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SUDAN (Tier 3)

The Government of Sudan does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Sudan was downgraded to Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including convening several virtual meetings of the National Committee to Combat Human Trafficking (NCCHT). However, during the reporting period there was a government policy or pattern of employing or recruiting child soldiers. With the onset of hostilities on April 15, 2023, both the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF) employed or recruited child soldiers, including children who were compulsorily recruited, and the government significantly reduced its anti-trafficking efforts as a result of the conflict. The SAF commander is considered the head of the armed forces and de facto head of state. The government did not investigate or prosecute any cases of human trafficking, nor investigate or prosecute any officials for forced recruitment or use of child soldiers. The government did not report any measures to identify or protect any victims of trafficking. For the fifth consecutive year, the government did not disseminate or implement SOPs for victim identification and referral to care for child trafficking victims. The government ceased prior initiatives to inform and educate the public on trafficking in persons.

PRIORITIZED RECOMMENDATIONS:

Cease the unlawful recruitment or use of children by all parties to the conflict, including in combatant or support roles, and demobilize children from all armed groups while providing adequate protection and reintegration support. * Increase efforts to investigate and prosecute trafficking crimes, including complicit officials in forced recruitment or use of child soldiers, and seek adequate penalties for convicted traffickers, which should involve significant prison terms. * Proactively identify victims of all forms of trafficking and conduct screening for trafficking indicators among vulnerable populations. * Increase the availability of protection services – including short-term shelter – for all trafficking victims, including by partnering with and allocating funding or in-kind support to civil society service providers. * Coordinate with civil society and international organizations to disseminate and implement SOPs for victim identification and referral to care for child trafficking victims and develop SOPs for adult trafficking victims. * Empower the NCCHT to coordinate the government’s anti-trafficking efforts by adopting a new national anti-trafficking action plan and allocating dedicated resources. * Conduct efforts to raise awareness on all forms of human trafficking, particularly among refugees, internally displaced persons, and other vulnerable populations. * Increase training for security and judicial officials on distinguishing human trafficking from other crimes such as migrant smuggling and kidnapping for ransom. * Draft and finalize a standalone smuggling law to enhance judicial officials’ ability to prosecute migrant smuggling crimes separate from human trafficking crimes.

PROSECUTION

The government significantly decreased anti-trafficking law enforcement efforts following the onset of hostilities on April 15, 2023. The 2014 Anti-Human Trafficking Law, as amended, criminalized sex trafficking and labor trafficking. The law prescribed between three and 10 years’ imprisonment for base offenses involving adult male victims and between five and 20 years’ imprisonment for offenses involving adult female and child victims or involving additional aggravating circumstances; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other grave crimes, such as rape. Article

14 of the Sudan Armed Forces Act of 2007 criminalized the recruitment of children younger than 18 years old by state armed forces; the enslavement of civilians, sexual slavery, and coercing civilians into prostitution; and prescribed penalties between three years' imprisonment and death.

The outbreak of the conflict and ensuing destabilizing effects across the country hindered the government's collection of law enforcement statistics. The government did not report any trafficking investigations, prosecutions, or convictions. This compared with the government investigating 46 cases, prosecuting 126 cases involving an unknown number of suspects, and convicting 54 traffickers in the previous reporting period. Although law enforcement functions continued in some areas, police engagement was inadequate or entirely absent in many jurisdictions. In prior years, insufficient sentencing of traffickers weakened deterrence and did not adhere to the prescriptions and guidelines of the country's anti-trafficking law. Additionally, authorities continued to conflate migrant smuggling, kidnapping for ransom, and human trafficking crimes. Experts noted the lack of a standalone migrant smuggling law impeded judicial officials' efforts to prosecute migrant smugglers separately from human traffickers.

The Ministry of Interior's Counter Trafficking Unit was responsible for anti-trafficking law enforcement, but government institutions – including law enforcement – experienced significant operational constraints following the start of the conflict, limiting effectiveness against human trafficking. The RSF reestablished local police forces in some areas under its control, although these units did not address human trafficking or hold RSF forces accountable for trafficking-related crimes. The government did not report providing anti-trafficking training to law enforcement, prosecutors, or judges.

