

21 September 2015

**25th session of the UPR
April-May 2016**

SOUDAN

During the first cycle of the UPR, which examined the situation of the Soudan in May 2011, the country received and accepted several recommendations regarding the freedom of the press.

They focused on asking the government of Sudan to guarantee the rights of journalists to conduct their work free of harassments, arbitrary arrests, violence and intimidations and to investigate such violations. They asked that Sudan respect the rights to freedom of expression by allowing journalists to express their views freely in line with international human rights law. They recommended the amendment of the 2009 press code to meet international standards. In the months following this review, on 27 August 2011, Sudan's president Omar El Beshir did order the release of all imprisoned journalists, sending a brief message of hope.

Unfortunately this was short-lived. During the period under review, Reporters Without Borders (RSF) has found that the Sudanese government and its security services, the National Intelligence and Security Services (NISS) are directly responsible for over half of the violations of the press that occurred.

The following recommendations were made to Sudanese authorities :

Bring the 2009 Press and Publications Act in line with its international obligations, and put in place effective enforcement measures

Between 2011 and 2015, the 2009 Press act has not been reformed to meet international standards. On the contrary the 2012 draft of the Press and Publication Act raised the maximum time of force closure of newspapers from 3 to 10 days (sic) and allowed the detention of journalist because of their work, after informing the journalists union about the détentio...

Respect the rights to freedom of expression, association and assembly by allowing human rights defenders, political dissidents and journalists to express their views freely in line with international human rights law

The general climate for the media is one of uncertainty, some governments verbal declarations being enforced as if it were law, other announcements never followed through. The list of subjects to be avoided is ever extending, for instance security, corruption, prices of fuel...

On 19 May 2015 the presidency issued a message to journalists warning them to stay within "red lines" and accused journalists of threatening national security by reporting on the military and other government matters. But other issues linked to human rights are also taboo. **In July 2011, nine journalists[1] were tried or investigated** for having reported on a woman activist's claims that she was raped by members of the security forces. Two women

journalists, **Amal Habani** and **Fatima Ghazali**, were arrested and condemned respectively to one month in prison and a fine.

In September 2014, the minister of interior announced that the government would suspend exceptional measures, including pre-publication censorship imposed by the NISS on print media. However, sadly, 2015 has been a record year in terms of confiscation of print media by the authorities.

Censorship is also enforced in very concrete manners by the authorities :

For instance, on 25 September 2013, during a wave of protests against President Omar Al-Bashir's government, the [authorities simply cut off the Internet for about 24 hours](#). The same day, the NISS summoned the editors of the main newspapers to its headquarters and forbade them from publishing any information about the protests that did not come from government sources. Several journalists were beaten and harassed, among which **Ameer Hassan**, *Al-Hurra*'s correspondent in Wad Madani who was detained after covering the demonstrations, or *Sky News* reporter **Tarig Altigani** and *Al-Masa TV* reporter **Solafa Abu Dafira** both summoned by the NISS.

But most of the time, censorship is done through less spectacular means, by seizing the printed editions of newspapers or forced closure of news outlets. This is such a frequent occurrence that most editors do not bother reporting it anymore to watchdog groups.

Reporters Without Borders was able to confirm that at least 86 newspapers print editions were seized during the period under review, and 44 news outlets were closed or suspended, sometimes for several months. *Al Tayar* closed in 2012 and reopened only in March 2014, *Al Midan*, the newspaper of the communist party was suspended from mid- 2012 to June 2013. In February 2015, the NISS seized simultaneously a record 14 newspapers on the same day. The Sudanese authorities deliberately use these tactics to economically asphyxiate newspapers. In a restricted market, they can only difficultly afford to remain without publishing for several months once they are suspended. When print editions are seized, the newspapers have to bear the costs associated with the printing without being able to sell the copies.

Ensure effective protection of journalists and human rights defenders against intimidation, harassment, arrest and detention

Journalists are routinely arrested and detained for undetermined periods ranging from a few hours to several weeks, most of the time without ever seeing a judge or being charged. They have no way of knowing whether it will be a simple questioning or the beginning of a judicial nightmare, thus living in a constant state of fear. The NISS is let free to come up with anything it wishes to charge journalists with, protected by a 2010 immunity law that grants them all means they judge necessary to fulfil their mandate.

During the period under review, RSF has recorder at least 96 cases of arbitrary arrest, detention or violence against journalists. In 2015 alone, 34 cases were reported of direct action by authorities against journalists including detention, arrest, summons to appear and interrogation. Nine female journalists were subject to abuses by the police, 20 by the National Intelligence and Security Services (NISS).

In 2014 alone, the office of the prosecutor for press and publications disclosed that 256 charges had been filed against journalists and newspaper. Journalists regularly complain that they are being prosecuted under three different Acts at the same time: the criminal code, the press and publications Act and the national security Act which allows the security services to summon and detain journalists. [2]

- **Madeeha Abdella**, editor-in-chief of the Sudan Communist Party newspaper *Al-Midan*, has been charged with crimes against the State by the NISS and faces a possible death sentence,

following an interview with one of the military commanders of the Sudan People's Liberation Movement-North (SPLM-N)

While in detention, journalists are often subjected to violent treatments amounting to physical and psychological torture.

- On 23rd of May 2014 the NISS detained **Amir Al-Suni Banaga**, a journalist working with the daily newspaper *Al Khartoum*. Amir was subjected to torture while in détention. He had been covering a demonstrations staged by supporters of the National Umma Party (NUP).

- Journalist **Somaia Ibrahim Ismail "Hundosa"** was abducted on 29 October 2012 and tortured for three days by NISS officers who accused her of opposition to the government of President Omar al Bashir. She has now fled the country.

[1] **Faisal Mohamed Salih, Babikir Omer Al-Garrai, Abdalla Al-Shaik, Mohamed Latif, Faiz Al-Selaik, Mohamed Osman and Dr. Nahid Al-Hassan.**

[2]<https://www.amnesty.org/press-releases/2015/04/sudan-state-sponsored-assault-on-freedom-of-expression-around-elections/>