#)

- Democratic Unionist Party (of which there are two factions, one led by Mohamed Osman al-Mirghani and the other led by Jalal al-Digair)
 - Reform Now Party
 - Unionist Movement Party
 - Muslim Brotherhood²⁶
- 4.2.2 Additionally, there are two coalitions, which included some of the main parties identified above:
- The National Consensus Forum (NCF). Formed of a number of political parties, including the National Umma Party, Popular Congress Party and Sudanese Communist Party, in 2010 to oppose the ruling the National Congress Party and establish a transitional system^{27 28}.
 - Future Forces for Change (FFC). The coalition was created in February / March 2016 and was composed of over 40 parties, including Reform Now Party and Justice Forum for Peace at the time of its formation but reportedly split in October 2016^{29 30 31}.
- 4.2.3 Janes identified the ‘Popular Congress Party, National Umma Party, [a coalition] National Consensus Force, Communist Party, Democratic Unionist Party (in ruling coalition)’ as the principal opposition groups.³²
- 4.2.4 The DFAT report of April 2016 noted
- ‘The unarmed opposition hold some seats in the National Assembly. The SPLM-Peace Wing hold eight seats, the Popular Congress Party and Democratic Unionist Party each hold four seats.
- ‘... The National Consensus Forces joined with the armed opposition in Addis Ababa December 2014 to sign the “Sudan Call” which called for a peaceful and democratic transformation... Following the signing of the ‘Sudan Call’, Chair of the National Consensus Forces, Farouk Abou Issa, was arrested on his return to Sudan and imprisoned until April 2015.’³³
- 4.2.5 Janes assessed the political opposition as ‘weak’ with limited variation in policy aims amongst the groups. The source also observed:
- ‘The opposition's effectiveness was significantly weakened by the death of former Popular Congress Party (PCP) leader Hasan al-Turabi in March 2016. Turabi co-ordinated across disparate opposition groups and was successful in persuading several opposition parties to participate in the government's National Dialogue process, which is ongoing. Since then, former prime minister and NUP leader Sadiq al-Mahdi has represented the most influential opposition figure. However, his attempt in March 2018 to co-

²⁶ Australian Government, ‘DFAT Country Information Report – Sudan’ (p15), 27 April 2016, [url](#)

²⁷ Australian Government, ‘DFAT Country Information Report – Sudan’ (p15), 27 April 2016, [url](#)

²⁸ Sudan Tribune, ‘National Consensus Forces’, undated, [url](#)

²⁹ Sudan Tribune, ‘Sudan’s NUP and FFC call for unifying opposition forces’, 3 March 2016, [url](#)

³⁰ USSD, ‘Country Reports on Human Rights Practices for 2016’, Sudan (section 3) 3 March 2017, [url](#)

³¹ Sudan Tribune, ‘Relations with Sudan’s armed groups trigger FFC split’, 29 October 2016, [url](#)

³² Janes, ‘Sentinel Security Assessment’, Sudan, Internal affairs, updated 11 October 2018, (subscription only), [url](#)

³³ Australian Government, ‘DFAT Country Information Report – Sudan’ (p15), 27 April 2016, [url](#)

operate more closely with the Sudan Call anti-government groups was largely prevented by the government, which on 3 April charged Al-Mahdi with an alleged attempt to overthrow the government.

‘Sudan Call will oppose the government's attempts to facilitate a new Government of National Accord, which was officially announced by Prime Minister Bakri Hassan Salih on 12 May. Only opposition parties that participated in the National Dialogue have been provided minor ministerial portfolios, meaning that Sudan Call will remain committed to challenging the government by non-political means. However, the government's control over the National Intelligence and Security Services (NISS) reduces the likelihood of a civil uprising that removes the government. The NISS has penetrated the ranks of opposition parties and the threat posed by relaxing legal restrictions on the use of lethal force significantly undermines the opposition's ability to stage public meetings, protests or criticise the government through the heavily state-controlled media.’³⁴

[Back to Contents](#)

4.3 Popular Congress Party

4.3.1 Janes noted:

‘Following the death of former leader Hassan Al-Turabi in March 2016, Ali Al-Haj was elected on 25 March 2017 as Secretary General of the Popular Congress Party (PCP). Ibrahim al Sanoussi was appointed interim Secretary General until the general conference of the PCP election of March 2017 that elected Al-Haj. Turabi featured as the principal interlocutor for negotiations between the government and opposition groups comprising the 'Sudan Call'. As a member of the National Dialogue's steering committee, Turabi proved crucial for gaining concessions from opposition groups, such as the National Umma Party (NUP), and added credibility to negotiations that are perceived as paying lip service to opposition demands.

‘Previously called the Popular National Congress (PNC), the PCP was originally formed in July 2000 by former National Congress leader, Hassan el-Turabi. In February 2001, government forces launched a clampdown on the PNC, arresting a number of key figures including Turabi. As a sign of goodwill at a critical juncture in the peace process, the government freed Turabi and fellow detainees in October 2003, also lifting restrictions on the activity of the PCP. However, Turabi has been detained on a number of occasions since then, including in January 2011, shortly after stating that Sudan risked facing a populist uprising. The PCP had meanwhile participated in the April 2010 national elections, but its presidential candidate, Abdullah Deng Nhial, took only 3.92% of the vote. The PCP gained four seats in the April 2010 National Assembly elections. The PCP boycotted the 2015 general elections, which it declared were not free and fair.’³⁵

³⁴ Janes, ‘Sentinel Security Assessment - North Africa’, Sudan, Internal affairs, updated 11 October 2018, (subscription only), [url](#)

³⁵ Janes, ‘Sentinel Security Assessment - North Africa’, Sudan, Internal affairs, updated 11 October 2018, (subscription only), [url](#)

4.4 National Umma Party

4.4.1 Global Security stated in an undated entry:

'The National Umma Party [NUP] is a moderate Islamic, centrist political party led by Al Sadig Al Mahdi, who served twice as Prime Minister in Sudan, and was removed both times in military coups. The Umma Party was formed in 1945 on a platform advocating national independence for Sudan. After Sudan's independence in 1956, the platform of Umma party became equal democratic rights, equal rights of participation for all Sudanese citizens in their government regardless of gender, religion or ethnicity, and equal distribution of wealth and power. A majority of Darfurians are ostensibly and traditionally affiliated with the National Umma Party, due in part to the movements' roots in Darfur (the successor to the Mahdi was from Darfur), and to most Darfurians' deep commitment to Islam. Some Darfurians are also drawn to the influential party leadership, who are descendants of the Mahdi, leader of the Mahdia revolution (1885) whose supporters were mainly from Darfur and Kordofan.'³⁶

[Back to Contents](#)

4.5 Sudanese Communist Party (SCP)

4.5.1 The African Centre for Justice and Peace Studies mentioned that, 'The SCP is a political opposition party registered in Sudan, which has seen a resurgence in recent years due to its vocal calls for mobilization for popular demonstrations, and public criticism of the ruling National Congress Party'.³⁷

4.5.2 According to the Sudan Tribune, The Sudanese Communist Party was founded in 1946. Its former leader, 'Abdel-Khalek Mahjoub, [was] executed by ex-president Ga'afar Nimeiri in the aftermath of the brief SCP-backed coup in 1971 along with a large number of the party's leadership'.³⁸ This led SCP members to go into hiding, where Mohamed Ibrahim Nugud then took leadership³⁹.

4.5.3 After returning to the political scene in 1985, Nugud went back underground in 1989, due to the prohibition of political parties by the Sudanese President Omar al-Bashir. Nugud was found in 2005 by the National Intelligence Services, 'but the Comprehensive Peace Agreement between the SPLM and NIF/NCP ... [meant that] Sudan moved into a system of government that was more tolerant of opposition'. Nugud was reelected in 2009 as leader and was succeeded by Mohammed Mukhtar al-Khatib in 2012 who remains the current leader.^{40 41}

[Back to Contents](#)

³⁶ Global Security, 'National Umma Party (NUP)', 5 January 2014, [url](#)

³⁷ African Centre for Justice and Peace Studies (ACJPS), '17 members of the political opposition Sudanese Congress Party (SCP) currently detained incommunicado', 1 December 2016, [url](#)

³⁸ Sudan Tribune, 'Sudanese Communist Party (SCP) | Communist Party of Sudan (CPS)', undated, [url](#)

³⁹ Sudan Tribune, 'Mohamed Ibrahim Nugud', undated, [url](#)

⁴⁰ Sudan Tribune, 'Mohamed Ibrahim Nugud', undated, [url](#)

⁴¹ LINKS international journal of socialist renewal, 'Sudan: interviews with Sudanese Communist Party's new leader, Mohammed Mukhtar al-Khatib; student protests continue', 21 June 2012, [url](#)

4.6 Democratic Unionist Party (SCP)

4.6.1 Al Jazeera's 2010 article on Sudanese political parties reported that:

'The DUP is the oldest political party in Sudan and is considered the main opposition to the ruling party.

'[...] The DUP is the only Sudanese party to have governed the country through democratic elections, after winning 58 seats in 1953. It is also seen as the only major Sudanese party that has not participated in a coup in Sudan since its independence.

'In the 1984 elections, the party won the largest number of votes and came second in the number of seats won in parliament.

'The party has long-standing relations with the SPLM with whom it signed the Peace Deal of November 1988 in Ethiopia.'⁴²

4.6.2 From a range of sources, the 2017 Canadian Immigration and Refugee Board report stated:

'According to International Crisis Group, the DUP is "one of Sudan's two main 'traditional' parties" (International Crisis Group 26 Nov. 2013, 29). PHW describes the DUP as a "right-of center" party that "draws its principal strength from the Khatmiya Muslims of northern and eastern Sudan" (PHW 2015, 1393). Similarly, the UK 2010 Country of Origin Report cites Europa Publications' Regional Surveys of the World: Africa South of the Sahara 2005 (51st Edition) as indicating that DUP is "[c]onservative in political outlook" and "a largely secularist Islamic centre party supported primarily by the Khatmiya Islamic order" (UK 16 Apr. 2010, 176).

'According to a 2011 International Crisis Group report, the DUP has "long advocated an Islamic state" (International Crisis Group 4 May 2011, 34).

'[...] PHW states that Muhammad Uthman al-Mirghani is chair of the DUP (PHW 2015, 1393). Without providing further detail, the same source also describes Uthman al-Mirghani as the DUP's "Symbolic Chair" (PHW 2015, 1393). The Danish Immigration Service's 2001 fact finding mission report similarly indicates that Muhammad Uthman al-Mirghani is the leader of the DUP-Mirghani faction (Denmark 1 Dec. 2001, 17). According to the Sudan country study produced by the US Library of Congress, al-Mirghani has led the party since 1968 (US 2015, 258). The same report further indicates that Uthman al-Mirghani is also the "hereditary Khatmiyyah spiritual leader" (US 2015, 258). Similarly, Al Jazeera notes that al-Mirghani is the head of the Khatmiya Sufi order (Al Jazeera 7 Apr. 2010).

'A June 2015 Sudan Tribune article indicates that Mohammed al-Hassan al-Mirghani, the "acting head" of the DUP, entered the government as Bashir's assistant by a decree of the president (Sudan Tribune 7 June 2015). Similarly, an August 2015 article by the Sudan News Agency (SUNA), Sudan's official news agency (SUNA n.d.) indicates that Mohamed al-Hassan Mohammad Osman Al-Mirghani is President Bashir's "First Assistant" (SUNA 6 Aug. 2015). According to the Sudan Tribune, he is the

⁴² Al Jazeera, 'Political parties in the fray', 7 April 2010, [url](#)

son of the DUP leader al-Mirghani and the "de facto chairman of the DUP" (Sudan Tribune 27 Feb. 2016).⁴³

- 4.6.3 Gurtong Trust-Peace and Media Project, an independent non-profit project based in South Sudan 'which aims at removing all ethnic, political or personal obstacles on the way to unity, peace and mutual respect among South Sudanese'⁴⁴ stated, 'The DUP stresses its "commitment to the principles of tolerant Islam, which is based on justice, equality and social solidarity... with full respect for all religions and beliefs and customs". It promotes "securing the unity of the country's land and people". In foreign policy it particularly aims at close relations with neighbouring Egypt.'⁴⁵

[Back to Contents](#)

5. Armed opposition groups

5.1 Areas of conflict

- 5.1.1 There are two main internal conflicts in which the government is fighting armed groups:
- Darfur, against a coalition of armed opposition groups; and
 - South Kordofan and Blue Nile (also known as the 'Two Areas') against indigenous rebels with ties to South Sudan⁴⁶.

