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# Sudan: Query Response

The situation in Khartoum and Omdurman – An update

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13 September 2018 (COI up to 9 July 2018)

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## Explanatory Note

This report presents country of origin information (COI) on Sudan specifically in relation to the situation in Khartoum and Omdurman from 19<sup>th</sup> August 2015 up to 9<sup>th</sup> July 2018 on issues identified to be of relevance in refugee status determination for Sudanese nationals. This report is an update of ARC's [Situation in Khartoum and Omdurman](#) report published 9 September 2015.

ARC was instructed to research the following issues:

*What are the living conditions and treatment of those persons who habitually reside in Khartoum or Omdurman, especially those who are not originally from there, focusing on:*

- *Darfuri*
- *Nuba* [Note: Not to be confused with the Nubian of north Sudan]
- *Other ethnic and/or religious minorities*
- *Students, political activists, human rights activists and journalists who are not originally from these cities or who support persons not originally from there*
- *IDPs*
- *Returnees*
- *Women* [Note: Mainly general information on the situation and treatment of women was found amongst the sources consulted unless specified]
- *Children* [Note: Mainly general information on the situation and treatment of children was found amongst the sources consulted unless specified]
- *Individuals of diverse sexual orientation or gender identity* [Note: Mainly general information on the situation and treatment of individuals of diverse sexual orientation or gender identity was found amongst the sources consulted unless specified]

The COI presented is illustrative, but not exhaustive of the information available in the public domain, nor is it determinative of any individual human rights or asylum claim. All sources are publicly available and a direct hyperlink has been provided.

A list of sources and databases consulted is also provided, to enable users to conduct further research and to conduct source assessments. Research focused on **events** from 19<sup>th</sup> August 2015 with special focus on sources published in 2017 and 2018 where applicable. Only annual reports covering 2017 onwards have been included. All sources were accessed in July 2018.

This document is intended to be used as a tool to help identify relevant COI and the COI referred to in this report can be considered by decision makers in assessing asylum applications and appeals. **This report is not a substitute for individualised case-specific research and therefore this document should not be submitted in isolation as evidence to refugee decision-making authorities.** Whilst every attempt has been made to ensure accuracy, the authors accept no responsibility for any errors included in this report.

## Sources and databases consulted

Not all of the sources listed here have been consulted for each issue addressed in the report. Additional sources to those individually listed were consulted via database searches. This non-exhaustive list is intended to assist in further case-specific research. To find out more about an organisation, view the 'About Us' tab of a source's website.

### Databases

[Asylos's Research Notes](#)  
[EASO COI Portal](#)  
[European Country of Origin Information Network \(ECOI\)](#)  
[Relief Web](#)  
[UNHCR Refworld](#)

### News

[Afol News](#)  
[All Africa](#)  
[Al Jazeera](#) [Sudan pages]  
[Inter Press Service](#)  
[IRIN news](#) [Sudan pages]  
[Radio Dabanga](#)  
[Reuters Africa](#) [Sudan pages]  
[Sudan Tribune](#)

### Sources

[28 too Many](#) [FGM]  
[76 Crimes](#) [LGBT]  
[Aidsmap](#)  
[Armed Conflict Location & Event Date Project \(ACLED\)](#) [Sudan pages]  
[Article 19 \[Freedom of expression and information\]](#)  
[Aegis Trust](#)  
[African Arguments](#) [Sudan pages]  
[African Studies Centre Leiden](#)  
[Africa Center for Strategic Studies](#)  
[African Centre for the Constructive Resolution of Disputes \(ACCORD\)](#)  
[African Centre for Justice and Peace Studies \(ACJPS\)](#)  
[Africa Review](#)  
[Amnesty International](#) [Sudan pages]  
[Anti Trafficking and Labour Exploitation Unit \(ATLEU\)](#)  
[Assessment Capacities Project \(ACAPS\)](#) [Sudan pages]  
[Association for the Prevention of Torture](#)  
[Atlantic Council](#)  
[Atlas of Torture](#)  
[Avert](#) [HIV/AIDS]  
[Brookings Institution](#)  
[Cairo Institute for Human Rights Studies](#) [Sudan pages]  
[Carnegie Endowment for International Peace](#)  
[Centre for Security Governance](#)  
[Centre for Strategic and International Studies](#)



[Child Rights International Network](#) [Sudan pages]  
[Child Soldiers International](#)  
[Christian Solidarity Worldwide](#)  
[The Christian Post](#)  
[CHR Michelsen Institute](#) [Sudan pages]  
[CIA World Factbook](#) [Sudan pages]  
[Combatting Terrorism Center](#)  
[Committee to Protect Journalists](#) [Sudan pages]  
[Death Penalty Worldwide \(Cornell Law School\)](#)  
[Doctors Without Borders](#)  
[The Economist Intelligence Unit](#) [Sudan pages]  
[EASO's List of sources in its report 'Researching the situation of lesbian, gay, and bisexual persons \(LGBT\) in countries or origin'](#)  
[Edge Media Network](#) [LGBT]  
[Eldis](#)  
[Enough Project](#)  
[Equal Rights Trust](#)  
[Eric Reeves, Sudan Research, Analysis, and Advocacy](#)  
[European Council on Foreign Relations \(ECFR\)](#)  
[European Institute of the Mediterranean \(IEMed\)](#)  
[Foreign Affairs \(published by Council on Foreign Relations\)](#) [Sudan pages]  
[Freedom House – Freedom in the World 2018](#) [Sudan pages]  
[Frontline Defenders](#)  
[Fund for Peace – Fragile States Index 2018](#)  
[Gay Star News](#)  
[Global Aids Program Henry J. Kaiser Family Foundation](#)  
[Global Coalition to Protect Education from Attack](#) [Sudan pages]  
[The Global Forum on MSM and HIV](#)  
[Global Fund for Peace](#)  
[Global Gayz](#)  
[Global Initiative on Psychiatry](#)  
[GlobalSecurity.org](#)  
[Governance Social Development Humanitarian Conflict \(GSDRC\)](#)  
[Hands off Cain](#)  
[Heidelberg Institute for International Conflict Research](#)  
[Hot Peach Pages](#) [DV]  
[Hudo Centre](#)  
[Humanitarian Response](#) [Sudan pages]  
[Hudson Institute](#)  
[Humanitarian Aid Relief Trust](#) [Sudan pages]  
[Humanity & Inclusion \[formerly Handicap International\]](#)  
[Human Rights Watch](#) [Sudan pages]  
[Human Security Baseline Assessment for Sudan and South Sudan/Small Arms Survey](#)  
[Immigration and Refugee Board of Canada](#)  
[Institute for Human Rights and Development in Africa](#)  
[Institute for Economics & Peace – Global Peace Index 2018](#)  
[Institute for the Study of War](#)  
[Institute for War and Peace Reporting](#)  
[Internal Displacement Monitoring Centre \(IDMC\)](#) [Sudan pages]  
[Inter-African Committees on Traditional Practices](#)  
[International Alert](#)



[International Bar Association](#)  
[International Centre for Prison Studies](#)  
[International Commission of Jurists](#)  
[International Committee of the Red Cross \(ICRC\)](#)  
[International Crisis Group](#) [Sudan pages]  
[International Disability Alliance](#)  
[International Federation for Human Rights](#) [Africa pages]  
[International Office for Migration Sudan Mission](#)  
[International Federation of Journalists](#)  
[International Freedom of Expression Exchange](#)  
[International Institute for Strategic Studies](#)  
[International Labour Organisation \(ILO\)](#) [Sudan pages]  
[International Lesbian, Gay, Bisexual and Trans and Intersex Association \(ILGA\)](#)  
[International Organization for Migration \(IOM\)](#)  
[International Refugee Rights Initiative](#)  
[International Rehabilitation Council for Torture Victims](#)  
[International Rescue Committee](#)  
[IPI Global Observatory](#)  
[Jamestown Foundation](#)  
[Kaleidoscope Trust](#) [LGBT]  
[Landmine & Cluster Munition Monitor](#)  
[Long War Journal](#)  
[Medecins Sans Frontieres/Doctors Without Borders](#) [Sudan pages]  
[Minority Rights Group International](#)  
[Minorities at Risk Project](#)  
[National Consortium for the Study of Terrorism and Responses to Terrorism \(START\) – Global Terrorism Database \(GTD\)](#)  
[Nuba Reports](#)  
[Oakland Institute](#)  
[OECD’s Social Institutions & Gender Index](#)  
[Open Society Foundations](#)  
[Orchid Project](#) [FGM]  
[Organization for Refuge, Asylum & Migration \(ORAM\)](#)  
[Out Right Action International](#) [LGBT]  
[Overseas Development Institute \(ODI\)](#)  
[Oxfam](#)  
[Peace Women](#)  
[Penal Reform International](#)  
[Physicians for Human Rights](#)  
[Pink News](#) [LGBT]  
[Refugees International](#)  
[Rift Valley Institute](#)  
[Reporters Without Borders](#)  
[Right to Education](#)  
[Saferworld](#)  
[Save the Children](#)  
[Sexual Rights Initiative](#) [LGBT]  
[Small Arms Survey](#)  
[SOGICA Database](#) [LGBT]  
[South Kordofan Blue Nile Coordination Unit \(SKBLCU\)](#)  
[Sudan Democracy First Group](#)

[Strategic Initiative for Women in the Horn of Africa](#)  
[Sudan Consortium](#)  
[Sudan Social Development Organisation](#)  
[Stop FGM Now](#)  
[Their World](#)  
[Transparency International](#)  
[UK Foreign and Commonwealth Office](#) [Annual Human Rights Report 2017]  
[UNAMID](#) [UN African Union Hybrid Operation in Darfur]  
[United Nations Children’s Fund \(UNICEF\)](#) [Sudan pages]  
[United Nations Committee Against Torture](#)  
[United Nations Committee on Economic, Social and Cultural Rights](#)  
[United Nations Committee on the Elimination of Discrimination Against Women](#)  
[United Nations Committee on Enforced Disappearances](#)  
[United Nations Committee on the Rights of the Child](#)  
[United Nations Committee on the Rights of Persons with Disabilities](#)  
[United Nations Development Programme \(UNDP\)](#) [Sudan page]  
[United Nations High Commissioner for Refugees \(UNHCR\)](#)  
[United Nations Human Rights Council](#)  
[United Nations Human Settlements Programme \(UNHABITAT\)](#)  
[United Nations Independent Expert on the situation of human rights in the Sudan](#)  
[United Nations News Centre](#)  
[United Nations Office for the Coordination of Humanitarian Affairs \(UNOCHA\)](#)  
[United Nations Office on Drugs and Crime \(UNODC\)](#)  
[United Nations Office of the High Commissioner for Human Rights \(OHCHR\)](#)  
[United Nations Office of the Special Representative of the Secretary-General for Children and Armed Conflict](#)  
[United Nations Population Fund \(UNPFPA\)](#)  
[United Nations Office on Drugs and Crime \(UNODC\)](#)  
[United Nations Secretary General](#)  
[United Nations Women](#)  
[United Nations Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context](#)  
[United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions](#)  
[United Nations Special Rapporteur on extreme poverty and human rights](#)  
[United Nations Special Rapporteur on freedom of religion or belief](#)  
[United Nations Special Rapporteur on the Independence of Judges and Lawyers](#)  
[United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression](#)  
[United Nations Special Rapporteur on the right to education](#)  
[United Nations Special Rapporteur on the sale of children, child prostitution and child pornography](#)  
[United Nations Special Rapporteur on the situation of human rights defenders](#)  
[United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment](#)  
[United Nations Special Rapporteur on trafficking in persons, especially in women and children](#)  
[United Nations Special Rapporteur on violence against women, its causes and consequences](#)  
[United Nations World Food Programme \(WFP\)](#)  
[United States Institute of Peace](#)  
[United States Congressional Research Service](#)  
[United States Department of State](#) [Annual human rights report; annual religious report; annual labour report; annual trafficking report; annual terrorism report]  
[Unrepresented Nations and People’s Organisation](#)

[Uppsala Universitet – UCDP Conflict Encyclopedia](#)  
[Validity](#) [Mental health]  
[Waging Peace](#)  
[Walk Free Foundation > The 2018 Global Slavery Index](#)  
[Women Under Siege Project](#)  
[World Bank](#) [Sudan pages]  
[World Health Organisation \(WHO\)](#) [Sudan pages]  
[Watchlist on Children and Armed Conflict](#)  
[World Organisation Against Torture](#)  
[World Prison Brief](#)  
[Women Living Under Muslim Laws](#)  
[Women News Network \(WNN\)](#)  
[Women’s Refugee Commission](#)  
[WorldWatch Monitor](#) [Sudan pages]

## List of Acronyms

<b>A-IO</b>	Army in Opposition
<b>ACPJS</b>	African Centre for Peace and Justice Studies
<b>DBA</b>	Darfur Bar Association
<b>EASO</b>	European Asylum Support Office
<b>EHAHRDP</b>	East and Horn of Africa Human Rights Defenders Project
<b>FCPU</b>	Family and Child Protection Unit
<b>FFM</b>	Fact Finding Mission
<b>FGM/C</b>	Female Genital Mutilation/Cutting
<b>HAC</b>	Humanitarian Aid Commission
<b>IDP</b>	Internally Displaced Persons
<b>JHR</b>	Journalists for Human Rights
<b>KIA</b>	Khartoum International Airport
<b>LGBTI</b>	Lesbian, Gay, Bisexual, Transgender and Intersex
<b>MEC</b>	Middle East Concern
<b>MWSS</b>	Ministry of Welfare and Social Security
<b>NCCW</b>	National Council for Child Welfare
<b>NCP</b>	National Congress Party
<b>NHRMO</b>	National Human Rights Monitors Organisation
<b>NISS</b>	National Intelligence and Security Service
<b>POP</b>	Public Order Police
<b>SAF</b>	Sudanese Armed Forces
<b>SCOC</b>	Sudanese Church of Christ
<b>SDFG</b>	Sudan Democracy First Group
<b>SIHA</b>	Strategic Initiative for Women in the Horn of Africa
<b>SLM</b>	Sudan Liberation Movement
<b>SOGI</b>	Sexual Orientation and Gender Identity
<b>SPEC</b>	Sudan Presbyterian Evangelical Church
<b>SPLM - N</b>	Sudan People's Liberation Movement - North
<b>SUDO</b>	Sudan Social Development Organisation
<b>UN HRC</b>	United Nations Human Rights Council
<b>UNICEF</b>	United Nations Children's Fund
<b>UPF</b>	United Popular Front
<b>USCIRF</b>	US Commission on International Religious Freedom
<b>WASH</b>	Water, Sanitation and Hygiene

## 1. Security situation, including evidence of attacks and other forms of ill-treatment of specific groups

### 1.1. Violence against members of specific groups

#### 1.1.1. Darfuri

For specific information on the treatment of Darfuri students see [1.1.4. Students, political activists, human rights activists and journalists who are not originally from these cities or who support persons not originally from there](#) and for specific information on the arbitrary arrest and detention of Darfuri students see [1.2.4. Students, political activists, human rights activists and journalists who are not originally from these cities or who support persons not originally from there](#).

#### Khartoum

According to sources interviewed by the UK Home Office – Danish Immigration Service fact finding mission to Kenya, Uganda and Sudan undertaken in February and March 2016, the size of populations from Darfur and Two Areas living in Khartoum is “ranging from hundreds of thousands and up to a million or greater. The highest figures estimated was five million [Faisal Elbagir, Journalists for Human Rights (JHR); The National Human Rights Monitors Organisation (NHRMO)]. Two sources referred to the size of these communities as 60 [The Khartoum based human rights organisation] or 70 per cent [Khartoum based Journalist (2)] of the total population of Khartoum”.<sup>1</sup>

With regards to trends in discriminatory practices, arrest and detention of Darfuris and those from the Two Areas “Several sources [Freedom House; Faisal Elbagir (JHR); Khartoum based Journalist (2); SDFG; Khartoum based journalist (3); the Khartoum based human rights organisation] noted that security operations, including arrest and detention, by the government, including the NISS was not constant, but changed over time. Freedom House noted, for example, that the intensity of security operations could be seen to reflect the wider political climate with periods when the government would act in a fairly repressive way but during other times persons were able to express their views without serious reaction. Referring more generally to the issue of discrimination and restriction of political freedoms, Crisis Group noted that the discriminatory practices suffered by Darfuris and persons from the Two Areas, were systematic, but not constant, and that there may be periods where discriminatory practices were more intensely pursued and conversely times when discrimination was less pronounced”.<sup>2</sup>

Citing a London based NGO, the joint report further explained that “A person from Darfur or the Two Areas could also be targeted even if they were not politically active. In the source’s view [...] ethnicity was highly politicised across Sudan, in particular in relation to those who were deemed to be supporters of the armed opposition groups based on a shared kinship”.<sup>3</sup>

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<sup>1</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 11

<sup>2</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 20

<sup>3</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish](#)

The same report further stated that “Four sources [a London based NGO; Crisis Group; Faisal Elbagir (JHR); East and Horn of Africa Human Rights Defenders Project (EHAHRDP)] observed that all communities from Darfur or the Two Areas in Khartoum could be at risk of mistreatment by the NISS [National Intelligence and Security Service] or indicated that persons from these communities may be targeted by the authorities due to their ethnicity alone. However, none of the sources provided specific information indicating that persons from Darfur or the Two Areas were being subjected to mistreatment by the authorities exclusively due to their ethnic background”.<sup>4</sup>

Further explaining the treatment of different ethnic groups, the fact-finding mission report noted that:

A number of sources [Freedom House; Western embassy (A); Western embassy (B); Khartoum based journalist (2); Khartoum based journalist (3); the Khartoum based human rights organisation; the UN official], however, noted that those from Darfur and the Two Areas, and in particular those of African ethnicity, were more likely to be viewed with greater suspicion and treated worse in detention than other tribes from Darfur and the Two Areas if they did come to the attention of the NISS [National Intelligence and Security Service] due to their political activity. [...]

Several sources [The London based NGO; Crisis Group; SDFG; DBA (Kampala); the diplomatic source; western embassy (B); Khartoum based journalist (2); Khartoum based journalist (3); the Khartoum based human rights organisation] noted that the Darfuri and the Two Area communities were perceived by the NISS to be ‘rebel sympathisers’ and consequently these communities would be more closely monitored by the NISS, for example through the use of informants. [...] DBA [Darfur Bar Association] (Kampala) and ACPJS [African Centre for Peace and Justice Studies] observed that those from other Darfuri tribes (i.e. not the Fur, Masalit and Zaghawa), would not generally be perceived as opposed to the regime or commonly associated with rebel groups and hence not being monitored by the NISS. However DBA (Khartoum) noted, in the context of how persons from Darfur and the Two Areas were treated on arrest, that other African Darfuri tribes, including the Tunjur, Meidob, Tama, Mima, Gimir and Dago tribes, were treated more harshly than Arab-origin tribes because the authorities assumed that these groups supported armed rebel groups. DBA (Kampala) also observed that activists of Arab origin may experience harsh treatment for advocating in favour of the rights of non-Arab tribes.<sup>5</sup>

With regards to societal treatment in Khartoum, including the prevalence of racial discrimination, sources interviewed as part of the fact-finding mission noted:

A number of sources [The London based NGO; Crisis Group; Faisal Elbagir (JHR); the senior staff member of an international organisation; the Khartoum based human rights organisation; the civil society NG; an international consultant; western embassy (C)] observed that persons from Darfur and the Two Areas, and in particular those of African descent, experienced some level of discrimination or societal harassment. To illustrate this, five sources [The International Consultant; the Khartoum based human rights organisation; NHRMO; the London based NGO; Western Embassy (C)] referred to the use of derogatory phrases such as ‘slave’, especially from those belonging to Riverine Arab tribes. Crisis Group noted that despite ‘systematic’ discrimination restricting those from Darfur and the Two

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[Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 102-103

<sup>4</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 21

<sup>5</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 21-22

Areas in conducting political activities, such communities were able to live 'day to day' in Khartoum. The source also considered that the level of discrimination an individual may experience was linked to how politically involved a person was and how long they had lived in the city; according to the source those with established links over a longer period would likely experience less discrimination in Khartoum. Western embassy (A) remarked that there was no visible societal discrimination against the Darfuri and persons from the Two Areas, except within the student community. [...]

Three sources [Faisal Elbagir (JHR); the Khartoum based human rights organisation; an international consultant] considered day to day discrimination from officials working in the Sudanese authorities to be reflective of a wider 'racist narrative' or supremacist ideology, which placed emphasis on a person's skin colour and was prejudicial towards those of African / non-Arab descent. Two sources [3 The London based NGO; EHAHRDP] considered societal discrimination and racism against persons from Darfur and the Two Areas as a major problem in Sudan.<sup>6</sup>

### Unspecified location

An April 2016 report by the UN Human Rights Council (UN HRC) stated that: "The Special Rapporteur [on violence against women] received allegations about targeted harassment of women from minority ethnic groups, including Darfuri and Nuba women. Their humiliation is in particular linked to their perceived racial identity and questioning of their "Arab" identity. Information was shared about the practice of cutting the hair of some women from Darfuri communities, as well as sexual harassment and/or rape allegedly conducted against both Darfuri and Nuba women by the State authorities. It was also reported that persons of Nuba origin had fewer job opportunities, might be more likely to be victims of violence or threats by the authorities, and were the target of discriminatory application of the law".<sup>7</sup>

#### 1.1.2.Nuba

For specific information on violence against Nuba women, see [1.1.7. Women](#).

