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GENERAL REPORT.

SUDAN. HUMAN RIGHTS SITUATION AND SECURITY ISSUES

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All information presented has been carefully verified, with the exception of some general aspects which represent common knowledge. The offered information has been studied, evaluated and carefully analyzed, with some time constraints. Thus, this document does not claim to be an exhaustive one. As such, we do not claim that it could be used in order to decide only on its basis the humanitarian issue in the country of origin.

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If a certain event, person or organization is not included in this report, this does not mean that the event did not take place or that the person and the organization itself do not exist. This document does not offer conclusions regarding the merits of granting any form of protection. It only partially contributes to forming the opinion of the decisive factor, who should take the decision by respecting the other procedural aspects and by taking into consideration the specific circumstances of each case.

The information and opinions expressed do not reflect the official position of the General Inspectorate for Immigration or of his partner in implementing the project AMIF/22.02.04 Management of COI Usage and Research Processes.

Romanian National Council for Refugees

Editorial committee

The present general report presents information publicly available as of 1 October 2023.

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Political situation

On 15 April 2023, a violent power struggle broke out in Sudan's capital of Khartoum between the two main factions of the ruling military regime: the Sudanese Armed Forces (SAF), which acts as the official Sudanese army, and a rival paramilitary force, the Rapid Support Forces (RSF). The violence broke out as a result of rising tensions between Sudan's most powerful generals. These generals jointly staged a coup d'état in October 2021; in 2019, the RSF, which comprised former militias from the Darfur war (from 2003–2020), joined forces with the Sudanese army to overthrow Sudan's long-time leader, Omar al-Bashir, leading to a civilian-military power-sharing government. In 2021, the military and the RSF used the pretext of political wrangling between civilian camps to seize full power. Subsequent negotiations on how to integrate the RSF into the SAF eventually led to clashes. The main reason behind the clashes was the lack of agreement on who would be exercising ultimate control over the combatants. On 13 April 2023, the SAF noted uncoordinated redeployments of RSF units towards critical infrastructure and buildings in Khartoum and other parts of the country. This was an illegal move that the military government considered risky, as it could produce confrontations between the army and the RSF. On 15 April, the RSF issued a statement claiming control of the presidential palace and Khartoum International Airport, among other key locations. Since then, there have been clashes between the RSF and the SAF in Kassala, Khartoum, North Darfur, North Kordofan, and South Darfur states.¹

[Prior to that, in] October 2021, General Abdel Fattah al-Burhan led a military takeover that ousted Prime Minister Abdalla Hamdok and his government. Hamdok was briefly reinstated in November 2021 but resigned in January 2022. Burhan served as de facto head of state and government since October 2021 while a cabinet of acting ministers handled day-to-day administration. Following the October military takeover, authorities continued to amend and restructure laws put in place by the civilian-led transitional government.²

On October 25, 2022, Sudan's military chief, Lt. Gen. Abdel Fattah al-Burhan, effectively led a military coup against Sudan's transitional government and declared a state of emergency. On December 26, he issued an emergency order granting security forces immunity and restored arrest powers to the General Intelligence Service (GIS), which has a track record of serious

¹ ACAPS, Briefing note – Sudan, 19 April 2023, <https://reliefweb.int/report/sudan/acaps-briefing-note-sudan-conflict-19-april-2023>, accessed on 2 October 2023

² United States Department of State, 2022 report on international religious freedom: Sudan, 15 May 2023, <https://www.ecoi.net/en/document/2091931.html>, accessed on 1 October 2023

abuses. The emergency order overturned a decision by the transitional government to deny the agency arrest powers. Since Burhan restored the agency's arrest powers, arbitrary arrests of protesters have spiked. The authorities abuse their emergency powers to carry out unlawful detentions, including incommunicado detentions, Human Rights Watch found.³

In January, Hamdok resigned after days of mass protests rocking the capital Khartoum. Thousands marched against a recent deal he had done to share power with the army. Chanting "power to the people", protesters called for a return to full civilian rule. But military forces again responded with force, leaving two people dead.⁴

In April 2023, after weeks of tensions building over a plan to hand power to civilians, heavy fighting erupts in Khartoum and clashes are reported in several other cities. The war broke between Sudan's army and the paramilitary Rapid Response Forces (RSF), devastating the capital Khartoum, causing a sharp increase in ethnically-driven violence in Darfur, and displacing over three million people. On April 15, RSF forces loyal to Mohamed Hamdan Dagalo, better known as Hemedti, storm the residence of army chief General Abdel Fattah Al-Burhan, as they try to seize strategic sites in the heart of the capital.⁵