[Back to Contents](#)

5.2 Darfuri groups

- 5.2.1 The main insurgent groups in Darfur are:
- Factions of the Sudan Liberation Movement/Army (SLM/A), notably
 - The Sudan Liberation Movement / Army – Minni Minnawai (SLM/A-MM); and
 - Sudan Liberation Movement / Army – Abdul Wahid faction (SLM/A-AW);
 - (These are also known as SLM-Minnawi and the SLM-al-Nur)
 - The Justice and Equality Movement (JEM)⁴⁷
- 5.2.2 Janes observed that 'there has been significant fragmentation of rebel movements since 2006. Each rebel group is based around an ethnic group, a major reason for the frequent splits in the early days of the rebellion.'⁴⁸

[Back to Contents](#)

⁴³ Immigration and Refugee Board of Canada, 'Sudan: The Democratic Unionist Party (DUP), including objectives, leadership and activities; treatment by authorities (2015 February 2017)', 24 February 2017, [url](#)

⁴⁴ Gurtong, 'Introduction', 26 April 2018 [url](#)

⁴⁵ Gurtong, 'Democratic Unionist Party', undated, [url](#)

⁴⁶ DFAT, 'Country Information Report, Sudan', (page 8, 9, 16), 27 April 2016, [url](#)

⁴⁷ Janes, 'Sentinel Security Assessment - North Africa, Sudan (Non-state armed groups)', 7 March 2018, (subscription only), [url](#)

⁴⁸ Janes, 'Sentinel Security Assessment - North Africa, Sudan (Non-state armed groups)', 7 March 2018, (subscription only), [url](#)

5.3 Sudan Liberation Movement / Army (SLM/A - MM)/ SLM-Minnawi

5.3.1 Janes reported that ‘Minni Minnawi, an ethnic Zaghawa, broke away from SLM/A with most of the Zaghawa troops in 2005. Minnawi's faction was the only one to have signed the Darfur Peace Agreement of 5 May 2006 along with the government. Minnawi became a presidential assistant following the 2006 peace deal, a position he held until the April 2010 elections. Subsequently, the Minnawi faction went back into rebellion in late 2010.’⁴⁹

5.3.2 The Sudan Tribune stated:

‘SLA-MM evolved from a Fur–Zaghawa split in the SLA [Sudan Liberation Army] and is led by members of the Zaghawa tribe who took up arms less to oppose the government in Khartoum than to fight the “janjaweed”, their rivals in the lucrative camel trade in North Darfur.

[...] Before the split in the SLA, Minawi, formerly a primary school teacher, succeeded in controlling the movement's main military forces despite having no military experience. In May 2006 he signed the Darfur Peace Agreement (DPA) with the government, becoming senior assistant to President Omar al Bashir and chairman of the Transitional Darfur Regional Authority (TDRA). The positions were nominal and his power negligible. Minawi's position as senior assistant to the president was not renewed after the general elections of April 2010, and at the end of 2010 he moved from Khartoum to Juba, declaring himself in rebellion again and the DPA dead.

‘After signing the DPA Minawi had no access to rebel-controlled areas of Darfur, but was able to move freely in government-controlled areas. Most of his forces were divided into companies (approximately 100 men) and stationed in the Zaghawa homeland in North Darfur—around the state capital, al Fasher, and the town of Um Berro—and in a pocket south-east of Nyala, the capital of South Darfur state. In the April [2010] elections, which were boycotted by DPA non-signatories, SLA-MM won parliamentary seats in North Darfur (Kutum) and South Darfur (Gereida).

On 3 December 2010, after Minawi's move to Juba, a Sudanese army spokesman declared that his forces had become a ‘legitimate target’. SLA-MM immediately came under heavy attack in North and South Darfur. Some of Minawi's men moved into the northern fringe of South Sudan, reportedly after defecting from SLA-MM to JEM.

‘Minawi's initial return to rebellion in December 2010 divided his movement into three main groups: one that stayed in Khartoum, negotiating disarmament terms with the government; a second in North Darfur, composed of 70–75 men and 12 vehicles, negotiating an alliance with JEM; and a third, still aligned with Minawi, led by his longtime chief of staff, Juma Mohamed Hagar, and Mohamadein Osman ‘Aurgajo’, a field commander reputed to have been a nahab (highwayman) before the insurgency. With time, a fourth division occurred in Minawi's ranks. Currently these forces are spread across Wadi Howar; the North Darfur/Chad border; eastern Jebel

⁴⁹ Janes, ‘Sentinel Security Assessment - North Africa’, (Non-state armed groups), 7 March 2018, (subscription only), [url](#)

Marra; and South Kordofan; while there are political liaison units in Juba, South Sudan, and Kampala, Uganda.⁵⁰

[Back to Contents](#)

5.4 Sudan Liberation Movement / Army (SLM/A - AW)/ SLM-al-Nur

5.4.1 Janes observed:

‘The Sudan Liberation Movement/Army (SLM/A) emerged in February 2003 when it briefly captured the town of Gulu in the Jebel Marra region of Northern Darfur state. The group is dominated by the Fur, one of the biggest non-Arab groups in Darfur. It is led by Abdul Wahid al Nur, a Fur lawyer, though he has lived outside Sudan for years, first in Paris and then in Kampala. Since 2006, he has refused most attempts by mediators to bring him to the negotiating table.’⁵¹

5.4.2 Regarding the start of the SLM, The Sudan Handbook mentioned:

‘Abdel Wahid Mohammed Ahmed Al-Nur (b.1968). Lawyer and Chairman of the Sudan Liberation Movement/Army, a Darfur Rebel group. Born in 1968 in Zalingei, west Darfur, he founded the SLM whilst studying law at the University of Khartoum. As the conflict in Darfur escalated in 2001, the SLM created a military wing, the Sudan Liberation Army, with its forces concentrated around Jebel Marra. Abdel Wahid’s SLM/A declined to sign the Darfur Peace Agreement in 2006 and has since remained outside various peace processes. In recent years, the SLA has fractured and many of its more senior figures have either formed their own rebel factions or defected to other rebel groups. Living in exile in Paris, Abdel Wahid’s influence has waned, but he is said to remain popular in IDP camps in Darfur and Chad.’⁵²

[Back to Contents](#)

5.5 Justice and Equality Movement (JEM)

5.5.1 In regard to JEM, Janes noted:

‘This group made its formal appearance when it co-operated with SLM/A in a major attack on el-Fashir airport in April 2003... The JEM is largely drawn from the Kobe sub-group of the Zaghawa people and initially operated mainly in Western Darfur state, with strong but ambivalent links across the border to Chad’s powerful Zaghawa clans. The JEM refused to sign up to the Darfur Peace Agreement of May 2006 and has been one of the largest and most militarily capable rebel groups in Darfur. For example, in May 2008, it showed its capacity and willingness to extend its battle lines when JEM fighters advanced close to the capital Khartoum, with clashes taking place in Omdurman.’⁵³

⁵⁰ Sudan Tribune, ‘Sudan Liberation Movement/Army - Minni Minnawi (SLM-MM/SLA-MM), 6 September 2011, [url](#)

⁵¹ Janes, ‘Sentinel Security Assessment - North Africa’, (Non-state armed groups), 7 March 2018, (subscription only), [url](#)

⁵² RVI, The Sudan Handbook, (page 327), 2011, [url](#)

⁵³ Janes, ‘Sentinel Security Assessment - North Africa’, (Non-state armed groups), 7 March 2018, (subscription only), [url](#)

5.5.2 More information on armed groups operating in Darfur as well the as the human rights and security situation generally see Asylum Research Consultancy's compilation report, [Darfur Country Report – October 2015](#).

[Back to Contents](#)

5.6 South Kordofan and Blue Nile groups (the 'Two Areas')

5.6.1 The 2 main groups operating in the Two Areas are:

- Sudan People's Liberation Movement / Army – North (SPLM/A-N); and
- Sudan Revolutionary Front (SRF; a coalition of Darfur and Two Areas armed groups)⁵⁴

Sudan People's Liberation Movement / Army – North (SPLM/A – N)

5.6.2 Janes described the SPLM/A-N as a pro democratic secular party⁵⁵. The organisation stated:

'The Sudanese People's Liberation Movement-North (SPLM-N) has its origins in the political movement of the Sudanese People's Liberation Movement/Army (SPLM/A), which was formed by rebel officer John Garang in 1983 when he led a mutiny against the Khartoum government. Following the signing of the CPA in January 2005, the SPLM and NCP formed the core of the government of national unity. In July that year, Garang was appointed first vice-president of Sudan, in accordance with the peace agreement, but died shortly thereafter in a helicopter crash in July 2005. He was succeeded by Salva Kiir Mayardit, who first led the SPLM-dominated semi-autonomous government of Southern Sudan before becoming the president of an independent South Sudan in July 2011. However, an independent movement of the SPLM now exists in the north, following the south's secession, in the form of the SPLM North chaired by Malik Agar, the former governor of Blue Nile, and the influential secretary-general Yassir Arman. Sudan subsequently banned the SPLM-North in September 2011, following an outbreak of fighting in Southern Kordofan in June that year. Conflict subsequently spread to Blue Nile state, with Khartoum accusing newly independent South Sudan of fomenting instability by providing cross-border support, a charge denied by Juba. On 7 June 2017, Al-Hilu who was previously the SPLM-N's deputy chairman, which was formerly chaired by Malik Agar, split from Agar in order to pursue the political objective of achieving self-determination for the ethnic-Nuba of South Kordofan state. Agar, by contrast, rejects this objective and instead supports the formation of a national coalition of anti-government groups under the umbrella Sudanese Revolutionary Forces (SRF) that aims for broader constitutional and democratic reforms. Al- Hilu now commands authority over the majority of the SPLM-N's most capable forces based in South Kordofan while Agar only commands authority over SPLM-N forces based in Blue Nile state. On 20 June, the chief of staff of the anti-government SPLM-N issued a statement

⁵⁴ Janes, Sentinel Security Assessment - North Africa, Sudan (Non-state armed groups), updated 3 February 2017, (subscription only), [url](#)

⁵⁵ Janes, Sentinel Security Assessment - North Africa, Sudan (Non-state armed groups), updated 21 August 2018, (subscription only), [url](#)

recognising the leadership of Abdelaziz al-Hilu. Since then, the movement split in two rival factions in June 2017 ; one led by Abdel-Aziz Al-Hilu, and the other led by Malik Agar with fighters in the Blue Nile.⁵⁶

5.6.3 Janes also reported:

‘... The SPLM/A-North in South Kordofan is principally composed of members of the many Nuba ethnic groups which live in the Nuba mountains. Its leader here is Abdelaziz al Hilu, a Masalit who grew up in the Nuba Mountains and who is widely respected as a general. In Blue Nile its fighters are from groups from the south of the state, in particular the Uduk and the Ingessana, of which SPLM/A-N's overall leader, Malik Agar, is a member. The SPLM/A-N is based on two full divisions of the old SPLA, and is well equipped with tanks, rocket launchers, mortars, and other material useful in conventional warfare. Unlike the Darfur rebel groups, it prefers to hold territory and establish administrative bodies in the area it controls.’⁵⁷

5.6.4 In regards to the party's vision, Sudan Tribune stated that the party, ‘describes itself as "a Sudanese national movement that seeks to change the policies of the centre in Khartoum and to build a new centre for the benefit of all Sudanese people regardless of their religion, gender or ethnicity background”’.⁵⁸

Sudan's Revolutionary Front (SRF)

5.6.5 Janes observed:

‘In November 2011, the JEM and the Minnawi and al-Nur factions of the SLM.A came together with the SPLM/A-North under the umbrella of the SRF as a common platform to fight against Bashir's regime. The previous month, former JEM leader Khalil Ibrahim had already publicly declared his group's alliance with the SPLM-N, saying that JEM's forces had been operating on the ground with SPLM/A-N units in Southern Kordofan since the early days of the new insurgency. The degree of co-operation between Darfuri and non-Darfuri militants groups, as well as between rival factions of the SLM/A, represented a new and significant threat to Khartoum. In March 2013, an attack on the town of Abu Karshola, which the rebels held for a month, solidified the SRF's position as Sudan's most formidable insurgent force, with tensions set to remain high in the near term.’⁵⁹

5.6.6 Radio Dabanga mentioned on 26 July 2018:

‘The SRF was established in November 11, 2011, by the leaders of the four main armed movements in the country: the Sudan Liberation Movement under the leadership of Abdelwahid El Nur (SLM-AW), the SLM-MM faction, the Justice and Equality Movement (JEM), and the Sudan People's Liberation Movement-North (SPLM-N).

