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U.S. Department of State

Sudan Country Report on Human Rights Practices for 1996

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SUDAN

The 1989 military coup that overthrew Sudan's democratically elected government brought to power Lt. General Omar Hassan Al-Bashir and his National Salvation Revolution Command Council (RCC). Bashir and the RCC suspended the 1985 constitution, abrogated press freedom, and disbanded all political parties and trade unions. In 1993 the RCC dissolved itself and appointed Bashir President. In March Bashir won highly structured national elections as President, while an elected National Assembly replaced the transitional national assembly. The opposition boycotted the electoral process. Despite promulgation of new national institutions and an interim constitution through constitutional decrees, the new Government has continued to restrict most civil liberties. Since 1989 real power has rested with the National Islamic Front (NIF), founded by Dr. Hassan Al-Turabi. He became Speaker of the 1996 National Assembly. NIF members and supporters continue to hold key positions in the Government; security forces; judiciary; academia; and the media. The newly created supreme political institution, the National Convention, which sets national policy guidelines, is also under NIF control. The judiciary is subject to government influence.

The civil war, which has resulted in the death of more than 1.5 million Sudanese, continued into its 13th year. The principal insurgent factions are the Sudanese People's Liberation Movement (SPLM) and the South Sudan Independence Movement (SSIM). Neither side has the apparent ability to win the war militarily. Informal peace efforts included one meeting in May following the U.N. Educational and Science agency's (UNESCO's) 1995 "Culture of Peace" effort to initiate a dialog between the Government and insurgent leaders. These meetings did not, however, constitute peace negotiations.

Government efforts led one insurgent faction leader, Riak Machar of the SSIM and a number of less significant figures, to sign a "political charter" on April 10. However, the SPLM, the major insurgent movement, has regarded the document with suspicion. Regional nations of the renamed Intergovernmental Authority on Development (IGAD) played no role in the peace process in the wake of the 1995 government rejection of the IGAD declaration of principles.

In addition to the regular police and the Sudan People's Armed Forces (SPAF), the Government maintains an external security organ, an internal security organ, a militia known as the Popular Defense Forces (PDF), and a parallel police force, the Popular Police, whose mission includes enforcing proper social behavior, including restrictions on alcohol and "immodest dress." Members of the security forces committed numerous human rights abuses.

Civil war, economic mismanagement, over 3 million internally displaced persons in a country of 27.5 million, and a refugee influx from neighboring countries have devastated Sudan's mostly agricultural economy. Exports of gum arabic, livestock, and meat accounted for more than 50 percent of export earnings. Reforms aimed at privatizing state-run firms and stimulating private investment failed to revive a moribund economy saddled with massive military expenditures and a huge foreign debt of approximately \$16 billion. Per capita national income is estimated at \$900 per year.

The human rights situation remained extremely poor, as both the Government and insurgents committed serious human rights abuses. Government forces were responsible for extrajudicial killings, disappearances, forced labor, slavery, and forced conscription of children. Government security forces regularly harassed, arbitrarily arrested and detained, tortured, and beat opponents or suspected opponents of the Government with impunity. Prison conditions are harsh, and the judiciary is largely subservient to the Government. The authorities do not ensure due process, and the military forces summarily tried and punished citizens.

The Government continued to restrict freedom of assembly, association, religion, privacy, and movement. Citizens do not have the ability to change their government peacefully. In the context of the Islamization and Arabization drive, pressure--including forced Islamization--on non-Muslims remained strong. Fears of Arabization and Islamization and the imposition of Shari'a (Islamic Law) fueled support for the southern insurgency. Discrimination and violence against women and abuse of children continued. Discrimination against religious and ethnic minorities persisted, as did government restrictions on worker rights. Child labor is a problem.

On a positive note, the Government resumed cooperation with international human rights monitors. The U.N., including the Special Rapporteur on Sudan and the Rapporteur on Religious Intolerance visited areas under the Government's control. The Government also invited the Rapporteur on Freedom of Expression to visit.

Cooperation with U.N.-sponsored relief operations was mixed. Government forces periodically obstructed the flow of humanitarian assistance. Problems with relief flights in the south centered on the Government's denial of more than a dozen destinations to both the U.N. Operation Lifeline Sudan and the International Committee of the Red Cross (ICRC). In December U.S. Congressman Bill Richardson helped conclude an agreement between the ICRC and an insurgent leader allied with the Government, Kerubino Kwanyin Bol, which freed three ICRC hostages Kerubino had captured from an ICRC flight. The agreement gave Kerubino some relief supplies in return for the release of three expatriate ICRC staff members. The other five hostages, SPLA soldiers (from the SPLM's military wing) being returned under accepted ground rules to their place of origin by the ICRC after treatment for wounds at an ICRC hospital, were given the choice of returning to Khartoum with the other released hostages, returning to territory held by SPLA by walking, or staying under Kerubino's control. They chose the latter, but their

current whereabouts are unknown. In July authorities restored permission for relief flights by C-130 aircraft with large cargo capacity.