After military commanders and a prodemocracy protest movement ousted the repressive regime of longtime president Omar al-Bashir and his National Congress Party (NCP) in 2019, Sudan was ruled by a transitional government in which military and civilian leaders agreed to share power until national elections could be held. The government began to enact reforms, and space for the exercise of civil liberties slowly opened. However, the process was thrown into turmoil in late 2021 when the military leadership dissolved the transitional government in a coup and cracked down on the ensuing prodemocracy protests. Throughout the transition period, violence involving security forces, other armed groups, and rival ethnic communities has persisted in many parts of the country. In January 2022, Prime Minister Hamdok resigned, following weeks of protests by those opposing the military government, as well as the November 2021 deal that reinstated Hamdok as prime minister. The FFC, the Umma party—Sudan's largest political organization—and Sudanese people across the country rejected the

³ Human Rights Watch, Sudan: Hundreds of protesters detained and mistreated, 28 April 2022, <https://www.hrw.org/news/2022/04/28/sudan-hundreds-protesters-detained-mistreated>, accessed on 2 October 2023

⁴ BBC, Sudan coup: Prime Minister Abdalla Hamdok resigns after mass protests, 3 January 2022, <https://www.bbc.com/news/world-africa-59855246>, accessed on 2 October 2023

⁵ Reuters, Sudan's 100 days of war between rival military factions, 23 July 2023, <https://www.reuters.com/world/africa/sudans-conflict-since-fighting-erupted-mid-april-2023-05-11/>, accessed on 2 October 2023

November agreement, staging regular protests throughout 2022 to demand a full civilian government. In December 2022, the military signed a framework agreement to enable cooperation with civilian groups to draft a transitional government.⁶

Security situation

Four months into the conflict, ACLED records nearly 7,500 fatalities in Sudan since fighting broke out between the Sudanese Armed Forces (SAF) and paramilitary Rapid Support Forces (RSF) on 15 April. From 5 August to 1 September 2023, over 470 political violence events were reported, with more than 2,280 fatalities. Khartoum state was the site of intense fighting as the SAF and RSF fought for control of the Armored Corps base and Shambat bridge. Meanwhile, inter-ethnic violence escalated in South Darfur, which has witnessed increasing levels of violence since July. Khartoum state continues to have the highest number of recorded political violence events and fatalities, with over 300 and 1,400, respectively, during the reporting period. South Darfur state follows, with nearly 40 political violence events and over 380 fatalities. Fighting between different ethnic militias in multiple locations in South Darfur, due to looting and disagreements about allegiance to the RSF, resulted in hundreds of deaths.

The ongoing conflict between the SAF and RSF has led to a concentration of hostilities around strategic locations in Khartoum as well as South and Central Darfur. Both actors have raced to secure key military positions while fortifying defenses since the early stages of the conflict. In August, each side strategically launched offensive operations targeting enemy strongholds. While the RSF managed to take control of substantial portions of Khartoum, Nyala, and Zalingei, the SAF relied on airstrikes that inflicted significant damage on RSF facilities and weapon warehouses. These developments occurred amid a sustained period of clashes contesting the control of bases, bridges, and critical supply routes of both the SAF and RSF in Khartoum and Darfur. Developments have varied across Darfur, with clashes involving ethnic militias and self-defense-driven conflicts, as well as the deployment of armed groups to protect civilians. This report breaks down key trends over the past month, focusing on the battle for strategic strongholds in Khartoum and Darfur and its effect on local communities.

⁶ Freedom House, Freedom in the world 2023 – Sudan, 10 March 2023, <https://www.ecoi.net/en/document/2088562.html>, accessed on 2 October 2023

Since August, the Khartoum tri-city metropolitan area has been home to a new round of heavy fighting between the SAF and RSF. This escalation has been particularly concentrated in the residential areas adjacent to the SAF's Armored Corps base in Khartoum, as well as the neighborhoods of Old Omdurman surrounding the Shambat bridge. The control of key routes has significantly influenced the dynamics and strategic considerations of both parties in this urban theater. The Shambat bridge, for example, is a key location due to its pivotal role as the sole conduit for RSF's movement of troops and equipment across the Nile river from Omdurman to Khartoum via Bahri. The RSF controls both ends of the Shambat bridge, thus maintaining control over this critical position. Reinforcements for the RSF are predominantly channeled from Darfur and Kordofan regions to Omdurman through the Bara road, given that the alternative route linking Kosti and Jebel Awlia is presently under SAF control.⁷

Tensions between Sudan's de facto leader, army chief General Abdel Fattah Burhan, and his former deputy, General Mohamed Hamdan Dagalo, who commands the RSF, erupted into open fighting on April 15, with both sides seeking control of the country.

Although fighting has been focused on the Greater Khartoum area, which includes the cities of Khartoum, Omdurman and Bahri, the western Darfur region, which saw a genocidal campaign in the early 2000s, has also been hit by more ethnic violence.