⁵⁶ Janes, Sentinel Security Assessment - North Africa, Sudan (Non-state armed groups), updated 21 August 2018, (subscription only), [url](#)

⁵⁷ Janes, Sentinel Security Assessment - North Africa, Sudan (Non-state armed groups), updated 3 February 2017, (subscription only), [url](#)

⁵⁸ Sudan Tribune, ‘Sudan People's Liberation Movement/Army - North (SPLM-N/SPLA-N)’, undated, [url](#)

⁵⁹ Janes, Sentinel Security Assessment - North Africa, Sudan (Non-state armed groups), updated 7 March 2018, (subscription only), [url](#)

'They declared at the time that they would overthrow the regime of the National Congress Party (NCP) "using all available means". Two small opposition groups headed by the Nasreldin El Hadi El Mahdi and El Tom Hajo became member in 2012. The following year, the eastern Sudanese United People's Front for Liberation and Justice (UPFLJ), led by Zeinab Kabbashi, joined the coalition.

'The SLM-AW withdrew from the SRF, when the coalition opted for a peaceful solution. Its founder and leader Abdelwahid El Nur says he will only join peace negotiations after Khartoum has restored stability and security in Darfur.'⁶⁰

- 5.6.7 The report, 'The Sudan Revolutionary Front: It's formation and development', published by Small Arms Survey in 2014 stated:

'...on 11 November 2011 the four strongest Sudanese rebel groups, from Darfur and South Kordofan/Blue Nile, agreed to form the Sudan Revolutionary Front (SRF). The armed opposition groups in the SRF were now committed to a common objective: overthrowing President Omar al-Bashir and creating what they considered to be a more equitable Sudan.

'...With the establishment of the Joint Military Command structure, the SPLMNorth's Abdelaziz was named permanent chief of staff, because he had the largest area under his control and the most troops. The choice was a "consensus", according to JEM leader Gibril Ibrahim, because Abdelaziz was "a very experienced general, who could do the job easily". Abdelaziz also comes from a Darfur ethnic group, the Masalit, although he grew up in South Kordofan. This helps his relationship with the Darfurian.'⁶¹

- 5.6.8 In October 2017, Minni Minawi, the leader of SLM-MM, was elected as the leader of the SRF⁶².

- 5.6.9 More information on armed groups operating in the 'Two Areas' as well as the human rights and security situation generally see Asylum Research Centre's compilation report, [South Kordofan and Blue Nile Country Report – an update](#), updated to 15 October 2018.

[Back to Contents](#)

5.7 Human rights violations committed by armed groups

- 5.7.1 The US State Department in its human rights report for 2017: 'There were numerous reports of abuse committed by government security forces, rebels, and armed groups against IDPs in Darfur, including rapes and beatings.'⁶³ The same report also stated: 'During the year military personnel and paramilitary forces committed killings in Darfur and the Two Areas. Most reports were difficult to verify due to continued prohibited access to conflict

⁶⁰ Dabanga, 'Sudan Revolutionary Front remains 'committed to peace'', 30 July 2018, [url](#)

⁶¹ Small Arms Survey, 'The Sudan Revolutionary Front: It's formation and development', (pages 5, 17), 2014, [url](#)

⁶² Dabanga, 'Minawi elected to replace Ibrahim as head of Sudan's Revolutionary Front', 15 October 2017, [url](#)

⁶³ USSD, 'Country Reports on Human Rights Practices for 2017', Sudan (section 2d) 20 April 2018, [url](#)

areas, particularly Jebel Marra in Darfur and SPLM-N-controlled areas in South Kordofan and Blue Nile States'.⁶⁴

5.7.2 The same report noted that:

'Human rights groups continued to report that government forces and militias raped, detained, tortured, and arbitrarily killed civilians in the five states of Darfur and government-controlled areas of Blue Nile. From December 2016 to November, UNAMID documented 115 cases involving 152 adult female victims of conflict-related sexual violence and 68 minors. In 2016 UNAMID documented 100 cases with 222 victims. UNAMID received the cases from all five Darfur states. Gross underreporting remained prevalent.'⁶⁵

5.7.3 The report further added:

'Human rights organizations accused government forces of perpetrating torture and other human rights violations and abuses. Government 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.

'...Many children lacked documents verifying their age. Children's rights organizations believed armed groups exploited this lack of documentation to recruit or retain children. Due to problems of access, particularly in conflict zones, reports of child soldiers were limited and often difficult to verify. Sources confirmed the capture of multiple children by the government during an armed offensive of the SLM-Minni Minawi faction in Darfur in May'.⁶⁶

5.7.4 For more information on the human rights situation in Darfur see [country policy and information note, Non Arab Darfuris](#).

5.7.5 Periodic reports on the security and human rights situation in Sudan are available on the Sudan pages of the [Security Council Report](#), [refworld](#) and [ecoi.net](#) websites.

[Back to Contents](#)

6. Treatment of opposition groups

6.1 Overview – freedom of expression, association and assembly

6.1.1 In September 2018 the International Federation for Human Rights (FIDH) submitted to the UN Human Rights Council that:

'Our organizations are concerned about the suppression of peaceful protests by government security forces with unlawful use of excessive force, attacks on the media and impermissible restrictions on access to information, targeting of various civil society actors including human rights defenders, activists, journalists, bloggers and other dissenting voices with threats, intimidation, harassment, arbitrary detention and trumped-up criminal prosecutions, other restrictions on independent civil society, use of torture

⁶⁴ USSD, 'Country Reports on Human Rights Practices for 2017', (section 1g) 20 April 2018, [url](#)

⁶⁵ USSD, 'Country Reports on Human Rights Practices for 2017', (section 1g) 20 April 2018, [url](#)

⁶⁶ USSD, 'Country Reports on Human Rights Practices for 2017', (section 1g) 20 April 2018, [url](#)

and other ill-treatment by national security officials, and on-going violations in the conflict areas of Darfur, South Kordofan and Blue Nile.⁶⁷

6.1.2 The UN observed, in its August 2018 report, 'Report of the Independent Expert on the situation of human rights in the Sudan' that 'Prior to his mission, the Independent Expert had received reports of restrictions on political rights and fundamental freedoms, including freedom of expression, freedom of the press, freedom of association and peaceful assembly, freedom of religion, arbitrary arrests and detentions, torture and degrading treatment, perpetrated by the Sudanese security forces... It is also reported that dozens of prominent political activists, human rights defenders and journalists were arrested by the National Intelligence and Security Service from their homes or offices and held incommunicado or taken to undisclosed locations.'⁶⁸

6.1.3 Amnesty International noted in an April 2018 statement that 'Since January 2018, Amnesty International has documented an intensified crackdown on opposition political activists in connection with sporadic protests over the rise of cost of living in Sudan. Hundreds were arrested and detained solely for peacefully exercising their right to freedom of expression and peaceful assembly. Many of those released reported that they had been subjected to torture or other ill treatment while in detention.'⁶⁹

6.1.4 The 2017 Foreign Office and Commonwealth Office report, 'Human Rights and Democracy', published in July 2018 noted:

'While the government demonstrated an increased willingness to engage with the international community on human rights issues, the state continued to restrict freedom of expression and freedom of religion or belief, and to carry out the arbitrary detention of political and human rights activists. Although the impact of conflict on civilians continued to diminish, government and government affiliated forces continued to violate and abuse human rights with impunity in conflict-affected areas...

'Arbitrary arrests and the summoning of political activists and journalists continued throughout the year, with multiple reports of torture and illtreatment by the Sudanese authorities of these detainees.'⁷⁰

6.1.5 Freedom House reported in 2018 that:

'Sudan's diverse media faces many obstacles due to government restrictions, censorship, and harassment of journalists by NISS agents. Journalists are forbidden to publish stories about 15 so-called red line issues, including articles about the NISS and the army. In July alone, at least three reporters were interrogated or detained by NISS agents for allegedly crossing these lines. In July, Saudi Arabia deported three Sudanese bloggers to Khartoum. The men, who had helped organize antigovernment

⁶⁷ International Federation for Human Rights (FIDH), Call for a Strong Monitoring and Reporting Mandate on Sudan, 4 September 2018, [url](#)

⁶⁸ United Nations General Assembly, 'Report of the Independent Expert on the situation of human rights in the Sudan', (page 5), 13 August 2018, [url](#)

⁶⁹ Amnesty International, Sudan: It's High Time to Ratify the UN Convention Against Torture [AFR 54/8199/2018], p6, 9 April 2018, [url](#)

⁷⁰ The 2017 FCO report, 'Human Rights and Democracy', Sudan, July 2018, [url](#)

protests, were detained and have been held incommunicado ever since. A favored NISS tactic is to seize the print runs of newspapers that publish articles it does not like. This practice occurred with regularity in 2017; even progovernment publications and a sports newspaper were impacted.

‘Approximately one-quarter of the population has access to mobile broadband services. The authorities have been accused of restricting internet access in order to stifle protests...

‘The NISS intimidates individuals who engage in private discussion of issues of a political nature, and reportedly monitors private communications without adequate oversight or authorization. People who take part in demonstrations or meetings considered unfriendly to the government face the threat of subsequent arrest and questioning by NISS agents.’⁷¹

6.1.6 The same report noted that, ‘The death penalty is applied to a broad range of offenses and has been used against members of the political and armed opposition, particularly in Darfur. Sudanese criminal law is based on Sharia (Islamic law) and allows punishments such as flogging and cross-amputation (removal of the right hand and left foot)’.⁷²

6.1.7 Regarding freedom of assembly, the same report noted ‘The authorities have repeatedly used deadly force to disperse protesters. In September 2017, a demonstration broke out in a camp for displaced people in Darfur, ahead of a scheduled visit by President al-Bashir. Live ammunition was used against the crowd, resulting in at least five deaths. No one has been held publicly accountable for the massacre of 185 protesters by the security forces as they peacefully demonstrated in Khartoum in 2013.’⁷³

6.1.8 The report further stated:

‘NGOs, particularly those that work on human rights issues, face harassment and arrest. Three human rights defenders working for the organization TRACKs were sentenced to one year in prison in March 2017 for offenses including disseminating false information. The men were released the following day, having already served one year in detention since their arrest in March 2016. A human rights defender working on Darfur, Mudawi Ibrahim Adam, was held for more than eight months for “waging war against the state” before the charges were dropped in August. In 2017, the government eased some restrictions on the movement of humanitarian workers in conflict zones. In March, Sudan opened a humanitarian corridor to enable the World Food Program to move emergency assistance to famine-afflicted parts of South Sudan. The authorities continued to obstruct the movements of the UN/African Union Hybrid Operation in Darfur (UNAMID).’⁷⁴

6.1.9 Amnesty observed in its annual report for 2017/2018, covering events in 2017, that:

‘The activities of civil society organizations and political opposition parties were extensively restricted. The National Intelligence Security Service

⁷¹ Freedom House, Freedom in the World 2018, Sudan, (section D4), August 2018, [url](#)

⁷² Freedom House, Freedom in the World 2018, Sudan, August 2018, [url](#)

⁷³ Freedom House, Freedom in the World 2018, Sudan, August 2018, [url](#)

⁷⁴ Freedom House, Freedom in the World 2018, Sudan, (section E2), August 2018, [url](#)

(NISS) prevented many civil society organizations and opposition parties from holding events. For example, on 17 February [2017] it banned a meeting of the Teachers Central Committee at the Umma National Party offices in Omdurman city. It prohibited the Umma National Party from holding a public meeting in Wad Madani in Al Jazeera State on 18 March. In April, it prevented the committee for the Sudanese Dramatists from holding a public event to address the impact on Sudanese society of an absence of dramatic arts. Also in April, it stopped the opposition Sudan Congress Party holding a memorial service for one of its members; and an event organized by the “No to women’s oppression” initiative at Al-Ahfad University without providing a reason. In May, the NISS cancelled a symposium on Sufism entitled “Current and Future Prospects” at the Friendship Hall in the capital, Khartoum. In June, the Humanitarian Aid Commission (HAC) suspended the activities of Shari Al-Hawadith, an organization providing medical support in Kassala State.

‘...Restrictions on freedom of expression continued with newspaper editors and journalists regularly instructed not to cover any subjects considered a security threat. Twelve journalists were repeatedly summoned and investigated by the NISS, and two others were convicted for reporting on issues said to be a threat to security. For example, in May, the Press and Publications Court in Khartoum convicted Madiha Abdala, former Editor of Sudanese Communist Party newspaper Al-Midan, of “dissemination of false information” and fined her 10,000 Sudanese pounds (around USD1,497), for publishing an article on the conflict in South Kordofan in 2015.