### Khartoum

Regarding mistreatment of Nuba women by the Public Order Police, the joint fact-finding mission report of the Danish Immigration Service and UK Home Office cited Abdelrahman Elgasim, External Relations Secretary, Darfur Bar Association (DBA), who "mentioned cases of tea selling Nuba women being harassed in Khartoum for selling tea on the black market and referred to one case of a Nuba woman being sexually assaulted and killed by the local police".<sup>8</sup>

The report further stated with regards to the treatment of Nuba women in Khartoum that:

Some sources [Freedom House; EHAHRDP; ACPJS; Western Embassy (B)] noted that public order offences could also include matters such as not conforming to standards of Islamic dress (e.g. wearing trousers or not wearing a headscarf). Western embassy (B) explained that POP [Public Order Police]

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<sup>6</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, pp. 30/31

<sup>7</sup> United Nations Human Rights Council, [Report of the Special Rapporteur on violence against women](#), 18 April 2016, paragraph 33

<sup>8</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 41



would harass Christian Nuba women if they did not observe Islamic dress, explaining that such a person would be treated differently, for example compared to Western women or Coptic Christian women who did not observe Islamic dress. When the FFM [Fact Finding Mission] delegation advised Freedom House that they had seen a large number of women without a headscarf in the streets during their stay in Khartoum, Freedom House commented that such an indiscretion would be less problematic for those from wealthy families who were well connected, but it may give rise to difficulties for those from marginalised communities such as Darfur or the Two Areas. However, Freedom House also noted that small acts of political opposition, such as not wearing a headscarf, were increasingly tolerated and explained that Sudan was relatively more progressive in the implementation of such laws, then for example, countries like Iran.<sup>9</sup>

Citing a London based NGO, the joint report of the Danish Immigration Service and UK Home Office also explained that “A person from Darfur or the Two Areas could also be targeted even if they were not politically active. In the source’s view, this was the result of two main factors. Firstly, ethnicity was highly politicised across Sudan, in particular in relation to those who were deemed to be supporters of the armed opposition groups based on a shared kinship. Those of a Nuba descent were considered as supporters of the SPLM-N [Sudan People's Liberation Movement-North], an armed movement fighting against the Government in the Two Areas [...] were also similarly targeted as potential informers, members and so forth”.<sup>10</sup>

A joint report by the Strategic Initiative for Women in the Horn of Africa (SIHA) and The Redress Trust published in December 2017 explained that women from Nuba Mountains living in Khartoum, many of whom brewing and selling alcohol in order to support their families, represent the majority of those arrested for public order offences: “Alcohol has been criminalised in Sudan since 1983. Often women who have fled conflict are illegal brewers in the capital. For many Southern Sudanese who live in Khartoum, the brew and sale of alcohol is the only way to survive and maintain their families. The application of the criminal offence of manufacturing and selling alcohol affects persons belonging to this community disproportionately and harshly, given the cultural and economic context. Women from Nuba Mountains, many of whom engage in the brew and sale of alcohol are also caught up in the web of public order law enforcement”.<sup>11</sup> The same source further added that “Article 75 of the Criminal Act prohibits the brew and sale of alcohol by everyone, men and women. It is a gender neutral provision. However in practice, the majority of individuals arrested for these offences, as indicated by the research undertaken for this report, are women with roots in Nuba mountains or South Sudan, where the production, consumption and sale of alcohol is part of their way of life”.<sup>12</sup>

Waging Peace noted in a report dated March 2018 that “Individuals of Nuba ethnicity are at risk in Sudan, both as targets of a war effort in the region itself, and of the regime’s campaign of ‘Arabisation’ and association of ‘being Nuba’ with rebel loyalties, that makes them ready targets of persecution, ill-treatment, torture, or worse, and particularly so in Khartoum, where security, military, and police officials are headquartered”.<sup>13</sup>

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<sup>9</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 30

<sup>10</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 102-103

<sup>11</sup> REDRESS, [Criminalisation of Women in Sudan: a need for fundamental reform](#), 4 December 2017, p. 9

<sup>12</sup> REDRESS, [Criminalisation of Women in Sudan: a need for fundamental reform](#), 4 December 2017, p. 15

<sup>13</sup> Waging Peace, [Risk to individuals from Nuba Mountains in Sudan](#), March 2018, p. 1

### Omdurman

According to a September 2017 Morning Star News article “Elder Mahjoub Abotrin of the Sudanese Church of Christ (SCOC) was arrested from his home in Omdurman, across the Nile River from Khartoum, and was interrogated before he was released. It was not clear if he was charged with any offense, but sources said that he was arrested because of his refusal to hand over SCOC leadership to government-appointed leadership”.<sup>14</sup> The same source further noted with regards to the arrest that “Most SCOC members have roots among the ethnic Nuba in the Nuba Mountains of Sudan’s South Kordofan state, where the government is fighting an insurgency. The Nuba along with other Christians in Sudan face discrimination and harassment, as Sudanese President Omar Al-Bashir has vowed to introduce a stricter version of sharia (Islamic law) and recognize only Islamic culture and Arabic language”.<sup>15</sup>

### Unspecified location

An April 2016 report by the UN Human Rights Council (UN HRC) stated that: “The Special Rapporteur [on violence against women] received allegations about targeted harassment of women from minority ethnic groups, including Darfuri and Nuba women. Their humiliation is in particular linked to their perceived racial identity and questioning of their “Arab” identity. Information was shared about the practice of cutting the hair of some women from Darfuri communities, as well as sexual harassment and/or rape allegedly conducted against both Darfuri and Nuba women by the State authorities. It was also reported that persons of Nuba origin had fewer job opportunities, might be more likely to be victims of violence or threats by the authorities, and were the target of discriminatory application of the law”.<sup>16</sup>

The 2017 annual report on religious freedom from the US Department of State noted the targeting of membership of ethnic Nuba in the Sudanese Church of Christ stating that “Some observers stated a factor in the government’s intervention was that most SCOC members are ethnically Nuba, from the Nuba Mountains of South Kordofan state, where the government was fighting a continuing insurgency. The observers said the government has accused ethnic Nuba of supporting the 2011 secession and continuing conflict in the areas adjacent to the border with South Sudan and has thus targeted them for their religious and ethnic affiliations”.<sup>17</sup>

The 2018 US Commission on International Religious Freedom annual report on religious freedom (covering January 2017 to February 2018) provided an overview of the treatment of ethnic Nuba that are members of the Sudanese Church of Christ (SCOC):

The Sudanese government also sought to impose its preferred leadership on the SCOC [Sudanese Church of Christ], a majority ethnically Nuban congregation. The Ministry of Guidance and Endowments issued decisions to allow Northern Sudanese congregants to take over the SCOC’s leadership from ethnic Nubans. On August 23, the Ministry appointed an alternative SCOC Executive Committee. That same day, authorities arrested seven Nuban SCOC leaders: Executive Committee Chairman Rev. Ayoub Tiliyan, General Secretary/Moderator Rev. Ali Abdurahman, Missionary Office Director Rev. Kuwa Shamal, Director of Educational Affairs Elder Alamin Hassan, Accountant Elder Abulbagi Toto, Rev. Musa Kodi Jora, Rev. Abdo Atalmanan, and Rev. Yajoub Omer Nawai. On

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<sup>14</sup> Morning Star News, [Sudan Detains, Interrogates Elder in Campaign to Take over Church](#), 27 September 2017

<sup>15</sup> Morning Star News, [Sudan Detains, Interrogates Elder in Campaign to Take over Church](#), 27 September 2017

<sup>16</sup> United Nations Human Rights Council, [Report of the Special Rapporteur on violence against women](#), 18 April 2016, para. 33

<sup>17</sup> US Department of State, [2017 Report on International Religious Freedom - Sudan](#), 29 May 2018, *Government Practices*

September 19 and 22, respectively, authorities arrested Executive Committee member Amira Kia and Elder Mahjoub Abotrin. They were released the same day. On October 22, security forces arrested Rev. Tiliyan, Rev. Ali Haakim Al Aam, Pastor Ambrator Hammad, evangelist Habill Ibrahim, and Elder Abdul Bagi Tutu for holding a worship service at a closed SCOC church in Khartoum's Al-Thawra 29 neighborhood. The police released them that same night, but stated that their actions were "to maintain security" and "protect worshippers" because those arrested "did not comply" with the ministry's leadership decision.<sup>18</sup>

According to a June 2018 country update on Sudan, published by the US Commission on International Religious Freedom "Various ethnic groups, many who are Christian or follow a combination of Christian and other beliefs, are doubly marginalized and degraded, in comparison to white Arab and foreign Christians. These include Nuba and Fulani, as well as displaced persons from Eritrea and South Sudan".<sup>19</sup>

### 1.1.3. Other ethnic and/or religious minorities

#### Khartoum

According to sources interviewed by the UK Home Office – Danish Immigration Service fact finding missions to Kenya, Uganda and Sudan undertaken in February and March 2016, the size of populations from Darfur and Two Areas living in Khartoum is "ranging from hundreds of thousands and up to a million or greater. The highest figures estimated was five million [Faisal Elbagir, Journalists for Human Rights (JHR); The National Human Rights Monitors Organisation (NHRMO)]. Two sources referred to the size of these communities as 60 [The Khartoum based human rights organisation] or 70 per cent [Khartoum based Journalist (2)] of the total population of Khartoum".<sup>20</sup>

The same report noted that "Sources provided limited information on specific tribal representations or numbers in Khartoum. The civil society NGO referred to one million from the Fur tribe living in Greater Khartoum; the Khartoum based human rights organisation referred to about one million people from the Nuba Mountains living in Ombada and Khartoum East; whilst the international consultant noted that one could find Darfuris from all tribes living in Khartoum, although no reference was made to numbers or size".<sup>21</sup>

Citing a London based NGO, the joint report of the Danish Immigration Service and UK Home Office also explained that "A person from Darfur or the Two Areas could also be targeted even if they were not politically active. In the source's view, this was the result of two main factors. Firstly, ethnicity was highly politicised across Sudan, in particular in relation to those who were deemed to be supporters of the armed opposition groups based on a shared kinship. [...] members from the

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<sup>18</sup> US Commission on International Religious Freedom, [United States Commission on International Religious Freedom 2018 Annual Report](#), April 2018, p. 92

<sup>19</sup> US Commission on International Religious Freedom, [Country Update: Sudan](#), June 2018, p. 4

<sup>20</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 11

<sup>21</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 11

Ingessana – the same group to which Malik Agar, a leading figure of the SPLM-N, belonged – were also similarly targeted as potential informers, members and so forth”.<sup>22</sup>

Further explaining the treatment of different ethnic groups, the fact-finding mission report noted that:

A number of sources [Freedom House; Western embassy (A); Western embassy (B); Khartoum based journalist (2); Khartoum based journalist (3); the Khartoum based human rights organisation; the UN official], however, noted that those from Darfur and the Two Areas, and in particular those of African ethnicity, were more likely to be viewed with greater suspicion and treated worse in detention than other tribes from Darfur and the Two Areas if they did come to the attention of the NISS [National Intelligence and Security Service] due to their political activity.<sup>23</sup>

The same report further reported that:

ACPJS [African Centre for Peace and Justice Studies] did not have any specific evidence about the mistreatment of ordinary civilians from Darfur and the Two Areas, but commented that persons travelling from one of these conflict areas to Khartoum could experience harassment or intimidation by the authorities, especially if they were from one of the main tribes commonly affiliated to the rebel groups. According to ACPJS, this included the Fur, Masalit or Zaghawa from Darfur, or Nuba from Southern Kordofan. However, ACPJS had no specific evidence to indicate that persons from these tribes would be subject to targeted violence or arrest by the NISS [National Intelligence and Security Service] on account of their ethnicity alone. ACPJS explained that ethnicity was complicated and that ethnic disputes were often exploited by the government to pursue political goals. ACPJS highlighted that in general anyone who was suspected of political opposition against the government could be targeted, including persons from Arab tribes.<sup>24</sup>

The same report further stated that “Four sources [the London based NGO; Crisis Group; Faisal Elbagir (JHR); EHAHRDP] observed that all communities from Darfur or the Two Areas in Khartoum could be at risk of mistreatment by the NISS [National Intelligence and Security Service] or indicated that persons from these communities may be targeted by the authorities due to their ethnicity alone. However, none of the sources provided specific information indicating that persons from Darfur or the Two Areas were being subjected to mistreatment by the authorities exclusively due to their ethnic background”.<sup>25</sup>

Further explaining the treatment of different ethnic groups, the fact-finding mission report noted that:

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<sup>22</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [\*Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016\*](#), August 2016, pp. 102-103

<sup>23</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [\*Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016\*](#), August 2016, pp. 21-22

<sup>24</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [\*Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016\*](#), August 2016, p. 34

<sup>25</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [\*Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016\*](#), August 2016, p. 21

Some sources [The London based NGO; Crisis Group] also mentioned Ingessana from the Two Areas among the tribes being suspected by the authorities for political activity. Several sources [The London based NGO; Crisis Group; SDFG; DBA (Kampala); the diplomatic source; western embassy (B); Khartoum based journalist (2); Khartoum based journalist (3); the Khartoum based human rights organisation] noted that the Darfuri and the Two Area communities were perceived by the NISS to be 'rebel sympathisers' and consequently these communities would be more closely monitored by the NISS, for example through the use of informants. [...].<sup>26</sup>

A Khartoum based journalist interviewed as part of the fact finding mission held the view that it was only those communities arriving in Khartoum post 2003 who would be monitored".<sup>27</sup>

In its annual report covering 2017, Human Rights Watch noted that "In early 2017, officials in Khartoum announced they would demolish at least 27 churches within Khartoum; the decision was being challenged by a church organization. In May [2017], police and other security demolished a church in Soba area of Khartoum following a dispute over land ownership".<sup>28</sup>

The July 2017 report of the Independent Expert on the situation of human rights in the Sudan noted that "On 7 May 2017, the Sudanese authorities destroyed the Sudanese Church of Christ building in the Soba al-Aradi area of Khartoum. On 17 May 2017, the Sudanese Church of Christ building in Agadisia in Khartoum was also demolished. While the Government alleged that the demolition fell under the authority of planning authorities and also included also [sic] mosques, schools and homes that had been randomly and disorderly constructed, the Independent Expert has yet to receive a list of mosques, homes and schools that were demolished in those areas".<sup>29</sup>

The 2018 annual report on religious freedom (covering 2017) from the US Department of State similarly noted that "In July [2017] Khartoum State officials reportedly rescinded a 2016 order to demolish 25 churches; no further demolitions took place through the end of the year".<sup>30</sup>

The Economist reported in a September 2017 article on church demolitions in Khartoum stating that "Although foreigners focus on Sudan's central government, much of the repression is happening locally and sporadically. Church demolitions in Khartoum, for instance, are carried out by local authorities. Many suspect they are more interested in grabbing valuable land than in suppressing religious minorities. The governor of Khartoum, Abdel Rahim Muhammad Hussein, has threatened to kick out tens of thousands of South Sudanese refugees, many of whom are Christian. He claims they cause insecurity and spread disease. Such words are worrying when coming from a man who, like Mr Bashir, is wanted by the International Criminal Court on charges of crimes against humanity".<sup>31</sup>

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<sup>26</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, pp. 21-22

<sup>27</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, pp. 21-22

<sup>28</sup> Human Rights Watch, [World Report 2018 - Sudan](#), 18 January 2018, *Freedom of Religion*

<sup>29</sup> United Nations Human Rights Council, [Report of the Independent Expert on the situation of human rights in the Sudan](#), 27 July 2017, para. 30

<sup>30</sup> US Department of State, [2017 Report on International Religious Freedom - Sudan](#), 29 May 2018, *Executive Summary*

<sup>31</sup> The Economist, [Although persecuted, Sudan's Christian population is growing](#), 29 November 2017

## Omdurman

An April 2017 article published by Morning Star News reported on the killing of a Christian church elder in Omdurman:

A church elder on Monday (April 3) died from injuries sustained in a raid on an embattled Christian school by supporters of a Muslim business interest in Omdurman, Sudan, sources said [...]

Christians had staged a protest against the attempted seizure of the school by a Muslim businessman, they said. Police from the Omdurman Central Division along with a group supported by Sudan's Ministry of Guidance and Religious Endowment arrived at the school first and arrested all the men in an attempt to hand it over to the businessman, they said.

Advocacy group Middle East Concern (MEC) confirmed that after the arrests, about 20 men, including members of a committee the government has illegally imposed on the SPEC, arrived at the school with knives and other weapons and began to beat the women.

"Several men from the nearby Bahri Evangelical Church rushed to the church to try and protect the women," MEC leaders said in a statement. "The armed men attacked them, and two church members were stabbed." Elder Abdullah later died of his injuries, and a second church member, Ayoub Kumama, was treated at a nearby hospital and has been released, according to MEC.<sup>32</sup>

In a May 2017 article the World Watch Monitor reported on attacks against a Christian church in Omdurman:

Police and an armed mob occupied part of the Sudan Presbyterian Evangelical Church (SPEC) compound last Wednesday (26 April), reports Middle East Concern (MEC). It is the same location where, earlier this month, two church members were stabbed during a protest against appropriation of a school there.

The compound in Omdurman, across the Nile from the centre of the capital, Khartoum, includes houses, offices and the school premises. According to MEC the police and an armed mob attacked the compound and entered the home of SPEC guard Azhari Tambra and his family:

"Mr Tambra was away at the time and his wife and their three children (aged 6, 4 and 2) were arrested and held in custody for 12 hours. They were eventually released unharmed. However, their belongings were destroyed and they are no longer allowed access to their room. The police and the mob seem to have occupied part of the compound and access is being denied to anyone who wants to enter".<sup>33</sup>

## Khartoum & Omdurman

The Enough Project summarised in a December 2017 report attacks against Christians in Khartoum and Omdurman:

The more recent incidents of arrests and demolitions follow similar or more egregious reported past incidents, including:

The April 2017 killing of a church leader at Evangelical Church and School in Omdurman.

The orders for an August 2016 church demolition in the Alhaj-Yousif neighborhood of Khartoum North.

The heavily armed Sudanese government arrests in July 2016 of 19 Evangelical priests, sheikhs, and students who were staging a peaceful sit-in at the Evangelical School in Khartoum-North to protest the sale of church land by the government.<sup>34</sup>

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<sup>32</sup> Morning Star News, [Mob Kills Christian Elder at Evangelical School of Sudan in Omdurman](#), 5 April 2017

<sup>33</sup> World Watch Monitor, [Part of church compound in Sudan illegally occupied](#), 2 May 2017

<sup>34</sup> Enough Project, [Radical Intolerance Sudan's Religious Oppression and Embrace of Extremist Groups](#), December 2017, p. 5



### Unspecified location

The UN Committee on Economic, Social and Cultural Rights noted in October 2015 its concern with regards to “the discriminatory provisions affecting [...] religious minorities [...] that are still in force in the State party, including those contained in the Criminal Law Act, the Personal Status Act, the Public Service Regulations, the Social Insurance Act and the Sudanese Nationality Act. The Committee is also concerned at the lack of legislation to implement the constitutional and Covenant provisions on non-discrimination. Moreover, the Committee is particularly concerned at reports of discrimination of individuals on the basis of religion [...]”.<sup>35</sup>

Citing a Khartoum based journalist and the African Centre for Peace and Justice Studies, the joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi noted that “it was the type and level of political activity rather than one’s ethnic background which was the determining factor behind who was monitored and targeted by the NISS [National Intelligence and Security Service]. ACPJS [African Centre for Peace and Justice Studies] explained that ethnicity was complicated and that ethnic disputes were often exploited by the government to pursue political goals. ACPJS highlighted that in general anyone who was suspected of political opposition against the government could be targeted, including persons from Arab tribes”.<sup>36</sup>

In its August 2016 report on Sudan, Lifos, the Swedish Migration Agency’s expert institution for legal and country of origin information, provided the following analysis with regards to ethnic groups in Sudan:

Lifos notes that the government is dominated by Arab groups. Further, Lifos notes that both the cultural affiliation and the skin colour of a person are of importance in the Sudanese society. Reports from several initiated sources states that people are discriminated in the society because of their ethnicity. Which ethnic group a person belongs to affects the understanding of that person’s political affiliation. Lifos also observes that connection between some non-Arabic groups and rebel groups results in a situation where the authorities, to a large extent, view people from these ethnic groups as rebel affiliated. Lifos notes that there is reason to believe that the assessment by the Sudanese state’s different branches of which ethnic groups can be presumed to support or have connections to armed rebel groups, very likely is the same in Darfur as it is in Khartoum.<sup>37</sup>

A June 2018 country update on Sudan, published by the US Commission on International Religious Freedom, described the situation of religious minorities as follows: “Minority religious communities, including Christians and non-Sunni Muslims, face unique discrimination in Sudan. Seizure and demolition of churches continues to be a key religious freedom issue, and some view the demolitions as part of a systemic campaign against Evangelical churches. Government authorities tolerate proselytization by certain Muslim preachers, but not all, and it is prohibited for Christians. Christians repeatedly reported the inability to obtain permits to build churches or to obtain papers to validate their ownership of existing churches. Internal church conflicts have also contributed to

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<sup>35</sup> UN Committee on Economic, Social and Cultural Rights, [Concluding observations on the second periodic report of the Sudan](#), 27 October 2015, *Non-discrimination*, para. 19

<sup>36</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 21

<sup>37</sup> Lifos, [Sudan; En sammanfattande analys av säkerhetssituationen i Darfur, rättsväsendet samt civilas situation](#), 6 December 2016, p. 6



property disputes, where some pastors claim the government is supporting opposition church leaders to falsely represent the church and sell their property”.<sup>38</sup>

1.1.4. Students, political activists, human rights activists and journalists who are not originally from these cities or who support persons not originally from there

### Khartoum

Amnesty International in its report focusing on human rights violations against Darfuri students reported that in February 2016 ruling party affiliated students had reportedly assaulted a university professor: “Hamid Eldood Mahdi, previously an Associate Professor at Al Neelain University in Khartoum, was physically attacked by a group of ruling party affiliated students, who accused him of supporting and promoting the SPLM/A-N61 and other political opposition groups. On 18 February 2016, Hamid Eldood Mahdi was stopped by about eight students affiliated with the ruling party when he was leaving the university. They beat him up and threatened to kill him [...] Hamid Eldood Mahdi told Amnesty International he reported the incident to the police on the same day but they did not take any action. Hamid added that, on 21 March, he received a letter from the university suspending him from work as of 20 March 2016, pending investigation into the assault As far as Hamid was aware, no action had been taken against the ruling party affiliated students who attacked him. He decided to leave Sudan in early April 2016”.<sup>39</sup> The same source interviewed Jalal, presumably a Darfuri student, who told Amnesty International that “We live in very tough times here and in Darfur our families are displaced and homeless. When we try to explain such conditions to the students here in Khartoum, who have no idea about what is happening in Darfur, the government supporters attack us. They do not want the people to know what is going on in Darfur”.<sup>40</sup>

The Sudanese Rights Group (Hugoog) reported that in May 2016 “the National Students Fund –pro-government body, issued an order to the students to evacuee the dormitories within 24 hours, the majority of the students who are residing in the dorms from Darfur region, Red Sea State and Halfa North State, the NSF cut off the electricity, water and closed down all the shops inside the dorms, to force the students evacuate the dorms without providing any alternatives to them”.<sup>41</sup>

In September 2016 the Sudan Social Development Organisation (SUDO) documented the following incident against a Darfuri activist: “Two National Intelligence and Security Services (NISS) officials threatened a Darfurian activist by the name of Abd Al-Samad Abubakar Khalil near to El Fitihab Bridge in Khartoum. The activist, aged 33, was taking a morning walk at 06:30 when he was approached by the officers demanding to know what he was doing. Following the activists reply he was threatened by the NISS officers who informed him they were tracking his movements and were aware of his activities. They further threatened to torture him and at this moment ran towards his person. Abd Al-Samad Abubakar Khalil ran away though fell over and hit his head on the ground

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<sup>38</sup> US Commission on International Religious Freedom, [Country Update: Sudan](#), June 2018, p. 4

<sup>39</sup> Amnesty International, [‘Uninvestigated, unpunished’: Human rights violations against Darfuri Students in Sudan](#), January 2017, 1. Executive Summary, p. 5

<sup>40</sup> Amnesty International, [‘Uninvestigated, unpunished’: Human rights violations against Darfuri Students in Sudan](#), January 2017, 4. Suppression of freedom of association and peaceful assembly, p. 18

<sup>41</sup> Sudanese Rights Group (Hugoog), [Sudanese Rights Group – Alert Report](#), 5<sup>th</sup> May 2016, *Eviction of University of Khartoum Dorms*, p. 3

causing severe bleeding. The NISS officials left the scene at this point and local civilians helped the activist to hospital for treatment”.<sup>42</sup>

The 2018 US Department of State country report on Sudan (covering 2017) reported that “Government authorities detained members of the Darfur Students Association during the year. Upon release numerous students showed visible signs of severe physical abuse and reported they had been tortured. Government forces reportedly used live bullets to disperse crowds of protesting Darfuri students on multiple occasions, including at the University of Kordofan in Obeid in April [2017] and at Khartoum University and al-Zaeem al-Azhari University in May [2017]. Darfuri students also reported being attacked by NCP student-wing members during protests. There were no known repercussions for the NCP youth that participated in violence against Darfuri students”.<sup>43</sup>

The same source further documented that “In September [2017], NCP-aligned students killed three Darfuri students on the campus of Omdurman Islamic University in Khartoum. The authorities did not make public any investigation into the killings [...] There were credible reports of routine verbal and physical harassment by NCP-aligned students of Darfuri students”.<sup>44</sup>

The Sudanese Rights Group (Hugoog) reported in June 2017 that “police forces with support of the university of Khartoum police dispersed a group of students during their annual Ramadan Iftar gathering, the police used tear gas, sticks and black hoses to disperse the crowd [sic] near the university main gate (Alnashat), according to one student the police forces beat more than 25 students with sticks and hoses the police also beat Mr. Ismat Mahmoud a professor at university of Khartoum faculty of arts, department of Philosophy and Vice Dean of the Faculty of Arts, who was attending the Iftar gathering with the students”.<sup>45</sup>

### Omdurman

Amnesty International in its report focusing on human rights violations against Darfuri students reported that in October 2015 at the University of the Holy Quran and Islamic Sciences in Omdurman, the “Darfur Students’ Association organized a sit-in demanding implementation of the fees exemption policy. Students taking part in this sit-in were physically assaulted by students affiliated with the ruling party using iron bars and knives. Dozens of Darfuri students were arrested by the police and the NISS, and four expelled from the university”.<sup>46</sup> The report does not make it clear whether the students were attacked and arrested because of their affiliation or because of their protest. Similarly, the same source noted that “Between 2014 and 2016, at least 70 students from Darfur were expelled from three universities [...] The Holy Quran and Islamic Sciences University in Omdurman, Khartoum expelled four students, also for protesting to demand fee waivers in December 2015”.<sup>47</sup> Again it is not made explicit whether these expulsions were instigated by the student’s ethnicity/region of origin or the fact that they had been protesting.