UN figures from August put the death toll from the conflict at more than 4,000, but doctors and activists say the real number is much higher. At least 7.1 million are now internally displaced, and another 1.1 million have fled to neighboring countries, according to the UN refugee agency.⁸

What started as a power struggle in Sudan to plunge the country into a war entered on August 15th its fourth month. At least 4,000 people are estimated to have been killed, according to a Liz Throssell, spokeswoman for the U.N. human rights office. Since Sudan's conflict erupted on April 15, the country has been plunged into a dire humanitarian crisis, with the United Nations also warning of arbitrary killings and rampant sexual abuse. In western Sudan's Darfur

⁷ ACLED, Sudan: Deadly reciprocal offensives for strategic locations in Khartoum and Darfur, 8 September 2023, <https://acleddata.com/2023/09/08/sudan-situation-update-september-2023-deadly-reciprocal-offensives-for-strategic-locations-in-khartoum-and-darfur/>, accessed on 2 October 2023

⁸ DW, Sudan conflict: Deadly attack hits Khartoum market, 10 September 2023, <https://www.dw.com/en/sudan-conflict-deadly-attack-hits-khartoum-market/a-66771479>, accessed on 2 October 2023

region, the latest fighting has also morphed into ethnic violence, with the RSF and allied Arab militias targeting 'African' communities, U.N. officials say.⁹

On September 10th, an airstrike in Sudan's capital has reportedly killed some 40 people amid a war between the army and a paramilitary group. This is the highest death toll from a single incident since the conflict began in April. Each side has blamed the other for the drone attack, which was carried out in an area occupied mainly by the RSF. Both sides in the conflict have carried out indiscriminate artillery and aerial attacks during the war, with the Greater Khartoum area becoming a major arena for fighting.¹⁰

Localized ethnic or communal conflicts and accompanying violence surged across Sudan in 2022. Hundreds died and hundreds of thousands were displaced in communal clashes between Hausa, Berti, Hamar, Misseriya, and Hamaj tribes in the Blue Nile, Kordofan, and Darfur areas. The government deployed additional security forces, declared states of emergencies, imposed curfews, and engaged in peacebuilding initiatives. However, government responses have at times worsened the humanitarian situation, as security forces detain and abduct people arbitrarily, and authorities are not held accountable. In August, the Darfur Bar Association and its partners reported that the RSF had arrested and forcibly disappeared almost 200 people in West Darfur, mostly local leaders who refused to partake in RSF-led reconciliation efforts, as well as other activists and civilians.¹¹

In Darfur, the site of widespread abuses for almost two decades, attacks against civilians continued. In West Darfur, a renewed cycle of violence since December 2021 left hundreds dead, thousands displaced, hundreds of civilian homes scorched, and property looted.

Between December 5 and 7, 2021, armed groups from Arab tribes attacked the Kereneik locality in West Darfur, including a displaced persons' camp in the area, leaving 44 dead and at least 15,000 displaced.

⁹ Africa News, Sudan war enters 4th month as aid agencies urge immediate action, 15 August 2023, <https://www.africanews.com/2023/08/15/sudan-war-enters-4th-month-as-aid-agencies-urge-immediate-action/>, accessed on 2 October 2023

¹⁰ DW, Sudan conflict: Deadly attack hits Khartoum market, 10 September 2023, <https://www.dw.com/en/sudan-conflict-deadly-attack-hits-khartoum-market/a-66771479>, accessed on 2 October 2023

¹¹ Freedom House, Freedom in the world 2023 – Sudan, 10 March 2023, <https://www.ecoi.net/en/document/2088562.html>, accessed on 2 October 2023

In April, there was another large-scale attack on Kereneik locality, which affected at least 16 nearby villages. Over 160 people were killed and 98,000 displaced according to local authorities. Survivors of the attack said armed Arabs, joined by members of the Rapid Support Forces (RSF), launched the attack which also resulted in significant property damage, including through arson.

In Blue Nile, that borders Ethiopia and is governed by Sudan People's Liberation Army/Movement-North (SPLA/M-North), clashes which occurred between the Hausa and Birta ethnic groups left over 100 people dead, and caused a massive displacement in the region.¹²

In October 2020 leaders of the CLTG and several armed opposition groups signed the Juba Peace Agreement, intended to end nearly two decades of conflict in the country's war-torn regions of Darfur and the Two Areas; however, implementation remained slow and uneven throughout the year. Violence increased around the country with sudden flareups of intercommunal fighting throughout the year, especially in Darfur, Blue Nile, Kassala, and Kordofan States. According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), more than 211,000 individuals fled their homes in Darfur and Kordofan because of violence. In Blue Nile, more than 97,000 persons were displaced since fighting in July and October killed more than 300 persons, according to the OCHA.

