

SUDAN 2013 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

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) maintained control of the government, continuing more than 24 years of nearly absolute political authority. The country last held national elections in 2010, the first multi-party elections in 24 years. The elections, which several opposition parties boycotted, did not meet international standards. Observers reported restriction of civil liberties, intimidation, lack of transparency in vote tabulation, and other problems. Voters re-elected the president and gave the NCP 323 of 450 seats in the National Assembly. National elections were scheduled for 2015. Authorities generally maintained effective control over the security forces. Security forces, however, frequently committed human rights abuses. There were instances in which elements of the security forces acted independently of civilian control, especially in the Darfur Region.

In late September and early October, widespread protests broke out in Khartoum after the government discontinued fuel subsidies. While the government stated 84 protesters died, Amnesty International (AI) reported more than 200 protesters were killed by gunshot wounds. In addition AI reported government security forces arrested nearly 2,000 protesters, including members of opposition parties and journalists. During the protests the government blocked internet access and closed newspapers and television stations.

The most important human rights abuses included: government forces and government-aligned groups committed extrajudicial and other unlawful killings; security forces committed torture, beatings, rape, and other cruel and inhumane treatment or punishment; and prison and detention center conditions were harsh and life threatening.

Other major abuses included arbitrary arrest; incommunicado and prolonged pretrial detention; executive interference with the judiciary and denial of due process; obstruction of humanitarian assistance; restriction on freedoms of speech, press, assembly, association, religion, and movement; harassment of internally displaced persons (IDPs); restrictions on privacy; harassment and closure of human rights organizations; and violence and discrimination against women. Societal abuses included female genital mutilation/cutting (FGM/C); child abuse, including

sexual violence and recruitment of child soldiers; trafficking in persons; violence against ethnic minorities; denial of workers' rights; and forced and child labor.

Except in rare cases, the government took no steps to prosecute or punish officials in the security services and elsewhere in the government who committed abuses. Security force impunity remained a serious problem.

Conflict between government and rebel forces in Darfur, Blue Nile, and Southern Kordofan states continued. Rebels also committed abuses in Darfur and Southern Kordofan and Blue Nile states (the Two Areas).

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

a. Arbitrary or Unlawful Deprivation of Life

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

Government forces, government-aligned militias, rebels, and ethnic combatants killed civilians in connection with the conflicts in Darfur and the Two Areas (see section 1.g.).

Security forces killed demonstrators. In September the government reported security forces killed 84 persons during protests over the lifting of fuel subsidies. Media outlets and AI reported government forces shot and killed more than 200 civilians. The killing of Salah Sanhour, a pharmacist, became a rallying point for further demonstrations in Khartoum.

b. Disappearance

There were reports of politically and ethnically motivated disappearances in nonconflict areas.

Unlike the previous year, there were no reports of South Sudanese rebel groups aligned with or supported by the Sudanese government pressuring South Sudanese from the Khartoum area into military service with South Sudanese rebel armed groups.

The government and government-backed militias were responsible for the disappearance of civilians in conflict areas.

Gunmen in Darfur abducted humanitarian workers and the African Union-United Nations Hybrid Mission in Darfur (UNAMID) personnel. This included criminal kidnappings for ransom and politically motivated kidnappings; some cases mixed both motives.

The Sudanese People's Liberation Movement-North (SPLM/N), whose military arm fought the Sudanese Armed Forces (SAF) in Southern Kordofan and Blue Nile states, contended military and intelligence forces abducted SPLM/N civilian members during fighting in Blue Nile and Southern Kordofan. In May, Sudanese security agents abducted two SPLM/N leaders in El Obeid, Northern Kordofan. In Blue Nile, sources reported Sudanese security forces abducted 17 SPLM/N supporters in Kurmuk, a former SPLM/N stronghold. The SPLM/N controlled swathes of territory in the two states and denied access to human rights monitors. The SPLM/N was also accused of abducting civilians.

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

The interim national constitution prohibits such practices, but government security forces continued to torture, beat, and harass suspected political opponents and others. In Darfur and other areas of conflict, government forces, rebel groups, and tribal factions committed torture and abuse.

In accordance with sharia (Islamic law), the Criminal Act provides for physical punishments, including flogging, amputation, stoning, and the public display of a body after execution. Traditional customary law was commonly applied to convicted defendants; however, with the exception of flogging, such physical punishment was not frequently used. Courts routinely imposed flogging, especially as punishment for the production of alcohol.

According to nongovernmental organization (NGO) and civil society activists in Khartoum, government security forces beat and tortured persons in detention, including members of the political opposition, civil society activists, and journalists. Often these persons subsequently were released without charge.

Security forces used excessive force in dispersing protesters in late September and early October, employing live ammunition, tear gas, and physical force to disrupt gatherings and intimidate protesters. Some of those arrested were subjected to torture and other forms of mistreatment while in detention. Several demonstrators

reported being beaten with batons, forced to endure prolonged isolation and extreme temperature variations, and other harsh treatment.

Journalists were beaten and threatened. The 2012 beating of journalist Anwar Awad by National Intelligence and Security Services (NISS) agents remained unresolved, and Awad departed Sudan in 2012. During the year NISS detained and severely beat Rania Mamoun, a freelance writer, during the September-October protests. Mamoun was released a week after her arrest, and her legal case was pending at year's end.

Public order laws, enforced in Khartoum state only, prohibit indecent dress, which is punishable by a maximum of 40 lashes, a fine, or both. Authorities applied these laws more frequently against women than men and applied them to both Muslims and non-Muslims.

Security forces and armed nonstate actors raped women, including in connection with the conflicts in Darfur, the Two Areas, and Abyei (see sections 1.d. and 1.g.).

Prison and Detention Center Conditions

Prison conditions throughout the country remained harsh, overcrowded, and life threatening.

Rebel groups in Darfur periodically detained persons in isolated locations, but there were no reports of prisons run by local warlords, paramilitary groups, or rebel forces.

Physical Conditions: During the year the Ministry of Interior reported 19,101 prisoners, with 3,537 awaiting trial, 356 awaiting transfer to juvenile facilities or mental health care, and 15,208 already sentenced. Authorities, however, do not release information to the public, and the Interior Ministry was reluctant to share further information with foreign governments or international entities. Specific information about the number of juvenile and female prisoners was unavailable.

Men and women were held separately. Convicted prisoners and pretrial detainees were held in separate areas. Reportedly, overall conditions, including food and sanitary and living conditions, were better at women's detention facilities and prisons, such as the Federal Prison for Women in Omdurman, than at equivalent facilities for men, such as Kober or Omdurman prisons. In Khartoum juveniles

were not held in adult prisons or jails; juveniles were sometimes held with adults elsewhere in the country.

Health care was often inadequate. Prisoners sometimes relied on family or friends for food. Generally, food, water, and sanitation were provided for prisoners, although the quality of all three was basic. Most prisoners did not have access to beds; however, blankets were usually provided in winter. Ventilation and lighting conditions differed among prisons, and overcrowding was a problem.

There were reports of deaths due to negligence in prisons and pretrial detention centers, but comprehensive figures were not available. Prisoners died from lack of health care and poor prison conditions.

Prisoners held in NISS custody or detained under national security statutes were regularly denied visits from family and lawyers, and, in the case of foreign prisoners, from consuls. The government mistreated some persons in custody. Security forces held some political and nonpolitical detainees incommunicado; beat them; deprived them of food, water, and toilets; and forced them to sleep on cold floors.

Political prisoners were held in special sections of prisons. The main prison in Khartoum, Kober Prison, contained separate sections for political prisoners, those convicted of financial crimes, and an unknown number of Justice and Equality Movement (JEM) detainees.

Administration: Prisons were professionally administered and records were believed to be complete and accurate, although the government considered such information confidential and did not release it.

Authorities generally did not use alternatives to sentencing for nonviolent offenders.

Police reportedly allowed some visitor access to prisoners, including by lawyers and family, while prisoners were in custody and during judicial hearings. Prisoners held by the NISS, however, generally were not allowed such access, according to reports. Authorities allowed prisoners to take part in religious observance. Prisons had locations for Islamic prayer but no dedicated areas for Christian observance. Christian clergy held services in prisons, but access was irregular.

There was no prison ombudsman or inspector general for prisons. Authorities permitted prisoners, but not all detainees, to submit complaints to judicial authorities without censorship and to request investigation of credible allegations of inhumane conditions, which authorities investigated and documented. These rights, however, were not always observed for pretrial detainees, political prisoners, and those in the custody of police or other security forces.

Independent Monitoring: The government allowed some restricted visits to prisons by human rights observers, although it continued to deny unrestricted access. The Ministry of Justice occasionally granted UNAMID access to government prisons in Darfur.

d. Arbitrary Arrest or Detention

The interim national constitution prohibits arbitrary arrest and detention without charge, but the government continued to arrest and detain persons arbitrarily, often under the National Security Act. Arbitrary arrests and detentions, including of UN employees, were common. The UN reported police arbitrarily arrested three UN staff members in September in Nyala, South Darfur. The three UN staffers were not charged and were released the next day.