‘...NISS officials and other security forces targeted opposition political party members, human rights defenders, students and political activists for arbitrary arrest, detention and other abuses.¹ Three political opposition activists were held in detention without charge following their arrests in January and February by the NISS in Khartoum, and were released at the end of April. They were arrested because they supported the civil disobedience protests in November and December 2016 against economic austerity measures.’⁷⁵

6.1.10 The USSD report for 2017 observed that: ‘Individuals who criticized the government publicly or privately were subject to reprisal, including arrest. The government attempted to impede such criticism and monitored political meetings and the press.’⁷⁶ The same source stated: ‘The Interim National Constitution and law provide for freedom of association, but the government severely restricted this right. The law prohibits political parties linked to armed opposition groups. The government closed civil society organizations or refused to register them on several occasions.’⁷⁷

6.1.11 Human Rights Watch observed that:

‘...Sudan’s tactics of repression and restrictions on independent civil society combine with the public order regime to create an even more tightly restricted space particularly for female activists. Sudan’s public order regime is so overly broad that it gives government and security officials a tool they

⁷⁵ Amnesty International, ‘Report 2017/18’, Sudan, (page 344, 345), [url](#)

⁷⁶ USSD, ‘Country Reports on Human Rights Practices for 2016’, (section 2a) 20 April 2018, [url](#)

⁷⁷ USSD, ‘Country Reports on Human Rights Practices for 2016’, (section 2b) 20 April 2018, [url](#)

can use to punish women for behavior that is linked to activism and human rights work, such as traveling or protesting with male colleagues. That is, public authorities can easily target women activists for manufactured “violations” of the public order regime simply because it is the easiest way to restrict or silence them. These charges are particularly serious because public morality offenses can trigger cruel, inhuman and degrading punishments such as flogging.⁷⁸

[Back to Contents](#)

6.2 Enforced disappearances

6.2.1 The DFAT report of April 2016 noted:

‘Both the Government and armed opposition have been responsible for the disappearance of civilians in both conflict-affected areas and non-conflict-affected areas. According to the Government of Sudan, the NISS maintains offices in order to receive enquiries about missing or detained individuals, but DFAT understands that these enquiries often go unanswered. In 2014, the Human Rights Council’s Working Group on Enforced or Involuntary Disappearances reported at least 173 outstanding cases of enforced or involuntary disappearances, all of which remain active and of concern to the Working Group... DFAT assesses that abductions and enforced disappearances by both the Government and armed opposition remain possible for individuals who are perceived [to] threaten the authority of the Government or armed opposition.’⁷⁹

6.2.2 The USSD report for 2017 observed that: ‘There were reports of disappearances by or on behalf of government authorities. As in prior years, this included disappearances in both nonconflict and conflict areas. The same source also reported: ‘Government forces, armed opposition groups, and armed criminal elements were responsible for the disappearance of civilians, humanitarian workers, and UN and other international personnel in conflict areas.’⁸⁰

[Back to Contents](#)

6.3 Arbitrary arrest and detention

6.3.1 The UN report of August 2018 noted that, ‘The Independent Expert received reports of incidents of harassment, arrests and prolonged detention targeting representatives of civil society organizations, without affording them or their families access to legal representation.’⁸¹

6.3.2 Human Rights Watch noted in their World Report 2018, published on 18 January 2018, that:

‘Security officials detained opposition members, journalists, and labor leaders throughout the year, often for long periods without charge or access to lawyers. They routinely beat detainees during interrogations.

⁷⁸ Human Rights Watch, “Good Girls Don’t Protest” Repression and Abuse of Women Human Rights Defenders, Activists, and Protesters in Sudan, p49, March 2016, [url](#)

⁷⁹ DFAT, Country Information Report, Sudan, (para 4.3, 4.5), 27 April 2016, [url](#)

⁸⁰ USSD, ‘Country Reports on Human Rights Practices for 2017’, (Section 1b), 20 April 2018, [url](#)

⁸¹ United Nations General Assembly, ‘Report of the Independent Expert on the situation of human rights in the Sudan’, (page 5), 13 August 2018, [url](#)

'Following the "civil disobedience" campaign to protest economic austerity measures in November and December 2016, agents detained dozens of opposition members. One Sudan Congress Party (SCP) member was held for 50 days without charge, and beaten so badly that he required surgery upon his release.

'In April, security officials detained for several days three doctors involved in a doctor's strike that began in late 2016 over work conditions. Several SCP members were detained in June from a sit-in about a cholera outbreak. In September, security officials detained a diaspora SCP member for seven weeks. In August, security officials detained Nasreddin Mukhtar, former head of a Darfur Student Union, and held him without charge in solitary confinement.'⁸²

6.3.3 The USSD report for 2017 observed that:

'NISS, police, and the DMI arbitrarily arrested and detained persons. Authorities often detained persons for a few days before releasing them without charge, but many persons were held much longer. The government often targeted political opponents and suspected rebel supporters...

'NISS officials frequently denied holding individuals in their custody or refused to confirm their place of detention. In lieu of formal detention, NISS increasingly called individuals to report to NISS offices for long hours on a daily basis without a stated purpose. Many human rights observers considered this a tactic to harass, intimidate, and disrupt the lives of opposition members and activists, prevent the carrying out of "opposition" activities, and prevent the recording of formal detentions.'⁸³

6.3.4 The same US state report noted that: 'Peaceful protesters were regularly detained and held incommunicado. Civil disobedience demonstrations in November and December 2016 led to the arrest and detention of more than 150 opposition and nonpartisan protesters, with some reportedly remaining in detention without access to legal counsel.'⁸⁴

6.3.5 The DFAT report noted:

'DFAT assesses reports of the use of torture by authorities as credible. DFAT further assesses as credible reports of the use of torture by other actors, including those aligned with the Government and the armed opposition.

'Former detainees have reported physical and psychological torture by authorities, including prolonged isolation, exposure to extreme temperature variations, electric shock, use of stress positions and, in the case of female detainees, harassment and sexual assault...

'DFAT assesses that those who are perceived to directly threaten the authority of the Government may face risk of torture. This is likely to affect those who are outspoken. DFAT is also aware of some examples of civilians who are not outspoken being exposed to torture.'⁸⁵

⁸² Human Rights Watch, World Report 2017: Sudan events of 2017, 27 January 2018, [url](#)

⁸³ USSD, 'Country Reports on Human Rights Practices for 2017', (Section 1d), 20 April 2018, [url](#)

⁸⁴ USSD, 'Country Reports on Human Rights Practices for 2017', (Section 1b), 20 April 2018, [url](#)

⁸⁵ Australian Government, 'DFAT Country Information Report – Sudan' (p21), 27 April 2016, [url](#)

6.3.6 The DFAT report further stated that:

‘The NISS and other arms of the Sudanese security apparatus continue to arbitrarily arrest and detain individuals, particularly political opponents and activists. High-profile political opponents have been arbitrarily arrested and detained by the NISS and denied access to legal representation or visitors. ...Overall, DFAT assesses that arbitrary arrest and detention are commonly used by the Government, particularly against individuals that are or are perceived to be outspokenly critical of the Government.’⁸⁶

6.3.7 The 2017 Foreign Office and Commonwealth Office report, ‘Human Rights and Democracy’, published in July 2018 noted that, ‘The Arbitrary arrests and the summoning of political activists and journalists continued throughout the year, with multiple reports of torture and illtreatment by the Sudanese authorities of these detainees’.⁸⁷

[Back to Contents](#)

6.4 Treatment of political parties

6.4.1 The DFAT report noted:

‘The 2005 Interim National Constitution provides for freedom of assembly and association, including the right to vote, peaceful assembly, freedom of association with others and to form or join political parties. It states that the registration of political parties will be regulated by law and that no association may function as a political party unless it has a membership that is open to any Sudanese, does not contradict the 2005 Interim National Constitution, has a democratically elected leadership and disclosed and transparent sources of funding.

‘Despite the provisions included in the 2005 Interim National Constitution, Sudan’s political landscape restricts opportunities for individuals to express their opinions, particularly if this expression is deemed to threaten the authority of the State. The US Department of State’s 2015 Human Rights Report states that the Government maintains significant control over the activities of the opposition, including through the Political Parties Advisory Council [...] DFAT understands that the Political Parties Advisory Council has refused to register some political parties, including the Republican (Jamhori) Party which opposes Islamic fundamentalism and promotes secularism.

‘Overall, DFAT assesses that while there is a space for political activity in Sudan, it is under the close control of the Government, thereby limiting the ability of the opposition to effectively operate. The situation for unarmed opposition and the armed opposition differs...’⁸⁸

6.4.2 The DFAT report further stated:

‘Some unarmed opposition parties and figures have face[d] discrimination at the hands of the Government, including detention and torture. Members of the unarmed opposition have also been prevented from traveling outside Sudan. Following the signing of the ‘Sudan Call’, Chair of the National

⁸⁶ Australian Government, ‘DFAT Country Information Report – Sudan’ (p22), 27 April 2016, [url](#)

⁸⁷ The 2017 FCO report, ‘Human Rights and Democracy’, Sudan, July 2018, [url](#)

⁸⁸ Australian Government, ‘DFAT Country Information Report – Sudan’ (p15 - 16), 27 April 2016, [url](#)

Consensus Forces, Farouk Abou Issa, was arrested on his return to Sudan and imprisoned until April 2015. The Government has also prevented members of the unarmed opposition from holding public discussions (gatherings of more than five people require a license, which the Government often denies), including the Sudanese Congress Party who advocated for a boycott of the recent elections.

'DFAT contacts suggest that being a high-profile individual involved with the unarmed opposition may provide some protection from violence at the hands of Government. However, there are examples of individuals linked with the unarmed opposition experiencing violence. Sandra Kadoda, a member of the Sudanese Communist Party went missing in April 2015 with her family accusing the NISS of detaining her. The NISS denied that they had detained her. Kadoda was subsequently found badly beaten and made a public apology for the accusations directed at the NISS.

'Overall, DFAT assesses that low-profile members of the unarmed opposition are at a low risk of official discrimination and violence. Supporters of the unarmed opposition who present a direct threat to the Government's authority by speaking openly about political transition or overthrowing Bashir and the NCP face a moderate risk of discrimination and low risk of violence.'⁸⁹

6.4.3 Freedom House observed in July 2016 report:

'Opposition leaders and activists are routinely arrested and held without charge, often for extended periods. In 2014, the head of the National Umma Party, his deputy, and the head of the Sudanese Congress Party were all detained in separate cases and held for several weeks before being released without charge. In the lead-up to the April 2015 elections, opposition figures faced harassment, arrest, and detention. NISS agents detained members of the SCP and perceived supporters of the armed opposition Sudan Revolutionary Front. On several occasions, authorities denied opposition parties permits for rallies and forums, including at parties' own headquarters.'⁹⁰

6.4.4 Freedom House mentioned in their August 2018 report:

'Sudan has more than 100 political parties but they face obstacles that prevent them from operating and competing freely. The government imposes onerous regulations on opposition parties, and uses the NISS to intimidate, harass, and detain opposition officials. Four members of the National Consensus Forces, an opposition group, who had been held for two months after protesting economic austerity measures, were released in January 2017.'⁹¹

6.4.5 The USSD report for 2017 stated:

'Members of the political opposition and civil society were arrested and held by NISS for several days following efforts to raise public awareness about the spread of cholera in the country during summer months. The government

⁸⁹ Australian Government, 'DFAT Country Information Report – Sudan' (p20), 27 April 2016, [url](#)

⁹⁰ Freedom House, Freedom in the World 2016, Sudan, July 2016, [url](#)

⁹¹ Freedom House, Freedom in the World 2018, Sudan, August 2018, [url](#)

termed the disease that caused hundreds of deaths “acute watery diarrhea” and informed all newspaper editors in chief that they were not to make any reference to “cholera” in their publications. Medical observers said both hospitals and government officials in the Ministry of Health confirmed there were in fact incidents of cholera. It was not possible, however, for the international community to confirm the number of cholera cases because only the ministry conducted testing and did not share its results. Reportedly the government’s reticence was due to fear that admitting an epidemic of cholera would negatively affect the volume of agricultural exports, as well as inhibit countries from taking refugees leaving or transiting through the country [...]

‘The government continued to deny permission to Islamic orders associated with opposition political parties, particularly the Ansar (Umma Party), Khatmiya (Democratic Unionist Party) and the Sudanese Congress Party, to hold large gatherings in public spaces, but parties regularly held opposition rallies on private property. Government security agents occasionally attended opposition meetings, disrupted opposition rallies, or summoned participants to security headquarters for questioning after meetings.’⁹²

6.4.6 Furthermore, the same report noted:

‘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 NISS ran “ghost houses” where it detained opposition and human rights figures without acknowledging they were being held. Such detentions were prolonged at times.’⁹³

6.4.7 In an article published in January 2018, the People’s World stated:

‘Sudanese security forces detained the leader of the country’s Communist Party in the early hours of yesterday morning.

‘Muhammad Mukhtar al-Khatieb was arrested in a raid on his home at 3am—a day after a protest in the capital Khartoum organized by the Sudanese Communist Party (SCP) against austerity measures that raised the price of bread.

‘SCP political bureau member Fathi Alfadl said that more than 50 political leaders, campaigners, and journalists had been detained since yesterday’s demonstration.