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<sup>42</sup> Sudan Social Development Organisation (SUDO), [Human Rights Abuses in Sudan over the Month of September 2016](#), September 2016, Khartoum

<sup>43</sup> US Department of State, [Country Report on Human Rights Practices 2017 - Sudan](#), 20 April 2018, Section 1., c. *Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*

<sup>44</sup> US Department of State, [Country Report on Human Rights Practices 2017 - Sudan](#), 20 April 2018, Section 1., a. *Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings*

<sup>45</sup> Sudanese Rights Group (Hugoog), [Human Rights Monitoring 1<sup>st</sup> – 30<sup>th</sup> June 2017 Report, Sudan Issue: 15](#), June 2017, *Human Rights Violations Monitoring: Use of Force against University of Khartoum Students*, p. 2

<sup>46</sup> Amnesty International, [‘Uninvestigated, unpunished’: Human rights violations against Darfuri Students in Sudan](#), January 2017, 1. *Executive Summary*, p. 5

<sup>47</sup> Amnesty International, [‘Uninvestigated, unpunished’: Human rights violations against Darfuri Students in Sudan](#), January 2017, 1. *Executive Summary*, p. 6

In April 2016 a 20 year-old university student, Mohammed Al Sadiq, a member of the Nuba Mountains Student Union who had participated in a forum on campus to discuss an attack earlier that week by ruling party students against a blind student and Nuba Mountains student union member, was shot by security agents.<sup>48</sup> The killing sparked nationwide protests, whilst in June 2016 security forces arrested 14 youths associated with the Nuba Mountain Student Association after they “attempted to hold a commemorative event for Al-Sadiq.”<sup>49</sup>

In October 2016 Radio Dabanga reported that “Haroun, a Darfuri student at the Islamic University of Omdurman was found ‘electrocuted’ [...] According to the Darfuri students association at Haroun’s university, the hospital where his body was examined provided a death certificate that stated it showed signs of torture. However, security officers confiscated the certificate and obtained a medical report from another hospital, stating otherwise”.<sup>50</sup>

The 2018 US Department of State country report on Sudan (covering 2017) reported that “Security forces conducted multiple raids on Darfuri students’ housing throughout the year, including at Bakht al-Rida and al-Azhari Universities in May and Omdurman Islamic University in August. During the raids NISS confiscated the students’ belongings, such as their laptops, school supplies, and backpacks. As of year’s end, the students’ belongings had not been returned”.<sup>51</sup>

In December 2017 Radio Dabanga reported that “The Darfuri Students Association at the University of the Holy Koran in Omdurman has accused the university administration of withholding the graduation certificates of a number of Darfuri students without clarifying the reasons. They have given the dean of students two days to hand over the certificates to the Darfuri students and threatened to escalate the case in the event the students do not receive their certificates”.<sup>52</sup>

### Khartoum & Omdurman

Human Rights Watch noted in a March 2016 report that “Nuba women activists working with displaced communities in Khartoum and Omdurman have also been targeted for rape and sexual violence, often by security personnel who accused them of supporting the rebel Sudan People’s Liberation Movement-North. In many of these cases the women activists were themselves displaced, from marginalized communities, and did not have resources or contacts with relevant organizations to protect themselves from possible abuses”.<sup>53</sup>

### Unspecified location

Citing a Khartoum based journalist and the African Centre for Peace and Justice Studies, the joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi noted that “it was the type and level of political activity rather than one’s ethnic background which was the determining factor behind who was monitored and targeted by the NISS [National Intelligence and Security Service]. ACPJS [African Centre for Peace and Justice Studies] explained that ethnicity was complicated and that ethnic disputes were often exploited by the government to pursue political goals. ACPJS highlighted that in general anyone who was

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<sup>48</sup> Nuba Reports, [State vs. students: Killing of Nuba student sparks mass protest](#), 28 April 2016

<sup>49</sup> Nuba Reports, [Blood on Campus: A student’s death sparks nationwide protests](#), 17 June 2016

<sup>50</sup> Radio Dabanga, [Mass student protests spread in Khartoum](#), 28 October 2016

<sup>51</sup> US Department of State, [Country Report on Human Rights Practices 2017 - Sudan](#), 20 April 2018, Section 1., f. *Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence*

<sup>52</sup> Radio Dabanga, [Sudan: Darfuri Students Demand Graduation Certificates](#), 20 December 2017

<sup>53</sup> Human Rights Watch, [‘Good Girls Don’t Protest’: Repression and Abuse of Women Human Rights Defenders, Activists, and Protesters in Sudan](#), March 2016, p. 22

suspected of political opposition against the government could be targeted, including persons from Arab tribes”.<sup>54</sup>

#### 1.1.5.IDPs

##### Khartoum

The UN Committee on Economic, Social and Cultural Rights noted in October 2015 its concern with regards to “the plight of internally displaced persons [and] reports of forced evictions of internally displaced persons settled in urban areas such as Khartoum, impeding their prospects for local integration”.<sup>55</sup>

#### 1.1.6.Returnees

No COI published between 19 August 2015 – 9 July 2018 on the treatment of returnees to Khartoum or Omdurman was found amongst the sources consulted.

#### 1.1.7.Women

For specific information on violence against Nuba women, see [1.1.2. Nuba](#)

##### Khartoum – general treatment

The August 2016 joint fact-finding-mission report of the Danish Immigration Service (DIS) and the UK Home Office noted that “EHAHRDP [East and Horn of Africa Human Rights Defenders Project] also advised that women who failed to respect Islamic dress, for example by wearing trousers or not wearing a hijab would be at risk in Khartoum”.<sup>56</sup>

The same report, citing Freedom House, Sudan Democracy First Group (SDFG), a regional NGO, the Darfur Bar Association (DBA) (Kampala), and the African Centre for Justice and Peace Studies (ACPJS), also provided information on the Private Order Laws and their impact on women living in Khartoum stating that “A number of sources noted that women from Darfur and the Two Areas selling tea illegally (i.e. without required licence) or selling alcohol were at risk of being targeted by the POP [Public Order Police] for violating Public Order laws. ACPJS [African Centre for Peace and Justice Studies] observed that the POP was more prevalent in the slum areas where persons from Darfur and the Two Areas more commonly lived. Freedom House advised that any person undertaking such activities could be targeted, not just those from Darfur or the Two Areas, but explained that the marginalisation of communities from Darfur and the Two Areas limited

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<sup>54</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 21

<sup>55</sup> UN Committee on Economic, Social and Cultural Rights, [Concluding observations on the second periodic report of the Sudan](#), 27 October 2015, *Internally displaced persons*, para. 23

<sup>56</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 51

employment opportunities and so they were commonly found in such roles. Sources advised that there were reports of bribery, extortion and harassment committed by the POP”.<sup>57</sup>

The 2018 US Department of State country report on Sudan (covering 2017) noted that “Various government institutions required women to dress according to Islamic or cultural standards, including wearing a head covering. In Khartoum, Public Order Police occasionally brought women before judges for allegedly violating Islamic standards. One women’s advocacy group estimated that in Khartoum, Public Order Police arrested an average of 40 women per day”.<sup>58</sup>

#### *Khartoum - Trafficking*

An April 2016 report by the UN Human Rights Council (UN HRC) noted on the topic of trafficking of women that “The Special Rapporteur has received reports of increased trafficking of women and girls, mainly in Eastern Sudan and Khartoum. It was reported that some women pay to travel via the Sudan using the services of male agents, who then allegedly transfer them to a Sudanese agent once in the country. Their identity documents are then taken away to prevent them from leaving”.<sup>59</sup>

#### *Khartoum – FGM*

A June 2016 report by the UN Children’s Fund noted that “The overall prevalence of FGM/C [Female Genital Mutilation/Cutting] in Sudan in 2014 among those aged 15-49 years, is 86.6 percent [...] States with prevalence above the national level but lower than 90 percent (from 86.9 percent to 89.0 percent): Gezira; Khartoum; South Darfur; South Kordofan and Red Sea”.<sup>60</sup> The same source further stated that “Flesh removal is widely practiced in all states, with its prevalence varying from 77.9 percent in Khartoum to 99.1 percent in East Darfur [...] As for the nicking of the genital area without flesh removal, it is rarely practiced, except in Khartoum where 13.0 percent of the circumcised women experienced this particular practice. Elsewhere, the prevalence varies from 0.1 percent to 6.1 percent”.<sup>61</sup>

According to a 28 Too Many report published in July 2018 “In Sudan, the prevalence of FGM in women aged 15–49 is 86.6%. FGM prevalence in Khartoum state is listed at 87.5%”.<sup>62</sup>

#### *Unspecified location – general treatment*

The UN Committee on Economic, Social and Cultural Rights noted in October 2015 its concern with regards to “the discriminatory provisions affecting women [...] that are still in force in the State party, including those contained in the Criminal Law Act, the Personal Status Act, the Public Service Regulations, the Social Insurance Act and the Sudanese Nationality Act. The Committee is also

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<sup>57</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 29

<sup>58</sup> US Department of State, [Country Report on Human Rights Practices 2017 - Sudan](#), 20 April 2018, Section 6. *Discrimination, Societal Abuses, and Trafficking in Persons*

<sup>59</sup> United Nations Human Rights Council, [Report of the Special Rapporteur on violence against women, its causes and consequences on her mission to the Sudan](#), 18 April 2016, paragraph 40

<sup>60</sup> UN Children’s Fund, [Female Genital Mutilation/Cutting \(FGM/C\) and Child Marriage in Sudan – Are There any Changes Taking Place?](#), June 2016, p. 13-14

<sup>61</sup> UN Children’s Fund, [Female Genital Mutilation/Cutting \(FGM/C\) and Child Marriage in Sudan – Are There any Changes Taking Place?](#), June 2016, p. 21

<sup>62</sup> 28 Too Many, [Sudan: The Law and FGM](#), July 2018, p. 1

concerned at the lack of legislation to implement the constitutional and Covenant provisions on non-discrimination”.<sup>63</sup>

#### Various locations - Trafficking

An April 2016 report by the UN Human Rights Council (UN HRC) noted on the topic of trafficking of women that “The Special Rapporteur has received reports of increased trafficking of women and girls, mainly in Eastern Sudan and Khartoum. It was reported that some women pay to travel via the Sudan using the services of male agents, who then allegedly transfer them to a Sudanese agent once in the country. Their identity documents are then taken away to prevent them from leaving”.<sup>64</sup> The same source further stated that “Trafficked women and girls are at higher risk of being subject to various forms of violence linked to trafficking for the purposes of sexual exploitation. They are also unable to negotiate safe sex, which puts them at risk of becoming pregnant, and contracting HIV/AIDS and/or other sexually transmitted diseases. There are reportedly cases in which victims of trafficking are killed and their organs sold. Victims are reluctant to seek assistance because of their status as victims of trafficking.”<sup>65</sup>

The US Department of State 2018 Trafficking in Persons report stated that “Sudanese women and girls, particularly internally displaced persons or those from rural areas, and refugee women are vulnerable to domestic servitude; Sudanese girls are also vulnerable to sex trafficking”.<sup>66</sup>

#### Various locations - FGM

With regards to female genital mutilation (FGM) practices in Sudan the Special Rapporteur on violence against women stated in an April 2016 report that “The Special Rapporteur was informed that the practice of female genital mutilation remains prevalent in the country. Statistics indicate that the national rate of female genital mutilation is approximately 65.5 per cent, with prevalence rates varying in the different regions. It is primarily girls under the age of 12 who undergo the procedure. Women who are not circumcised are also pressured to undergo the procedure before getting married. Reports indicate that some young girls die from the shock and pain caused by the mutilation, which is normally done without anaesthesia, as well as from infections and massive blood loss.”<sup>67</sup>

A June 2016 report by the UN Children’s Fund noted that “The overall prevalence of FGM/C [Female Genital Mutilation/Cutting] in Sudan in 2014 among those aged 15-49 years, is 86.6 percent. FGM/C rates are slightly higher in rural areas (87.2 percent) than in urban areas (85.5 percent). By contrast, it varies significantly across the 18 states, from a minimum of 45.4 percent in Central Darfur to a maximum of 97.7 percent in West Kordofan. [...] States with prevalence above the national level but lower than 90 percent (from 86.9 percent to 89.0 percent): Gezira; Khartoum; South Darfur; South Kordofan and Red Sea”.<sup>68</sup> The same source further stated that “At the national level, 90 percent of

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<sup>63</sup> UN Committee on Economic, Social and Cultural Rights, [Concluding observations on the second periodic report of the Sudan](#), 27 October 2015, *Non-discrimination*, para. 19

<sup>64</sup> United Nations Human Rights Council, [Report of the Special Rapporteur on violence against women, its causes and consequences on her mission to the Sudan](#), 18 April 2016, para. 40

<sup>65</sup> United Nations Human Rights Council, [Report of the Special Rapporteur on violence against women, its causes and consequences on her mission to the Sudan](#), 18 April 2016, para. 43

<sup>66</sup> US Department of State, [2018 Trafficking in Persons Report - Sudan](#), 28 June 2018, *Trafficking Profile*, p. 85

<sup>67</sup> United Nations Human Rights Council, [Report of the Special Rapporteur on violence against women, its causes and consequences on her mission to the Sudan](#), 18 April 2016, para. 28

<sup>68</sup> UN Children’s Fund, [Female Genital Mutilation/Cutting \(FGM/C\) and Child Marriage in Sudan – Are There any Changes Taking Place?](#), June 2016, pp. 13-14



the circumcised women have their flesh removed from the genital area, 3.6 percent have their genital area nicked without removing flesh and 77.0 percent have their genital area sewn closed/or sealed. [...] Flesh removal is widely practiced in all states, with its prevalence varying from 77.9 percent in Khartoum to 99.1 percent in East Darfur. In West Darfur, South Kordofan, River Nile, Red Sea and Kassala, the prevalence varies between 81.8 percent and 86.3 percent. In the other states, it varies from 90.0 percent and 99.1 percent. As for the nicking of the genital area without flesh removal, it is rarely practiced, except in Khartoum where 13.0 percent of the circumcised women experienced this particular practice. Elsewhere, the prevalence varies from 0.1 percent to 6.1 percent”.<sup>69</sup>

According to a 28 Too Many report published in July 2018 “In Sudan, the prevalence of FGM in women aged 15–49 is 86.6”.<sup>70</sup>

The Guardian reported in a February 2016 article that “Female genital mutilation [FGM] is spreading among minority groups in Sudan despite widespread efforts to eradicate the practice, say campaigners. Women from communities which previously shunned FGM have told the Guardian they are being pressurised to undergo the procedure as adults to avoid being ostracised in a country with one of the highest FGM rates in the world. The latest Unicef report estimates that 87% of Sudanese women and girls aged between 15 and 49 have been cut”.<sup>71</sup>

Citing UNICEF, a European Asylum Support Office (EASO) COI meeting report on FGM(C), dated October 2016, stated with regards to the ethnicity of women subjected to FGM(C) in Sudan that “Sudan has refused to collect that specific information on ethnic origin, while it is such a diverse place with peoples coming from all over the Middle East and Africa that it does make interpretation and programming in a certain communities very difficult, because we don’t have the precise information”.<sup>72</sup>

Regarding the consequences for girls or women refusing FGM(C) in Sudan, the same report cited the opinion of expert Ellen Gruenbaum, Professor of Anthropology, Purdue University, Indiana, USA: “In several parts of Sudan, there has been very strong ability of a family who wants to either protect a girl or to cut a girl to do what their preference is without interference from others in the society. So therefore I think the family is really important. The ultimate decision making, the issue of how many relatives are brought into the process is the tricky part – because I think if the parents agree, they can effectively protect for the most part, but I know of exceptions to grandmothers or senior aunts being able to go ahead and conduct the circumcision if the parents aren't present. If that is the case, then there is no recourse because who is going to take your mother to court? That would be really shameful to the family, for you to prosecute your mother or take the midwife for that matter. So you really have to know the family's circumstances to be able to make a judgement on it”.<sup>73</sup>

#### 1.1.8.Children

##### *Khartoum – general treatment*

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<sup>69</sup> UN Children’s Fund, [Female Genital Mutilation/Cutting \(FGM/C\) and Child Marriage in Sudan – Are There any Changes Taking Place?](#), June 2016, p. 21

<sup>70</sup> 28 Too Many, [Sudan: The Law and FGM](#), July 2018, p. 1

<sup>71</sup> The Guardian, [FGM spreading to minority groups in Sudan, say campaigners](#), 15 February 2016

<sup>72</sup> European Asylum Support Office (EASO), [EASO COI Meeting Report Female Genital Mutilation/Cutting \(FGM/C\) & COI](#), 25-26 October 2016, p. 13

<sup>73</sup> European Asylum Support Office (EASO), [EASO COI Meeting Report Female Genital Mutilation/Cutting \(FGM/C\) & COI](#), 25-26 October 2016, p. 43



All Africa reported in a December 2015 article that “The Sudanese Ministry of Health has warned for a growing number of cases of sexual abuse of children in Khartoum state. Addressing a forum on gender-based violence in Khartoum [...] Dr Ibrahim Abdelrahman, director of the Health Ministry’s Primary Health Care Department, reported that the number of rapes of children, especially school children, has risen rapidly this year”.<sup>74</sup>

Radio Dabanga wrote in a July 2018 article that “The head of the Public Prosecutor’s Office, Mahmoud Mahdi, has reported that this year there have been 3,000 cases of child molestation in Khartoum state alone. Speaking to Nile Channel, Mahdi pointed out that there have been about 200 complaints filed with the child crimes courts. He warned children to be careful and not to take instructions from strangers. In June [2018], the Family and Children’s Court in Omdurman passed down the death sentence against a man convicted of the rape of three boys”.<sup>75</sup>

#### *Khartoum – street children/unaccompanied children*

UN Children’s Fund noted in a 2016 report that “The UNHCR [United Nations High Commissioner for Refugees] reported that, when unaccompanied children arrive in Khartoum, fleeing internal and external conflict (but mainly from Eritrea), they are often not identified by UNHCR or its partners. They are then exposed to a host of protection risks, including trafficking”.<sup>76</sup>

The US Department of State 2018 Trafficking in Persons Report noted with regards to street children in Khartoum that “Street children in Khartoum—including Sudanese and unaccompanied migrant children—who beg in the streets and work in public transportation and large markets are particularly susceptible to forced labor; some experience sexual abuse and extortion. Human rights groups observe children working in brick-making factories, gold mining, and agriculture; these children are exposed to threats, physical and sexual abuse, and hazardous working conditions, with limited access to education or health services, making them highly vulnerable to trafficking”.<sup>77</sup>

#### *Various locations – Child marriage*

With regards to child marriage the UN Children’s Fund reports that “Research from 2013 showed high rates of child marriage in all six states studied: South (58%), East (45%), West (58%), and Central (55%) Darfur, Khartoum (50%) and Gedarf (57%). in [sic] rural areas compared to urban ones more girls married from the age of 10 years. This study also found that in over 20 per cent of cases the husband’s age was under 18 years”.<sup>78</sup>

#### *Unspecified locations – Child marriages & FGM*

The UN Committee on Economic, Social and Cultural Rights noted in October 2015 its concern with regards to “the very low ages of marriage for boys and girls in the State party, of 15 and 10 years, respectively. (art. 10)” and with regards to FGM its “prevalence remains high in spite of the

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<sup>74</sup> All Africa, [Sudan: Child Sex Abuse On the Rise in Sudan Capital](#), 20 December 2015

<sup>75</sup> Radio Dabanga, [Prosecutor: 3,000 child molestation cases in Khartoum state](#), 8 July 2018

<sup>76</sup> UN Children’s Fund, [Child Notice Sudan](#), 2016, para. 233

<sup>77</sup> US Department of State, [2018 Trafficking in Persons Report - Sudan](#), 28 June 2018, *Trafficking Profile*, p. 85

<sup>78</sup> UN Children’s Fund, [Child Notice Sudan](#), 2016, para. 282

measures taken. It is also concerned that provisions criminalizing female genital mutilation have been removed from the Child Health Act. (art. 10)".<sup>79</sup>

#### 1.1.9. Individuals of diverse sexual orientation or gender identity

##### Khartoum

The August 2016 joint fact-finding-mission report of the Danish Immigration Service (DIS) and the UK Home Office mentions LGBT [Lesbian, Gay, Bisexual, and Transgender] rights activists as one of the groups of individuals from Darfur and the Two Areas known to be targeted by state authorities in Khartoum. The report noted that "EHAHRDP [East and Horn of Africa Human Rights Defenders Project] stated that [...] Other groups from Darfur and the Two Areas known to be targeted included students, anyone affiliated with political opposition groups; protestors; women's rights groups and LGBT civil liberty/human rights defenders".<sup>80</sup>

##### Unspecified locations

The UN Committee on Economic, Social and Cultural Rights noted in October 2015 its concern with regards to "the discriminatory provisions affecting [...] lesbian, gay, bisexual, transgender and intersex persons that are still in force in the State party, including those contained in the Criminal Law Act, the Personal Status Act, the Public Service Regulations, the Social Insurance Act and the Sudanese Nationality Act. The Committee is also concerned at the lack of legislation to implement the constitutional and Covenant provisions on non-discrimination. Moreover, the Committee is particularly concerned at reports of discrimination of individuals on the basis of [...] sexual orientation and gender identity. (art. 2)".<sup>81</sup>

According to the International Lesbian, Gay, Bisexual, Trans and Intersex Association annual report covering 2017 "Sudan applies the death sentence for some consensual same-sex sexual activity, and as such, it is virtually impossible for any SOGI [Sexual Orientation and Gender Identity]-based group to even consider registering as a NGO. A rigorous registration process is mandated in Section 8(1) of the Voluntary and Humanitarian Work (Organization) Act, 2006, and other sections impose restrictions on the work of NGOs operating in Sudan, and grants discretionary regulatory power to the government over the operations of NGO".<sup>82</sup> The same source provided an overview of state response to the UN Human Rights Council (HRC) Universal Periodic Review mechanism stating that "In its 2nd cycle review in May 2016, Sudan 'noted' (declined to accept) two recommendations given by Honduras ("Adopt measures in the legislative and political spheres, including appropriate budget allocation, to guarantee, prevent and eradicate discrimination on religious grounds, ethnic composition, gender or sexual orientation"), and Chile ("Push forward for the elimination of discriminatory provisions affecting lesbian, gay, bisexual, transgender and intersex persons"). In

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<sup>79</sup> UN Committee on Economic, Social and Cultural Rights, [Concluding observations on the second periodic report of the Sudan](#), 27 October 2015, *Minimum age of marriage*, para. 39 and *Female genital mutilation*, para. 41

<sup>80</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 51

<sup>81</sup> UN Committee on Economic, Social and Cultural Rights, [Concluding observations on the second periodic report of the Sudan](#), 27 October 2015, *Non-discrimination*, para. 19

<sup>82</sup> Carroll, Angus; Mendos, Lucas Ramón (Author), published by International Lesbian, Gay, Bisexual, Trans and Intersex Association, [State Sponsored Homophobia 2017: A world survey of sexual orientation laws: criminalisation, protection and recognition](#), May 2017, p. 44

early-2017, an insightful short video on LGBT [Lesbian, Gay, Bisexual, and Transgender] life in Sudan was released, illustrating an underlying brutality in social attitudes towards sexual and gender diversity”.<sup>83</sup>

The 2018 US Department of State country report on human rights practices (covering 2017) noted that “Lesbian, gay, bisexual, transgender and intersex (LGBTI) persons are not considered a protected class under antidiscrimination laws. The law does not specifically prohibit homosexuality but criminalizes sodomy, which is punishable by death”.<sup>84</sup> The same source reported on the treatment of LGBTI [Lesbian, Gay, Bisexual, Transgender, and Intersex] persons in Sudan:

Antigay sentiment was pervasive in society. LGBTI organizations increasingly felt pressured to suspend or alter their activities due to threat of harm. Several LGBTI persons felt compelled to leave the country due to fear of persecution, intimidation, or harassment

In September [2017], Public Order Police arrested journalist-blogger Marwa Altijani and released her the same day after filing apostasy charges against her for publishing an article online in which she asserted, “Nothing is wrong with being a lesbian.”

On October 24 [2017], a man was arrested at a social event for wearing “indecent” female clothes and makeup. A Public Order Court sentenced him to 40 lashes and a fine of 5,000 SDG (\$625). The punishment was reportedly carried out the same day.

There were no reports of official action to investigate or punish those complicit in LGBTI-related discrimination or abuses.<sup>85</sup>

A 2018 Human Rights Watch report provided an overview of the legal framework on sexual minorities:

Article 148 of the Sudanese penal code punishes “sodomy”—defined as an act in which a man “inserts his penis or its equivalent into a woman’s or a man’s anus or permitted another man to insert his penis or its equivalent in his anus”—with flogging of one hundred lashes and five years imprisonment. The same penalty applies on a second offence; on the third offense, the punishment is death or life imprisonment.

Under article 151, any “act of gross indecency” or other “sexual act which does not amount to Zina or Sodomy” is punishable by forty lashes, along with imprisonment for a term not exceeding one year, or an unspecified fine. Sudanese law also may inhibit freedom of expression for LGBT [Lesbian, Gay, Bisexual, and Transgender] people, including gender expression.