The NISS detained 32 Nubian women accused of supporting the SPLM/N in El Obeid prison from April 2012 to July 2013 without formal charges. The NISS released 14 of the women on April 14 and the remaining 18 on July 18. One of the released detainees, Al-Radia Suleiman Tia, reported the government reinstated the women in their jobs in Southern Kordofan and gave them two months of their salary. Between August and October, the government reportedly paid each woman six-months' salary.

On October 28, NISS officers arrested and detained nine human rights activists in an armed raid on a private home in Omdurman. The detainees were also academics and members of the Sudanese University Professors' Union. NGOs reported the arrests were politically motivated and intended to stop members of the union from speaking out about human rights violations committed by Sudanese authorities during the September-October protests. The NISS released the detainees without charge the following day.

Role of the Police and Security Apparatus

Several government entities have responsibility for internal security, including the police, NISS, Ministry of Interior, and Ministry of Defense. The NISS maintained security officers in major towns and cities. The Ministry of Interior controlled the Central Reserve Police (CRP). The Ministry of Defense's Border Intelligence Force (Border Guards), a loosely organized force composed largely of former Jingaweit Arab militia, operated in Darfur and elsewhere. The CRP also contained a number of former Jingaweit fighters. The Jingaweit are armed fighters the government recruited from nomadic Arab tribes in the Darfur region to combat the rebellions of other local tribes residing in Darfur in the 1980s, 1990s, and early 2000s.

Security force impunity remained a serious problem. The 2010 National Security Act provides NISS officials with legal protection for acts committed in their official capacities. The government generally failed to investigate abuses committed by security forces.

NGOs reported security forces killed four students from Al-Gazira University in December 2012. The government announced the Ministry of Justice would investigate the deaths. By year's end, however, the ministry had yet to conclude its investigation and submit its findings.

Corruption among police and other security force members was a problem.

Although the government in 2011 named a special prosecutor from the Ministry of Justice to monitor NISS detentions, the UN's independent expert on the situation of human rights in Sudan remained concerned about weak judicial oversight of NISS arrests and detention. In numerous press statements, the independent expert expressed concern over NISS' failure to adhere to human rights principles, including respect for the rule of law in Darfur and the Two Areas.

Arrest Procedures and Treatment of Detainees

Warrants are not required for an arrest. The criminal procedure law permits authorities to detain individuals for three days without charge. The NISS director of security may extend detentions for 30 days and an additional five days with the approval of the prosecuting attorney. Individuals accused of violating national security were frequently detained indefinitely without charge. The National Security Act specifies such individuals may be detained without charge for three months, which the director of security may extend for another three months. The law provides for an individual to be informed of charges at the time of arrest and

for judicial determination without undue delay, but these provisions were rarely followed.

The law allows for bail, except for those accused of crimes punishable by death or life imprisonment. There was a functioning bail system.

The law provides for access to a lawyer, but government security forces often held persons incommunicado for long periods in unknown locations. By law any person may request legal assistance and must be informed of the right to counsel in cases potentially involving the death penalty or imprisonment lasting longer than seven years. The government was not always able to provide legal assistance, and legal aid organizations and lawyers partially filled the gap.

Arbitrary Arrest: The NISS, military intelligence, and the SAF 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.

From September 23 through October 4, security forces arrested and detained a number of activists and political party members during several days of unrest in reaction to the lifting of fuel subsidies. Reportedly authorities arrested nearly 2,000 persons during the protests. Protesters were held without charge for periods of a few days to several weeks. Police transferred many demonstrators to NISS authorities, who then moved them among different detention facilities and denied them access to family visits or legal counsel. NISS officials frequently denied holding individuals in their custody or refused to confirm where they were detained. Detainees described being held in unsanitary conditions without access to adequate medical care and claimed they were subjected to beatings and harsh interrogation tactics, such as being forced to endure extreme temperature variations.

On October 28, five detainees in NISS custody in El Obeid, Northern Kordofan, went on a hunger strike to protest their detention without charge since October 22. The detainees reportedly were detained in connection with the September-October protests. They were released on November 13.

Foreign nationals were arrested and detained for prolonged periods without charge. The NISS detained two foreign nationals in April and held them overnight. Following their release, the NISS searched their residence and confiscated their personal property.

Pretrial Detention: Lengthy pretrial detention was common. The large numbers of detainees and judicial inefficiency, such as the failure of judges to appear for court, resulted in trial delays. In cases involving political defendants accused of subverting national security, the accused may be held for as long as one year before being formally charged. On June 6, five Darfuri students were arrested in Khartoum and remained in custody for over one month without charges. On July 7, the prosecutor charged them with crimes against the state. On August 18, a judge found them not guilty due to insufficient evidence and released them.

e. Denial of Fair Public Trial

Although the interim national constitution and the law provide for an independent judiciary, the judiciary was largely subservient to the president and the security forces, particularly in cases of alleged crimes against the state. On occasion courts displayed a degree of independence; however, political interference with the courts was commonplace, and some high-ranking members of the judiciary held positions in the Ministry of Interior or other ministries in the executive branch.

The judiciary was inefficient and subject to corruption. In Darfur judges were often absent from their posts, thus delaying trials. Access to functioning courts was also a problem for residents in other remote areas.

A state of emergency in Darfur, Blue Nile, and Southern Kordofan allowed for arrest and detention without trial.

Trial Procedures

The interim national constitution and law provide for fair and prompt trials as well as a presumption of innocence; however, this often was not respected. Trials are open to the public at the discretion of the judge. In cases of national security and offenses against the state, trials are usually closed. Juries are not used. The law stipulates the government is obligated to provide a lawyer for indigents in cases in which punishment might exceed 10 years' imprisonment or include execution. The accused may also request assistance through the legal aid department at the Ministry of Justice or the Sudanese Bar Association.

By law criminal defendants must be informed promptly of the charges against them. The NISS, however, is not required to and does not inform arrestees of the charges. Lawyers are responsible for providing adequate language interpretation of the charges.

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

Defendants have a right to appeal, except in military trials, where there is no appeal. Defendants were sometimes permitted time and facilities to prepare their defense, although in more political cases the charges may be disclosed with little warning and could change as the trial proceeds. Defendants in common criminal cases such as theft, as well as in more politicized cases, are often compelled to confess guilt while in police custody through physical abuse and police intimidation of family members.

Lawyers wishing to practice were required to maintain membership in the government-controlled Sudanese Bar Association. The government continued to arrest and harass members of the legal profession it considered political opponents.

Military trials, which sometimes were secret and brief, did not include procedural safeguards. For example, a defendant's attorney could advise the defendant but could not address the court.

The Special Courts Act of 1989 created special three-person security courts to deal with violations of constitutional decrees, emergency regulations, and some sections of the penal code, including drug and currency offenses. Special courts, composed primarily of civilian judges, handled most security-related cases. Defendants had limited opportunities to meet with counsel and were not always allowed to present witnesses during trial.

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

While Islamic jurisprudence strongly influences the law, in domestic cases concerning Coptic Christians, such as divorce and other family matters, courts often allowed a Coptic priest, particularly the archbishop, to make the final ruling.

Political Prisoners and Detainees

The government held hundreds of political prisoners and detainees, including political protesters, but does not allow independent monitoring of prisons and detention facilities. Due to a lack of access, the government, political opposition, and international and domestic NGOs put forth different assertions on the number of political prisoners. The government severely restricted international humanitarian organizations' access to political detainees. The government allowed UNAMID extremely limited access to Darfuri political detainees in Khartoum and Darfur.

Some political detainees were held in isolated cells in regular prisons, and many were held without access to family or medical treatment. Human rights organizations asserted the NISS ran "ghost houses," where it detained opposition and human rights figures without acknowledging they were being held. Security forces detained political opponents incommunicado, without charge, and tortured them. Such detentions were prolonged at times.

On April 1, President Bashir announced all political prisoners would be released. Authorities released 24 persons after the announcement, but reports indicated at least 100 more remained in detention due to their presumed political affiliations.

The government continued to arrest members of the Popular Congress Party, the National Umma Party, SPLM/N, and other opposition groups. In September authorities arrested senior members of the Sudanese Congress Party, including the chair, secretary-general, and the political secretary. Sudanese authorities released all senior members of the Sudanese Congress Party in October. Security officials searched and closed the Sudanese Congress Party's offices in early October following the party's support for protests in September and October.

Civil Judicial Procedures and Remedies

Those seeking damages for human rights violations had access to courts; however, the judiciary was not independent. There were problems enforcing domestic court orders.

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

The interim national constitution and law prohibit such actions, but the government routinely violated these rights. Emergency laws in Darfur, Southern Kordofan, and Blue Nile states legalize interference in privacy, family, home, and correspondence.

Security forces frequently conducted searches without warrants and targeted persons suspected of political crimes.

The government monitored private communication and movement of individuals without due legal process. In November the NISS summoned a clergy member in Khartoum and accused him of supporting the rebel Sudanese Revolutionary Front. The NISS confiscated his cell phone and passport. A wide network of government informants conducted surveillance in schools, universities, markets, workplaces, and neighborhoods.