Military personnel, paramilitary forces, and tribal groups reportedly committed killings in Darfur and the Two Areas. Most reports were difficult to verify due to continued prohibited access to affected areas, particularly Jebel Marra in Central Darfur and areas in South Kordofan and Blue Nile States controlled by the Sudan People's Liberation Movement-North (SPLM-N). Humanitarian access to Jebel Marra was restricted due to fighting among rival rebel groups. Nomadic militias also reportedly attacked civilians. Renewed intercommunal violence occurred mainly in Darfur, South Kordofan, and Blue Nile State, resulting in the deaths of numerous civilians. On July 10-16, clashes between Hausa and Funj tribesmen in Blue Nile State killed more than 100 persons and displaced more than 15,000. In October further tribal clashes in Blue Nile State killed more than 200.¹³

¹² Human Rights Watch, World report 2023 – Sudan, 12 January 2023, <https://www.ecoi.net/en/document/2085500.html>, accessed on 2 October 2023

¹³ United States Department of State, 2022 country report on human rights practices: Sudan, 20 March 2023, <https://www.ecoi.net/en/document/2089142.html>, accessed on 2 October 2023

Human rights situation

Religious freedom

Sudan's population is mostly Muslim, with a small Christian minority. The 2019 interim constitution guarantees freedom of worship and does not give Islam an official status. The TSC pledged to issue clear guidelines for those seeking permission to build new churches, and Christians welcomed the appointment of a Coptic Christian judge to one of the TSC's civilian seats.

In 2020, the transitional government adopted the Miscellaneous Amendments Act, which repealed the criminalization of apostasy, abolished corporal punishment for blasphemy, and permitted non-Muslims to trade and consume alcohol, among other provisions.¹⁴

Several cases involving persons facing criminal charges for adultery or apostasy went to court during the year. In one case, authorities in Gezira State in October 2021 charged a married couple with adultery based on the Islamic prohibition of a Muslim woman marrying a Christian man. In addition to adultery, authorities charged the couple with violating marriage provisions of the law. According to the couple's lawyer, the pair could have been sentenced to 100 lashes, stoning, or "internal deportation or banishment" if found guilty. The couple was scheduled to attend a hearing in October at al-Baqir Criminal Court in Gezira State. As of year's end, the couple had fled the country and was living abroad, and the hearing was not held.

Individuals from minority religious groups, including Shia and other Muslim minorities, stated they avoided expressing beliefs or discussing religious practices that differed from those of the Sunni majority. Local media stated they exercised self-censorship to avoid addressing religious issues due to concerns regarding negative reactions or reprisals from the majority Sunni community.¹⁵

¹⁴ Freedom House, Freedom in the world 2023 – Sudan, 10 March 2023, <https://www.ecoi.net/en/document/2088562.html>, accessed on 2 October 2023

¹⁵ United States Department of State, 2022 report on international religious freedom: Sudan, 15 May 2023, <https://www.ecoi.net/en/document/2091931.html>, accessed on 1 October 2023

Women's rights

The situation is also particularly dangerous for women and adolescent girls, stressed Laila Baker, Regional Director for The United Nations Population Fund (UNFPA), with 2.6 million women and girls of reproductive age requiring humanitarian assistance.

Some 260,000 women are now pregnant and almost 100,000 are expected to give birth in the next three months. But without critical services, including hospitals and safe delivery, “their lives and those of their children and the babies that are going to be the future generation are severely at risk”, Ms. Baker said.

The threat of sexual violence is an additional danger for women and girls, warned UN human rights office, OHCHR. According to spokesperson Liz Throssell, OHCHR had received credible reports of some 32 incidents of sexual violence against 73 victims by 2 August. This includes at least 28 incidents of rape. Men in Rapid Support Forces (RSF) uniforms were implicated in at least 19 incidents as perpetrators, but “the actual number of cases is likely much higher,” she said.

Ms. Throssell reiterated that the UN human rights chief, Volker Türk, had repeatedly reminded senior officials in Sudan that there is “zero tolerance” for sexual violence. “Perpetrators must be held accountable and such violence must be clearly and unequivocally condemned,” she said.¹⁶

Despite guarantees of equal treatment in the interim constitution and some legal improvements adopted as part of the July 2020 reforms, women continue to face disadvantages in many areas of the law, and perpetrators of widespread crimes against women—including during armed conflicts—have generally enjoyed impunity. The transitional government in April 2021 ratified the Convention on the Elimination of All Forms of Discrimination Against Women but failed to endorse provisions recognizing equality in marriage, divorce, and parenting. Women are also still targeted unduly by marriage laws. In June 2022, a court sentenced a woman to death by stoning for committing adultery. (The sentence was overturned in November on procedural grounds; in December she was retried and sentenced to prison.)¹⁷

¹⁶ UN News, Sudan: Four months of conflict ‘destroying people’s lives and violating human rights’, 15 August 2023, <https://news.un.org/en/story/2023/08/1139752>, accessed on 2 October 2023