Article 152 states that whoever “does in a public place an indecent act or an act contrary to public morals or wears an obscene outfit or contrary to public morals or causing an annoyance to public feelings” will be punished with up to 40 lashes, a fine, or both. It specifies that an act is considered contrary to public morals “if it is regarded as such according to the standard of the person’s religion or the custom of the country where the act takes place.” Under article 153, making, possessing, or circulating “materials contrary to public morals” is subject to up to one month in prison or 40 lashes, as well as a fine, while running any “exhibition, theatre, cinema or public place” where such materials are exhibited or presented is punished by up to sixty lashes, up to three years in prison, or with both.<sup>86</sup>

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<sup>83</sup> Carroll, Aengus; Mendos, Lucas Ramón (Author), published by International Lesbian, Gay, Bisexual, Trans and Intersex Association, [State Sponsored Homophobia 2017: A world survey of sexual orientation laws: criminalisation, protection and recognition](#), May 2017, p. 100

<sup>84</sup> US Department of State, [Country Report on Human Rights Practices 2017 - Sudan](#), 20 April 2018, *Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity*

<sup>85</sup> US Department of State, [Country Report on Human Rights Practices 2017 - Sudan](#), 20 April 2018, *Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity*

<sup>86</sup> Human Rights Watch, [Audacity in Adversity. LGBT Activism in the Middle East and North Africa](#), 2018, p. 72 and 73

## 1.2. Arbitrary arrest and detention

For specific information on prison conditions, see [1.3. Prison conditions](#).

### 1.2.1. Darfuri

For specific information on the arrest and detention of Darfuri students, see [1.2.4. Students, political activists, human rights activists and journalists who are not originally from these cities or who support persons not originally from there](#).

#### Unspecified location

The joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi stated that “Several sources [Freedom House; Faisal Elbagir (JHR); Khartoum based Journalist (2); Sudan Democracy First Group (SDFG); a Khartoum based journalist (3); a Khartoum based human rights organisation] noted that security operations, including arrest and detention, by the government, including the NISS [National Intelligence and Security Service] was not constant, but changed over time. Freedom House noted, for example, that the intensity of security operations could be seen to reflect the wider political climate with periods when the government would act in a fairly repressive way but during other times persons were able to express their views without serious reaction. Referring more generally to the issue of discrimination and restriction of political freedoms, Crisis Group noted that the discriminatory practices suffered by Darfuris and persons from the Two Areas, were systematic, but not constant, and that there may be periods where discriminatory practices were more intensely pursued and conversely times when discrimination was less pronounced”.<sup>87</sup>

### 1.2.2. Nuba

#### Khartoum

Citing the African Centre for Justice and Peace Studies (ACPJS), the joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi, published August 2016, stated that “the Public Order Police discriminated against persons from Darfur and the Two Areas with reported cases of persons being arrested and prosecuted under public order laws, for example for selling tea illegally or failing to adhere to Islamic dress code (e.g. wearing trousers or not wearing a hijab). Such discrimination impacted particularly on non-Muslims, notably Christian women from the Nuba Mountains”.<sup>88</sup>

A joint report by the Strategic Initiative for Women in the Horn of Africa (SIHA) and The Redress Trust, published in December 2017, described cases of Nuba women detained in Khartoum:

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<sup>87</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 20

<sup>88</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 34

Women detainees interviewed by SIHA [Strategic Initiative for Women in the Horn of Africa], including for example a women's rights activist who was detained with two young women from Nuba Mountains, stated how they had been held at a police station for twenty-five days without being charged or having the legality of their detention determined by a judge. One of the women was arrested on suspicion of adultery while the other was pregnant outside marriage. This is contrary to regional and international standards which stipulate that individuals have a right to be brought before a judge promptly. The UN Human Rights Committee has recognised that 72 hours of detention without being brought before a judge is excessive and not in compliance with international standards.<sup>89</sup>

### Omdurman

Morning Star News reported in December 2015 on the arrest of a Nuba pastor of the Sudan Church of Christ (SCOC) in Omdurman with family members and church officials given no reason for the arrests, who according to the news article have objected to government demolition of SCOC worship buildings.<sup>90</sup>

### 1.2.3. Other ethnic and/or religious minorities

#### Khartoum

The July 2016 report of the Independent Expert on the situation of human rights in the Sudan noted that "The Independent Expert received information about incidents of arrest and restrictions on freedom of religion or belief in the Sudan. On 2 and 3 November 2015, 27 Sudanese nationals, including 3 minors, were arrested in Khartoum and charged with apostasy. According to information received, the individuals, who were members of the Hausa ethnic group, followed an interpretation of Islam that is at variance with the dominant denomination supported by the Government of the Sudan".<sup>91</sup>

The same report further noted on the arrest of Christians in Khartoum stating that "On 13 December 2015, Pastor Telahoon Nogosi Kassa Rata, leader of a Christian student movement and head of the mission office of the Khartoum North Evangelical Church, was arrested by the National Intelligence and Security Service. He was reportedly questioned several times in relation to a Christian foreigner with whom he allegedly met in Ethiopia and in the Sudan. On 18 December, the National Intelligence and Security Service arrested two pastors of the Sudan Church of Christ, Pastor Kuwa Shamal, head of the mission working group in his municipality and Pastor Hassan Abduraheem Kodi Taour. Pastor Shamal was released on 21 December. However, according to information received, Pastor Taour remained in custody and had been denied access to his family and a lawyer".<sup>92</sup>

The Sudanese Rights Group (Hugoog) reported in May 2016 that [emphasis added] "approximately 6 members of police forces arrested Abo Algasim Ahmed Gasm Alseed (Semingan), 31 years old, from the street in Alremilah area in Khartoum on his way from a bookshop to his home, the police forces officers beat him with a gun rear and threw him on the police truck, they took him to West Alremilah police station where they interrogated him, the police forces used racial language insults and

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<sup>89</sup> REDRESS, [Criminalisation of Women in Sudan: a need for fundamental reform](#), 4 December 2017, p. 37

<sup>90</sup> Morning Star News, [Two More Pastors Arrested in Sudan](#), 20 December 2015

<sup>91</sup> United Nations Human Rights Council, [Report of the Independent Expert on the situation of human rights in the Sudan](#), 28 July 2016, para. 32

<sup>92</sup> United Nations Human Rights Council, [Report of the Independent Expert on the situation of human rights in the Sudan](#), 28 July 2016, para. 34

threatened him during the interrogation. He was then released the next day at around 4:30am without charge”.<sup>93</sup>

The joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi, dated August 2016, noted with regards to arbitrary arrests of persons from Darfur and the Two Areas in Khartoum that “A majority of sources [the diplomatic source; Darfur Bar Association (DBA) (Kampala); ACPJS; Crisis Group; Darfur Bar Association (DBA) (Khartoum); Faisal Elbagir (JHR); Freedom House; the civil society NGO; the two human rights lawyers from Khartoum; the Khartoum based human rights organisation; Khartoum based journalist (1); Khartoum based journalist (2); Khartoum based journalist (3); SDFG; the London based NGO; Western embassy (A); Western embassy (B); the UN official] noted that the NISS is the main agent of the Sudanese government responsible for monitoring, arrests and detains politically active persons, including those from Darfur and the Two Areas in Khartoum. Several sources cited cases in which the NISS were responsible for acts of harassment and intimidation as well as more serious human rights violations, including acts of torture. Cases of arbitrary arrest and use of incommunicado detention were also reported”.<sup>94</sup>

In October 2016 “security forces arrested Rev. Tiliyan, Rev. Ali Haakim Al Aam, Pastor Ambrator Hammad, evangelist Habill Ibrahim, and Elder Abdul Bagi Tutu for holding a worship service at a closed SCOC church in Khartoum’s Al-Thawra 29 neighborhood. The police released them that same night, but stated that their actions were “to maintain security” and “protect worshippers” because those arrested “did not comply” with the ministry’s leadership decision” reported the US Commission on International Religious Freedom.<sup>95</sup>

### Omdurman

The Sudanese Rights Group stated in a May 2016 report that “NISS [National Intelligence and Security Service] referred pastor, Hassan Abdul Raheem Korey, the Secretary-General of the Sudanese Church of Christ complex, to the State Security Prosecution in Khartoum. Pastor Korey was arrested by NISS in last December 2015 with other two senior priests from their homes in Omdurman. Pastor Korey has no access to his lawyer during his detention”.<sup>96</sup>

The Human Rights and Development Organization reported in November 2017 on the arrest of five Christian leaders in Omdurman:

On Sunday 22th October 2017, church members gathered for prayers at Christ church in Althawra (29) at the agreed time but they were locked outside by the police. The police blocked them on grounds that, there was a resolution issued by the ministry rejecting the agreement and ordering members of this church to worship under the nominated pastor by opposition group. The church members together with their pastors remained on the church yard up to the time when the opposition group came and opened the church. Then, the two groups entered the church and worshipped separately. At 1:00 PM, soon after prayers, a police officer from Althawra police station ordered five church leaders including executive committee members to report to the police station.

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<sup>93</sup> Sudanese Rights Group (Hugoog), [Human Rights Monitoring 6<sup>th</sup> Report – Sudan, 14<sup>th</sup> – 30<sup>th</sup> May 2016](#), May 2016, *Arbitrary arrests*, p. 5

<sup>94</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 18

<sup>95</sup> US Commission on International Religious Freedom, [2018 Annual Report](#), 25 April 2018, *Sudan, RELIGIOUS FREEDOM CONDITIONS 2017 Persecution of Christians*, p. 92

<sup>96</sup> Sudanese Rights Group, [Human Rights Monitoring 5<sup>th</sup> Weekly Report-Sudan](#), 3 to 13 May 2016, p. 13



Upon their arrival, the police officer filed a case against the five arrested church leader under article 77 of Sudan Penal Code - 1991 (Public nuisance) and detained them.

[...] They were released on the same day at 10:00 PM on police bond (bail) and a court trial was scheduled for 31st October 2017 in Althawra court. All the five arrested church leaders were attended the trial scheduled date while the complainant/ plaintiff (the policeman) was absent.<sup>97</sup>

The 2018 annual report on religious freedom (covering 2017) from the US Department of State detailed several cases of arbitrary arrest and detention of religious minorities in Omdurman:

In May [2017] the Omdurman sector prosecutor filed apostasy and public disturbance charges against Mohamed Salih Aldisogi after he attempted to change his religion on his state identification documents from Muslim to “nonreligious.” The prosecutor dropped all charges against Aldisogi after a state-appointed psychiatrist examined him without his consent and concluded he was not mentally competent to stand trial. [...]

On August 15 [2017], police evicted Reverend Yahia Nalu, pastor of the SPECS [Sudan Presbyterian Evangelical Church] Omdurman church, and another minister who was living with Nalu and his family. from their home where Nalu and his family had lived for one year and a half. Police later arrested Nalu and held him for one day for “criminal trespass” after he refused to leave his home. The Administrative Court denied Nalu’s appeal of his eviction on August 20, and his legal counsel decided to take his case to the Supreme Court. Nalu’s trial began in November, but the judge repeatedly postponed hearings for administrative reasons.<sup>98</sup>

### Unspecified location

The joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi added that “Several sources [Freedom House; Faisal Elbagir (JHR); Khartoum based Journalist (2); SDFG; Khartoum based journalist (3); a Khartoum based human rights organisation] noted that security operations, including arrest and detention, by the government, including the NISS [National Intelligence and Security Service] was not constant, but changed over time. Freedom House noted, for example, that the intensity of security operations could be seen to reflect the wider political climate with periods when the government would act in a fairly repressive way but during other times persons were able to express their views without serious reaction. Referring more generally to the issue of discrimination and restriction of political freedoms, Crisis Group noted that the discriminatory practices suffered by Darfuris and persons from the Two Areas, were systematic, but not constant, and that there may be periods where discriminatory practices were more intensely pursued and conversely times when discrimination was less pronounced”.<sup>99</sup>

The July 2017 report of the Independent Expert on the situation of human rights in the Sudan noted that “The National Security Service has also been used to intimidate and arrest or detain Christian religious leaders. The Independent Expert had raised the issue in his discussions with government officials as a legitimate concern, which the Government of the Sudan needs to pay attention to, in view of the importance of the freedom of religion in a democratic society. In that regard, the

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<sup>97</sup> Human Rights and Development Organization, [Sudan Government Intervenes in Christian’s Worship](#), 8 November 2017

<sup>98</sup> US Department of State, [2017 Report on International Religious Freedom - Sudan](#), 29 May 2018, *Government Practices*

<sup>99</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 20



Independent Expert welcomes a presidential pardon that gave way to the release on 11 May 2017 of two pastors who had been sentenced to 12 years' imprisonment".<sup>100</sup>

According to a June 2018 country update on Sudan, published by the US Commission on International Religious Freedom (USCIRF) "Christian leaders continue to be arrested and detained without charge on a regular basis. Pastors informed USCIRF that even when they have success in civil court cases, there is no change, and the decisions are ignored. Christian clergy are often prosecuted under articles 182 and 183 for "criminal mischief" and "criminal trespass" respectively, when they are found to be preaching, proselytizing, or protesting or criticizing government actions. Most of the persecution is felt at the hands of state authorities, but pastors also cited societal discrimination. Some Muslim clerics were said to speak hatefully about Christians during Friday sermons or around Christmas time".<sup>101</sup>

1.2.4. Students, political activists, human rights activists and journalists who are not originally from these cities or who support persons not originally from there

### Khartoum

Frontline Defenders reported in August 2017 about the release of six human rights defenders following their arrest in 2016 in Khartoum as a result of their human rights activities.<sup>102</sup> One of the individuals is Hafiz Idris who "focuses on the rights and well-being of internally displaced persons in Sudan", whilst another is Tasneem Taha Zaki who "provides legal assistance to victims of human rights abuses, especially youth and students in El-Fasher [North Darfur]".<sup>103</sup> According to the Sudan Social Development Organisation (SUDO), "Authorities alleged that Mudawi, Hafiz, and Mobarak assisted in the production of the Amnesty International report 'Scorched Earth, Poisoned Air: Sudanese Government Forces Ravage Jebel Marra, Darfur', which alleges the Sudanese Government used chemical weapons in Jebel Marra".<sup>104</sup>

The following is a non-exhaustive list of sources documenting the arrest of students in Khartoum who are not originally from there or who support persons not originally from there [reverse chronological order]:

- February 2018: Radio Dabanga reported that the NISS re-detained eight students from Darfur who were released on bail following their initial arrest in September 2017, following their protests against the prolonged detention of members of the United Popular Front (UPF), the student faction of the Darfuri Sudan Liberation Movement (SLM).<sup>105</sup> According to the same source they were reportedly "ill-treated and tortured, and not allowed any visits from their families or lawyers during their detention".<sup>106</sup>
- June 2018: The Sudanese Rights Group (Hugoog) reported in June 2017 that [emphasis added] "a group of police in uniform and NISS in plainclothes arrested three students from the university of Khartoum central complex hostel [...] the police beat the students and detained number of them briefly at the police truck and released them immediately exempt the three students, who were taken

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<sup>100</sup> United Nations Human Rights Council, [Report of the Independent Expert on the situation of human rights in the Sudan](#), 27 July 2017, para. 31

<sup>101</sup> US Commission on International Religious Freedom, [Country Update: Sudan](#), June 2018, p. 4

<sup>102</sup> Frontline Defenders, [Presidential pardon issued for six HRDs](#), 30 August 2017

<sup>103</sup> Frontline Defenders, [Presidential pardon issued for six HRDs](#), 30 August 2017

<sup>104</sup> Sudan Social Development Organisation (SUDO), [SUDAN: HUMAN RIGHTS DEFENDERS DETAINED, FACE DEATH PENALTY](#), 7 July 2017

<sup>105</sup> Radio Dabanga, [Eight released Darfuri students re-arrested in Khartoum](#), 25 February 2018

<sup>106</sup> Radio Dabanga, [Eight released Darfuri students re-arrested in Khartoum](#), 25 February 2018

to Khartoum North police station, according to the interviewed students, the police continued beating them all the way to the police station with sticks and their hands all over their bodies, at the police station they were interrogated by police, photographed them and insulted them with racial insults, the three students were released after almost six hours in detention in the police custody without charge”.<sup>107</sup>

- January 2017: Radio Dabanga reported that “five Darfuri students were arrested by police during a sit-in at the University of Khartoum” and handed to the security apparatus following their protest against the university administration’s dismissal of five of their colleagues at the Faculty of Animal Production.<sup>108</sup>
- November 2016: “Six Darfuri students were detained by security agents for questioning [...] at the Shambat Compound of Khartoum University”, and released after a few hours reportedly after suffering from “beating at the hands of the agents”.<sup>109</sup> According to Radio Dabanga, the “arrests are in response to a strike by Darfuri students [...] in a protest against the decision repealing the fee-exemption granted to Darfuri students according to the Doha Document Peace in Darfur”.<sup>110</sup>
- June 2016: Radio Dabanga reported that “at least two students were detained [...] at a peaceful march organised by the Darfuri university students’ associations”.<sup>111</sup>
- May 2016: The Sudanese Rights Group (Hugoog) reported in May 2016 that [emphasis added] “an armed group composed of 30 national intelligence and security service (NISS) agents in three pickup trucks arrested Bakhit Abd Alkareem a 34 years old graduate from Alnailain University’s Faculty of Law, he was arrested from his house in Mayo area Alshahinat Block in Khartoum, the arrest reason is likely based on the suspicion of his affiliation with the opposition armed group Justice and Equality Movement, his whereabouts are still unknown although his family submitted a request to visit him at the NISS information office in Khartoum Almatar street but the NISS have rejected their request”.<sup>112</sup>
- May 2016: The Sudanese Rights Group (Hugoog) documented the following arrest In Khartoum of a student who was distributing leaflets and participated in a public speech against the referendum in Darfur: “the security forces beat her, and took her to an office near the transport station, and detained her for approximately three hours in an office in Khartoum, where she was blindfolded, and beaten over the head with a rifle, before bringing her to the police station in northern Khartoum at around 6:00 pm, she was interrogated at the police station and released on bail at around 11:00pm after being charged with Public nuisance under article 77 of Criminal Law of 1991”.<sup>113</sup>
- November 2015: Radio Dabanga reported that “Twelve or thirteen students are reportedly detained by the security service, said the assembly’s [Darfur Students’ Association] foreign relations secretary Fawzi Abdallah. The Sudan University in Khartoum and the University of the Holy Koran in Omdurman have witnessed several clashes between Darfuri students and security forces backed by students who support Sudan’s ruling party. Starting October, all fights erupted against the backdrop of student sit-ins and speeches that demanded the exemption of tuition fees for Darfuri students.”<sup>114</sup>
- October 2015: The Independent Expert on the situation of human rights in the Sudan reported that “On 26 October 2015, nine Darfuri students who had participated in a peaceful sit-in in Khartoum were arrested by the police and charged with participating in a riot, causing disturbance of public peace and public nuisance. They were released on bail after three days of detention”.<sup>115</sup>

<sup>107</sup> Sudanese Rights Group (Hugoog), [Human Rights Monitoring 1<sup>st</sup> – 30<sup>th</sup> June 2017 Report, Sudan Issue: 15](#), June 2017, *Human Rights Violations Monitoring: Use of Force against University of Khartoum Students*, p. 2

<sup>108</sup> Radio Dabanga, [Five Darfur students held in Sudan capital](#), 25 January 2017

<sup>109</sup> Radio Dabanga, [Six Darfuri students detained at Khartoum strike](#), 23 November 2016

<sup>110</sup> Radio Dabanga, [Six Darfuri students detained at Khartoum strike](#), 23 November 2016

<sup>111</sup> Radio Dabanga, [NISS detain students, disperse marchers in Khartoum](#), 2 June 2016

<sup>112</sup> Sudanese Rights Group (Hugoog), [Human Rights Monitoring 6<sup>th</sup> Report – Sudan, 14<sup>th</sup> – 30<sup>th</sup> May 2016](#), May 2016, *Arbitrary arrests*, p. 5

<sup>113</sup> Sudanese Rights Group (Hugoog), [Human Rights Monitoring 5<sup>th</sup> Weekly Report-Sudan, 3 to 13 May 2016](#), May 2016, *Unfair Trial*, p. 12

<sup>114</sup> Radio Dabanga, [Security agents detain students, politician in Khartoum](#), 27 November 2015

<sup>115</sup> Independent Expert on the situation of human rights in the Sudan, [Report of the Independent Expert on the situation of human rights in the Sudan](#), 28 July 2016, IV. Main human rights challenges, E. Situation of student activists in Khartoum, para. 37

## Omdurman

According to the Association of Darfur Students at the University of Holy Koran in Omdurman in July 2017, “Darfuri students are frequently and systematically targeted for murder, arbitrary arrest, beatings, prosecution, accusations, describing them as racist by the security services and the guards of the National Congress Party and its militias in universities”.<sup>116</sup>

The following is a non-exhaustive list of sources documenting the arrest of students in Omdurman who are not originally from there or who support persons not originally from there [reverse chronological order]:

- February 2018: Amnesty International reported on the release without charge of Naser Aldeen Mukhtar Mohame, former chairperson of the Darfur Students Association at the Holy Quran University [Omdurman], at the end of January 2018, following his arrest in August 2017 and detention in solitary confinement at the Sudanese NISS detention centre.<sup>117</sup>
- January 2017: The Independent Expert on the situation of human rights in the Sudan reported that “According to information received, on 27 January 2017, officers of the National Security Service raided a student dormitory in Um Badda district in Omdurman housing mainly Darfuri students. Five of them were reportedly arrested for unknown reasons [...]”.<sup>118</sup>
- June 2016: Radio Dabanga reported on the arrest of Nuba students in Omdurman by the NISS who were preparing for the commemoration of the killing of student Mohamed Al Sadig Weia who was shot dead in front of the Nuba House at Al Ahliya University in Omdurman on 27 April 2016.<sup>119</sup> According to a Union statement as reported by Radio Dabanga “the detained students were taken to Anas Iban Malik police station in Ombada, and later charged under articles 69 and 77 according to Sudan Penal Code for 1991 (Public Nuisance). The students were verbally and racially abused while they were in detention. The police also confiscated all the chairs, tables and other equipment.”<sup>120</sup>
- November 2015: Amnesty International in its report focusing on human rights violations against Darfuri students reported that in November 2015 “eight students were arrested for demanding implementation of a fee waiver policy at the University of the Holy Quran and Islamic Sciences in Omdurman”.<sup>121</sup> The report does not make it clear whether the students were arrested because of their ethnic background/region of origin or because of their protest.
- October 2015: Radio Dabanga reported in October 2015 that “Fifty-five Darfuri students at the Holy Koran University in Omdurman have been detained, wounded or missing since Monday, when a security raid took place on the campus. Ten students sustained injuries and 14 of the students were or still are detained by the Sudanese National Intelligence and Security Service (NISS), according to the head of the Darfur Students Association. 31 students have gone missing, Nasreldin Mukhtar told Radio Dabanga”.<sup>122</sup>

## Unspecified location

A submission of stakeholders of March 2016 as part of the UN Universal Periodic Review of Sudan stated, without specifying whether the observations applied to Sudan generally or Khartoum in particular, that: “JS6 [Joint submission 2 submitted by: African Centre for Justice and Peace Studies,

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<sup>116</sup> Radio Dabanga, [Darfuri students ‘systematically targeted’ across Sudan](#), 20 July 2017

<sup>117</sup> Amnesty International, [Sudan: Further Information: Student held in solitary confinement released: naser Aldeen Mukhtar Mohamed](#), 5 February 2018

<sup>118</sup> Independent Expert on the situation of human rights in the Sudan, [Report of the Independent Expert on the situation of human rights in the Sudan](#), 27 July 2017, IV. Main human rights challenges, C. Excessive use of force against Darfuri students in Khartoum and El Gezira States, para. 28

<sup>119</sup> Radio Dabanga, [Nuba Mountains students arrested in Sudan](#), 8 June 2016

<sup>120</sup> Radio Dabanga, [Nuba Mountains students arrested in Sudan](#), 8 June 2016

<sup>121</sup> Amnesty International, [‘Uninvestigated, unpunished’: Human rights violations against Darfuri Students in Sudan](#), January 2017, 1. Executive Summary, p. 6

<sup>122</sup> Radio Dabanga, [Darfuri students detained, wounded, missing in Omdurman](#), 27 October 2015

International Federation for Human Rights, and International Refugee Rights Initiative] noted that over the past four years the NISS [National Intelligence and Security Service] has used its powers of arrest without charge to arbitrarily detain scores of perceived opponents and other people with real or perceived links to the rebel movements often targeted because of their ethnic origin. The NISS routinely holds detainees incommunicado and without charge for prolonged periods. The NISS used different tactics to frighten political opponents and activists”.<sup>123</sup>

In June 2016 Nuba Reports noted that “Students from Sudan’s conflict-affected Darfur and the Nuba Mountains remain under the microscope, as they are seen by the authorities as a support base for rebel groups”.<sup>124</sup> The same source further quoted a teacher from the Nuba Mountains who lives and teaches in Southern Khartoum as saying “They usually come to arrest us after any big fighting. I was arrested after the Abu-Kershola and the Um-Rowaba clashes between the SPLA-N and the government’s army. They arrest Nubas regardless of their political affiliation”.<sup>125</sup>

The US Department of State 2018 annual report on Sudan (covering 2017) provided general information regarding arbitrary arrest and detention in Sudan stating that “The Interim National Constitution prohibits arbitrary arrest and detention and requires that individuals be notified of the charges against them when they are arrested. Arbitrary arrests and detentions, however, remained common under the law, which allows for arrest without warrants and detention up to four and one-half months. Authorities often released detainees when their initial detention periods expired but took them into custody the next day for an additional period. Authorities, especially NISS [National Intelligence and Security Service], arbitrarily detained political opponents and those believed to sympathize with the opposition. The law does not provide for the right of persons to challenge the lawfulness of their arrest or detention in court”.<sup>126</sup>

#### 1.2.5.IDPs

##### Khartoum

Amnesty International reported that in November 2016 an internally displaced person from Darfur was arrested at Dr Mudawi’s, a human rights defender and engineering professor at the University of Khartoum, house and charged with “Undermining the Constitutional System; and Waging War against the State [...] espionage; inciting hatred against the State; being a member of criminal and terrorist organizations; and dissemination of false information”.<sup>127</sup> According to the same source he has been subjected to torture and other ill-treatment during his detention.<sup>128</sup>

#### 1.2.6.Returnees

No COI published between 19 August 2015 – 9 July 2018 on the arrest of returnees to Khartoum or Omdurman was found amongst the sources consulted.