Insurgent groups continued to commit numerous, serious human rights abuses. The SPLM continued to violate citizens' rights, despite its claim to be implementing a 1994 decision to assert civil authority in areas that it controls, and in many cases, has controlled for many years. The SPLM was responsible for extrajudicial killings, kidnappings, arbitrary detention, and forced conscription, and occasional arrest of foreign relief workers without charge. The SPLM failed to follow through on its promise to investigate a 1995 massacre. The ICRC publicly noted that the SPLM taught courses to officers of the SPLA at the request of that organization. The ICRC also noted that the SPLA has begun to observe some basic laws of war: It takes prisoners on the battlefield and permits ICRC visits to them. However, the SPLA did not allow the ICRC to visit rebels accused by the insurgent group of "treason" or other crimes. The Government still does not apply the laws of war to the southern insurgency and takes no prisoners.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

No substantiated reports of political or other extrajudicial killings came from insurgent zones, possibly due to the limited access to such zones by outside observers. In their attacks on insurgent forces, government troops also killed civilians (see Section 1.g.). Police also used excessive force against demonstrators. According to conflicting reports, police killed six or seven demonstrators in an incident in Omduran (see Section 2.b.).

Insurgent forces are believed to have committed political and other extrajudicial killings, with details generally unavailable. Rebels also killed civilians during their attacks on government forces (see Section 1.g.).

b. Disappearance

There were continued allegations that the Government was responsible for the arrest and subsequent disappearance of those suspected of supporting rebels in government-controlled zones of the south and the Nuba Mountains. The Government established a Committee to Investigate Slavery and Disappearances in the Nuba Mountains in response to a resolution passed by the 1995 U.N. General Assembly. The Committee reportedly interviewed or obtained reliable information on the whereabouts of all but about 3 dozen of the more than 200 persons whose cases of disappearance the U.N. had cited.

Scores of persons arrested by government forces in Juba in 1992, including two Sudanese employees of the U.S. Agency for International Development, Domonic Morris and Chaplain Lako, remained unaccounted for; most are believed dead. In spite of reliable reports that a few of those arrested in Juba in 1992 are held in a Khartoum prison, the Government denied any knowledge of their whereabouts.

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

The Government's official and unofficial security forces continued to torture and beat suspected opponents. From December 1995 through January 1996, authorities in Juba beat and tortured a young man of the Toposa ethnic group to extract a confession that he had organized antigovernment cells. They detained and demanded a confession from a Roman Catholic priest of the same ethnic group, threatening

to kill the youth and others unless the priest confessed to antigovernment activities, which he did.

Reports continued to decline of use of, and torture in, "ghost houses," places where security forces detained government opponents incommunicado under harsh conditions for an indeterminate time with no supervision by the courts or other independent authorities with power to release the detainees. Their use has likely declined due to the increased control of the NIF regime, which decreased the need to intimidate opposition groups. The west wing of Khartoum's main Kober prison remains under the supervision of the security services. It was removed from prison services' control in 1995. While other prison wardens are accountable to courts of law for abuses they perpetrate, security forces are not. Despite the widespread use of torture, the Government has never publicly disciplined any security official for employing it.

The 1991 Criminal Act, based on an interpretation of Shari'a law, prescribes specific "hudud" punishments, including amputation, stoning, and lashing for some offenses. The courts continued their informal suspension of the amputation and stoning penalties and did not impose sentences involving them during the year. The courts routinely meted out lashings, most often to persons convicted of brewing or consuming alcohol. Two U.S. citizens of ethnic Sudanese origin were lashed in early 1996.

Conditions in government prisons remain harsh, but not life threatening. Built before Sudan's 1956 independence, most prisons are poorly maintained, and many lack basic facilities such as toilets or showers. Health care is primitive and food inadequate. Minors are often held with adults. Female prisoners are housed separately from men; rape in prison is reportedly rare. Prison officials arbitrarily denied family visits. While there are currently no independent Sudanese human rights organizations, international human rights officials have visited prisons in the past.

There are credible reports of beatings and other punishment of prisoners, often by SPLA and SSIA rebels, but the only verifications have been reports by ICRC and others who have been to SPLM prisoner of war camps. The SPLM allows the ICRC to visit battlefield prisoners, except those accused of treason or other crimes. The SSIM permits no such visits.

d. Arbitrary Arrest, Detention, or Exile

Legal provisions under the 1992 and 1995 National Security Acts and Criminal Code effectively set a fairly simple process to detain anyone for 3 months, with presidential determination, backed by a magistrate, available to detain for an additional 3 months. In July the authorities moved to charge and court martial a number of persons accused following a March coup attempt. Allegations continue that some individuals are detained indefinitely.