¹⁷ Freedom House, Freedom in the world 2023 – Sudan, 10 March 2023, <https://www.ecoi.net/en/document/2088562.html>, accessed on 2 October 2023

Security forces, notably from the Criminal Investigative Directorate (CID), have unlawfully detained hundreds, many of whom are active or perceived by the authorities to be active in the protest movement and forcibly disappeared scores. Security forces have ill-treated detained protesters and threatened women protesters with sexual violence. In December 2021, the UN reported receiving at least 13 reports of cases of rape and gang rape of female protesters by security forces.¹⁸

Women protesters continued to face sexual assault. Gender-based violence including conflict-related sexual violence against women and girls continued in West Darfur.

According to the UN Designated Expert, members of the Sudan Joint Security Forces and other armed men in civilian clothes committed numerous human rights violations, including sexual and gender-based violence against women and girls who have been at the forefront of protests against the coup. The UN Designated Expert verified 13 incidents of rape, gang rape, attempted rape and other forms of sexual and gender-based violence that had been perpetrated in Khartoum in the context of protests against the coup between October 2021 and April 2022. They involved 14 victims (10 women, one girl, one man and two boys).

In Darfur, the UN Designated Expert reported eight incidents of rape involving 15 women and five girls in the context of intercommunal violence or attacks against internally displaced women and girls. The perpetrators were armed men, most of them in military uniforms. All eight cases were reported to the police but only one arrest was made, for the rape of a 12-year-old-girl in North Darfur.¹⁹

State of the justice system

In 2020, the transitional government banned forced confessions and the “infliction of torture” on suspects, prohibited the death penalty for defendants under age 18, and abolished the penalty of flogging for some criminal offenses, although flogging and other forms of corporal punishment were still prescribed for other crimes. In August 2021, it ratified the UN Convention Against Torture and the International Convention for the Protection of All Persons from Enforced Disappearances. Court cases to hold perpetrators of state violence accountable

¹⁸ Human Rights Watch, World report 2023 – Sudan, 12 January 2023, <https://www.ecoi.net/en/document/2085500.html>, accessed on 2 October 2023

¹⁹ Amnesty International, Amnesty International report 2022/23: The state of the world’s human rights – Sudan 2022, 27 March 2023, <https://www.ecoi.net/en/document/2089612.html>, accessed on 2 October 2023

continued or were resolved in 2021, and a few leaders of the police force responsible for allowing violence against protesters were dismissed throughout the year.

However, demonstrators protesting the October coup were violently repressed and detained by security forces. Political detainees released following the November 21 agreement to restore the transitional government reported being tortured or experiencing inhumane treatment while in detention. An advisor to former prime minister Hamdok, Faisal Saleh, reported he was held in solitary confinement in a military prison.²⁰

The 2019 constitutional declaration prohibits torture or inhuman treatment or punishment. Nevertheless, there were numerous reports of violent attacks on peaceful protesters under the military government that seized power in October 2021.

Under the law, warrants are not required for an arrest. The law permits police to detain individuals for 24 hours for the purpose of inquiry. A magistrate may renew detention without charge for up to two weeks during an investigation. A superior magistrate may renew detentions for up to six months for a person who is charged. The General Intelligence Service is not allowed to detain individuals without permission of the attorney general, although the military government worked with Sudanese National Police to detain individuals based on its own investigations.

By law any person may request legal assistance and must be informed of the right to counsel in cases potentially involving the death penalty, imprisonment lasting longer than 10 years, or amputation if convicted. Accused persons may also request assistance through the legal aid department at the Ministry of Justice or the Sudanese Bar Association. The government was not always able to provide legal assistance, although legal aid organizations and lawyers partially filled the gap. Detainees arrested in connection with protesting the military takeover were routinely denied access to their families and to legal counsel.

Following the military takeover, hundreds were detained without charges, including high-level political actors and activists. Some were subsequently charged. In advance of and during subsequent protests throughout the year, security forces detained resistance committee members, activists, and protesters, releasing most the same day or the day following the protest.

²⁰ Freedom House, Freedom in the world 2023 – Sudan, 10 March 2023, <https://www.ecoi.net/en/document/2088562.html>, accessed on 2 October 2023

The law provides for the right to a fair and public trial as well as a presumption of innocence; however, this provision was rarely respected. In cases of national security and offenses against the state, trials were usually closed.²¹

Freedom of expression

Sudan's security forces have unlawfully detained hundreds of protesters since December 2021 and forcibly disappeared scores as part of its broader clampdown on opposition to the October 25 military coup. Security forces have beaten and otherwise ill-treated detained protesters, including stripping child detainees naked and threatening sexual violence against women. Sudanese authorities should release all those unlawfully detained, including those forcibly disappeared, while Sudan's international partners should impose targeted individual sanctions on those responsible for the repression. "The ruthless and brutal targeting of protesters is an attempt to instill fear, and has largely evaded international scrutiny," said Mohamed Osman, Sudan researcher at Human Rights Watch. "For months, security forces have abused and illegally detained hundreds of people, including children, who express their opposition to military rule."

