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## FREEDOM OF THE PRESS

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# Sudan

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Sudanese authorities tightened their grip on the media in 2012, in the wake of an outbreak of violence between Sudan and South Sudan over a disputed border region in April and widespread antigovernment protests in June. Freedom of the press and expression are nominally protected under Article 39 of the 2005 Interim National Constitution—adopted as part of the 2005 Comprehensive Peace Agreement (CPA) between the Khartoum government and the then insurgent Sudan People’s Liberation Movement (SPLM)—though a permanent constitution is currently being drafted following the independence of South Sudan in 2011. While the CPA created somewhat greater space for journalists to report more freely and initially reduced the common practice of censoring newspapers prior to publication, the legal environment for media has remained largely unfavorable. In 2009, the government replaced the highly restrictive 2004 Press and Printed Press Materials Law with a revised version, which media freedom organizations criticized as falling far short of international standards. The 2009 law allows for restrictions on the press in the interests of national security and public order, contains loosely defined provisions related to bans on the encouragement of

ethnic and religious disturbances and the incitement of violence, and holds editors in chief criminally liable for all content published in their newspapers. The law also gives the National Council for Press and Publications (NCP) the authority to shut down newspapers for three days without a court order. Several other laws are also regularly used against the press, including elements of the 1991 penal code, the 2010 National Security Forces Act, and the emergency law applied in the western region of Darfur.

Defamation is a criminal offense under the penal code, and there is no freedom of information law, making access to public information difficult. The Ministry of Information manages broadcast licensing in a highly politicized manner, allowing progovernment stations to acquire licenses more easily than independent outlets. The NCP, a large proportion of whose members are appointed by the president, regulates the journalism profession and entry into the field. Journalists are required to pass a test prior to receiving accreditation and a license.

Throughout 2012, authorities in Khartoum maintained a tight grip on the media sector. While direct prepublication censorship was officially lifted in 2009, the practice continued to occur in 2012, particularly on issues related to the April border conflict. In addition to prior censorship, the National Intelligence and Security Services (NISS) gave daily instructions to newspaper editors on prohibited topics, frequently called editors to deliver censorship directives, and insisted that certain journalists be banned from writing, with suspension of publication the penalty for noncompliant outlets.

Monitoring and censorship of online content intensified in 2012. The government monitors the internet, including e-mail correspondence, through the National Telecommunications Corporation (NTC). Websites and proxy servers judged to have violated norms of public morality are blocked, while YouTube and the popular forum Sudanese-Online were obstructed for various periods in 2012. In response to the June protests, the NTC also blocked online newspapers known for their coverage of the events, including *Al-Rakoba* and *Hurriyat Sudan*. Furthermore, the NISS deployed a “cyber jihad” unit to proactively monitor online activities and hack into activists’ social media accounts.

Journalists were regularly harassed, attacked, arrested, detained, and reportedly tortured throughout the year. In May, prominent opposition journalist Faisal Mohamed Saleh was arrested after several weeks of persistent harassment by security agents. After 11 consecutive days of questioning at the NISS office about

an interview Saleh gave on Al-Jazeera in which he criticized Sudanese president Omar al-Bashir, he was arrested for failing to appear at the NISS office on the 12th day, charged with refusing to cooperate with the authorities, and held for 6 days before being released on bail. However, he was quickly acquitted, due in part to his mistreatment at the hands of the NISS. In October, a serious case of abuse was documented after journalist Somaia Ibrahim Ismail was detained and subjected to torture by NISS officers as punishment for supposedly opposing Bashir's government. Ismail then fled the country to Egypt, though she continued to receive warnings and threats after her release for her alleged involvement with a group called the Armed Movement of Darfur.

Harassment and arrests of journalists increased during the border conflict between Sudan and South Sudan in April, and again during the antigovernment demonstrations launched by University of Khartoum students in protest of the country's deteriorating economic situation in June. According to human rights organizations, at least seven reporters were detained for covering the demonstrations, several of whom were held without charge until late August. Foreign media organizations were also targeted, including Agence-France Presse (AFP), whose offices were raided in June after one of its reporters photographed a protest in Omdurman, and Bloomberg, which had a correspondent deported in June for covering the demonstrations. Deportations of foreign journalists also included a British correspondent for AFP and an editor for a private Egyptian daily. Many other journalists and photographers had their equipment confiscated, while bloggers and online journalists were targeted for their coverage of the protests on social-media sites and online news outlets. The repression against press freedom in Sudan has led many journalists to actively self-censor.

Despite constraints on journalists, media outlets have proliferated in recent years. There are nearly 20 political dailies operating in the country, plus dozens of sports and social affairs publications. However, experts have argued that there is little difference between private and state-run media, as all are subject to serious government intrusion, ranging from interference in management decisions to censorship of content. Newspapers are generally too expensive for most citizens. The state dominates the broadcast media, which are the main source of information for much of the population. Television programming continues to be formally censored, and radio content largely reflects the government's views. There are approximately 60 private radio stations broadcasting on FM frequencies, in addition to the state radio network. As the licensing of radio

stations remains firmly under government control, private stations avoid reporting on political affairs and focus instead on entertainment and music. Internet penetration in Sudan is relatively high for sub-Saharan Africa, with 21 percent of the population accessing the web in 2012.

Ownership of media outlets is generally not transparent. There are no laws requiring the release of ownership information. Moreover, many owners refrain from acknowledging their status in order to evade taxes and avoid possible attacks. Journalists work for low pay, and many freelancers do not earn enough to cover the cost of living. Some analysts believe this has encouraged corruption within the media, with journalists and editors selling coverage to politicians. Independent media do not receive public subsidies, but do benefit from secret financial support if their coverage is deemed friendly to the government. The authorities also withhold state advertising from newspapers that are critical of the government.

As a complement to other coercive tools, the authorities stepped up the practice of confiscating the entire press runs of newspapers as a deliberate strategy to intimidate and financially cripple critical publications in 2012. Each confiscated edition resulted in thousands of dollars in losses for economically fragile outlets, and in many cases no official reason for the confiscation was given. In response to widespread press coverage of the June antigovernment protests, the government reportedly raised taxes on all printing-related expenses, dealing another financial blow to news outlets and causing at least five newspapers to close down in 2012. Other publications had their operations suspended for extended periods.

## 2013 SCORES

PRESS STATUS

**Not Free**

PRESS FREEDOM SCORE

**80**

LEGAL ENVIRONMENT

**26**

POLITICAL ENVIRONMENT

**32**

ECONOMIC ENVIRONMENT

**22**

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