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**Ministry of Immigration,  
Integration and Housing**

**The 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

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## Disclaimer

This report was written in accordance with the European Asylum Support Office's (EASO) Country of Origin Information (COI) report methodology.<sup>1</sup> The report is based on approved notes from meetings with carefully selected interlocutors. Statements from all interlocutors are used in the report and all statements are referenced.

This report is not a detailed or comprehensive survey of all aspects of the issues covered in the terms of reference and should be considered alongside other available country of origin information on the situation of persons from Darfur and the Two Areas in Khartoum, Sudan.

The information contained in this report has been gathered and presented with utmost care.

The report does not include any policy recommendations or analysis. The information in the report does not necessarily reflect the opinion of the Danish Immigration Service or the UK Home Office.

Furthermore, this report is not conclusive as to the determination or merit of any particular claim for protection, which will need to be considered on its individual facts. Terminology used should not be regarded as indicative of a particular legal position.

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<sup>1</sup> European Union: European Asylum Support Office (EASO), EASO Country of Origin Information report methodology, 10 July 2012. [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/asylum/european-asylum-support-office/coireportmethodologyfinallayout\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/asylum/european-asylum-support-office/coireportmethodologyfinallayout_en.pdf)

## Abbreviations

<b>ACJPS</b>	African Centre for Justice and Peace Studies
<b>DBA</b>	Darfur Bar Association
<b>DDPD</b>	Doha Document for Peace in Darfur (also referred to as the Darfur Peace Agreement or the Doha Agreement 2011)
<b>DIS</b>	Danish Immigration Service
<b>DRC</b>	Danish Refugee Council
<b>EAC</b>	European and African Centre
<b>EHAHRDP</b>	East and Horn of Africa Human Rights Defenders Project
<b>GoS</b>	Government of Sudan
<b>HAC</b>	Humanitarian Aid Commission
<b>IDP</b>	Internally displaced person
<b>IOM</b>	International Organisation for Migration
<b>JEM</b>	Justice and Equality Movement
<b>JHR</b>	Journalists for Human Rights
<b>KIA</b>	Khartoum International Airport
<b>LGBT</b>	Lesbian, Gay, Bisexual and Transgender
<b>LJM</b>	Liberation and Justice Movement
<b>NCP</b>	National Congress Party
<b>NGO</b>	Non-governmental organisation
<b>NHRMO</b>	The National Human Rights Monitors Organisation
<b>NISS</b>	National Intelligence and Security Service
<b>NUP</b>	National Umma Party
<b>POP</b>	Public Order Police
<b>RSF</b>	Rapid Support Forces
<b>SAF</b>	Sudan Armed Forces
<b>SDFG</b>	Sudan Democracy First Group
<b>SLA-AW</b>	Sudan Liberation Army - Abdul Wahid (al Nur)

<b>SPLM</b>	Sudan People’s Liberation Movement
<b>SPLM/A</b>	Sudan People’s Liberation Movement/Army
<b>SPLM-N</b>	Sudan People's Liberation Movement-North
<b>UN</b>	United Nations
<b>UNHCR</b>	United Nations High Commissioner for Refugees

## Introduction

This report is the product of joint missions conducted by the Country Policy and Information Team, UK Home Office, and the Country of Origin Information Division, Danish Immigration Service (DIS) to Kampala, Uganda, from 1-4 February 2016; Khartoum, Sudan (by members of the DIS only); and Nairobi, Kenya, from 18 February to 2 March 2016. The FFM delegation also conducted an interview in London with a UK-based NGO on 25 January 2016. The purpose of the missions was to collect up to date information on issues recurring in cases regarding Sudanese asylum seekers in Denmark and the UK.

The UK delegate was part funded by the EU Asylum, Migration and Integration Fund.

The report focuses on the situation of persons from Darfur and the Two Areas (Southern Kordofan and the Blue Nile State)<sup>2</sup> in Khartoum, including treatment of such persons upon arrival at Khartoum International Airport, treatment by the authorities in Khartoum, prevalence of societal discrimination, living conditions in Khartoum as well as access to Khartoum by road and air from Darfur and the Two Areas.

The terms of reference for the mission were drawn up by DIS and the UK Home Office in consultation with the Danish Refugee Appeals Board as well as a Danish advisory group on COI<sup>3</sup>. The terms of reference are included at Appendix C to this report.

In the process of compiling the report, the delegation consulted with 29 sources, comprising representatives from international organisations, academics, (local and international) non-government organisations (NGOs), Western embassies, journalists, an international consultant and the Sudanese authorities. The UK Embassy in Khartoum provided assistance in identifying some interlocutors relevant to the terms of reference. The sources interviewed were selected by the delegation based on the expertise, merit and role relevant to the mission. 28 of the sources were consulted during the missions to the three countries. One of the sources, the London-based NGO, was consulted in London. The delegation also attempted to meet Amnesty International and Human Rights Watch in Nairobi, however, the HRW representative was not available at the time of the delegation's visit; while Amnesty International declined the invitation to meet.

A list of the sources consulted is in Appendix B. All the notes of meetings with the sources are provided in Appendix A. A brief description of the source is included in the meeting notes for the majority of sources.

The sources were asked how they wished to be introduced and quoted, and all sources are introduced and quoted according to their own wishes. 13 sources are referred by their name

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<sup>2</sup> The two Sudanese states of Southern Kordofan and the Blue Nile are referred to as the Two Areas throughout the whole report.

<sup>3</sup> The group consists of Danish Refugee Council, Amnesty International in Denmark, Danish Institute for Human Rights, Dignity, representatives of two Christian organisations (Danish European Mission and Open Doors), the National Commissioner of Police and the Danish Bar and Law Society (representing asylum lawyers).



and/or the name of their organisation; in accordance with their own request on this matter. 16 sources requested varying degrees of anonymity given sensitivities in their working environments.

The sources consulted were informed about the purpose of the mission and that their statements would be included in a public report.

The notes from the meetings with the sources were forwarded to them for approval and amendment, allowing the opportunity to amend or make comment on their statements. All sources but one, the diplomatic source, approved their statements. The diplomatic source was contacted by email and informed that the delegation would include the note in the report if no response was received by the deadline. The delegation never received any response from the diplomatic source.

The report is available on the websites of DIS, [www.newtodenmark.dk](http://www.newtodenmark.dk), and Home Office, <https://www.gov.uk/government/collections/country-information-and-guidance> and thus is available to all stakeholders in the refugee status determination process as well as to the general public.

The report is a summary of the sources' statements and does not include all details from the meeting notes. In the report, care has been taken to present the views of the sources as accurately and transparently as possible. In this regard, all sources' statements are found in their full extent in Appendix C of this report.

For the full details of interviews officials are recommended to read the notes.

The report was finalised in June 2016.

## Executive Summary

Sizeable populations from Darfur and the Two Areas reside in Khartoum. There are two main drivers behind the immigration of persons from these areas to Khartoum: the security situation in Khartoum and the socio-economic factors.

Persons with a political profile returning to Sudan may be questioned and/or arrested upon arrival at Khartoum International Airport (KIA) depending on the person's profile. Seeking asylum abroad would not in itself cause persons from Darfur and the Two Areas problems with the authorities upon return except returnees from Israel. Neither would returnees face severe difficulties with the authorities because of staying abroad for a longer period or travelling with emergency papers. A person's ethnicity would not generally affect the treatment, he or she would receive on arrival at KIA.

The National Intelligence and Security Service (NISS) acts with impunity. Persons from Darfur and the Two Areas with a political profile are at risk of being targeted by the NISS and its affiliated militias in Khartoum, particularly student activists and persons with an affiliation to rebel groups. The Darfuri and Two Areas communities in Khartoum are monitored by the NISS, principally to identify those with a political profile. Activists at most risk are likely to be those from the Darfuri African tribes of Fur, Masalit and Zaghawa, and persons from the Nuba Mountains.

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 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.

Persons from Darfur and the Two Areas, and in particular those of African descent, may experience societal discrimination in Khartoum.

It is possible to travel by road and air between Khartoum and Darfur as well as Khartoum and the Two Areas. A person has to go through checkpoints controlled by different actors (the government, rebel groups and local armed groups). Access to certain parts of the Two Areas is restricted.

In general, Khartoum is a safe place for persons fleeing from a private conflict in their local areas. However, the level of security depends on individual circumstances, particularly whether the other party in the conflict has connections with the authorities.

## 1. Persons from Darfur and the Two Areas living in Khartoum

### 1.1 Population size

According to a UN statistics, the population of Greater Khartoum is estimated to be five million<sup>4</sup>, however, the regional NGO in Kampala referred to the total population of Khartoum as close to 8 million. Sources consistently observed that there was a lack of empirical data to verify the actual number of persons from Darfur and the Two Areas residing in Khartoum<sup>5</sup>, whilst the figures referred to by sources ranged widely.<sup>6</sup>

However, several sources referred to very sizeable populations from Darfur and the Two Areas residing in Khartoum, either in the actual numbers mentioned, or in the description given. For example Freedom House mentioned 'sizeable populations of Darfuris residing [in Khartoum]...'; the regional NGO advised that the number was 'substantial and increasing' with 'sizeable' Darfuri populations, whilst the diplomatic source referred to persons from Darfur and the Two Areas as constituting a 'big community' in Khartoum. Other sources made similar statements.<sup>7</sup>

A couple of sources provided estimates of the size of populations from Darfur and Two Areas living in Khartoum, ranging from hundreds of thousands and up to a million or greater. The highest figures estimated was five million<sup>8</sup>. Two sources referred to the size of these communities as 60<sup>9</sup> or 70<sup>10</sup> per cent of the total population of Khartoum.

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.

### 1.2 Reasons for moving to Khartoum

Sources were consistent in respect of the reasons why persons had moved to Khartoum. Principally there are two drivers:

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<sup>4</sup> UN Statistics Division, *Sudan*, <http://data.un.org/CountryProfile.aspx?crName=SUDAN>, undated, accessed: 1 June 2016

<sup>5</sup> Crisis Group; Faisal Elbagir (JHR); the regional NGO; the international consultant; NHRMO

<sup>6</sup> Faisal Elbagir (JHR); NHRMO; Khartoum based Journalist (2)

<sup>7</sup> Western Embassy (C); the senior staff member of an International organisation; Khartoum based journalist (1); Western Embassy A

<sup>8</sup> Faisal Elbagir (JHR); NHRMO

<sup>9</sup> The Khartoum based human rights organisation

<sup>10</sup> Khartoum based Journalist (2)

- The security situation – both the improved security situation in Khartoum and dire conditions in Darfur and Two Areas.<sup>11</sup> For example, the UN official remarked that Khartoum was a safe place for many Darfuris; Crisis Group noted that the security situation in Khartoum was much better than other places in Sudan, and that there had been an increasing ‘securitisation’ of the capital in recent years with no major external security threats.
- Socio-economic factors (including employment; access to services; urbanisation; lack of infrastructure in Darfur and the Two Areas due to conflict).<sup>12</sup>

### 1.2.1 Moving to Khartoum due to a local conflict

Several sources indicated that it would be possible to hide in Khartoum if a person was seeking to move from Darfur or the Two Areas due to a private dispute, although qualified that this would depend on the individual circumstances, including whether the dispute was with authorities or someone with connection to the government.<sup>13</sup>

The two human rights lawyers from Khartoum noted that a person fleeing a conflict in Darfur or the Two Areas would still be in danger in Khartoum if the other party in the conflict was connected to pro-government militias, i.e. Janjaweed.

Khartoum based journalist (3) noted that there is a sizeable area in Khartoum called the ‘land with no government’ where people could easily hide; this is located in the slum communities where IDPs and migrants were found living.

### 1.3 Migration trends over time

Two sources noted that migration of people from Darfur and the Two Areas to Khartoum had been occurring for a long time<sup>14</sup> – some interlocutors observed that communities had moved to Khartoum several decades ago, dating back to the 1980s and 1990s, and referred to phases of displacement to Khartoum.<sup>15</sup>

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<sup>11</sup> EAC; Crisis Group; Faisal Elbagir (JHR); NHRMO; ACPJS; the regional NGO; the diplomatic source; the Khartoum based human rights organisation

<sup>12</sup> EAC; Commissioner for Refugees, Ministry of Interior; Crisis Group; Faisal Elbagir (JHR); NHRMO; ACPJS; the regional NGO; the diplomatic Source; the senior staff member of an international organisation; the Khartoum based human rights organisation; Western Embassy (A)

<sup>13</sup> Western embassy (A); Western embassy (B); Western embassy (C); Khartoum based journalist (3); the senior staff member of an international organisation; the two human rights lawyers from Khartoum.

<sup>14</sup> NHRMO; the regional NGO

<sup>15</sup> Crisis group; NHRMO; SDFG; the regional NGO; the senior staff member of an international organisation

## 2 Treatment on arrival for persons from Darfur and the Two Areas

### 2.1 Security and immigration checks at the airport

Several sources advised that upon arrival at Khartoum International Airport (KIA), passengers would go through two types of control: first, the passenger would encounter an immigration desk which controlled travel documents and residence permits and then they would be checked at a NISS security desk.<sup>16</sup>

Western Embassy (A) noted that NISS officers checked passports against a database, which principally listed persons with links to international terrorist groups; Western embassy (C) confirmed the existence of a NISS security database.

Information provided by some sources indicated that the level of questioning by NISS officers at the security desk could vary. For example, whilst Western embassy (A) observed that this security check was usually undertaken without conversation, the two human rights lawyers from Khartoum advised that the purpose of security checks at the airport was to gather information about those arriving and so various questions would be asked such as where the returnee was coming from, what they had done abroad and why there were coming to Sudan.

### 2.2 Returning failed asylum seekers

A number of sources stated that they had no information to indicate that failed asylum seekers / returnees from Darfur or the Two Areas would generally experience difficulties on return to Khartoum International Airport (KIA), or they did not consider that claiming asylum overseas would put such a person at risk per se.<sup>17</sup> Western Embassy (C) noted that they had monitored the forced return of two persons from Europe in 2015 and had no reason to believe that they experienced any difficulties or mistreatment, although the source acknowledged that they were not present throughout the arrival procedure. The diplomatic source mentioned that they had experience of a very few rejected asylum seekers being deported from Switzerland and Norway. According to the source it was unclear whether these returnees could get support upon return to Sudan. However the source added that those sent back from Norway had not faced any problems upon return.

Some sources noted:

- a lack of coordination in the return operations from departing countries to inform those concerned when precisely returnees would arrive at KIA<sup>18</sup>

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<sup>16</sup> Western Embassy (A); Western Embassy (C); EAC; DBA (Khartoum); the two human rights lawyers from Khartoum; NHRMO; ACPJS; EHAHRDP; IOM

<sup>17</sup> The Khartoum based human rights organisation; Western Embassy (A); Western Embassy (B); Western Embassy (C); the diplomatic source; EAC; IOM

<sup>18</sup> The two human rights lawyers from Khartoum; UNHCR

- a general absence of independent organisations at KIA, including UNHCR, when forcibly returned persons arrived in Sudan, although IOM was present for voluntary returns<sup>19</sup>
- a limited number of enforced returns from Europe<sup>20</sup>

EAC advised that at the security desk, officers asked a range of questions of failed asylum seekers returning to Sudan (for instance about how long they had stayed abroad; why they did not have a passport; or political affiliations and acquaintances abroad). ACPJS remarked that persons returning without travel documents or under escort would be subject to questioning.

Several sources noted that Israel and Jordan had deported a number of Sudanese nationals, including persons who had claimed asylum. Sources mentioned that the most recent incident was in December 2015 and involved the large-scale deportation of Sudanese nationals from Jordan, with some sources indicating the number of persons deported was over 1,000 persons.<sup>21 22</sup>

Some sources noted that deportees from Israel and some of the deportees from Jordan were arrested on arrival and detained, some may have experienced prolonged detention or physical mistreatment and/or were placed on reporting arrangements or travel restrictions<sup>23</sup>. Other sources noted that returnees from Jordan had been processed smoothly.<sup>24</sup> There is however lack of detailed, accurate information regarding these events, including information on whether these deportees have been *de facto* refugees.

UNHCR was not able to verify whether any of the returnees had been detained. However, the source stated that if a person had a high political profile, one could not rule out the possibility that he could face difficulties with the authorities. Information from some other sources about the

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<sup>19</sup> DBA (Kampala); IOM; UNHCR; Commissioner for Refugees, Ministry of Interior; Western Embassy (C); the two human rights lawyers from Khartoum

<sup>20</sup> Western Embassy (B); the diplomatic source

<sup>21</sup> Two human rights lawyers from Khartoum; SDFG; EHAHRDP; DBA (Khartoum); the London based NGO; the Khartoum based human rights organisation; EAC; IOM; Commissioner for Refugees, Ministry of Interior; Khartoum based journalist (1); UNHCR

<sup>22</sup> For more information on deportation of Sudanese from Jordan see: BBC; *Jordan deports hundreds of Sudanese asylum seekers*; 18 December 2015 <http://www.bbc.co.uk/news/world-africa-35130797> and Human Rights Watch; *Jordan: Deporting Sudanese Asylum Seekers*; 16 December 2015 <https://www.hrw.org/news/2015/12/16/jordan-deporting-sudanese-asylum-seekers>; and for more information on deportation of Sudanese from Israel see: The Guardian; *Israel to deport Eritrean and Sudanese asylum seekers to third countries*; 31 March 2015 <https://www.theguardian.com/world/2015/mar/31/israel-to-deport-eritrean-and-sudanese-asylum-seekers-to-third-countries> and Sudan Tribune; *Israel begins deporting Sudanese, Eritrean asylum seekers: reports*; 25 February 2014 <http://www.sudantribune.com/spip.php?article50094>

<sup>23</sup> EHAHRDP; the Khartoum based human rights organisation; DBA (Khartoum); the London based NGO; SDFG; the two human rights lawyers from Khartoum;

<sup>24</sup> IOM; the Khartoum based human rights organisation; EAC; Khartoum based journalist (1)

deportation of Sudanese nationals from Jordan and Israel also indicated that those returnees who were held in prolonged detention may have been detained because of their political profile.<sup>25</sup>

Some sources highlighted that those returning from Israel were more at risk of being subjected to thorough questioning and/or arrested upon return than those returned from other countries<sup>26</sup>

### **2.3 Return without an exit stamp**

Western Embassy (C) noted that at Khartoum International Airport (KIA) there was an immigration desk where arriving passengers should have their travel documents checked, including exit visas. However, the Khartoum based human rights organisation advised that the authorities did not generally check for exit stamps on arrival.<sup>27</sup>

Western Embassy (B) noted that it was improbable that a person would leave or come back to Sudan with a Sudanese passport with no exit stamp in it, and stated that a person would spend the time and money to obtain an exit stamp, otherwise he would not be able to leave the country via the legal borders.

EAC considered that lack of exit stamp in one's passport would entail financial punishment, e.g. paying fines. Khartoum based Journalist (3) advised that a person without an exit visa would be accused of breaching current passport regulations, which under the Passports and Immigration Law of 1994 was punishable with a fine or up to six months in prison, or both.<sup>28</sup>

### **2.4 Return after a long-term stay abroad**

A number of sources confirmed that in their view long-term residence abroad would not in itself be a risk factor. Some sources additionally observed that there were established Sudanese diaspora communities living overseas.<sup>29</sup>

NHRMO considered that those from Darfur or the Two Areas, who had been outside Sudan for a considerable period, would be questioned extensively about their political activities and risked detention if they were suspected of activities against the government.

### **2.5 Return with emergency travel documents**

Several sources noted that in their view travel using emergency travel documents would not in itself be a risk factor.<sup>30</sup>

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<sup>25</sup> The two human rights lawyers from Khartoum; the Khartoum based human rights organisation

<sup>26</sup> EAC; The two human rights lawyers; the Khartoum based human rights organisation; a Western embassy (C)

<sup>27</sup> The Khartoum based human rights organisation

<sup>28</sup> Khartoum based journalist (3)

<sup>29</sup> Two human rights lawyers from Khartoum; the Khartoum based human rights organisation; Western Embassy (A); Western Embassy (B); Western Embassy (C)

<sup>30</sup> Western Embassy (C); the Khartoum human rights organisation; EAC

Information provided by interlocutors indicated that NISS officer at the security desk at Khartoum International Airport (KIA) may question returnees about their individual circumstances;<sup>31</sup> EAC, IOM and ACPJS more specifically indicated that those travelling on irregular travel documents may be subject to further questioning on arrival. EAC further advised that family members may be required to provide evidence to verify the identity of returnees without Sudanese documents.

The two human rights lawyers from Khartoum noted that some of the deportees from Israel were returned on emergency travel documents.

## 2.6 Impact of political profile

Several sources noted that those returnees who had a political profile may be thoroughly questioned and/or arrested at KIA.<sup>32</sup>

For example, ACPJS was aware of cases in which political activists had been detained both when attempting to leave and on return to Sudan, mentioning the example of a lawyer and a political activist who were detained on return; DBA (Kampala) considered that activists from Darfur and the Two Areas would be at the greatest risk at Khartoum airport (KIA); the two human rights lawyers from Khartoum cited examples in which political activists had been detained at the airport and explained that treatment on arrival depended on a person's political opposition activities and their affiliation with rebel groups; NHRMO referring to their own human rights monitoring work, considered that it would not be safe for NHRMO staff to visit Khartoum and referred to a specific case of detention at the airport involving a Nuba person who was detained for alleged political activity.<sup>33</sup>

Two sources in Kampala noted that security protocols were often adopted when activists travelled into and out of Sudan, to avoid their country of departure being detected by the NISS (see 2.8 Impact of country of departure).<sup>34</sup>

Some sources indicated that persons, who had a political profile from Darfur and the Two Areas, may be prevented from obtaining an exit stamp and leaving Sudan or replacing their passport from overseas missions.<sup>35</sup>

Two sources observed that persons from Darfur and the Two Areas who held a political profile may not always be detained or targeted on arrival. Ahmed Eltoum Salim (EAC), referring both to his own experiences and other persons he knew, noted that high profile persons, including political activists who had been granted asylum abroad, had returned to Sudan and were now

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<sup>31</sup> See: 2.1. Security and immigration checks at the airport

<sup>32</sup> UNHCR; Western Embassy (A); Western Embassy (B); Western Embassy (C); Khartoum based journalist (1); DBA (Khartoum); the Khartoum based human rights organisation; the diplomatic source; ACPJS; DBA (Kampala); NHRMO; Two human rights lawyers from Khartoum;

<sup>33</sup> NHRMO

<sup>34</sup> ACPJS; EHAHRDP;

<sup>35</sup> Crisis Group; NHRMO; Western Embassy (A); ACPJS



working with the government. The Khartoum based human rights organisation also noted that the authorities did not arrest returnees who had a political profile to the same extent as was the case before 2005 when signing of the Comprehensive Peace Agreement led to the return of many Sudanese opposition groups.

Referring to the detention of political persons at Khartoum International Airport (KIA), Ahmed Eltoun Salim (EAC), the Khartoum based human rights organisation and the two human rights lawyers from Khartoum indicated that the behaviour of the NISS at the airport was slightly improved and that the detention of political persons on arrival was less common now.

The two human rights lawyers from Khartoum noted that it was less likely now for persons to be arrested at the airport for political reasons, although sometimes this happened. The source explained that at the security desk it is now more common to obtain information about a person and for them to be picked up later if they are deemed of interest.

## 2.7 Impact of ethnic affiliation

Several sources indicated that a person's ethnicity did not generally affect their treatment on arrival at Khartoum International Airport (KIA), or otherwise had no information to the contrary to contradict this assessment.<sup>36</sup>

Western embassy (C) noted that upon arrival at KIA, Darfuris and persons from the Two Areas may be treated impolitely and probably asked to pay a bribe, but they would not face any difficulties if they already were not 'flagged' by the NISS. NHRMO observed that those from the Two Areas travelling through Khartoum International Airport (KIA) would be subject to more intensive questioning about their background and political involvement, with ethnic Nuba most likely to experience harassment.

EAC pointed out that there were officers from Darfur and the Two Areas working at the airport, for example Lieutenant General Awad El Dahiya, Head of Passports and Civil Registrations at the Ministry of Interior was from Southern Kordofan.

EHAHRDP considered that all asylum seekers from Darfur and the Two Areas would be at risk on return.<sup>37</sup>

## 2.8 Impact of country of departure

Several sources noted that there were established Sudanese diaspora communities overseas.<sup>38</sup> Most sources did not consider that in general travelling from overseas countries would result in a person being targeted or detained on arrival.<sup>39</sup>

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<sup>36</sup> IOM; EAC; UNHCR; Western embassy (A); Western embassy (B); Western embassy (C)

<sup>37</sup> EHAHRDP

<sup>38</sup> Two human rights lawyers from Khartoum; Western Embassy (B); Western Embassy (C); EAC; the diplomatic source, Khartoum; Commissioner for Refugees, Ministry of Interior; IOM; SDFG; EHAHRDP;

Western Embassy (C) and EAC remarked that whilst it would not be a problem travelling from Western countries, travel from Israel could be an issue. Western Embassy (C) assumed that returnees from Israel could be at risk of harsh treatment, while EAC observed that the government was more suspicious of returnees from Israel as they were afraid that some of the returnees may have been recruited as spies. EAC was aware of 3 returnees from Israel who been subject to a thorough interrogation on arrival.

Some sources also referred to ‘sensitivities’ in travelling to and from Uganda because it was known as a hub for opposition groups.<sup>40</sup>

The two human rights lawyers from Khartoum noted that travel from Nairobi (Kenya), Europe or the USA may attract the attention of the authorities on arrival, compared to those travelling from Gulf states.

### **3 Treatment of persons from Darfur and the Two Areas by the authorities**

#### **3.1 NISS practices and the National Security Act**

A majority of sources 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.<sup>41</sup>

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 in-communicado detention were also reported.<sup>42</sup> Freedom House cited a report from the African Centre for Peace and Justice Studies (ACPJS), recording 169 unlawful killings during civil unrest in September 2013. According to the source, the report referred to NISS agents fraudulently changing post-mortem documentation to cover up the number of persons killed by the NISS. According to Freedom House only one security officer was ever convicted following the government’s investigation into the incident.

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<sup>39</sup> Two human rights lawyers from Khartoum; the Khartoum based human rights organisation; Western Embassy (A); Western Embassy (B); Western Embassy (C); EAC; the diplomatic source, Khartoum

<sup>40</sup> The Khartoum based human rights organisation; EHAHRDP; Two human rights lawyers from Khartoum; ACPJS

<sup>41</sup> The diplomatic source; DBA (Kampala); ACPJS; Crisis Group; 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

<sup>42</sup> DBA (Kampala); ACPJS; 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 (3); SDFG; the London based NGO

Several sources referred to the National Security Act 2010 as providing a broad remit for the NISS to operate with impunity. In particular sources highlighted that the 2010 Act permitted extended powers of detention and prevented NISS officers from facing prosecution for offenses committed in the course of their duties.<sup>43</sup>

Several sources referred to the NISS conducting surveillance of persons in Khartoum and having a network of informants, including within the Darfuri and Two Area communities<sup>44</sup>, for example DBA (Khartoum) noted that the NISS had informants in the Darfuri student population who had informed the NISS about who was active in demonstrations.<sup>45</sup> One source referred to the NISS' use of electronic surveillance, for example tapping phone calls or monitoring online social media.<sup>46</sup>

However, Freedom House commented that the NISS was poorly organised and lacked up to date intelligence and that this could result in the NISS arbitrarily targeting a person. Western Embassy (A) noted that it was difficult to understand the reasons why the authorities targeted some individuals and provided an example in which a former member of an armed opposition group whose father had been interrogated even though the individual was no longer active in the group. Western Embassy (C) referred to a case in which a Sudanese national who worked at a school was harassed by the NISS for unknown reasons. He subsequently left the country and claimed asylum in a western country.

### 3.2 Profile of persons targeted

A majority of sources observed that those from Darfur or the Two Areas who were critical of the government and/or had a political profile may be monitored and targeted by the NISS in Khartoum. This could include many different forms of activism.<sup>47</sup>

Several sources identified student activists from Darfur and the Two Areas as being at risk of being targeted. Different sources provided examples demonstrating extra-judicial killings, mistreatment in detention as well as cases of harassment and intimidation by the NISS and their affiliated militias. Sources noted that one of the main reasons why the student population was targeted was because they were the most active politically and intent in voicing their criticism of the government. Such a trend had become more prevalent in recent years.<sup>48</sup>

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<sup>43</sup> Faisal Elbagir (JHR); Freedom House; the civil society NGO; Khartoum based journalist (3); the London based NGO

<sup>44</sup> Khartoum based journalist (3); the two human rights lawyers from Khartoum; Khartoum based journalist (1); DBA (Khartoum)

<sup>45</sup> DBA (Khartoum)

<sup>46</sup> Khartoum based journalist (1)

<sup>47</sup> The London based NGO; ACPJS; DBA (Kampala); NHRMO; EHAHRDP; SDFG; Western Embassy (A); the diplomatic source; the Khartoum based human rights organisation; Khartoum based journalist (1); Khartoum based journalist (2); Khartoum based journalist (3); Crisis Group; Freedom House; DBA (Khartoum)

<sup>48</sup> The London based NGO; ACPJS; DBA (Kampala); EHAHRDP; SDFG; Western Embassy (A); Western Embassy (B); the diplomatic source; the Khartoum based human rights organisation; Khartoum based journalist (1); Khartoum based journalist (2); Khartoum based journalist (3); Crisis Group; Freedom House; DBA (Khartoum)

A number of sources noted that other groups targeted by the NISS included: persons affiliated with rebel groups; lawyers and journalists; civil society leaders; human rights activists, including women activists.<sup>49</sup> From these groups, three sources highlighted those with an affiliation to rebel groups as being particularly at risk.<sup>50</sup>

Political profile was also identified as a factor when considering risk on arrival at Khartoum International Airport (KIA).<sup>51</sup>

### 3.2.1 Trends and changes in treatment

Several sources noted that security operations, including arrest and detention, by the government, including the NISS was not constant, but changed over time.<sup>52</sup> 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.