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<sup>123</sup> UN Human Rights Council, [‘Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 \(c\) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21’ \(Stakeholders summary\)](#), 19 February 2016, para. 43

<sup>124</sup> Nuba Reports, [Blood on Campus: A student’s death sparks nationwide protests](#), 17 June 2016

<sup>125</sup> Nuba Reports, [Blood on Campus: A student’s death sparks nationwide protests](#), 17 June 2016

<sup>126</sup> US Department of State, [Country Report on Human Rights Practices 2017 - Sudan](#), 20 April 2018, d. *Arbitrary Arrest or Detention*

<sup>127</sup> Amnesty International, [Urgent Action: Human rights defender facing death penalty](#), 25 May 2017

<sup>128</sup> Amnesty International, [Urgent Action: Human rights defender facing death penalty](#), 25 May 2017

### 1.2.7. Women

#### Khartoum

According to a joint report by the Strategic Initiative for Women in the Horn of Africa (SIHA) and The Redress Trust, “Wearing what is considered an ‘indecent outfit,’ women’s rights and student activism and selling of alcohol in Khartoum are all activities which potentially lead to arrests and oftentimes, fines, corporal punishment and imprisonment. The application of the public order regime affects various aspects of women’s lives and has alienated women from the authorities who should ordinarily protect them. The relationship between women and law enforcement officials, in particular public order police in Khartoum is fraught with suspicion”.<sup>129</sup>

The Sudanese Rights Group reported in June 2017 on the arbitrary arrest of four women in Khartoum:

On the 3rd of June 2017, at around 12:00 am, public order police arrested four young women from the Nile Street in Khartoum from their car, the police forces stopped the girls who were in their car while waiting for their food that they ordered from a nearby restaurant (Aljazar for Takeaway) in Ryhad area in Khartoum, the police violently dragged the girls from their car to get onto the police truck, they refused to get on the police truck and insisted to drive their car where they were accompanied by a police officer, they were taken to the public order police headquarter in Al Mugran area in Khartoum, they were detained for almost three hours and released at around 3:00 am on bail, and ordered to appear before East Khartoum (Alshargi) public order court on the next day, they came to the public order police station in Almugran at around 9 am where they transferred to Alshargi public order court in Arkawit area in Khartoum, at the court the judge told them they shouldn’t bring a lawyer the case is simple and he will talk to them as their guardian, the judge told them wearing trousers is against our Sudanese tradition and values, then he sentenced them with a fine of 500 SDG, the lawyer who presented them asked the judge to provide him with a copy of the court decision, the judge annoyed by the lawyer request and ordered the police to refer the case to the child court because the judge assumed that all arrested girls are minor under 18, now the case pending referral to the child court in case the complainant pursued the case, or just to be neglected.<sup>130</sup>

Sudan Tribune reported in December 2017 on the arrest and trial of 24 girls from South Sudan accused of wearing indecent clothes in Khartoum:

A Sudanese court [...] acquitted 24 girls accused of wearing indecent clothes at a women’s party in Khartoum. The young women most of them are from South Sudan were arrested [...] for wearing short skirts and tighten trousers in a women’s concert in Al-Mamoura district south of the Sudanese capital Khartoum. he public order police called "The Community Security" brought charges against the young women under article 152 of the Sudanese Criminal Code concerning wearing an obscene clothing. [...]

However, he [the judge] found the party’s organiser, Helene Gabriel, guilty for providing false information and ordered her to pay a 10,000 pounds fine or a month’s imprisonment in case of non-payment. Gabriel had informed the local authorities that she would organise a family party while it was a commercial event for cosmetics and beauty products.

The court also fined the sound technician 5,000 pounds for violating the Public Order Law. He was found responsible for the noise nuisance in the neighbourhood.<sup>131</sup>

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<sup>129</sup> REDRESS, [Criminalisation of Women in Sudan: a need for fundamental reform](#), 4 December 2017, p. 41

<sup>130</sup> Sudanese Rights Group, [Human Rights Monitoring Report-Sudan Issue: 15](#), 1st-30th June 2017, pp. 9-10

<sup>131</sup> Sudan Tribune, [Sudanese judge clears girls of indecent clothing charges](#), 10 December 2017

The UN Independent Expert on the Situation of Human Rights noted in a press statement, dated April 2018, that “I have received information that security forces use violence, intimidation, and other forms of abuses to silence women across the country. These abuses are made worse by the wider context of gender inequality in the Sudanese society and the legal framework that institutionalizes it. Public morality offenses, including indecent dress, discriminate against women and are limiting their movement and role in public life. Humiliating corporal punishments of lashing violate international human rights norms. More specifically, I call on the Sudanese authorities to put an end to the “Keshu” phenomenon, a practice which appears to be an harassment targeting women in Khartoum for alleged indecent dress or street trading by public order security police”.<sup>132</sup>

### Unspecified location

The April 2016 report of the Special Rapporteur on violence against women provided an overview of arbitrary arrest and detention of women in Sudan:

During the visit, the Special Rapporteur was informed of alleged cases of arbitrary detention of women human rights defenders, including students and women belonging to ethnic and/or religious minority groups. The arrests are usually carried out by officers of the National Intelligence and Security Services or by other State agents. Despite the existence of article 51 of the National Security Law (2010), during interrogation women are allegedly intimidated and suffer torture and other cruel inhuman or degrading treatment or punishment, including being raped in some instances. The Special Rapporteur is concerned about the occurrence of such acts and the targeting of female human rights defenders generally, and in particular women belonging to ethnic and/or religious minority groups. Furthermore, women are allegedly threatened upon their release, and warned about reporting the violations or seeking medical care. Allegations were also received about the blacklisting of human rights defenders after incarceration, and the restrictions placed on them, including the denial of the possibility of leaving the country.<sup>133</sup>

Citing the African Centre for Justice and Peace Studies (ACPJS), the joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi, dated August 2016, noted that “Christian and ethnic minorities, especially women, were at risk of arbitrary arrest and corporal punishments under Sudan’s public order laws in particular Article 152 of the Criminal Act that prescribed ‘indecent and immoral acts’ and was used by public order courts under summary trials, frequently with no notification of the right to appeal or legal help. Lashing sentences were imposed on the spot in the court complex. The source explained that the Public Order Police discriminated against persons from Darfur and the Two Areas with reported cases of persons being arrested and prosecuted under public order laws, for example for selling tea illegally or failing to adhere to Islamic dress code (e.g. wearing trousers or not wearing a hijab). Such discrimination impacted particularly on non-Muslims, notably Christian women from the Nuba Mountains.”<sup>134</sup>

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<sup>132</sup> Office of the United Nations High Commissioner for Human Rights (OHCHR), [Press Statement of the UN Independent Expert on the Situation of Human Rights in the Sudan, Mr. Aristide Nononsi Khartoum](#), 23 April 2018

<sup>133</sup> United Nations Human Rights Council, [Report of the Special Rapporteur on violence against women, its causes and consequences on her mission to the Sudan](#), 18 April 2016, para. 32

<sup>134</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 34



### 1.2.8.Children

In a September 2015 report Child Rights International Network stated with regards to sentencing of children in Sudan that “There is a lack of clarity in Sudanese law, such that life imprisonment, corporal punishment and the death penalty may remain lawful penalties for offences committed while under the age of 18. Generally, no child under the age of seven can be held criminally responsible. Children aged seven to 15 can be held criminally responsible if they have reached puberty. However, the Narcotic Drugs and Psychotropic Substances Act 1994 can be applied without a lower age limit. A child is defined as “every person under the age of 18” for the purposes of the Child Act 2010”.<sup>135</sup>

No further COI published between 19 August 2015 – 9 July 2018 on the arbitrary arrest and detention of children in Khartoum or Omdurman was found amongst the sources consulted.

### 1.2.9.Individuals of diverse sexual orientation or gender identity

No COI published between 19 August 2015 – 9 July 2018 on the arbitrary arrest and detention of individuals of diverse sexual orientation or gender identity in Khartoum or Omdurman was found amongst the sources consulted.

## 1.3. Prison conditions

### Khartoum

On the differences in treatment in detention between Khartoum and elsewhere in Sudan, the joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi stated that:

Several sources [Two human rights lawyers from Khartoum; Freedom House; Khartoum based journalist (1); Khartoum based journalist (3)] indicated that the treatment of persons detained in Khartoum was better than detained in other cities / areas including Darfur, where detainees could face the risk of disappearing and/or extra-judicial killing. A number of sources [The two human rights lawyers from Khartoum; Freedom House; Faisal Elbagir (JHR); Western embassy (C); Khartoum based journalist (1); Khartoum based journalist (3)] commented that in Khartoum it was at least possible to obtain some information about persons detained and referred to examples in which the detention of persons had become public knowledge; sources also highlighted that organisations such as the Darfur Bar Association were present in Khartoum. Freedom House noted that detention facilities were generally publicly known in Khartoum and there was a greater human rights monitoring presence, including diplomatic missions. Khartoum based journalist (3) noted that education levels were higher in Khartoum and persons were more aware of their legal rights. However, some sources referred to ongoing difficulties in Khartoum to obtain information about the whereabouts of detainees, or to cases in which persons had been snatched off the street. Other sources [The London based NGO; Freedom House; Faisal Elbagir (JHR); the civil society NGO; DBA (Khartoum)] noted difficulties in detainees having access to legal counsel or family visitations in Khartoum. DBA (Khartoum) noted that the treatment of persons in Khartoum was as bad as elsewhere. The same source advised that whilst parts of Kober prison were better than other places this was merely for showing the international community that the prison situation in Sudan was good. The civil society NGO considered the situation for detainees worse in Khartoum, compared to for example the city of Zalingi in Darfur, as in

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<sup>135</sup> Child Rights International Network, [Inhuman sentencing of children in Sudan](#), Briefing for the 25th session of the Human Rights Council Universal Periodic Review in April 2016, submitted by the Child Rights International Network, September 2015, p. 1



Khartoum no one would know where the person was detained; whilst Zalingi was a smaller city and everybody knew about the detainee's whereabouts and what was happening to him. A majority of sources noted that serious human rights violations occurred [sic] in NISS detention facilities in Khartoum.<sup>136</sup>

Citing a Khartoum based journalist, the same source provided the following information with regards to the treatment of persons held in custody by the authorities in Khartoum:

Regarding the treatment upon arrest in Khartoum, the journalist stated that the treatment in detention was better in Khartoum compared to Darfur or the Two Areas. As an example the journalist mentioned that two persons suspected of cattle rustling had died in police detention in Darfur. This would not happen in Khartoum, according to the source. When asked why the two men had died in custody in Darfur, the source explained that the policemen in question were not well trained and torture was commonly accepted as part of police practices, especially in Darfur. [...] The source reasoned that the better conditions of detention in Khartoum were due to the fact there was greater access to lawyers, and persons had more financial resources to avail themselves of legal assistance. In addition, the level of education in Khartoum was higher and people knew more about their rights and how they could help relatives detained by the authorities. Furthermore, there was better access to information in Khartoum, including information as to the whereabouts of detainees.<sup>137</sup>

Information provided by Abdelrahman Elgasim, External Relations Secretary of the Darfur Bar Association to the fact finding mission, on the profile and treatment of persons detained in Khartoum prisons noted:

Asked about the profile of persons detained in Kober prison, Abdelrahman Elgasim said that it was mainly persons affiliated to rebel groups, politicians and some activists who were in Kober prison. The source stated that he was held in Kober prison for 4-5 months; however he added that detainees were not kept in Kober prison for a long time, and were usually transferred to Dabak prison, north of Khartoum, where the conditions were even worse than Kober and where detainees were more frequently tortured. A person detained in Dabak had told the source that he had been beaten and been inflicted 150 lashes during his detention in Dabak. Abdelrahman Elgasim had also heard of cases of fingernail torture and also of cases of suicide among detainees. The source however clarified that torture occurred in both Kober and Dabak prisons.<sup>138</sup>

### Omdurman

The 2018 US Department of State country report on Sudan (covering 2017) reported that "NISS holding cells in Omdurman prisons were known to local activists as "the fridges" due to the extremely cold-controlled temperatures and the lack of windows and sunlight".<sup>139</sup>

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<sup>136</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 24

<sup>137</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, pp. 85-86

<sup>138</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 41

<sup>139</sup> US Department of State, [Country Report on Human Rights Practices 2017 - Sudan](#), 20 April 2018, Section 1., c. *Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*

### 1.3.1.Darfuri

#### Khartoum

On the treatment of prisoners originating from the Two Areas and Darfur the joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi stated that “Abdelrahman Elgasim [External Relations Secretary, Darfur Bar Association (DBA), Kampala] advised that there was not equality before the law and Darfuris and persons from the Two Areas were usually treated more harshly than others”.<sup>140</sup> Some sources [SDFG; DBA (Kampala); the London based NGO; DBA (Khartoum)] interviewed as part of the fact finding mission noted the existence of unofficial places of detention, known as ‘ghost houses’, “in which detainees suffered harsh interrogation and torture. Persons detained in ghost houses included human rights activists, political activists and students. According to DBA (Kampala) these were indistinguishable from other residential properties and used mainly to detain Darfuri political activists. Periods of detention for those held in a ghost house varied from one to 20 weeks according to SDFG”.<sup>141</sup>

Radio Dabanga reported in a January 2017 article that “A Sudanese activist who was recently released from detention said that the prisons of the security apparatus are overcrowded with detainees, who are illtreated [sic] or tortured. Trader and entrepreneur Abdallah Abdelgayoum saw the inside of several prisons in El Gedaref, Khartoum North, and Khartoum during his detention from 18 December until 22 January. He was also moved to Dabak prison and a hotel which he called the 'refrigerator'. ‘The security apparatus prisons are overcrowded with lots of detainees whose families do not know their whereabouts and are not allowed to communicate with them,’ he told Radio Dabanga in an exclusive interview. He met many people from Darfur: ‘They are treated the worst.’”<sup>142</sup>

### 1.3.2.Nuba

#### Khartoum

A joint report by the Strategic Initiative for Women in the Horn of Africa (SIHA) and The Redress Trust, published in December 2017, provided an overview of the treatment of prisoners in Omdurman Women’s Prison in Khartoum:

Other forms of punishment by prison officials include beatings, denial of food and placing inmates in solitary confinement. Because abuses are relatively commonplace and widespread, many prisoners view their experiences as normal and are not aware that their human rights are being violated. They come to expect and accept flogging and other forms of abuse and insults as part of the experience of being detained. Many of the women interviewed did not think of these severe punishments as violations of their rights but rather saw them as consequences for breaking prison rules. The brunt of

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<sup>140</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 41

<sup>141</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 23

<sup>142</sup> Radio Dabanga, [‘NISS prisons in Sudan overcrowded’: released detainee](#), 31 January 2017

this treatment is suffered by the most vulnerable women within prisons – alcohol sellers, migrants and women from Nuba Mountains and South Sudanese women. Women prisoners from South Sudan and Nuba mountains face discrimination from both inmates and prison guards. They have separate sleeping spaces and suffer verbal abuse based on ethnicity and racial discrimination.<sup>143</sup>

No additional COI published between 19 August 2015 – 9 July 2018 on prison conditions for Nuba in Khartoum or Omdurman was found amongst the sources consulted.

### 1.3.3. Other ethnic and/or religious minorities

#### Omdurman

According to the US Department of State annual report on religious freedom (covering 2017) “Prisons provided prayer spaces for Muslims, but authorities did not allow Shia prayers independent of Sunni prayers. Shia prisoners were permitted to join prayer services led by Sunni imams. Some prisons, such as the Women’s Prison in Omdurman, had dedicated areas for Christian observance. Christian clergy held services in prisons, but access was irregular”.<sup>144</sup>

#### Unspecified location

Although not detailing the location or origin of detainees, it should be noted that the 2018 US Department of State annual report (covering 2017) noted that “Christian clergy held services in prisons, but access was irregular and varied across prisons. Sunni imams were granted access to facilitate Friday prayers. Shia are prohibited from leading prayers. As a result, no Shia imams were allowed to enter prisons to conduct prayers. Detained Shia Muslims were permitted to join prayers led by Sunni imams”.<sup>145</sup>

### 1.3.4. Students, political activists, human rights activists and journalists who are not originally from these cities or who support persons not originally from there

#### Khartoum

Radio Dabanga reported in a January 2017 article that “A Sudanese activist who was recently released from detention said that the prisons of the security apparatus are overcrowded with detainees, who are illtreated [sic] or tortured. Trader and entrepreneur Abdallah Abdelgayoum saw the inside of several prisons in El Gedaref, Khartoum North, and Khartoum during his detention from 18 December until 22 January. He was also moved to Dabak prison and a hotel which he called the 'refrigerator'. ‘The security apparatus prisons are overcrowded with lots of detainees whose families do not know their whereabouts and are not allowed to communicate with them,’ he told Radio Dabanga in an exclusive interview. He met many people from Darfur: ‘They are treated the worst.’”<sup>146</sup>

#### Unspecified locations

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<sup>143</sup> REDRESS, [Criminalisation of Women in Sudan: a need for fundamental reform](#), 4 December 2017, p. 37

<sup>144</sup> US Department of State, [2017 Report on International Religious Freedom - Sudan](#), 29 May 2018, *Government Practices*

<sup>145</sup> US Department of State, [Country Report on Human Rights Practices 2017 - Sudan](#), 20 April 2018, *Prison and Detention Center Conditions*

<sup>146</sup> Radio Dabanga, [‘NISS prisons in Sudan overcrowded’: released detainee](#), 31 January 2017

The 2018 US Department of State country report on Sudan (covering 2017) reported that “Government security forces (including police, NISS, and SAF Directorate of Military Intelligence (DMI) personnel) beat and tortured physically and psychologically persons in detention, including members of the political opposition, civil society, and journalists, according to civil society activists in Khartoum, former detainees, and NGOs. Reports of torture and other forms of mistreatment included prolonged isolation, exposure to extreme temperature variations, electric shock, and use of stress positions”.<sup>147</sup>

#### 1.3.5.IDPs

No COI published between 19 August 2015 – 9 July 2018 on the treatment of IDPs in prison in Khartoum or Omdurman was found amongst the sources consulted.

#### 1.3.6.Returnees

No COI published between 19 August 2015 – 9 July 2018 on the treatment of Returnees in prison in Khartoum or Omdurman was found amongst the sources consulted.

#### 1.3.7.Women

##### Khartoum

The 2016 report of the Special Rapporteur on violence against women stated that “At the time of the visit to the Omdurman women’s prison in Khartoum, there were 918 detainees, accompanied by 130 of their children. The Special Rapporteur is concerned that many women are sentenced and incarcerated for minor crimes, including for being unable to pay back microfinance loans, or for informal small economic activities that meet subsistence needs, including being tea ladies, food sellers and domestic workers”.<sup>148</sup> The same source further noted that “The Special Rapporteur was informed that many women who have served their time remain in prison, because they cannot afford to pay the compensation (diyaa) or the money that they owe to lenders. In addition, the Special Rapporteur notes with concern that pregnant women are regularly imprisoned and give birth in prison without the appropriate medical care. Access to other medical services, such as routine tests for HIV/AIDS and cancer detection, including Pap tests, are not available”.<sup>149</sup>

A joint report by the Strategic Initiative for Women in the Horn of Africa (SIHA) and The Redress Trust published in December 2017 provides an overview of the conditions in Omdurman Women’s Prison:

Women convicted for public order offences and sentenced to a term of imprisonment are placed in Omdurman Women’s Prison. Omdurman Women’s Prison is extremely overcrowded. Although it has capacity for 500 prisoners, it was reported that between 2011 and 2015 the average number of

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<sup>147</sup> US Department of State, [Country Report on Human Rights Practices 2017 - Sudan](#), 20 April 2018, Section 1., c. *Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*

<sup>148</sup> United Nations Human Rights Council, [Report of the Special Rapporteur on violence against women, its causes and consequences on her mission to the Sudan](#), 18 April 2016, para. 30

<sup>149</sup> United Nations Human Rights Council, [Report of the Special Rapporteur on violence against women, its causes and consequences on her mission to the Sudan](#), 18 April 2016, para. 31

prisoners ranged from 900 – 1,100 women. South Sudanese women who shared a crowded section complain that they have no access to medical treatment and no beds. They are not protected from rain and extreme temperatures. One inmate stated to SIHA: “We get very exhausted and suffer when the rains pour.” Maintaining personal hygiene in Omdurman Women’s prison is another serious challenge with inadequate access to toilets being reported by several inmates, as a cause of clashes. At the prison there were only sixteen toilets for the 965 women prisoners in 2015, equaling [sic] one toilet per every 60 women. The sanitation of the prison environment is reported to be unhealthy and causing sickness and the spreading of disease. An inmate interviewed as part of this study stated that she had not showered for a month and that the bathrooms in the prison are flooded creating conditions amounting to “daily suffering.”<sup>150</sup>

The same report further noted that:

With regards to the treatment of prisoners in Omdurman Women’s Prison the same sources states that “The research for this report has confirmed that abuse of prisoners in Omdurman Women’s Prison is endemic. Common human rights violations include verbal, physical, and sexual abuse, and exploitation. Violations of prisoners’ and detainees’ rights largely depend on racial, social, and economic status, as well as the alleged crime. Interviews with current and former inmates of Omdurman Prison confirmed that prisoners are frequently brutally flogged as a disciplinary measure. Prison officials are vicious in their treatment of prisoners. A former prisoner recalled: Prison officers brutally whip prisoners; I saw them suffer. Sometimes I saw them take women out of the bathroom to beat them, for no clear reason but only to intimidate them...those women suffer with serious consequences...”<sup>151</sup>

The report further described the services available for prisoners stating that “In Omdurman Women’s Prison medical, social and psychological services are lacking or almost non-existent. Essential medical check-ups, which would protect many other prisoners from different contagious diseases like tuberculosis, are not conducted. The prison has recorded cases of yellow fever, and epidemic lung infections, and one case of HIV. The sanitation of the prison environment is poor, a factor which contributes to sickness and spread of diseases. Although a medical centre exists, it lacks both medical equipment and doctors. The large number of inmates makes it difficult to consult the one available doctor. The lack of medicines is aggravated by the lack of a dedicated budget which makes the prison reliant on external support”<sup>152</sup>

The 2018 US Department of State country report on Sudan (covering 2017) reported that “Human rights groups alleged that NISS regularly harassed and sexually assaulted many of its female detainees. NISS arrested award-winning journalist and women’s rights activist Amal Habani in July [2017] on charges of indecent dress in violation of the Public Order Act. She stated publicly that she was physically assaulted while in police custody”<sup>153</sup>

### Khartoum & Omdurman

In its country report on human rights in Sudan (covering 2017) the US Department of State described the prisons in Khartoum and Omdurman stating that “The main prison in Khartoum, Kober Prison, contained separate sections for political prisoners, those convicted of financial crimes, and others. NISS [National Intelligence and Security Services] holding cells in Omdurman prisons were known to

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<sup>150</sup> REDRESS, [Criminalisation of Women in Sudan: a need for fundamental reform](#), 4 December 2017, p. 33

<sup>151</sup> REDRESS, [Criminalisation of Women in Sudan: a need for fundamental reform](#), 4 December 2017, p. 36

<sup>152</sup> REDRESS, [Criminalisation of Women in Sudan: a need for fundamental reform](#), 4 December 2017, p. 34

<sup>153</sup> US Department of State, [Country Report on Human Rights Practices 2017 - Sudan](#), 20 April 2018, Section 1., c. *Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*

local activists as “the fridges” due to the extremely cold-controlled temperatures and the lack of windows and sunlight”.<sup>154</sup>

The same report provided an overview of the prison conditions:

Prison conditions throughout the country remained harsh, overcrowded, and life threatening. [...] Overall conditions, including food, sanitary and living conditions, were reportedly better in 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, but they were reportedly held with adults elsewhere.