Under sharia a Muslim man may marry a Jewish or Christian woman. A Muslim woman may not marry a non-Muslim unless he converts to Islam, but this prohibition was not universally enforced. Non-Muslims may adopt only non-Muslim children; no such restrictions apply to Muslim parents.

g. Use of Excessive Force and Other Abuses in Internal Conflicts

Darfur

In Darfur fighting involving government forces, government-aligned militias, rebel groups, and ethnic groups continued. These groups injured and killed other combatants and civilians, raped and displaced civilians, and exploited child soldiers.

Clashes between the SAF-associated militias and Darfur rebel movements, notably the Sudan Liberation Army Minni Minnawi faction (SLA/MM), Sudan Liberation Army Abdul Wahid faction (SLA/AW), and the Justice and Equality Movement for Sudan, resulted in significant deaths on both sides. An estimated 4,282 persons in Darfur were killed during the year, an increase from 1,637 persons in 2012.

Security in the Darfur region deteriorated during the year due to the rise in intertribal conflict, as well as continued clashes between the government and rebel factions, and attacks by progovernment militias on unarmed civilians in South, North, and East Darfur states. UNAMID estimated intertribal conflicts caused 1,274 deaths in Darfur from January to October. In January and February, two

Arab tribes, the Rizeigat and Beni Hussein, clashed over gold mines in Jebel Amir, North Darfur, which resulted in an estimated 200 deaths, more than 100,000 displaced, and 25 villages burnt.

Reports claimed tribal combatants affiliated with government security forces, including the Border Guards and Central Reserve Police, supported their tribes in intertribal conflicts, further increasing the number of deaths. Sources documented attacks by progovernment militia on civilians in areas controlled by both rebels and the government in east Jebel Marra, Giraida in South Darfur, Labado, Muhajeria, Donki Direisa, and Abga Rajil. Approximately 460,000 sought refuge in IDP and refugee camps because of fighting between government and insurgent forces. An estimated two million civilians remained internally displaced in Darfur, and approximately 200,000 refugees from Darfur remained in Chad.

Armed militia attacks against UNAMID increased during the year. UNAMID vehicles were carjacked, and militia groups abducted UNAMID staff for ransom. By year's end 16 peacekeepers had been killed. On July 14, armed militias attacked a UNAMID patrol between Khor Apache and Manwashei in South Darfur. The attackers killed seven UNAMID peacekeepers from Tanzania and injured 17 others. On December 29, unknown armed men killed two peacekeepers, one from Jordan and another from Senegal. The government failed to prosecute any suspects in attacks against UNAMID peacekeepers. Government security forces, including the NISS and SAF Military Intelligence, regularly denied UNAMID access to their areas of control.

Government forces and their allied militias clashed with SLA/MM after SLA/MM captured Muhajeria and Labado in April. The attacks by progovernment militias forced the population of both locations to IDP camps, leaving behind their property, which the militias confiscated. An estimated 40,000 individuals from Labrado and Muhajeria entered IDP camps in Kalma, El Salm, and Al-Neem. The Humanitarian Aid Commission (HAC) denied access to international humanitarian organizations seeking to conduct a rapid assessment of IDP needs.

Fighting between government forces, irregular militia forces aligned with the government, and rebel groups continued to affect the area of Jebel Marra. Intercommunal violence continued, notably in North and South Darfur. Conflicts in IDP camps also resulted in deaths. Reports of rape as well as recruitment of child soldiers continued.

Government forces provided support, including weapons and ammunition, to government-aligned militias, and the government seldom took action against soldiers or militia members who attacked civilians. Rebel forces received financial support from foreign sources.

Fighting, insecurity, bureaucratic obstacles, and government and rebel restrictions reduced the ability of peacekeepers and humanitarian workers to access conflict-affected areas. Armed persons attacked, killed, injured, and kidnapped peacekeepers and aid workers. Humanitarian organizations often were not able to deliver humanitarian assistance in conflict areas, particularly in Jebel Marra, South Darfur.

The government increased obstacles for UN and humanitarian staff members and reduced their access to most areas of Darfur. Lack of access and fear of government retribution reduced reporting on human rights violations, especially sexual and gender-based violence, and on humanitarian situations.

The government took few actions to implement any meaningful provisions of the chapter on justice and reconciliation in the Doha Document for Peace in Darfur (DDPD). During the year, however, cases filed by the special prosecutor reached the sentencing phase. On March 28, seven JEM members were sentenced to death in El Fasher for their involvement in the attack on the village of Khor Bascaweet in 2010, which resulted in the deaths of 53 CRP officers. While there was little evidence that the Special Court was operating or that the special prosecutor was filing cases, sources reported the government requested the appointment of one African Union (AU) and one UN observer for the Special Court in accordance with the DDPD. At year's end the AU and UN had yet to name observers for the Special Court.

The Two Areas and Abyei

Heavy fighting between the SAF and SPLM-N continued in Southern Kordofan and Blue Nile. Both the government and rebel fighters were accused of excessive force and targeting civilians. According to the Office of the UN High Commissioner for Refugees (UNHCR), 227,000 refugees from Southern Kordofan and Blue Nile entered Ethiopia and South Sudan since June 2011. In addition the Sudan Relief and Rehabilitation Agency estimated the conflict had displaced or severely affected more than 800,000 persons.

The Sudan Revolutionary Front (SRF), a coalition force of the SPLM-N, the SLA/AW, the SLA/MM, and the JEM, conducted indiscriminate attacks on civilians in the Two Areas. On April 27, the SRF attacked targets in Northern and Southern Kordofan. The attack killed at least 30 civilians and nine SAF members. The government accused the SRF of committing serious human rights abuses, including extrajudicial executions of members of progovernment political parties in Abu Kershola. The HAC estimated the assaults on Abu Kershola and neighboring areas displaced at least 63,000 persons. Following the recapture of Abu Kershola in May, between 20,000 and 30,000 IDPs returned to their areas. Other IDPs remained settled in the neighboring areas of Um Ruwaba, El Obeid, and Khartoum.

In contrast to previous years, the government granted international humanitarian organizations limited access to government-controlled areas of Southern Kordofan and Blue Nile. For the first time since 2011, organizations were able to provide humanitarian relief, including hand pumps, food rations, and meningitis vaccinations. International humanitarian organizations have not had access to rebel-controlled areas of Southern Kordofan and Blue Nile since June and September 2011, respectively.

The security situation in Abyei was tenuous. Tensions between the Ngok Dinka and Messiriya communities escalated following the May 4 killings of the Ngok Dinka paramount chief, Kuol Deng Kuol, one Ethiopian UN Interim Security Force for Abyei (UNISFA) peacekeeper, and 16 Messiriya tribesmen. Violent conflict in 2011 displaced approximately 110,000 civilians from Abyei. During the year the UN estimated 35,000 residents returned to areas south of Bahr el Arab, 22,000 returned to areas north of the Kiir River, and 60,000 remained displaced in Agok, South Sudan. Several humanitarian aid NGOs continued to provide mobile outreach services in Abyei from their bases in South Sudan.

Killings: In Darfur and the Two Areas, government forces and government-aligned militias killed civilians, including by repeated aerial bombardment of civilian areas. Ground attacks often followed aerial bombardments. Rebel forces also killed civilians during attacks. Attacks resulted in civilian displacement.

Darfur

The increase in intertribal Arab conflict led to more than 4,282 deaths in Darfur during the year. In addition to deaths attributed to intertribal clashes, many deaths continued to be attributed to the SAF and militia groups. Security deteriorated in

North Darfur, and violence, including indiscriminate SAF aerial bombardments, continued in the Jebel Marra area in Darfur.

In April, Salamat and Misseriya tribesmen clashed in the South Darfur towns of Um-Dukhun, Garsila, Mukjar, and Bedisi. The clashes killed more than 300 persons and displaced an estimated 74,000 others to Chad as the two tribes burned villages and looted livestock and properties in the region. On December 15, the two tribes signed a peace agreement, which includes a cessation of hostilities, reopening of roads and markets, and disbanding armed groups.

On October 20, SAF launched an airstrike on a Rezeigat tribal settlement in Hajr Dabak village, East Darfur. The airstrike resulted in 10 deaths and several injuries.

The Two Areas

SAF air raids resulted in civilian deaths throughout Southern Kordofan and Blue Nile. On September 6, an air raid on the Sombok Friday market killed at least 30 civilians and injured several others. An estimated 975 persons were killed during the year.

SPLM/N's Blue Nile Humanitarian Coordination Office reported on April 10, an air raid on the villages of Gerdan, Ura, Chali, and Mayak Babras in Blue Nile killed at least five civilians. Those killed were primarily women and children; three others were injured in the raids.

On June 14, the SPLM/N shelled Kadugli town, killing two civilians and one UNISFA peacekeeper, while wounding two UNISFA peacekeepers.

Abductions: On August 26, an unknown militia group abducted eight International Committee of the Red Cross (ICRC) staff members. On August 27, six of the members were released. On September 8, the two drivers were released, but the two ICRC trucks were not returned.

On March 24, the rebel group SLA/AW kidnapped 31 IDPs traveling in the Darfur region from Zalingei to Nyala to attend a conference of IDPs and refugees. SLA/AW released the IDPs unharmed on March 30.

In August 2012 unidentified militia members abducted two Jordanian UNAMID peacekeepers in Kabkabiya, North Darfur. On January 2, the militias released the two peacekeepers to the NISS, who transferred them to the UN. The government

stated it continued to investigate, but by year's end the perpetrators remained at large.