In early March, the United Nations' Joint Human Rights Office in Sudan reported that more than 1,000 people were arrested between October 25 and March 3, including 148 children. The security forces have targeted people who are active or perceived to be active in the protest movement, Human Rights Watch found. Some were arrested during or in the immediate aftermath of demonstrations, and others were grabbed off the streets, or from their cars or homes.

Various sections of the security forces, including anti-riot police, Central Reserve Police (CRP), and military units from the Sudan Armed Forces (SAF), along with unidentified plainclothes agents, also have carried out arrests.²²

In August 2022, the Darfur Bar Association and its partners reported that security forces had arrested and forcibly disappeared almost 200 people in West Darfur, including local leaders who refused to partake in reconciliation efforts led by the Rapid Support Forces (RSF), as well

²¹ United States Department of State, 2022 country report on human rights practices: Sudan, 20 March 2023, <https://www.ecoi.net/en/document/2089142.html>, accessed on 2 October 2023

²² Human Rights Watch, Sudan: Hundreds of protesters detained and mistreated, 28 April 2022, <https://www.hrw.org/news/2022/04/28/sudan-hundreds-protesters-detained-mistreated>, accessed on 2 October 2023

as other activists and civilians. Localized ethnic or communal conflicts and accompanying violence surged across Sudan throughout the year. Hundreds died and hundreds of thousands were displaced in communal clashes between Hausa, Berti, Hamar, Misseriya, and Hamaj tribes in the Blue Nile, Kordofan, and Darfur areas.

After the October 2021 coup, General al-Burhan issued a December decree expanding security forces' and intelligence agencies' powers to conduct home raids, surveil citizens, and detain suspects. Neighborhood resistance committees and human rights groups have claimed that the decree violates citizens' rights to privacy and due process.

The TSC reaffirmed the right to assemble in the interim constitution, and citizens regularly participated in demonstrations during 2021, calling for more rapid democratic reforms, the advancement of women's rights, accountability for a 2019 massacre of protesters in Khartoum, and more.

However, violence by the authorities increased following the October 2021 coup, when NRCs began to organize regular countrywide demonstrations against the military takeover and demand civilian rule. In 2022, security forces repeatedly used tear gas, rubber bullets, and live ammunition to break up demonstrations. Over 120 protesters have died since protests began after the coup. Women protesting reported being raped by security officers, who also blocked demonstrators' access to medical care, including by arresting doctors and patients, shooting tear gas into hospitals, and blocking access to ambulances and hospitals. To prevent demonstrations, General al-Burhan shut down the internet, blocked bridges and roads in Khartoum, arrested organizers, and banned trade unions following the coup.²³

Protests against the coup and for a new civilian transition continued throughout the year, primarily in Khartoum but also in other cities such as Atbara, in River Nile state in northern Sudan, and Wad Madani, in the central region.

The junta deployed a range of security forces, primarily from the Central Reserve Police (CRP) and anti-riot police, but on occasion military units, to suppress the protests.

In efforts to suppress protests since the coup, security forces have killed at least 117 people, including 23 children. They have regularly resorted to excessive use of force, including lethal force. On November 17, 2021, security forces violently dispersed protests in Khartoum's Bahri

²³ Freedom House, Freedom in the world 2023 – Sudan, 10 March 2023, <https://www.ecoi.net/en/document/2088562.html>, accessed on 2 October 2023

area, killing 16 people, the deadliest day since the beginning of the coup. On January 17, security forces used live ammunition, killing seven protesters. The use of lethal force by security forces continued throughout the year, with eight protesters killed on June 30 in Khartoum. In addition to live ammunition, security forces also unlawfully used tear gas canisters, stun grenades, and rubber bullets, causing severe physical harm.²⁴

Civilian protesters continued demonstrating during the year against the military takeover, demanding full civilian rule. Security forces responded to some of these demonstrations with violence. The state of emergency continued until May 29, as did the temporary decree that gave expanded arrest authority to the General Intelligence Services, Sudanese Armed Forces, Rapid Support Forces, and police forces. These organizations retained the prerogative to conduct searches and seizures of contraband, to freeze financial assets, and to restrict the movement of individuals. These security forces also received immunity from prosecution for such actions performed during the state of emergency. General Burhan's lifting of the state of emergency coincided with the release of more than 70 political detainees. Government authority remained with the Sovereign Council headed by General Burhan and dominated by military members; the civilian members of the Sovereign Council named by Burhan in November 2021 were dismissed on July 4.²⁵

As part of its broader clampdown on opposition to the 2021 military coup, Sudan's security forces unlawfully detained hundreds of protesters and forcibly disappeared many others who were still missing at the end of the year. Between October 2021 and April 2022, the UN Designated Expert on the situation of human rights in Sudan and the UN Joint Human Rights Office in Sudan documented the arbitrary arrest and detention of 1,293 people in connection with the coup or with protests against the coup. They included 143 women and 157 children, including two girls. Many others were held for short periods and released without charge.