The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking crimes; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action. The SAF and RSF recruited and used child soldiers, including children who took direct part in hostilities, children who were coercively recruited, and children younger than the age of 15. The RSF and SAF recruited, at times forcibly, these children, including through harassment and intimidation, into their respective armed forces. The government did not report investigating or prosecuting any officials for the recruitment or use of child soldiers. Some government officials or border guards exploited women and girls fleeing the country in sex trafficking in exchange for visas or safe passage to neighboring countries. Experts previously noted some law enforcement and border officers were complicit in or otherwise profited from trafficking crimes specifically related to exploiting migrants along Sudan's borders. Authorities did not report the results of prior investigations into allegations of sexual exploitation and abuse – which may have included aspects of sex trafficking to include transactional sex – by officials from the Commission of Refugees and General Intelligence Services.

PROTECTION

The government significantly decreased already inadequate efforts to identify and protect trafficking victims. The government did not report whether it identified any trafficking victims, compared to identifying 12 potential trafficking victims – three men and nine women – during the previous reporting period. The government reported it released from detention 30 child soldiers held as prisoners of war into the custody of the Ministry of Social Development.

The government did not report whether it referred any victims to services. The government previously reported it could provide food, psycho-social services, and basic medical services at two government-run shelters; however, the shelters ceased operations after the onset of hostilities, and the government did not report whether any victims received services. Observers reported the formerly operational shelters were inadequate and required refurbishment and trained mental health professionals to provide care to trafficking victims.

The government did not have SOPs for victim identification and referral to care for adults. For the fifth consecutive year, officials did not report disseminating or implementing child trafficking

victim identification SOPs developed in 2018 in partnership with an international organization. The government's past denial of sex trafficking occurring in Sudan, coupled with authorities' inconsistent screening of vulnerable populations, previously tended to result in the arrest and detention of women whom traffickers compelled into commercial sex. Although the government previously conducted screening for child soldiers among local militia members integrating into the armed forces as part of the Juba Peace Agreement – identifying 39 children and referring them to services during the prior reporting period – the government's screening efforts stopped after the conflict began. The government did not provide foreign trafficking victims with legal alternatives to their removal to countries where they would face retribution or hardship.

PREVENTION

The government significantly decreased efforts to prevent trafficking. The NCCHT led the government's anti-trafficking efforts and convened several virtual meetings. However, NCCHT lost much of its operational effectiveness due to the conflict, and efforts to implement the 2021-2023 NAP stalled. Officials noted that persistent staffing shortages and insufficient resources, as well as a limited presence outside of the capital, hindered the NCCHT's ability to execute its mandate.

The government suspended many of its human trafficking prevention programs and awareness-raising initiatives. The government did not report whether a formerly available hotline was still operational. Ministry of Labor inspectors were responsible for providing oversight of recruitment agencies, but they did not report investigating or sanctioning fraudulent recruiters. Sudan's Domestic Workers Act of 2008 established a legal framework for employing and registering domestic workers with limited labor rights and protections; however, the government did not report registering or protecting any domestic workers under the law. The government did not provide anti-trafficking training to its diplomatic personnel. The government did not make efforts to reduce the demand for commercial sex acts.

The government ceased prior efforts to prevent the recruitment or use of child soldiers. Although the government previously inspected SAF units and Juba Peace Agreement signatories to ensure there were no cases of child soldier recruitment and use, there were no reports of such efforts during the reporting period. The Sudanese Joint Chiefs of Staff did not report issuing and disseminating any command orders directing military officials to follow the government's ban against recruiting or using children in support or combat roles as in prior reporting periods. The government also ceased staffing its Child Rights Unit (CRU), which had responsibility for leading the government's child protection efforts in conflict areas. Additionally, the RSF demonstrated no measurable efforts to fulfill its pledge to establish a human rights unit, disseminate human rights field manuals, or hold violators accountable.