Prison health care, heating, ventilation, and lighting were often inadequate. Some prisoners did not have access to medications or physical examinations. Authorities generally provided food, water, and sanitation to prisoners, although the quality of all three was basic. Whereas prisoners previously relied on family or friends for food, families were not allowed to provide food or other items to family members. Most prisoners did not have beds. Former detainees reported needing to purchase foam mattresses. Ventilation and lighting conditions differed among prisons. Overcrowding was a major problem.<sup>155</sup>

### 1.3.8.Children

#### Khartoum

According to a UN Children’s Fund 2016 report on Sudan “Since October 2015, NCCW [National Council for Child Welfare] staff have visited Omdurman prison (in Khartoum state) and have identified 135 children in prison with their mothers. A national policy on the protection and welfare of children of imprisoned mothers was launched in November 2015”.<sup>156</sup>

A joint report by the Strategic Initiative for Women in the Horn of Africa (SIHA) and The Redress Trust, published in December 2017, noted with regards to the situation of children incarcerated with their mothers in Omdurman Women’s prison that “The research highlights that children live under unacceptable conditions with their mothers in Omdurman Women’s Prison. The quality of food and water is poor and cases of malnourishment and dysentery are common among babies and children who are taken into prison with their mothers. The prison does not make provision for the welfare of children within the prison system and infants have to be fed by their mothers. The environmental health risk due to the overcrowding of the prisons raises major concern for the health of those infants. Older children within the prison risk being abused, with a prisoner confirming to SIHA that “when children are brought to the prison they are used as servants and if they refuse to take orders they get beaten””.<sup>157</sup> The same report added that “Imprisonment can rupture families and deeply affects the tight knit communities within which these women live. Children from single parent households risk being left homeless and destitute, and infants end up in prison with their mothers”.<sup>158</sup>

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<sup>154</sup> US Department of State, [Country Report on Human Rights Practices 2017 - Sudan](#), 20 April 2018, *Prison and Detention Center Conditions*

<sup>155</sup> US Department of State, [Country Report on Human Rights Practices 2017 - Sudan](#), 20 April 2018, *Prison and Detention Center Conditions*

<sup>156</sup> UN Children's Fund, [Child Notice Sudan](#), 2016, para. 105

<sup>157</sup> REDRESS, [Criminalisation of Women in Sudan: a need for fundamental reform](#), 4 December 2017, pp. 34/35

<sup>158</sup> REDRESS, [Criminalisation of Women in Sudan: a need for fundamental reform](#), 4 December 2017, p. 43

In its country report on human rights in Sudan (covering 2017) the US Department of State stated that “In Khartoum juveniles were not held in adult prisons or jails, but they were reportedly held with adults elsewhere”.<sup>159</sup>

#### 1.3.9. Individuals of diverse sexual orientation or gender identity

No COI published between 19 August 2015 – 9 July 2018 on prison conditions of individuals of diverse sexual orientation or gender identity in Khartoum or Omdurman was found amongst the sources consulted.

#### 1.4. Violence and discrimination against family members of (perceived) political opponents

##### Unspecified locations

The 2018 US Department of State country report on Sudan (covering 2017) reported that “There were numerous reports of violence against student activists’ family members”.<sup>160</sup>

No further COI published between 19 August 2015 – 9 July 2018 on the treatment of family members in Khartoum or Omdurman was found amongst the sources consulted

## 2. Forced recruitment in Omdurman and Khartoum by the Sudanese government

#### 2.1. Overview of Military service (legal framework, unlawful or disproportionate punishment for refusal to serve, Desertion)

According to a 2015 country study published by the US Library of Congress “In Sudan, men and women aged 18–30 are subject to compulsory military service for a period of two years”.<sup>161</sup>

The US Central Intelligence Agency's (CIA) World Factbook stated that “Sudan has both compulsory and voluntary military service with a 1 to 2 year service obligation for people ages 18-33. A requirement that completion of national service was mandatory before entering public or private sector employment has been cancelled (2012)”.<sup>162</sup>

In a query response dated October 2016, the Immigration and Refugee Board of Canada noted with regards to the legal framework on military service in Sudan that:

In correspondence with the Research Directorate, a Khartoum-based lawyer noted that the legislation governing military conscription in Sudan is the National Service Act 1992, and that the age of conscription is for men 18 to 33 years old (Lawyer 29 Sept. 2016). The National Service Act of 1992 states that “[e]very Sudanese who completed eighteen years and did not exceed thirty three years of age shall submit to the imposition of National Service” (Sudan 1992, Art. 7). However, a report by War Resisters' International (WRI), a UK-based network of pacifist and anti-militarist groups in over 40

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<sup>159</sup> US Department of State, [Country Report on Human Rights Practices 2017 - Sudan](#), 20 April 2018, *Prison and Detention Center Conditions*

<sup>160</sup> US Department of State, [Country Report on Human Rights Practices 2017 - Sudan](#), 20 April 2018, *Section 1., c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*

<sup>161</sup> Berry, Laverle Bennette, and Library of Congress. Federal Research Division (Author), published by US Library of Congress, [Sudan, a country study](#), 2015, p. 38

<sup>162</sup> CIA World Factbook, [Sudan](#), Updated 12 July 2018



countries (WRI n.d.), states that the age for service was extended from 18-33 to 18-45 in 2013 as part of the "updated Sudan Military Service Act in 2013" (ibid. 21 Apr. 2015). [...]

WRI and the lawyer both state that the length of military service is 12 months for university and college graduates, 18 months for high school graduates, and 24 months for others (ibid.; Lawyer 29 Sept. 2016).<sup>163</sup>

The same source further stated with regards to conscription that "In correspondence with the Research Directorate, an independent researcher who specializes in Sudan stated that under national conscription, 'all people [are] targeted for conscription at [the age of] 18,' unless they service by payment of a fine or by being registered as a student (Independent researcher 26 Sept. 2016). WRI also indicates that postponing military service for students is possible (WRI 21 Apr. 2015). According to the lawyer, deferment of military service for students is addressed in Section 12 of the National Service Act 1992, but there are no specified parameters for thisment [sic] (Lawyer 29 Sept. 2016)".<sup>164</sup>

On the possibility of being exempted from military service the Immigration and Refugee Board of Canada query response cited the provisions of the National Service Act section on Applications for Pardon or Postponement, stating that "The Director is the authority to decide [sic] on applications for full exemption, partial or temporary. The Minister decides on postponement. Sudan Ambassadors and counsellors abroad has [sic] the authority for temporary decisions on applications for postponement of service for those residents abroad, and they have to notify the Administration immediately (Sudan 1992)".<sup>165</sup>

Regarding punishment for refusing or evading military service the Immigration and Refugee Board of Canada query response provided the following information:

The National Service Act 1992 states that

28.1 Whoever contradicts this Act shall be punished by imprisonment [for a] period not exceeding three years, or shall be fined, or with both penalties.

...

28.3 Any person subject to do the service shall be punished with imprisonment for a period of not less than two years and not exceeding three years who does not present himself for recruitment, or tries to avoid service through deceit, or by inflicting any harm to himself. (Sudan 1992, Art. 28.1).

The Sudan Tribune cites the 2013 military reserve law as indicating that those who refuse to join the reserve forces without a valid excuse will be fined and jailed for up to six months, while conscripts who commit a crime during their service period will be imprisoned for three years (Sudan Tribune 3 July 2013). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. According to the independent researcher, the punishments for refusing or evading military service have included fines, prison or forced conscription, but that the punishments have been "very unevenly applied" (Independent researcher 26 Sept. 2016). According to the Senior Fellow, to avoid military service "many people

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<sup>163</sup> Immigration and Refugee Board of Canada, [Sudan: Information on military service, including for the purpose of attending university; information on punishment for refusing or evading military service, including upon return to Sudan after an extended absence, such as since 2002 \(2014-September 2016\) \[SDN105640.E\]](#), 5 October 2016, *Military Service and Deferment for University Studies*

<sup>164</sup> Immigration and Refugee Board of Canada, [Sudan: Information on military service, including for the purpose of attending university; information on punishment for refusing or evading military service, including upon return to Sudan after an extended absence, such as since 2002 \(2014-September 2016\) \[SDN105640.E\]](#), 5 October 2016, *Military Service and Deferment for University Studies*

<sup>165</sup> Immigration and Refugee Board of Canada, [Sudan: Information on military service, including for the purpose of attending university; information on punishment for refusing or evading military service, including upon return to Sudan after an extended absence, such as since 2002 \(2014-September 2016\) \[SDN105640.E\]](#), 5 October 2016, *Punishment for Refusing or Evading Military Service*

simply disappear from Khartoum and the major towns when their military service is required" (13 Sept. 2016). Without providing details, the WRI [War Resisters' International] states that the "General Provisions section of the 2013 military service guideline" lists a number of procedures against those who refuse or evade military service, including:

- Communicating with their places of work to freeze their jobs;
- Communicating with their places of work to terminate employment;
- Pursuing them by raiding their homes and places of work;
- Enacting legal procedures against them;
- Publishing their names in local newspapers; Filing cases against them at the State Security Prosecution for crimes against national security (WRI 21 Apr. 2015).

Further information and a copy of the "General Provisions section of the 2013 military service guideline" could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. The independent researcher explained that military service evasion has often been "used as an excuse to target people who were already a target of security interest" (ibid.). Further information on instances of prosecution and implementation of punishments for evasion could not be found among the sources consulted by the Research Directorate within the time constraints of this.<sup>166</sup>

## 2.2. Darfuri

No COI published between 19 August 2015 – 9 July 2018 on forced recruitment of Darfuri in Khartoum or Omdurman was found amongst the sources consulted.

## 2.3. Nuba

No COI published between 19 August 2015 – 9 July 2018 on forced recruitment of Nuba in Khartoum or Omdurman was found amongst the sources consulted.

## 2.4. Other ethnic and/or religious minorities

### Khartoum

In correspondence with the Canadian Research Directorate, a Senior Fellow at Harvard University's François-Xavier Bagnoud Center for Health and Human Rights, who is also a professor of English at Smith College and has written numerous books and articles about human rights issues in Sudan, indicated that "there is also forcible conscription in Khartoum, which has occurred from 1989 to the present, targeting "African men who have found themselves in Khartoum for economic or political reasons".<sup>167</sup>

### Unspecified location

An October 2016 query response by the Immigration and Refugee Board of Canada described the situation regarding forced recruitment in Sudan:

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<sup>166</sup> Immigration and Refugee Board of Canada, [Sudan: Information on military service, including for the purpose of attending university; information on punishment for refusing or evading military service, including upon return to Sudan after an extended absence, such as since 2002 \(2014-September 2016\) \[SDN105640.E\]](#), 5 October 2016, *Punishment for Refusing or Evading Military Service*

<sup>167</sup> Immigration and Refugee Board of Canada, [Sudan: Information on military service, including for the purpose of attending university; information on punishment for refusing or evading military service, including upon return to Sudan after an extended absence, such as since 2002 \(2014-September 2016\) \[SDN105640.E\]](#), 5 October 2016, *Military Service and Deferment for University Studies*

In correspondence with the Research Directorate, a Senior Fellow at Harvard University's François-Xavier Bagnoud Center for Health and Human Rights, who is also a professor of English at Smith College and has written numerous books and articles about human rights issues in Sudan, stated that "forcible conscription is rampant" in the Darfur, South Kordofan and Blue Nile regions, particularly targeting "African men" knowledgeable about the terrain and military operations (Senior Fellow 12 Sept. 2016). [...]

The Senior Fellow stated that "forcible conscription is a real threat to any Sudanese," including those with a legal student deferment (Senior Fellow 12 Sept. 2016). He also noted that the laws "are imposed wildly asymmetrically among ethnic groups" and that "good families from riverine Arab backgrounds can typically easily evade service" due to bribery and corruption (ibid.). The independent researcher similarly indicated that many wealthier families have "bought their way out of conscription one way or another" (Independent researcher 26 Sept. 2016).

Sources indicate that Sudan does not allow for conscientious objection (Independent researcher 26 Sept. 2016; IFOR 3 Oct. 2016).<sup>168</sup>

#### 2.5. Students, political activists, human rights activists and journalists who are not originally from these cities or who support persons not originally from there

No COI published between 19 August 2015 – 9 July 2018 on the treatment of this profile with regards to forced recruitment in Khartoum or Omdurman was found amongst the sources consulted.

#### 2.6. IDPs

No COI published between 19 August 2015 – 9 July 2018 on the forced recruitment of IDPs in Khartoum or Omdurman was found amongst the sources consulted.

#### 2.7. Returnees

No COI published between 19 August 2015 – 9 July 2018 on the forced recruitment of returnees in Khartoum or Omdurman was found amongst the sources consulted.

#### 2.8. Women

No COI published between 19 August 2015 – 9 July 2018 on the forced recruitment of women in Khartoum or Omdurman was found amongst the sources consulted.

#### 2.9. Children

##### Various locations

The March 2017 report of the UN Secretary-General on children and armed conflict in the Sudan noted that "During the reporting period, the country task force verified 230 cases of the recruitment

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<sup>168</sup> Immigration and Refugee Board of Canada, [Sudan: Information on military service, including for the purpose of attending university; information on punishment for refusing or evading military service, including upon return to Sudan after an extended absence, such as since 2002 \(2014-September 2016\) \[SDN105640.E\]](#), 5 October 2016, *Military Service and Deferment for University Studies*

and use of children (all boys), approximately 17 per cent of which were attributed to government forces (39 cases) and 76 per cent to armed groups (104 cases to SPLM-N [Sudan People's Liberation Movement], 70 to SPLA [Sudanese Liberation Army] and 17 to unidentified armed elements). Over two thirds of the total figure for the recruitment and use of children was documented in the early stages of the conflict in Southern Kordofan and Blue Nile States, namely, until the end of 2013. From 2014, a decreasing trend was observed. Crossborder recruitment and use of children by SPLM-N in South Sudan and, allegedly, by SPLM/Army in Opposition (SPLM/A-IO) in the Sudan, was also documented".<sup>169</sup>

The US Department of State 2018 Trafficking in Persons report stated that "Sudanese law prohibits the recruitment of children as combatants and provides criminal penalties for perpetrators; however, children remained vulnerable to recruitment and use as combatants and in support roles by non-governmental armed groups and militias, primarily in Sudan's conflict zones of Darfur, South Kordofan, and Blue Nile. An international organization reported that the non-governmental Sudan Liberation Movement-Minni Minnawi, Sudan Liberation ArmyAbdul Wahid, and Sudan Liberation Army-Popular Defense may have recruited and used child soldiers, and verification was ongoing at the end of the reporting period".<sup>170</sup>

According to a June 2018 country update on Sudan, published by the US Commission on International Religious Freedom "Children are not only at risk of being recruited or conscripted into armed forces from IDP camps but may also be recruited from khalawa or religious schools that exist across the country. Sudanese citizens explained how some of these boarding schools prey on the vulnerability of the poor who send their children to the schools that serve as a tool of the Sudanese government to cultivate supporters as well as gain new recruits for various war fronts".<sup>171</sup>

#### 2.10. Individuals of diverse sexual orientation or gender identity

No COI published between 19 August 2015 – 9 July 2018 on THE forced recruitment of individuals of diverse sexual orientation or gender identity in Khartoum or Omdurman was found amongst the sources consulted.

### 3. Access to justice, including follow-up by State law enforcement agencies in cases of violence and other abuses against members of specific groups

#### 3.1. Darfuri

No COI published between 19 August 2015 – 9 July 2018 on access to justice for Darfuri in Khartoum or Omdurman was found amongst the sources consulted.

#### 3.2. Nuba

#### Khartoum

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<sup>169</sup> UN Security Council, [Report of the Secretary-General on children and armed conflict in the Sudan](#), 6 March 2017, para. 20

<sup>170</sup> US Department of State, [Trafficking in Persons Report 2018 - Country Narratives - Sudan](#), 28 June 2018, *Trafficking Profile*, p. 85

<sup>171</sup> US Commission on International Religious Freedom, [Country Update: Sudan](#), June 2018, p. 6

A joint report by the Strategic Initiative for Women in the Horn of Africa (SIHA) and The Redress Trust, published in December 2017, described the case of a Nuba woman accused of being an alcohol seller in Khartoum, stating that “Hayat, originally from the Nuba Mountains and currently resident in Shandi city (approximately 100km from Khartoum) recounted to SIHA interviewers, an incident where the public order police raided her house in search of alcohol. Despite the illegality of the search which was carried out without a search warrant, Hayat was prosecuted. As police did not find anything in her house, she was acquitted due to a lack of evidence. However, despite her innocence, Hayat, together with her husband and their seven children were subsequently evicted from their home”.<sup>172</sup> The report provided the following additional details regarding the case:

Mere suspicion of having committed a public order crime can have devastating consequences on women’s family lives. Hayat, from Nuba Mountains, was ostracised from her local community on the basis of mere suspicion that she was an alcohol seller. She was harassed by community members and exposed to racist comments. Even though Hayat was found not guilty by a public order court, her neighbours voiced their complaints to the local administrator, Motamad, who without the authority to do so, evicted Hayat along with her husband and seven children. Additionally, her husband, an employee of a railway company, was dismissed from his work because of the accusations against his wife. SIHA [Strategic Initiative for Women in the Horn of Africa] reached out to Hayat, and helped her institute a case to challenge these injustices. Her case progressed to the Constitutional Court in Khartoum, where it was pending at the time of writing.<sup>173</sup>

The report added that “Judges of public order courts treat women accused of public order crimes differently than men and based on their appearance and ethnic origin. For example, women from Nuba Mountains and South Sudan face discrimination because they look different”.<sup>174</sup>

### 3.3. Other ethnic and/or religious minorities

#### Khartoum

In its August 2016 report on Sudan, Lifos, the Swedish Migration Agency's expert institution for legal and country of origin information, described the judicial system in Khartoum stating that “There is a judicial system, with police and courts, in Khartoum. However, it is not independent and the state intervenes in the work of both the police and the courts, especially the appeal courts. On top of that, the system is corrupt and ineffective. NISS [National Intelligence and Security Service] authority is far-reaching, and often exceeded. NISS, as well as the police, the military forces and militias, act with impunity. Lifos means that the judicial system in Khartoum has some capacity, but finds its integrity very low”.<sup>175</sup>

Citing the African Centre for Justice and Peace Studies (ACPJS), the August 2016 joint fact-finding-mission report of the Danish Immigration Service (DIS) and the UK Home Office stated that “According to ACPJS [African Centre for Justice and Peace Studies], the Public Order Police (POP) was widely deployed in Khartoum, with each neighbourhood having their own police force and court system. The role of the POP was to enforce Public Order Laws in Khartoum”.<sup>176</sup>

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<sup>172</sup> REDRESS, [Criminalisation of Women in Sudan: a need for fundamental reform](#), 4 December 2017, p. 21

<sup>173</sup> REDRESS, [Criminalisation of Women in Sudan: a need for fundamental reform](#), 4 December 2017, p. 42

<sup>174</sup> REDRESS, [Criminalisation of Women in Sudan: a need for fundamental reform](#), 4 December 2017, p. 26

<sup>175</sup> Lifos, [Sudan; En sammanfattande analys av säkerhetssituationen i Darfur, rättsväsendet samt civilas situation](#), 6 December 2016, p. 8

<sup>176</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish](#)

The report further explained that „ACPJS noted that there was limited access to legal assistance at Public Order courts; no right of appeal and on-the-spot sentencing. According to SDFG [Sudan Democracy First Group], 90 per cent of those charged for such offenses would be convicted, with punishments including lashing sentences (40 lashes). However, the regional NGO advised that since the collapse of the economy in Sudan, the regime had become less hostile to those working in the informal sector, and instead saw this sector as a means through which to raise revenue through fines (under Public Order laws) and from taxation”.<sup>177</sup>

#### Unspecified location

The US Department of State 2018 report on Sudan (covering 2017) explained that “Persons arrested or detained, regardless of whether on criminal or other grounds, were not entitled to challenge in court the legal basis or arbitrary nature of their detention and, therefore, were not able to obtain prompt release or compensation if unlawfully detained”.<sup>178</sup>

- 3.4. Students, political activists, human rights activists and journalists who are not originally from these cities or who support persons not originally from there

No COI published between 19 August 2015 – 9 July 2018 on access to justice for this specific profile group in Khartoum or Omdurman was found amongst the sources consulted.

- 3.5. IDPs

No COI published between 19 August 2015 – 9 July 2018 on access to justice for IDPs in Khartoum or Omdurman was found amongst the sources consulted.

- 3.6. Returnees

No COI published between 19 August 2015 – 9 July 2018 on access to justice for returnees in Khartoum or Omdurman was found amongst the sources consulted.

- 3.7. Women

#### Khartoum

A joint report by the Strategic Initiative for Women in the Horn of Africa (SIHA) and The Redress Trust, published in December 2017 and focusing on Khartoum state, noted that “Following arrest for a public order offence, women are prosecuted before public order courts, established by the Chief

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[Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 29

<sup>177</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 29-30

<sup>178</sup> US Department of State, [Country Report on Human Rights Practices 2017 - Sudan](#), 20 April 2018, *Arrest Procedures and Treatment of Detainees*

Justice to conduct summary trials of public order law offences. In practice, these courts can execute their sentences immediately after the court's verdict, even though there is a right of appeal. The experiences of the women interviewed as part of this report paint a grim picture and reflect the inconsistency of these practices with constitutional provisions and Sudan's obligations under the African Charter and other international standards".<sup>179</sup>

The same report further detailed the access to justice for women:

The enforcement of public order laws has far reaching consequences on women's experiences with judicial processes. Lack of awareness of rights and the inability to afford bail results in women being detained pending trial; the inability to pay court imposed fines leads to imprisonment. The majority of women who cannot afford to bribe officials to avoid arrest are charged and prosecuted under public order laws. Most are convicted in flawed, summary trials but also because they are most likely to plead guilty in the hope of getting less severe sentences. These experiences deter women from accessing justice. They also discourage women from relying on a judicial system they view as corrupt. The often exorbitant fines levied on vulnerable women add a burden to their already precarious situations. In addition, their ability to generate income is curtailed as soon as they are arrested. This especially affects single women and their children.<sup>180</sup>

Regarding the impact of imprisonment and abuse in detention on women, the same report found that "The vast majority of women who have been detained have experienced trauma and require psychosocial support. Those who suffered abuse or other violations of their rights in detention cannot seek redress as no independent complaint mechanisms exist. This entrenches impunity of police and prison officials, contributes to the continuation of abuse and serves to undermine faith in the justice system."<sup>181</sup>

### Omdurman

Amnesty International wrote in May 2018 about the case of a woman sentenced to death in Omdurman after killing her husband in self-defence:

Nineteen year old, Noura Hussein Hamad Daoud, was sentenced to death on 10 May for killing her husband in self-defence after he tried to rape her for a second time. The Central Criminal Court of Omdurman in Sudan, on 29 April, found her guilty of the murder of her husband Abdulrahman Mohamed Hammad. Noura's case highlights the failure of the Sudan government to tackle the tragedy of early and forced marriage as well as marital rape.