The arrests were carried out by security forces including anti-riot police, Central Reserve Police and military units from the Sudan Armed Forces, along with unidentified plain-clothes agents. Their ill-treatment of protesters included stripping child detainees naked and threatening sexual violence against women.²⁶

²⁴ Human Rights Watch, World report 2023 – Sudan, 12 January 2023, <https://www.ecoi.net/en/document/2085500.html>, accessed on 2 October 2023

²⁵ United States Department of State, 2022 country report on human rights practices: Sudan, 20 March 2023, <https://www.ecoi.net/en/document/2089142.html>, accessed on 2 October 2023

²⁶ Amnesty International, Amnesty International report 2022/23: The state of the world's human rights – Sudan 2022, 27 March 2023, <https://www.ecoi.net/en/document/2089612.html>, accessed on 2 October 2023

Humanitarian situation

[M]ore than 14 million children need humanitarian aid and over four million people have fled the fighting, either within the war-ravaged country or as refugees to neighbouring states.

The leaders of global humanitarian organisations gathered in Geneva also called on the international community to provide more funds. The UN said it so far had received just a quarter of the \$2.57 billion it has appealed for to support people inside Sudan and just 31 percent of the \$566 million requested to help those who have fled as refugees to neighbouring countries.

The conflict-induced food scarcity has plunged 20.3 million people into severe acute hunger, who represent 42 percent of the country's total population, the UN World Food Programme (WFP) said on Friday. According to U.N. data, roughly half of the population -- 24.7 million people, including 13 million children -- need humanitarian aid. Currently, U.N. and its partners have reached only about 3 million people with humanitarian aid.

A recent uptick in violence in South Darfur state has made aid deliveries to the remote area difficult, said David MacDonald, aid group Care International's regional director for east and southern Africa. Meanwhile, the country has seen increasing risks of large-scale outbreaks of infectious diseases such as malaria, dengue fever and cholera.²⁷

William Spindler, spokesperson for the UN refugee agency UNHCR, noted that over 4.3 million people have been forced to flee since conflict erupted on 15 April between the Sudanese Army and the paramilitary Rapid Support Forces (RSF).

Latest UN data indicates that more than 900,000 refugees and asylum seekers have fled to neighbouring countries and 195,000 South Sudanese have been forced to leave Sudan. Mr. Spindler added that within Sudan, over 3.2 million people have been internally displaced, including more than 187,000 refugees already living in the country at the start of the crisis. Echoing that message, UN World Health Organization (WHO) spokesperson Dr Margaret Harris warned that some 67 per cent of hospitals in the affected areas were out of service, denying access to care for "tens of thousands of people".²⁸

²⁷ Africa News, Sudan war enters 4th month as aid agencies urge immediate action, 15 August 2023, <https://www.africanews.com/2023/08/15/sudan-war-enters-4th-month-as-aid-agencies-urge-immediate-action/>, accessed on 2 October 2023

²⁸ UN News, Sudan: Four months of conflict 'destroying people's lives and violating human rights', 15 August 2023, <https://news.un.org/en/story/2023/08/1139752>, accessed on 2 October 2023

Dire predictions about escalating hunger in Sudan have tragically come true, as conflict-induced food scarcity has plunged 20.3 million people into severe acute hunger, the UN World Food Programme (WFP) said in August. Of that figure, 6.3 million people – 13 per cent of Sudan’s population – are experiencing emergency levels of hunger – classified as Phase 4 of the Integrated Food Security Classification – just one step from famine, with the conflict continuing to disrupt access to humanitarian aid and forcing millions to flee their homes.

“The operating environment in Sudan is without a doubt the most challenging that I have experienced in my career,” said Eddie Rowe, WFP Country Director for Sudan, recalling his more than 30 years with the UN agency.

“Since mid-April, the conflict has continued to spread, and its dynamics have become increasingly more complex. Gaining access to people in need of life-saving food assistance has also become more challenging and increasingly urgent.”