According to Freedom House the current political situation was relatively more relaxed, with no high profile political detentions since leaders of the opposition political parties, Al-Sadiq Al-Mahdi and Ibrahim Al-Sheikh were released from detention [in 2015<sup>53</sup>]. The source noted that this may be due to the government's efforts to revive the National Dialogue political process and improve their position to lobby for lifting of US sanctions. The London based NGO explained that 85 parties were involved in political talks with the Government under the National Dialogue but if a group was not a party to this process, they would not be able to express any critical view of the

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<sup>49</sup> ACPJS; DBA (Kampala); NHRMO; SDFG; Western Embassy (B); the diplomatic source; the civil society NGO; Khartoum based journalist (1); Khartoum based journalist (2); Khartoum based journalist (3); Faisal Elbagir (JHR); Freedom House; DBA (Khartoum)

<sup>50</sup> Khartoum based journalist (1); Khartoum based journalist (2); Khartoum based journalist (3)

<sup>51</sup> See: 2.6. Impact of political profile

<sup>52</sup> Freedom House; Faisal Elbagir (JHR); Khartoum based Journalist (2); SDFG; Khartoum based journalist (3); the Khartoum based human rights organisation

<sup>53</sup> In its country report on Sudan from 2015, Freedom House wrote: "Although al-Bashir announced the release of political prisoners in April 2014, the targeting of political leaders quickly resumed following the breakdown of the National Dialogue. Sadiq al-Mahdi, head of the National Umma Party (NUP), was held in May on charges of disseminating false news and inciting unrest after he criticized human rights abuses carried out by Sudan's latest brand of state-sponsored paramilitary fighters, the Rapid Support Forces. He was released the following month after his party apologized for his remarks. In August, his daughter and party deputy, Mariam, was detained in Omdurman and held for one month without charge. In June, Ibrahim al-Sheikh, head of the Sudanese Congress Party, was also detained for speaking out against the Rapid Support Forces. He was held until September." Source: Freedom House, *Sudan*, Country report, Freedom in the World 2015: <https://freedomhouse.org/report/freedom-world/2015/sudan>

government. ACPJS noted that any political opposition parties were at risk and there were no 'safe' parties outside the NCP.

The SDFG advised that it was difficult to say what was happening in Khartoum today or the extent to which persons from Darfur or the Two Areas were targeted by the NISS now. According to the source, it was predominantly politically active persons who were targeted by the NISS.

### 3.3 Impact of ethnic and tribal affiliation

Four sources observed that all communities from Darfur or the Two Areas in Khartoum could be at risk of mistreatment by the NISS or indicated that persons from these communities may be targeted by the authorities due to their ethnicity alone.<sup>54</sup> 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.

Faisal Elbagir (JHR) noted that whilst there was no official report on ordinary civilians (that is persons who were not involved in political activities) from Darfur or the Two Areas being targeted by the authorities merely due to their ethnic affiliation, such cases could be found on social media. However, the source could not give examples of such cases which had been verified. Elbagir also remarked that due to media restrictions in Sudan, it was often difficult to obtain accurate news reports about cases of detention.

Khartoum based journalist (1) 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. 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.

Some sources advised with regard to the arrest of Darfuris in Khartoum that there had been no largescale arbitrary arrest of Darfuris in Khartoum in recent years compared to that of 2008, following the JEM assault on Omdurman<sup>55</sup>. Sources noted that at that time widespread security operations in Khartoum took place, which were often based on the skin colour and ethnicity of a person.<sup>56</sup>

A number of sources, 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

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<sup>54</sup> The London based NGO; Crisis Group; Faisal Elbagir (JHR); EHAHRDP

<sup>55</sup> For more information on this, see section 13:35-37 in Home Office; *Republic of Sudan, Country of Origin Information (COI) Report, COI Service*, 11 September 2012  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/310191/Sudan\\_COI\\_report\\_2012.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/310191/Sudan_COI_report_2012.pdf)

<sup>56</sup> Faisal Elbagir (JHR); SDFG; Khartoum based journalist (2); Khartoum based journalist (3); the Khartoum based human rights organisation

in detention than other tribes from Darfur and the Two Areas if they did come to the attention of the NISS due to their political activity.<sup>57</sup> Some sources also mentioned Ingessana from the Two Areas among the tribes being suspected by the authorities for political activity.<sup>58</sup> Several sources 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>59</sup> Khartoum based journalist (3) held the view that it was only those communities arriving in Khartoum post 2003 who would be monitored.

DBA (Kampala) and ACPJS 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.

EHAHRDP commented that it was difficult to be prescriptive about which tribes would be at greater risk, although considered those from Arab Baggara tribes as less likely to experience mistreatment because these tribes were commonly associated with the pro-government Janjaweed militia.

UNHCR noted, however, that it was difficult in practice to treat persons differently on the basis of their tribal affiliation. The source explained that it was difficult to say which group would be targeted and which would not due to the sheer number of different tribes in Darfur (over 400), and the fact that mixed parentage occurred.

### **3.4 Treatment upon arrest**

#### **3.4.1 Places of detention**

##### ***NISS detention facilities (including the NISS headquarters in Bahri)***

DBA (Khartoum) noted that there were many NISS detention facilities across Khartoum and that most persons detained by the NISS would likely be taken to such a facility, rather than an unofficial place of detention, although such ‘ghost houses’ did still exist.

Two sources noted that the NISS headquarters was located in Khartoum North (Bahri), where the NISS political section detained and interrogated political activists, including students.<sup>60</sup> The two

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<sup>57</sup> 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

<sup>58</sup> The London based NGO; Crisis Group

<sup>59</sup> 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

<sup>60</sup> The two human rights lawyers from Khartoum; DBA (Khartoum)

human rights lawyers from Khartoum confirmed that some of the deportees from Israel were also taken to the NISS headquarters.

Two sources noted that conditions in the NISS headquarters were harsh with reports of torture and physical mistreatment of detainees.<sup>61</sup> The two human rights lawyers from Khartoum indicated that there were NISS interrogation cells in the basement of the NISS headquarters, commonly referred to as 'the fridge'. DBA (Khartoum) noted that persons held at the NISS headquarters (Bahri) detention centre were usually on remand and had not been formally charged. According to the source in some cases a person could be held at the NISS headquarters for three to five months without charge.

### *Unofficial places of detention*

Some sources 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.<sup>62</sup> 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.

The two human rights lawyers from Khartoum indicated that NISS interrogation cells in basement of the NISS headquarters in North Khartoum were replacing ghost houses. DBA (Khartoum) clarified that the use of ghost houses still occurred, but there were fewer ghost houses as activists were now often taken to NISS detention facilities.

### *Kober and Dabak prisons*

Two sources noted that two thirds of Kober prison was controlled by the NISS, whilst the prison administration controlled the remaining estate.<sup>63</sup> DBA (Khartoum) clarified that when detainees from the NISS section were sentenced, they would subsequently be relocated to that part of the prison where criminals were kept (i.e. the section not controlled by the NISS).

Several sources confirmed that the NISS controlled section of Kober prison held high profile political activists, politicians, journalists and persons affiliated to rebel groups. Detainees tended to be on remand or awaiting sentence.<sup>64</sup> According to DBA (Kampala) detainees were not held in Kober prison for long, and usually were transferred to Dabak prison in north Khartoum. The two human rights lawyers from Khartoum reported that some of the deportees returned from Israel were held in Dabak prison. The lawyers mentioned that extensive interrogation and harsh

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<sup>61</sup> The two human rights lawyers from Khartoum; DBA (Khartoum)

<sup>62</sup> SDFG; DBA (Kampala); the London based NGO; DBA (Khartoum)

<sup>63</sup> The two lawyers from Khartoum; DBA (Khartoum)

<sup>64</sup> Khartoum based journalist (1); DBA (Kampala); two human rights lawyers from Khartoum; Faisal Elbagir (JHR); DBA (Khartoum)

treatment of these deportees took place in Dabak Prison. According to the lawyers detainees were usually kept in solitary confinement without access to sanitation or adequate food.

DBA (Kampala) noted that torture occurred in Dabak and Kober prisons but that conditions in Dabak were even worse than Kober and persons were more frequently tortured.

### **3.4.2 Differences in treatment in detention between Khartoum and elsewhere in Sudan**

Several sources 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.<sup>65</sup>

A number of sources 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.<sup>66</sup> 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 noted difficulties in detainees having access to legal counsel or family visitations in Khartoum.<sup>67</sup>

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 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 in NISS detention facilities in Khartoum.<sup>68</sup>

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<sup>65</sup> Two human rights lawyers from Khartoum; Freedom House; Khartoum based journalist (1); Khartoum based journalist (3)

<sup>66</sup> The two human rights lawyers from Khartoum; Freedom House; Faisal Elbagir (JHR); Western embassy (C); Khartoum based journalist (1); Khartoum based journalist (3)

<sup>67</sup> The London based NGO; Freedom House; Faisal Elbagir (JHR); the civil society NGO; DBA (Khartoum)

<sup>68</sup> See 3.1. NISS practices and the National Security Act, and 3.4.1. Places of detention



## 4. Living conditions in Khartoum for persons from Darfur and the Two Areas

### 4.1 Access to documentation

A number of sources 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'*)<sup>69</sup> required to access services and to obtain other types of documents such as passport etc.<sup>70</sup>

Several sources noted that Internally Displaced Persons (IDPs) from Darfur or the Two Areas may experience difficulties in reacquiring lost civil documentation because of the need to obtain witnesses to prove their identity.<sup>71</sup>

Some sources also observed that those of South Sudanese tribal origin, or those who may be perceived as being of South Sudanese nationality, may experience difficulties in acquiring the National Number. This was principally due to the changes made in the 2011 Nationality Act, following the succession of South Sudan.<sup>72</sup>

Some sources 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>73</sup>

According to the DBA (Kampala), the Sudanese authorities conducted a large campaign in Cairo, Nairobi and Kampala to issue National Numbers and readable passports to the Sudanese diaspora.

One source noted that Sudanese from conflict areas living in Khartoum lacked access to basic services, and faced economic, social and political exclusion.<sup>74</sup>

### 4.2 Access to housing/accommodation

Several sources 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>75</sup>

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<sup>69</sup> According to the professor in law interviewed by the delegation in Khartoum, under the 2011 Civil Registry Act, the government of Sudan abolished the national certificate (*'Bitaqa Al-Jinsiya'*); replacing this with a National Number (*'Al-Raqam Al-Watani'*). (...) Under the provisions of the Civil Registry Act, one had to have a National Number in order to obtain other types of documentation, e.g. an ID card, driving license or passport. A National Number was also needed to access a number of services such as the primary school, and to buy and own a property and all other transactions which require proof of an ID. For more details on the National Number, see Notes of the meeting with the professor in Appendix A.

<sup>70</sup> NHRMO; the Khartoum based human rights organisation; Khartoum based journalist (1); an international consultant; Khartoum based journalist (3); IOM; the professor in law

<sup>71</sup> NHRMO; the regional NGO; the Khartoum based human rights organisation; the professor in law

<sup>72</sup> The professor in law; the regional NGO; Khartoum based journalist (3); Western embassy (A)

<sup>73</sup> NHRMO; Khartoum based journalist (1); the Khartoum based human rights organisation

<sup>74</sup> EHAHRDP

<sup>75</sup> The civil society NGO; the regional NGO; Khartoum based journalist (1); Western Embassy (B); Crisis Group

Sources 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 also noted numerous other areas in Khartoum where such communities lived.<sup>76</sup>

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 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>77</sup>

The international consultant observed that Darfuris tended to live in large enclaves in new conurbations in Khartoum with water, electricity etc., but observed that 'people had to pay for it'. Some sources pointed out that there were economically better-off Darfuris and people from the Two Areas who lived in better parts of Khartoum including the centre of the city.<sup>78</sup>

#### 4.3 Access to healthcare

Sources 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.<sup>79</sup>

Most sources 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>80</sup>

EHAHRDP commented that Sudanese from conflict areas living in Khartoum lacked access to basic services, although mentioned that general access to healthcare in Khartoum was better than in Darfur and the Two Areas.

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<sup>76</sup> 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;

<sup>77</sup> The regional NGO; an international consultant; SDFG; ACPJS; EHAHRDP; Crisis Group

<sup>78</sup> Khartoum based journalist (2); the regional NGO; the Khartoum based human rights organisation

<sup>79</sup> Crisis Group; DBA (Kampala); the regional NGO; NHRMO; Khartoum based journalist (1); Khartoum based journalist (2); Western Embassy (B); the diplomatic source

<sup>80</sup> Crisis Group; DBA (Kampala); the regional NGO; Khartoum based journalist (1); Western Embassy (B); the diplomatic source

#### 4.4 Access to education

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.<sup>81</sup>

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.<sup>82</sup> NHRMO advised that the regime used schools to advocate its ideological aims and recruit NCP supporters, hence it would not seek to restrict access to those from Darfur or the Two Areas.

Two sources noted that a lack of documentation / birth certificates could make it difficult for IDPs from Darfur and the Two Areas to enrol their children into schools in Khartoum, as it would not be possible to demonstrate their nationality.<sup>83</sup>

Some sources noted that persons from Darfur and the Two Areas were more likely to send their children to work rather than school because of their economic circumstances.<sup>84</sup>

EHAHRDP 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.

#### 4.5 Access to humanitarian assistance

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 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.

The civil society NGO advised that in the slum areas of Greater Khartoum there were social committees supporting to the local communities with regard to access to services.

##### 4.5.1 IDP camps

Three sources noted that there were no IDP camps / registered IDPs in Khartoum<sup>85</sup>, and some sources advised that former IDP camps had become integrated into the city and become an

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<sup>81</sup> 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.

<sup>82</sup> 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.

<sup>83</sup> The regional NGO; ACPJS

<sup>84</sup> DBA (Kampala); Khartoum based journalist (1); the civil society NGO

<sup>85</sup> Western embassy (A); EAC; the senior staff member of an international organisation

integrated part of Khartoum's poor neighbourhoods.<sup>86</sup> However, the diplomatic source referred to a settlement in Mayo that 'looked more like an IDP camp, without access to basic services. The Commissioner for Refugees advised that there were some IDP camps in Khartoum, but the source had no further details on this. However, the Commissioner noted that most persons from Darfur and the Two Areas living in Khartoum had not come as IDPs but were economic migrants.

#### 4.6 Access to employment

Sources highlighted the improved economic conditions, including access to employment, as one of the pull factors driving migration from Darfur and the Two Areas to Khartoum.<sup>87</sup>

Several sources noted that persons from Darfur and the Two Areas predominantly worked in the informal sector, for example as security guards; laundry; construction or agriculture.<sup>88</sup> Several sources 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>89</sup> (see also 4.7 Public Order Laws)

Several sources 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.<sup>90</sup> 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>91</sup> As a result those with an academic background tended to leave Sudan to work overseas, for example in the Gulf states or Europe.<sup>92</sup>

The international consultant noted that those from Darfur or the Two Areas were broadly divided into two groups – those who were educated and who were professionally employed, e.g. as teachers or self-employed, and those who lacked a formal education and worked in the informal sector, such as agriculture or construction.

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

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<sup>86</sup> The senior staff member of an international organisation; the diplomatic source; an international consultant

<sup>87</sup> See: 1.2 Reasons for moving to Khartoum sec.

<sup>88</sup> 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

<sup>89</sup> The regional NGO; NHRMO; ACPJS; DBA (Kampala); Freedom House; SDFG.

<sup>90</sup> The 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); the regional NGO; ACOJS

<sup>91</sup> The civil society NGO; the regional NGO; Western embassy (C); Khartoum based journalist (1)

<sup>92</sup> Khartoum based journalist (1); DBA (Kampala); the regional NGO; SDFG

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.

Some sources indicated that loyalty to the regime / NCP would influence the likelihood of employment in some sectors.<sup>93</sup>

Other sources identified that Darfuris and persons from the Two Areas could be found employed in the armed forces, including the police.<sup>94</sup> However, based on his experience, the international consultant considered it unlikely that the provisions in the Doha Document for Peace in Darfur (DDPD), aimed at improving representation of Darfuris in government positions and the armed forces had been met.

#### 4.7 Public Order Laws

According to ACPJS, 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>95</sup>

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 for violating Public Order laws.<sup>96 97</sup> ACPJS 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 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>98</sup>

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, 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

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<sup>93</sup> Khartoum based journalist (1); Western embassy (A); NHRMO

<sup>94</sup> Khartoum based journalist (1); the Khartoum based human rights organisation; Khartoum based journalist (3); the regional NGO

<sup>95</sup> ACPJS; SDFG; for more information on this see: The Sudanese Organization for Research and Development (SORD); *Khartoum Public Order Act 1998*, [http://www.pclrs.com/Khartoum\\_Public\\_Order\\_Act\\_1998.pdf](http://www.pclrs.com/Khartoum_Public_Order_Act_1998.pdf) and ICRC: *The Criminal Act 1991*, [https://www.icrc.org/ihl-nat.nsf/0/4d8b568d3792381cc12571100038b7d0/\\$FILE/Criminal\\_Act\\_-\\_Sudan\\_-\\_EN.pdf](https://www.icrc.org/ihl-nat.nsf/0/4d8b568d3792381cc12571100038b7d0/$FILE/Criminal_Act_-_Sudan_-_EN.pdf)

<sup>96</sup> Freedom House; SDFG; the regional NGO; DBA (Kampala); ACPJS

<sup>97</sup> For more information on this see: IRIN; *Women tea sellers struggle against odds*, 25 October 2005 <http://www.irinnews.org/report/56817/sudan-women-tea-sellers-struggle-against-odds> and Sudan Tribune; *Deadly Public Order raid in Umm Dawm*; 11 November 2015 <http://www.sudantribune.com/spip.php?article57009>; see also 4.6. Access to employment.

<sup>98</sup> SDFG; the regional NGO; Freedom House

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.

Some sources 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).<sup>99</sup> Western embassy (B) explained that POP 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 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.

## **5. Societal treatment in Khartoum, including the prevalence of racial discrimination**

A number of sources observed that persons from Darfur and the Two Areas, and in particular those of African descent, experienced some level of discrimination or societal harassment.<sup>100</sup> To illustrate this, five sources referred to the use of derogatory phrases such as 'slave', especially from those belonging to Riverine Arab tribes.<sup>101</sup>

Crisis Group noted that despite 'systematic' discrimination restricting those from Darfur and the Two 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.

DBA (Kampala) noted that discrimination tended to be from the authorities, rather than the civilian populace. The source referred to cases of discrimination involving the POP who targeted

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<sup>99</sup> Freedom House; EHAHRDP; ACPJS; Western Embassy (B)

<sup>100</sup> 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)

<sup>101</sup> The International Consultant; the Khartoum based human rights organisation; NHRMO; the London based NGO; Western Embassy (C)

illegal tea sellers; in cases of recruitment into the civil service or in the over-taxation of Darfuri businesses. Three sources 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.<sup>102</sup>

Two sources considered societal discrimination and racism against persons from Darfur and the Two Areas as a major problem in Sudan.<sup>103</sup>

## 6. Travelling from Darfur / Two Areas to Khartoum

The majority of sources 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 officers would be present at some government checkpoints.<sup>104</sup>

Western Embassy (A), in Khartoum, had received reports that access to some areas of Blue Nile State was strictly controlled and those travelling to the region needed permission to enter and leave these areas. NHRMO remarked that persons moving across the 'front line' from rebel held SPLM-N territories in the Two Areas would be subject to stringent security checks to ensure that they were not affiliated to rebel groups. Once these checks had been completed they were free to travel to Khartoum.

Travel between Darfur and Khartoum was possible by air or road, including by bus.<sup>105</sup> New roads to Al-Fashir and Nyala made road travel between Darfur and Khartoum easier.<sup>106</sup>

Western embassy (B) advised that although it was physically possible to travel to Khartoum by road, security conditions made travel by road to Southern Kordofan (for example to Kadugli) or to Darfur inadvisable. The same source assessed road travel to Damazine in Blue Nile State as currently safe, but conditions varied.

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<sup>102</sup> Faisal Elbagir (JHR); the Khartoum based human rights organisation; an international consultant;

<sup>103</sup> The London based NGO; EHAHRDP

<sup>104</sup> 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); NHRMO; Khartoum based journalist (2); the diplomatic source

<sup>105</sup> EAC; ACPJS; IOM; DBA (Kampala); Khartoum based journalist (1); Khartoum based journalist (2);

<sup>106</sup> Khartoum based journalist (2)

## Appendix A: Meeting notes

### African Centre for Justice and Peace Studies (ACPJS)

Kampala, 1 February 2016

**About the source:** ACPJS was formed in 2009 and is responsible for undertaking human rights monitoring work in Sudan. ACPJS works on violations of civil and political rights throughout the country, including Darfur and the Two Areas, where they also monitoring International Humanitarian Law violations.

The organisation has a network of human rights monitors in 10 states, as well as a pro bono legal network. Additionally, the group is involved in legal interventions with the African Commission on Human and Peoples' Rights and UN Human Rights Council. It publishes regular reports and press releases about the human right situation in Sudan.

Recent reports/articles from the African Centre for Justice and Peace Studies are available on their website at: <http://www.acjps.org/>

When asked about the treatment on arrival of persons returning to Sudan, ACPJS knew of cases in which academics or political activists had been either stopped from leaving Sudan or had been detained on return. ACPJS specifically mentioned two cases in which a lawyer and political activist had been detained on return to Sudan. According to ACPJS such arrests were either for a short period of time, to harass and intimidate potential opponents, or for a longer period, because the person was considered to be a genuine threat to the regime. ACPJS also advised that there had been cases in which lawyers had been denied permission to leave Sudan, based on alleged breach of Bar Association rules. Those at greatest risk of arrest at Khartoum International airport were persons working in human rights or political opposition to the government.

In light of the risk of arrest to political activists at Khartoum International Airport, ACPJS had in place security protocols for those travelling from Sudan to attend meetings. For example, ACPJS would stagger trips for delegates so as not to alert the authorities.

ACPJS could not comment on the risk to failed asylum seekers and illegal migrants travelling from Europe back to Sudan, but noted that there was a sizeable security presence at the airport, including the NISS. According to ACPJS it was likely that those being returned to Sudan without a travel document or under escort would be subject to questioning. Not all Sudanese living abroad were perceived opponents to the government but persons from Darfur and the two areas were most likely to be suspected of supporting or joining the rebels. Persons from the areas where dams had been or were going to be constructed in the north were also subjected to similar suspicion of opposing the regime.



According to ACPJS, students in Khartoum who originated from marginalised areas of Sudan, such as Darfur or the Two Areas were at increased risk of violence and mistreatment, both from the National Congress Party (NCP) student militia groups and the NISS. ACPJS added that they had documented cases in which students who were members of the Darfur Students Association had been subject to violence and intimidation by the regime. Violence against students would usually occur at public meetings or demonstrations. This could include very small gatherings (perhaps 10 or 20 persons) about fairly non-contentious issues, such as tuition fee disputes or student elections. Students who were not politically active, but who had been caught up in a NISS raid may also be at risk of arbitrary arrest and mistreatment. Often the NISS or the police would work in collaboration with NCP student militia groups, although there was no formal organisational link, with NCP student groups often provoking a campus dispute to create a pretext for a NISS security raid, according to ACPJS.

ACPJS referred to a Human Rights Watch report from 2014, according to which around 70 Darfuri female students had been evicted from their campus in Khartoum in October 2014. According to ACPJS, during the operation a number of students were detained, with reports that the police verbally and physically abused a number of the students, both during the operation and following their subsequent detention.

Lawyers and journalists were, according to ACPJS, two of the most active political groups in Sudan and therefore particularly at risk of arrest and mistreatment by the NISS. Tribal leaders and persons affiliated to youth groups, such as Girfina or Change Now, were also identified as possible 'at-risk' groups by ACPJS. More generally ACPJS commented that anyone who was involved in political activism against the regime risked arbitrary arrest, incommunicado detention and physical mistreatment by the NISS if they were in the wrong place at the wrong time. ACPJS referred to two such cases involving lawyers who had been detained and mistreated by the NISS. The organisation added that it had previously reported on similar cases of arbitrary detention and incommunicado detention by the NISS.

ACPJS clarified that among targeted groups mentioned above, persons who belonged to tribes commonly linked to Darfuri rebel groups, namely the Fur, Zaghawa and Masalit would probably be at greatest risk. Tribal origin would be less of a factor for persons from minor African tribes, less commonly associated with rebel groups, according to the source.

Christians from the Two Areas had been displaced to Khartoum because of the security situation in the region. ACPJS noted that there had been reports of Christian pastors and persons from church congregations who came from these areas being harassed and beaten up by the Sudanese authorities.

ACPJS also mentioned that persons affiliated to the Islamic opposition group, the Sudanese Congress Party, may also be targeted by the NISS, with ACPJS highlighting that in 2014 their leader Ibrahim Al-Sheikh was detained by the NISS for criticisms he made against the government. ACPJS

clarified, however, that members of all political opposition parties were at risk. There were no 'safe' parties outside the NCP, according to the source.

ACPJS 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 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.

ACPJS held no information about the population of IDPs in Khartoum or with regard to living standards for IDPs.

When asked why people from Darfur and the Two Areas tended to move to Khartoum, ACPJS replied that this was due to two main factors: better access to services particularly education and employment opportunities, and the security.

Regarding access to education ACPJS 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.

ACPJS advised that those displaced from conflict areas to Khartoum generally resided on the outskirts of the city in slum neighbourhoods. ACPJS also noted that land-disputes in Khartoum were a problem, resulting in secondary displacement of some of the IDPs.

According to ACPJS, Public Order Police enforced compliance against a wide range of offences. 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.

Within Khartoum, Public Order Police were widely deployed in Khartoum with each neighbourhood having their own police force and court system, according to ACPJS. Public Order Police were especially prevalent in slum areas where persons from Darfur and the Two Areas resided and where Public Order violations, such as selling alcohol, were more prevalent.

Societal discrimination against persons from Darfur and the Two Areas was reported by ACPJS in relation to employment in the public sector, but this was not generally the case in the private sector.

ACPJS advised that travel between Darfur and Khartoum was possible by plane or road. Bus routes operated which were generally reliable. Trucks and lorries, transferring goods between Khartoum and Darfur were commonly used by IDPs as a cheap form of transport and would take between 24 and 48 hours dependent on the type of bus, safety of the road in terms of looting and other factors.

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**Hamad Elgizouli Morowa, Commissioner for Refugee, Ministry of Interior**  
Khartoum, 25 February 2016

Hamad Elgizouli stated that there were a large number of refugees from Eritrea, Somalia, Chad, the Central African Republic, South Sudan, Syria and Yemen living in Sudan, and some of these refugees had lived in Sudan for four decades. According to the source, refugees could be divided into three categories: refugees living in refugee camps assisted by UNHCR, urban refugees in Khartoum, Gadraif Medani, Port Sudan and Kassala, Asylum seekers from Eritrea, Ethiopia and Somalia living outside refugee camps.

According to the source, there were 330,000 Sudanese refugees in Chad that wanted to come back to Sudan themselves and the government planned to help them in this regard. It was added that 99 percent of Sudanese refugees in Ethiopia were from the Blue Nile State, and the Sudanese government also had plans to have these refugees back to Sudan.

Hamad Elgizouli stated that there were different ways in which Sudanese refugees abroad came back to Sudan. Refugees could be sent back on the basis of a tripartite agreement between the Sudanese government, UNHCR and the asylum country (the country from where the refugee would be sent back). The process through which a refugee came back on the basis of a tripartite agreement comprised three phases: the first phase was the information phase, during which time information about the return was mediated to the Sudanese refugees. During the second phase – the registration phase – information about the refugee including information about his or her education, job and place of origin would be registered. In the last phase, the refugee was moved to his or her home area. Sometime, the refugees were given cash grants so they could go back to their home area themselves and to get integrated into the local community.

The source further said that sometimes refugees came back to Sudan spontaneously. In such cases, no help was provided to the refugees, and UNHCR's assistance would be limited to vulnerable groups.

According to Hamad Elgizouli, the reason why Sudanese refugees were sent back from Jordan by force in 2015 was that Jordan had not signed the refugee convention of 1951. The source added that if the asylum country had signed the refugee convention, the return would be coordinated between UNHCR and the Sudanese authorities; otherwise UNHCR would not have information about the return.

Hamad Elgizouli advised that the majority of people from Darfur and the Two Areas living in Khartoum had not come to the city as IDPs. They were mostly economic migrants looking for better job opportunities in the capital or people who had come to get an education and never went back to their home areas. As a large number of these migrants did not have financial resources, they settled down in poor neighbourhoods surrounding the city centre. According to the source, there was a trend for rural people in Darfur to move to city centres in the region or to Khartoum.

Asked where people from Darfur and the Two Areas lived in Khartoum, the source stated that when people came to Khartoum they tended to stay with their relatives when they first arrived, because relatives could provide assistance, for example helping them to find a job. The source emphasised that there were no areas in Khartoum exclusively inhabited by people from Darfur and the Two Areas lived.