‘They included fellow political bureau and central committee members Siddig Yousif and Youssef Hussein, along with human rights campaigner Amal Habani and journalist Mamoun Eltilib.’⁹⁴

[Back to Contents](#)

6.5 Treatment of armed groups

6.5.1 The DFAT report of 2016 based on a range of sources noted:

⁹² USSD, ‘Country Reports on Human Rights Practices for 2017’, April 2018, (section 2a, 2b) , [url](#)

⁹³ USSD, ‘Country Reports on Human Rights Practices for 2017’, April 2018, (section 2a, 2b) , [url](#)

⁹⁴ People’s World, ‘Sudan Communist Leader arrested after bread protest’, 18 January 2018, [url](#)

'The Government is attempting to militarily defeat the armed opposition in areas of Darfur, South Kordofan and Blue Nile, putting individuals in these areas at high risk. There are credible reports of individuals being detained by the Government due to their actual or perceived support for the armed opposition, including reports of women being detained due to their association with men who were perceived to be supporters. DFAT understands that the Government has been responsible for carrying out violent interrogations of individuals who are in detention due to their perceived links to the armed opposition. The Government has prosecuted supporters of the armed opposition with individuals being sentenced to imprisonment or death, although DFAT is unaware of whether or not individuals were actually executed.'⁹⁵

6.5.2 The USSD report of 2017 observed:

'In September 2015 the government granted general amnesty for leaders and members of the armed movements taking part in the national dialogue. The amnesty covered "all words and deeds that constitute crimes during the period of the participation in the national dialogue." Many observers considered the amnesty a government incentive to encourage opposition members living abroad to return to the country for participation in the dialogue without fear of arrest or reprisal. As of November there were no known reports of arrests of opposition members who participated in the dialogue, although NISS detained and seized the travel documents of opposition members who met abroad... Leading opposition members living in exile who had called for more freedoms as a condition to their participation in the dialogue had not taken advantage of the general amnesty. The decree also called for the release of political prisoners whose parties participated in the dialogue. There were no known reports of such releases.'⁹⁶

6.5.3 The USSD report covering 2017 stated:

'There were reports of individuals detained due to their actual or assumed support of antigovernment forces, such as the Sudan People's Liberation Movement-North (SPLM-N) and Darfur rebel movements. Unlike in prior years, no local NGOs reported that women were detained because of their association with men suspected of being SPLM-N supporters [...]

'The government observed the law prohibiting forced exile. It warned political opponents of their potential arrest, however, if they returned from self-imposed exile. Opposition leaders and NGO activists remained in self-imposed exile in northern Africa and Europe; other activists fled the country during the year. On January 27, opposition leader Sadiq al-Mahdi returned to Khartoum, more than two years after he had fled to Cairo following government allegations he collaborated with rebels. The authorities did not arrest him upon arrival in Khartoum, and he did not report harassment. As of year's end, other prominent opposition members had not returned to the country under the 2015 general amnesty for leaders and members of the

⁹⁵ Australian Government, 'DFAT Country Information Report – Sudan' (p16), 27 April 2016, [url](#)

⁹⁶ USSD, 'Country Reports on Human Rights Practices for 2016', (section 1d) 3 March 2017, [url](#)

armed movements taking part in the national dialogue; some expressed concern about their civic and political rights even with the amnesty.⁹⁷

[Back to Contents](#)

6.6 Treatment of students

6.6.1 The Canadian Immigration and Refugee Board produced a [response to information request](#) citing various sources on students protests and the government's reaction to these during the period 2013 to January 2015.

6.6.2 Human Rights Watch's report covering events in 2017 noted:

'Authorities also used excessive force on several occasions to disperse protests on university campuses. In May, following clashes over disputed elections at Bakht al-Rida university in White Nile state, police and security forces raided a dormitory, beat and shot students, wounding several, and arrested dozens. In response to the arrests, more than 1,000 Darfuri students withdrew from the university, alleging discrimination against Darfuri students. Nine students remained in detention by year's end.

'In August and September, security officials detained dozens of members of the United Popular Front, a student branch of a Darfur rebel group, while protesting on the streets of Khartoum and Omdurman. Officials arrested many other student activists throughout the year.'⁹⁸

6.6.3 The USSD report for 2017 noted:

'The government restricted academic freedom at cultural and academic institutions. It determined the curriculums and appointed the vice chancellors responsible for administration. It 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 showed favorable treatment towards NCP students. Some professors exercised self-censorship. Security forces used tear gas and other heavy-handed tactics against largely peaceful protests at universities or involving university students. The Public Order Police continued to monitor public gatherings and cultural events, often intimidating women and girls, who feared police would arrest them for "indecent" dress or actions [...]'.⁹⁹

6.6.4 Freedom House mentioned in their August 2018 report:

'The government views students as a source of opposition and harshly responds to signs of restiveness on university campuses, often using NCP-affiliated students to attack and intimidate protesters. In three separate incidents in May 2017, violence was used to break up demonstrations at university sites. In the most serious incident, several students were injured and seven others arrested when progovernment student militia and NISS agents attacked a meeting at a hostel affiliated with Al-Azhari University in

⁹⁷ USSD, 'Country Reports on Human Rights Practices for 2016', Sudan, (section 2d), April 2018, [url](#)

⁹⁸ Human Rights Watch, 'World Report 2018 – Sudan', 18 January 2018, [url](#)

⁹⁹ USSD, 'Country Reports on Human Rights Practices for 2017', (section 1a – 2a), April 2018, [url](#)

Khartoum. The meeting had been called to protest the expulsion of seven Darfuri students.¹⁰⁰

[Back to Contents](#)

6.7 Treatment of Darfuri students

6.7.1 For information about the treatment of non-Arab Darfuris generally, see [country policy and information: Non-Arab Darfuris](#).

6.7.2 Amnesty identified that 2 key reasons for the discrimination and violence against Darfuri students:

‘... a key trigger for violence affecting Darfuri university students in universities is non- or partial implementation of the fee waiver. In almost all Sudanese universities, there is an annual dispute between Darfuri students and university administrations over the payment of tuition fees by Darfuri students [introduced following various peace agreements including the Doha Document for Peace in Darfur (DDPD) 2011 and the Darfur Peace Agreement (DPA) 2006]. The annual dispute between the university administration and the Darfuri students has resulted in the students being expelled from universities or banned from sitting exams for failing to pay fees. Darfuri students have also been suspended from studying or denied their certificates after graduation. Darfuri students peacefully protesting against university fees policy have been dispersed by force by the NISS, the police and ruling party affiliated students. State security agents have used excessive and unlawful force to disperse protests leading to the injury and death of protesters. They have also been arrested and subjected to ill-treatment and torture while in custody.

‘A second trigger for violence affecting Darfuri students is the political activities of Darfuri students in relation to the conflict in Darfur. Darfuri students’ attempts to discuss the conflict in Darfur through public fora in universities have been violently thwarted by ruling party affiliated students. Darfuri students participating in these fora have additionally been arrested and subjected to torture and ill-treatment while in custody.’¹⁰¹

6.7.3 Human Rights Watch observed in its report covering 2017 that:

‘In August, security officials detained Nasreddin Mukhtar, former head of a Darfur Student Union, and held him without charge in solitary confinement [...]

‘Authorities also used excessive force on several occasions to disperse protests on university campuses. In May, following clashes over disputed elections at Bakht al-Rida university in White Nile state, police and security forces raided a dormitory, beat and shot students, wounding several, and arrested dozens. In response to the arrests, more than 1,000 Darfuri students withdrew from the university, alleging discrimination against Darfuri students. Nine students remained in detention by year’s end.

¹⁰⁰ Freedom House, Freedom in the World 2018, Sudan, (section D3) August 2018, [url](#)

¹⁰¹ Amnesty International, “Uninvestigated, Unpunished”, Human Rights Violations against Darfuri Students in Sudan’ (p14, 44), January 2017, reissued May 2017, [url](#)

'In August and September, security officials detained dozens of members of the United Popular Front, a student branch of a Darfur rebel group, while protesting on the streets of Khartoum and Omdurman. Officials arrested many other student activists throughout the year.'¹⁰²

6.7.4 Amnesty International reported in 2017 that:

'The Sudanese authorities must end the continued discrimination of Darfuri students at universities, said Amnesty International today as more than 1,000 Darfuri students of Bakht al-Rida University in White Nile State, descended on the capital Khartoum to demand the release of 10 of their colleagues accused of killing two police officers.

'The students are now blockaded on the southern edge of the capital Khartoum after they were stopped by National Intelligence Security Service (NISS) agents from delivering a statement listing their demands to the government. They also want 14 other colleagues who were expelled from the university readmitted... The two policemen were killed on 9 May [2017] as they violently broke up clashes between ruling party and opposition students over disputed guild elections. Seventy students were arrested that day, all of them Darfuri. Investigations into the policemen's deaths are still underway.'¹⁰³

6.7.5 The Amnesty report, 'Uninvestigated, Unpunished', Human Rights Violations against Darfuri Students in Sudan, January 2017, re-released in May 2017, documents a number of incidents of violence and discrimination against Darfuri students in 2014-2016.¹⁰⁴

6.7.6 The USSD human rights report for 2017 noted:

'In September, NCP-aligned students killed three Darfuri students on the campus of Omdurman Islamic University in Khartoum. The authorities did not make public any investigation into the killings. Credible reports stated that throughout the country, some groups of NCP-aligned students were heavily armed and kept weapons, including Kalashnikovs and machetes, in mosques on campuses. There were credible reports of routine verbal and physical harassment by NCP-aligned students of Darfuri students [...]'¹⁰⁵

6.7.7 Furthermore, the report added:

'Government authorities detained members of the Darfur Students Association during the year. Upon release numerous students showed visible signs of severe physical abuse and reported they had been tortured. Government forces reportedly used live bullets to disperse crowds of protesting Darfuri students on multiple occasions, including at the University of Kordofan in Obeid in April and at Khartoum University and al-Zaeem al-Azhari University in May. Darfuri students also reported being attacked by NCP student-wing members during protests. There were no known repercussions for the NCP youth that participated in violence against Darfuri

¹⁰² Human Rights Watch, 'World Report 2018 – Sudan events of 2017', 18 January 2018, [url](#)

¹⁰³ Amnesty, 'Sudan: Hundreds of Darfuri student protesters stopped ...', 19 July 2017, [url](#)

¹⁰⁴ "'Uninvestigated, Unpunished", Human Rights Violations against Darfuri Students in Sudan', January 2017, [url](#)

¹⁰⁵ USSD, 'Country Reports on Human Rights Practices for 2017', (Section 1a), 20 April 2018, [url](#)

students. There were numerous reports of violence against student activists' family members.¹⁰⁶

'...Government authorities detained Darfuri students and political opponents throughout the year, often reportedly subjecting them to torture'.¹⁰⁷

'...Security forces frequently conducted searches without warrants and targeted persons suspected of political crimes. NISS often confiscated private property, especially electronic equipment. Security forces conducted multiple raids on Darfuri students' housing throughout the year, including at Bakht al-Rida and al-Azhari Universities in May and Omdurman Islamic University in August. During the raids NISS confiscated the students' belongings, such as their laptops, school supplies, and backpacks. As of year's end, the students' belongings had not been returned.¹⁰⁸

6.7.8 The same report observed that 'NISS and police forces regularly arrested Darfuri students at various universities for publicly addressing civilians'¹⁰⁹. It added:

'Discrimination against Darfuri students on college campuses was a pervasive problem. There were multiple cases such as the following example: Nasr Aldin Mukhtar, former chairman of the Darfuri Student Union at Quran al-Kareem University, was arrested in 2015 and rearrested on August 22, while leaving the university as police used live ammunition during a raid on the campus. As of November he remained in detention suffering from various health problems as a result of reported mistreatment during detention. Family members were allowed one visit, after substantial pressure from civil society groups.

'In May security services violently dispersed student protests against corruption at Bakht Alrida University in El Duaweim, White Nile, and conducted a raid on housing inhabited by Darfuri students. Security forces arrested nine students and, as of December, continued to hold them in prison without charges. Security forces stopped buses of Darfuri student protesters against the action in a village outside Khartoum. Military and police units surrounded the village and caused a day-long standoff between security and students. After the involvement of local leaders and substantial pressure from the international community, the government took no violent action against the students but did stop the delivery of food supplies. The Darfuri Members Caucus within parliament attempted unsuccessfully to report the marginalization of Darfuri students to the minister of education.'¹¹⁰

[Back to Contents](#)

6.8 Treatment of civil society

6.8.1 The DFAT report of 2016 noted:

'The Government maintains strict control over the activities of civil society. NGOs are required to register with the Government's Humanitarian Aid

¹⁰⁶ USSD, 'Country reports on human rights practices for 2017', (section 1c), April 2018, [url](#)

¹⁰⁷ USSD, 'Country reports on human rights practices for 2017', (section 1e), April 2018, [url](#)

¹⁰⁸ USSD, 'Country Reports on Human Rights Practices for 2017', (section 1f) 20 April 2018, [url](#)

¹⁰⁹ USSD, 'Country Reports on Human Rights Practices for 2017', (section 2a) 20 April 2018, [url](#)

¹¹⁰ USSD, 'Country Reports on Human Rights Practices for 2017', (section 6) 20 April 2018, [url](#)

Commission (HAC). The HAC, and the Government more broadly, use bureaucratic impediments to limit the activities of civil society (including UNAMID). This includes restricting or denying permission for humanitarian assessments, refusing to approve technical agreements, changing operational procedures, delaying the issuance of visas and travel permits and restricted travel. The US Department of State's 2015 Human Rights Report also stated that the HAC prevented NGOs from interviewing or selecting staff in Darfur unless they used a five-person Government selection panel. International and local organisations that are seen as resisting or criticising the Government are further limited in their ability to operate. For example, the former UN Resident Coordinator who had allegedly made critical comments about the Government to a Norwegian publication was expelled.