The law allows for bail, except for those accused of crimes punishable by death or life imprisonment. In theory, the Government provides legal counsel for indigent persons in such cases. However, reports continue that defendants do not always receive this right, and that counsel in some cases may only advise the defendant and may not address the court.

Authorities continued to detain political opponents of the Government during the year.

In the wake of antigovernment demonstrations, especially by students, authorities arrested many individuals. A number of medical personnel were detained following protests and a confrontation with public order personnel at Khartoum hospital. A notable incident of harassment was the arrest and brief detention of former vice president Abel Alier, who refused to be turned away from attending a gathering at former prime minister Sadiq Al-Mahdi's residence. Mr. Alier later publicly described degrading

treatment that he received from security forces.

In August a military officer of the SPLA in charge at Akot detained six missionaries without charge for 12 days, contravening the SPLM's April resolution that "no person shall be held in incommunicado detention without charge or trial." During the detention, the SPLM military officers refused to accede to the demand of the SPLM civil authority "commissioner" for that county, who demanded the missionaries' release, calling into serious question the powers of that civil authority. The six were released only when the more powerful SPLA authorities intervened. By year's end, an investigation had been organized by the SPLM and the new Sudan Council for Churches, but no action had been taken against the perpetrators.

e. Denial of Fair Public Trial

The judiciary is not independent and is largely subservient to the Government. The Chief Justice of the Supreme Court, formerly elected by sitting judges, is now appointed. As the senior judge in the judicial service, he also controls the judiciary.

The judicial system includes four types of courts: Regular courts, both criminal and civil; special mixed security courts; military courts; and tribal courts in rural areas to resolve disputes over land and water rights and family matters.

The 1991 Criminal Act governs criminal cases, whereas the 1983 Civil Transactions Act still applies to most civil cases. Military trials, which are sometimes secret and brief, do not provide procedural safeguards, have sometimes taken place with no advocate nor counsel permitted, and no effective appeal from a death sentence. Other than for clemency, witnesses may be permitted.

Trials in regular courts nominally meet international standards of legal protections. For example, the accused normally have the right to counsel, and the courts are required to provide free legal counsel for indigent defendants accused of crimes punishable by death or life imprisonment. In practice, however, these legal protections are unevenly applied.

In 1989 the Special Courts Act created special three-person security courts to deal with a wide range of offenses, including violations of constitutional decrees, emergency regulations, some sections of the penal code, as well as drug and currency offenses. Special courts, on which both military and civilian judges sit, handle most security related cases.

Attorneys may advise defendants as "friends of the court" but normally may not address the court. Lawyers complain that they are sometimes granted access to court documents too late to prepare an effective defense. Sentences are usually severe and implemented at once. Death sentences, however, are referred to the Chief Justice and the Head of State. Defendants may file appellate briefs with the Chief Justice.

The RCC dissolved the respected Sudanese Bar Association in 1989 and reinstated it with an NIF-controlled leadership. Lawyers who wish to practice in Sudan must maintain membership in the Bar Association. Human rights monitors report that the Government continued to harass, detain, and torture members of the legal profession whom it viewed as political opponents.

The Government officially exempts the 10 southern states, whose population is mostly non-Muslim, from parts of the Criminal Act. However, the Act permits the possible future application of Shari'a law in the south, if the state assemblies so decide. There were no reports that hudud punishments, other than

lashings, were carried out by the courts in government-controlled areas of the south. Fear of the imposition of Shari'a law remained a key issue in the rebellion.

Parts of the south and the Nuba Mountains fell outside effective judicial procedures and other governmental functions. According to credible reports, government units summarily tried and punished those accused of crimes, especially for offenses against civil order.

In July the Government brought to military court 31 persons alleged to have plotted a coup in March. The Commander-in-Chief, President Bashir, asked that the Attorney General approve, under the relevant provision of law, that 10 of the civilians accused be tried in the military court. The Attorney General so approved. The trial continued at year's end.

Magistrates in SPLM-held areas follow a penal code roughly based on the 1925 Sudan code. In rural areas outside effective SPLM control, tribal chiefs apply customary laws. The SPLM proclaimed a civilian structure to eliminate the secret and essentially political trials conducted by military commanders in previous years, but at year's end there was no evidence to indicate that any such civilian trials had been held.

The Government maintains that it holds no political prisoners, although credible reports persist that the Government holds several political detainees (see Section 1.d.).

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

The Government routinely interferes with its citizens' privacy. Security forces frequently conducted night searches without warrants. They targeted persons suspected of political crimes or, in northern Sudan, of distilling or consuming illegal alcoholic beverages. The Government razed the homes of thousands of squatters (see Section 2.d.).