When asked if there were any IDP camps in Khartoum, the source opined that there were some, but the source had no further details.

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## Crisis Group

Nairobi, 29 February 2016

**About the source:** Crisis Group is an independent, non-profit, non-governmental organisation with some 125 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.<sup>107</sup>

Crisis Group has a regional office in Nairobi, reporting on several Horn of Africa countries, including Sudan. Crisis Group has been undertaking work on Sudan since the 1980s, however in recent years, access restrictions has made this work more difficult.

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<sup>107</sup> International Crisis Group, *The Chaos in Darfur*, 22 April 2015, p.19, [http://www.crisisgroup.org/~media/Files/africa/horn-of-africa/sudan/b110-the-chaos-in-darfur.pdf](http://www.crisisgroup.org/~/media/Files/africa/horn-of-africa/sudan/b110-the-chaos-in-darfur.pdf), date accessed: 14 March 2016

Prior to the meeting with the delegation, the Crisis Group representative advised that their expertise on Sudan related mainly to the political, rather than the humanitarian or human rights situation. In addition, whilst Crisis Group communicated with some sources inside Sudan on a monthly basis, the way the organisation collected information about Sudan at the present was based on speaking with sources outside the country, e.g. diaspora, diplomatic sources etc. The representative qualified that their observations were largely limited to anecdotal accounts and secondary sources.

Recent reports/articles from Crisis Group on Sudan are available on their website:

<http://www.crisisgroup.org/en/regions/africa/horn-of-africa/sudan.aspx>

Crisis Group explained that, according to the anecdotal assessment of a former consultant, since June/July 2015 the security procedures at Khartoum International Airport had increased and that this may cause difficulties for certain persons of interest attempting to leave Sudan, for example when seeking to obtain an exit stamp.

Crisis Group had no information on whether a person's ethnic or tribal affiliation would give rise to increased scrutiny when seeking to arrive or leave the country but considered it likely.

When asked what groups from Darfur and the Two Areas were at risk in Khartoum, Crisis Group explained that whilst the whole community of Darfuris and people from the Two Areas in Khartoum were under the NISS' radar, it was first and foremost politically active persons who would be targeted by the authorities. The source added that the level of risk also depended on the political circumstances at the time.

According to Crisis Group, Darfuri students were a high profile group targeted by the NISS, with recent reports of demonstrations over tuition fees. Crisis Group clarified that not all students suffered arrest and mistreatment and that, comparative to the overall size of the student population, this number may be quite low. The source also noted that the government relied on student militias associated to the NISS to intimidate and target Darfuri students.

Christian minority groups were also identified by Crisis Group as a vulnerable group, with reports of churches in the capital being destroyed by the Sudanese authorities.

Crisis Group clarified that they did not have any evidence to specifically demonstrate mistreatment or human rights violations against ordinary civilians from Darfur or the Two Areas. Most of the cases Crisis Group were aware of involved political figures or activists who were usually from so-called 'African' tribes. However, Crisis Group considered that non-political persons from the Fur and Zaghawa ('African') tribes risked being perceived as 'rebel sympathisers' because these tribes were still commonly associated with Darfuri insurgent groups.

When asked whether this situation had changed since the signing of the Darfur Peace Agreement with the Liberation and Justice Movement (LJM) and other Darfuri splinter groups, who also originated from these tribal groups, Crisis Group clarified that they did not know how such persons would be treated in Khartoum, but observed that generally these factions had suffered due to recent battlefield losses to the Sudan Armed Forces (particularly SLA-AW), with a consequent negative impact on their political influence.

Crisis Group also considered that in Blue Nile State, indigenous ethnic Ingessana similarly risked being perceived as supporters of the SPLM-N rebel group, who were active in the Two Areas. However, Crisis Group qualified that they were unable to refer the delegation to any specific reports of violence/mistreatment against non-political ethnic Ingessana in Khartoum.

Crisis Group advised that it was difficult to assess if conditions in detention were better in Khartoum than elsewhere in the country, however the source advised that in Khartoum there was a greater number of NGOs and human rights groups, which would make it more difficult for the authorities to hold back information about a detainee's whereabouts.

Crisis Group explained that discrimination against Darfuris and persons from the Two Areas in Khartoum was 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.

It was the view of Crisis Group that such discrimination was linked to an underlying Arab supremacist ideology, favouring Arab Riverine ethnic groups from Khartoum, and discriminating against others, notably those of African ethnicity.

Asked what the source meant by 'systematic discrimination', the source explained that persons from Darfur and the Two Areas were systematically restricted in their freedom to conduct political activities.

Crisis Group clarified, however, that despite discrimination communities from Darfur and the Two Areas were able to live day-to-day in Khartoum, and a large number of people from these communities were well integrated into the city.

The level of discrimination encountered by a person from Darfur or the Two Areas in Khartoum was, according to the source, likely to be linked to how long a person had lived in Khartoum and whether they had sought to engage within political activities of the Darfuri or 'Two Areas' communities. Crisis Group explained that migration from Sudan's periphery conflict-states, including Darfur and the Two Areas had commenced from the 1980s. Those who had established links in Khartoum over a longer period of time would probably experience less discrimination than those without such connections in the capital.

Crisis Group was unable to provide statistical data as to the size of the internally displaced population from Darfur and the Two Areas who were residing in Khartoum, but estimated this to be in the tens of thousands. Crisis Group advised the delegation to refer to other organisations responsible for the humanitarian situation, and who may be able to provide statistical data.

Asked about the pull factors making many people from Darfur and the Two Areas move to Khartoum, Crisis Group explained that the reasons were twofold: the first being for socio-economic reasons, because development and wealth was concentrated in the capital and the second for personal protection. The source explained the latter by saying that the security situation in Khartoum was much better than other places in Sudan, and that there had been an increasing 'securitisation' of the capital in recent years, so that there had been no major security incidents of external origin (not including the Sept 2013 riots) in Khartoum since the JEM assault on Omdurman in May 2008. Crisis Group explained that this was in part due to the heavy deployment of the NISS in Khartoum, who were ultimately responsible for security in the capital. Whilst Darfuris or persons from the Two Areas considered it unlikely that the NISS would be either able or willing to offer protection to their communities, Crisis Group observed that the NISS did provide a greater level of general security in Khartoum.

Crisis Group advised that the living conditions in Khartoum for displaced Darfuris and persons from the Two Areas varied quite considerably, although the majority of such communities lived on the outskirts of the city in slum neighbourhoods. According to anecdotal accounts, most of these communities were squatting on private land and risked forced eviction. Crisis Group explained that the living conditions in these communities related more to the general socio-economic position of marginalised communities and was a product of the general poverty. The source did not consider persons from Darfur or the Two Areas being systematically prevented from living in other parts of the city by the authorities. Instead Crisis Group assessed that if an individual had the financial means, they could live anywhere, but this was unlikely to be the case given the economic marginalisation suffered by such groups. Similarly Crisis Group explained that education would not be withheld if a person could pay for it. According to the source, persons from Darfur and the Two Areas had access to public schools and basic public healthcare services; however, the quality of such services was poor.

Crisis Group reported that a contact of the organisation had been able to travel to the Blue Nile State from Khartoum. Such a journey was generally possible providing a person had appropriate ID. The individual did not come from Blue Nile State.

Crisis Group had no information on the feasibility of travel from Darfur to Khartoum.

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**Abdelrahman Elgasim, External Relations Secretary, Darfur Bar Association (DBA),  
Kampala**

Kampala 2 February 2016

**About the source:** The source is a lawyer. He undertakes pro-bono legal work to provide protection for civilians from Darfur and other parts of Sudan and provides documentation about the human rights situation in these areas. He fled Sudan in 2012 due to political reasons, following his detention by the authorities. His information about Sudan is obtained through different sources all over Sudan.

According to Abdelrahman Elgasim, activists from Darfur and the Two Areas would be at high risk of being arrested at Khartoum airport upon return from abroad. The source added that such persons could also be arrested if they flew to Khartoum from other parts of Sudan. It was pointed out that rejected asylum seekers from Israel would also risk being arrested upon arrival. The source further commented that there was a lack of human rights monitoring in Sudan, since the government expelled NGOs in 2009, which made monitoring the situation for returnees more difficult.

The source mentioned that Sudanese embassies issued passports and emergency travel documents to Sudanese abroad. If a Darfuri refugee went to the Sudanese embassy in Kampala and applied for a passport, he would be issued a passport so he could go back to Sudan. The source himself had obtained/renewed his passport at the Sudanese embassy in Kampala. However, the source clarified that currently the Sudanese embassy in Kampala only renewed passports or issued emergency travel documents for those wishing to go to Sudan. Those who needed new passports more often went to the Sudanese embassy in Nairobi, Kenya. The source further explained that in 2016 the government undertook a large campaign to Cairo, Nairobi and Kampala to issue National Numbers and readable passport to Sudanese diaspora.

Abdelrahman Elgasim advised that Darfuris were politically very active in Khartoum. According to the source, this was why the Sudanese authorities targeted Darfuris, and particularly Darfuri students. The source added that most student activists were Darfuris and the NISS treated student activists very harshly. 30 students were killed during student demonstrations in recent years.

According to Abdelrahman Elgasim, the NISS generally monitored all persons who were involved in activities perceived by the authorities as being against the government. Politically active journalists were also mentioned by the source as a group targeted by the authorities.

Asked whether the tribal and ethnic background had an impact on who was targeted, the source stated that persons from the Fur, Masalit and Zaghawa tribes were generally suspected of being connected to rebel groups and hence, were more likely to be monitored and at risk of being targeted by the NISS. The source emphasised though that not everyone from these tribes were monitored, and it was mainly activists who were under the government's radar and targeted. Persons from other Darfuri tribes (i.e. not the Fur Masalit and Zaghawa) would not generally be perceived as opposed to the regime and so would be at no greater risk of being monitored.



According to the source, there were persons from Fur, Masalit and Zaghawa tribes who worked for the government. The source also referred to a pilot he knew, who worked for the Sudanese air force who came from a nomadic Darfuri tribe. The individual in question subsequently fled Sudan for refusing to carry out bombing missions in Darfur.

Abdelrahman Elgasim explained that when he was arrested, along with other activists on 30 October 2010, the NISS tortured and beat them and did not allow them to sleep or to contact their families or a lawyer. The source knew of cases of people being arrested without their families being informed about their arrest or whereabouts.

Regarding prevalence of ghost houses in Khartoum, the source stated that there were such houses in the capital. These houses were indistinguishable from other properties in the area and no one could see from outside that they were ghost houses. Sometimes detainees did not realize that they were in a ghost house since they were blindfolded. According to the source, it was mainly Darfuri political activists who were kept in ghost houses.

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.

Abdelrahman Elgasim advised that there was not equality before the law and Darfuris and persons from the Two Areas were usually treated more harshly than others.

On the subject of mistreatment by the Public Order Police, the source 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.

Abdelrahman Elgasim advised that the authorities treated Darfuris in a discriminatory way. The source exemplified this with reference to a market in Khartoum called 'Libyan Market' (*'Souq Libiya'*) in which the majority of merchants had previously been Darfuris who had traded from Libya Market for over 20 years. However the imposition of new taxes by the government made it expensive to have a business in Libya's Market, forcing the majority of Darfuri businesses to shut down.

Darfuris also faced discrimination with regard to obtaining university scholarships and did not have many opportunities for employment in the public sector / civil service. The source explained that

Darfuris could not be employed in high positions in the government. In the private sector persons were employed often from the same tribal background, with all those working in a company coming from only one tribal group. This generally disadvantaged Darfuris and other groups from outside Khartoum. The lack of employment opportunities made some Darfuris emigrate from Sudan, especially those well-educated with a university degree. Abdelrahman Elgasim explained that Darfuris had migrated to the United States, Arab Gulf States, particularly Saudi Arabia, or other African countries to work. Others, particularly those from the Zaghawa tribe who were good businessmen, had started their own business as a result of not being able to find a job in the public sector.

Concerning the prevalence of general societal discrimination against Darfuris and people from the Two Areas, the source advised that such groups mainly suffered discrimination from the authorities, rather than from the civilian populace in Khartoum.

Abdelrahman Elgasim advised that a large number of Darfuris lived in poor areas in Khartoum such as Mayo, Ombada and Haj Yousef. The source highlighted that there was a lot of Darfuris living in Mayo, which was a very big slum area in Khartoum.

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.

Concerning access to healthcare services, Abdelrahman Elgasim explained that there was access to doctors and hospitals with low fees, although previously this had been free; however he emphasised that the quality of public healthcare services was low. Private healthcare was expensive and so marginalised groups including Darfuris and people from the Two Areas, living in poor neighbourhoods, could hardly afford private healthcare fees.

Asked about the reason why so many Darfuris and people from the Two Areas moved to Khartoum, the source replied that a large number of these people had come to Khartoum due to security reasons as they were at high risk of being killed in conflicts in their areas. According to the source, there were also many who came to Khartoum due to better job opportunities. Some of them did not bring their families and they had low-paid jobs or petty jobs in the informal sector, for instance selling water, tea, peanuts, or working as drivers.

According to Abdelrahman Elgasim, there were high quality buses transporting people regularly between Khartoum and Al-Fashir<sup>108</sup> in Darfur. There were also flights between Khartoum and Al-Fashir, but flight tickets were expensive for ordinary people.

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### Darfur Bar Association (DBA), Khartoum

Khartoum, 21 February 2016

**About the source:** The General Secretariat of the Darfur Bar Association (DBA) was established in 1996. DBA is part of International Bar Association. DBA provides legal aid to Darfuris as well as to people from other areas of Sudan. It also participates in joint campaigns together with local and international organisations about legal and human rights issues. DBA is not allowed to be active in Sudan and is not registered as an official organisation because the government has accused its members of espionage.

DBA has provided legal assistance to a number of Darfuri students arrested by the NISS in 2015 upon student demonstrations at the universities in Khartoum. Three months prior to the meeting with the delegation, DBA had succeeded in having some of these students who were brought to the court acquitted due to lack of evidence against them. The interlocutor from DBA had himself been arrested five times, and he was brought to the court and acquitted three times due to lack of evidence. He had been detained for ten days, three weeks and one month prior to being prosecuted. According to the source, his connection to Western embassies had played an important role in not being detained for a long time or being ill-treated by the authorities.

DBA had been informed by some of the rejected Sudanese asylum seekers deported from Jordan on 18 December 2015 that they had been transferred to the Sudanese authorities in handcuffs that they still had on upon arrival. The source and a colleague from DBA were present at the public arrivals hall in the airport where they met the refugees after they were released by the NISS, and according to DBA, the refugees were frightened. The refugees were asked to sign six papers without any explanation as to what they said and they were told not to leave their area of residence unless they informed the local police about this in advance. Three of the refugees were detained, and DBA did not know of their whereabouts at present. It was added that 1,053 persons were sent back from Jordan in total – and not 800 as claimed by some sources.

According to the source, the majority of those sent back from Jordan were staying with their relatives, most of whom were in Khartoum. The source clarified that some lacked money to travel and could not go back to their villages.

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<sup>108</sup> Also known as *El Fasher. ed.*

When asked why this was the case, the source clarified that they were told that they must stay to report with the NISS. Some of the deportees lived at the DBA in Khartoum for a while; they were frightened to be targeted by the authorities.

DBA stated that they only had information about appeal cases, and since rejected asylum cases were not appeal cases, DBA had no information about these and did not work with them.

Asked about the profile of persons from Darfur and the Two Areas monitored and targeted by the authorities, DBA mentioned Darfuri students, journalists, activists including political and human rights activists and human rights defenders as groups mostly targeted by the authorities. However, he stressed that Darfuri students were targeted most because they tended to be very active.

The source added that following a student demonstration against tuition fees at the University of Qoran Karim on 23 November 2015, the NISS arrested more than 100 students in one night, accusing them of provoking riots, despite the fact some of the arrestees had not attended the demonstrations, according to the source. The source advised that the NISS had informants among Darfuri students who had informed the NISS about who was active in connection with the demonstrations. Nine of the arrested students spent 25 days in the NISS detention centre. According to the source, detainees were held in the NISS political section in Khartoum North and, subsequent to being charged, were relocated to Omdurman North police station where they were held for 12 days. The source explained that the detainees suffered torture during their detention, for instance by electric iron. Two of the cases were filed and brought to North Omdurman Criminal court, but because of a lack of evidence the individuals were acquitted.

Regarding journalists, DBA stated that those critical of the government were also targeted from time to another.

When asked how people from Darfur and the Two Areas were treated upon arrest, DBA replied that usually persons of an indigenous African tribal background, for example persons from the Zaghawa, Masalit, Fur, Tunjur, Meidob, Tama, Mima, Gimir or Dago tribes, were more harshly treated compared to those of Arab origin. When asked why this was the case, the source explained that this was because the authorities always assumed that these tribal groups supported the armed rebel groups. According to the source, persons from the Two Areas were treated most harshly. However, the source added that it sometimes happened that the authorities treated activists of Arab origin more harshly than non-Arabs because in the authorities' view, these Arab detainees should not have been active in favour of non-Arab people and their rights.

Concerning length of detention, DBA advised that if the detainee was a political active person he could risk being kept in detention for a very long time (one to three months). The authorities tried to frighten people by putting them in detentions. However, people would not be in detention for a long time in the event they had connection to international organisations and NGOs.

Regarding Kober prison and the profile of people detained there, DBA mentioned that Kober prison was divided into two sections: one section where criminals were detained and another section administered by the NISS where politicians and human rights activists were kept. When detainees from the NISS section were trialled and received their sentence, they were moved to the other section of the prison where criminals were kept.

As regards prevalence of ghost houses in Khartoum, the source stated that ghost houses still existed. However, their number was much less than before as activists arrested by the authorities were now often taken to the NISS detention centres. According to the source, there were many NISS detention centres, but the main one was in Bahri (Khartoum North), and persons detained in other detention centres would end in the Bahri detention centre. When asked why persons would end up in Bahri (Khartoum North), the source clarified that this was because Bahri (Khartoum North) was the head of the political section within the NISS and so they would be held here until they were formally charged, after which they may be moved to a police cell instead. However the source also noted that in some cases a person could be held for three to five months at Bahri (Khartoum North) without being charged, and in most cases would only be released following an advocacy campaign. Students and human rights activists were mentioned by the source as two groups taken to and kept in ghost houses.

Asked about the number of persons from Darfur and the Two Areas being detained in Khartoum at the moment, the source replied that he did not have information about the exact number. However, the source mentioned that there were 50-60 Darfuri student activists in detention in Khartoum, although no case had yet been brought against them to the court. DBA explained that most of detainees were students because students were politically the most active group.

Regarding possible difference between Khartoum and other cities in Sudan with regard to treatment upon arrest, DBA mentioned that the prison condition and the treatment in Khartoum was as bad as in other places in Sudan. There were some sections in Kober prison where the situation was better than other places. However, according to the DBA, this section was merely for showing the international community that the prison situation in Sudan was good.

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### **A diplomatic source**

Khartoum, 21 February 2016

Regarding treatment by the Sudanese authorities of rejected asylum seekers returning to Khartoum, the diplomatic source mentioned they had experience of only a very few cases where rejected asylum seekers had been deported from Switzerland and Norway. According to the source it was unclear whether these returnees could get support upon return to Sudan. However

the source added that those sent back from Norway had not faced any problems upon return. The source had not heard of any one of these returnees being arrested upon return.

When asked whether the authorities had been particularly suspicious of persons being sent back from Europe, the source stated that in general many Sudanese were living abroad, especially in the UK. The source knew many doctors who had UK passports and who came back to Sudan on visit.

According to the source, in general, politically non-profiled or low-profiled Sudanese did not face any difficulties when coming back to Sudan.

When asked if there were groups among people from Darfur and the Two Areas who were more likely to be targeted by the authorities in Khartoum than others, the diplomatic source stated that students were more targeted than other groups, particularly those who had participated in demonstrations against the government's policy on university fees. Human rights activists, including journalists writing about human rights issues, were another group mentioned by the source who were targeted by the authorities

The source added that in general, the government did not trust people who were not supportive of the government. However according to the source, there was no active harassment going on in Khartoum towards persons from Darfur and the Two Areas.

The source stated that basically all people from Darfur and the Two Areas were monitored by the NISS. The source mentioned that 25 percent of the population in Sudan in some way or another were working for the NISS; for example as informants etc. Furthermore, the diplomatic source assumed that the NISS was more present in Khartoum than elsewhere in Sudan.

The source estimated that persons from Darfur and the Two Areas constituted a big community in Khartoum. The source explained that there were areas in Khartoum predominantly inhabited by Darfuris, an example of which was the district of Mayo.

According to the source, except for Mayo, other IDP camps in Khartoum were more integrated into the poor neighbourhoods of the city. It was added that Mayo looked more like an IDP camp, without access to basic services.

Asked about the reason why many people from Darfur and the Two Areas moved to Khartoum, the diplomatic source opined that they moved due to security reasons and because Khartoum was a big centre with more job opportunities than other places in Sudan, and most of those coming to Khartoum had also relatives, family and friends living there. The source added that there were no big cities in Sudan with opportunity for work, which was the big difference between Khartoum and the rest of the country.

When asked if a person without a network would be able to find and get a job in Khartoum, the source stated that this would not be easy. However, the source emphasised that he had no specific information on this particular subject. The source added that persons from Darfur and the Two Areas first and foremost worked in construction work and had jobs that required a low level of education.

Regarding access to services such as education and healthcare in areas of Khartoum where migrants and IDPs from Darfur and the Two Areas lived, the source stated that there were public schools and a public healthcare system in these areas, which were accessible to everyone. However, these services were in a poor condition. Furthermore people had to pay for their medicine, which was difficult for many to afford. According to the source there existed free medicine for people under five years of age and for medicine against malaria.

When asked if there were any checkpoints on the road between Darfur and Khartoum, the source advised that there were fixed checkpoints at the state borders. In Khartoum the authorities had mobile checkpoints and in Darfur you could find both mobile and fixed checkpoints. The more you moved towards the borders, the more checkpoints you would meet.

At these checkpoints the authorities would check people's papers, travel permit (of foreigners) and they will ask about the reason for travelling. The source added that in theory all Sudanese citizens had freedom of movement, but sometimes one had to bribe the authorities to go through these checkpoints.

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### **Ahmed Eltoum Salim, Director, European and African Centre (EAC)**

Khartoum, 22 February 2016

**About the source:** EAC was established in UK in 2013 and registered in UK in 2014 and in Sudan in 2014. EAC provides advocacy services to African migrants who want to emigrate to other countries in a legal way. The overall aim of the organisation is to support legal migration through effective migration management. To do that EAC works on redirecting the flow of African illegal migrants from Europe making them to migrate legally to other countries, particularly Arab countries in the Middle East. In addition, EAC wants to facilitate sustainable integration of migrants into the labour markets of the host countries by facilitating vocational training of migrants. EAC cooperates with UNHCR, IOM, Western embassies local and international organisations.

Ahmed Eltoum Salim, director of EAC, was himself a political refugee from Sudan who after many years of residence in UK came back to Sudan in 2014 to start working with refugees and migrants in Sudan.

According to EAC, voluntary returnees often held emergency documents from Sudanese embassies abroad. When arriving to Sudan, these returnees usually did not go through time-consuming procedures at the airport and they were allowed to come in easily. Ahmed Eltoum Salim helped once a man from the Nuba Mountains in Southern Kordofan, who came back voluntarily with emergency papers. He lived and worked now in the Southern part of Khartoum and did well.

Ahmed Eltoum Salim also knew and followed the case of a rejected asylum seeker from Northern Kordofan who, after some time in detention in UK, deported to Sudan. The rejected asylum seeker had told Ahmed that upon return he did not carry any ID card proving his identity as a Sudanese national. When the officers at the immigration desk at the airport in Khartoum realised that he did not carry any documents proving his nationality, they had asked him to present a family member or relative who could prove his identity. After a relative came to the airport with documents proving his identity as Sudanese citizen, the immigration officers let him go, but they told him that he had to go through a security check by the NISS. Asked what would happen if family members had no documents or if a person was not in touch with his family members, the source explained that in such case the person had to go through an interrogation by the immigration officers and not the NISS to find out whether he was a Sudanese or not. The source clarified that many asylum seekers in Europe claimed that they were Sudanese and from Darfur or one of the Two Areas and the Sudanese authorities had therefore to make sure that the returnees were from Sudan.

The officers at the security desk asked him questions, such as how long he had stayed abroad; why he did not have a passport; which political party if any he was affiliated with; if he came back voluntarily or by force; if he had friends with other nationalities; what he did in London and if he was in contact and had dialogue with authorities from other countries. After the interrogation, the security officers let him go. The whole administrative process at the airport took about one hour (He found a relative who could prove his nationality, and got questioned by the NISS within an hour?). The person in question had a bookshop in Northern Kordofan today, according to the source. When Ahmed Eltoum Salim talked to him months later after the return, he told Ahmed that no one from the NISS had contacted him since he left the airport.

Asked whether the rejected asylum seeker, mentioned above, was a political activist before he left Sudan, EAC said that he was a low-profile member of the Umma Party (*'Hizb Al-Umma'*) which at that time was fighting against the government in the East part of Sudan.

Ahmed Eltoum Salim assumed that the procedure described applied to all non-political or politically low-profile rejected asylum seekers sent back to Sudan.

When asked what would happen to a person who was, politically, of a high-profile the source stated that he did not have much information on this issue, however, he pointed out that he himself was a high-profiled person when he, after nine years in UK, came back to Sudan. In



addition, Ahmed Eltoum Salim knew some high-profiled political activists who came to Sudan after many years of residence in Europe as refugees and now worked for the government.

According to Ahmed Eltoum Salim, two groups of Sudanese refugees were recently sent back to Sudan: the first group were persons who illegally had left the country and were caught and sent back from Algeria in mid-January 2016. They were received at the airport by the Sudanese authorities and they did not face any difficulties upon arrival. The other group were sent back from Jordan. Some of these deportees had left the country for medical treatment but later decided to seek asylum in Jordan; while others had left Sudan illegally in order to go to Europe through Syria and Turkey, but they were stuck in Jordan and claimed asylum there instead. According to the source, as UNHCR in Jordan refused to process their cases, some of them were sent back to Sudan voluntarily. Ahmed Eltoum Salim further advised that a number of these deportees were from Darfur and they went back to Darfur and resumed their work within agriculture, with help from their families. Ahmed Eltoum Salim had only visited one of the deportees.

Ahmed Eltoum Salim also mentioned that there were rejected asylum seekers deported from Israel. He had met three deportees from Israel who had informed him that they had been through a thorough interrogation by the NISS upon return. The three deportees were now living in the Sudanese state of Al-Jazirah. According to the source, the authorities were generally more suspicious of Sudanese coming back from Israel as they were afraid that some of the returnees might have been recruited by Israel as spies? The source did not have any information on whether returnees from Israel had been forced to sign a paper agreeing not to leave their home area unless the local police were informed.

EAC did not consider that tribal or ethnic affiliation had any impact on treatment of returnees at the airport. The source pointed out that there were officers who originated from Darfur or the Two Area, who were working at the airport, and Lieutenant General Awad El Dahiya, head of Passports and Civil Registrations at the Ministry of Interior was from Southern Kordofan.

Regarding possible consequences of not having an exit stamp in one's passport, the source assumed that lack of exit stamp would entail financial punishment, e.g. paying fines.

According to Ahmed Eltoum Salim, there were two groups of people coming to Khartoum from Darfur, and the Two Areas: economic migrants and IDPs coming to the city due to the conflict in their area.

Economic migrants came to Khartoum for better job opportunities and access to better services such as education and healthcare, as these services were poor and underdeveloped in their home areas, according to the source. Regarding IDPs, the source mentioned that there were not many IDPs from the three mentioned areas in Khartoum, which could, according to the source, may be due to the fact that IDPs were not officially registered by the authorities.

EAC advised that a large number of Darfuris coming to Khartoum had relatives in Omdurman and hence settled down in this part of the city. The majority of Darfuris in Khartoum were living in Omdurman, according to the source. The source added that in general, a majority of people from Darfur and the Two Areas lived in poor neighbourhoods surrounding the city centre due to lack of economic resources.

Concerning access to the labour market, the source explained that one could find Darfuris and people from the Two Areas in the army, in the police and the NISS and some of them were also employed in public offices. However, there were also a great number of people from these areas who had petty jobs in the informal sector.

According to the source, there were regular daily transport by bus between Khartoum, Darfur and the Two Areas. The source advised that a bus trip from Khartoum to Darfur (Al-Fashir) took about 12 to 18 hours while it took about eight hours to come to Khartoum from Kadogli in Southern Kordofan. In addition, one could take a plane between Darfur and Khartoum. There were daily flights between Khartoum and Al-Fashir, El-Geneina and Nyala in Darfur, according to the source.

Regarding prevalence of checkpoints on the road between Khartoum and the three mentioned areas, EAC confirmed that there were checkpoints, but these were mostly customs transport checking goods being transported to Central Sudan from Darfur, and no control of ID documents took place at these checkpoints.

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## **The East and Horn of Africa Human Rights Defenders Project (EHAHRDP)**

Kampala, 1 February 2016

**About the Source:** The East and Horn of Africa Human Rights Defenders Project (EHAHRDP) was formed in 2005 and seeks to support human rights defenders throughout the region by supporting capacity building, advocacy and training. EHAHRDP facilitates work in a number of countries including Sudan, South Sudan and Uganda.