'In addition to its use of bureaucratic impediments, the Government monitors, threatens and prosecutes individuals linked with particular civil society organisations. Amin Mekki Medani, President of the Confederation of Civil Society Organisations, was arrested along with a number of other politically-linked individuals in December 2014 after signing the 'Sudan Call...

'Organisations that are perceived to threaten the authority of the Government are particularly at risk. For example, the Centre for Civil Society Development which advocates for democratic reform has been raided without reason and authorities have prevented the organisation from holding meetings.

'Overall, DFAT assesses that individuals who are closely linked to civil society organisations that actively criticise the Government or work on issues such as human rights, the provision of humanitarian assistance or political activism are likely to attract negative attention from authorities. This is likely to be in the form of harassment and intimidation and may escalate to an individual being detained or experiencing violence.'¹¹¹

6.8.2 In a Human Rights Watch report on the treatment of female activists, it was stated that: 'Government security forces, especially NISS, have raped and sexually abused female activists with impunity.... Outspoken activists from Darfur have also been targeted. In one example from 2011, Hawa Abdallah "Jango," a well-known community activist from North Darfur, was detained for more than two months and subjected to torture and sexual violence.'¹¹²

6.8.3 The USSD report covering events in 2017 noted:

'Following the death of Fatima Ahmed Ibrahim on August 12, a women's rights activist and the first female parliamentarian, civil society organizations planned a public event to commemorate the political leader's life. The organizers were denied permits to hold the event at numerous government-owned public locations. The event was then held at the Umma Party

¹¹¹ Australian Government, 'DFAT Country Information Report – Sudan' (p17), 27 April 2016, [url](#)

¹¹² Human Rights Watch, "Good Girls Don't Protest" Repression and Abuse of Women Human Rights Defenders, Activists, and Protesters in Sudan, p20-1, March 2016, [url](#)

headquarters, which was controversial given that Ibrahim was not a member of the Umma Party. Security forces allowed the event to occur peacefully on November 4.¹¹³

6.8.4 The same report stated:

‘The government closed civil society organizations or refused to register them on several occasions. In June the HAC [Humanitarian Aid Commission] suspended the activities of Sharie al-Hawadith, an NGO in Kassala that provided medical treatment. According to independent reports, the organization received a letter from local authorities in eastern Sudan notifying them they were suspended. No reason was provided.

‘Government and security forces continued arbitrarily to enforce provisions, specifically Articles 7 to 14, of the Sudan Voluntary and Humanitarian Works Act of 2006, frequently referred to as the NGO law, including measures that strictly regulate an organization’s ability to receive foreign financing and register public activities.

‘The government maintained its policy of “Sudanization” of international NGOs. Many organizations reported they faced administrative difficulties if they refused to have progovernment groups implement their programs at the state level.’¹¹⁴

6.8.5 It further mentioned:

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

‘NGOs must register with the HAC, the government entity for regulating humanitarian efforts. While humanitarian access generally improved during the past year... the HAC on occasion obstructed the work of NGOs including in Darfur, the Two Areas, White Nile State, and Abyei, including by interfering with their hiring practices and denying travel permits, or not issuing them in a timely manner. The HAC often changed its administrative procedures and regulations without prior notification and did not apply them consistently across the country.’¹¹⁵

6.8.6 The US state department report also noted that lawyers were also targeted. For example, ‘Lawyers wishing to practice are required to maintain membership in the government-controlled Sudanese Bar Association. The government continued to arrest and harass lawyers whom it considered political opponents.’¹¹⁶

6.8.7 The 2017 Foreign Office and Commonwealth Office report observed, ‘While there is freedom to worship, broader restrictions on religious freedom in Sudan continued. Arbitrary rules on acceptable clothing and restrictions in

¹¹³ USSD, ‘Country reports on Human rights’, (section 2b), April 2018, [url](#)

¹¹⁴ USSD, ‘Country reports on Human rights’, (section 2), April 2018, [url](#)

¹¹⁵ USSD, ‘Country reports on Human rights’, (section 5), April 2018, [url](#)

¹¹⁶ USSD, ‘Country reports on Human rights’, (section 1e), April 2018, [url](#)

Khartoum State on opening days for Christian schools remained a concern'.¹¹⁷

- 6.8.8 The same report noted, 'Throughout the year, there were a number of reports of sexual and gender-based violence by state and non-state actors on the borders and in conflict areas'.¹¹⁸

[Back to Contents](#)

6.9 Treatment of journalists and media workers

- 6.9.1 The DFAT report of April 2016 based a range of sources noted:

'... The Government has sought to control the media through the National Council for Press and Publications which oversees the selection of editors and administers mandatory professional examinations for journalists. Reporting on particular issues including corruption, the activities of the NISS and other security-linked authorities as well as information on the Government's actions in conflict-affected areas can attract penalties.

'The Government practices wide-scale censorship of publications that report on issues considered sensitive and practices internet censorship, including blocking access to sites deemed to be offensive to public morality. Authorities confiscated publications throughout 2015, including on 47 occasions in January and June 2015. DFAT contacts suggest that the Government has also closed publications perceived to be anti-Government and continues to limit the operations of independent outlets by preventing them from accepting advertising revenue.

'Reporters without Borders reports that in September 2015, a journalist was arrested and questioned regarding an article about potential conflicts of interest of some politicians. The journalist was subjected to the 'Reception Detention Method', where authorities summon the individual for questioning each day and require them to then spend more than 12 hours waiting in a reception area. In December 2015, the editors of two newspapers were arrested and charged with abusing their positions as journalists, publishing false news and undermining the constitutional system after publishing articles about electricity cuts that were critical of the Government. While both were subsequently released on bail, the NISS suspended one of the newspapers licences and the editor of the other newspaper had resigned.

'There are also some examples of journalists being exposed to violence, although the identity of the perpetrators is sometimes unclear. In July 2014, armed assailants attacked the Editor-in-Chief of Al-Tayyar newspaper and looted the newspaper's headquarters. The Editor-in-Chief was left unconscious and required hospitalisation. The Government's attempts to prosecute the individuals reportedly responsible for this incident were criticised.

- 6.9.2 'Overall, DFAT assesses that the Government maintains substantial control over the media which has led to wide-scale self-censorship. Individuals who criticise the Government or are perceived to threaten its authority through the media are likely to come to the attention of authorities. In practice, an

¹¹⁷ The 2017 FCO report, 'Human Rights and Democracy', Sudan, July 2018, [url](#)

¹¹⁸ The 2017 FCO report, 'Human Rights and Democracy', Sudan, July 2018, [url](#)

individual is likely to be arrested, harassed and/or intimidated by authorities trying to prevent the publication of material that was perceived to be disparaging towards the Government. DFAT contacts suggest that, in rare cases, the individual may be exposed to violence, although contacts were unable to point to any examples of this occurring overtly at the hands of authorities.¹¹⁹

6.9.3 Reporters without borders (RSF) ranked Sudan 174th out of 180 countries in its press freedom index for 2018. The [RSF website](#) publishes periodic articles on press freedom and maintains a log of the numbers of media workers arrested and killed.¹²⁰

6.9.4 RSF observed on events in Sudan in early 2018 that:

‘Harassment of the media intensified at the start of 2018. Eighteen journalists, including the correspondents of foreign media, were arrested in January while covering opposition protests. An independent radio station was shut down, and two journalists were banned from practicing their profession for a year. Led by Omar al-Bashir, who has been indicted by the International Criminal Court for crimes against humanity, Sudan’s regime is exceptionally hostile to press freedom and often resorts to harassment, censorship, seizures, closures, and Internet cuts. The National Intelligence and Security Service (NISS) uses the most brutal methods to gag the media and silence dissent, shutting down independent and opposition newspapers such as Al-Tayar, Al-Jareeda, Al-Midan and Al-Watan, or confiscating entire issues as they come off the press. In response to the censorship, the print media have turned to social networks to circulate and publish their stories.’¹²¹

6.9.5 The USSD report for 2017 noted:

‘The Interim National Constitution provides for freedom of the press, but authorities prevented newspapers from reporting on problems deemed sensitive. Measures taken by the government included regular and direct republication censorship, confiscation of publications, legal proceedings, and denial of state advertising. Confiscation in particular inflicted financial damage on newspapers already under financial strain due to low circulation. Throughout the year the government verbally warned newspapers of “red line” topics on which the press could not report. Such topics included corruption, university protests, the national dialogue, political negotiations in Addis Ababa, the conflict in South Sudan, the weak economy and declining value of the Sudanese pound, cholera outbreaks, government security services, and government action in conflict areas.

‘The government influenced radio and television reporting through the granting or denial of permits, as well as by offering or withholding government payments for advertisements, based on how closely affiliated they were with the government.

‘The government controlled media through the National Council for Press and Publications, which administered mandatory professional examinations

¹¹⁹ Australian Government, ‘DFAT Country Information Report – Sudan’ (p17), 27 April 2016, [url](#)

¹²⁰ Reporters without Borders, Sudan, undated, [url](#)

¹²¹ Reporters without borders, Sudan, undated, [url](#)

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 Union, 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 government and security forces working on media issues, who received automatic licenses.

‘At year’s end four journalists remained banned from writing. Two of them fled the country due to continuing NISS harassment.

‘The government continued to arrest, harass, intimidate, and abuse journalists and vocal critics of the government. NISS required journalists to provide personal information, such as details on their tribe, political affiliation, and family.

‘As of July, two printing press workers were being held incommunicado; there were no updates on their whereabouts by year’s end. Abu Taleb Salaheldin was detained from a private printing office at the El Soug El Arabi in downtown Khartoum in December 2016; Mutaz El Ejeili was detained in a printing office in Khartoum the same month.

‘The government continued to practice direct prepublication and prebroadcast censorship of all forms of media. Confiscations of print runs was the censorship method most frequently used by NISS, having utility in terms of censoring material, incentivizing future self-censorship, and causing high financial losses to the publisher that could lead to the newspaper’s eventual closure. On September 14, the Press and Publications Council ordered suspension of four newspapers: Ilaf, al-Mostagil, al-Watan, and Awal al-Nahar. Authorities used the Press and Publications Court, specializing in media issues and “newspaper irregularities” and established under the existing Press and Publications Act, to prosecute “information crimes.”¹²²

6.9.6 The same report observed:

‘The Press and Publications Act allows for restrictions on the press in the interest of national security and public order. It contains loosely defined provisions for bans for encouraging ethnic and religious disturbances and incitement of violence. The act holds editors in chief criminally liable for all content published in their newspapers. The criminal code, National Security Act, and emergency laws were regularly used to bring charges against the press. At year’s end amendments to the Press and Publications Act were undergoing a parliamentary review.

‘NISS initiated and continued legal action against journalists for stories critical of the government and security services.¹²³

6.9.7 With regard to internet use, the USSD noted:

‘The government regulated licensing of telecommunications companies through the National Telecommunications Corporation. The agency blocked some websites and most proxy servers judged offensive to public morality,

¹²² USSD, ‘Country reports on Human rights’, (section 2a), April 2018, [url](#)

¹²³ USSD, ‘Country reports on Human rights’, (section 2a), April 2018, [url](#)

such as those purveying pornography. There were few restrictions on access to information websites, but authorities sporadically blocked access to YouTube and “negative” media sites. According to the International Telecommunication Union, approximately 28 percent of individuals used the internet in 2016.