A wide network of government informants conducted pervasive surveillance in schools, universities, markets, workplaces, and neighborhoods. The Government disbanded political parties and prevented citizens from forming new political groups. The Government continued to summarily dismiss military personnel and other government employees whose loyalty was suspect. The government committee set up in August 1995 to review cases of persons summarily dismissed since the 1989 coup continued to function. In May the government press reported that 124 government employees laid off after the coup had been reinstated and, on the recommendation of the committee, the President improved the pension status of 582 others. This action followed the reinstatement of 63 government employees in February.

Security personnel routinely opened and read mail and monitored telephones. The Government continued to restrict ownership of satellite dishes by private citizens by enforcement of its licensing requirement.

A Muslim man may marry a non-Muslim, but a Muslim woman cannot marry a non-Muslim, unless he converts to Islam. However, this prohibition is not universally observed, particularly in the south and among Nubians. Non-Muslims may only adopt non-Muslim children; no such restrictions apply to Muslims.

Various government bodies have decreed on different occasions that women must dress according to modest Islamic standards (see Section 5.).

A wide variety of Arabic and English publications are available, but they are subject to censorship.

Government-instituted neighborhood "popular committees"

--ostensibly a mechanism for political mobilization--served as a means for monitoring households' activities. These committees caused many citizens to be wary of neighbors who could report them for "suspicious" activities, including "excessive" contact with foreigners. The committees also furnished or withheld documents essential for obtaining an exit visa. In high schools, students were sometimes pressured to join pro-regime youth groups.

Both the Government and rebel factions continued to forcibly conscript citizens (see Section 6.c.).

The insurgent SPLM is not known to interfere with privacy, family, home or correspondence in areas it controls, although correspondence is difficult in war zones.

g. Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts

Since the civil war resumed in 1983, more than 1.5 million people have been killed as a result of fighting between the Government and insurgents in the south. The civil war continued unabated, and all sides involved in the fighting were responsible for abuses in violation of humanitarian norms. At year's end, the Government controlled virtually all the northern two-thirds of the country and some areas of the southern third. Insurgents operating under the National Democratic Alliance began small scale activities along the Ethiopian and Eritrean border areas in January. Government aircraft and helicopter gun ships bombed or attacked civilian areas at Kotobi, Tambura, and Maridi, and other places in the south.

Government forces routinely killed rebel soldiers captured on the battlefield. Only a small group of prisoners captured before the 1989 coup are reported being held as prisoners of war in government-controlled areas. These persons are held in Juba and have been visited by the ICRC.

The Government did not detain nongovernmental organization (NGO) workers in areas captured by its forces; however, government restrictions in practice limited or denied travel by relief NGO's to many areas long controlled by insurgents.

Rape of women is committed by both parties to the conflict in the south.

Both sides routinely displaced and often killed civilians or destroyed clinics and dwellings intentionally during their offensive operations. Insurgent forces along the Eritrean border laid land mines which caused casualties to civilian travelers as well as to military forces.

Northern Muslim opposition groups under the 1995 "National Democratic Alliance" (NDA) umbrella structure, which includes the SPLA, took military action against the Government. The NDA claimed to have attacked government garrisons and strategic points near the Ethiopian and Eritrean borders. They also indiscriminately laid land mines on roads and paths, which killed and maimed both soldiers and civilians.

The SPLM has taken a number of prisoners over the years, many during its offensive from October to December 1995. The ICRC has publicly confirmed that it regularly visits more than 300 such detainees, but was refused permission to visit SPLA criminal and civil prisoners. The SPLM has returned some prisoners of war to the Government under parole.

Rhetoric and meetings to advance a dialog for peace continued during the year. In May meetings under UNESCO's "Culture of Peace" effort took place in the Netherlands, following the initial meeting of

September 1995. Government and rebel representatives participated.

An unrelated government effort with splinter SSIM leader Riak Machar resulted in the signature of a "political charter" in April, which gained a few more signatures of figures previously associated with Riak's faction or dissidents from the SPLM. The SPLM and NDA did not sign and remain suspicious that the political charter is a trick by the Government to forestall negotiations.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Government severely curtails freedom of speech and press. Government intimidation and surveillance, fostered in part by an informer network, continued to inhibit open, public discussion of political issues. Radio, television, and much of the print media are controlled directly by the Government and are required to reflect government and NIF policies. However, some lively discussions of domestic and foreign policy do take place in the press. All journalists, even in the privately owned Arabic daily press, practice self-censorship. Sudan Television has a permanent military censor to ensure that the news reflects official views.

Of the four privately-owned daily newspapers operating in October, Akhbar Al-Youm followed a careful line and did not encounter any problems. The Government closed Al-Rai Al-Akher in July for publishing articles "harming the National security and social stability," and tried to cancel the publishing license of Dar Al-Ahlia publishing house as well. The owners sued the authorities over the issue. No judgment has yet been rendered. A new Press Law came into effect in November. Under its provisions, actions such as those taken by Al-Rai Al-Akher are not possible. Three new daily newspapers regarded as pro-NIF were launched.