The delegation met with several EHAHRDP representatives including Tabitha Netuwa, Protection and Security Management Manager; Shannon Orcutt, Research Associate on Sudan and Hassan Shire, Executive Director of the EHAHRDP.

For more information about the source, see <https://www.defenddefenders.org/>

EHAHRDP referred to the recent detention of Sudanese asylum seekers deported from Jordan in December 2015. EHAHRDP stated that many of those detained were non-political and, it was

believed, experienced torture on return to Sudan. EHAHRDP were unable to provide evidence relating to the torture or mistreatment of Sudanese failed asylum seekers from Jordan.<sup>109</sup>

EHAHRDP advised that Sudanese arriving by air at Khartoum International Airport would have their passport carefully checked by security officers, who were particularly interested in where a person had recently visited. EHAHRDP stated that those travelling to/from Uganda would be stopped and questioned because Uganda was known to host a sizeable opposition community. EHAHRDP explained that as a security precaution they staggered travel for delegates visiting Uganda (e.g. for a conference), to minimise suspicion on arrival in Sudan.

EHAHRDP stated that there were documented examples of journalists and human rights activists from Darfur and the Two Areas who had experienced arbitrary arrest and mistreatment in Khartoum.<sup>110</sup> 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. EHAHRDP 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>111</sup>

EHAHRDP had no information to demonstrate non-political persons in Khartoum being routinely arrested, although the view from EHAHRDP was that all asylum seekers from Darfur and the Two Areas would be at risk on return. EHAHRDP explained that there was a lack of reporting on human rights abuses in Sudan and observed that as human rights activists from Darfur and the Two Areas were forced to flee the country, this also placed their communities at greater risk.

When asked about the importance of ethnic identity for persons of Darfuri origin, EHAHRDP considered that all persons from Darfur were at risk regardless of their specific tribal origin.<sup>112</sup> EHAHRDP commented that tribal dynamics were difficult to understand and so it was problematic to distinguish between certain tribes when considering risk. EHAHRDP qualified that persons of Arab Baggara tribal origin may be less likely to be targeted in Khartoum, because these tribes were more commonly associated with the Janjaweed (pro-government militia), although these affiliations sometimes shifted.

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<sup>109</sup> On this issue, the source referred to <http://www.theguardian.com/world/2016/jan/19/sudanese-refugees-forcibly-deported-from-jordan-fear-arrest-and-torture>.

<sup>110</sup> As an example, the source referred to <http://www.acjps.org/immediate-safety-concern-for-two-darfuris-detained-incommunicado-for-seven-weeks-in-khartoum/>

<sup>111</sup> As an example, the source referred to: <http://www.theguardian.com/world/2015/jul/14/sudan-christian-women-40-lashes-trousers>

<sup>112</sup> As an example, the source referred to <http://www.refugee-rights.org/Publications/Papers/2014/ItsAJoke.pdf>

EHAHRDP also observed that persons from the Two Areas similarly risked being perceived as rebels, regardless of their ethnic origin.<sup>113</sup>

EHAHRDP was unable to advise on the size of the IDP population from Darfur and the Two Areas who were residing in Khartoum. EHAHRDP explained that these displaced communities generally resided on the outskirts of the city in slum neighbourhoods and were often squatting on private land, thereby risking eviction from property developers.

EHAHRDP 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.

EHAHRDP mentioned that general access to healthcare and education was better in Khartoum compared to Darfur and the Two Areas. However, the source described the situation in Khartoum for persons from Darfur and the Two Areas as seriously grave, and explained that such persons faced high levels of discrimination. According to EHAHRDP, Sudanese from conflict states were treated as second-class citizens and labelled as rebel sympathisers who would regularly encounter discrimination.

EHAHRDP advised that there were multiple checkpoints around Khartoum city, where security forces checked who was travelling into and exiting the city.

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### Faisal Elbagir, Journalists for Human Rights (JHR)

Nairobi 1 March 2016

**About the source:** Faisal Elbagir is a human rights defender and journalist who previously worked for the Sudanese Organisation Against Torture (SOAT) and Khartoum Centre for Human Rights and Environmental Development (KCHRED).

The source currently works under the NGO Journalist for Human Rights (JHR) in Nairobi and he is in contact with journalists and human rights defenders in Sudan, including Khartoum, through informal networks. He was last in Sudan in 2009.

When asked which groups from Darfur or the Two Areas would be targeted by the authorities in Khartoum, Elbagir explained that there were a range of persons who may be at risk in Khartoum, including journalists, students, activists, politicians and even musicians.

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<sup>113</sup> As an example, the source referred to <http://www.refugee-rights.org/Publications/Papers/2014/ItsAJoke.pdf>

Elbagir considered however that all persons from Darfur and the Two Areas were at risk from the authorities in Khartoum, although he recognised that in practice the authorities lacked the resources and manpower to systematically target the huge number of persons from Darfur and the Two Areas who lived in Khartoum.

Elbagir was also of the view that an ordinary civilian (i.e. a non-political person) from Darfur or the Two Areas could be targeted by the authorities merely due to his or her ethnic affiliation. The source opined that it was very easy for Sudanese to identify one's ethnic affiliation by physical appearance and skin colour. The source observed that whilst there was no official report on this issue and he did not have details of ordinary civilians being arrested or mistreated by the Sudanese authorities, such cases could be found on social media and testimonies from families or survivors, whenever they got an opportunity or a chance to speak out. Elbagir however highlighted that, as a human rights observer, he was sometimes able to verify such reports independently. However, the source did not give examples of cases verified by the source. Elbagir also remarked that due to media restrictions in Sudan, it was often difficult to obtain accurate news reports about cases of detention. One of the NISS' redlines was to report on detention of persons or their ill-treatment by the security operators, according to the source.

Asked about cases of journalists being detained by the authorities currently, the source referenced the detention of journalists and other staff known to be working with Radio Dabanga, and a second case involving Jaafar Al-Sabki who was a Darfuri journalist detained for nearly one year. Jaafar Al-Sabki was detained 3 November 2010 and released 28 August 2011.

The source added that currently the NISS had adopted a policy of short period detention against journalists and activists, especially students and young activists. Elbagir was unable to clarify how many persons from Darfur and the Two Areas were detained in Khartoum at the current time. However, he explained that the situation in Khartoum varied from time to time. During periods of increased security, there may be up to several hundred detainees at any one time, whereas this figure could drop to tens of people, if the security situation was more relaxed. Elbagir confirmed that at the current time, the number of persons detained was definitely lower than the period following the JEM assault on Omdurman in May 2008, which saw over 250 persons detained in Khartoum. Elbagir observed that at that time (i.e. in mid-2008), Khartoum was like a 'war zone' and people were actively fleeing the city. The source added though that during the September 2013 demonstrations in Khartoum, more than 250 persons – mostly youth and students – were detained, including persons from Darfur and the two Areas.

Elbagir explained that he had been detained for several times between 1989 and 2001. One of these detentions was in Kober prison, where he was detained in more than two weeks in 2001, due to his activism and journalistic work. According to the source Kober prison was divided into three sections and he was detained in that part of prison controlled fully by the NISS. Elbagir explained that previously when a person was detained at Kober prison, the authorities may not

initially admit publicly to a person being held in detention, for example to family members. Later this changed, mostly with regard to high profiled political figures, and the NISS would now disclose the detention of a person to his family (although they would not likely be permitted access to their family). Elbagir confirmed that such practices remained the case to-date.

Under the National Security Act, detainees could be held for up to 90 days without charge, although according to the source, in practice detentions could be for longer.

Elbagir was unable to confirm the number of persons from Darfur or the Two Areas currently residing in Khartoum, but indicated this could be anywhere from hundreds of thousands up to millions. Elbagir cautioned that it was very difficult to obtain reliable population data on Sudan. According to Elbagir the causes of this population moving from Darfur and the Two Areas to Khartoum were twofold: the first being the impact of urbanisation, as farming communities moved to the capital due to a lack or even absence of services in those regions, and the second due to conflict, which had been a long-term cause of displacement from Darfur and the Two Areas. Elbagir remarked that people moved to Khartoum because there was no real alternative, commenting that for example in Darfur, there were no services – no education or healthcare.

Elbagir observed that persons from Darfur and the Two Areas would experience day-to-day discrimination in Khartoum, from officials working for the Sudanese authorities. This was reflective of a wider racist narrative in Khartoum, which prejudiced against African ethnic groups who were identifiable through their physical features and skin colour. Elbagir gave an example in which a person from Darfur or the Two Areas, when applying for their passport, or any other government document would likely experience discrimination, including verbal abuse and insults, as well as delays in receiving the service. Elbagir however clarified that such a person would still be able to successfully obtain a passport in the same way as any other Sudanese citizen.

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## Freedom House

Nairobi 29 February 2016

**About the source:** Freedom House was founded in 1941 and is an independent watchdog organisation dedicated to the promotion of freedom and democracy around the world.<sup>114</sup>

Freedom House advised that at the time of their meeting, Freedom House lacked a monitoring presence in Sudan, which reports specifically on the violations of rights of IDPs and marginalised groups and advised the delegation that their observations were largely limited to interviews with social and political rights activists and secondary sources and reports by partner organisations.

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<sup>114</sup> Freedom House, About Freedom House, <https://freedomhouse.org/about-us>, date accessed: 15 March 2016

Recent reports/articles from Freedom House on Sudan are available on their website:

<https://freedomhouse.org/country/sudan>

When asked which groups from Darfur or the Two Areas would be at risk from the authorities in Khartoum, Freedom House highlighted that since 2014 students had increasingly become one of the main groups targeted in Khartoum and other universities in Sudan. This trend was particularly notable over the last year, during which repression of Darfuri students intensified and reached a new high. The Government of Sudan failed to honour the Doha Agreement (DDPD) from 2011, which guaranteed free enrolment of Darfur students at Sudan universities and had used the issue of tuition fees as one of the tools of oppression against students from Darfur lately. Additionally, the Government of Sudan tried to prevent any public action at universities that aimed to highlight the consequences of conflict in Darfur and the Two Areas and/or call on for cessation of hostilities and protection of civilian population.<sup>115</sup>

Freedom House commented on one such incident in 2014 in which a peaceful student demonstration at the University of Khartoum, protesting against the deteriorating situation in Darfur, was violently suppressed by the NISS who used live ammunition to disperse protestors. The incident resulted in one fatality, Ali Abakr, a student who was shot during the demonstration. According to Freedom House the authorities did not properly investigate the killing of Ali Abakr and no charges were ever brought against any officer involved.

Freedom House also referred to another incident in October 2014 in which NISS officers forcibly expelled between 50 and 70 Darfuri female students from their campus dormitory in Khartoum.<sup>116</sup> According to the source, a number of students were physically mistreated and subsequently detained during the operation; however it was the view of Freedom House that only a small proportion of those detained were politically active. Freedom House added that several civil society groups including women's and lawyer's groups had been assisting the students concerned.

Freedom House commented that in December 2015 there had been increasing reports of Darfuri students being detained from various Khartoum universities, for suspected involvement with Darfuri rebel groups. According to Freedom House this crackdown by the authorities was in part a response to intensified conflict in Darfur and in part due the growing student activism in Khartoum, which had seen large-scale sit-in protests over issues such as tuition fees. Freedom House clarified that the situation had evolved into a student rights movement, attracting wider support within the student community beyond just those who originated from Darfur or who belonged to indigenous Darfuri ethnic groups. In addition to solidarity groups which mobilised to

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<sup>115</sup> <http://www.acjps.org/one-person-dead-and-7-critically-injured-after-sudanese-forces-open-fire-on-university-of-khartoum-students/>

<sup>116</sup> Human rights groups report expulsion of 70 female students. For additional information refer to: <https://www.dabangasudan.org/en/all-news/article/darfuri-students-detained-in-sudan-s-capital>; <http://www.sudouk.org/updates/posts/darfuri-female-students-detained-in-khartoum-6th-11th-october-2014/>

assist expelled female students from Darfur in 2015, notably Khartoum University ceased their operation after the killing of student Ali Abakr Musa in 2014 and around 1000 people showed up at the killed student funeral.

When asked about the importance of ethnicity in regard to how a person may be treated by the authorities, Freedom House commented that the Sudanese government had created an 'Arab' dominated narrative which discriminated against African Darfuri ethnic groups for being 'un-Sudanese'. According to Freedom House this narrative could be heard in every day conversations and language in Khartoum, for example in the use of the derogatory phrases used to describe African-indigenous populations by their skin colour. However, Freedom House also qualified that the use of such terms may also be linked to factors such as a person's education or social class.

Regarding treatment upon arrest and the impact of tribal and ethnic affiliation in this regard, Freedom House stated that political and civil society activists from Darfur and the Two Areas who were of Arab ethnicity experienced mistreatment by the authorities, for example during the civil unrest in 2013. However, Freedom House considered that those from the Nile River basin, e.g. persons of self-declared or perceived Arab ethnicity, would generally be treated better by the NISS, compared to those from Darfur who were of African ethnicity. Freedom House gave the case of a Darfuri 'non-Arab' lawyer who was detained in 2014 and who had allegedly been infected with hepatitis. Additionally, activist, who originated from non-Arab tribes in Darfur and other marginalised areas, reported that their mistreatment in the detention facilities and physical abuse was coupled with racist slurs.

Freedom House also explained that opposition group activists were less ethnically focused. In particular Freedom House commented that youth movements such as Girifna and Sudan Change Now were challenging traditional racial stereotypes by using mottos such as 'We are all Sudanese'. These youth groups drew support from across Sudan and were generally seen as opposed to the wars in Darfur and the Two Areas.

When asked about the detention of members of youth movements, such as Girifna and Sudan Change Now by the NISS, Freedom House commented that the authorities usually targeted the more high-profile individuals, who were publicly well known and outspoken against the government. Such individuals would be monitored, followed and risk routine detentions. In other cases, persons may be detained for short periods of time, e.g. 24-48 hours and informed to report daily to NISS offices in Khartoum.

Freedom House observed that the NISS were responsible for serious human rights violations in Sudan and were generally able to act with impunity, also codified in the National Security Act, which protected NISS officers from prosecution. Freedom House cited as an example a report from the African Centre for Peace and Justice Studies on the government's response to the September 2013 civil unrest, which documented at least 169 unlawful killings and included reference to post-mortem documentation being fraudulently changed to cover up the number of persons killed by



the NISS. According to Freedom House only one security officer was ever convicted following the government's investigation into the incident.

Freedom House clarified that whilst there was intent by the NISS to suppress opposition groups in Khartoum, in practice the extent to which this happened was very arbitrary. Freedom House explained that there may be periods where the regime would act in a fairly repressive way, cracking down on all opposition; but at other times persons were able to express opposition views without serious reaction. The Government's perception of the threat to the NCP rule was influencing NISS' decision-making when it came to their use of oppressive measures against dissenting voices. Sometimes the rationale behind their decisions was not clear. Freedom House explained that these arbitrary practices were partially due to the fact that the NISS were not that well organised and lacked up-to-date intelligence on persons of interest; for example Freedom House commented that security 'watch lists' during 2013 protests were out of date.

Whilst it was difficult to draw trends, Freedom House considered that the intensity of security operations conducted by the NISS could be seen to reflect the wider political climate at that time and the government's relationship with opposition groups. Freedom House assessed that currently the situation was relatively more relaxed, with no high profile political detentions since leaders of opposition political parties, Al-Sadiq Al-Mahdi and Ibrahim Al-Sheikh were released from detention. Freedom House observed that this could be a consequence of the Sudanese government's efforts to revive the 'National Dialogue' and improve their position to lobby for the lifting of the US imposed economic sanctions. The international pressure mounted to release detained opposition leaders certainly played a role.

Freedom House advised that whilst conditions in detention were generally bad throughout Sudan, those detained in Khartoum were afforded better protection because persons could not easily disappear or be killed. In Khartoum the location of detention centres were generally publicly known, as there were more human rights organisations present, including diplomatic pressure that could be applied through embassies and overseas missions. Freedom House cited the case of Ibrahim Sheikh, an opposition leader whose detention for a period of nine months was well publicised. With regard to access to healthcare in detention, Freedom House commented that this varied from case to case. Most of the time families of detainees would bring medication to the detention centre/prison when they were allowed to visit. Sometimes more than a month or more passed before detainees were allowed visitation and in some cases provided medication for chronic illnesses.

When asked about the role of the Public Order Police in Khartoum, Freedom House confirmed that these forces were mainly interested in those who violated public order and decency laws. Freedom House remarked that persons from Darfur and the Two Areas, especially women, were known to undertake activities in the informal economic sector, such as selling tea and coffee on the streets or brewing alcohol and so risked arrest or being extorted for money. Freedom House

clarified that any person undertaking such activities could be targeted, not just those from Darfur or the Two Areas, but that marginalised groups had limited employment opportunities, and so were more commonly found in these roles.

Freedom House considered that the implementation of Public Order laws in Khartoum was arbitrary and varied from time to time. According to the source persons could undertake such activities for years without any interference, but then for no particular reason suffer police harassment.

Freedom House advised that public order offences also included violations such as not wearing a headscarf in public, wearing trousers or being alone with the man, who was not husband or brother. When advised that the delegation, during its stay in Khartoum, had seen a large number of women without a headscarf in the streets of 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. Freedom House observed that there had been a number of cases in which women wearing trousers and behaving 'against public morals' had been prosecuted and flogged. However, it was additionally remarked that whilst Sudan was religiously conservative, it was relatively more progressive towards Islamic dress/personal status laws than what was the case, for example, in Iran. Freedom House further commented that small acts of political opposition, such as not wearing a headscarf, were increasingly tolerated.

When asked about the IDP population in Khartoum who had originated from Darfur and the Two Areas, Freedom House explained that IDPs generally travelled to the capital by road and resided either with family in the capital or moved out to slum neighbourhoods on the outskirts of the city – the so called 'black-belt'. Freedom House noted that marginalised groups, such as persons from Darfur and the Two Areas were often forced to live in slum areas because of a lack of employment/income opportunities.

According to Freedom House, there were sizeable populations of Darfuris residing in Omdurman; Burri and Soba districts in Khartoum.

When asked about the availability of humanitarian assistance to support marginalised groups in Khartoum from Darfur and the Two Areas, Freedom House advised that it was difficult to obtain accurate information about such communities due to a lack of reporting. However Freedom House considered that in general, NGOs who were not involved in political activities were able to operate more freely in these communities, as the provision of immediate aid relief (e.g. food, water and medications) was less politically controversial.

## A civil society NGO

Khartoum, 27 February 2016

**About the source:** The source is the chairman of a civil society NGO working to improve living conditions for Darfuri people in Khartoum, particularly with regard to education and environmental issues. The source himself is from Darfur and is a Fur tribal leader. He is an ex-governor of Darfur. He has worked for the Sudanese Ministry of Finance, International Red Cross and UNDP. He has also been lecturer in economics at the university. He has also worked for the UN as a coordinator of disaster management, responsible for 44 African countries. He has also written books about the situation in Darfur and about water in East Africa. Now he has formed a network for 14 Darfuri NGOs.

According to the source, the authorities suspected Fur people of intending to break away from Sudan. The source added that the authorities monitored the Fur community in Khartoum. If a Fur wanted to do a social activity, for instance to conduct a wedding, he had to ask the NISS for permission and the NISS might send someone to monitor the wedding. Asked whether it was only Fur people who should apply for such permissions, the source replied it depended on the individual officers from the NISS or the police.

The Source clarified that not only Fur but all Sudanese would ask the police for permission to hold social events. However, Fur people would also need to ask the NISS for such permission.

When asked whether the NISS monitored certain persons or groups in a community or everybody in that community, the source stated that there were only certain persons in the Fur, Zaghawa and Masalit communities whom the authorities monitored and targeted. As an example, the source mentioned himself, who was currently being monitored due to his opposition against a referendum that the government intended to hold. The source added that persons like him often 'hid' themselves and covered their activities by becoming members of social committees, active in poor neighbourhoods.

According to the source, the NISS also monitored and targeted political leaders, persons affiliated with armed groups, university student activists, women activists in NGOs fighting for women's rights and human rights lawyers. The source pointed out that the authorities were sometimes quite violent against these groups, particularly student activists.

According to the source, the treatment of persons from Darfur and the Two Areas depended on the person's activities and the area the person was detained. If a person was arrested in Khartoum, he could be treated harshly as the city was big and no one could know where he was detained, but if someone was arrested in Zalingi in Darfur, he would most probably be treated well

because it was a small area and everybody knew where the person was detained and what was happening to him.

Asked about examples of mistreatment in detention in Khartoum, the source mentioned that the detainee may be refused access to food or medicine, or be unable to change his clothes for a long time; the authorities may also refuse to inform family as to the whereabouts of a detainee, or could refuse family access to visit a detainee. Detainees may also be beaten and kept in solitary detention. According to the source, since 2008 the NISS had gained significant powers to intimidate persons; for example, conducting arrests without a warrant.

The source mentioned that around one million people from the Fur tribe lived in the Greater Khartoum.

The source advised that most Darfuris in Khartoum lived in poor neighbourhoods in Khartoum North (Al Haj Yousef, Halfaya, Shambat, Dar Al-Salam etc.), in the area between the Blue and the White Nile (Mayo, Giref, Abu Adam, Shaqqara etc.) in Omdurman, in many villages in the new extension of Khartoum and in Khartoum South (Soba Muhada close to the American embassy). In Omdurman the main concentration was in Ombada ('the Chinese village'), Abu Serit and Saliha Villages (in Southern Omdurman). There were a large number of social committees in these areas supporting people with regard to access to different services such as education, healthcare and social services, according to the source.

Regarding access to the labour market, the source stated that many Darfuris were employed in the laundry business, working in laundry shops throughout Khartoum. There were also many Darfuris employed as university teachers, and one could find a great number of Darfuris employed as night guards. However, most Darfuris had petty jobs within the informal sector

Asked whether a person from the Fur tribe could get a job in the public sector, the source stated that it depended on the head of office; however, the source added that there was a general shortage of jobs in the public sector. As an example of discrimination against Fur persons seeking to obtain employment in the public sector, the source mentioned that in 2012 the Ministry of Water and Mining wanted to employ a number of engineers, and out of 12 graduates from the university who were called for an interview, only one who was a Fur was not employed despite the fact that he had the best mark in his final exam compared to the other 11, who were from tribes in northern Sudan.

The source stated that there were those in the government, who came from Darfur, but these were Ministers, and there were not so many Darfuris in the administration and the public sector. For instance, one could not find a single diplomat in the Ministry of Foreign Affairs who came from Darfur.

Concerning access to school, the source explained that, in general, persons had access to public schools, but there were not public schools in all neighbourhoods where Darfuris lived, and the quality of public schools in these areas was generally very poor. According whilst the education was free in the public schools, they demanded school fees for registrations and books and many parents did not have money to pay the fees. However, there were many social committees in these areas helping persons with the fees. The source explained that less than 30% of children in these neighbourhoods went to public school and about 20% of them went to private schools. Due to poverty, the remaining 50% either went to Quranic schools where there was no systematic teaching and no certificates and diplomas were issued, or they did not go to school at all. Asked where these statistics were from, the source replied that these were the result of research done by university scholars. However, the source did not refer to any specific research. The majority of children who did not go to school had petty jobs at the market and supported their families, according to the source.

The source stated that there were healthcare services in the poor neighbourhoods where Darfuris lived. The source additionally noted that in general, persons in these areas were unable to pay for a healthcare treatment without the support of social committees. It was pointed out that even in public clinics one had to pay for registration and medicine.

Access to housing was also dependent on a person's financial resources, according to the source, and as a majority of people from Darfur and the Two Areas did not have much money, they lived in shanty towns surrounding the city centre in Khartoum.

The source emphasised that no one would face any difficulties in Khartoum with regard to access to services and proper housing if he or she had money regardless of the person's tribal or ethnic affiliation.

Asked whether those from Darfur were subject to societal discrimination due to their tribal or ethnic affiliation, the source mentioned that Darfuris in Khartoum were generally not badly treated because they were Darfuri. However, there were some people, who considered Darfuris to be the cause of many problems the country was facing. When the source once wanted to get married to a woman from an Arab tribe, the woman's family told the source that they did not want to give her to a 'Darfuri bandit' like him, however, they agreed upon the marriage in the end and he married the woman. The source added that it was rare to find inter-tribal marriages between African and Arab tribes and even between different African tribes, for instance a person from the Fur marrying someone from another African tribe, such as the Nuba or Dinka. Distance also played a role: The fur people did not want a girl to get married far away from home. According to the source, whilst it was mainly a part of the social behaviour in the fur tribe, one could also find this tendency among other tribes in Sudan.

Asked if someone from Darfur or the Two Areas would receive a different level of care at a public health clinic, due to his tribal and ethnic background, the source replied that he could experience a

condescending attitude from the doctor – as they would see that he was not from Khartoum. Asked to elaborate on that, the source explained that the doctor could judge such as person by their appearance and see that they did not have money. According to the source, the crucial factor here was the economic position and the patient's likely financial circumstances rather than the tribal or ethnic affiliation.

The source travelled to Darfur every second months to visit friends and family and to observe the situation in the region.

The source advised that travelling by car or bus to Darfur from Khartoum could take significantly different amounts of time depending on where in Darfur a person was going. A trip from Khartoum to the city of Al-Fashir (the capital of North Darfur) would not take more than one day, as there was a highway between Khartoum and Al-Fashir. The highway from Khartoum to Al-Fashir was planned to be built in 1952, but was stopped by tribal leaders. The project was then recommenced in 1994 and finished three years ago (2013). However, if one wanted to travel further from Al-Fashir to other parts of Darfur, it could take several days due to the poor quality of roads, the security situation etc. The source advised that it would take one day to drive by car from Al-Fashir to Nyala.

Regarding the prevalence of checkpoints on the roads, the source mentioned that there were different types of checkpoints on the highway between Khartoum and Al-Fashir. The first type was traffic police checkpoint between Khartoum and Al Ubayyid (the capital city of Northern Kordofan) whose function was to control for speeding cars. The route to Darfur from Khartoum by car would often go from Khartoum to Rabak, then to Al-Obeid and from there to Al Fashir. From Al-Fashir one could drive on to Nyala or El-Genina (Capital of West Darfur).

Between Al Ubayyid and Al-Fashir, one could find other checkpoints controlled by the Janjaweed militias, according to the source. The only purpose of the Janjaweed checkpoints was to collect money from the travellers: you pay them 5-15 Sudanese pounds (about 1-2 USD) and continue your trip, according to the source. Most of these checkpoints were fixed checkpoints, but sometimes they changed their locations. The source further explained that there were Janjaweed at the bus terminal in Khartoum to whom one could pay a certain amount of money and receive a receipt, which could be shown at the Janjaweed checkpoints on the way to Darfur. In this way, one could go through the Janjaweed checkpoints more quickly and easily. It was added that the government had tried to stop this practice by the Janjaweed, but to no avail. The source added that sometimes a bus driver would ask passengers in advance to give him money so the driver could pay off those at Janjaweed checkpoints.

The source advised that sometimes there were checkpoints by the highway controlled by men from nearby villages. At these checkpoints, the passing cars were asked for goods the village needed, for instance sugar, water etc.

A fourth type of checkpoints was those controlled by rebel groups. At these checkpoints, armed men usually asked for fuel, as rebel groups often lacked fuel for their vehicles, and if a car did not have extra fuel to give them, they would tap the car's fuel. Sometimes people were asked for money at these checkpoints, for instance 1,000 Sudanese pounds (about 150 USD).

The source also mentioned that there were government checkpoints on the road. Passengers and their ID cards could be checked at these checkpoints in the event a security incident had taken place. For instance, if there had been inter-tribal violence in the region, e.g. between Zaghawa and Masalit tribes, the officers at the checkpoint could ask passengers of a bus coming from the Zaghawa area to get off the bus in order to be checked. The source further stated that there was often someone from the NISS at the government checkpoints, and if the NISS was looking for someone, passengers of a car or a bus could be asked to come down and their ID documents would be checked.

According to the source, sometimes officers at a government checkpoint held people back in order to make them pay a bribe. How much a person should pay in such cases and how long he would be held back depended on a negotiation with the officer in charge. Sometimes a bus had to wait for one of its passengers being held back and checked at a checkpoint. Sometimes it was possible to bribe officers at the checkpoint to get on a fast track.

Asked whether there were routes and roads that people avoided due to security reasons, the source replied that the roads between Salinji and Kabir, between Al-Fashir and Kutum, and between Nyala and Dumo were risky and people tried to avoid these roads. The source further said that if someone wanted to move from one area controlled by a tribe to another area controlled by another tribe, he had to obtain permission from the tribal chief of the area of destination or his deputies in advance, otherwise it would be dangerous and risky to make such a trip. The source advised that it was more secure to travel with a tribal deputy in such cases.

The source emphasised however that despite prevalence of all types of checkpoints mentioned above, the situation on the roads in general was not chaotic and there was regular transport of people and goods between Darfur and Khartoum.

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## Two human rights lawyers from Khartoum

Kampala, 4 February 2016

**About the source:** The sources are two Darfuri lawyers working with human rights issues in Khartoum. In cooperation with Darfur Bar Association, they monitor human rights situation and provide legal assistance to victims of human rights violations. They are also human rights trainers in human rights issues

Asked about the treatment upon arrival at the Khartoum international airport of Sudanese who had stayed for a long time in abroad, the two human rights lawyers mentioned that usually, people who had stayed abroad for a long time, for instance in the Arab Gulf states, would not face difficulties upon arrival and they could go through the checks like other passengers. However, the sources added that generally there was a long and comprehensive administrative procedure at the airport (paying taxes, declaration of brought money etc.).