International organizations were unable independently to verify reports of disappearances due to lack of access to the region.

Physical Abuse, Punishment, and Torture: All parties to the conflict in Darfur, the Two Areas, and Abyei were accused of perpetrating torture and other abuse. The government abused persons detained after 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.

Sexual and gender-based violence continued throughout Darfur. Authorities often obstructed access to justice for rape victims. IDPs reported perpetrators of such violence were often government forces or militia members. Assaultants assaulted, raped, threatened, shot, beat, and robbed women.

According to statistics by the Association of Displaced Persons and Refugees of Darfur, 68 women were raped from August to September in Darfur. In Darfur it was believed most rape victims did not report incidents; therefore, the actual number of rapes was likely much higher.

There were reports of physical abuse and violent interrogations of SPLM/N-affiliated individuals in Kadugli prison.

SAF and government-aligned forces reportedly burned and looted villages throughout Southern Kordofan and Blue Nile.

Child Soldiers: The Armed Forces Act prohibits the recruitment of children and provides criminal penalties for perpetrators. Eyewitness reports, however, indicated both the government and rebel groups had child soldiers engaged in conflict.

In 2012 the UN Special Representative of the Secretary General (SRSG) for Children and Armed Conflict reported 31 incidents of recruitment or use of children by armed groups in Darfur, including government security forces, government-supported armed groups, and rebel groups. This was a decrease from the 45 incidents reported in 2011. The SRSG reported 125 incidents in the Two Areas and Abyei in 2012, an increase from 52 incidents in 2011.

Rebel groups associated with the SRF (SPLM-N, JEM, SLA/MM, SLA/AW) and groups outside the SRF umbrella (including the Sudan Liberation Movement for Justice and the United Revolutionary Forces Front), as well as various government security forces (including police), all continued to recruit child soldiers. Armed groups reported they did not actively recruit child soldiers; however, they did not prevent children who volunteered from joining their movements. The armed groups stated the children were primarily stationed in training camps and were not used in combat.

According to the UN, the rebel group known as SLA-Historical Leadership was implementing an action plan to end its recruitment and use of child soldiers. The group reported to the UN in 2012 it had proposed 120 former child soldiers for reintegration to the Sudan Disarmament, Demobilization and Reintegration Commission. At year's end a reported 80 child soldiers from SLA-Historical Leadership were registered in children's disarmament, demobilization, and reintegration programs.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/.

Other Conflict-related Abuses: All parties to the Darfur and Two Areas conflicts obstructed the work of humanitarian organizations, UNAMID, and other UN agencies, increasing the displacement of civilians and abuse of IDPs. Violence, insecurity, and the denial of visas and refusal of access to international organizations reduced the ability of humanitarian organizations to provide needed services.

Despite the joint communique between the government and the UN, government forces frequently harassed NGOs that received international assistance. The government restricted or denied permission for humanitarian assessments, refused to approve technical agreements, changed procedures, copied NGO files, confiscated NGO property, questioned humanitarian workers at length and monitored their personal correspondence, delayed issuance of visas and travel permits, restricted travel, and publicly accused humanitarian workers of aiding rebel groups.

Darfur

Humanitarian organizations continued to face challenges in accessing populations in Darfur. NGOs were unable to access government and rebel-held territories. Relief agencies faced increasing obstruction by the government, including new arbitrary rules and regulations that undermined the delivery of relief assistance. NGOs reported they had to register for permits twice, once in Khartoum and also in the areas where they worked.

UN agencies also experienced increased constraints regarding access. Police and government security forces frequently declined to provide escorts for UN agencies to areas affected by fighting, and at other times cited continued instability and restricted the movement of UN-sponsored fuel, food, and nonfood supplies to areas outside of major population centers. The UNHCR issued a public appeal to the government on August 6 requesting the renewal of work permits for its international staff working in Darfur.

Policy discrepancies between Darfur state-level and HAC officials in Khartoum adversely affected humanitarian operations. The HAC continued to require NGOs to refrain from interviewing or selecting staff unless they used a five-person government selection panel with HAC officials present, significantly delaying the hiring of new staff in Darfur. The HAC also continued to impose additional requirements on humanitarian organizations on an ad hoc basis, often at the state level.

Attacks on humanitarian and UNAMID convoys increased during the year. Bandits obstructed humanitarian assistance, regularly attacked the compounds of humanitarian organizations, and seized humanitarian aid and other assets, including vehicles. Instability forced many international aid organizations to reduce their operations in Darfur.

The Two Areas

In 2012 the government and SPLM/N signed separate memoranda of understanding for humanitarian access to Southern Kordofan and Blue Nile with the UN, AU, and League of Arab States, known collectively as “the Tripartite.” The plan was not implemented by year’s end.

On November 11, John Ging, director of the operational division at the UN Office for the Coordination of Humanitarian Affairs, told reporters the UN was unable to vaccinate 165,000 children against polio in Southern Kordofan and Blue Nile after

the government and the SPLM/N – who had both agreed to the immunization campaign – disagreed over the need for another meeting between the two parties.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The interim national constitution provides for freedom of thought, expression, and of the press “as regulated by law,” but the government restricted these rights.

Freedom of Speech: 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. Minister of Interior Ibrahim Mahmoud disclosed police arrested and later released more than 600 people during protests against the removal of fuel subsidies that began September 23. The government filed court cases against 100 of these individuals. Authorities arrested Nuban activist and SPLM/N member Jaleela Khamis Koko in March 2012 for speaking publicly about government actions in the Nuba Mountains. She was detained without charge for over five months and later was charged with undermining the constitution, cooperating with an enemy state, spying, illegal use of a military uniform, and unauthorized training. In January, Koko was acquitted of the charges and released.

Press Freedoms: The interim national constitution provides for freedom of press, but authorities prevented newspapers from reporting on issues deemed sensitive. Those measures included direct prepublication censorship, confiscation of publications, legal proceedings, and denial of state advertising. Confiscation, in particular, inflicted severe financial damage on newspapers that were already hard pressed due to low circulation. During the protests that began in late September, the government temporarily closed six newspapers: *Al-Intibaha*, *Al-Qarar*, *Al-Jarida*, *Al-Meghar Al-Siassi*, *Al-Mashad Al-Aan*, and *Al-Arabiya*, as well as Sky News Arabic Service television stations.

The government influenced radio and television reporting. Prior to the lifting of government fuel subsidies in late September, unknown government officials called Khartoum’s media executives to warn them against reporting on austerity protests. Some foreign shortwave radio broadcasts were available, and a private FM radio station continued to operate. The government restricted UN radio. In addition to domestic and satellite television services, a private cable network directly rebroadcast uncensored foreign news and other programs. In September

Al-Sharouk news channel, whose private owners have close ties to the ruling National Congress Party, aired broadcasts more critical of the government, seemingly without repercussions.

The government controlled the media through the National Press Council, which administered mandatory professional exams for journalists and editors.

The NISS banned at least three newspapers, including *Rai-Al-Saab*, *Al-Wan*, and *Al-Tayar*. Between May and August, the government repeatedly confiscated printed copies of *Al-Jarida*, *Al-Midan*, and *Akhir Iahza* following their coverage of clashes between the country and South Sudan, as well as demonstrations against government economic policies. Government confiscations forced the closure of several newspapers, including *Alhadith* and *Alshahid*. Authorities also confiscated editions of three newspapers in late September, including those of *Al-Intibaha*, *Al-Sudani*, and *Al-Mijhar Al-Syasi*.

Violence and Harassment: The government, including the NISS, continued to arrest and torture journalists and harass vocal critics of the government. For example, during the austerity protests, the NISS instructed Khartoum's newspaper executives to dismiss journalists who had gone on strike to protest the government's efforts to influence their reporting.

Journalists were subjected to arrest, harassment, intimidation, and violence due to their reporting.

Saad Al-Din Hassan, a television station Al-Arabiya correspondent, was detained on September 26 due to a report on the expulsion of residents in northern Sudan near the site of a government dam project. He was released the following day.

There was one report of government officials harassing an international journalist. Bloomberg correspondent Michael Dunn fled Sudan in July after reporting he had been harassed, and security officials had told him to leave the country. Nonetheless, the government afforded some foreign journalists regular access to opposition politicians, rebels, and civil society advocates. The government also allowed 10 international correspondents into the country during the September protests, according to diplomatic sources.

The NISS required journalists to provide personal information, such as details on their tribe, political affiliation, and family.

Censorship or Content Restrictions: The government continued to practice direct prepublication and prebroadcast censorship of all forms of media. Journalists also practiced self-censorship.

Libel Laws/National Security: The NISS initiated and continued legal action against journalists for stories critical of the government and security services.

In late September the interior minister threatened to file charges against a journalist who asked the minister to admit the government had killed a number of protesters. The NISS summoned the journalist and released him shortly thereafter. The journalist reported NISS officers dealt with him politely but told him his question was not “suitable” for the situation.

Internet Freedom

The government regulated licensing of internet and telecommunications companies through the National Telecommunications Corporation (NTC). The NTC blocked some websites and most proxy servers judged offensive to public morality. Generally there were no restrictions on access to news and information websites, but authorities sporadically blocked access to YouTube. During the late September protests, the government blocked most internet service for 24 hours.