The Government often charged that the international, and particularly the Western, media have an anti-Sudan and anti-Islam bias. Government press policy eased during the year, and the Government granted a number of foreign journalists visas to report on the March elections. Rebel movements have provided relatively few opportunities for journalists to report on their activities.

In spite of the restrictions on ownership of satellite dishes, citizens do have access to foreign electronic media. Foreign radio signals are not jammed. In addition to its own domestic and satellite television services, Sudan Television offers a pay cable network of six channels, which directly rebroadcasts uncensored Cable News Network (CNN), the London-based, Saudi-owned, Middle East Broadcasting Corporation (MBC), Dubai TV, and Kuwait TV.

Academic debate includes a vigorous campus polemic with pro-NIF and antigovernment sentiments prominently displayed and heard. NIF students have tried to influence the outcome of student government elections, and burned the offices of the head of a private university who had approved student elections which brought a pro-NDA slate to power. The Minister of Higher Education temporarily closed the University due to subsequent death threats against the university official. The government security forces continued to arrest and detain academic staff linked with opposition parties. The Government continued to use political criteria whenever possible in appointing new faculty members.

b. Freedom of Peaceful Assembly and Association

The authorities severely restricted these freedoms, permitting only Government-authorized gatherings.

The declaration of the state of emergency and of martial law on June 30, 1989, effectively eliminated the right of assembly. Demonstrations occurred repeatedly throughout the year, organized by students, by other residents of Omduran unhappy at lack of water, and by those especially disaffected by skyrocketing prices. Police brutally suppressed all these demonstrations, arresting scores of protestors, and killing others. For example, in September demonstrators clashed with police in protests triggered by new government regulations on the weight of bread loaves. That prompted bakeries to shut down. In September police killed between 6 and 11 demonstrators and injured several others. Scores of protestors were arrested in the September riots. A government newspaper reported that 35 persons were sentenced to receive up to 20 lashes.

The Government dissolved all political parties in 1989, and prohibits citizens from forming new political groups or other associations. In 1989 the Government dissolved the Bar Association and reinstated it under NIF leadership with highly controlled elections. All lawyers who wish to practice in Sudan must maintain membership in the organization (see Section 1.e.).

c. Freedom of Religion

Although the Government has stated that all religions should be respected and that freedom of worship is ensured, in practice the Government treats Islam as the state religion and has declared that Islam must inspire the country's laws, institutions, and policies. The October 1994 Societies Registration Act replaced the controversial Missionary Societies Act of 1962. It theoretically allows churches to engage in a wider range of activities than did the Missionary Act, but churches are subject to the restrictions placed on nonreligious corporations. The Government permits non-Muslims to participate in services in existing and otherwise authorized places of worship. The Government continued to deny permission to build churches. In December the Papal Nuncio detailed the continuing government policy to deny permits to build churches; since independence, only one Roman Catholic church has been built. Some makeshift structures have been permitted. While non-Muslims may convert to Islam, the 1991 Criminal Act makes apostasy (which includes conversion to another religion) by Muslims punishable by death.

Authorities continued to restrict the activities of non-Muslims, and there continued to be reports of harassment and arrest for religious beliefs and activities. There were reports that three Muslim Nubian women and a Christian clergyman were arrested after the clergyman converted the women to Christianity. The women were later released without charge.

Muslims may proselytize freely, but non-Muslims are forbidden to proselytize. Foreign missionaries and religiously oriented organizations continued to be harassed by authorities, and their requests for work permits and residence visas are delayed.

Children, regardless of presumed religious origin, who have been abandoned or whose parentage is unknown, are considered Muslims and can only be adopted by Muslims. Non-Muslims may adopt other non-Muslim children. No equivalent restriction is placed on adoption by Muslims. Foundlings or other abandoned children are considered by the State to be Sudanese citizens and Muslims and therefore can only be adopted by Muslims. In accordance with Islamic law, Muslim adoptees do not take the name of their adoptive parents and are not automatic heirs to their property.

Popular Defense Force (PDF) trainees, including non-Muslims, are indoctrinated in the Islamic faith. In prisons, Government-supported Islamic NGO's offer inducements to, and pressure on, non-Muslim inmates to convert. Islamic NGO's in war zones are reliably reported to withhold food and other services from the needy unless they convert to Islam. Children, including non-Muslim children, in camps for vagrant minors are required to study the Koran (see Section 5).

In rebel-controlled areas, Christians, Muslims, and followers of traditional African beliefs generally worship freely.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Government restricted freedom of movement by denying exit visas to some categories of persons, including policemen and doctors. The Government also kept lists of political figures and other citizens not permitted to travel abroad. Because of tensions with Egypt, the authorities denied many requests for travel to that country.