‘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 that 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.’¹²⁴

6.9.8 The UN report of August 2018 noted that:

‘Press censorship by government security agents continued unabated during the reporting period. The National Intelligence and Security Service continued to intimidate and instil fear of arrest in journalists, which consequently impeded press freedom, freedom of opinion and freedom of expression. At least three newspapers were confiscated by officers of the Service multiple times between 15 and 18 January 2018 for publishing articles that were critical of the Government’s response to the demonstrations. In addition, security officials arrested at least 15 journalists. Six journalists were arrested in Khartoum on 16 and 17 January and released on 21 January. There are credible reports that Amel Habani, a woman journalist and human rights activist, was subjected to ill-treatment amounting to torture during her arrest.’¹²⁵

[Back to Contents](#)

7. Sur place activity in the UK

7.1.1 A Landinfo report dated 11 November 2013 observed: ‘There are significant Sudanese exile communities many places around the world’, although noted that the largest diaspora communities were in Arabic countries and included mainly migrant workers¹²⁶. The source continued: ‘Neighbouring countries such as Egypt and Saudi Arabia have large groups of Sudanese, but other countries in the Gulf and Libya have also been significant migration destinations in the Arab world.’¹²⁷

7.1.2 Waging Peace in a report dated September 2014 also noted that Uganda, Kenya and Egypt had large Sudanese refugee populations and exiled political opposition. The report stated that ‘The summary of a November 2013 Norwegian Country of Origin Information Centre (Landinfo) report

¹²⁴ USSD, ‘Country reports on Human rights Sudan’, (section 2a), April 2018, [url](#)

¹²⁵ United Nations General Assembly, ‘Report of the Independent Expert on the situation of human rights in the Sudan’, (page 6-7), 13 August 2018, [url](#)

¹²⁶ Landinfo, ‘Sudan: Scope of political activity critical to the regime’, 11 November 2013 (translation available on request).

¹²⁷ Landinfo, ‘Sudan: Scope of political activity critical to the regime’, 11 November 2013 (translation available on request)

states that “Political activity inside Sudan is not the sole focus of the Sudanese regime, which also tries to limit such activity among Sudanese abroad through monitoring exile communities”¹²⁸.

7.1.3 The Landinfo report dated 2013 also noted: ‘Outside the Arab world, as a former colonial power, the UK has a Sudanese immigrant community of considerable size. However, countries that are more open to immigration for work and higher educational purposes than those in Europe also have relatively large Sudanese communities - such as Canada, Australia and South Africa.’¹²⁹

7.1.4 A report by the Belgian Commissioner General for Refugees and Stateless Persons, based on a range of sources, of February 2018 reported:

‘The British Upper Tribunal estimated in April 2016 that not all political opponents suffer persecution and that for this to happen, their level of political engagement has to be fairly high. The Upper Tribunal added that surveillance activities may entail a risk, for instance when the activities are public and known to the intelligence service. It does not take much for the NISS to create a file on an opponent but this does not necessarily mean that the file will be used later on. However, the British Sudan expert Peter Verney told the Upper Tribunal that little more than suspicion is sometimes enough to detain someone.’¹³⁰

7.1.5 The Overseas and Development Institute (ODI) report, published in August 2018, ‘Darfuri migration from Sudan to Europe from displacement to despair’, mentioned :

‘The migration of Darfuris to Europe and North America was limited prior to the start of the conflict in 2003, though the UK has hosted a Sudanese diaspora community since the 1970s, including politicians in exile, asylum-seekers and skilled professionals. From 1989, following the Islamist coup in Sudan, some Sudanese migrated from the Gulf countries to Europe, the US and Canada, in some cases claiming asylum as refugees because of their political affiliations. Another factor was the massive expulsions of Sudanese workers from Arab states during the first Gulf war.’¹³¹

7.1.6 The same report also noted that ‘links between the UK diaspora (or longterm migrants) and new migrants coming to the UK appear to be few. Many of the long-term Sudanese migrants in the UK are established highly-skilled professionals from central Sudan’s Arab elite, and are not asylum-seekers’.¹³²

7.1.7 On 30th June 2018, Waging Peace arranged a demonstration outside the Sudan embassy, against the current Sudan administration.¹³³

[Back to Contents](#)

¹²⁸ Waging Peace, ‘The Long Arm of the Sudanese Regime...’, September 2014, [url](#)

¹²⁹ Landinfo, ‘Sudan: Scope of political activity critical to the regime’, para 6.1, 11 November 2013 (translation available on request)

¹³⁰ Belgian CGRS, COI Focus (section 2.3.2), February 2018, [url](#)

¹³¹ ODI, ‘Darfuri migration from Sudan to Europe ...’, (para 2.2), August 2018, [url](#)

¹³² ODI, ‘Darfuri migration from Sudan to Europe...’, (para 4.5), August 2018, [url](#)

¹³³ Stand UK, ‘Waging Peace: Sudan Demonstration 30th June, 18 May 2018, [url](#)

8. Sudanese diaspora organisations

8.1 Type of diaspora organisations

8.1.1 An IOM Migration Report on Sudan dated 2011 also observed:

‘Sudanese abroad have formally grouped themselves in organized entities. These entities are first the social associations of people with Sudanese origin established in most the countries of migration, even at local level, having social and cultural interests and intending to maintain the ties with Sudan. In addition, starting from the early nineties highly skilled and qualified Sudanese expatriates and their descendants have constituted professional associations and networks intending to connect among themselves and to contribute to the development process in Sudan activities, an aspect that is also common in other Eastern African communities abroad such as Ethiopia and Somalia. These entities, which concern mainly physicians, engineers and researchers, largely rely on the Internet as communication means, hold annual meetings and provide direct contribution to development projects in Sudan. These networks are generally independent from the government or political associations, relying on membership and/or donors’ contributions’¹³⁴

8.1.2 Landinfo, in their 2013 report, observed that ‘... most Sudanese are very involved in politics...’ and went onto note that ‘[i]n Sudanese exile communities, including ones in Norway, Sudanese with higher education form a significantly higher proportion of the community than they do in the indigenous population in Sudan. Thus, political activity in Sudanese exile communities is correspondingly high.’¹³⁵

8.1.3 The report further noted:

‘The Sudanese communities in Egypt, Saudi Arabia and the UK probably play a more important role [than in Norway] in terms of political activity in exile, as they are much larger than those in Norway.’¹³⁶

[Back to Contents](#)

8.2 Justice and Equality Movement

8.2.1 The Justice and Equality Movement (JEM) is one of the main Darfuri insurgent groups known to be active in Darfur and is present in the UK. JEM’s website states that it has an office in London,¹³⁷ also noted by testimonies published by Waging Peace¹³⁸.

[Back to Contents](#)

¹³⁴ IOM, ‘Migration in Sudan, A country profile 2011’, (page 64), 2011, [url](#)

¹³⁵ Landinfo, ‘Sudan: Scope of political activity critical to the regime’, 11 November 2013 (translation available on request)

¹³⁶ Landinfo, ‘Sudan: Scope of political activity critical to the regime’, 11 November 2013 (translation available on request)

¹³⁷ JEM, Justice and Equality Movement Sudan Office UK and Northern Ireland, [url](#)

¹³⁸ For example see testimony account from Ms A, Annex 6, Waging Peace, ‘The Long Arm of the Sudanese Regime: How the Sudanese National Intelligence and Security Service monitors and threatens Sudanese nationals who leave Sudan’, September 2014, [url](#)

9. Surveillance

9.1 Surveillance in Sudan

9.1.1 A post on the Reporters without Borders website stated:

‘In 2011, at the height of the Arab Spring, Sudan’s ruling National Congress Party, fearing the spread of political challenges from abroad via social media, decided to upgrade its internet surveillance capability by forming a “Cyber Jihadist Unit” assigned to conduct “online defence operations” to “crush” internet dissidents.

‘Two hundred agents spread throughout the country, working in shifts to provide 24 hour-a-day capability, especially during peak internet usage hours – nights and weekends. The unit was strengthened in 2012, when the Sudanese blogosphere was experiencing an unprecedented boom, growing from 70 to 300 blogs over a period of 18 months.

‘The security services recruit agents... are trained to monitor internet content, hack online accounts (email, Facebook, Twitter), block or take down sites and identify targets to put out of action.

‘However, the Cyber-Jihadist Unit on its own would be insignificant without the protection afforded by its parent organization, the NISS, the main agency for repression and censorship in Sudan... The Cyber-Jihadist Unit works with complete freedom of action thanks to the National Security Act of 2010, under which the NISS operates. This law reinforces the impunity with which NISS agents operate, allowing them to arrest any journalist and censor any publication on “national security” grounds. The NISS can keep an individual in detention for up to 45 days without charges, with the authorization renewable when the initial period expires.’¹³⁹

9.1.2 Freedom House noted in a report covering events between June 2016 and May 2017 that ‘Compared to the highly restrictive space in the traditional media sphere—which is characterized by pre-publication censorship, confiscations of entire press runs of newspapers, and warnings from NISS agents against reporting on certain taboo topics—the internet remains a relatively open space for freedom of expression, with bold voices expressing discontent with the government on various online platforms.’¹⁴⁰

9.1.3 However, the same report noted that in response to this:

‘[T]he government employs a concerted and systematic strategy to manipulate online conversations through its so-called Cyber Jihadist Unit. Established in 2011 in the wake of the Arab Spring, the unit falls under the National Intelligence and Security Service (NISS) and works to proactively monitor content posted on blogs, social media websites, and online news forums. The unit also infiltrates online discussions in an effort to ascertain information about cyber-dissidents and is believed to orchestrate technical attacks against independent websites, especially during political events.’¹⁴¹

¹³⁹ Enemies of the Internet, Reporters without Borders, ‘Sudan: Scoring high in censorship’, 13 March 2014, [url](#)

¹⁴⁰ Freedom House, ‘Freedom on the Net 2017’, Sudan, 14 November 2017, [url](#)

¹⁴¹ Freedom House, ‘Freedom on the Net 2017’, Sudan, 14 November 2017, [url](#)

- 9.1.4 The same source also observed that ‘Unchecked surveillance of ICTs is a grave concern among citizens in Sudan, where the government is known to actively monitor internet communications on social media platforms and target online activists and journalists during politically sensitive periods. The NISS regularly intercepts private email messages, enabled by sophisticated surveillance technologies.’¹⁴²
- 9.1.5 The USSD report for 2017 noted: ‘The government monitored private communication and movement of individuals and organizations without due legal process. A wide network of government informants conducted surveillance in schools, universities, markets, workplaces, and neighborhoods.’¹⁴³
- 9.1.6 On causes of migration, the ODI report mentioned that in Darfur, ‘young men from particular ethnic groups come under close surveillance. Their movements are restricted and teenagers are persuaded to spy on their relatives. Internally displaced people (IDPs) and students are also particularly affected’.¹⁴⁴

[Back to Contents](#)

9.2 Surveillance abroad

- 9.2.1 In an article dated 9 January 2013, the Telegraph referred to ‘Yassir’, an asylum seeking activist in London. According to the article, Mr Yassir said he was detained in January 2013 on return to Sudan, months after attending a House of Lords debate on Sudan. The article observed that Mr Yassir was ‘convinced that the security agents at Khartoum airport were acting on intelligence gathered in London.’¹⁴⁵ The article quoted an interview with Mr Yassir: “‘I think there are some refugees that are not genuine but have been sent here by the Mukhabarat (Sudan Security Services) to monitor the rest of us...They said they had sent me to London to make a human of me...They said 'you are a black slave, you will never be the equivalent of an Arab. We sent you to the UK and you have come back brainwashed against us.’”¹⁴⁶
- 9.2.2 The Telegraph also quoted Kamal Kambal, a Nuba activist: “‘We believe there are government spies writhing the Sudanese community...They knew the whole story of that meeting [with Mr Yassir] and used it against Yassir during his arrest.’”¹⁴⁷
- 9.2.3 The Waging Peace report from September 2014 referred to alleged spying by Sudanese officials in the UK. Ms A testified that after she was detained at Khartoum Airport she was shown photos of a meeting she had in London with a friend who was a member of JEM She was also shown a photo of herself at a Sudan Revolutionary Front event in London, which her friend in JEM had also attended. She reported that she was detained for 12 hours,

¹⁴² Freedom House, ‘Freedom on the Net 2017’, Sudan, 14 November 2017, [url](#)

¹⁴³ USSD, ‘Country Reports on Human Rights Practices for 2017’, Sudan (section 1f), April 2018, [url](#)

¹⁴⁴ ODI, ‘Darfuri migration from Sudan to Europe from displacement to despair’, (executive summary), August 2018, [url](#)

¹⁴⁵ The Telegraph, ‘Sudanese 'diplomats spying for agents that torture in Khartoum', 9 January 2013, [url](#)

¹⁴⁶ The Telegraph, ‘Sudanese 'diplomats spying for agents that torture in Khartoum', 9 January 2013, [url](#)

¹⁴⁷ The Telegraph, ‘Sudanese 'diplomats spying for agents that torture in Khartoum', 9 January 2013, [url](#)

interrogated and beaten.¹⁴⁸ This case was also reported by the Telegraph on 20 October 2014.¹⁴⁹

9.2.4 According to Mr V, a senior member of the Sudanese opposition in the UK, the Sudanese intelligence services increased their monitoring in the UK in recent years:

‘There is growing concern among the Sudanese community in the UK about the number of the NCP intelligence officers across the UK and the EU. It comes to our attention that the number of the NCP intelligence agents in the UK has increased sharply in the last three years and that those in the UK include senior officers who has been involved in crimes against humanity in Sudan. Their presence has created tensions in our wounded community.