TRAFFICKING PROFILE:

As reported over the past five years, human traffickers exploit domestic and foreign victims in Sudan, and traffickers exploit victims from Sudan at home and abroad. Traffickers exploit children experiencing homelessness in Khartoum – including Sudanese and unaccompanied migrant children from West and Central Africa – in forced labor for begging, market vending, and in sex trafficking. Business owners, informal mining operators, community members, and farmers exploit children working in brick-making factories, gold mining, collecting medical waste, street vending, and agriculture; victims endure threats, physical and sexual abuse, and hazardous working conditions with limited access to education or health services. Although information on the worst forms of child labor was difficult to obtain due to the conflict, observers report child labor remains prevalent in Sudan. Criminal groups exploit Sudanese women and girls – particularly IDPs or those from rural areas – in domestic work and in sex trafficking.

The ongoing conflict disrupted existing forms of human trafficking and heightened the risks of conflict-related forms of trafficking in persons, including child soldiering and sexual slavery. The SAF and RSF recruited and used child soldiers, including children who took direct part in

hostilities, children who were compulsorily recruited, and children younger than the age of 15. Observers have reported thousands of allegations of combatants recruiting and using child soldiers. In addition to combat roles and the operation of checkpoints, children transport ammunition, conducted rudimentary reconnaissance and surveillance activities, and perform labor in military camps. RSF forces allegedly use children as human shields. In past years, the nongovernmental armed groups Sudanese People's Liberation Movement-North (SPLM-N) al-Hilu and SPLM-N Malik Agar conscripted child soldiers from refugee camps in South Sudan and brought them into Sudan; the Sudanese Alliance also previously recruited and used child soldiers in Darfur. Some SAF and RSF forces have also forcibly recruited civilians to participate in hostilities alongside the armed forces or perform forced labor. Traffickers exploit women and girls in manual labor for combatants. Additionally, the RSF and its allies used hate speech toward the Masalit ethnic minority, including referring to the Masalit as "slaves." Widespread reports also indicate women and girls are kidnapped and sold into sexual slavery, particularly in parts of the country controlled by the RSF. Observers also report widespread gender-based violence, including reports women and girls have been abducted and sold for ransom or slavery, including in neighboring states such as Chad and South Sudan. Women and girls are at an exceptionally high risk of kidnapping and sale into sexual slavery, particularly among RSF soldiers who allegedly take girls to military camps for sexual enslavement. Additionally, observers reported incidents of women brought to Khartoum and kept as wives, exploited in sex trafficking, or compelled to engage in sex in exchange for food and security.

The conflict has displaced approximately eight million people, and more than 1.5 million people have fled to neighboring countries, resulting in dire humanitarian needs and vulnerability to exploitation. Due to the years of conflict in South Sudan, the South Sudanese refugee population in Sudan exceeded 800,000 in March 2023; many of these refugees have returned to South Sudan, but those who stayed remain vulnerable to forced labor and sex trafficking. Observers reported concerns that government officials from the Commission of Refugees and General Intelligence Service were potentially sexually exploiting refugees in Sudan, and corrupt RSF officials financially benefited from their role as border guards and took a direct role in human trafficking.

Prior to the conflict, Sudan was a primary transit point for irregular migrants and refugees from the Horn of Africa seeking to reach Europe. Large populations of Eritrean, Ethiopian, other African asylum-seekers, as well as some Syrians – all populations vulnerable to trafficking – resided in Khartoum while planning to travel to Europe. However, the migration routes through Sudan were disrupted by the conflict, resulting in fewer migrants transiting Sudan. Many migrant workers in Sudan, predominately from neighboring countries, returned to their countries of origin after April 15, 2023. Sudanese traffickers previously compelled Ethiopian women to work in private homes in Khartoum and other urban centers. Well-organized and cross-border criminal syndicates forced some Ethiopian women into commercial sex in Khartoum by manipulating debts and other forms of coercion.

The conflict has exacerbated migrant smuggling and increased vulnerabilities to trafficking as many Sudanese attempt to flee to Chad, South Sudan, or Egypt, or onward to Libya and Tunisia to reach Europe, particularly as some neighboring states restrict cross border movement. Armed groups are likely exploiting some migrants in forced labor or sex trafficking.