The sources stated that there were two phases/types of control at the airport: first, the passenger encountered the immigration desk which controlled passports and resident permits after which the passenger would be checked at a security desk. At the security desk, the purpose was to gather information about those arriving. People were asked various questions such as where they were coming from, what they had done abroad, and why they were coming to Sudan.

The Lawyers added that there was also a special procedure for Sudanese having a foreign passport. These Sudanese had to register with the authorities at the airport and state where they planned to reside inside Sudan. They would then be provided with a card, which was valid for five years, and with which they could travel around in Sudan as if they were Sudanese nationals.

When asked whether people wanted or suspected by the authorities for political reasons were immediately arrested at the airport, the lawyers replied that it did happen sometimes, although this was less likely to happen now. Previously people had more frequently been arrested upon arrival at the airport, but nowadays people were allowed to go through the airport and the authorities would later contact and eventually pick them up at their place of residence. At the security desk at the airport, the authorities got information about the person, including his or her address and whereabouts, and they thus knew where to find the person.

Asked whether the Sudanese authorities were more suspicious of persons coming from certain countries, the lawyers answered in the affirmative by saying that persons coming from Kampala (Uganda), Nairobi (Kenya), Europe or USA may attract the attention of the authorities compared to other countries such as Middle Eastern countries.

Concerning treatment of persons coming from such countries, the sources explained that for instance journalists going to Kampala, which was a hub for Sudanese opposition activists, could be approached and interrogated by the authorities after being back from Kampala. The lawyers mentioned two cases of such persons: the first case was about a student called Ahmad Jalal who went back to Khartoum after four years residence in Kampala. The authorities checked his Facebook account and asked him questions about his possible connection to rebel groups. Ahmad was released after two days. Another example mentioned by the sources was the case of Ahmad Kadoura who was stopped at the airport while he was drunk and asked whether he was in contact with communist groups in Kampala. He was released after one day.



Regarding treatment of rejected asylum seekers upon arrival, the two human rights lawyers from Khartoum mentioned two incidents where rejected asylum seekers were treated badly by the authorities. The first case was a group of asylum seekers who were sent back in handcuffs from Jordan accompanied by the Jordanian security forces/police in December 2015.<sup>117</sup> These refugees were arrested and interrogated immediately upon arrival by the NISS. Most of them were released after one-two days in detention.

The other group of rejected asylum seekers subjected to bad treatment were Sudanese who were deported from Israel. The Sudanese security police made detailed files on these persons upon their arrival, including biometrics, family background and place of origin in Sudan and ordered them not to leave their area of residence unless they reported it to the local police. The NISS also made files on those rejected asylum seekers from Jordan whom the Sudanese authorities suspected of actually coming from Israel.

The two human rights lawyers mentioned that deportees from Israel were taken to Dabak prison or to the NISS headquarter in Khartoum. It was added that some of those taken to Dabak prison were detained and interrogated for a long time. For example, the sources added that following the above-referenced deportation operation by Israel, seven persons were transferred and detained in Dabak prison, of whom three were still in detention, with four being subsequently released. According to the sources there were unconfirmed allegations that those still in detention had some kind of political profile or involvement with rebel groups. The sources mentioned that they had information about these seven cases because these were reported by the detainees' families. One could therefore not rule out the possibility that there were more deportees from Israel who were taken to Dabak prison and the NISS headquarter without human rights organisations and lawyers having any information on them. The sources added that mistreatment would not usually occur at Khartoum International Airport, but only if a person had been identified as being of interest and transferred to Dabak prison or the NISS headquarter in north Khartoum. In these cases, definitely a person would be at real risk of harsh treatment and interrogated extensively by the NISS. According to the sources, the harsh treatment mostly occurred during the interrogation, although more generally the living conditions in these detention facilities were poor, for example detainees were usually kept in solitary confinement, without access to sanitation or adequate food.

Asked about the date of the deportation of the Sudanese rejected asylum seekers from Israel mentioned above, the two lawyers stated that they did not know the exact date for the deportation. They added that deportation from Israel happened on different occasions, but no one had access to information about the date and time of the arrivals. Most of the two lawyers'

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<sup>117</sup> Jordan deporting 800 refugees back to Sudan after protest, Al-Jazeera, December 18, 2015, <http://america.aljazeera.com/articles/2015/12/18/jordan-deporting-800-refugees-back-to-sudan.html>

information about the deportees from Israel came from the deportees' families and lawyers visiting them in prison.

Asked about the impact of documents carried by deportees on the treatment they received upon arrival, the two lawyers mentioned that some of deportees had refugee documents; some had Sudanese passport and some carried emergency travel documents. However, the sources had no information on whether their travel document would affect their treatment on arrival. The sources stated though that if someone had stamps in his passport indicating that he had travelled one way to Israel, for instance by taking the route Khartoum-Cairo-Israel, he would also be filed by the NISS upon arrival.

The sources explained that treatment upon arrival mainly depended on three factors: political opposition activities, affiliation with rebel groups or residence in Israel. When asked what made the Sudanese authorities suspect someone as being an activist or affiliated to rebel groups, the sources mentioned that a person's ethnicity and/or place of origin would be important factors. The sources highlighted that returnees from Darfur and the Two Areas would be treated differently. Such persons could usually be identified on arrival, for example by the name of the person, his language (Arabic or non-Arabic accent) and his facial/physical features. In particular the sources noted that Darfuris from the Zaghawa, Masalit or Fur tribes would be interrogated more thoroughly about their background and activities abroad.

Regarding the question of treatment upon arrival of deportees with neither political affiliation, nor connection to rebel groups or residence in Israel, the sources stated that such persons were free to go upon arrival and questioning. However, persons from Darfur and the Two Areas may experience discrimination and be questioned in a more disrespectful way.

Regarding presence of representatives from international or human rights organisations at the airport monitoring treatment of deportees, the two human rights lawyers stated that they did not have any information on this, although remarked that as deportations from host countries were not often publicised, it would be very difficult for human rights organisations to monitor returns. They added though that the UNHCR was present at the airport when Sudanese deportees from Jordan arrived in December 2015 and the UNHCR interviewed ten deportees. However, the sources pointed out that the UNHCR left the airport after this and no one was monitoring the treatment the deportees received outside the airport.

When asked whether the sources themselves faced problems with the authorities at the Khartoum airport when they went back to Sudan from meetings and conferences in for instance Kampala, the lawyers replied that they did not face any difficulties if they arrived late in the evening, where the security staff at the airport were too tired to check their passports thoroughly, if the security staff were in good mood or if the flight was from a place such as Addis Ababa which did not cause any suspicion.

Asked about the profile of groups or persons monitored and targeted by the authorities in Khartoum, the two lawyers explained that Darfuri activists were the most targeted group compared to activists from the Two Areas, particularly Darfuri student activists who took part in demonstrations. According to the sources, Darfuris were more organised than people from the Two Areas, and this made Darfuris the most targeted group and caused them to be treated most harshly by the authorities when arrested.

The sources added that in addition to Darfuri student activists who were the most targeted group, journalists, lawyers and other individuals or groups who were in opposition to the government were monitored by the NISS. It was added that although the political department in the NISS, which was responsible for monitoring the opposition, was a small department, it was divided into small specialised sections which each was responsible for a certain opposition group, for instance one section for political parties, another section for students, a third section for rebel groups etc.

Asked how many Darfuri students were studying at universities in Khartoum, the two lawyers replied that they did not have information about this, however, they stated that there were thousands of them.

Asked about a person fleeing his area and coming to Khartoum due to a private conflict, for example a land dispute with someone connected to the local authorities, the sources replied that such a person would still be in danger in Khartoum if the other party in the conflict was a high ranking authority with links to the Sudanese regime (either with the ruling NCP, the NISS or via pro-government militias, i.e. Janjaweed). The sources explained that it was very common for high ranking persons in the NCP to also have extensive connections within the NISS. It would be difficult for a person to seek safe haven in Khartoum if he had a local dispute with such persons in, for example, Darfur.

When asked whether there had been large-scale arbitrary arrest of Darfuris in Khartoum in recent years similar to that of May 2008, the lawyers responded that there had not been incidents whose scale could be compared to that of May 2008, and that even the arrest of Darfuris in 2013 following popular protests in Khartoum (and elsewhere), was less intensive than the security operation in 2008.

Regarding prevalence of ghost houses in Khartoum, the two lawyers mentioned that previously there were ghost houses in Khartoum and other big cities run by the NISS, but now the NISS had its own interrogation cells in the basement of the political department, in the NISS' headquarter in north Khartoum (commonly known as 'the fridge'). In these detention facilities people were kept in very poor conditions. As regards the profile of those kept in such cells, the sources stated that they were often politically active persons. As an example, the lawyers mentioned an incident where a group of students, who were arrested during the popular demonstrations in 2013, were beaten and interrogated informally in a police car. Depending on the information they gave during this interrogation, the detainees were classified and taken to different prisons and detention

centres, with those considered to be of high interest to the authorities being taken to the NISS headquarter.

Concerning the profile of people kept in Kober prison in Khartoum, the sources said that 2/3 of Kober prison was completely controlled by the NISS (including visits, medical transfers etc.) and the prison administration did not have control over this part of the prison. Some of the people kept in this section of the prison were on remand or awaiting sentencing. People with strong connections to rebel groups were commonly kept in this part of the prison. The remaining 1/3 of the prison was run as a local prison where petty criminals were kept.

Concerning possible difference in the authorities' treatment of persons from Darfur and the Two Areas in Khartoum compared to other cities such as Port Sudan, the two lawyers stated that when persons from these areas were arrested in Khartoum, they were treated badly. However, the source underlined that when people were arrested in for example Darfur, they could risk being assassinated in detention, but in Khartoum one could at least obtain some information about what was happening during detention.

When asked about the NISS' use of informants of Darfuri, Southern Kordofan or Blue Nile origin, the sources replied that this did occur and that the NISS had infiltrated a number of groups, including women and students. The sources explained that this was not something unusual as the NISS recruited informants from every community, even people within the IDP camps. However the sources stressed that such informal informants could not be relied upon to provide accurate intelligence for the authorities.

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### **An international consultant**

Khartoum 20 February 2016

**About the source:** The source is a private consultant who has been working on Darfur since the 1980's. He has lived in Sudan for over half of this period.

When asked whether persons from certain tribes living in Khartoum were subjected to discrimination by the authorities due to ethnicity the source stated that Sudan was experiencing a general 'Arabification' which brought persons of non-Arab origin, such as some African Darfuris, into a lower social position.

When asked about specific examples from daily life on how people from Darfur were brought 'into a lower position', the source stated that for university Students from Darfur of both genders had been harassed and discriminated against by the government. For example when Mini Minnawi came to Khartoum in 2006 following the Doha Peace Agreement, the government had a

disparaging opinion towards his followers. The source also mentioned that when he once was at a meeting with senior officials of Human Aid Commission (HAC), a Security Commander referred to the Darfuris as 'slaves', using the Arabic term '*Abid*'. In addition IDPs who had lost their certificates and IDs found it very difficult to have them replaced and suffered discrimination in job selection, according to the source.

The international consultant stated that there was a general freedom of movement and people could come and reside in Khartoum, providing they had their ID documents. The source mentioned that in Darfur the government had started issuing ID cards to those IDPs who had lost their ID cards due to the conflict. The source mentioned that it was difficult to say how many had been issued ID cards as the figures quoted by different authorities within the Darfur Regional Authority fluctuated between 80,000 and 800,000.

When asked if people were still coming to Khartoum from Darfur and the Two Areas, the sources mentioned that he did not have quantifiable information on this; however he added that census figures in Sudan in general were very uncertain and should always be double-checked. According to the source, one could find Darfuris from all tribes living in Khartoum.

Regarding living conditions in Khartoum for persons from Darfur and the Two Areas, the source advised that, at present, Darfuris tended to live in large enclaves in new conurbations in Khartoum with water; electricity etc. but people had to pay for it. According to the consultant, the plot sizes in the old IDP camps around Khartoum were generally small (approximately 25% of a standard urban plot), though many had very well developed housing.

Concerning the prevalence of IDP camps in Khartoum, the source advised that IOM had made a survey on this matter in 2003, where they estimated that there were four million IDPs in Khartoum. According to the source IDP camps in Khartoum, which were built more than a decade ago, had been caught up with the expansion of the city in the course of time, and so the camps had now become integrated into the city. The source mentioned that Darfuris living in these areas in Khartoum were still called IDPs, despite the fact that most Darfuris had come to and were living in Khartoum for economic reasons rather than the security. The Darfuris usually migrated to Khartoum to do business or to find jobs, according to the source.

The international consultant advised that the authorities on some occasions had sent bulldozers in to demolish houses in the areas where Darfuris and other IDPs lived in Khartoum. The reason quoted for doing this was to regularise the urban layout, and even though many of the houses were made of bricks they were demolished for being as little as one metre on the wrong side of the permitted line.

When asked about what types of employment those from Darfur and the Two Areas generally held in Khartoum, the source stated that generally there were two kinds of profile: the first being well educated individuals who owned small businesses or who were professionally employed as

teachers, medical staff etc.; and the second group being those who worked in the informal sector in Khartoum, in construction and agriculture. According to the source, there was a huge gap between these two groups with regard to the income and living conditions they enjoyed. According to the source the construction and agricultural sectors were previously taken by the South Sudanese, but after the independence of South Sudan where a large number of the South Sudanese left the country, these jobs were taken by the cheap Darfuri labour.

When asked if Darfuris or people from the Two Areas could get a government employment, the international consultant mentioned that he did not have any information on government jobs. According to the source, the Doha Document for Peace in Darfur (DDPD) stipulated that there should be adequate representation of all groups in the civil service, institutions and commissions, (Article 2 Paragraphs 27, 28, 30, 31 and 34.) as well as the Sudanese Armed Forces and the Police. However, based on the experience with the implementation of the DDPD it was unlikely that this had been adequately addressed – apart from Article 72 under which ex-combatants of the LJM were incorporated into the Sudanese Armed Forces and the Police in Darfur.

The international consultant stated that in Khartoum, one could find many IDPs who were educated and qualified, but who could not prove their qualifications as they had lost their degrees due to the conflict.

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### **International Organisation for Migration (IOM)**

Khartoum, 23 February 2016

According to the source, IOM was not involved in forced return of Sudanese from abroad and it only provided assistance to Sudanese citizens returning to Sudan on a voluntary basis, including rejected asylum seekers; it was added that those returning voluntarily were usually rejected asylum seekers. Regarding rejected asylum seekers who were sent back to Sudan by force, IOM mentioned that it was the responsibility of the deporting country and the migrant's country of origin and IOM was not involved in such forced return.

IOM advised that the organisation had staff at the airport when a voluntary return took place. The staff assisted returnees with the formalities and the administrative procedures at the airport. According to the source, there were two categories of voluntary returnees: those with ordinary travel documents, i.e. a passport, and those who came back with emergency travel documents issued by Sudan Embassy abroad. Persons who came back with a passport did not face any problem at all upon return. Persons with emergency travel documents, including Sudanese laissez-passer document, would go through some questioning at the immigration desk at the airport concerning how they had left Sudan, what had happened to their passports etc. Such questioning would take about 10-15 minutes, according to the source, after which the person was

free to go. The source emphasised that such questioning did not only apply to rejected asylum seekers, but would be the case for all persons who had lost their passports.

The source added that the Sudanese who were evacuated from Yemen last year (2015) due to the Yemeni civil war, had all returned to Sudan on a laissez passer document and none of them faced any problem upon return to Sudan.

When asked whether the returnee's tribal or ethnic affiliation had an impact on the treatment the returnees received upon arrival, the source stated that IOM had not observed different or discriminatory treatment of returnees on the basis of their tribal or ethnic background in the cases in which IOM had been involved.

Asked whether seeking asylum abroad would cause a person from Darfur or the Two Areas problems with the authorities upon return, IOM replied that seeking asylum alone would not cause a person problem upon return.

Concerning the rejected asylum seekers being forcefully sent back from Jordan in 2015, IOM had heard from the Sudanese authorities that when these returnees arrived in Khartoum, some representatives from the Sudanese Ministry of Interior and the Secretariat of Sudanese Abroad were present at the airport. After being through the formal procedures, the returnees were provided with transport facilities and a certain amount of money to go back to their home areas. IOM was not present at the airport at that time as the organisation only was involved in voluntary return cases.

When asked about deportees from Israel, the source stated it had never heard of people been deported from Israel to Sudan.

IOM advised that there was regular bus transport between Khartoum and different areas in Sudan, including Darfur. Sometimes there was security check on the road.

Asked about the necessity of carrying ID documents when travelling, the source stated that Sudanese nationals did not have to carry their ID documents; however, it would be more practical to do so. When asked about the consequences of not carrying ID documents when approaching a security checkpoint on the road, the source stated that they had no information on this.

Regarding access to documents, the source mentioned that everybody could obtain from the authorities a personal ID card (*'Bitaqa Shakhsiya'*) regardless of their place of origin or tribal background. This process could be completed by filling in the due form and submitting required along with photos. A person could obtain such card within one day. It was the Civil Registration Department of the Passport and Civil Registration Corporation of the Ministry of Interior who was responsible for issuing these cards.

## A Khartoum based human rights organisation

Khartoum, 21. February 2016

**About the source:** The organisation is a research and advocacy organisation focusing on issues related to human rights, peace building and democracy. The organisation's scope of interest is mainly Darfur and the Two Areas, where they monitor the situation of IDP, both in these regions and in host communities where IDPs are displaced, for example Khartoum. Furthermore, the source supports capacity building within local civil society, including the education of IDPs and women.

Regarding treatment of failed asylum seekers upon return to Sudan, the human rights organisation advised that, in itself, applying for asylum would not cause a low-profiled failed asylum seeker problem upon return. However, the source added that politically profiled persons applying for asylum abroad would face difficulties upon return. The source explained that the authorities did not arrest returnees who had a political profile, to the same extent as before 2005, when signing of the comprehensive peace agreement resulted in many Sudanese political opposition groups starting coming back from other countries. However, such persons would be subject to interrogation upon return and their passport confiscated.

As an example to illustrate the claim that asylum seekers were not at risk per se, the source mentioned Sudanese asylum seekers who in late 2015 had been deported to Sudan mainly from Jordan or Israel via Jordan. The source added that by releasing these deportees, the government also intended to show a better image of itself to the world.

Regarding deportees from Israel, the source mentioned that they had been arrested and detained upon return for three or four weeks and then released. These deportations took place during 2012 to 2015. The source knew some of these deportees who lived in hiding in Khartoum and who were afraid of being arrested by the authorities.

When asked what would happen to a person returning to Sudan without any exit stamp in his passport, the source advised that this would not be a problem since the authorities would not look for such a stamp upon arrival.

When asked if returning to Sudan from certain countries or regions could arouse suspicion about the returnee and would cause problems with the NISS, the source opined that a person coming back from Uganda, which was a hub for the opposition to the Sudanese government, could be at risk of being monitored by the NISS. Immediately after the signing of the New Dawn charter in 2013, the NISS established a desk in the arrival terminal in the airport. During 2013-14 if the stamp of Uganda was in your passport you would most likely be questioned at the NISS desk regardless of whether you were a known politician or not.



Regarding the impact or consequence of carrying emergency papers on arrival, the human rights organisation stated that this would not be an issue or give rise to a greater risk for the individual concerned.

Asked whether long-term residence abroad caused a person difficulties with the authorities upon return, the source mentioned that he himself had not faced any difficulties upon return after residing in abroad for a long time. The source frequently travelled in and out of the country, and was regularly asked by the security officers at the airport why they were travelling and where they were going, but had never faced any problems.

The source explained that in general the NISS did not know so much about what was going on abroad as was assumed; they sometimes pretended that they knew something, but this was not the case. According to the source, the NISS did not have a sophisticated intelligence system and sometimes one part of it did not know what other parts knew or did. The source added that the NISS were present among the Sudanese diaspora abroad, mostly in London, but they did not have information about everything going on.

Regarding profile of persons from Darfur and the Two Areas being targeted by the NISS, the human rights organisation mentioned that the NISS generally targeted persons who were politically active.

The source explained that if the NISS suspected someone to be linked to the Sudan People's Liberation Movement (SPLM), he would be targeted.

According to the source the NISS targeted students who had affiliation with the SPLM. In addition, students participating in demonstration against the government's policy with regard to university fees and students active in student associations were also at risk of being targeted by the NISS. The source explained that generally Darfuri students were more active, outspoken critics of the government compared to other student groups.

The human rights organisation advised that the NISS were more suspicious towards those from Darfur and the Two Areas than persons who originated from other areas in Sudan. Accordingly, the NISS would most probably treat activists from these areas more harshly than others when they were arrested.

The source mentioned that Darfuri students were attacked in their university dormitories during the student demonstrations last year (2015). The Darfuri students had demonstrated against tuition fees, which they expected to be exempted from, but the government insisted on imposing the fees on Darfuri students.

Asked about examples of ill-treatment upon arrest of activists from Darfur and the Two areas, the source explained that they commonly experienced verbal insults, for instance being called 'slaves' ('*Abid*' in Arabic) by the police. When asked if there were other examples of ill-treatment by the

authorities, the source mentioned that last year (2015) the NISS ambushed a group of Darfuri female students in Khartoum at their dormitories at 3:00, beat them and threw them out of their dormitories. The reason behind this attack was that some of these girls had complained to the minister of justice about the harsh treatments they were facing by the NISS and the police. The NISS beat them all regardless of whether they were among those who had complained.

Concerning the prevalence of arbitrary arrest in Khartoum of Darfuris and those from the Two Areas; when asked how the current situation compared to May 2008, when large scale detentions took place following the assault on Omdurman by JEM, the source advised that in June 2011, when the war started in Southern Kordofan, there had been cases in which large scale arrests had occurred and without any proof that a person had links to rebel groups. These cases were reported by the UN. The source added that there had not been cases of large-scale arbitrary arrests since 2011.

With regard to the population of Darfuris and persons from the Two Areas residing in Khartoum, the source advised that according to a census made by the government in 2008 and the organisation's own estimates from 2010, about 60 percent of the population in Khartoum were descending from the greater Kordofan, Darfur and the Blue Nile. A large number of these people came to Khartoum in the 1980s.

The source added that about one million people from the Nuba Mountain alone lived in Ombada and Khartoum East, and they were predominately IDPs.

The human rights organisation also mentioned that most persons residing in Western Omdurman were from Darfur and the Two Areas. The source opined that these people were affected by war or other disasters, and most of them had moved to Khartoum in search for employment, because the city had a large number of petty jobs. A great number of the IDPs who had moved to Khartoum from the Nuba mountains after the start of the current war in June 2011 were not registered by the authorities because the authorities in many cases suspect that they were affiliated to SPLM-A and might act as sleeping cells or informers to the armed groups. These IDPs resided in poor neighbourhoods surrounding Khartoum. Some of them lived in squats with no access to running water or electricity. Sometimes the authorities forced these people to move by demolishing their houses. Often the authorities gave them land outside of Khartoum where the majority of residents were Darfuris and people from the Two Areas.

Asked if it was possible for persons from Darfur and the Two Areas to live in the wealthier part of Khartoum, the source advised that everyone had this opportunity if he or she had money. The source pointed out that there were also many Darfuris and people from the Two Areas who were financially well off and lived in more affluent neighbourhoods in Khartoum. For instance there were many wealthy Darfuris living in Omdurman.

When asked why so many persons from Darfur and the Two Areas moved to Khartoum, the human rights organisation opined that this was partially economic and due to the fact that people's businesses in their area of origin were affected by the war. As an example the source explained that in Southern Kordofan, the land was exceptionally fertile and good for farming. However, most of the fields were not in use because of the war. People from these fields used to trade crops, but they had been unable to do so due to the war. According to the source this was one of the major reasons why people moved to Khartoum from these areas.

The source added that people also moved to Khartoum for security reasons. In Khartoum, people were not threatened by the militias. If a person had some kind of affiliation with rebel movements in his local area, he would usually come to Khartoum and stay with his family here. The source emphasised that there had been cases of profiled persons who had fled their areas and were targeted in Khartoum. When asked what the source meant by 'profiled persons' the source replied that he meant people well known as members of armed movements or advocates of the rights of indigenous groups. However, Khartoum would be a safe alternative for ordinary civilians fleeing their areas and who lacked a political profile and who were not of interest to the authorities.

When asked about the probability of being traced and targeted in Khartoum if someone fled Darfur or the Two Areas due to a local private dispute, the source stated that it was possible to find and target a person in Khartoum through the authorities. For instance, if one of the parties in a private dispute filed a report claiming that the other party had connections to the rebels, he could make the authorities trace and target that person in Khartoum.

According to the source, people had been moving to Khartoum from Darfur and the Two Areas for a long time and the influx had been high within the last ten years.

When asked how many Darfuris studied at the Universities in Khartoum, the source assumed that they should be counted in several thousands.

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. According to the source, 65-70 percent of Darfuris came from these African tribes.

The source further explained that people from Darfur and the Two Areas were not only discriminated by the authorities, but also faced a general societal discrimination. Asked how this discrimination manifested in daily life, the source replied that it was reflected in social relations in a subtle way. The source emphasised that there was no apartheid in Sudan, similar to that of the South Africa in the past, but you could see it implicitly in social interactions, including in body language etc. Asked about the types of indicators that may be used to determine a person's ethnic and tribal background, the source mentioned skin colour and language were two main factors. However, the source underlined that it was difficult to say what constituted the identity of a person, because Arabs and non-Arabs had lived and mixed together in Darfur for 500 years.

However, the source added that it was possible for persons from Darfur and the Two Areas to move up the social ladder, but it had become increasingly difficult in recent years.

Regarding access to education for persons from Darfur and the Two Areas in Khartoum, the human rights organisation opined that these people had access to schools and universities. However, the source stressed that the quality of education in public schools was generally poor and public schools were slowly being phased out by the authorities, and were being replaced with elitist private schools that the majority poor could not afford. According to the source, most government officials had their children in schools in the UK or other Western countries.

With regard to access to documents and the importance of having the National number, the source advised that to obtain any kind of civil document one had to have a National number. For example, if someone wanted to get a driving license or a passport; or a job in the formal sector and sit for an exam, they had to have their National number. The same applied if a person who wanted to buy a land, a house or a car. One of the reasons behind implementing the National number was security, as people had to inform the authorities about their tribal affiliation when applying for a National number. The source added that the National number had only been in use since.

When asked if persons from Darfur and the Two Areas, who were residing in Khartoum, could obtain their National number in Khartoum, the source stated that it was possible for such persons to do this, but it may be difficult, as an individual would need to be in possession of other relevant evidence to prove their identity. For example if a person did not have a birth certificate, they would need to bring two persons who they knew and who were in possession of their National number to act as witnesses and confirm the person's identity.

When asked how many from Darfur and the Two Areas had obtained the National Number, the source replied that a large number of them had it.

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## Khartoum based journalist (1)

Khartoum 20 February 2016

**About the source:** The source is a Darfuri journalist living and working in Khartoum. He has not been working as journalist within the last five years and he is working as an activist now.

The source had no specific information on how rejected asylum seekers from Darfur or the Two Areas were treated upon return. However, the source added that the rejected asylum seekers sent back from Jordan in 2015 were, following the completion of procedural checks at the airport, allowed to leave and return home with their families. The source had heard this from some of the returnees. The source also explained that he knew a journalist, who had wanted to write an article about the rejected asylum seekers from Jordan, but they could not locate any of returnees to arrange an interview and the assumption was that many of them had left Sudan again.

Regarding profile of persons being monitored and targeted by the authorities and the NISS, the source stated that students, journalists, lawyers and civil society activists who were outspoken critics of the government or involved in activities against the government were targeted and monitored by the government and its security apparatus. The sourced underlined that persons in contact with rebel groups were most targeted.

When asked whether tribal and ethnical affiliation has an impact on who was monitored and targeted by the NISS, the source replied that tribal and ethnic affiliation did not play a significant role any more. The source emphasised that it was the type and level of activity which was the crucial factor in this respect. Anyone who was active against the government could be targeted and detained regardless of tribal and ethnic affiliation.

Asked about ways of monitoring activists, the source mentioned that tapping phone conversations and monitoring one's activity on social media were some examples of monitoring by the government.

Concerning the situation of journalists, the source explained that the government from time to time closed a number of newspapers for a while. An example of such newspapers was Tayyar which was still closed. At the moment, the source did not know of any journalist being in prison for political reasons.

The source himself had never been arrested but he had been harassed and warned by the NISS about his activities by phone calls. He had also been informed from journalist who had been

arrested and subsequently released, that the NISS had asked them questions about the activities of the source.

Concerning treatment by the authorities of those who were detained for perceived anti-government activity, the source said that this depended on the individual circumstances of their arrest. For instance, those who were arrested in connection with the Omdurman attack in 2008 or during student demonstrations in 2015, were treated quite harshly and subject to physical mistreatment. According to the source, the way a person was treated during detention also depended on their role at an event, for example ordinary participants in an anti-government demonstration tend not to be treated as harshly as the leaders and organisers of that demonstration.

Regarding the way journalists were treated upon arrest, the source stated that in general journalists were not treated as badly as other groups, as journalists can influence public opinion and, through their connections to the international organisations, damage the international reputation of the government. To the source's knowledge no journalist was in prison at the movement (February 2016).

Concerning the profile of people imprisoned in Kober prison, the source mentioned that it was first and foremost high profile political activists and politicians affiliated to the opposition who were imprisoned in Kober prison. Asked whether the source knew of cases of non- or low-profiled persons held in Kober prison, the source replied that he had no information on this.