Noura Hussein Hamad Daoud, a 19-year-old girl, was convicted of and sentenced to death for 'intentional murder' under Article 130 of Sudan's 1991 Criminal Act in connection with the killing of her husband, Abdulrhman Mohamed Hammad. Her lawyers have until 25 May to submit an appeal. Her trial began in July 2017 and the Central Court of Omdurman on 29 April found her guilty of murdering her husband. The judge who presided in the case applied an outdated law which does not recognise marital rape as an offense. However, the sentencing was scheduled for a later date to allow for the relatives of the deceased husband to choose between pardon and financial compensation (customarily known as Diya or "blood money") or demand the application of the death penalty. The family opted for the death penalty.<sup>182</sup>

A BBC article, published in June 2018, provided the following updates regarding the case "An appeals court in Sudan has overturned the death sentence of a woman who killed her husband after he

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<sup>179</sup> REDRESS, [Criminalisation of Women in Sudan: a need for fundamental reform](#), 4 December 2017, p. 37

<sup>180</sup> REDRESS, [Criminalisation of Women in Sudan: a need for fundamental reform](#), 4 December 2017, p. 43

<sup>181</sup> REDRESS, [Criminalisation of Women in Sudan: a need for fundamental reform](#), 4 December 2017, p. 43

<sup>182</sup> Amnesty International, [Urgent Action: 95/18 \[AFR 54/8404/2018\]](#), 15 May 2018



allegedly raped her, her lawyer says. Noura Hussein, 19, was instead sentenced to five years in jail, lawyer Abdelaha Mohamad said".<sup>183</sup>

#### Unspecified location – FGM

According to a 28 Too Many report on female genital mutilation (FGM) practices in Sudan, published July 2018, "In the absence of national legislation on FGM, there are no reported cases of arrests or court proceedings. There is also no evidence of the Criminal Act (1991) being used to prosecute perpetrators of FGM".<sup>184</sup>

#### Unspecified location - Trafficking

The Independent Expert on the situation of human rights in the Sudan noted in his report covering the period October 2016 to June 2017 that despite the government adopting an Anti-Trafficking Act in 2014, the Act "failed to define what constitutes exploitation, which in international law includes forced labour and forced prostitutions of others. In addition, the government anti-trafficking unit lacked resources and its investigative capacity remained insufficient".<sup>185</sup>

### 3.8. Children

No additional COI published between 19 August 2015 – 9 July 2018 on access to justice for children in Khartoum or Omdurman was found amongst the sources consulted.

#### Unspecified location

UN Children's Fund (UNICEF) noted in a 2016 report that "Children who are victims, defendants or witnesses, under the Child Act 2010, are entitled to legal representation. Over the past 10 years, NCCW [National Council for Child Welfare], in cooperation with UNICEF, has worked within police stations to establish child-friendly procedures for those children who come into contact with the law. A pilot Family and Child Protection Unit (FCPU) project was established in Khartoum, and now extends countrywide. FCPU's were formally constituted under the Police Act 2008 and defined as a sort of 'children's police' service under the 2010 Child Act, Article 4111".<sup>186</sup> The same report further stated that "Some lawyers provide services for free to FCPU's [Family and Child Protection Unit], and the Ministry of Justice (MJ) provides legal aid to children accused of serious crimes through the legal counsel or through volunteer lawyers from the Bar Association. Specialist legal aid services for children do not exist in Sudan and few lawyers work in this field. In 2014, a special section to provide legal assistance to children was established at the MJ. Assistance is available for all such matters, not only major offences. Among all sources consulted no data was found on whether specific groups of children are less likely to obtain access to legal advice than others".<sup>187</sup>

### 3.9. Individuals of diverse sexual orientation or gender identity

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<sup>183</sup> BBC News, [Noura Hussein: Appeals court overturns death sentence](#), 26 June 2018

<sup>184</sup> 28 Too Many, [Sudan: The Law and FGM](#), July 2018, p. 5

<sup>185</sup> Independent Expert on the situation of human rights in the Sudan, [Report of the Independent Expert on the situation of human rights in the Sudan](#), 27 July 2017, IV. Main human rights challenges, I. Illegal migration and human trafficking, para. 58

<sup>186</sup> UN Children's Fund, [Child Notice Sudan](#), 2016, para. 94

<sup>187</sup> UN Children's Fund, [Child Notice Sudan](#), 2016, para. 95

No COI published between 19 August 2015 – 9 July 2018 on access to justice for individuals of diverse sexual orientation or gender identity in Khartoum or Omdurman was found amongst the sources consulted.

#### 4. Freedom of movement

The joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi, dated August 2016, stated that “The majority of sources [Ahmed Eltoum Salim, Director, European and African Centre (EAC); ACPJS; Crisis Group; the civil society NGO; IOM; an international consultant; DBA (Kampala); UNHCR; Khartoum based journalist (2); the UN official; Khartoum based journalist (1); A Western embassy (A); National Human Rights Monitors Organisation (NHRMO); Khartoum based journalist (2); the diplomatic source] confirmed that travel both between Darfur and Khartoum as well as between the Two Areas and Khartoum remained possible, subject to passing various checkpoints controlled by different armed actors (government forces, rebel groups, local armed groups and militias), depending on where a person was travelling from. At some checkpoints a person may be required to pay a bribe or show ID, other checkpoints involved searching vehicles for illegal goods or unpaid customs duties; NISS [National Intelligence and Security Service] officers would be present at some government checkpoints”.<sup>188</sup>

##### 4.1. Darfuri

No COI published between 19 August 2015 – 9 July 2018 on freedom of movement of Darfuri in Khartoum or Omdurman was found amongst the sources consulted.

##### 4.2. Nuba

Regarding the treatment of persons traveling from the Two Areas to Khartoum, the Danish Immigration Service and UK Home Office report stated that “According to NHRMO [National Human Rights Monitors Organisation], when travelling through KIA [Khartoum International Airport] persons from the Two Areas would be treated differently because of being perceived to be affiliated with SPLM-N [Sudan People's Liberation Movement-North] and they would be subject to more intensive questioning about their background and political involvement. Ethnic Nuba persons would be most likely to experience harassment and would be easily identifiable from the name”.<sup>189</sup>

##### 4.3. Other ethnic and/or religious minorities

Regarding the treatment of persons traveling from the Two Areas to Khartoum, the Danish Immigration Service and UK Home Office report stated that “According to NHRMO [National Human Rights Monitors Organisation], when travelling through KIA [Khartoum International Airport] persons

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<sup>188</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 31

<sup>189</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 88

from the Two Areas would be treated differently because of being perceived to be affiliated with SPLM-N [Sudan People's Liberation Movement-North] and they would be subject to more intensive questioning about their background and political involvement".<sup>190</sup>

4.4. Students, political activists, human rights activists and journalists who are not originally from these cities or who support persons not originally from there

No COI published between 19 August 2015 – 9 July 2018 on freedom of movement of this particular profile in Khartoum or Omdurman was found amongst the sources consulted.

4.5. IDPs

No COI published between 19 August 2015 – 9 July 2018 on freedom of movement of IDPs in Khartoum or Omdurman was found amongst the sources consulted.

4.6. Returnees

No COI published between 19 August 2015 – 9 July 2018 on freedom of movement of returnees in Khartoum or Omdurman was found amongst the sources consulted.

4.7. Women

No COI published between 19 August 2015 – 9 July 2018 on freedom of movement of women in Khartoum or Omdurman was found amongst the sources consulted.

4.8. Children

No COI published between 19 August 2015 – 9 July 2018 on freedom of movement of children in Khartoum or Omdurman was found amongst the sources consulted.

4.9. Individuals of diverse sexual orientation or gender identity

No COI published between 19 August 2015 – 9 July 2018 on freedom of movement of individuals of diverse sexual orientation or gender identity in Khartoum or Omdurman was found amongst the sources consulted.

**5. Living conditions, including: housing; access to basic services (e.g. water and sanitation); education; healthcare; and employment**

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<sup>190</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [\*Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016\*](#), August 2016, p. 88

## 5.1. Darfuri

### Khartoum - Access to documentation

The August 2016 joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi noted with regards to access to documentation for persons from Darfur and the Two Areas living in Khartoum that “A number of sources [NHRMO; the Khartoum based human rights organisation; Khartoum based journalist (1); an international consultant; Khartoum based journalist (3); IOM; the professor in law] indicated that persons from Darfur and the Two Areas would, in general, have access to civil documentation, including a National ID Number (‘Al-Raqam Al-Watani’) required to access services and to obtain other types of documents such as passport etc”.<sup>191</sup> However, “some sources [NHRMO; Khartoum based journalist (1); the Khartoum based human rights organisation] opined that many people from Darfur and the Two Areas viewed the new National Number with suspicion since they considered the number as a tool for the government to gather information about people in order to monitor and control them”.<sup>192</sup>

### Khartoum – Living conditions

Citing a source, the joint report of the Danish Immigration Service and UK Home Office noted with regards to living conditions in Khartoum that “EHAHRDP [East and Horn of Africa Human Rights Defenders Project] commented that Sudanese from conflict areas living in Khartoum lacked access to basic services, and faced economic, social and political exclusion. EHAHRDP advised that the Humanitarian Aid Commission (HAC) in Khartoum, which was a government body, had previously restricted international organisations, such as the Red Crescent Society, from providing aid relief”.<sup>193</sup>

### Khartoum – Access to employment

The joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi, dated August 2016, noted with regards to access to employment in Khartoum that “persons from Darfur and the Two Areas predominantly worked in the informal sector, for example as security guards; laundry; construction or agriculture [Khartoum based journalist (1); the professor in law; the diplomatic source; the senior staff member of an international organisation; the civil society NGO; an international consultant; Khartoum based journalist (2); EAC; the regional NGO]. Several sources [a regional NGO; NHRMO; ACPJS; DBA (Kampala); Freedom House; SDFG] also confirmed that persons from Darfur and the Two Areas, especially women, could also be found working illegally, for example illegal selling of tea or coffee or selling alcohol. Several sources [a professor in law; Khartoum based journalist (1); the senior staff member of an international organisation; the civil society NGO; the Khartoum based human rights organisation; Khartoum based journalist (3); Khartoum based journalist (2); Western embassy (C);

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<sup>191</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 25

<sup>192</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 25

<sup>193</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), p. 86

the regional NGO; ACPJS] indicated that persons from Darfur or the Two Areas experienced some degree of discrimination which was reflected in their limited access to certain types of jobs/sectors in the labour market in Khartoum. For instance, such persons would likely find it difficult to secure skilled employment; enter into certain qualified professions or sectors especially within the public sector. Several sources also pointed at the adverse economic conditions and the general shortage of jobs in Sudan as an additional factor, which made it difficult for Darfuris and persons from the Two Areas to access employment in the formal sector”.<sup>194</sup>

Citing a Khartoum based human rights organisation, the same report described the access to employment in Khartoum for persons from Darfur and the Two Areas:

Concerning access to employment in Khartoum, for persons from Darfur and The Two Areas, the organisation advised that general discrimination could be found within specific sectors, for instance in the oil industry or banking, where jobs were highly paid, the likelihood of a person from Darfur or the Two Areas obtaining such a position were very low. Previously the authorities did not ask where a job applicant was from, but after the National Congress party took power in June 1989 asking about the place of origin and one’s tribal affiliation became a part of the job interviews. The source further said that it was also difficult for Darfuris and people from the Two Areas to become officer in the army. However, there were about 35,000 soldiers in the army who were from the Nuba Mountains and they were believed to be one of the strongest and best fighters in the army, according to the source. When asked which tribes were most affected by the discrimination in the labour market, the source mentioned that it was predominantly tribes from Nuba Mountains and Darfuri African tribes such as Masalit, Fur and Tunjur.<sup>195</sup>

The 2018 US Department of State country report on Sudan (covering 2017) reported that “More than 10,000 women in the informal sector depended on selling tea on the streets of Khartoum State for their livelihoods after having fled conflict in Darfur and the Two Areas. Despite the collective activism of many tea sellers in Khartoum, harassment of tea sellers and confiscation of their belongings continued as in previous years”.<sup>196</sup>

#### *Khartoum - Access to housing*

The same report further stated that “Several sources [the civil society NGO; the regional NGO; Khartoum based journalist (1); Western Embassy (B); Crisis Group] noted that access to accommodation was not restricted, explaining that there was no systematic discrimination against persons from Darfur and the Two Areas with regard to where such communities could live in Khartoum”.<sup>197</sup>

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<sup>194</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 28

<sup>195</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), p. 75-76

<sup>196</sup> US Department of State, [Country Report on Human Rights Practices 2017 - Sudan](#), 20 April 2018, Section 7., e. *Acceptable Conditions of Work*

<sup>197</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 25

On access to housing the report further noted that “Sources [DBA (Kampala); Khartoum based journalist (1); the senior staff member of an international organisation; Western Embassy (B); Western Embassy (C); Freedom House; the regional NGO; Khartoum-based journalist (2); the Khartoum based human rights organisation; the civil society NGO; the diplomatic source; ACPJS; EHAHRDP; Crisis Group; EAC] highlighted that the only real difficulty regarding access to housing for persons from Darfur or the Two Areas, was whether a person had sufficient income or financial resources to live in a particular place. Sources noted that usually persons from Darfur and the Two Areas had limited financial means and so were forced to live in the poorer slum communities on the outskirts of the city, where housing was generally of a poor standard. The districts of Mayo and Omdurman were mentioned as having sizeable populations from Darfur and the Two Areas. Several sources [a regional NGO; an international consultant; SDFG; ACPJS; EHAHRDP; Crisis Group] also noted numerous other areas in Khartoum where such communities lived”.<sup>198</sup>

The report further stated that “The Commissioner for Refugees, Ministry of Interior, noted that there were no areas in Khartoum exclusively inhabited by people from Darfur and the Two Areas. Both EAC [European and African Centre] and the Commissioner for Refugees remarked that persons from Darfur and the Two Areas often stayed with relatives in Khartoum, at least initially. Forced evictions occurred in these slum communities. Usually this resulted in communities being forced to live further outside Khartoum, where access to services was very limited”.<sup>199</sup>

#### *Khartoum - Access to healthcare*

Regarding healthcare the same report noted that “Sources [Crisis Group; DBA (Kampala); the regional NGO; NHRMO; Khartoum based journalist (1); Khartoum based journalist (2); Western Embassy (B); the diplomatic source] confirmed that access to healthcare in the slum areas, where the majority of persons from Darfur and the Two Areas lived was generally poor, although it was noted that there were a few public hospitals in Khartoum where there was access to low cost healthcare. Most sources [International Crisis Group; DBA (Kampala); the regional NGO; Khartoum based journalist (1); Western Embassy (B); the diplomatic source] indicated that there was no systematic discrimination against persons from Darfur and the Two Areas in accessing healthcare in Khartoum, providing they could pay for it”.<sup>200</sup>

#### *Khartoum - Access to education*

The fact finding missions to Khartoum, Kampala and Nairobi noted with regards to access to education in Khartoum that “Sources confirmed [International Crisis Group; DBA (Kampala); the regional NGO; NHRMO; Khartoum based journalist (1); Khartoum based journalist (2); Western Embassy (B); the civil society NGO; the Khartoum based human rights organisation; the diplomatic source] that access to education in the slum areas, where the majority of persons from Darfur and the Two Areas lived, was generally limited and the quality of education was poor. A number of

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<sup>198</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 26

<sup>199</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 26

<sup>200</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 26



sources [International Crisis Group; DBA (Kampala); the regional NGO; NHRMO; Khartoum based journalist (1); Khartoum based journalist (2); the professor in law; Western Embassy (B); the Khartoum based human rights organisation; the diplomatic source] indicated that there was no systematic discrimination against persons from Darfur and the Two Areas in accessing education in Khartoum, providing they could pay for it. NHRMO [The National Human Rights Monitors Organisation] advised that the regime used schools to advocate its ideological aims and recruit NCP [National Congress Party] supporters, hence it would not seek to restrict access to those from Darfur or the Two Areas".<sup>201</sup>

The same report further stated that "EHAHRDP [East and Horn of Africa Human Rights Defenders Project] commented that Sudanese from conflict areas living in Khartoum lacked access to basic services, although mentioned that general access to education in Khartoum was better than in Darfur and the Two Areas".<sup>202</sup>

### Omdurman

Radio Dabanga reported in September 2016 that "About 200 families in the west Fashoda area of El Salha in Sudan's second city of Omdurman have faced harsh humanitarian conditions since Ramadan, after the government authorities demolished their houses and left them in the open".<sup>203</sup> According to one of the victims interviewed by the same source "the majority of those whose houses were demolished in Omdurman [...] are from Darfur, the Nuba Mountains and the Blue Nile states".<sup>204</sup>

## 5.2. Nuba

### Khartoum - General

Waging Peace noted in a report dated March 2018 on the possibility of internal relocation of Nuba to Khartoum that "By far the biggest obstacle to Nuba individuals relocating to Khartoum are the systemic forms of discrimination individuals face there. The routine denial of these rights and opportunities, and the underlying racism of the Arab elite that brings Nuba individuals more readily to the adverse attention of police and security officials, amounts to a high degree of persecution".<sup>205</sup>

### Khartoum – Access to employment

Citing a Khartoum based journalist, the fact finding mission report, dated August 2016, explained that "On the issue of employment of persons from Darfur and the Two Areas in the armed forces, the source advised that persons of Nuba origin were employed in lower ranks in the army and were

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<sup>201</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 27

<sup>202</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 27

<sup>203</sup> Radio Dabanga, [Demolitions leave families living rough in Sudan's Omdurman](#), 8 September 2016

<sup>204</sup> Radio Dabanga, [Demolitions leave families living rough in Sudan's Omdurman](#), 8 September 2016

<sup>205</sup> Waging Peace, [Risk to individuals from Nuba Mountains in Sudan](#), March 2018, p. 11



considered good soldiers. The source advised that persons of Nuba origin employed in the police force and the army were from Southern Kordofan”.<sup>206</sup>

A study dated September 2017 by Azza Abdelmoneium, a researcher on children and family affairs, found that among the types of employment among the displaced persons in Khartoum, including those from the Nuba Mountains, are: “The men usually engage in harvesting, driving a donkey cart, laboring, construction, driving, teaching, join the army or police, engage in trade or technical work, become guards or work in a factory. The women do domestic work, brewing, selling food, dying clothes, firewood collection, trade, sewing, basket making, washing clothes, nursing, handicrafts, and factory work. The boys drive donkey carts, sell cigarettes, polish shoes, work in factories or as casual labor, sell water and scavenge. The girls sell tea, help in the market, do domestic work and scavenge”.<sup>207</sup>

In a March 2018 report, Waging Peace described the access to employment by citing several individuals from the Nuba Mountains who were interviewed for the report:

All our interviewees mentioned the difficulties in gaining employment, even though those who spoke to were from wealthier backgrounds and had relevant qualifications. For instance, Ms B said she had to recite verses from the Quran in interviews, and was asked questions such as, “Where are you really from?” because of the colour of her skin. As a result, she ended up performing outsourcing roles for a computer company or a teaching association, where she would be paid, but her name or identity would not be recorded. This adversely affected her ability to prove her employment history and skills to future employers.

Ms A also described the difficulties her husband faced. From his home in Khartoum, he started an organisation focused on development, and particularly water security, in the Nuba Mountains. However, the government effectively barred him from work on local development projects. Mr C also said that although there is a government-run microfinance scheme for small businesses, aimed at graduates, and theoretically accessible to individuals from the Nuba Mountains, a successful application requires a guarantor from the government or ruling NCP [National Congress Party], something unlikely for Nuba to receive.<sup>208</sup>

The same report further stated that “Nuba individuals sometimes limit their horizons as a result. But unfortunately, even some of the lower-skilled work available to Nuba individuals is the target of police action, as it forms part of Sudan’s informal economy. For instance, many Nuba women in the capital work as tea-sellers, while also selling a lightly alcoholic drink called marissa. Some Nuba families even give it to children before school. There have been numerous cases of these women being arrested or submitted to degrading punishments as a result, under the aegis of the Public Order Laws”.<sup>209</sup>

### *Khartoum - Access to housing*

According to a Waging Peace report, dated March 2018 “Most of the Nuba live in certain peripheral areas of Khartoum, nicknamed the ‘black belt’. Ms A called the conditions “heart-breaking”, describing a situation where individuals were living in slums without permanent structures,

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<sup>206</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), p. 86

<sup>207</sup> Abdelmoneium, Azza O., [Ways to Survive: Child Labor among Internally Displaced Children in Khartoum-Sudan, in Open Journal of Social Sciences, 5](#), 1 September 2017, p. 57

<sup>208</sup> Waging Peace, [Risk to individuals from Nuba Mountains in Sudan](#), March 2018, p. 13

<sup>209</sup> Waging Peace, [Risk to individuals from Nuba Mountains in Sudan](#), March 2018, p. 13

electricity, government service provision, or even food in some cases. She described how the slums had become ‘no go’ areas for other Khartoum residents. Slum dwellers are also demonised by the public and politicians, often in ways that associate them with rebel activity”.<sup>210</sup>

### *Khartoum - Access to healthcare*

In a March 2018 report Waging Peace described the access to healthcare in Khartoum for Nuba:

There is no access to the admittedly inadequate healthcare accessible to Khartoum’s other residents, because there are no facilities in the ‘black belt’. Article 46 of Sudan’s constitution determines that emergency and primary healthcare should be free, but, in practice, it is not. Hence the majority of doctors refuse to work with the Ministry of Health (a figure as high as 70% according to a conversation in February 2018 with someone in the sector). There have been widespread strikes among the the medical profession (as in December 2016) in recognition of the fact that the system was near collapse. Even were adequate healthcare on offer, Nubans would struggle to access it, because they lack an ID card, or their ID card identifies them as a Nuba. This means they cannot access the limited health insurance schemes on offer, and one off payments can push poor families into ‘catastrophic health expenditure’, where the sum paid would seriously disrupt household living standards.<sup>211</sup>

### *Khartoum - Access to education*

According to a Waging Peace report, dated March 2018 “An ID card is required in order to sit the exams to leave secondary school, as was confirmed by Ms B. By not taking this exam, Nuba students are then also prevented from attending university. This of course presumes they received primary and secondary-level education. Schooling is not free, so many are unable to afford it, or if they can, it will only be for one child out of a family of many more children. In addition, there are often few, or no, schools in the areas in which most Nuba communities live (the so-called ‘black belt’, discussed below). This effectively bars the Nuba youth from educational opportunities.