According to the International Telecommunication Union, 21 percent of individuals used the internet in 2012, an increase from 19 percent in 2011. There were no reports of the government monitoring e-mails during the year.

Academic Freedom and Cultural Events

The government restricted academic freedom. The government determined the curriculum and appointed the vice chancellors responsible for administering public institutions. The government arrested several student activists during the September protests. Some universities required students to participate regularly in progovernment rallies and other activities, and some professors exercised self-censorship. Security forces used tear gas and other heavy-handed tactics against largely peaceful protests occurring 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. On August 27, Public Order Police arrested Amira Osman Hamed, a women’s rights activist, for refusing to wear a headscarf. On

November 4, the prosecutor charged Hamed with indecent dress. Hamed challenged the constitutionality of the charges, and the trial was postponed.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

Although the interim national constitution and law provide for freedom of assembly, the government severely restricted this right. The criminal code considers gatherings of more than five persons without a permit to be illegal. Organizers must notify the government 36 hours prior to assemblies and rallies.

The government continued to deny permission to Islamic orders associated with opposition political parties, particularly the Ansar (Umma Party) and Khatmiya (Democratic Unionist 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. Government security forces prevented the National Consensus Forces from holding a meeting at a private residence in Omdurman in September.

During the September-October protests, the government denied the public the right to assemble, and police forces dispersed crowds with live ammunition and tear gas. The government also denied public meeting permits to civil society organizations associated with political parties.

Police use of excessive force to disperse demonstrators resulted in deaths and injuries.

Authorities reportedly took limited action against security force members who used excessive force. In June trial proceedings began for the Public Order Police allegedly involved in the March 2012 killing of Awadia Ajabna.

Freedom of Association

The interim national constitution and law provide for freedom of association, but the government severely restricted this right. The law effectively prohibits political parties linked to armed opposition groups. The government did not close any civil society organizations during the year. Government and security forces, however, continued arbitrarily to enforce provisions of the NGO law, including

measures that strictly regulate an organization's ability to receive foreign financing and register public activities. Organizations closed by the government in 2012 remained closed throughout the year.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The interim national constitution and law provide for freedom of movement, foreign travel, emigration, and repatriation, but the government restricted these rights.

The government impeded the work of the UNHCR and delayed full approval of UNHCR activities, particularly in Northern and Southern Darfur, the Two Areas, Abyei, and eastern Sudan.

In-country Movement: In Darfur the government and rebels restricted the movement of citizens as well as UN and humanitarian organization personnel (see section 1.g.).

Internal movement was generally unhindered for citizens outside conflict areas. Foreigners, including some accredited diplomats, needed government permission for domestic travel outside Khartoum, which was often difficult to obtain. Foreigners must register with police upon entering the country, obtain permission from police to move more than 15.5 miles outside Khartoum or from one city to another, and reregister at each new location within three days of arrival.

The government delayed issuing humanitarian and diplomatic visas and travel permits for Darfur to foreign embassy and NGO staff, and denied access to the Two Areas and Abyei during periods of violence. The government also delayed issuing travel permits to other areas.

The government's encampment policy requires asylum seekers and refugees to stay in 12 designated camps. The government did not allow the establishment of IDP camps in Southern Kordofan and Blue Nile.

Foreign Travel: The government requires citizens to obtain an exit visa if they wish to depart the country. Issuance was usually pro forma, and the government rarely used the visa requirement to restrict citizens' travel. The government, however, applied exit visa restrictions on certain professions such as medical doctors. To obtain an exit visa, children must receive the permission of both parents.

Exile: The government observed the law prohibiting forced exile. Opposition leaders and NGO activists, however, remained in self-imposed exile in northern Africa and Europe, and other activists fled the country during the year.

Internally Displaced Persons (IDPs)

Large-scale displacement continued to be a severe problem. There were an estimated two million IDPs in Darfur and 250,000 to 350,000 persons of South Sudanese origin residing in the country. In Blue Nile and Southern Kordofan, there were 178,000 and 557,000 IDPs, respectively. More than 40,000 persons from Abyei remained displaced in South Sudan and southern Abyei, the region between Abyei and South Sudan.

At year's end there were 348,528 registered refugees from Darfur in Chad and approximately 5,360 registered refugees from Darfur in the Central African Republic. There were more than 212,800 refugees from Southern Kordofan and Blue Nile in South Sudan and an estimated 82,000 in Ethiopia.

An increase in violence during the year displaced nearly 500,000 persons, including IDPs and refugees, in Darfur.

IDPs in Darfur had significant humanitarian needs. International humanitarian NGOs expanded their operations to cover some of the gaps that resulted from the government's expulsion of 13 NGOs in 2009. Government restrictions limiting access to affected populations, and logistical and security constraints, however, continued to impede the delivery of humanitarian services.

Government restrictions, harassment, and the threat of expulsion resulted in the continued interruption of gender-based violence programming. While gender-based violence programming was mainstreamed into humanitarian efforts, reporting and outreach were severely curtailed (see section 1.g.). Some UN agencies were able to work with the Darfur governor's advisers on women and children to raise awareness of gender-based violence and response efforts.

There were numerous reports of abuse committed by security forces, rebels, and militias against IDPs, including rapes and beatings. Abuse of IDPs by government forces and government backed-militias in the Southern Kordofan conflict was reported.

Outside of IDP camps, insecurity restricted IDP freedom of movement; women and girls who left the towns and camps risked sexual violence. Insecurity within IDP camps was also a problem. The government provided little assistance or protection to IDPs in Darfur. Most IDP camps had no functioning police force. International observers noted criminal gangs aligned with rebel groups operated openly in several IDP camps. They also noted travel back and forth across the border with Chad by these groups.

The UNHCR estimated between 250,000 and 350,000 Sudanese of southern origin lived in Sudan, including 20,000 in Khartoum state. Many of them lived in shantytowns rather than in the four formal camps, and 3,500 were in Kosti waiting transport into South Sudan. Many individuals of South Sudanese origin have lived in Sudan for decades, formed families, and found mainly informal employment. The governments of Sudan and South Sudan signed a framework agreement in September 2012 that included a section on addressing the nationality issue. The government, however, did not put in place procedures for South Sudanese to apply for residency in Sudan or to regain their Sudanese citizenship, and the South Sudanese government was slow to assist its nationals in Sudan to obtain citizenship documentation.

Ethnic South Sudanese in and near Khartoum were subject to arrest, flogging, fines, warrantless searches, and imprisonment in relation to prohibitions against alcohol. The government restricted access to formal IDP camps around Khartoum.

The government continued to restrict access in eastern Sudan for international humanitarian NGOs where, according to the UNHCR, there were an estimated 70,000 Eritrean and Ethiopian refugees, in addition to another 26,000 in Khartoum.

In Southern Kordofan and Blue Nile, the UN estimated there were more than one million displaced and otherwise conflict-affected persons. Following the displacement of approximately 105,000 residents of Abyei in the 2011 fighting, returns began during the year. As of November approximately 60,000 residents of Abyei had returned to the region; more than 40,000 others remained displaced in South Sudan and Agok.

There were multiple reports of IDPs harassed, arrested, and tortured by NISS security forces. UNAMID documented cases of abuse, arbitrary arrest, and torture in Darfur.

Protection of Refugees

Access to Asylum: The laws provide for the granting of asylum or refugee status. The government granted asylum to many, but there was no standard determination procedure or documentation. Officially, the government grants prima facie refugee status to qualifying asylum seekers, but it required some Eritreans to register as immigrants rather than automatically granting them refugee status. Most Eritreans who entered the country appeared to be familiar with the new steps required to register with the government.

Government officials routinely took up to three months to approve refugee status. The delay in granting the status was cited as one of the reasons why some new asylum seekers from Eritrea clandestinely left camps before registering with the UNHCR. To leave the camps, Eritreans relied on human smuggling networks. These networks were known to sell refugees to human traffickers, who may have also kidnapped refugees. Traffickers routinely abused and tortured refugees if exorbitant ransoms were not paid. During the year the government granted the International Organization for Migration access to eastern Sudan to implement awareness-raising and training activities for Sudanese authorities on addressing human trafficking and smuggling issues.

Refoulement: The government provided protection in most instances but also returned asylum seekers to countries where their lives or freedom could be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion.

Refugee Abuse: Asylum seekers were vulnerable to arbitrary arrest, harassment, and beatings because applicants did not receive identification cards while awaiting government determination of refugee status. Refugees could not become resident aliens or citizens, regardless of their length of stay. There were abuses, including gender-based violence, in the camps.

Employment: Refugees were entitled to work permits but rarely received them. In 2012 the UNHCR reported the government issued only 180 work permits to refugees. In September, however, the government agreed to issue work permits to

30,000 refugees in Kassala state in keeping with the joint UN Development Program/UNHCR “Transitional Solutions Initiative.” The government, however, issued no work permits by year’s end.

Access to Basic Services: Government-supervised primary education was available to IDP and refugee children in Khartoum and in refugee camps outside Khartoum at a cost of 30 Sudanese pounds (five dollars) per month. Public hospitals and clinics were generally accessible to both refugees and IDPs, particularly in areas around Khartoum where they may benefit from free health-care consultations. By law refugees and asylum seekers have access to courts in the same manner as citizens. Any person, regardless of nationality, may ask for legal assistance, and persons must be informed of the right to counsel in cases where penalties may include death or imprisonment longer than seven years.