Asked whether in recent years there had been cases of large-scale arbitrary arrests of people from Darfur and the Two Areas in Khartoum, similar to those of 2008, the source stated that there had not been similar incidents since then. Today people were mostly individually targeted depending on their activities, according to the source.

When asked about possible differences in the treatment of persons from Darfur and the Two Areas, who were held in Khartoum compared to elsewhere, the source explained that the treatment in detention was better in Khartoum compared to other cities in Sudan due to the presence of a well-established and active civil society in Khartoum, which kept watching and reporting about treatment in detention. However, the source added that monitoring people by the authorities was as intensive in Khartoum as in other cities in Sudan.

Regarding prevalence of ghost houses where people detained for political reasons were kept, the source stated that he had no information on that, but he had heard rumours about that.

The source mentioned that a large number of people from Darfur and the Two Areas live in poor ghettos on the outskirts of Khartoum. For example in Mayo, one finds a large community of people from Southern Kordofan while in Ombada one finds a concentration of Darfuris.

Regarding access to the labour market, the source stated that many people from Darfur and the Two Areas had hard manual jobs in the informal sector. Those with high education tended to leave the country for Saudi Arabia, Qatar and other Gulf States as well as Europe, and a large number had already left the country. Asked why these people had left Sudan, the source replied that this was due to the deteriorating economic situation of the country, and because the government did not want to employ them in the public sector. The source explained this was contrary to an article in the Abuja and the Doha Peace Agreement, whereby the government was required to employ more people from these areas into civil service.

The source mentioned that there were many people from Darfur and the Two Areas who were employed in the NISS and the police force, including the public order police. The source further said that among persons from Darfur and the Two Areas who worked for the NISS, one could find persons employed in the formal cadres and structure of the NISS as well as informants.

As regards access to schools, the source stated that people from Darfur and the Two Areas legally had access to schools in Khartoum. However, the source emphasised that there was a lack of schools in the poor ghettos surrounding Khartoum and the quality of existing public schools was low. The source also noted that many chose to send their children to work at the market instead of school due to poverty. According to the source, there were private schools but it was only people with a certain level of income who could send their children to those schools.

Asked about access to healthcare services, the source mentioned that access to and quality of public healthcare services was generally poor compared to private health services, and there were volunteers collecting money, for instance through social media, to help people living in the poor neighbourhoods with regard to treatment in the private sector. Sometimes, the financial help collected by these volunteers were donations received from abroad.

Concerning access to housing, the source explained that access to housing depended on one's financial resources. While people with money could rent a house or flat in better neighbourhoods in the city, those lacking the financial means had to live in poor ghettos.

The source summarised his statements about living conditions in Khartoum by saying that there was no legal hindrance for people from Darfur or the Two Areas to come to and settle down in Khartoum, but access to and quality of public services was poor.

When asked the reason why a large number of people from Darfur and the Two Areas had come to Khartoum, the source replied that it was mainly due to the stable security of the city as well as access to better services and more job opportunities, compared to other areas and cities in Sudan.

Regarding access to documents, the source advised that people from Darfur and the Two Areas can obtain all types of documents like any other Sudanese national.

Concerning the possibility to obtain the national number, the source mentioned that people from Darfur and the Two Areas also can apply and obtain the national number; however, a large number of Darfuris in Khartoum as well as in Darfur had not applied for the national number yet. According to the source, the main reason for this was that people did not care about the number and did not see any advantage in having it. They consider the card merely as a tool for the government to collect information about them in order to monitor and control them.

The source advised that he sometimes travelled to Darfur by bus which took about 20 hours. People could also travel to Darfur by air.

Concerning prevalence of checkpoints on the way between Khartoum and Darfur where people's IDs and documents were checked, the source said that he had never come across such checkpoints on his way to or from Darfur. The source added however that there were checkpoints where cars and busses were checked with regard to illegal goods and custom taxes, particularly at the border between Darfur and the central part of Sudan.

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### **Khartoum based journalist (2)**

Khartoum, 27 February 2016

**About the source:** The source was born and grew up in Darfur and came to Khartoum to study. He graduated from the university in 1972. Then he worked for the Ministry of Culture and Information for six years after which he resigned. Upon his resignation, he founded a publishing house, where he worked for nine years. He stopped working there in 1989. At that time he was politically active and was a member of a political movement called Solidarity for Rural Areas, which was in opposition to the Sudanese regime. Later in 2001 he became involved in the National Democratic Alliance, where he was one of the leaders. He then recommenced his job as a publisher whilst he also worked as freelance journalist. He recently started to write articles about politics and cultural issue.

Regarding the profile of persons from Darfur and the Two Areas targeted by the authorities, the journalist stated that it was mainly human rights activists, political activists, students, and persons with rebel affiliation who were at risk. The journalist clarified that the crucial factor in this regard was activity against the government, and the government predominantly targeted people on the basis of their activities or suspicion of being involved in activities against the government.

The source opined that the NISS were targeting Darfuris more than other groups. The journalist explained that Darfuris were over-represented in the prisons compared to other groups.



According to the journalist the Darfuri students were targeted because the government suspected them of being affiliated to the armed opposition groups. The source further said that around twenty students had been killed by unknown perpetrators who were assumed to be the Rapid Support Forces (RSF).

The journalist further advised that persons from Darfur or the Two Areas were treated in a harsher way in prison than other groups.

Regarding the prevalence of large-scale arbitrary arrests of persons from Darfur and the Two Areas the journalist stated that although many Darfuri students had been arrested arbitrarily in recent year, there had not been mass arbitrary arrests of civilians in Khartoum since the attack on Omdurman in 2008.

Concerning journalists, the source mentioned that there had been cases of journalists being arrested. According to the source, it was mostly journalists who dug into cases of corruption and wrong doings by the government who were targeted. However, the source added that journalists did not spend a lot of time in prison due to the potential attention these cases could get in the public.

Concerning general social discrimination against persons from Darfur and The Two Areas, the journalist opined that this did take place. Asked about an example of such discrimination in the daily life, the journalist pointed to a market in Omdurman called 'Libya's market'. According to the journalist, this market was previously run by Darfuris, but as the authorities realised that the market was a success, they forced Darfuris out by imposing new taxes which made it difficult for Darfuris to continue their businesses here. The market was now controlled by other persons.

When asked how the source himself was discriminated, the journalist opined that he being a journalist, a politician and a lawyer was not subjected to discrimination.

Asked if ordinary Darfuris were looked upon in a humiliating or demeaning way, the journalist advised that the relationship between Darfuris and citizens of Arab origin in Khartoum was not like before. Previously, Sudanese of Arab origin were strong and anyone should obey them, but now it was not like that anymore, and Darfuris had become more educated and empowered, thus one could hardly find visible discriminatory attitude towards them in the daily life.

On the issue of the number of people from Darfur and the Two Areas in Khartoum, the journalist advised that more than 40 percent of the total population in Khartoum were Darfuris. He further said that if one included the Two Areas, around 70 percent of the population in Khartoum consisted of persons from Darfur and the Two Areas.

The source advised that a large number of Darfuris lived in Mayo in the far Southern part of Khartoum, but he added that there were also people from the Nuba Mountains living in Jabal

Awliya village South of Khartoum.<sup>118</sup> The source advised that Khartoum North and its extensions (Haj Yousef, Kassala, Umdreovo and Badona) were mainly inhabited by Darfuris. There were also many Darfuris living in Dar Al-Salam and Ombada in Omdurman, according to the source.

The journalist stated that there were also Darfuris who were living in the city centre of Khartoum. According to the source, who himself happened to live in the centre, people were free to live wherever they wanted today, although most Darfuris did not afford to live in the centre.

Concerning the types of jobs which Darfuris had access to, the journalist advised that despite there was no free and fair competition in accessing government jobs, many Darfuris had much hope of finding jobs in the Sudanese labour market, including employment as civil servants, ministers, doctors, teachers etc., and one could also find them as officers in the army and in the police. However, the journalist added that as the government usually restricted access to employment in the public offices for Darfuri university graduates, many of them tried to make their way in the small businesses such as selling soap, clothes, shoes, water etc., and if they got a chance, they would leave the country. The source added that many Darfuris tried to learn English in order to use it in other countries or for employment in international organisations in Sudan, as they did not have any hope of finding jobs in the Sudanese labour market.

Concerning the government trying to restrict access to employment in the government for persons from Darfur, the source explained that whilst it was not openly said, the general perception was that there could be discrimination with regard to access to these jobs. Sometimes it was even said very clear: 'you are from Darfur, and therefore cannot get this or that job'. The source added that the restricted access to employment in the public offices also applied to persons from the Two Areas.

Regarding access to schools for Darfuris who came to Khartoum, the journalist stated that these persons did have access. The journalist added however that the quality of education in the public schools in Khartoum was poor, and they lacked proper educational equipment and infrastructure. Moreover, the school staff usually did not have the necessary teaching skills and qualifications. According to the journalist, persons from Darfur and the Two Areas mostly did not have financial resources to send their children to private schools.

Concerning access to healthcare for persons from Darfur and the Two Areas, the source advised that persons from these areas had access to basic healthcare services and treatment at the public hospitals, but the quality of the treatment there was poor.

According to the source new roads to Al-Fashir and to Nyala had been built in recent years which had made the transport by road between Darfur and Khartoum much better and faster. Now people could travel to Darfur in one single day by bus.

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<sup>118</sup>According to the source, Mayo is an extension to Jabal Awliya locality.

Regarding the prevalence of checkpoints on the road to Darfur, the journalist advised that there were government checkpoints within the borders of Darfur state. The source explained that the government had not enough manpower in the NISS, so they only checked people moving between Nyala and Al-Fashir. It was added by the source that travellers had to pay bribe to officers at these checkpoints, however, the source highlighted that it occurred occasionally depending on the individual officer manning a checkpoint rather than a systematic, regular form of corruption.

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### **Khartoum based journalist (3)**

Khartoum, 23 February 2016

**About the source:** The journalist had previously worked for different types of media, including local as well as international TV channels and newspapers. He was recommended as a well-informed source by a diplomatic source. His focus is political and legal developments as well as human rights and development. He travelled, and still does, extensively within Sudan.

Regarding the consequences of a person returning to Sudan without an exit visa in their passport, the journalist advised that such a person would be accused of breaching current passport regulations. The punishment would be imprisonment for no more than 6 months, a fine, or both according to the Passports and Immigration Law of 1994. The source added that there was an office at KIA where exit visas were issued. When asked if the mere fact that you were from Darfur or the Two Areas could constitute a problem in getting such an exit visa, the journalist advised that a person with no political profile would not have any problems obtaining such a visa. In the absence of a political profile, the law only cites issues such owing a debt, being under 18 without parental consent, and Sudanese nationals with several priors of smuggling could be denied an exit visa. The only disturbing article for denying an exit visa was the one which stated that Sudanese nationals who were deemed as being active in conducting an activity “hostile” to the country or “harmful to its reputation” could be denied exit visas.

On the issue of profile of persons targeted by the NISS, the source explained that persons from Darfur and the Two Areas were divided into two groups: those Darfuris who had lived in the capital for a few years prior to the outbreak of conflict in 2003 and who had become integrated in the capital, and IDPs particularly those who came to Khartoum after 2003. Whilst in general the first group were not subject to targeting, the NISS monitored the communities, where the second group lived.

The source advised that the NISS had informants in IDP communities who could be anyone – from shop keepers to lawyers. According to the National Security Law of 2010, any member of the NISS could act as a policeman and pursue an arrest. Furthermore, according to the law any action

involving a NISS agent was immune from prosecution and could not be subject to public scrutiny, unless the member's immunity was lifted by the Director of the NISS. Legally this was problematic since the defendant's institution, and not the judiciary, held this authority and could commit violations and refuse the lifting of immunity. The wide remit of the law had caused problems for a number of persons being accused by rank-and-file NISS agent of providing assistance to rebel groups. These accusations were sometimes based on thin evidence such as transferring money to someone in the rebelled controlled parts of the Nuba Mountains etc. According to the source, it was the NISS' decision to choose who should be targeted for aiding rebels. A person suspected by the NISS could be grabbed on the street and put on pickup truck. This had happened with journalists before. The journalist gave the following example: on 15 September, 2015, a journalist by the name of Hiba Abd Alazeem was arrested in downtown Khartoum following an investigative reporting piece she did on pollution at a specific sector of the White Nile river, and findings that the water was not suitable for human consumption. The piece also referenced evidence that authorities were notified and had not taken any action. On the day in question, she was grabbed off the street by men in plainclothes near a mall and was released later. Her editor's calls to the NISS were initially met with a denial that they were involved, but then they later confirmed. This incident was met with extra condemnation given the journalist was a woman.

Asked what would happen to such a person, the source replied that if the person was really connected to rebel groups, he would be treated harshly, otherwise he would face difficulties in his economic life, as it would be difficult for him to find a job in the formal sector.

The source opined that IDPs from Darfur and the Two Areas were not targeted by the NISS as a group in Khartoum. However, IDPs from these areas were more likely to be suspected of rebel affiliations and treated more harshly if they did come to the attention of the NISS. For example if IDPs from Darfur or the Two Areas were participating in a demonstration and a security incident happened in the area where they lived, the police would question these IDPs first and they would be subjected to more intensive interrogation than others.

Concerning the profile of persons being targeted by the authorities, the source advised that students, journalists, activists and persons with connections to rebel groups were at greatest risk. The source further explained that if you were identified working near to a government office you would be under surveillance. Similarly, if you had taken pictures of demonstrations you would come under surveillance.

Regarding the situation of journalists, the source stated that journalists critical of the Sudanese government were arrested periodically, although the source added that as far as he knew, there was currently no journalists in prison. It was added that two months earlier, a journalist was detained for one day. He was arrested for having published stories about a land dispute of residents in northern Khartoum. These one day arrests were meant to disturb and intimidate rather than to actually pursue legal action in order to discourage publishing on similar issues.

On the issue of Darfuri students, the journalist stated that although ordinary Sudanese not from Darfur or the Two Areas may be unaware of the discrimination faced by Darfuris or persons from the Two Areas; Darfuri students had received public attention and were well known for their actions.

When asked if there had been cases of large scale arbitrary arrests of persons from Darfur and the Two Areas since the attack on Omdurman in 2008 by JEM, the source replied that there had not been any cases on that scale.

Regarding the issue of Khartoum as a safe place for persons fleeing a local dispute within their area, the source replied that it depended on the profile of the person and his activities. According to the journalist, Khartoum was safe for non-political persons from Darfur or the Two Areas, whilst persons who had a high political profile and who were already monitored by the authorities would risk being targeted. The journalist referred to two cases of high-profiled persons whose families lived in Khartoum without facing any problems and their children went to school and university. Referring to these two examples, the source explained the first as Dr. Khalil Ibrahim; he was the leader of the Justice and Equality Movement (JEM), one of three major rebel groups in Darfur whose family lived in Khartoum. The source further clarified that following the death of Dr. Khalil Ibrahim in an airstrike by the Sudanese air force, his family arranged for his funeral service to be held in Khartoum. The other was Malik Aggar; he was the leader of the SPLM-N which was actively fighting the government until now. His daughter was actually a police officer, customs directorate of the Sudan Police Force while her father was sentenced to execution for treason in absentia. His daughter continues to be an employee of the federal government. The source also mentioned the case of a high level member of a rebel group who died and his funeral was afterwards held in Khartoum. Nothing happened during the funeral and no intervention took place by the authorities

According to the source, in general if a person had no record with the NISS, he could live without a problem in Khartoum. On the other hand, in the event a person ended up on the NISS' list with a certain profile, the NISS would know everything about him.

The journalist added that Khartoum could also be a safe place for persons fleeing a private dispute in their home area. The source clarified that there was an area in Khartoum called 'the land with no government' (*'hokuma ma-fi-'* in Arabic) where people could easily hide. This area was within the slum community of Khartoum where IDPs and migrants were found living.

The journalist however clarified if someone was fleeing to Khartoum from a dispute in his area, he could be arrested on his way to Khartoum if the other party in the dispute had connections to the NISS. According to the source, the NISS relied quite heavily on verbal communication, and they could quickly phone through a report to other agents and ask them to arrest a person of interest.

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 definition of what may amount to torture and/or brutality was not commonly understood among the police and security members, and so such practices were seen as 'normal', especially in the outskirts/localities such as 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.

The journalist advised that, in general, Darfuris and other groups in Khartoum were better organised and they had access to legal aid, for example from the Darfur Bar Association and the international community. As an example, the journalist referred to a case of a Christian woman in Khartoum who was accused of apostasy in 2014. Due to the media attention raised about her case, she was released and was now living in the USA. The source clarified that although the individual in question was not from Darfur, the example illustrated the level of public attention and awareness that could be generated in Khartoum in individual cases compared to those living in the periphery states of Sudan.

Concerning the prevalence of persons from Darfur and the Two Areas employed in the police force, the journalist stated that you would find a large number of persons of Darfuri and Nuba origin within the police force.

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 considered good soldiers. The source advised that persons of Nuba origin employed in the police force and the army were from Southern Kordofan.

The source assumed the number of persons from Darfur and the Two Areas employed by the NISS was not high.

When asked if it was difficult for persons from Darfur or the Two Areas to obtain a National number, the journalist advised that generally this was not a problem unless the authorities suspected a person to be from South Sudan. The National number was necessary in order to obtain different kinds of official documents. The source assumed that persons from Abyei area were the only people who faced difficulties with regard to obtaining the National number. The source explained that this was due to the fact that Abyei was home to two main tribes: The Miseriya and the Dinka Ngok. The latter were a branch of the larger Dinka tribe which primarily lived in South Sudan. Since Sudan claimed Abyei to be a territory of its own (its status remained

disputed with South Sudan), Dinka Ngok had the right to the Sudanese nationality, but also had to prove they were from Abyei and not from the larger Dinka tribe on the other side of the border, i.e. in South Sudan. This was not a generalized case for the Dinka Ngok however since many of their family branches were already known. According to the source, persons from Darfur and the Two Areas generally did not face any difficulties with regard to obtaining any kind of documents.

Regarding access to employment in the public sector for persons from Darfur or the Two Areas, the journalist stated that it was possible for such persons to get a job in the public sector, unless the NISS had a profile on them. The source added that it was also difficult for persons from Darfur and the Two Areas to obtain employment in public offices dealing with sensitive issues such as security. As an example, the source mentioned that it would be difficult for such persons to get a job in the Security Office of the Ministry of Interior, whilst they would not face any difficulty being employed in the Finance Office within the Ministry of Interior.

The source added that the Minister of Health, Bahar Idris Abu Garda, was previously a rebel leader but after the Doha agreement he became a minister and had since turned his rebel movement, the Liberation and Justice Movement, into a legitimate political party – namely the Liberation and Justice Party.

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## The National Human Rights Monitors Organisation (NHRMO)

Kampala, 3 February 2016

**About the source:** The National Human Rights Monitors Organisation (NHRMO) was founded in March 2012, with the primary objective of promoting human rights in Sudan. Working with the support of International Refugee Rights Initiative, NHRMO has been monitoring human rights abuses committed against civilians in Southern Kordofan and the Blue Nile States. The NHRMO representative was last in Sudan in 2011. The source highlighted that NHRMO did not have monitors in Khartoum, but received anecdotal information about the situation in Khartoum from other sources based in the capital.

NHRMO explained that perceived political opponents were at risk of detention by the NISS on arrival at Khartoum International Airport (KIA). NHRMO cited one case from 2014 in which a civilian who was not politically active and returning to Sudan from a neighbouring country was detained for two months on arrival, after security staff at KIA found photographs of ground bombings in Southern Kordofan on his laptop. According to NHRMO the individual was tortured during his detention and accused of collaboration with the rebel SPLM-N movement before subsequently being released without charge. However, the source highlighted that usually persons who did not have a political record with the authorities would not be subjected to questioning.

The NHRMO representative similarly explained that it would not be safe for the NHRMO staff to visit Khartoum because their human rights monitoring work in Southern Kordofan and the Blue Nile State made them a perceived opponent of the regime.

NHRMO mentioned that the Sudanese authorities also tried to frustrate the activities of Sudanese activists living abroad. NHRMO mentioned one case in which a prominent human rights defender had been unable to renew his passport at the Sudanese mission in Juba because he was considered a supporter of the SPLM-N.

According to NHRMO, when travelling through KIA persons from the Two Areas would be treated differently because of being perceived to be affiliated with SPLM-N 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.

When asked if a person who had spent considerable amount of time out of the country would be at greater risk on return, the source explained that this would depend on their individual circumstances and where they originated from in Sudan. According to NHRMO persons from Darfur and the Two Areas, who had been outside Sudan for a considerable period of time, would be questioned extensively about their political activities and may be at risk of detention/mistreatment if the authorities suspected them of being involved in activities against the government.

According to NHRMO it was not uncommon to find individuals from Darfur or the Two Areas who were supportive of the regime, and NHRMO commented that persons from Darfur and the Two Areas could be found in government positions.

When asked about the number of the IDPs from Darfur and the Two Areas currently residing in Khartoum, NHRMO commented that there were no reliable statistics on this, but the population could easily be anywhere from two to five million (not including South Sudanese who remained in Khartoum following the succession).

NHRMO explained that most IDPs moved to Khartoum between 1983 and 2004/05, following earlier civil wars in the south and in Darfur. NHRMO estimated that as many as 75 percent of those displaced to Khartoum during this period were still living in the capital. According to NHRMO, the population in Khartoum had been rising in recent years, driven by the government's military operations in Darfur and the Two Areas.

According to NHRMO, civilians from the Two Areas fled to government held areas, including Khartoum, because in SPLM-N held territory the living conditions were exceptionally dire, with no access to food, healthcare or other essential services. The source explained that in Southern Kordofan there was quite a lot of movement of civilians from rebel-held areas to territories



controlled by the government. Those newly arriving into government held areas were subject to security checks because of suspicions they may be affiliated to the rebels, but once these checks had been completed a person could travel internally to other parts of Sudan, including Khartoum.

NHRMO explained that one of the main drivers of migration to Khartoum was for employment. Access to employment for persons from Darfur and the Two Areas was usually influenced by one's place of origin as well as religious and political affiliation. If a person was identified as supportive of the regime they could enter into jobs in the formal sector, even if they originated from Darfur or the Two Areas. According to NHRMO the private sector was heavily influenced by the ruling NCP, consequently, loyalty to the regime was often a prerequisite for a successful career in the professional workplace. A person perceived as critical of the government, would generally find it difficult to get positions in the formal sector and so invariably the only employment available was in the informal sector, where persons were vulnerable to harassment and arrest by the police.

NHRMO explained that in the informal sector women were commonly employed as tea sellers, food sellers or as cleaners, earning small sums of money. NHRMO clarified that to legally sell tea in Khartoum a person was required to have a government licence, which was quite expensive to obtain and which was to be renewed every two to three months. Therefore nearly all tea sellers in Khartoum did not have this licence and operated illegally. According to NHRMO the Public Order Police would often attempt to clear markets of these unlicensed, illegal tea-sellers, arresting and fining them or confiscating their equipment.

NHRMO identified that persons from Darfur and the Two Areas could be broadly divided into three groups. The first group were those considered to be supportive of the government; the second, persons who supported neither the government nor opposition groups and third, those who were in opposition to the government and who adopted oppositionist ideology. Persons in the first group may still experience societal discrimination in Khartoum, especially from the dominant Riverine Arab tribes, but generally they would be better treated than those from the other two groups. Asked about examples of societal discrimination, the source advised that all black Sudanese (African) were called '*Abid*' meaning slave. The source himself had heard it many times from his classmates in school and in the public transport.

NHRMO advised that a Christian could be identified as 'pro-government', if they were sympathetic and non-critical about government policies, e.g. security operations in Darfur and the Two Areas. NHRMO knew of at least two bishops in Khartoum who were supportive of the regime. Similarly tribal chiefs or elders from Darfur and the Two Areas would not necessarily be perceived as opposed to the regime if they adopted or supported government policy. According to the source the authorities may support these chiefs and elders economically, to encourage them to support the government.

When asked about access to education in Khartoum for IDPs from Darfur and the Two Areas, NHRMO explained that in the slum areas of Greater Khartoum, there were shortages in school

placements. However, NHRMO clarified that providing there were places available, generally parents from Darfur could enrol their children into schools. NHRMO explained that the government did not discriminate or restrict access to education, because schools were seen as an avenue through which the ruling NCP was able to advocate its ideology – hence schools were potential recruiting grounds for pro-NCP supporters. The source cited their own first-hand experience and explained that when they were growing up and in school, they had personally been involved within the Christian youth and had been strongly encouraged to join the local NCP, but they had refused to do so.

NHRMO advised that in Khartoum there were three low cost public hospitals, the so-called teaching hospitals in Bahri, Omdurman and Khartoum where persons from Darfur and the Two Areas could afford to receive healthcare.

When asked about access to ID cards for persons displaced to Khartoum from Darfur and the Two Areas, NHRMO advised that a new civil registration system had been introduced following South Sudan's succession in 2011, known as the National Number ('Al-Raqam Al-Watani'). The NHRMO representative had limited information about this system, as the source had been out of Sudan for a number of years and did not have this ID number; however the source understood that to obtain a National Number there was no registration fee, but a person needed to complete various forms.

NHRMO advised that this new national identity system was also being used to categorise and identify potential opponents of the regime, and that the registration forms included a detailed questionnaire about a person's background, including religion, place of origin, ethnicity etc. The questionnaire additionally required the applicant to inform about his political affiliation. Furthermore, the source added that one of the purposes of introducing the national number was to force South Sudanese nationals to leave Sudan, as those not in possession of such a number would not be considered a Sudanese citizen.

According to NHRMO, there were no significant logistical difficulties to obtaining a National number and no discrimination by the government to prevent Sudanese nationals, including IDPs, from obtaining such a registration. However, NHRMO estimated that perhaps as many as 85 percent of IDPs from Darfur and the Two Areas, living in Khartoum, were without a national number. When asked why take up had been so low, NHRMO opined that some opposition groups had advocated against the new system and there was a general distrust that this new registration procedure was another means through which the NISS could monitor individuals. In particular take-up had been low among new IDPs arriving into Khartoum, according to the source.

NHRMO explained that a National Identity Number was required increasingly to access public services and to deal with civil matters, such as obtaining a passport, buying property or registering for examinations at secondary school/college. NHRMO was of the view that a National Number was not required for school enrolment or if a person wanted to rent a property. The source also

confirmed that a National number was not required for a person to be admitted into hospital and receive healthcare assistance, although it would be needed to obtain health insurance.

NHRMO explained that there was a continuous stream of IDPs fleeing SPLM-N held areas in Southern Kordofan and moving to government held territory. For all persons moving across the front line, civilians would be subject to screening at various checkpoints, whereupon a report was taken about who they were and where they were from. This information was screened against security databases to check if they had any affiliation to rebel groups. Once these checks were completed, a person would then be able to travel to Khartoum. According to NHRMO similar security procedures were in place across conflict areas in the Two Areas and Darfur.

To enter into Khartoum from Darfur, NHRMO mentioned that there was one main checkpoint west of the city, at Jabal Awliya, where persons were stopped and vehicles searched for weapons. If a Darfuri person had no interest to the authorities, i.e. had no political/rebel profile, they would be able to pass through this checkpoint without any difficulties and travel onto Khartoum city.

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## A Professor in law

Khartoum, 27 February 2016

**About the source:** The professor previously lived in the UK for 14 years. He now works as an Associate Professor of International Human Rights law, International Humanitarian Law and international criminal law at a university in Khartoum. He is also the Director of the Human Rights Centre and Head of the International and Comparative Law Department, faculty of Law, University of Khartoum. He has undertaken extensive research on migration issues in Sudan, including the legal framework and has written a Number of books and articles. He has also written on the human rights in Sudan, including books about human rights and humanitarian law and, a book on child soldiers published by Intersentia, Oxford, L'rmatan in France and other forthcoming books by Routledge, UK and Brill publishers. The source has additionally worked on the issue of statelessness, with UNHCR particularly the situation in Sudan after the secession of South Sudan and a Manual on Human trafficking for IOM related to EU and Khartoum Process.

Regarding the National Number, the professor advised that under the 2011 Civil Registry Act, the government of Sudan abolished the national certificate (*'Bitaqa Al-Jinsiya'*); replacing this with a National Number (*'Al-Raqam Al-Watani'*). The Professor explained that the Civil Registry Act of 2011, which repealed the earlier 2001 Civil Registry Act, provided that the regulations, orders and documents issued shall remain valid and in force till repealed and amended. Article 28 (1) of the 2011 Act provides that every person must register himself and all the members of his family obtain civil registration certificates. Hence, this Act made it mandatory to obtain Civil Registration Certificates for all persons and ages. Accordingly, under the provisions of the Civil Registry Act, one

had to have a National Number in order to obtain other types of documentation, e.g. an ID card, driving license or passport. A National Number was also needed to access a number of services such as the primary school, and to buy and own a property and all other transactions which require proof of an ID.

According to the source, in order to secure a national identification card one must acquire first a National Number. To secure this National Number one must be in possession of a birth certificate or an age assessment certificate, a residency certificate, a nationality certificate (which states one's tribal background) or passport, a certificate of blood type and an employment letter if in employment. A majority of the people in conflict zones or persons belonging to border tribes or pastoralists were unable to provide with these documents and as such witness evidence was the only procedure to verify their dubious position. However, witness evidence could be very complicated in that witnesses may not always be in close proximity and not every witness' testimony was acceptable. Additionally, many were unaware about the process and what was required. For those who were just surviving day-to-day, the costs associated with travelling to registration centres, which involved the loss of a day's work, made the process inaccessible. 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.