Women may not travel abroad without the permission of their husbands or male guardians. Some former political detainees were forbidden to travel outside Khartoum. Movement was generally free for other citizens outside the war zones, but those who failed to produce an identity card at checkpoints risked arrest. Foreigners needed permits, which were difficult to obtain and often refused, for domestic travel outside of Khartoum. Foreign diplomats, however, could travel to many locations under government escort. Foreigners had to register with the police on entering the country, seek permission to move from one location to another, and reregister at each new location within 3 days of arrival. Foreign NGO staff sometimes had problems obtaining entry visas or work or travel permits once they had entered the country.

Insurgent movements also required that foreign NGO personnel obtain permission before traveling to areas that they control, although such permission was granted regularly.

Tens of thousands of persons, largely southerners and westerners displaced by famine and civil war, continued to live in squatter slums in the Khartoum area. Throughout 1996 the Government razed thousands of squatter dwellings in this area; inhabitants knew that their homes were slated for destruction, but not when it would occur. Bulldozers would typically arrive unannounced in a neighborhood and carry out the razing the same day. Although the Government promised to sell the inhabitants a plot of land for approximately \$145, tens of thousands were made homeless temporarily. Usually, the inhabitants established temporary shelters on the site of their razed dwellings until they could gain title to a plot of land. Muslims who did not have sufficient money to purchase the land and construct a dwelling could obtain assistance from Islamic charities; others could not.

The Government cooperated with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian assistance organizations and accorded refugees relatively good treatment. It provided first asylum, although no figures are available for 1996. In April a UNHCR census revealed a total refugee population of 139,874, of whom an estimated 124,000 were Eritreans, in camp for many years. In December the Government, together with the government of Eritrea, agreed to begin discussion of repatriation of Eritrean refugees in a technical committee which would include the UNHCR.

Approximately 28,000 Ethiopians repatriated early in the year, leaving about 15,000 in camps. Many refugees, including an estimated 26,000 Eritreans, live in villages and towns in Sudan. There were no reports of forcible repatriation of refugees, regardless of their status. Some reports cited mistreatment of refugees, including beatings and arbitrary arrests. Refugees could not become resident aliens or citizens, regardless of their length of stay. The Government allowed a large number of refugees to work. An estimated 600,000 Sudanese refugees, including 230,000 in camps, remained in Uganda, as a result of fighting between the Government and insurgents. Refugees flowed from Sudan to Ethiopia, Eritrea, and Kenya.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens had no genuine opportunity to change their government peacefully through the March elections. The elections were structured in a way that ensured that the NIF would retain control of the government and that its vision of national institutions, including ultimately a new constitution, would prevail.

In June, 10 leading political figures sent a memorandum to President Bashir, addressing him merely as "Commander-in-Chief," which criticized the NIF and cited various NDA documents and resolutions. They urged that the "ruling authority" resign in favor of an interim administration. International human rights organizations reported that a number of political opponents of the Government (none signatory to the memorandum) were detained following release of the memorandum.

In 1989 the RCC abolished all political parties and temporarily detained the major party leaders. In 1990 the RCC rejected both multiparty and one party systems, establishing 2 years later an entirely Government-appointed Transitional National Assembly, based on a Libyan-style political structure with ascending levels of nonpartisan assemblies. The essentially powerless appointed legislature was replaced following the March elections by an elected National Assembly, in which 125 of its 400 members were appointed from the National Convention. Opposition parties boycotted the election.

The federal system of government was instituted in August 1995, and is slowly developing a structure of 26 states, which the Government sees as a possible inducement to the insurgents for accommodation through a principle of regional autonomy.

Women are underrepresented in government and politics. There is one woman in the Cabinet, the Minister of Health. Women have the right to vote, and seats in the National Assembly are set aside for representatives of women's organizations and for female student representatives. There are 25 women in the National Assembly.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government began to implement international conventions and basic human rights practices. Previously it had vigorously sought to suppress domestic criticism on human rights issues. During the year, it resolved serious differences with U.N. Special Rapporteur Gaspar Biro, who visited in July. The Government also received the Rapporteur of the Committee on Religious Intolerance and invited the Rapporteur of the Committee on Freedom of Expression.

Sudan's Human Rights Advisory Council, a government body whose rapporteur is the Solicitor General for Public Law, has taken an increasing role in addressing human rights issues within the Government. There are no human rights NGO's; however, individual human rights activists operate in anonymity.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

A governmental decree prohibits discrimination based on religion or sex. Redress is provided through the administrative courts or the Labor Office. The 1992 General Education Act stipulates equal opportunity in education for the disabled. Mechanisms for social redress, especially with respect to violence against women and children, are particularly weak.