Temporary Protection: The government generally provided temporary protection to individuals who might not qualify as refugees but there were no statistics available.

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

The country continued to operate under the Comprehensive Peace Agreement (CPA) interim national constitution. The interim constitution provides citizens with the right to change their government peacefully. Post-CPA provisions relating to this right include providing for a referendum on the status of Abyei and popular consultations in Blue Nile and Southern Kordofan.

The country took few concrete steps towards drafting a new constitution, and the government repeatedly delayed the appointment of a constitutional review commission. Several opposition groups alleged the government was moving forward with the drafting process in secret. Civil society groups such as the Sudanese Initiative for Constitution Making – which sought to increase public awareness of the constitution and promote popular participation – were subject to official harassment by security agencies, including interference with public meetings about the constitutional process.

The country’s executive leadership consists of a three-member presidency, which includes a president, first vice president, and second vice president. In December the president announced a government reshuffle, named General Bakri Hassan Salih first vice president, and appointed Hassabo Mohamed Abdulrahman as

second vice president. Ibrahim Ghandour was named presidential assistant, and the president named a new National Assembly speaker and deputy, as well as 26 new federal and state-level ministers. All were from the ruling NCP, and the government reshuffle did not incorporate groups that had power-sharing agreements with the government, such as the Liberation and Justice Movement.

The CPA interim constitution also provides a formula for allocating seats in the bicameral legislature (composed of a post-secession 354-member National Assembly and 30-member Council of States) and cabinet prior to the elections. The formula reserved 52 percent of the positions for the NCP and 14 percent for northern opposition parties, including those from Darfur.

Several parts of the CPA designed to clarify the status of southern-aligned groups remaining in the North following South Sudan's secession continued to be the subject of negotiations between the governments of Sudan and South Sudan and remained unresolved. The conflicts in Blue Nile and Southern Kordofan continued to stall the CPA's popular consultations process, intended to allow residents of those areas to negotiate with the government about the nature of their relationship to the central government, and neither the Sudanese government nor the SPLM/N agreed to direct talks to resolve their differences. Similarly, the proposed Abyei referendum, designed to allow residents of the disputed area to vote to join South Sudan or remain unified with Sudan, remained stalled and subject to additional negotiations between the two governments.

Elections and Political Participation

Recent Elections: The national- and state-level executive and legislative elections, held in 2010, did not meet international standards. The next planned national elections were scheduled for 2015.

In 2010 the country held its first multiparty national- and state-level executive and legislative elections in more than 24 years. The elections, which several opposition parties boycotted, did not meet international standards. Basic freedoms were circumscribed throughout the process. Despite significant technical and material assistance from the international community, logistical preparations were inadequate. Intimidation and threats of violence occurred. The conflict in Darfur did not permit a tranquil electoral environment. The counting and tabulation process was disorganized, not transparent, and did not follow procedural safeguards put in place by the National Elections Commission.

In 2010, prior to the secession of South Sudan, there were 450 seats in the National Assembly. The NCP won 323 seats, the SPLM 99, and other parties and independents 24 seats. The seats in four constituencies were vacant. NCP candidates won all elected governor posts with the exception of Blue Nile, where the SPLM/N incumbent won. Immediately after the start of hostilities in Blue Nile in 2011, however, Khartoum deposed the state's SPLM/N governor and installed a temporary military government. Observers noted numerous problems with the pre-election environment. The legal framework did not protect basic freedoms such as assembly, speech, and press. Security forces restricted the actions of opposition parties, including through the arrest of opposition members and supporters. There was insufficient voter information, and logistical preparations for the vote were not adequate.

The National Election Commission identified key electoral reform proposals following the conclusion of the 2010 national elections and a contentious and close election for the governorship of Southern Kordofan in 2011. None of these proposals were implemented.

Political Parties: The NCP dominated the political landscape, controlling all of the regional governorships and holding a two-thirds majority in the National Assembly. Following the separation of the South in 2011, the number of National Assembly seats decreased, and the NCP controlled 316 of 354 seats in the assembly. Various other parties held the remainder, with the SPLM/Peace Wing holding eight seats, and the Popular Congress Party and Democratic Unionist Party each holding four. The Political Parties Advisory Council oversees the registration of political parties. It is under the control of the ruling party and is not an independent body.

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. In 2011 the SPLM/N leadership called for the overthrow of the government, and the SPLM/N was outlawed as a political party. Following the suppression of the SPLM/N, the government banned 16 other political parties; South Sudan-affiliated groups did not contest the ban.

There were 52 registered political parties. The Umma Party and Democratic Unionist Party had not registered with the government. The Communist Party formally registered during the year. The government continued to harass some opposition leaders who spoke with representatives of foreign organizations or embassies. While the NCP dominates the political institutions, opposition parties

have created an unofficial umbrella organization called the National Consensus Forces (NCF). Despite the NCF's efforts to create a comprehensive political platform and the presence of some opposition members in the National Assembly and other positions, the opposition (forces) remained unorganized and largely unable to affect government policy.

Participation of Women and Minorities: Women have the right to vote. The National Elections Law calls for filling 25 percent of seats in the national and state assemblies from state-level women's lists. Women held 87 of the 354 seats in the National Assembly. Women held five of 30 seats in the Council of States and six of 56 cabinet positions. Religious minorities participated in government. There were prominent Coptic Christian politicians within the national assembly, Khartoum city government, and Khartoum state assembly. A Copt was named vice-chairman of the Human Rights Commission. Christians from other denominations were rare in government positions, although a Protestant held the politically significant post of state minister of water resources and electricity.

Section 4. Corruption and Lack of Transparency in Government

Corruption: According to the World Bank's most recent Worldwide Governance Indicators, corruption was a severe problem. The law does not specifically address official corruption. Officials and their spouses and children, however, are subject to the Financial Service Audit law that calls for a special anticorruption attorney to investigate and try corruption cases. Criminal law provides punishments for embezzlement that may include imprisonment or execution for public service workers, although these sanctions were almost never carried out. All bank employees are considered public service workers. Officials frequently engaged in corrupt practices. On December 30, a court acquitted the former minister of guidance and endowments and two of his assistants accused of misusing public funds.

Whistleblower Protection: No laws provide for whistleblower protection.

Financial Disclosure: In 2012 the president abolished the Anticorruption Commission and established the Financial Disclosure and Inspection Committee. The body is responsible for inspecting the financial assets of cabinet ministers and other constitutional officers. The law requires high officials, as well as their spouses and children, to disclose publicly income and assets. There are no clear sanctions for noncompliance, although the commission possesses discretionary powers to punish violators. The new Financial Disclosure and Inspection

Committee and the Unlawful and Suspicious Enrichment Administration at the Justice Ministry both monitor compliance. Despite two different bodies ostensibly charged with combating official corruption, there was no effective enforcement or prosecution of offenders.

Public Access to Information: No laws provide for public access to government information, and the government did not provide such access.

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

The government was uncooperative with, and unresponsive to, domestic human rights groups. Workers of both domestic and international human rights organizations were restricted and harassed.

The government arrested, beat, and prosecuted human rights activists for their activities. According to international NGO reports, government agents consistently monitored, threatened, and occasionally physically assaulted civil society activists.

The government arrested NGO-affiliated international human rights and humanitarian workers, including in Darfur (see section 1.g.).

NGOs must register with the HAC, the government entity for regulating humanitarian efforts. The HAC obstructed the work of NGOs, including in Darfur, the Two Areas, and Abyei. The HAC often changed its rules and regulations without prior notification.

The government continued to use bureaucratic impediments to restrict the actions of humanitarian organizations, contrary to provisions in the 2007 joint communique between the government and the UN. This included delaying the issuance of visas and travel permits to humanitarian workers. While UNAMID reported increased cooperation in obtaining visas for military and police personnel, in September the UNHCR reported more than half of its international staff were not granted travel permits for Darfur, severely restricting its operational capabilities.

UN and Other International Bodies: The government refused and delayed the issuance of visas to international NGO workers and restricted their access to parts of the country.

The government remained uncooperative with UN Security Council Resolution 1593 and failed to comply with the International Criminal Court (ICC) arrest warrants for President Bashir; Ahmad Muhammad Haroun, former minister for humanitarian affairs and current governor of Northern Kordofan; and Ali Muhammad Abd al-Rahman, former senior Jingaweit commander supporting the Sudanese government against Darfur rebel groups. In March 2012 the ICC issued an arrest warrant for Defense Minister Abd Al-Rahim Hussein on charges of war crimes and crimes against humanity for his actions while serving as the president's special representative in Darfur. The government did not comply with this arrest warrant by year's end.

Government Human Rights Bodies: The government's Advisory Council for Human Rights did not respond to requests by international organizations to investigate human rights violations and did not provide lists of detained individuals to the international community.