Where individuals do get to university, their achievements may be disparaged. For instance, one Nuba gentleman we support faced severe discrimination while at university: he had to repeat a year, and was only given a pass grade, despite the fact that his peers, whom he had tutored, received high marks”.<sup>212</sup>

The same report further stated that “The suppression of the Nuban identity is also evident in attempts to eradicate languages other than Arabic in schooling. Ms A described that during her schooling she would have her hands “beaten raw” for using her mother tongue, rather than Arabic, in class. She lamented the fact that traditional Nuba languages are becoming lost, as newer generations speak only Arabic. Nuba individuals are also not represented in school textbooks or study problems. For instance, exam questions will say ‘Mohammed has 5 pieces of fruit’, or so on”.<sup>213</sup>

### *Omdurman*

Radio Dabanga reported in September 2016 that “About 200 families in the west Fashoda area of El Salha in Sudan’s second city of Omdurman have faced harsh humanitarian conditions since Ramadan, after the government authorities demolished their houses and left them in the open”.<sup>214</sup>

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<sup>210</sup> Waging Peace, [Risk to individuals from Nuba Mountains in Sudan](#), March 2018, p. 12

<sup>211</sup> Waging Peace, [Risk to individuals from Nuba Mountains in Sudan](#), March 2018, p. 12-13

<sup>212</sup> Waging Peace, [Risk to individuals from Nuba Mountains in Sudan](#), March 2018, p. 12

<sup>213</sup> Waging Peace, [Risk to individuals from Nuba Mountains in Sudan](#), March 2018, p. 12

<sup>214</sup> Radio Dabanga, [Demolitions leave families living rough in Sudan’s Omdurman](#), 8 September 2016

According to one of the victims interviewed by the same source “the majority of those whose houses were demolished in Omdurman [...] are from Darfur, the Nuba Mountains and the Blue Nile states”.<sup>215</sup>

### Unspecified location

An April 2016 report by the UN Human Rights Council (UN HRC) stated that: “It was also reported that persons of Nuba origin had fewer job opportunities, might be more likely to be victims of violence or threats by the authorities, and were the target of discriminatory application of the law”.<sup>216</sup>

Citing a professor in law, the joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi, dated August 2016, noted with regards to access to documentation that “Applicants from the Nuba Mountains and the Blue Nile State and Sudanese of South Sudan tribal origins, border tribes between Sudan, South Sudan and Darfuris, may all face specific difficulties in obtaining the National Number, a national ID number. This was because they had to have proof that they ethnically belonged to tribal groups which belonged to Sudan. Birth in the territory was not enough to be recognised as a Sudanese national and you needed to prove this by establishing that your parents or ancestors belonged to Sudanese tribal groups. Those whose names were seen to have a ‘Southern’ origin, even when they possessed Sudanese nationality documents would not be entitled to nationality and they had to have proof otherwise”.<sup>217</sup>

Waging Peace noted in a report dated March 2018 that “Systemic forms of discrimination - limiting Nuba individuals’ access to equal citizenship, employment, religious freedom, education, healthcare, and housing - present intolerable obstacles when trying to relocate internally to the capital. This risk is increased at times of political upheaval, because of the perception that all Nuba are associated with, or at least sympathetic to, rebel and opposition activity. Given the wide-scale protests in early 2018, which were marked by the arrest and ill-treatment of hundreds of opposition figures, this is a particularly inopportune and dangerous moment to arrange removals, and will likely remain so for the foreseeable future”.<sup>218</sup>

## 5.3. Other ethnic and/or religious minorities

### Khartoum – Living conditions

The August 2016 joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi provided an overview of living conditions in Khartoum for persons from Darfur and the Two Areas:

Persons from Darfur and the Two Areas have access to documents, housing, education and healthcare in Khartoum. However, the quality of these services is low in the poor neighbourhoods surrounding Khartoum where a majority of these persons live. The main factor regarding access to housing and services is the person’s financial resources. There is in practice limited humanitarian assistance

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<sup>215</sup> Radio Dabanga, [Demolitions leave families living rough in Sudan’s Omdurman](#), 8 September 2016

<sup>216</sup> United Nations Human Rights Council, [Report of the Special Rapporteur on violence against women](#), 18 April 2016, paragraph 33

<sup>217</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), p. 92

<sup>218</sup> Waging Peace, [Risk to individuals from Nuba Mountains in Sudan](#), March 2018, p. 1

provided in Khartoum to those displaced by violence elsewhere in Sudan. Most Darfuris and persons from the Two Areas work in the informal sector as their access to employment in a number of sectors, particularly the public sector, is limited due to discrimination as well as the general adverse economic conditions in Sudan. Those working illegally, for example women selling tea without a licence, are at risk of arrest and prosecution under Public Order laws as well as harassment and extortion by the police.<sup>219</sup>

Citing the EHAHRDP [East and Horn of Africa Human Rights Defenders Project], the same report noted that they commented that Sudanese from conflict areas living in Khartoum lacked access to basic services, and faced economic, social and political exclusion. EHAHRDP advised that the Humanitarian Aid Commission (HAC) in Khartoum, which was a government body, had previously restricted international organisations, such as the Red Crescent Society, from providing aid relief”.<sup>220</sup>

### *Khartoum – Access to employment*

The fact finding mission report noted with regards to discrimination in employment that “The Khartoum based human rights organisation noted that Darfuri African tribes, such as the Masalit, Fur and Tunjur or (African) tribes from the Nuba Mountains were more likely to experience employment discrimination. Western embassy (C) likened employment discrimination against African (non-Arabs) from Darfur and the Two Areas as similar to the difficulties faced by migrants / refugees seeking employment in Europe”.<sup>221</sup>

Citing a source, the Austrian Centre for Country of Origin and Asylum Research and Documentation stated in its COI report on Darfur, published September 2017, that “Jérôme Tubiana mentions in his email response of 18 July 2017 that “generally speaking nonArabs are discriminated against by the state and affiliated Arab militias. They are less likely to be recruited in government forces”. (Tubiana, 18 July 2017)”.<sup>222</sup>

Citing a Khartoum based human rights organisation, the August 2016 joint report stated:

Concerning access to employment in Khartoum, for persons from Darfur and The Two Areas, the organisation advised that general discrimination could be found within specific sectors, for instance in the oil industry or banking, where jobs were highly paid, the likelihood of a person from Darfur or the Two Areas obtaining such a position were very low. Previously the authorities did not ask where a job applicant was from, but after the National Congress party took power in June 1989 asking about the place of origin and one’s tribal affiliation became a part of the job interviews. The source further said that it was also difficult for Darfuris and people from the Two Areas to become officer in the army. However, there were about 35,000 soldiers in the army who were from the Nuba Mountains and they were believed to be one of the strongest and best fighters in the army, according to the source. When

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<sup>219</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), p. 10

<sup>220</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), p. 86

<sup>221</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 28-29

<sup>222</sup> Austrian Centre for Country of Origin and Asylum Research and Documentation, [Darfur; COI Compilation](#), September 2017, p. 68

asked which tribes were most affected by the discrimination in the labour market, the source mentioned that it was predominantly tribes from Nuba Mountains and Darfuri African tribes such as Masalit, Fur and Tunjur.<sup>223</sup>

### *Khartoum - Access to healthcare*

Regarding healthcare the same report noted that “Sources [International Crisis Group; DBA (Kampala); the regional NGO; NHRMO; Khartoum based journalist (1); Khartoum based journalist (2); Western Embassy (B); the diplomatic source] confirmed that access to healthcare in the slum areas, where the majority of persons from Darfur and the Two Areas lived was generally poor, although it was noted that there were a few public hospitals in Khartoum where there was access to low cost healthcare. Most sources [International Crisis Group; DBA (Kampala); the regional NGO; Khartoum based journalist (1); Western Embassy (B); the diplomatic source] indicated that there was no systematic discrimination against persons from Darfur and the Two Areas in accessing healthcare in Khartoum, providing they could pay for it”.<sup>224</sup>

### *Khartoum - Access to education*

The August 2016 fact finding mission joint report noted with regards to access to education in Khartoum that “Sources confirmed that access to education in the slum areas, where the majority of persons from Darfur and the Two Areas lived, was generally limited and the quality of education was poor. A number of sources indicated that there was no systematic discrimination against persons from Darfur and the Two Areas in accessing education in Khartoum, providing they could pay for it. NHRMO [The National Human Rights Monitors Organisation] advised that the regime used schools to advocate its ideological aims and recruit NCP [National Congress Party] supporters, hence it would not seek to restrict access to those from Darfur or the Two Areas”.<sup>225</sup>

The same report further stated that “EHAHRDP [East and Horn of Africa Human Rights Defenders Project] commented that Sudanese from conflict areas living in Khartoum lacked access to basic services, although mentioned that general access to education in Khartoum was better than in Darfur and the Two Areas”.<sup>226</sup>

### *Omdurman – Living conditions*

Radio Dabanga reported in a September 2016 article that: “About 200 families in the west Fashoda area of El Salha in Sudan’s second city of Omdurman have faced harsh humanitarian conditions since

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<sup>223</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), p. 75-76

<sup>224</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 26

<sup>225</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 27

<sup>226</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 27

Ramadan, after the government authorities demolished their houses and left them in the open. One of the victims told Radio Dabanga that the majority of those whose houses were demolished in Omdurman, which lies just north of the capital Khartoum, are from Darfur, the Nuba Mountains and the Blue Nile states".<sup>227</sup>

### Unspecified location

The US Department of State 2018 country report (covering 2017) stated that "Discrimination in employment and occupation occurred based on gender, religion, and ethnic, tribal, or party affiliation. Ethnic minorities often complained that government hiring practices discriminated against them in favor of "riverine" Arabs from northern Sudan".<sup>228</sup>

- 5.4. Students, political activists, human rights activists and journalists who are not originally from these cities or who support persons not originally from there

No COI published between 19 August 2015 – 9 July 2018 on the living conditions for this particular profile in Khartoum or Omdurman was found amongst the sources consulted.

- 5.5. IDPs

### Khartoum

The World Population Review noted with regards to the number of IDPs living in Khartoum that "The largest metropolitan area, Khartoum (which includes Khartoum, Khartoum North and Omdurman) is quickly growing and ranges between 6 and 7 million, which includes approximately 2 million displaced people from the southern war zone and the drought-affected areas in the west and east".<sup>229</sup>

The August 2016 joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi noted with regards to the existence of IDP camps in Khartoum that "Three sources [Western embassy (A); EAC; the senior staff member of an international organisation] noted that there were no IDP camps / registered IDPs in Khartoum, and some sources [The senior staff member of an international organisation; the diplomatic source; an international consultant] advised that former IDP camps had become integrated into the city and become an integrated part of Khartoum's poor neighbourhoods".<sup>230</sup>

### Khartoum - Access to documentation

The same report noted with regards to access to documentation for IDPs that "Several sources [NHRMO; the regional NGO; the Khartoum based human rights organisation; the professor in law] noted that Internally Displaced Persons (IDPs) from Darfur or the Two Areas may experience

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<sup>227</sup> Radio Dabanga, [Demolitions leave families living rough in Sudan's Omdurman](#), 8 September 2016

<sup>228</sup> US Department of State, [Country Report on Human Rights Practices 2017 - Sudan](#), 20 April 2018, e. *Discrimination with Respect to Employment and Occupation*

<sup>229</sup> World Population Review, [Sudan Population 2018](#), 16 June 2018

<sup>230</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, pp. 27/28



difficulties in reacquiring lost civil documentation because of the need to obtain witnesses to prove their identity”.<sup>231</sup>

### Khartoum – tea sellers

An economic study focusing on the informal sector of women tea sellers in Khartoum published in 2016 found that “88.6 per cent of the tea sellers in Khartoum are either displaced or migrants from rural areas”.<sup>232</sup> The study further found that many of these women are “often subject to harassment and seizure of their equipment”.<sup>233</sup> In October 2017 Radio Dabanga reported that about 400 women tea sellers held a vigil in Khartoum protesting a decision taken in September 2017 by Khartoum banning their work in strategic places across the city.<sup>234</sup> According to the Secretary-General of the Association of Food and Beverage vendors, Awadiya Mahmoud “the police of public order detained 30 tea sellers working near Bashayer Hospital at Mayo district and forced them to stay in jail because of their work after nine p.m. She explained that the public order court issued a fine of SDG 1,000 (\$150) to each of them or imprisonment for three months in case of non-payment without giving them the opportunity to hire lawyers”.<sup>235</sup>

### Khartoum - Access to humanitarian assistance

The fact finding missions to Khartoum, Kampala and Nairobi stated that “Western embassy (A) observed that there was a lack of humanitarian assistance in Khartoum to support vulnerable communities, including IDPs temporarily displaced from Darfur and the Two Areas. It was noted by the source that humanitarian organisations not associated to the government, faced difficulties obtaining permits and visas for staff. EHAHRDP [East and Horn of Africa Human Rights Defenders Project] advised that the Humanitarian Affairs Committee (HAC) in Khartoum, which was a government body, had previously restricted international organisations, such as the Red Crescent Society, from providing aid relief”.<sup>236</sup>

## 5.6. Returnees

No COI published between 19 August 2015 – 9 July 2018 on the living conditions of returnees to Khartoum or Omdurman was found amongst the sources consulted.

## 5.7. Women

### Khartoum – employment

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<sup>231</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 25

<sup>232</sup> Radio Dabanga, [Study: 88.6 per cent of tea sellers in Sudan’s capital are displaced or migrants](#), 2 November 2016

<sup>233</sup> Radio Dabanga, [Study: 88.6 per cent of tea sellers in Sudan’s capital are displaced or migrants](#), 2 November 2016

<sup>234</sup> Radio Dabanga, [Tea sellers’ vigil broken-up in Khartoum](#), 18 October 2017

<sup>235</sup> Radio Dabanga, [Tea sellers’ vigil broken-up in Khartoum](#), 18 October 2017

<sup>236</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan; Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 27



Citing various sources, the August 2016 joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi noted with regards to access to employment in Khartoum that “Several sources [a regional NGO; NHRMO; ACPJS; DBA (Kampala); Freedom House; SDFG] also confirmed that persons from Darfur and the Two Areas, especially women, could also be found working illegally, for example illegal selling of tea or coffee or selling alcohol”.<sup>237</sup>

Radio Dabanga reported in a November 2016 article on the economic situation of women tea sellers in Khartoum:

An economic study on the informal sector focused on women tea sellers in Khartoum has revealed that 87 per cent of them are in the age group from 18-45, 45.1 per cent of them unmarried, 33 per cent of them married and 21 per cent of them widowed or divorced.

The study, conducted by economic expert Dr Hassan Abdelati, has found that 88.6 per cent of the tea sellers in Khartoum are either displaced or migrants from rural areas.

In the study, Dr Abdelati asserts that the tea sellers’ sector is growing because of inflation, war, difficult economic conditions, illiteracy, and poor education standards among the women.

The many of the women who eke-out a living on the streets of Khartoum and surrounding areas selling tea in the doorways of shops, behind buildings and under trees, are often subject to harassment and seizure of their equipment. Last month, Khartoum locality banned tea vendors from working at El Saha El Khadra and on Nile Avenue for three weeks.<sup>238</sup>

In a January 2017 article, Radio Dabanga reported on the banning of tea sellers in Khartoum:

The authorities in Khartoum locality are waging ‘a horrific campaign’ against tea and refreshment sellers in the Sudanese capital, according to Awadiya Mahmoud, founder and head of the Women’s Food and Tea Sellers’ Cooperative.

[...]

There are more than 8,000 women engaged in selling tea and food, according to an inventory conducted two years ago.

“The women are in desperate need to practice their trade, especially in light of the deterioration of living conditions that forces them to sell tea in the markets and streets,” she told Radio Dabanga in a previous interview.

In July 2016, the state Commissioner issued a decision to withdraw the permits of vendors to sell tea along Nile Street, the boulevard that follows the Blue Nile, without the provision of alternatives for the women sellers to carry on their businesses close to shopping areas.<sup>239</sup>

An October 2017 article published by Radio Dabanga further detailed the situation of women tea sellers in Khartoum:

The head of the Women’s Cooperative Union of Food and Beverage Sellers, says that tea sellers in Khartoum are suffering because of the ongoing campaigns organised by the authorities, the imposition of high fines and the ban on work on the Nile Avenue, the Green Square and the Land Port. In an interview with Radio Dabanga, Awadiya Kuku said that she was surprised by the application of the Land Violations Act on tea sellers.

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<sup>237</sup> Danish Immigration Service; UK Home Office (Author), published by Danish Immigration Service, [Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 28

<sup>238</sup> Radio Dabanga, [Study: 88.6 per cent of tea sellers in Sudan’s capital are displaced or migrants](#), 2 November 2016

<sup>239</sup> Radio Dabanga, [‘Horrific campaign’ against tea sellers in Sudan capital](#), 26 January 2017

She explained that fines are collected monthly from tea sellers in Khartoum without an electronic receipt.

She explained that the tea sellers who were stopped by the authorities from working are living in tragic situations that forced them to sell their household furniture in order to cover the expenses of their children and education.<sup>240</sup>

### Unspecified location – domestic servitude

The US Department of State 2017 Trafficking in Persons report indicated that “Sudanese women and girls, particularly internally displaced persons or those from rural areas, and refugee women are vulnerable to domestic servitude”.<sup>241</sup>

## 5.8. Children

### Khartoum - Education

Citing Abdelrahman Elgasim, External Relations Secretary, Darfur Bar Association (DBA), Kampala, the August 2016 joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi noted on access to education that “Regarding access to schools in Khartoum, the source explained that those from Darfur and the Two Areas could enrol their children in schools in Khartoum; however, the quality of schools and education in poor neighbourhoods was not good. The source clarified that the poor quality of public schools was a general problem affecting all persons living in the slum neighbourhoods of Khartoum. Due to a lack of financial resources, the majority of Darfuris and persons from the Two Areas were more likely to send their children to work rather than school”.<sup>242</sup>

### Omdurman – Education

Radio Dabanga reported in September 2016 on the the growing number of children in Omdurman who don't attend school due to poverty stating that “The high costs of living in combination with the increased fees imposed by the school administrations in Omdurman's populated districts of Ombadda and El Thawraat are causing despair among many parents, MP Bashir El Sheikh Abu Kasawi reported last week. About 50 per cent of the students who do attend school cannot read or write “because they have been deprived of preschool education,” he said. The MP expressed his concern that “The drop-outs may become homeless or even thieves in the end”. The federal Minister of General Education, Suad Abdelrazeg, acknowledged “an increase in school drop-outs in some areas because of poverty and destitution””.<sup>243</sup>

### Unspecified location - Education

The August 2016 joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi stated that “Some sources [Western embassy (A); EAC; the senior staff member of an international organisation] noted that persons from Darfur and the

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<sup>240</sup> Radio Dabanga, [‘Restrictions, fines on Khartoum tea sellers cause suffering’: Union](#), 27 October 2017

<sup>241</sup> US Department of State, [Trafficking in Persons Report 2018 - Country Narratives - Sudan](#), 28 June 2018, *Trafficking Profile*, p. 85

<sup>242</sup> Danish Immigration Service; UK Home Office (Author), published by DIS – Danish Immigration Service: Sudan; [Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 42

<sup>243</sup> Radio Dabanga, [Number of school drop-outs on the rise in Sudan capital](#), 18 December 2016

Two Areas were more likely to send their children to work rather than school because of their economic circumstances”.<sup>244</sup>

On the access to education for children without birth certificate the same report stated that “ACPJS [African Centre for Peace and Justice Studies] stated that in Sudan a birth certificate was a requirement for enrolling children in schools and it could be difficult for IDPs to access this certificate since the majority of IDP children were not born in hospitals but rather in IDP camps with the assistance of traditional midwives. However, an age assessment was available for them if they wanted to obtain an age certificate for their children in the future but they had to pay fees for that”.<sup>245</sup>

A June 2018 country update on Sudan, published by the US Commission on International Religious Freedom, noted with regards to religious schools in Sudan that “The schools are criticized as providing vastly inadequate education, forcing children to work, and inflicting other forms of child abuse on the young students. Students are sometimes taught intolerant views that disrupt their relationships with their families. For example, children may be taught not to eat with their parents if their parents do not pray five times a day, or that their mother is not a good Muslim if she is not veiled. Some civil society members said this is a key area in need of further research, particularly to determine how these schools could contribute to violent extremism. Some interlocutors were concerned that extremism and terrorism could soon be a real threat in Sudan”.<sup>246</sup>

#### Khartoum - WASH

UN Children’s Fund noted in a 2016 report on the access to waters sources in Khartoum schools that “A 2009 school health programme survey described 79.4 per cent of schools with access to water sources. Khartoum schools had the best (83%) and South Kordofan ones the worst (50%) coverage. Recent research in 409 (of total 2335) randomly chosen Khartoum primary schools, from both the state and independent sectors, across all districts, found sanitation facilities to be ‘generally inadequate’ with the majority of schools using contaminated clay pots for water storage and nearly half of them lacking a solid waste collection programme”.<sup>247</sup>

#### Unspecified location – WASH

The UN Children’s Fund 2018 Humanitarian Action for Children stated that “Across the country, some 3.5 million people, including 2.1 million children, are in urgent need of water, sanitation and hygiene (WASH) support, which will be key to preventing future outbreaks of acute watery diarrhoea and other epidemic”.<sup>248</sup>

#### Various locations – Health

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<sup>244</sup> Danish Immigration Service; UK Home Office (Author), published by DIS – Danish Immigration Service: Sudan; [Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 27

<sup>245</sup> Danish Immigration Service; UK Home Office (Author), published by DIS – Danish Immigration Service: Sudan; [Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum; Joint report of the Danish Immigration Service and UK Home Office fact finding missions to Khartoum, Kampala and Nairobi Conducted February – March 2016](#), August 2016, p. 34

<sup>246</sup> US Commission on International Religious Freedom, [Country Update: Sudan](#), June 2018, p. 6

<sup>247</sup> UN Children's Fund, [Child Notice Sudan](#), 2016, para. 111

<sup>248</sup> UN Children’s Fund, [Humanitarian Action for Children 2018](#), 27 December 2017, p. 1

The United Nations Office for the Coordination of Humanitarian Affairs (UN OCHA) reported in October 2017 that “The total number of reported AWD [Acute Watery Diarrhoea] cases across 18 states of Sudan has reached over 35,000—including 800 related deaths since August 2016—according to the latest update from WHO [World Health Organization] and the Federal Ministry of Health. The outbreak is affecting all demographics, with females constituting 54 per cent of the cases and children below five years of age accounting for 8 per cent. Active transmission of AWD is ongoing in all 18 states of Sudan with the exception of West Kordofan and Northern states, where the last reported cases were on 13 August and 12 September, respectively. The source of infection is believed to be contaminated open water sources combined with poor sanitation and hygiene practices. The report indicated that the case fatality ratio, which peaked in week 35 at 4.75 per cent, has come down to 1.53 per cent”.<sup>249</sup>

### Various locations - Food security

According to UN Children’s Fund 2017 Humanitarian Action for Children “Two million Sudanese children under 5 are acutely malnourished and 550,000 of these children are severely malnourished. Within the African continent, 13 per cent of all children suffering from severe acute malnutrition (SAM) are located in the Sudan”.<sup>250</sup>

With regards to food security the same report noted that “Of one million children suffering from acute malnutrition, some 550,000 are severely malnourished and at risk of death. Most children with SAM [Severe Acute Malnutrition] are found in North and South Darfur, El Gezira, Gedarif and Khartoum”.<sup>251</sup>

### Khartoum – Abandoned children

Radio Dabanga reported in a January 2017 article on the living conditions for abandoned children in Khartoum:

Impoverished Sudanese families began to hand their children to the Dar El Maigoma for abandoned infants in Khartoum, as they have become unable to support them. Especially the expenses for health care and medicines have become too high, according to the National Council for Child Care.

The secretary of the Social Customs Secretariat of the National Council for Child Care noted in a lecture at a funding campaign for children lacking family support in Khartoum on Tuesday that the rooms of Dar El Maigoma have become overcrowded.

More than 20 children live in one room which is a healthy environment for them, she said. Dar El Maigoma is currently accommodating about 420 children.

Nur Hussein, Director of Shamaa organisation said that Sudan recorded the largest percentage of infants abandoned in latrines or garbage dumps in comparison with many other countries.<sup>252</sup>

### Khartoum – Street Children

A 2016 UN Children’s Fund report noted with regards to street children that “A 1991 study by the Ministry of Welfare and Social Development and international agencies estimated that there were about 36,931 vagrant children throughout Sudan, not including what is now South Sudan. According to the same study there were 14,336 children living in the streets in Khartoum State. This number declined in 2003 to 7,000 and in 2008 to 7,474. A 2012 Khartoum State MWSS [Ministry of Welfare

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<sup>249</sup> United Nations Office for the Coordination of Humanitarian Affairs (UN OCHA), [Humanitarian Bulletin Sudan, Issue 22](#), 25 September – 8 October 2017, p. 3

<sup>250</sup> UN Children’s Fund, [Humanitarian Action for Children](#), 2017, p. 1

<sup>251</sup> UN Children's Fund, [Child Notice Sudan](#), 2016, para. 113

<sup>252</sup> Radio Dabanga, [Poor Sudanese families hand children to orphanage](#), 12 January 2017

and Social Security] survey indicated that there were only 2,447 children living and/or working in the Khartoum state streets. As with many other capital cities globally, Khartoum city is home to a large population of street children”.<sup>253</sup> The same sources further stated that “There is no authoritative, current information on how street children are treated by officials and others. The Khartoum State Ministry of Welfare and Social Development supports street children at three centres in Khartoum that provide temporary accommodation, health services, psychosocial and psychological support and help to reunite them with their families. These centres offer simple life skills training and recreation activities, and one of them is only for girls”.<sup>254</sup>

A study dated September 2017 by Azza Abdelmoneium, a researcher on children and family affairs, described the living conditions of street children in Khartoum stating that “Children in the street live and survive through different strategies: collection of unused food from restaurants or wedding parties, begging, stealing, cleaning shoes, car washing and so on. Street children create groups and networks in the street and join for mutual support. Some form groups for car washing, while others engage in many activities including black market sale of alcohol and tobacco, dividing the profit amongst them. Street girls roam around begging, look after their children if they have any, and sometimes form relations with street boys and are partly depended upon them”.<sup>255</sup>

#### 5.9. Individuals of diverse sexual orientation or gender identity

No COI published between 19 August 2015 – 9 July 2018 on living conditions for individuals of diverse sexual orientation or gender identity in Khartoum or Omdurman was found amongst the sources consulted.

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<sup>253</sup> UN Children's Fund, [Child Notice Sudan](#), 2016, para. 298

<sup>254</sup> UN Children's Fund, [Child Notice Sudan](#), 2016, para. 299

<sup>255</sup> Abdelmoneium, Azza O., [Ways to Survive: Child Labor among Internally Displaced Children in Khartoum-Sudan, in Open Journal of Social Sciences, 5](#), 1 September 2017, p. 59