The source explained how Sudan's legislative framework relating to nationality fundamentally changed following the secession of South Sudan in July 2011, and in particular when the Sudan Parliament passed, what the source considered an unconstitutional amendment to the 1994 Nationality Act (amendment 2005), which came into force upon signature by the President of the Republic on 10 August 2011. Under Article 10(2): 'a person automatically loses his Sudanese nationality if he has acquired, de jure or de facto, the nationality of South Sudan.'

Article 10 (3) of the same Act also divested Sudanese nationality from a minor if his guardian acquired the nationality of South Sudan, as prescribed in Article 10 (2). This amendment assumed that South Sudanese nationality was automatically acquired by any individual with one ancestor born in South Sudan and any individual belonging to the indigenous tribal communities of South Sudan, as well as individuals with long residence in South Sudan. It was the source's view that Article 10(2) of the 2011 Nationality Act arbitrarily deprived 'Sudanese' of South Sudan origins from Sudanese nationality upon de jure or de facto acquisition of South Sudan nationality. The amendments of Article 10 (3) also attracted criticism with regard to the status of children and those of mixed marriages.

Even if a person wanted to buy a SIM card or indeed needs to enter into any other formal transaction or dealings, they would need an ID card, which could only be obtained with a National Number, according to the professor. The National Number was a key document and was effectively the main document issued for any Sudanese to be able to obtain any other subsequent documents. The source explained that living in Sudan without a National Number would be difficult for him or her to engage in any civil transaction, including bank services, access to education, signing contracts, car licenses, birth registration and death records, employment, pension, issuing passport and travel documents, court proceedings, inheritance, marriage, etc. The source clarified that a National Number was required for all access to schools and universities and was not limited only to access to examinations at secondary schools and universities.

According to the professor, in order to obtain a National Number, one should be Sudanese by birth or have lived in Sudan since 1956 and one's father or mother should be Sudanese by birth or by naturalisation. The source added that a Sudanese could pass his/her nationality to his/her children only if all these preconditions were fulfilled.

When asked if there were persons who had problems in obtaining the National Number, the professor advised that people from the border areas to South Sudan may face difficulties. In these areas, some people could be regarded ethnically as South Sudanese. In addition, the professor was aware of a tribe called Creash, which were considered stateless, and they were denied National Numbers as members of this tribe were regarded as ethnically from South Sudan. Furthermore, children with a South Sudanese father and a Sudanese mother were denied the National Number and, instead, had to apply for Sudanese nationality. Many court cases were now pending for children of mixed marriages who were denied nationality.

When asked if persons from Darfur and the Two Areas suffered discrimination in accessing employment, including government jobs (civil servants); jobs in the NISS and military job or employment in education (including universities), the source explained that those from Darfur had access to these jobs and were not discriminated against, however, as in the case of all Sudanese, those with connections to the regime may have a better chance of getting employment in these areas. The source further explained that Darfuris and persons from the Two Areas in Khartoum could be found employed in various jobs, including as government Ministers. However, the source also acknowledged that in general discrimination did exist, but noted that this was a societal issue rather than a state policy.

When asked if there were any restrictions in access to schools or universities for persons from Darfur and the Two Areas, the source noted that all such persons had access to schools in Khartoum (and other towns in Sudan); and there was no discrimination involved in this respect. All Sudanese had access to education, irrespective of their ethnic background. Regarding accessing universities, including the University of Khartoum, the source noted that Darfuris had equal

access, according to competition and the merits of each applicant. Furthermore, under the Abuja Agreement 2006, Darfuri students on many occasions were exempted from university tuition fees.

When asked about access to basic healthcare in Khartoum for persons from Darfur and the Two Areas, the source noted that there was no discrimination and that access was the same as for the rest of the population.

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## A regional NGO

Kampala, 3 February 2016

**About the source:** The source was recommended to the delegation by several contacts. The NGO has been present in Sudan for over a decade and continues to work on a range of humanitarian initiatives throughout the country, including in the capital Khartoum. IDPs and women in the informal sector are two issues the organisation is involved with.

According to the regional NGO, the Sudanese population from Darfur and the Two Areas was highly mobile, with migration movement to the capital occurring since the 1990s, driven by ongoing conflicts in these areas. The regional NGO was unable to confirm the current number of persons from Darfur and the Two Areas who were residing in Khartoum, but advised that this number was substantial and increasing, with the majority of such persons residing in the slum neighbourhoods around the city. The regional NGO explained such populations were also moving elsewhere in Sudan aside from Khartoum, for example to Al-Qadarif and Al-Jerzira states<sup>119</sup>. However, the majority of displaced persons had moved to Khartoum.

When asked why displaced persons moved to Khartoum, the regional NGO explained that there were several reasons. In rural areas infrastructure had been virtually destroyed through conflict, which created a push factor to leave Sudan's conflict areas; secondly, in Khartoum there were more resources and greater opportunity for employment and finally, in Khartoum, there was a higher level of security. The source also explained that Khartoum had a population of close to eight million people, which made the capital a place where one could be more anonymous and could easily get lost, if, for example a person was seeking to hide from a local private dispute.

The regional NGO advised that in Omdurman there were sizeable Darfuri populations who were well established and who had retained their traditional administrative tribal structures (e.g. Sheikhs and Omdas). The regional NGO commented that whilst the majority of IDPs in Khartoum, originating from Darfur, were poor and lived in bad conditions; there were some Darfuri

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<sup>119</sup> The names of these states are also spelt *Gedaref*, *Gedarif* or *El Gadarif* and *Gezira*. *ed.*

communities who were well connected and wealthy. The regional NGO referred to well-established Zaghawa traders and Fur shop-owners who were based in Khartoum and some of which had long standing connections with the regime.

In the greater Khartoum (Bahri/Khartoum North, Al Haj Yousef, Wad Al-Bashir in Omdurman, Mandela, Mayo etc.) one would find new areas constantly expanding geographically. These expansions were fuelled by migrants from Darfur and the Two Areas, according to the source.

The regional NGO clarified that in Khartoum emergency aid relief had previously been provided to IDPs living around Khartoum, but they were unsure if this was still the case.

According to the regional NGO, land ownership was an important issue in Khartoum as migrant communities were usually found residing in semi-permanent mud-brick dwellings on government owned land that typically were sold to private owners due to the expansion of the capital city and the high value of land in greater Khartoum,. This led to forced evictions, as the government periodically intervened to move IDP communities and reclaim private land. The source explained that whilst migrant/IDP populations had on some occasions made efforts to formally recognise their community (e.g. under urban planning laws), usually this was either unsuccessful or did not happen, and so such communities lived under the constant threat of eviction. The regional NGO explained that when communities were evicted, they were usually moved further outside the city, where there were no services or amenities. The source commented that this had occurred for example to communities in Soba district.

The regional NGO clarified that if a person had sufficient money, they could generally live anywhere in Khartoum. According to the regional NGO, increasingly in Sudan personal wealth and money determined how someone would be treated in Khartoum, with race or place of origin secondary factors. Whilst the majority of those from Darfur and the Two Areas were economically poor and living in slum areas, there were some exceptions to this – for example some traders of Zaghawa tribal origin, who had bought whole trading markets and were generally able to live anywhere in the capital.

On the issue of street vendors and food/tea sellers, the regional NGO advised that the sheer number of persons employed in the informal sector was a significant problem for Sudan. This situation was largely a product of the complete collapse in the agricultural sector and the fact that there were few other employment opportunities. According to the regional NGO, since the economic downturn in Sudan (following separation from South Sudan) the regime had become less hostile towards those working in the informal sector and instead saw this sector as a much needed means through which to generate revenue through fines (under Public Order offenses) and from taxation.

The regional NGO however cautioned that petty corruption and extortion was a problem within the Public Order Police, and that vendors operating in the informal sector were particularly

vulnerable to harassment. The same source also explained that many of those working in this sector were women, as most men in Sudan had several wives and so women were frequently required to find informal employment. This left them particularly vulnerable to economic destitution. According to the source, the currently dire socio-economic conditions in Sudan were one of the main drivers of mass emigration to the Gulf States and Europe. The same source also explained that the collapse in Libya had badly affected a sizeable migrant Darfuri population who had previously resided in and traded with Libya, resulting in further displacement in the region.

The regional NGO advised that men were also employed in the informal sector as illegal traders/smugglers; in the construction industry, in catering and in domestic work. Additionally the regional NGO explained that the military; the NISS and the police were known to employ Darfuris and persons from Southern Kordofan. According to the source there were large numbers of persons from the Nuba Mountains employed in the regular police. The source added that the Public Order Police also employed a large number of persons from Southern Kordofan and Darfur. The source however clarified that situation for persons from the Blue Nile State was slightly different, as the population was smaller and there was less information available on population movement and employment trends.

Referring to the availability of schools in Khartoum for persons from Darfur and the Two Areas, the regional NGO advised that schooling was generally available, providing a person could prove their citizenship and had appropriate documentation. The regional NGO advised that for displaced populations this could be more difficult to verify, and commented that many IDPs lacked documents (see below). The same source also commented that since 2009 the number of schools in slum areas in Khartoum had declined due to a lack of funding and corruption within the Ministry of Education; the source also advised that public schools in Khartoum lacked sufficiently well trained teachers. The source advised that primary education was free of charge and universities were partially free, although you had to pay a small amount to enrol a person into the university.

On the subject of healthcare, the regional NGO explained that healthcare had increasingly become privatised in Sudan, so availability largely depended on a person's financial circumstances. The regional NGO stated that whilst there were three teaching hospitals in Khartoum, where low-cost treatment was generally available, this was also subject to privatisation. The same source considered there were minimal healthcare services available in Khartoum that were 'free at the point of service', but if a person had funds, they could generally access healthcare. The regional NGO was not aware of any reports of discrimination or denial of services for persons from Darfur or the Two Areas.

When asked about the importance of ID cards in Khartoum, the regional NGO explained that in their view, only a minimal number of IDPs were in possession of their ID card. According to the source, obtaining new ID documents was difficult for displaced populations who often lacked a birth certificate and so were required to obtain witness statements/oral testimony, to



demonstrate they were of Sudanese origin. The source advised that this was particularly problematic for those from the Nuba Mountains, as they may be perceived to be from South Sudan. Women were also particularly affected by a lack of documentation, because ID was often required to show guardianship.

The regional NGO explained that since the independence of South Sudan, the government had introduced a new ID system with an individual ID number called the National Number issued to each citizen. This was required for various administrative matters such as enrolling in school or opening a bank account. According to the regional NGO, the new national ID system adversely impacted on IDPs from Darfur and the Two Areas, insofar as a great number of these IDPs were without this. The source did not know how many IDPs from Darfur or the Two Areas may be in possession of this new card, although remarked that in the first two years of its introduction, more IDPs had at the time obtained this, as it was provided free of charge by the government. The source did not know precisely what difficulties would arise if an IDP or migrant in Khartoum was without this new ID number.

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### **Sudan Democracy First Group (SDFG)**

Kampala, 3 February 2016

**About the source:** Sudan Democracy First Group (SDFG) was founded by a group of civil society leaders during the national elections in Sudan in 2010. The movement started as an alliance, not as an NGO. SDFG does not directly document human rights violations, but instead focuses on the wider political situation. SDFG works via intermediary organisations such as human rights organisations and grass roots groups in Sudan. They have day to day contact with their interlocutors in Sudan. Furthermore, SDFG conducts analysis updates and engages with international organisations such as the African Commission of Human Rights and UN Human Rights Council in Geneva. SDFG also focuses on marginalised people in conflict areas as well as in city centres such as Khartoum. In addition, SDFG makes policy recommendations and works with sister organisations like the Darfur Bar Association.

According to SDFG since 2008, an increasing number of Sudanese had left the country for Europe and Israel. A large group among these persons were graduates from universities who had left Sudan fleeing either from government security or because they did not see a future in their country as only those affiliated to the ruling party were ensured means of livelihood.

When asked about the treatment of Sudanese failed asylum seekers being returned to Khartoum, SDFG referred to deportees from Jordan and Israel. According to the source, 90 percent of the

Sudanese fleeing to Israel were from Darfur. The source also mentioned that there was a very large diaspora community in Cairo, Egypt.

SDFG advised that about 800 persons had recently been deported from Jordan. The deportees were detained for one day and then released. The authorities had confiscated all documents of these returnees upon their arrival, and put their names on an exit ban list.

SDFG advised that many student groups had been targeted within the last few years and more than 13 students were killed, shot either during demonstrations or kidnapped and then killed.

In December 2014 the government arrested 300 students from the University of Bahri where they were taken to unofficial detention facilities, the so-called 'ghost houses' and tortured. SDFG stated that only 16 cases went to court, and none of these were convicted.<sup>120</sup>

The source stated that those detained in a 'ghost house' could be held for one week and some up to 20 weeks. SDFG added that the detained students came from very far and they lacked a social network or family base in Khartoum. SDFG emphasised that this was one of the reasons why it could be very difficult to know how long these students had been detained in 'ghost houses', as nobody was missing them and searching for them.

As another example, SDFG stated that on one day over 100 students were detained for demonstrating over tuition fees, which the Doha Peace Agreement exempted Darfuri students from paying. Nine of the detainees were sent to court for public disorder offences; however the court found no evidence to support the charges filed against them. The authorities afterwards dismissed 29 of the detained students. The targeted students were mainly Darfuri students and students from the Nuba mountains. A number of female students were also evicted from their dormitories, with reports that seven were subsequently arrested. It was also reported by the source that three of the women were raped.

SDFG also advised that in addition to students, the Sudanese authorities also targeted civil society leaders, women rights defenders, public opinion makers and persons involved in media. SDFG exemplified this by referring to a Darfuri journalist working in Khartoum for Radio Dabanga who was arrested and held for a year before subsequently being released. The individual then fled Sudan and settled in Europe. The source additionally referred to two cases involving a Nuba women's rights activist, held for one year and a human rights activist, held for nine months, who were detained for simply doing their job.

Asked about the impact of tribal and ethnic affiliation on the authorities' treatment of persons from Darfur and the Two Areas, SDFG explained that those from none Arab tribes in Darfur and the Two Areas were perceived opponents of the government and could be targeted.

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<sup>120</sup> For more on this, the source referred to: <https://www.dabangasudan.org/en/all-news/article/govt-forces-storm-bahri-university-detain-darfur-students>

The source stated that Khartoum was not a safe place for a person who had been politically active in Darfur or the Two Areas and such a person would be a target in Khartoum, particularly if he was from one of the three tribes mentioned above.

Referring to the role of the NISS in targeting persons in Khartoum, SDFG explained that the NISS had been established for over 25 years and had an extensive presence in the local community. However, SDFG clarified that it was difficult to say what was happening in Khartoum today, or to what extent persons from Darfur or the Two Areas were targeted by the NISS now. According to the source, it was predominantly politically active persons who were targeted by the NISS. But upon the JEM attack in Omdurman the NISS strategy changed and ordinary citizens were also suspected in Khartoum.

When asked about prevalence of mass arbitrary arrest of people similar to those of May 2008, following the JEM attack on Omdurman, SDFG explained that the situation was much worse in May 2008. At that time the authorities stopped busses, looking at people's faces and detaining people based purely on their skin colour. SDFG emphasised that this response from the authorities came as a reaction to the particular threat at that time. The source added that at the present time large-scale arrests only occurred within the student community, due to their activity.

According to SDFG many IDPs fled to Khartoum during the Second Civil War in Sudan (1983-2005). Before the independence of South Sudan there were many IDPs in Khartoum; about four million and they were allowed to stay in the capital. However, since independence the authorities in Khartoum had become less tolerant towards hosting South Sudanese and did not want to acknowledge the existence of displaced populations or recognise any IDP camps as official.

The SDFG explained that unofficial IDPs lived in slum areas working mainly in the informal sector. The source also clarified that these unofficial displaced communities also included persons from Darfur and the Two Areas. SDFG stated that many persons from Darfur and the Two Areas preferred to come to Khartoum due to better security and to some extent economic opportunities in the city, including job opportunities in the informal sector such as selling tea, cleaning and constructions.

According to the source there had been cases of the government evicting people from their homes in marginalised communities in Khartoum, in order to expropriate and sell the land to a private company.

SDFG mentioned that those IDPs with limited economic means, particularly women, were selling tea without required permission or selling locally brewed alcohol on the streets as their source of income. Such persons could be arrested and taken to court for prosecution by the Public Order Police. SDFG emphasised that 90 percent of the defendants would be convicted and there had been cases of persons being sentenced to 40 lashes. The source also explained that the police

would sell confiscated commodities/equipment back to the IDP after they had been arrested. According to the law, it was forbidden to sell or drink alcohol.

The source further advised that the small trade businesses in Khartoum owned by persons from Darfur and the Two Areas were arbitrarily targeted by the government; sometimes through over taxation while in many other cases through accusing the owner of supporting the rebels and/or the opposition. This had forced many persons from Darfur and the Two Areas to move their business to Southern Sudan, while others chose to flee the country.

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### **A senior staff member of an international organisation**

Khartoum, 24 February 2016

The senior staff member of an international organisation in Khartoum advised that Khartoum was a safe place to stay for a person from Darfur or the Two Areas if a person had adequate financial resources and stayed away from political activities.

According to the source, a large number of Darfuris began migrating to Khartoum ten years ago and many of them had managed to find employment and make a living in the city. The source did not have specific information on what type of jobs Darfuris had in Khartoum. However, it was added that one could find many Darfuris in manual work, such as security guards. The source added that certain groups had difficulties with regard to access to educational and economic opportunities. When asked which group the source meant by that, the source replied that this was a general remark and he meant that in the current economic climate in Sudan, it was often heard that for increasingly large groups it was challenging to meet all basic needs. This also applied to more vulnerable groups who came to the capital in search for new opportunities.

Regarding the prevalence of discrimination against persons from Darfur and the Two Areas due to their tribal and ethnic background, the source mentioned that they had on occasions heard of this, but had no specific information on this issue.

According to the senior staff member of an international organisation, the source pointed out that the further away from Khartoum city centre a person lived, the worse the services and amenities. The source clarified that a large number of persons from Darfur and the Two Areas lived in poor neighbourhoods surrounding the city centre of Khartoum. There was some level of access to basic services such as education and healthcare in these areas, however, these services were poor and access to electricity and water was also limited. Some areas lacked access to running water, so inhabitants had to buy bottled water. The source emphasised that one had to have money in order to have proper access to services, such as healthcare and education.

There was a high concentration of persons from Darfur and Southern Kordofan in the poor neighbourhoods of Omdurman, where they lived in modest bricks houses in poor conditions, according to the source.

Asked about prevalence of IDP camps in Khartoum, the senior staff member of an international organisation advised that in the past there were IDP camps in Khartoum such as Al-Salam or Dar-Al-Salam camps, but such IDP camps did not exist anymore and communities of Darfuris and persons from the Two Areas had become an integrated part of Khartoum's poor neighbourhoods.

The source mentioned that in Darfur, in general, there was a tendency for rural communities to migrate to the urban centres in Darfur and from there, move to Khartoum or abroad.

The senior staff member of an international organisation advised that persons could freely move to Khartoum from other parts of the country.

Asked about prevalence of checkpoints on the roads to Khartoum from Darfur and the Two Areas, the source replied that checkpoints were common outside Khartoum and one could find them everywhere. The source added that a person's vehicle and ID papers were checked at the checkpoints. The source added that Sudanese did not need a travel permit to travel within Sudan, but they could be checked anyway.

According to the source, there were no checkpoints within Khartoum city, and if the authorities wanted to stop a person in Khartoum, they could do this without the need for checkpoints.

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### **A London based NGO**

London, 25 January 2016

**About the source:** The London based NGO reports on human rights issues in Sudan and has monitors in Darfur and the Two Areas, as well as in Khartoum.

According to the London based NGO, there had been reports of arrests of Sudanese citizens in the airport. The source referred to a recent case in which Jordan had forcibly deported between 400 and 700 asylum seekers and noted that on arrival returnees had their biometrics recorded. Some of these persons had been subsequently released from detention without any problems, while others had not.

The London based NGO mentioned that the Sudanese authorities monitored activities of Darfuri students in Khartoum and they cracked down on any critics against the government. As an example, the source mentioned attacks against a demonstration arranged by Darfuri students in

Khartoum at the University of the Holy Quran in October 2015. The Darfuri students demonstrated against tuition fees at the university, which under the terms of the Darfur Peace Agreement, they should be exempt from paying. According to the source six students were detained during this incident.

In addition to the above, since November 2015, monitors working for the NGO had highlighted the following cases of persecution against Darfuri and students from the Two Areas:

- 13/11/15: the NISS arrested Musab Osman, a Darfuri Student and member of the Darfur Student Alliance at the Holy Quran University in Khartoum;
- 14/11/15: the NISS arrested six Darfuris under the pretext that they set a fire in the Holy Quran University;
- 17/11/15: the NISS, alongside NCP affiliated students, attacked members of the Darfur Student Alliance as they were organising a public talk at the Sudan University for Science and Technology in Khartoum. Eight students were injured and one arrested;
- 07/03/16: NISS officers assaulted two Darfuri student activists at the University of Sharg Al-Neel, in Khartoum;
- 16/03/16: An unknown group, most likely NISS officers or affiliated to the NISS, assaulted Saddam Adam Hilal, a Darfuri student activist, inside the University of Sharg Al-Neel. The victim had previously been detained by the NISS.
- 27/04/16: Mohamed Al-Sadiq Wayo, a 20 year old second year student at the Faculty of Arts at Omdurman Ahlia University in Khartoum State, was killed by a gunshot wound to the chest following a meeting organised by the Nuba Mountain Students' Association. The victim was allegedly killed by NISS officials dressed in plainclothes, who also injured a further three students. According to the source, it was worth noting that NISS officials killed 18 year-old Abu Bakar Hassan, a first year engineering student at the University of Kordofan in Al-Obeid, just over a week before this incident following a peaceful demonstration at the university.

The London based NGO mentioned that while the authorities were highly intolerant of any criticism towards the government's policy on Darfur or the situation there, frustrated Darfuri students coming to Khartoum to study were eager to talk about the situation in Darfur, and this brought them into trouble with the authorities in Khartoum. According to the source, the same applied to students from the Two Areas who witnessed, for example, the arrest and detention of family members held in inhumane conditions in containers in the Blue Nile State. These students wanted to voice this in Khartoum but face problems with the NISS by doing so.

According to the source, 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, an armed movement fighting against the Government in the Two Areas, whilst members from the 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. Similarly, Darfuri civilians were also viewed as potential enemies owing to the number of armed movements opposing the Government of Sudan in Darfur, and, as a result, faced suspicion, discrimination and targeting based upon their particular ethnicity. An example of the above was evident following the killing of the student Abu Bakar Hassan at the University of Kordofan on the 19th April 2016. Following his murder by the NISS, The Northern Kordofan State Government released fabricated propaganda, which according to the source, blamed the violence on Darfuri traders in the local market, as well as Darfuri students at the university. The violence, the local Government stated, was initiated by the Darfuris as a result of the defeat of SLA-AW – a Darfuri armed movement – in Jebel Marra. Consequently, the Government utilised a highly politicised concept of ethnicity, which inevitably led to harassment and targeting.

Secondly, the system by which the NISS in Sudan operated was arbitrary. Sometimes the government officials went by the book and sometimes they did not. The 2010 National Security Act granted all security and military personnel immunity for acts conducted in the line of duty, therefore consequently the institutions and its members operated with complete impunity with no safeguards or consideration of human rights. Indeed in some cases evidence was irrelevant in the prosecution of civilians, according to the source. However, the source did not have any information on specific cases in which non-political persons were targeted by the authorities, solely on account of their place of origin or ethnic or tribal background.

The source furthermore provided evidence of the targeting of family members of politically active persons. For example, in one such situation the brother of Mohamed Salah Mohamed – a noted Darfuri Sudanese Human Rights Defender – was kidnapped in Khartoum by members of the NISS and taken to a deserted location in Khartoum, and beaten and subsequently released. He was further told that his brother should be [paraphrasing] careful concerning the consequences of his actions. The source confirmed this incident occurred on 15 March 2014.

The London based NGO explained that some 85 parties were involved in political talks with the government within a framework called ‘the National Dialogue’. However, if you were not a part of this process, you would not be allowed to express any critical view against the government. As an example, the source referred to the recent arrest of persons linked to the National Consensus Forces, who were detained by the authorities for speaking out against the government. The source also cited as an example the fact that several political opponents had been forced into exile overseas because of their views. This included Sadiq Al-Mahdi, the leader of the National Umma Party (NUP), one of the mainstream opposition groups in Sudan, who had been forced into a voluntary exile for signing the Paris Declaration leading the NCP to state that he would be arrested

on entry. The NUP were members of the National Dialogue, but they left following the arrest of Sadiq Al-Mahdi in May 2014 for criticising the RSF and their involvement in Darfur and other parts of the country.

When asked about the treatment of journalists, the London based NGO stated that journalists were at special risk in Sudan. According to the source the authorities targeted not only journalists, but also people who fed the journalists with information.

The London based NGO further explained that in Sudan there were arbitrary 'red lines' for what journalists may and may not write about. The source described media restrictions in Sudan as somewhat strange as there were some concrete red lines e.g. do not criticise Bashir or anything directly related to him. However, in the past the media had been able to criticise other political leaders, decisions etc. But this was very arbitrary. According to the source everything was down to mid-level NISS officials. One day an article would be allowed to talk about the conflict in the Blue Nile State, another day a newspaper would publish a similar article and they would be punished for it. Such restrictions applied across a number of sensitive media reporting issues, including the situation in Darfur or the Two Areas, or the treatment of journalists from these regions.

Human rights activists were also identified by the London based NGO as a group who were always at risk in Sudan, according to the source.

According to the London based NGO, the authorities used the laws arbitrarily and there were no clear rules for arresting people. The NISS operated with impunity and were not held accountable for their actions. It was added that NISS could put a person in pre-trial detention for four and half months.

The London based NGO stressed that there was no state sponsored judicial help in Sudan, and if a person with no financial resources or connections needed judicial help, it fell upon the local or the international organisations to provide assistance to such person.

According to the London based NGO one could not prosecute people from the RSF or the police due to their impunity as enshrined in the 2010 National Security Act. The authorities could put people in so-called ghost houses, where they would be subjected to torture and harsh interrogation.

The source explained that in order to shut down an organisation or silence a person critical of the government, the Sudanese authorities would sometimes use the judicial system in the first place, namely the civil or the military court system; and if that failed the authorities relied on the police, the NISS or the Rapid Support Forces (RSF) to threaten and harass the person or the organisation in question.

The source stated that racism was a particular problem in Sudan. The source explained that whilst a person of white ethnic origin would generally be treated with respect, a person with 'darker skin'



could be referred to as a 'slave'. There was a genuine perception in Sudan of racial superiority and the 'darker' a person's skin, the worse they would be treated. Such attitudes were also held in Khartoum.

When asked if a person would hide his African ethnic identity, the source replied that this would not come as a surprise if that was the case, however the source did not have any concrete verifiable information on this subject.

The London based NGO stated that in the outskirts of Khartoum there were a number of camps where people from Darfur and the Two Areas lived. These people often had jobs within the informal sector. The source added that the authorities sometimes arrested persons working in the informal sector, for example in the case of illegal tea sellers. However, the main purpose of such arrests was to obtain a bribe.

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### A UN official

Khartoum, 27 February 2016

**About the source:** The source works with the security situation in Darfur and frequently travels to Darfur.

Regarding the prevalence of checkpoints on the road between Darfur and Khartoum, the UN official stated that there were government checkpoints, rebel checkpoints and so called 'gangs' checkpoints.

At 'gangs' checkpoints, local criminal groups robbed commercial vehicles. These checkpoints were found on the main road in the rural areas as well as on the small roads. Sometimes, gangs also attacked government vehicles and robbed them.

The source further said that from time to time, rebels and gangs had attacked ordinary citizens on the way to or from Darfur, but this had not stopped people from moving between Darfur and Khartoum. The source added that there were regular buses between Darfur and Khartoum, and many people travelled by road.

When asked what the authorities were checking at government checkpoints, the UN official advised that they would check for goods and weapons. It was added that ordinary civilians would usually not face any difficulties at government checkpoints. The authorities could sometimes check persons for security reasons – asking them to step out of the car and checking their IDs or the registration of the vehicle. If they suspected someone, he would be checked thoroughly.

When asked what would happen if a person approaching a government checkpoint was asked to show his ID and he did not have it, the source advised that such person could be asked to prove his identity in some other way, for example other family members or local leaders could vouch for the person. According to the source, sometimes those stopped were allowed to pass through a checkpoint even if they did not have ID documents. However, if officers were not satisfied with an individual's explanation regarding his lack of identity documents or claimed identity and/or suspected him of nefarious activities, they could detain him for a while. According to the source, there were officers from the NISS present at the government checkpoints. When asked whether the NISS officers were present at all government checkpoints, the source replied that this was not the case, but the police were present at all checkpoints.

The UN official stated that government checkpoints were only found on the main road, while other types of checkpoints could also be found on the side roads.

The source explained that the journey between Khartoum and Darfur did not go through rebel-held areas. However, the source emphasised that the situation was not static and the frontline could move. According to the source the security situation in main towns was good, and the government was very strict on allowing people to come into the cities, particularly if they were coming from rebel controlled areas. The government was looking for what they called 'sympathisers' (with rebel groups).

