

Statement on the Erosion of the Right of Freedom of Expression in Sudan

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Over the last year repression of freedom of expression and of the media has intensified in Sudan. Daily newspapers have been suspended, printed newspaper editions and equipment confiscated, in addition to increased harassment, arrest, detention and interrogation of journalists and preferring of criminal and civil charges.

In particular, the government authorities have begun to once more employ an old tool to undermine independent media, a procedure which had not been used since before the Comprehensive Peace Agreement (CPA). This pre-censorship process involves the appointment of a security officer attached to each newspaper who every evening reviews the text of the edition and decides which articles are to be cut or re-written, columns excised or whole pages and sections removed. On some occasions the entire edition has been pulled. Where last minute censorship is imposed on a newspaper there is, of course, little which can be done in terms of re-framing, and significant financial and reputation loss can result if the newspaper cannot issue – or indeed more if the entire print run is confiscated. This impact of this practice has been exacerbated by the fact that the censorship criteria are not fixed and it is very difficult to predict and prevent being censored.

The current escalation in repressive measures against the independent media began in February 2008, immediately after the attempted coup in Chad in which the government of Chad alleged the government of Sudan was complicit. The authorities called a meeting with editors, warning of the need to be very sensitive about writing about the events in Chad – this of course sent a clear message that the matter should not be reported. Media which ignored this warning suffered censorship and harassment and some newspapers were temporarily closed.

The 10 May attack on Khartoum by the opposition Justice and Equality Movement only exacerbated the situation. Newspapers were prevented from reporting on both the nature of the attack itself and the response by the government of Sudan, including extrajudicial killings and the subsequent widespread arrests of civilians, mostly of Darfurian origin, followed by incommunicado detentions and unfair trials. Even reporting on humanitarian efforts was subject to control. The work (activities/press conferences) of the National Committee for the Defence and Protection of the Affected Persons of the 10 May events – the civil society initiative which attempted to bring together all parts of Sudanese civil society in solidarity to respond to the targeting of Darfurians -- was reported internationally but not in Sudan due to censorship.

The request of the Prosecution of the International Criminal Court for an arrest warrant for the President of Sudan, Omar El Bashir, in July 2008 started a third, more severe and all-encompassing wave of censorship. In fact the censorship targets are no longer specific



events but seem to encompass any opinion or fact reporting which tends to criticize or reflect negatively on the National Congress Party, the senior government partner. This has impacted everything from analysis of the actions of government officials, criticism of the People of Sudan Initiative on Darfur, to discussion of the fight against corruption and writing about higher education policy. An absolute line has been drawn with respect to any discussion of issues such as justice—even objective legal analysis—security measures, criticism of the president, and also of the large scale development induced displacement ongoing in the North of the country.

In November 2008 independent journalists and civil society, led by the newspaper Ajrass Alhurria, began to organise in resistance to these security measures against the independent media through demonstrations, a publishing strike of five leading independent newspapers for three days (Ray Alshaab, Almidan, the Citizen Khartoum Monitor and Ajrass Alhurria) and a 24 hour hunger strike. In response, the authorities cordoned off the office of Algrass Alhuriya during its press conference on these actions, preventing the access of international media and photographers and journalists.

Cases are pending before the Sudanese Constitutional Court to confirm that current statute law and practice on freedom of expression and media regulation is in conflict with the CPA and Interim Constitution and law reform of the publication and press act, the national security and the penal code has been planned. These measures are unquestionably unconstitutional and contrary to Sudan's international law obligations, including those under the African Charter on Human and Peoples Rights.

The attempt to further curb freedom of expression in Sudan is dangerously undermining the independence and professionalism of journalists and the media, at such a critical political moment for the future of Sudan. These security measures have serious direct implications for the protection of human rights, democratic transition and international cooperation more broadly, affecting *inter alia* reporting on the Darfur and other related conflicts, monitoring of the implementation of the CPA and prospects for the free and fair conduct of the upcoming elections in 2009.

Further, at a time when the government of Sudan is eager to demonstrate to the international community that it is serious about finding a solution to the conflict and human rights catastrophe in Darfur, protection of the right of freedom of expression is a critical indicator of a credible intention.

Submitted by the *Rencontre Africain pour la Defense des Droits de l'Homme* on behalf of

**Sudan Centre for Justice and Peace,
Khartoum Centre for Human Rights and Environmental Development,
The Darfur Consortium,
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Strategic Initiative on Women in the Horn of Africa**