Bureaucratic barriers, looting of humanitarian facilities, and insecurity hamper aid delivery. At least 18 relief workers have been killed, with many others injured or detained. The situation is further compounded by funding shortages, fuel scarcity and inadequate infrastructure.²⁹

According to the UN, Sudan faced a steady increase in food insecurity levels [throughout 2022]. Almost one quarter of the population was estimated to have faced acute hunger between June and September. The North, West and Central Darfur, Khartoum, Kassala and White Nile regions accounted for the highest number of people affected by acute hunger. Up to 11.7 million people were facing acute food insecurity. Of those, 3.1 million were classified as being in an “emergency” situation. According to the UN Food and Agriculture Organization, the armed conflict in Ukraine further exacerbated food insecurity because of Sudan’s reliance on wheat imports from Russia and Ukraine over recent years.³⁰

²⁹ UN News, Sudan: “Grim prediction” now “harsh reality” as hunger engulfs over 20 million, 11 August 2023, <https://news.un.org/en/story/2023/08/1139677>, accessed on 29 September 2023

³⁰ Amnesty International, Amnesty International report 2022/23: The state of the world’s human rights – Sudan 2022, 27 March 2023, <https://www.ecoi.net/en/document/2089612.html>, accessed on 2 October 2023

UNHCR position

[In a recent statement], UN High Commissioner for Human Rights Volker Türk warned that the “disastrous, senseless war in Sudan, born out of a wanton drive for power, has resulted in thousands of deaths, the destruction of family homes, schools, hospitals and other essential services, massive displacement, as well as sexual violence, in acts which may amount to war crimes”.³¹

Prior to the eruption of the current conflict, Sudan was already affected by a major humanitarian crisis, with 3.7 million IDPs and 15.8 million people in need of humanitarian assistance, including approximately 11 million people in need of emergency assistance. Large numbers of civilians have been forced to flee areas affected by the fighting, including people who were already internally displaced as a result of previous conflicts in Sudan, and refugees from other countries who had sought safety in Sudan.

As the situation in Sudan remains fluid and uncertain, UNHCR calls on all countries to allow civilians of all nationalities fleeing Sudan non-discriminatory access to their territories. This applies to Sudanese nationals as well as persons of other nationalities and stateless persons, including persons who are not in possession of passports or other forms of identity documentation. The principle of non-refoulement should be respected at all times. Third country nationals who flee the conflict in Sudan but who are not in need of international protection should be allowed to access safe territory with a view to facilitating their onward travel. UNHCR is stepping up its support to Sudan’s neighbouring countries as they prepare for larger numbers of arrivals.

All claims of Sudanese nationals, as well as claims of stateless persons who were habitual residents of Sudan, who apply for international protection should be processed in fair and efficient procedures in accordance with international and regional refugee law. UNHCR considers that persons fleeing the ongoing conflict in Sudan, as well as Sudanese nationals who are outside the country and who cannot return there because of the conflict, are likely to be in need of international refugee protection under Article 1(2) of the 1969 OAU Convention, or under the Cartagena Declaration; or complementary forms of protection including subsidiary protection under Article 15(c) of the EU Qualification Directive. In addition, persons fleeing

³¹ UN News, Sudan: Four months of conflict ‘destroying people’s lives and violating human rights’, 15 August 2023, <https://news.un.org/en/story/2023/08/1139752>, accessed on 2 October 2023

the conflict in Sudan or who cannot return because of the conflict may also meet the 1951 Convention criteria for refugee status.

In view of the volatility of the situation in the entire territory of Sudan, UNHCR does not consider it appropriate to deny international protection to Sudanese and former habitual residents of Sudan on the basis of an internal flight or relocation alternative.

In light of the current volatility of the situation in Sudan, UNHCR calls on asylum States to suspend the issuance of negative decisions on applications for international protection by Sudanese nationals or by stateless persons who were former habitual residents of Sudan. The suspension should remain in place until such time as the situation in Sudan has stabilized and reliable information about the security and human rights situation is available to make a full assessment of the need to grant international protection to individual applicants.

Many Sudanese nationals (or stateless persons who were formerly habitual residents of Sudan) residing in other countries currently benefit from legal statuses, related to, for example, studies or work, granted before the current escalation of the conflict in Sudan. UNHCR recommends, where possible and appropriate, to extend existing legal statuses for as long as necessary. Persons benefiting from such arrangements should not be prevented from applying for asylum. For Sudanese nationals whose claim for international protection has been rejected prior to recent events, the current situation in Sudan may give rise to changed circumstances, which need to be considered, including if a new asylum claim is submitted. As the situation in Sudan is volatile and may remain uncertain for some time to come, UNHCR calls on States to suspend the forcible return of nationals and stateless persons who were habitual residents of Sudan, including those who have already had their asylum claims rejected. The bar on forcible return serves as a minimum standard and needs to remain in place until such time as the security situation in Sudan has significantly improved to permit a safe and dignified return of those determined not to be in need of international protection.³²

³² UNHCR, UNHCR position on returns to Sudan, May 2023, <https://www.ecoi.net/en/file/local/2091514/6450e5814.pdf>, accessed on 12 July 2023

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