Women

Violence against women continues to be a problem, although accurate statistics on violence against women do not exist. Many women are reluctant to file formal complaints against such abuse, although

domestic violence is a legal ground for divorce. The police do not normally intervene in domestic disputes. Displaced women from the south were particularly vulnerable to harassment, rape, and sexual abuse. The Government did not address the problem of violence against women, nor was it discussed publicly.

Some aspects of the law and many traditional practices discriminate against women. Gender segregation is common in social settings. In keeping with Islamic law, a Muslim woman has the right to hold and dispose of her own property without interference. Women are ensured inheritance from their parents. However, a daughter inherits half the share of a son, and a widow inherits a smaller percent. It is much easier for men to initiate legal divorce proceedings than for women. These rules apply only to Muslims and not to those of other faiths, for whom religious or tribal law apply. Although a Muslim man may marry a non-Muslim, a Muslim woman cannot marry a non-Muslim unless he converts to Islam. Women cannot travel abroad without the permission of their husbands or male guardians (see Section 2.d.).

A number of government directives require that women in public places and government offices, and female students and teachers conform to what it deemed an Islamic dress code. This, at the least, entailed wearing a head covering. However, enforcement of the dress code regulations was uneven.

Credible but unconfirmed reports continued that women held in special camps in the south were sold to northerners to work as domestic servants (see Section 6.c.).

Children

A considerable number of children suffered serious abuse, including enslavement and forced conscription in the war zones. There continued to be credible but unconfirmed reports of the existence of special camps in the south in which people from the north or from abroad came to purchase women and children for work as domestic servants (see Section 6.c.).

The Government forcibly conscripted young men and boys into the military forces, as did the insurgents. In the late 1980's, the SPLM forcibly recruited an estimated 17,000 boys between the ages of 12 and 15 years for military duty; it trained them in camps that it operated in Ethiopia. These recruits were kept separated from other SPLM forces until the SPLM was expelled from Ethiopia in 1991; thereafter, approximately 10,000 traveled with the SPLM forces until they either reached the Kenyan refugee camp at Kakuma, settled in other areas controlled by the SPLM, or were absorbed into regular SPLM military units. In September the SPLM and U.N. children's agency, UNICEF, repatriated more than 160 boys to their parents, perhaps the last group that has not since come of legal military age.

The Government has operated camps for vagrant children. Police periodically sweep the streets of Khartoum and other major cities, taking children whom police personnel deem homeless to these camps where they are detained for indefinite periods. Until recently, these children were not allowed to leave the camps and are subjected to strict discipline and physical and military training. Health care and schooling at the camps are generally poor; basic living conditions are often primitive. All the children, including non-Muslims, must study the Koran, and there is pressure on non-Muslims to convert to Islam. Teenagers in the camps are often conscripted into the PDF.

Female genital mutilation (FGM), which is widely condemned by international health experts as damaging to both physical and psychological health, is widespread, especially in the north. It is estimated that as many as 90 percent or more of females in the north have been subjected to FGM, with consequences that sometimes have included severe urinary problems, infections, and even death. Infibulation, the severest type of FGM, is the most common and is usually performed on girls between

ages 4 and 7. It is often performed by traditional practitioners in improvised, unsanitary conditions, causing severe pain and trauma to the child. No form of FGM is illegal under the Criminal Code. However, the health law forbids doctors and midwives from practicing its severest form, Pharaonic circumcision or infibulation. Women displaced from the south to the north reportedly are increasingly imposing FGM upon their daughters, even if they themselves have not been subjected to it. The Government has neither arrested nor prosecuted any persons for violating the health law against FGM.

Two NGO's with funding from the U.N. and a government agency are actively involved in eradication of FGM, which they describe as a "harmful practice." A small but growing number of urban, educated families are completely abandoning the practice. A larger number of families, in a compromise with tradition, have adopted the least severe form of FGM as an alternative to infibulation.

People with Disabilities

The Government does not discriminate against disabled persons but has not enacted any special legislation or taken other steps, such as mandating accessibility to public buildings and transportation for the disabled. The 1992 General Education Act requires equal educational opportunities for the disabled.

Religious Minorities

Although the law recognizes Sudan as a multireligious country, in practice, the Government treats Islam, the religion of the majority, as the state religion. Muslims predominate in the north, but are in the minority in the south where most people practice Christianity or traditional African religions. One to million displaced southerners who practice Christianity or traditional African religions and about 500,000 Coptic Christians live in the north.

In Government-controlled areas of the south, there continued to be credible evidence of a policy of Islamization of public institutions. Some non-Muslims lost their jobs in the civil service, the judiciary, and other professions. Few non-Muslim university graduates found government jobs. Some non-Muslim businessmen complained of petty harassment and discrimination in the awarding of government contracts and trade licenses. There were also reports that Muslims receive preferential treatment for the limited services provided by the Government, including access to medical care.