The UN official stated that Khartoum was a safe place for many Darfuris who had fled the conflict in their area. According to the source, the government did not want supporters of the rebel groups from moving to Khartoum. It was added that a person's tribal affiliation was a source of suspicion for the authorities, particularly if a person was of African descent. According to the source those from Zaghawa, Masalit and Fur tribes, were more likely to be suspected by the NISS of supporting rebel groups. However, the source emphasised that not everybody from these tribal groups would be suspected and targeted. The NISS only targeted those who were suspected of being involved in specific activities supporting the rebel groups, according to the source.

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**Ron Mponda, UNHCR Branch Office, Assistant Representative (International Protection), UNHCR Khartoum**

Khartoum, 24 February 2016

**About the source:** The source stressed that UNHCR does not work with IDPs in the Khartoum area. They do work with refugees, including South Sudanese refugees.

According to UNHCR the returned Sudanese nationals included recognised refugees, some of whom were in the resettlement pipeline; asylum-seekers; failed asylum-seekers and ordinary migrants. When asked if UNHCR was present at the airport when refugees, asylum seekers and rejected asylum seekers were sent back from other countries to Sudan, the source explained that there was no structured system for receiving failed asylum seekers in Sudan and UNHCR was usually not informed by the authorities about persons being returned.

The source added that in recent years specifically in December 2015, deportation of rejected asylum seekers had taken place from Jordan, but UNHCR was not present at the airport. According to the source, the procedures for receiving these refugees had been simplified, and after registration of identity details they were assisted with regard to transportation to their families. The source emphasised that UNHCR was not present at the airport, and the source had received this information from the Sudanese authorities.

When asked about the alleged detention of asylum seekers returned from Jordan, the source stated that UNHCR was not able to verify whether any of the returnees had been detained. However, the source stated that if a person had a high political profile, one could not rule out the possibility that he could face difficulties with the authorities. When asked kind of person would be considered 'high profile', the source advised that this could be persons with connections to rebel groups, or for example, a student activist who was involved in arranging demonstration.

Concerning the possible impact of a returnee's tribal and ethnic affiliation, the source had no information on this. The source stated that it was difficult in practice to treat persons differently on the basis of their tribal affiliation. The source explained that in Darfur alone there were about 400 different tribal groups, and it was difficult to say which one of these groups would be targeted and which one not. In addition, one could find mixed parentage of different tribal and ethnic origin. The source highlighted that dealing with tribal issues required more detailed anthropological studies.

According to UNHCR, persons from Darfur or the Two Areas did not face any difficulties from the authorities when travelling to Khartoum. According to the source, it was only foreign nationals who needed a permit for travelling inside of Sudan.

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### **Western embassy (A)**

Khartoum 25 February 2016

The Western Embassy (A) started the meeting by emphasising that in general it was very difficult to obtain confirmed information in Sudan and the source's knowledge about the issues mentioned in the terms of reference were often based on rumours and anecdotes.

Asked about differential and discriminatory treatment at the airport of Sudanese coming back from abroad, the source stated that he had not heard that people were treated differently upon arrival from abroad, due to their tribal or ethnical background. The source did not consider that long-term residence abroad would by itself give rise to suspicions of anti-government activity, resulting in them being targeted by the authorities upon return. It was added that a large number of Sudanese had been staying abroad for many years and they did not face any problem when returning to Sudan.

The Western embassy (A) had never personally talked to any Sudanese being forcefully sent back to Sudan. The source assumed however that rejected asylum seekers would face difficulties upon return if they had been politically active against the Sudanese government prior to their fleeing the country or had drawn media attention because of their open, public criticism of the government. The source had no information to support that applying for asylum abroad alone would cause persons from Darfur and the Two Areas problem upon return if they were not politically profiled.

According to the source, the Sudanese authorities had on multiple occasions seized the passport of a person who was going to participate in a sensitive international meeting or conference, for example, an event about a political or human rights issue that the government did not want people to participate in. These passports were often returned after a period of time, which did not always mean that the persons would be allowed to travel freely. The source added that the government of Sudan was more interested in checking passengers travelling out of Sudan than those coming back.

Asked about the function of the security desk at Khartoum International Airport, the Western embassy (A) believed that the NISS established the security desk at the airport in order to control persons entering the country. The officers at the security desk checked passports against their database, presumably to see whether a passenger was wanted by the authorities. The source, who had previously been through the security desk several times before, following overseas trips, added that the security check tended to be carried out without any conversation between the security officer at the desk and the passenger. The source added that in general the NISS were in particular looking for persons affiliated with international terrorism.

Asked whether the NISS officers at the airport were particularly suspicious of persons coming from certain countries, the Western embassy (A) replied that this was not necessarily the case. However, passengers going to, and perhaps also coming from, Turkey might receive more attention of the NISS due to possible connection to the international terror networks in Syria.

The Western embassy (A) stated that persons from Darfur and the Two Areas who were arrested because of their political activities may be treated more harshly due to their tribal and ethnic background. As an example, the source referred to Darfuri students arrested during demonstrations in 2015 who were subjected to racist verbal abuse and sexual harassment.

According to the source, there was an underlying tension between Arab and African tribes in Sudan and Darfuris tend to be identified as African even if they belonged to an Arab tribe.

The Western embassy (A) opined that it was difficult for a person from Darfur or the Two Areas to get a fair trial at a court, if he had been subjected to discriminatory or ill-treatment by the authorities. It was highlighted that the NISS and the police more generally, were able to operate with impunity.

The Western embassy (A) stated that, in general, there was a certain level of discrimination by the authorities against persons from Darfur and the Two Areas, which the source exemplified by referring to the harsh treatment of Darfuri students protesting against the government. According to the Western Embassy (A), on some occasions there were overlapping factors to help explain why the authorities acted in a certain way. For example, in one case religion and ethnicity were likely background factors to help explain why the authorities seized land in Khartoum belonging to a Nuba Christian church.

Concerning societal discrimination, the Western embassy (A) advised that in general there was no visible tension in Khartoum, except perhaps between student groups on campus. However, large numbers of people from Darfur and the Two Areas were part of the vulnerable groups living in the city's poor neighbourhoods.

As regards the profile of persons from Darfuri and the Two Areas who were being monitored and targeted by the authorities, the Western embassy (A) stated that in general every person who had a voice and criticised the government, for instance Darfuri students criticising the government policy on student fees or members of opposition political parties, may be monitored and targeted by the NISS. If a person from Darfur or the Two Areas was not involved in any activity they would not be at significant risk of being targeted merely due to his or her tribal and ethnic affiliation. However, the source added that a Darfuri activist would be at greater risk of being targeted, compared to those activists not from Darfur, and so the authorities would be particularly sensitive to his activities and may treat him more harshly upon arrest. The Western embassy (A) emphasised though that the main reason for targeting someone was not their tribal and ethnic background, but rather their activities. For example, there was a protest against the building of a dam in Khartoum which did not involve persons from Darfur or the Two Areas, yet still protestors were detained by the authorities.

The source added that it was sometimes difficult to understand the reason why the authorities targeted a person. The source mentioned, for example, that they had met someone who previously was a member of an armed opposition group but no longer active. The person told the Western embassy (A) that the authorities had recently interrogated his father and he wondered why, as he was not active anymore.

Asked about persons working for humanitarian organisations, the Western embassy (A) advised that humanitarian organisations which were not part of the government, faced difficulties in obtaining permits for their operations, as well as visas for staff.

The Western embassy (A) did not have information on how many people from Darfur and the Two Areas lived in Khartoum, however, the source mentioned that Darfuris comprised a significant community in the city.

According to the source, Khartoum attracts people from all over Sudan who come to the capital to find a job and stay in the city and/or to further emigrate abroad. The source said that there were better job opportunities in Khartoum compared to other places in Sudan.

Many persons from Darfur and the Two Areas lived in poor neighbourhoods surrounding the city centre of Khartoum, according to the source. While never having visited these areas, the source added he had heard that there was some minimal level of access to services (education, healthcare and housing) in these neighbourhoods, and living conditions and services were poor here compared to the city centre. Humanitarian organisations were not allowed to operate in these areas. The source emphasised that living conditions were also dire for local people from Khartoum and other communities, such as the large number of Syrian refugees living in the city (at least those without financial means of their own). However, according to the source, a person coming from more deprived areas of Sudan, where the level of services was much lower than in Khartoum, may consider a certain improvement in their living conditions in the capital. It was added that there were no IDP camps in Khartoum.

Regarding the security situation in Khartoum, the Western embassy (A) assessed that Khartoum was a reasonably safe city and the security was not a major issue at least compared with the situation in other African capitals.

Asked whether Khartoum was a safe place for a person from Darfur or the Two Areas fleeing a private conflict or a conflict with militia groups in his area, the Western embassy (A) said that it depended on the profile of the person: if you were not a highly profiled person, Khartoum could be a safe place for you to hide, so long as the group you had a conflict with did not have a network in the city to use against you. If the conflict was with individuals affiliated with the authorities or allied militias, fleeing to the capital may not be effective. According to the source, some people considered Khartoum as the safest city in Africa. However, the city to some extent was affected by crime.

Concerning access to the labour market in Khartoum, the Western embassy (A) said that he did not have much information on this. The source mentioned that some Darfuri students had informed them that, in general, university graduates affiliated to the ruling NCP party had much better chance of get a public-sector job, compared to other graduates. The source underlined

however that being a member of the NCP party had limited benefit for Darfuris or those from the Two Areas seeking to access government jobs.

The Western embassy (A) did not consider it as a problem for persons of Darfuri or the Two Areas origin to obtain different types of Sudanese documents (National Number, Passport, Id card etc.) and he had never heard of any person having difficulties in this regard, due to his ethnic or tribal background. The source did not rule out the possibility that a person monitored or wanted by the authorities due to his political activities faced some difficulties in obtaining or retaining certain documents such as passport, but in general everyone had access to documents.

The source advised that it was possible to travel to and from Darfur by air and it was also physically possible for people from the Two Areas to come to Khartoum by road. However, security conditions would make travel by road to Southern Kordofan (Kadugli for example) or Darfur inadvisable. In Blue Nile State, the road to Damazine was currently considered safe but travel to other parts of the state could be insecure. Security conditions generally varied based on local developments, according to the source.

Regarding travelling by road to Khartoum from the Blue Nile state, the source mentioned that it takes about eight hours to drive the 700 km distance between the Blue Nile State and Khartoum. There were a dozen checkpoints en route, of which three-four were major checkpoints with infrastructure and gates blocking the road while others were minor checkpoints that may or may not be manned.

At these checkpoints, not every vehicle or every person was checked – some could go through without being stopped, while others were stopped and checked. The source had sometimes seen buses being pulled back and checked for speeding or due to security reasons. Many of these checks related to the control of goods being transported between different states in Sudan.

The source had heard that access to some areas of the Blue Nile State were strictly controlled by the authorities due to security reasons, and people needed permission to enter or leave these areas.

The source emphasised that NISS was always present at the airports and at many of the checkpoints, and would arrest a wanted person if they tried to flee. The source knew of an incident where the NISS arrested a person waiting for his flight at a local airport in Al Fashir.

Apart from the areas mentioned above, where access was restricted, there was no problem for ordinary civilians (i.e. those who did not have a political profile) moving between Khartoum and Darfur and the Two Areas by plane; by road, conditions in many areas were at times insecure due to conflict or widespread criminality (the latter particularly in Darfur).

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## Western embassy (B)

Khartoum 24 February 2016

The Western embassy (B) stated that they had limited specific information about the treatment of returnees of Darfuri or the Two Areas origin at Khartoum airport, including information about the treatment of rejected asylum seekers who were forcibly returned. There were no forced returns effectuated by the source's country, only voluntary return, according to the Western embassy (B). Roughly 30 persons returned on a voluntary basis per year from the source's country. The Western embassy (B) was not aware of returnees that had encountered problems upon return. The source expected returnees to get into trouble only if they had taken a political (anti-government) stance. Even in cases where people returned after having obtained asylum (because of being against the government), there was no trouble the moment they pledged allegiance to the government. The source knew a few cases where even persons from the Nuba Mountains who had been involved with the SPLM and who had obtained asylum in the source's country had later come back to Sudan without facing any problem. The Western embassy (B) highlighted that it was the political activity a person was involved in that – in the source's view – determined whether one got into trouble or not.

According to the source, at least two other Western embassies had recently deported (forced return) a number of rejected asylum seekers to Sudan. The Western embassy (B) emphasised that the Sudanese government made no effort to reintegrate the returnees in their home area.

Asked about the factors determining the treatment on arrival, the Western embassy (B) assumed that treatment of returnees depended on their activities before they left the country. Against this background, persons with no political profile or low-profiled persons would most probably not face any difficulties with the authorities upon return. The source added that neither seeking asylum abroad nor long-term residence abroad would cause a person problems per se; providing they had not been involved in activities frowned upon by the government. The source knew of several Sudanese who had stayed in Western countries for many years and they did not face any difficulties when they visited Sudan.

Regarding the possible impact of tribal and ethnic affiliation on the treatment a returnee received upon arrival, the source stated that it was primarily returnees' activities, including civil society activities or being affiliated with rebel groups, which was most important; rather than his or her tribal or ethnic background. You would face difficulties if there was 'a red notch' at your name in the system at the airport, the source explained.

Concerning possible consequences of not having an exit stamp in one's passport when coming back from abroad, the Western embassy (B) did not consider it probable that a person would leave



or come back to Sudan with a Sudanese passport with no exit stamp in it. According to the source, a person who had obtained a passport would spend the time and money to obtain an exit stamp; otherwise he would not be able to leave the country via the legal borders, including the airport.

Regarding the profile of persons and groups of Darfuri and the Two Areas' origin being monitored and targeted by the authorities in Khartoum, the Western embassy (B) assumed that the whole community of people from these three areas in Khartoum were monitored by the NISS and its informants in these communities. The source emphasised, however, that it was the community as a whole, and not the single individual, which was monitored by the NISS. Nevertheless, if an incident happened or an activity was observed which caused suspicions against specific individuals, they would be monitored. It was added that it was particularly people from tribes such as Fur who supported the rebel groups who were monitored by the authorities. But if you were Darfuri who were only doing business without being political, you would face no problem with the authorities in this regard.

The Western embassy (B) mentioned Darfuri student activists and journalist who were outspoken about certain issue as two groups monitored and targeted by the authorities. Regarding journalists, the source advised that it was not a problem for a journalist writing articles about issues such as women's rights, but as soon as a journalist spoke or wrote about issues perceived as critics of the military, the NISS, the president and the government, he would be targeted.

The Western embassy (B) stated that there was no direct and explicit discrimination against people from Darfur and the Two Areas in Khartoum. However, there were practices and structures which persons from these minorities found discriminatory. As an example, the source mentioned the issue of Darfuri students considered it discriminatory that they had to pay university fees, which they believed the Doha Peace Agreement exempted them from.

The source also mentioned that the Public Order Police harassed Christian Nuba women if they did not observe Islamic dress. According to the source this treatment targeted Nuba women specifically as neither European women – such as female staff working at the embassy – nor Coptic Christian women in Khartoum, were subjected to similar harassment. Asked whether this harassment was due to their tribal and ethnical background or religion, the source replied that it was difficult to give a clear answer to this question, however, the source considered that the authorities used religion to target Nuba persons and that this was the most likely reason behind such harassment. The source added though that there were an increasing number of Nuba girls challenging the Islamic dress code, according to the source.

The Western embassy (B) advised that Darfuris and persons from the Two Areas could freely move to and settle down in Khartoum, however, living conditions were dire in Khartoum, and a large number of people from these areas lived in poor areas in Khartoum, where access to basic services such as education and healthcare were limited. According to the source, if a person from these

areas had money and could start his own business in Khartoum, he would probably not experience any difficulty and discrimination in Khartoum with regard to access to services.

For persons from Darfur and the Two Areas, access to jobs in the public sector was possible and the Western embassy (B) stated that there were government employees who originated from these conflict-areas. The source did not know whether these employees were recruited based on political factors or if they had obtained these jobs due to their qualifications and experience. The source was unable to clarify what if any impact their tribal and ethnic affiliation had on their recruitment into the public sector.

According to the Western embassy (B), Khartoum was a safe place for a person fleeing other areas in Sudan due to conflict, including a local private dispute. However, the source further clarified that if they did not have money, they would need to live in the poor slum areas of Khartoum. The source opined that if a person had a dispute with the authorities in his home area, he would likely be at risk in Khartoum from the authorities. When asked if the source considered Khartoum a safe place for a person who had a dispute with and was threatened by a militia person, for instance a Janjaweed in Darfur, the source stated that as mentioned before it depended on activities the person was involved in – if he was perceived as being in opposition to the government, then likelihood of being in trouble was higher also in Khartoum.

The Western embassy (B) pointed out that sometimes a private conflict could be settled locally. As an example, the source mentioned that in several land dispute cases ordinary civilians in Darfur had taken their case to court for resolution and in a few cases had won their claim.

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### Western embassy (C)

Khartoum, 23 February 2016

Regarding the treatment on arrival at Khartoum International airport for persons from Darfur and the Two Areas returning to Sudan, the Western embassy (C) advised that they had monitored the forced return of two persons from Europe at the airport in 2015 where they were handed over to the Sudanese authorities. The source did not observe any hustles or physical harsh treatment by the authorities. However, the Embassy mentioned that the returnees had to go through a long administrative procedure and possibly had to fill out a number of papers. When the source left the airport one and half hours later, the returnees were still occupied but the source believed that the authorities let them go afterwards. The Western embassy (C) was not sure whether the returnees had to pay a bribe to the authorities as it was not unusual to do so due to the existing rampant corruption in the country. The source had no information about these returnees' place of origin in Sudan. Asked about the date of this return, the source replied that in order to keep the anonymity, the embassy preferred not to mention the date of return of the nationals.

When asked if a long time stay abroad could cause suspicion amongst the authorities, the Western embassy (C) stated that this was not the case. Many Sudanese were living and working abroad and they did not face any problems upon return.

Asked whether coming back from certain countries, for instance Western countries, could cause a returnee problem, the Western embassy (C) opined that this was not the case. The source assumed, however, that returnees from Israel could be at risk of harsh treatment upon return. The source knew of a Sudanese being incarcerated due to the flight tag he had on the bag, which somehow showed a connection to Israel.

Regarding the impact of carrying emergency paper on the treatment received upon return, the embassy advised that they had never heard that carrying emergency paper should have caused a returnee problem with the authorities.

The source advised that a person arriving at Khartoum International Airport should go through three types of checks. The first one was the immigration desk. This was where they would check for travel documents including exit visa. At the second desk, which was the NISS desk, they would check the person's name against a list on their computer. If there was a problem with the person, he would be stopped there. According to the source, only persons with a certain level of profile would be stopped here. No stamps would be put on the passport at the NISS desk. The third desk was where the police/customs were checking for goods including alcohol.

Regarding the impact of tribal and ethnic affiliation on the treatment upon return, the embassy advised that Darfuris and persons from the Two Areas may face some hustles, but they would not face any difficulties upon arrival if not flagged before by the NISS. Asked what the embassy meant by 'hustle', the source replied that it meant to be treated impolitely and probably asked to pay a bribe. According to the source, a returnee would only face difficulties if he was on the NISS' list. The source highlighted that once a person's name was put on the NISS list, it would be extremely difficult to be deleted from it again.

Asked about the consequences of being on the NISS' list, the Western embassy (C) explained that the law in Sudan worked in such a way that it was up to the officer dealing with the specific case to determine what the outcome should be and the NISS officers enjoyed impunity.

The source knew of one Sudanese, who worked at a Christian school. For unknown reason, the NISS suddenly started harassing him asking him to provide different documents about the work performed at the school. He had to report personally to the NISS's office every day. At last, he was arrested incommunicado and stripped of his Sudanese nationality (based on his father's Eritrean nationality) which left him stateless. After some time, the person was released upon guarantee that he would leave Sudan and was granted asylum in a Western country. The source assumed that if such a person returned to Sudan, he would be targeted.

Concerning the impact of seeking asylum abroad on the treatment upon return, the Western embassy (C) advised that seeking asylum alone would not cause a failed asylum seeker problem upon return. What mattered was whether a person had a file with the NISS.

The Western embassy (C) knew a case of a known Sudanese who was affiliated with an opposition party and who had made some public statements against the president. He went subsequently to a European country and asked for asylum. During the National Dialogue, when president Al-Bashir declared an amnesty for political activists, this person returned to Sudan and he did not face any problems upon return. The source concluded that seeking asylum in itself did not have an impact on the treatment upon return.

The Western embassy (C) advised that there was a certain level of general societal discrimination against persons of non-Arab origins; they could for instance be called 'slaves' or 'blacks'. However, one would find a great number of Darfuris in the police in particular. As an example the source mentioned the Minister of Health who was a Darfuri.

Regarding the possibility for persons from Darfur and the Two Areas to get employment as civil servants, the source advised that this was possible in Khartoum, although unemployment rate was generally high and it was also difficult for all other Sudanese to obtain employment in public offices.

According to the source, there was no doubt that university graduates from Darfur and the Two Areas faced more difficulties to find employment in the formal sector due to the general discrimination against African Sudanese. In Sudan there was a perception that if two equally qualified persons with different ethnical background, one African and the other Arab, applied for the same job, the Arab applicant would be preferred. However, the source opined that it was not impossible for Darfuris and persons from the Two Areas in Khartoum to find employment in the formal sector. According to the source, the difficulties persons of non-Arab origin were facing in Sudan with regard to access to the labour market due to discrimination were somehow similar to those faced by refugees and immigrants in Europe.

According to the Western embassy (C) Darfuris were better organised than other minority groups in Khartoum and worked through different organisations such as the Darfur Bar Association, who provided legal help to Darfuris.

The Western embassy (C) stated that a large number of Darfuris lived in poor neighbourhoods in the outskirts of Khartoum one could find many Darfuris at the markets in these areas. It was too expensive for Darfuris to live in the city centre, according to the source.

Asked whether Khartoum was a safe place for persons fleeing a conflict in other areas in Sudan, the Western embassy (C) replied that it depended on the type of conflict. The source clarified that

Khartoum was a big city and you could easily hide in the city if you did not have a profile with the authorities.

## Appendix B: Sources

### Consulted sources

#### Sources consulted in Khartoum, Sudan

A civil society NGO

A diplomatic source

Ahmed Eltoum Salim, Director, European and African Centre (EAC)

A Khartoum based human rights organisation

A Khartoum based journalist (1)

A Khartoum based journalist (2)

A Khartoum based journalist (3)

An international consultant

A professor in law

A senior staff member of an international organisation

A UN official

Darfur Bar Association (DBA), Khartoum

Hamad Elgizouli Morowa, Commissioner for Refugee, Ministry of Interior

IOM

Ron Mponda, UNHCR Branch Office, Assistant Representative (International Protection), UNHCR

Western embassy (A)

Western embassy (B)

Western embassy (C)

#### Sources consulted in Kampala, Uganda

Abdelrahman Elgasim, External Relations Secretary, Darfur Bar Association (DBA), Kampala

African Centre for Justice and Peace Studies (ACJPS)

A regional NGO

The East and Horn of Africa Human Rights Defenders Project (EHAHRDP)

The National Human Rights Monitors Organisation (NHRMO)

Sudan Democracy First Group (SDFG)

Two human rights lawyers from Khartoum

Sources consulted in Nairobi, Kenya

Crisis Group

Faisal Elbagir, Journalists for Human Rights (JHR)

Freedom House

Sources consulted in London

A London based NGO

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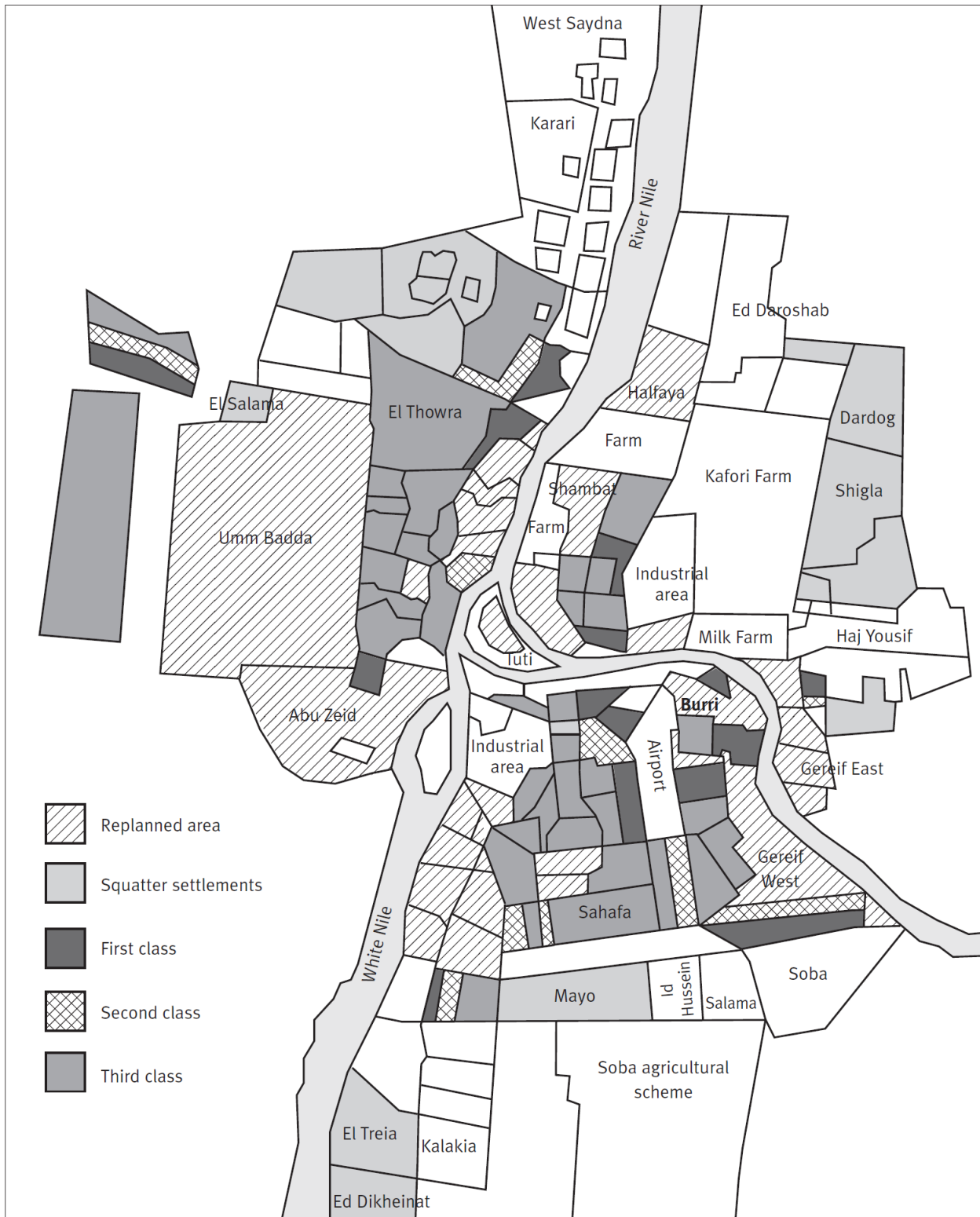
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## Appendix C: Terms of reference

1. Treatment – upon arrival – of people returning to Sudan after having left the country illegally or after a long-term stay outside Sudan, including failed asylum seekers
  - 1.1. Possibility to re-enter Sudan for people returning to Sudan after having left the country illegally or after long-term stay outside Sudan, including failed asylum seekers
  - 1.2. Immigration checks undertaken at Khartoum International Airport for enforced returnees/persons without a current passport and the likelihood of detention.
  - 1.3. Possible difference in treatment upon re-entry based on tribal and/or ethnic affiliation
2. Treatment of persons from Darfur and Southern Kordofan in Khartoum, including treatment by authorities as well as treatment by other tribes, ethnic, religious and/or militia groups
  - 2.1. Persons belonging to a particular tribe
  - 2.2. Students, political activists, persons associated with rebel insurgents, human rights activists, journalists, civil/tribal leaders, persons involved in humanitarian activities and persons who have been abroad
  - 2.3. Possible difference in treatment of persons mentioned in 2.2. based on tribal and/or ethnic affiliation
  - 2.4. Family members to people from one of the above-mentioned profiles
  - 2.5. Possible differences between Khartoum and other big cities in Sudan with regard to treatment of above-mentioned groups
  - 2.6. Ability of non-state agents, including militia groups, to trace and monitor a person fleeing to Khartoum from Darfur or Southern Kordofan, through collaboration with government security forces
3. Situation in Khartoum for persons from Darfur and Southern Kordofan, including for internally displaced persons (IDPs):
  - 3.1. Population figures for IDPs and economic migrants living in Khartoum
  - 3.2. Living conditions: access to basic services, food, water/sanitation, housing, health, education and protection, including conditions in IDP camps or government funded shelters.
  - 3.3. Prevalence of societal or state-initiated discrimination/harassment against specific groups, including discrimination with regard to obtaining documents (permits, licenses, residence requirements etc.).
    - 3.3.1. Complaint mechanisms and possibility to seek redress
4. Access to Khartoum by road and air from Darfur and Southern Kordofan regions and vice versa.

## Appendix D: Map of Khartoum



Source: Humanitarian Policy Group; City limits: *urbanisation and vulnerability in Sudan, Khartoum case study*, January 2011 <https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/6520.pdf>