The National Assembly created the National Human Rights Commission in 2009. Full implementation, however, was delayed until January 2012 when the president appointed 15 commissioners. The commission is charged with investigating allegations of human rights abuse. Local NGOs complained they were not consulted on the appointments and several observers remarked the commission acted as a barrier to international NGOs operating in the country. NGOs also complained the commission refused to investigate allegations. The commission, however, made progress in addressing human trafficking along the border with Eritrea. The commission supported the National Assembly's December passage of legislation to counter human trafficking in Sudan.

On June 19, the Advisory Council on Human Rights released the 2013-23 National Action Plan for the Protection of Human Rights in Sudan. It discusses human rights education, civil and political rights, legal reform, and capacity building for international human rights and humanitarian law. The government took no action on the plan during the year.

The government did not cooperate with the ICC (see section 5).

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

The interim national constitution prohibits discrimination based on race and gender, but the government did not effectively enforce these provisions. The law

does not address discrimination based on disability, language, or social status. The law criminalizes sodomy, and antigay sentiment is pervasive in society. A few small lesbian, gay, bisexual, and transgender (LGBT) organizations existed but operated underground due to fear of official and societal discrimination.

The government made efforts to improve its prosecution of crimes involving trafficking in persons. Local and state authorities stepped up enforcement activities against trafficking gangs operating along the Eritrean-Sudanese border. According to the UNHCR, Sudanese authorities prosecuted 40 human trafficking cases in 2012 and during the year.

Women

Rape and Domestic Violence: The punishment for rape varies from 100 lashes to 10 years' imprisonment to death; the government did not effectively enforce these provisions. Spousal rape is not addressed in the law. In most rape cases, convictions were made public. Observers believed sentences often were less than the legal maximum. Because there was no official tracking of rape cases, no information was available on the number of persons prosecuted, convicted, or punished for rape, but high-profile cases often attracted public and media attention.

Rape of women and girls throughout the country, including in Darfur, continued to be a serious problem. Authorities often obstructed access to justice for rape victims. In August, President Bashir pardoned a convicted rapist who was serving a 10-year prison sentence.

By law a woman who accuses a man of rape and fails to prove her case may be tried for adultery. Victims sometimes refused to report their cases to family or authorities due to fear they would be punished or arrested for "illegal pregnancy" or adultery.

While the law prohibits violence in general, it does not specifically prohibit domestic violence. Violence, including spousal abuse, against women was common. There were no reliable statistics on its prevalence. Women who filed claims under the law against violence were subjected to accusations of lying or spreading false information, harassment, and detention, which made many women reluctant to file formal complaints, although such abuse constituted grounds for divorce. Police normally did not intervene in domestic disputes. Statistics on the number of abusers prosecuted, convicted, or punished were not available.

Female Genital Mutilation/Cutting (FGM/C): See section 6, Children, Harmful Traditional Practices.

Sexual Harassment: No law specifically prohibits sexual harassment, although the law prohibits gross indecency, which is defined as any act contrary to another person's modesty, and authorities enforced the statute. The penalty for gross indecency is imprisonment of up to one year and 40 lashes. There were frequent reports of sexual harassment by police in Darfur and elsewhere.

Reproductive Rights: Couples were able to decide freely on reproductive issues. Contraception, skilled medical attendance during childbirth, and obstetric and postpartum care were not always accessible in rural areas. The UN Population Fund estimated in 2010 the maternal mortality rate was 730 deaths per 100,000 live births, and a woman's lifetime risk of maternal death was one in 31. Skilled health-care personnel attended approximately 23 percent of births. The UN Population Division estimated just 12 percent of girls and women ages 15-49 used a modern method of contraception in 2012. The high maternal mortality rate stemmed in large part from lack of access to reproductive health and emergency obstetric care, particularly in rural areas, lack of access to family planning services, poor sanitation, and chronic undernourishment in poorer areas. The leading causes of maternal death were infection, malaria, anemia, and hemorrhage.

Discrimination: The law, including many traditional legal practices and certain provisions of Islamic jurisprudence as interpreted and applied by the government, discriminates against women. In accordance with that Islamic judicial interpretation, a Muslim widow inherits one-eighth of her husband's estate; of the remaining seven-eighths, two-thirds goes to the sons and one-third to the daughters. Depending on the wording of the marriage contract, it is often much easier for men than women to initiate legal divorce proceedings. In certain probate trials, the testimony of women is not considered equivalent to that of men, and the testimony of two women is considered equivalent to that of one man. In other civil trials, the testimony of a woman is considered equivalent to that of a man.

A Muslim woman cannot legally marry a non-Muslim unless he converts to Islam. This prohibition usually was neither observed nor enforced among certain populations.

Various government institutions decreed women must dress modestly according to Islamic or cultural standards, including wearing a head covering, but women often appeared in public wearing trousers or with their heads uncovered. In Khartoum

Public Order Police occasionally brought women before judges for allegedly violating Islamic standards.

The Ministry of Social Welfare, Women, and Child Affairs was responsible for matters pertaining to women.

In addition to housing and education discrimination, women experienced economic discrimination in access to employment, equal pay for substantially similar work, credit, and owning or managing businesses. Women were accepted in professional roles, and more than half the professors at Khartoum University were women.

Children

Birth Registration: The interim national constitution states persons born to a Sudanese mother or father have the right to citizenship. Although the interim constitution eliminated gender discrimination in conferring nationality on children, the legal definition of “responsible parent” used in the July amendment to the nationality law remains the child’s father. The term refers to a mother only in cases where she has sole legal custody.

Most newborns had access to birth certificates, but some in remote areas did not. Registered midwives, dispensaries, clinics, and hospitals could issue certificates. A birth certificate does not automatically qualify a child for citizenship. Failure to present a valid birth certificate precludes enrollment of children in school. Access to health care is similarly dependent on possession of a valid birth certificate, but many doctors accept a patient’s verbal assurance that he or she holds the proper documentation.

Education: The law provides for tuition-free basic education up to grade eight; however, students often had to pay school, uniform, and exam fees to attend. In Darfur few children outside of cities had access to primary education. In public schools, boys and girls are educated separately in urban areas but often together in rural areas, where resources are more limited.

Child Abuse: Child abuse and abduction were widespread in conflict areas. Criminal kidnapping of children for ransom was reported on several occasions.

Forced and Early Marriage: The law establishes the legal age of marriage at 10 for girls and 15 or puberty for boys. There were no reliable statistics on the extent of child marriage, but it remained a problem. According to UN Children’s Fund

(UNICEF) estimates, 12 percent of women ages 20 to 24 were first married or in a union before they were age 15, and 34 percent were married before reaching age 18.

Harmful Traditional Practices: Female Genital Mutilation/Cutting (FGM/C) remained widespread. During the year UNICEF reported 88 percent of girls and women ages 15 to 49 had undergone FGM/C. Ministry of Health bylaws prohibit FGM/C by physicians and medical practitioners; however, midwives continued to practice FGM/C. The government actively campaigned against it in partnership with UNICEF, civil society groups, and the High Council for Children's Welfare. Several NGOs also worked to eradicate FGM/C. Some NGOs believed Type 1 or Sunna FGM/C (removal of the hood and part of or the entire clitoris) was the most common form practiced, but statistics about the specific categories of FGM/C were unavailable.

Sexual Exploitation of Children: Child prostitution also remained problematic. Penalties for offenses related to the sexual exploitation of children varied and could include imprisonment, fines, or both.

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

Child Soldiers: Armed groups continued to recruit and deploy child soldiers in internal conflicts.

Displaced Children: Internally displaced children often lacked access to government services, such as education.

Institutionalized Children: The government operated reformatory camps for vagrant children. Police typically sent homeless children who had committed crimes to these camps, where they were detained for indefinite periods. Health care, schooling, and living conditions at the camps were generally very basic. All children in the camps, including non-Muslims, must study the Koran, and there was pressure on non-Muslims to convert to Islam. War Child and other international and domestic humanitarian NGOs were permitted access to the camps and sometimes assisted the government with certain aspects of camp operations.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Anti-Semitism

A very small Jewish community remains in Sudan, predominantly in the Khartoum area. There was no evidence of anti-Semitic acts; however, government officials made statements and government newspapers featured articles and opinion pieces with anti-Semitic overtones.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/.

Persons with Disabilities

The law does not specifically prohibit discrimination against persons with disabilities, but it stipulates, "The state shall guarantee to persons with special needs the enjoyment of all the rights and freedoms set out in the constitution, access to suitable education, employment, and participation in society." On November 22, the Ministry of Social Welfare, Women, and Child Affairs and the National Council for Persons with Disabilities launched an initiative to improve access to public sector jobs and encourage respect for the constitutional rights of persons with disabilities. The Ministry of Education established a special education department. The ministry was developing a national education strategy for children with disabilities. Children with disabilities attended public schools, and there were some other educational institutions for persons with disabilities, including two schools for the blind. Social stigma and official apathy towards the needs of persons with disabilities, however, often limited the resources allocated to those facilities, and accommodations for persons with disabilities were rare in most rural areas. The government had not enacted laws or implemented effective programs to provide for access to buildings for persons with disabilities. Several NGOs advocated on behalf of persons with disabilities. Credible sources noted prisoners with mental disabilities who were considered a danger to themselves or others were chained 24 hours a day. Prisoners with mental disabilities were not exempted from trial, although their cases could be deferred during treatment.