National/Racial/Ethnic minorities

Sudan's population of 27.5 million is a multiethnic mix of over 500 Arab and African tribes with scores of languages and dialects. The Arab, Muslim culture in the north and central areas and the non-Muslim, African culture in the south are the two dominant cultures. Northern Muslims, who form a majority of about 16 million, have traditionally dominated the government. The southern ethnic groups fighting the civil war (largely followers of traditional African religions or Christians) seek independence, or some form of regional self-determination, from the north.

The Muslim majority and NIF-dominated Government continued to discriminate against ethnic minorities in almost every aspect of society. Citizens in Arabic-speaking areas who do not speak Arabic experienced discrimination in education, employment, and other areas. The use of Arabic as the medium of instruction in higher education discriminated against non-Arabs. For university admission, students completing high school are required to pass examinations in four subjects: English; Mathematics; Arabic; and Religious Studies. Even at the university level, examinations in all subjects except English were in Arabic, placing non-native speakers of Arabic at a disadvantage.

Section 6 Worker Rights

a. The Right of Association

Although there was a strong labor union movement during the government of Sadiq Al-Mahdi, the RCC abolished the precoup labor unions, closed union offices, froze union assets, forbade strikes, and prescribed severe punishments, including the death penalty, for violations of RCC labor decrees. The Government dismissed many labor leaders from their jobs or detained them, although most of those arrested were later freed.

The Sudan Workers Trade Unions Federation is the leading blue-collar labor organization with about 800,000 members. In 1992 local union elections were held, after a delay to permit the government-controlled steering committees to arrange the outcomes. The elections resulted in government-approved slates of candidates voted into office by prearranged acclamation.

The U.S. Government in 1991 suspended Sudan's eligibility for trade benefits under the generalized system of preferences because of its violations of worker rights.

Unions remained free to form federations and affiliate with international bodies, such as the African Workers' Union and the Arab Workers' Union.

b. The Right to Organize and Bargain Collectively

A 1989 RCC constitutional decree temporarily suspended the right to organize and bargain collectively. Although these rights were restored to labor organizing committees in September, government control of the steering committees meant in practice that the Government dominates the process of setting wages and working conditions. The continued absence of labor legislation allowing for union meetings, filing of grievances, and other union activity greatly reduced the value of these formal rights. Although local union officials raised some grievances with employers, few carried them to the Government. Wages are set by a tripartite committee comprising representatives of the Government, labor unions, and business. Specialized labor courts adjudicate standard labor disputes.

In 1993 the Government created two export processing zones (EPZ's); it later established a third at Khartoum International Airport. At year's end, only the EPZ at Khartoum International Airport was open. The labor laws do not apply in EPZ's.

c. Prohibition of Forced or Compulsory Labor

Although the law prohibits forced or compulsory labor, slavery persists. According to the report by the U.N. Special Rapporteur, reports and information from a variety of sources after February 1994 indicate that the number of cases of slavery, servitude, slave trade, and forced labor have increased alarmingly. The taking of slaves, particularly in war zones and their export to parts of central and northern Sudan continued. There also continued to be credible, but unconfirmed, reports that women and children were sold and sent to the north or abroad to work as domestic servants, agricultural laborers, and sometimes concubines. The Government has not taken any action to halt these practices. In May two reporters from The Baltimore Sun, a U.S. newspaper, bought two children in an alleged slave market; the children were returned to their parents by the reporters. Others, such as representatives of Christian Solidarity International, have also confirmed the practice of slavery by arranging the purchase of children. The average price per child is reportedly about \$300 worth of cattle; the price is \$500 if the purchaser is a Westerner.

Reliable reports indicate the direct and general involvement of the SPAF, the PDF, and armed militias, backed by the Government, in the abduction and deportation of civilians from the conflict zones to the north. These practices all have a pronounced racial aspect, as the victims are exclusively black southerners and people belonging to the indigenous tribes of the Nuba mountains.

In some instances, local authorities took action to stop slavery; in other cases the authorities did nothing to stop the practice. In response to a resolution of the 1995 U.N. General Assembly, the Government in May established a committee to investigate charges of slavery. This committee submitted a report to the Government, which was communicated to the U.N. General Assembly.

Both the Government and rebel factions continued to use force to conscript men of military age into the fighting forces. For example, in February a group of national service trainees were unexpectedly taken to Khartoum and flown to Juba, where they were expected to serve in combat. Conscripts face significant hardship and abuse in military service. The rebel factions continued to force southern men to work as laborers or porters.

d. Minimum Age for Employment of Children

The legal minimum age for workers is 16 years, but the law is loosely enforced by inspectors from the Ministry of Labor and in the official or wage economy. Children as young as 11 or 12 years of age wor