‘The NISS officers who come to UK do so by falsely seeking asylum or on student visas. Some work at the Sudanese Embassy as civil servants. We are also aware that some of them try to avoid our community so as not to be identified. We have noticed that many of them, directly or indirectly related to senior NCP members, claim to belong to the Tunjur or Berti tribes, these are Darfurian tribes that do not have their own languages, in order to claim asylum. Sadly some of these people have been unwittingly supported by some refugee organisations and by our community. Some of them are well known to us by their crimes against our people in Sudan whereas some hide themselves in cities across the UK so that they cannot be identified by our community.

‘It strikes me that the Home office has failed to adequately check or verify that these people are genuine and that they have not been involved in crimes against humanity in Sudan. Not all of the NISS are here for one mission they are here for different missions such as money transfer (money laundering), buying property, lobbying for the NCP and information gathering amongst the opposition. The NCP have become extremely concerned about our community campaigns against human rights abuses and against war that targets innocent civilians. Therefore they have set to establish their own community in order to create balance and to further divide our community. It seems to me that the war in Sudan has been transferred to the UK with the arrival of the number of NISS. Urgent action needs to be taken to prevent any community clashes in the future. It seems that the UK has become a safe haven to those who commit crimes in Sudan.’¹⁵⁰

9.2.5 According to Mr V, NISS were active in London, Manchester, Birmingham, Cardiff and Newcastle, as well as other countries including Malaysia, South Sudan, Central Africa, Turkey, Qatar, Libya, Uganda, Kenya, France, Russia, Greek, Ethiopia, USA, Iran, Somalia, UK Yemen, Swaziland, Mali, Nigeria, Lebanon, Egypt, Chad and China.¹⁵¹

9.2.6 A third person interviewed by Waging Peace, Mr X, claimed that he and a friend had been threatened in the UK because of they opposed the

¹⁴⁸ Waging Peace, ‘The Long Arm of the Sudanese Regime...’, September 2014, [url](#)

¹⁴⁹ The Telegraph, ‘The Sudanese ‘spies’ in London Starbucks’, 20 October 2014, [url](#)

¹⁵⁰ Waging Peace, ‘The Long Arm of the Sudanese Regime...’, September 2014, [url](#)

¹⁵¹ Waging Peace, ‘The Long Arm of the Sudanese Regime: ...’, September 2014, [url](#)

Sudanese government. However, the source had no further evidence to substantiate that these threats were linked to the Sudanese authorities.¹⁵²

9.2.7 A letter from the Deputy Head of Mission at the British Embassy in Khartoum, dated 8 April 2013, explained that: ‘...there is evidence from domestic and international human rights groups to show that those who openly oppose the government from abroad will likely be arrested on return.’¹⁵³ While the letter had no further information about monitoring activities in the UK, it did explain:

‘Recently [in 2013] a number of opposition leaders who signed a political manifesto (New Dawn Charter) in Uganda calling for reform and the overthrow of the Government of Sudan were detained for a number of weeks. These were widely reported in the Sudanese press and acknowledged as fact by the Sudanese government. One of the arrestees was a dual Sudanese/British National and this Embassy has had direct contact with the Government of Sudan about the case. We have also received credible reports from political parties and human rights groups in Sudan that those who are overly critical of the government are usually subject to surveillance and intimidation by the security services. Reports from human rights groups suggest that Darfuris and Nubans are also more likely to be at risk from this type of persecution’.¹⁵⁴

9.2.8 A second letter from the British Embassy, dated 19 February 2015, explained that they had no independent evidence of ‘overseas surveillance of asylum seekers by the Sudanese government’, although acknowledged that ‘... in October 2012 a Sudanese diplomat was expelled from Norway following allegations of spying on Sudanese refugees there.’¹⁵⁵ The source noted:

‘Article 25 of the 2014 Asylum Act states that the Commissioner for Refugees has an “obligation to monitor the situation of Sudanese refugees abroad and to expressly encourage them to return to Sudan”, although we have not received a clear answer as to what this means in practice. The Office of the Commissioner for Refugees comes under the Ministry of Interior, but it is the understanding of the British Embassy that they also maintain close relations with NISS.’¹⁵⁶

9.2.9 A Landinfo report dated 11 November 2013 noted in its summary that ‘Political activity inside Sudan is not the sole focus of the Sudanese regime, which also tries to limit such activity among Sudanese abroad through monitoring exile communities.’¹⁵⁷

¹⁵² Waging Peace, ‘The Long Arm of the Sudanese Regime ...’, September 2014, [url](#)

¹⁵³ British Embassy in Khartoum, Deputy Head of Mission, 8 April 2013. Copy in Annex B of the country policy and information note, [Treatment of returnees](#)

¹⁵⁴ British Embassy in Khartoum, Deputy Head of Mission, 8 April 2013. Copy in Annex B of the country policy and information note, [Treatment of returnees](#)

¹⁵⁵ British Embassy in Khartoum, Deputy Head of Mission, 19 February 2015. Copy in Annex C of the country policy and information note, [Treatment of returnees](#)

¹⁵⁶ British Embassy in Khartoum, Deputy Head of Mission, 19 February 2015. Copy in Annex A of the country policy and information note, [Treatment of returnees](#)

¹⁵⁷ Landinfo, Sudan: Scope of political activity critical to the regime, Summary, 11 November 2013, [url](#)
Copy of translation available on request

9.2.10 The same source observed:

'The refugee spy case discovered by the Norwegian Police Security Service (PST) in October 2012 (see Sarstad 2012 and Sætran 2013) shows the Sudanese authorities attempt to monitor political activity in exile communities. While it is not possible to know exactly who the authorities' were targeting, Landinfo is aware that the threshold for being monitored in Sudan is extremely low. On this basis, we can assume that it is equally low abroad.

'At the same time: even though the authorities attempt to monitor communities in exile, this is a much more challenging task than is possible in Sudan. Surveillance "at home" can be carried out without problems and in more forms compared to what is possible abroad. In other countries, telephone tapping would be more difficult (as this often requires the complicity and support of the telephone companies), and other covert surveillance abroad would be more difficult than in Sudan.

'Open activities such as meetings, use of social media and similar activities would thus be relatively easier to monitor than "at home". It is impossible to say whether the use of informants is more common in exile than in Sudan.

'We emphasise that it is extremely difficult for outsiders to know what information the Sudanese intelligence authorities have on the political activities of individuals, as well as how they evaluate available information in relation to the action they take against specific individuals. ...'¹⁵⁸

9.2.11 In a report dated 11 November 2013 Landinfo stated:

'Landinfo must conclude that those who carry out political activity critical to the regime when abroad can attract the attention of the authorities when they return to Sudan - if the authorities have noticed this activity. This applies as much to activities aimed at influencing public opinion and political development in Sudan, as activities aimed at gathering international recognition for the conditions in the country. The consequences of this type of activity will probably be the same as corresponding activity in Sudan. ... Landinfo emphasises that our interpretation of the examples described [about activity in Sudan] ... indicates that the regime's aim is more to stop regime-critical activity and frighten people from pursuing such activity in the future, rather than punishing them for activities that have already taken place.

'Landinfo also notes that political activity does not automatically have consequences for Sudanese when they return to the country - either voluntarily or enforced.'¹⁵⁹

9.2.12 The source further noted:

'Even though it does not take much for NISS to create a file on a person for their political activity, Landinfo also believes that those whose political activity is not particularly great or who do not have great influence in the

¹⁵⁸ Landinfo, 'Sudan: Scope of political activity critical to the regime', 11 November 2013, [url](#), copy of translation available on request

¹⁵⁹ Landinfo, 'Sudan: Scope of political activity critical to the regime', 11 November 2013, [url](#), copy of translation available on request

country in which they live or within their own community, will not be followed very closely. NISS is busy enough with following those they view as a real threat to the regime (precisely because the tolerance for monitoring is low and many are being monitored), and we believe that it takes more than membership of a political party, passive participation in a meeting occasionally and/or passive participation in public demonstrations for someone to be viewed as a threat.

‘Exposure in local, national or international media may have some significance, but again, this will depend on a number of factors. As Landinfo sees it, taking part in a demonstration and possibly being featured in a photograph in a newspaper will probably be [of] little importance, whereas playing a leading role as a spokesperson or organiser would be more problematic, because it shows that the person has charisma, influence and can mobilise people. Being noticed in a medium with broad exposure will contribute more to this, but it is difficult to say just how much. ... These assessments should be seen in connection with the fact that the Sudanese security service must be well aware that the Sudanese are very politically engaged and have robust opinions on the political development in their homeland.’¹⁶⁰

9.2.13 Freedom House noted in its report on internet freedom for 2014 that:

‘... Sudanese dissidents living abroad have also been targeted by the NISS, indicating a level of surveillance that may be able to cross international borders or entail cooperation with other governments. The prominent Sudanese blogger, Amir Ahmed Nasr, was one such expatriate who was confronted by an apparent Sudanese security agent while living in Kuala Lumpur, Malaysia. Also known for his autobiography about his blogging experience on difficult questions about Islam, identity, and Middle Eastern politics—which is banned in Malaysia—Nasar was told by the security agent that he was “being watched back in Khartoum by the NISS, and that [he] should stop [his] articles and speeches against the NCP, or else there will be consequences.”[78] The blogger subsequently left Malaysia to seek political asylum in Canada [...].’¹⁶¹

9.2.14 The USSD report for 2017 observed that:

‘The government sometimes sought to get Sudanese citizens living abroad who actively criticized the government online deported from their countries of residence. During the year three citizen activists residing legally in Saudi Arabia were deported to Sudan on a December 2016 request of the Sudanese government. The three individuals, Aladdin al-Difeina, al-Gasim Saydahmed, and al-Waleed Imam, were associated with online news outlets deemed critical of the Sudanese government. They were deported in July. Two were released in August, and the third was released in October.’¹⁶²

¹⁶⁰ Landinfo, ‘Sudan: Scope of political activity critical to the regime’, 11 November 2013, [url](#), copy of translation available on request

¹⁶¹ Freedom House, Freedom on Net 2014, Sudan, December 2014, [url](#)

¹⁶² USSD, ‘Country reports on Human rights Sudan’, (section 1d), April 2018, [url](#)

9.2.15 The Belgian report of February 2018 noted that ‘all sources agree that Sudanese political opponents face a risk of persecution upon return if they have been politically active abroad, where the diaspora is kept under close surveillance by the Sudanese secret service.’¹⁶³

[Back to Contents](#)

10. Treatment on return

10.1.1 For information on the process for return and treatment on arrival in Sudan of those persons perceived to have a political profile and / or who have been involved in activities critical of the regime while outside of the country, see [Return of unsuccessful asylum seekers](#). In particular subsection, Persons of interest – allegations of difficulties on return.

[Back to Contents](#)

¹⁶³ Belgian CGRS, COI Focus (section 2.3.2), February 2018, [url](#)

Terms of reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToRs, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Political system
 - Overview
 - National Dialogue
 - 'Sudan Call'
 - Ceasefire between government and rebel groups
 - US sanctions
- Opposition political parties
 - Registered and unregistered groups
 - Opposition parties
 - Popular Congress party
 - National Umma party
 - Sudanese Communist party
 - Democratic Unionist party
- Armed opposition groups
 - Areas of conflict
 - Darfuri groups
 - Sudan Liberation Movement/ Army (SLM/A – MM)
 - Sudan Liberation Movement/ Army (SLM/A – AW)
 - Justice and Equality Movement (JEM)
 - South Kordofan and Blue Nile groups (the 'Two Areas')
 - Human rights violations committed by armed groups
- Treatment of opposition groups
 - Overview – freedom of expression, association and assembly
 - Enforced disappearances
 - Arbitrary arrest and detention
 - Treatment of political parties
 - Treatment of armed groups
 - Treatment of students

- Treatment of Darfuri students
 - Treatment of civil society
 - Treatment of journalists and media workers
- Sur place activity in the UK
- Sudanese diaspora organisations
 - Type of diaspora organisations
 - Justice and Equality Movement
- Surveillance
 - Surveillance in Sudan
 - Surveillance abroad
- Treatment of return

[Back to Contents](#)

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[Back to Contents](#)

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[Back to Contents](#)

Version control

Clearance

Below is information on when this note was cleared:

- version **2.0**
- valid from 19 November 2018

Changes from last version of this note

Updated Country information and Assessment sections.

[Back to Contents](#)