National/Racial/Ethnic Minorities

The population is a multiethnic mix of more than 500 tribes, with numerous languages and dialects. Many of these tribes self-identify as Arab, referring to language and other cultural attributes. Other tribes self-identify or are identified by the broader society and members of other tribes as African. Northern Muslims traditionally dominate the government. Interethnic fighting in Darfur was between Muslims who considered themselves either Arab or non-Arab and also between different Arab tribes.

The Muslim majority and the government continued to discriminate against ethnic minorities in almost every aspect of society. Citizens in Arabic-speaking areas who did not speak Arabic experienced discrimination in education, employment, and other areas.

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

The law prohibits sodomy, which is punishable by death; however, there were no reports of anti-sodomy laws being applied. A few LGBT organizations operated in Khartoum in 2011 but did not openly identify as LGBT entities. It was not known whether LGBT groups continued to exist in an organized fashion. Antidiscrimination laws do not apply to LGBT persons.

Official discrimination based on sexual orientation and gender identity occurred. Societal discrimination against LGBT persons was widespread. Vigilantes targeted suspected gay men and lesbians for violent abuse, and there were public demonstrations against homosexuality. There were no reports of official action to investigate or punish those complicit in LGBT-related abuses.

Other Societal Violence or Discrimination

There was discrimination against persons with HIV/AIDS. The conservative nature of Sudanese society made discussions of sex out of wedlock and related issues difficult, particularly for activists and members of the international community addressing these topics.

Promotion of Acts of Discrimination

The government and government-supported militias reportedly promoted hatred and discrimination, using standard propaganda techniques to incite tribal violence.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of association for economic and trade union purposes. The 2010 Trade Union Act established a single national trade union federation, although it excludes police, military personnel, prison employees, legal advisers in the Justice Ministry, and judges from membership. The law allows workers to join independent international unions, but in some cases their membership was not officially recognized. The Sudan Workers' Trade Union Federation (SWTUF), a government-controlled federation of unions that consists of 17 state unions and 22 industry unions, is the only legal union; all other unions were banned. The law requires all unions to be under the SWTUF. The law denies trade unions autonomy to exercise the right to organize or to bargain collectively. The law defines the objectives, terms of office, scope of activities, and organizational structures and alliances for labor unions. The government's auditor general supervised union funds because they were considered public money. A government-appointed and -controlled tripartite committee of representatives drawn from the government, employers, and SWTUF sets salaries and wages for workers.

The constitution grants unions the right to strike. Some unions have bylaws that self-restrict their right to strike. The Trade Union Act of 2010 does not specifically prohibit strikes in nonessential sectors, but the law does require all strikes to receive prior approval from the government after satisfying a set of legal requirements. Specialized labor courts adjudicated standard labor disputes, but the Ministry of Labor has the authority to refer a dispute to compulsory arbitration. Disputes may be referred to arbitration if indicated in the work contract.

The law does not prohibit antiunion discrimination by employers. Labor laws apply to migrant workers with legal contracts and protect all citizens, regardless of regional or tribal identity.

The government did not effectively enforce applicable laws. There are courts that adjudicate labor complaints; however, bureaucratic steps mandated by law to resolve disputes within companies may be lengthy. In addition court sessions may involve significant delays and costs when labor grievances are appealed.

Freedom of association and the right to collective bargaining were not respected. There were credible reports the government routinely intervened to manipulate

professional, trade union, and student union elections. The International Trade Union Confederation (ITUC) raised concerns over the following issues: trade union monopoly controlled by the government, denial of trade union rights in the export processing zones, and nearly nonexistent collective bargaining.

According to the ITUC, in the oil-producing regions police and secret service agents, in collusion with oil companies, closely monitored workers' activities. In addition the government employed the SWTUF as part of its strategy to control workers to maintain a regular flow of oil. There were no reports of killings, arrests, threats, or unfair dismissal of union leaders and members by government or employers.

The government restricted the right to strike. Police could break up any strike conducted without prior government approval. In September 2012 health-care workers mounted a strike without prior approval from the government, and police forces broke up the strike demonstrations.

Migrant workers and some ethnic minorities were unaware of their legal rights, suffered from discrimination, and lacked ready access to judicial remedies.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor, including that imposed on children. The government, however, did not effectively enforce the applicable laws. Enforcement proved challenging in rural areas and areas undergoing conflict.

The International Labor Organization (ILO) continued to urge the government to address continuing violations of forced labor. The ILO also expressed concern over the lack of accountability of perpetrators and insufficient victim rehabilitation measures. The ILO Conference Committee on the Observation of Standards reported in 2011 that there was no verifiable evidence to support the claim that forced labor had been completely eradicated.

Although the government continued to deny the existence of slave labor, according to a 2010 Committee for the Eradication of Abduction of Women and Children report, up to 10,700 South Sudanese, Rizeigat, and Misseriya abductees from the Second Sudanese Civil War possibly remained in captivity in Southern Kordofan and parts of greater Bahr al-Ghazal. It was not clear whether they remained in

captivity. The government stated it investigated and prosecuted cases of forced labor but did not compile comprehensive statistics on the subject.

Representatives of the Eritrean community in Khartoum stated undocumented Eritreans in the capital were subject to abusive work conditions. They also reported many undocumented workers did not report abuse out of fear the authorities might deport them to Eritrea because of their illegal status.

The forcible recruitment of persons into armed groups continued (see section 1.g.).

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/.

c. Prohibition of Child Labor and Minimum Age for Employment

The interim national constitution mandates protection of children from exploitation. The Child Act of 2010 defines children as persons younger than 18; however, the act does not explicitly prohibit child labor. The labor law does not clearly define the age for child labor, but its provisions suggest age 12 is the minimum age for employment. The Ministry of Social Welfare, Women, and Child Affairs is responsible for enforcing child labor laws.

The law prohibits the employment of young persons in hazardous industries and jobs, in jobs requiring significant physical effort, or that are harmful to their morals. The law also prohibits the employment of young persons between 8 p.m. and 6 a.m., although authorities may exempt young persons ages 15 and 16 from this restriction. It is illegal to employ children under the age of 12, except in state vocational-training schools and training workshops and jobs performed under apprenticeship contracts. Work supervised by family members that does not include nonfamily members, such as on family farms, is also excluded from these provisions.

The law allows minors to work for seven hours a day broken by a period of one paid hour of rest. It is illegal to force minors to work more than four consecutive hours, work overtime, or work during weekly periods of rest or on official holidays. The law prohibits employers from waiving, postponing, or reducing annual leave entitlements. The government did not always enforce such laws.

Child labor was a serious problem, particularly in the agricultural sector where the practice was common. Most child labor occurred in the informal sector including

in menial jobs for which the government lacked the resources to monitor comprehensively. Children were engaged in shining shoes, washing and fixing cars, collecting medical and other resalable waste, street vending, begging, agricultural work, construction, and other menial labor.

The use of child soldiers and child trafficking were problems. Late in the year, the courts heard cases against human traffickers, including at least one case involving the trafficking of children, in which the perpetrators were found guilty.

d. Acceptable Conditions of Work

In January, President Bashir issued a presidential decree increasing the minimum wage for public sector workers from 265 Sudanese pounds (\$46) per month to 425 Sudanese pounds (\$74). The minimum wage increase went into effect in December. Normally the High Council of Salary in the Ministry of Cabinet Affairs sets the minimum wage for the public sector. The minimum salary in the private sector is set by agreements made between individual industries and the High Council of Salary and it varies among industries. An estimated 46 percent of Sudanese lived below the poverty line of 12 Sudanese pounds (two dollars) per day.

The law limits the workweek to 40 hours (five eight-hour days, which does not include a 30-minute to one-hour daily break), with days of rest on Friday and Saturday. Overtime should not exceed 12 hours per week or four hours per day, although some people do work more than this on occasion. The law provides for paid annual leave after one year of continuous employment and paid holidays after three months.

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

The above-mentioned safety laws do not apply to: domestic servants as defined by the 1955 Domestic Servants Act; casual workers; agricultural workers other than those employed in the operation, repair, and maintenance of agricultural machinery; enterprises that process or market agricultural products such as cotton gins or dairy product factories; jobs related to the administration of agricultural projects including office work, accountancy, storage, gardening, and livestock husbandry; and, family members of an employee who live with the employee and who are completely or partially dependent on him for their living.

The Ministry of Labor, which maintained field offices in most major cities, is responsible for enforcing these standards. There were various types of labor inspectors, including specialists on labor relations, labor conflicts, and vocational, health, and recruitment practices. They operated on both federal and state levels.

Standards were not effectively enforced. Although employers generally respected the minimum wage law in the formal sector, in the informal sector wages could be significantly below the official rate. Since enforcement by the Ministry of Labor was minimal, working conditions generally were poor. Inspection efforts and enforcement were generally minimal in both the formal and informal sectors.

Wage, overtime, and OSH standards violations were common in the industrial and informal labor sectors, especially in areas of agriculture and pastoral work. Foreign migrant workers, youth, and female workers typically face the most exploitative working conditions. A significant number of workers were in the informal economy, with an estimated 60 percent of the workforce directly engaged in the informal sector, according to the *2012 Africa Economic Outlook*. There was no credible data on workplace fatalities and accidents.