

Flygtningenævnets baggrundsmateriale

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COI QUERY

Country of Origin	Sudan
Main subject	Non-Arab Darfuris in Khartoum
Question(s)	Information on the situation of non-Arab Darfuris (including Fur, Zaghawa, Masalit, Bergu, Dajo) in Khartoum, in the period of August 2019 - May 2020: - living conditions and access to employment, - instances of ill-treatment and attacks, - access to justice.
Date of completion	16 June 2020
Query Code	Q11-2020
Contributing EU+ COI units (if applicable)	--

Disclaimer

This response to a COI query has been elaborated according to the [EASO COI Report Methodology](#) and [EASO Writing and Referencing Guide](#).

The information provided in this response has been researched, evaluated and processed with utmost care within a limited time frame. All sources used are referenced. A quality review has been performed in line with the above mentioned methodology. This document does not claim to be exhaustive neither conclusive as to the merit of any particular claim to international protection. If a certain event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist. Terminology used should not be regarded as indicative of a particular legal position.

The information in the response does not necessarily reflect the opinion of EASO and makes no political statement whatsoever.

The target audience is caseworkers, COI researchers, policymakers, and decision making authorities. The answer was finalised on 16 June 2020. Any event taking place after this date is not included in this answer.



COI QUERY RESPONSE

Information on the situation of non-Arab Darfuris (including Fur, Zaghawa, Masalit, Bergu, Dajo) in Khartoum, in the period of August 2019 - May 2020

On 4 August 2019, a new constitutional declaration¹ was signed in Sudan.² On 21 August 2019, an 11-member Sovereign Council consisting of military and civilians leaders was announced as a body ruling Sudan in the transitional period until elections are held in three years' time.³

Living conditions and access to employment

No or only very limited information on the living conditions and access to employment of the non-Arab Darfuris in Khartoum in the reference period could be found amongst consulted and used sources in the time constraints of this query response.

The United Kingdom (UK) Home Office estimates that Darfuris make approximately 10 % of Khartoum's 10 million population.⁴ A report of the Dutch government on the situation in Sudan released in October 2019 indicates that the number of 'displaced persons' living in Khartoum is not known.⁵ In 2018, the UK Home Office conducted a fact-finding mission in Khartoum and found that non-Arab Darfuris tend to live in 'shanty towns' around Khartoum and perform 'menial jobs' for survival.⁶ Other sources noted in 2018 that '[m]ore than 50 per cent of residents [of Khartoum] are living in informal settlements and squatter settlements on the outskirts of the city, or in neighbourhoods that lack basic infrastructure.'⁷ Sources indicated that informal settlements were subjected to forced evictions and demolitions by the al-Bashir government.⁸ No information on the situation of the informal settlements in the reference period could be found amongst consulted and used sources in the time constraints of this query response.

After the change of the government in August 2019, 1 in 5 people of 'working age' did not have a job in Sudan according to a report by Al Jazeera.⁹ Another source estimated that half of the population was unemployed in Sudan in November 2019.¹⁰ In December 2019, rising inflation was reported to be

¹ Unofficial English translation is available at: [url](#)

² Al Jazeera, Sudan's military, protest leaders sign constitutional declaration, 4 August 2019, [url](#); LOC, Sudan: Interim Constitutional Declaration Signed, 9 October 2019, [url](#).

³ AA, PROFILE: Members of Sudan's 'sovereign council', [url](#), 21 August 2019; Africanews, Inside Sudan's 11-member Sovereign Council: All you need to know, 21 August 2019, [url](#); Al Jazeera, Sudan forms 11-member sovereign council, headed by al-Burhan, 21 August 2019, [url](#)

⁴ UK Home Office, Report of a fact-finding mission to Khartoum, Sudan; Conducted between 10 and 17 August 2018, November 2018, [url](#), p. 9

⁵ Netherlands (The), Algemeen Ambtsbericht Sudan [General report on Sudan], October 2019, [pdf](#), p. 102

⁶ UK Home Office, Report of a fact-finding mission to Khartoum, Sudan; Conducted between 10 and 17 August 2018, November 2018, [url](#), pp. 9, 11

⁷ Urbanet, Policy Reform, not Evictions! The Case of Slum Urbanisation in Khartoum, Sudan, 20 September 2018, [url](#)

⁸ UK Home Office, Report of a fact-finding mission to Khartoum, Sudan; Conducted between 10 and 17 August 2018, November 2018, [url](#), p. 11; Urbanet, Policy Reform, not Evictions! The Case of Slum Urbanisation in Khartoum, Sudan, 20 September 2018, [url](#)

⁹ Al Jazeera, Video Sudan's new leader faces daunting economic challenges, 00:10:00:16, 10 September 2019, [url](#)

¹⁰ National (The), Beset by crises, Sudan's PM spares a thought for tea ladies, 14 November 2019, [url](#)

a continuous problem in Sudan.¹¹ Rising unemployment and inflation in Sudan were reported again in April 2020.¹²

In January 2020, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) stated that '[a]s the economic crisis [in Sudan] continues, people in urban areas, including Khartoum, are increasingly struggling to cope.'¹³ The same source noted that access to services 'varies widely' in different neighborhoods of Khartoum and that it can be 'non-existent'.¹⁴ The same source assessed that 793 000 people in Khartoum were one step on their scale before reaching 'acute food insecurity'.¹⁵

Sources suggest that women from Darfur and the Two Areas sell tea in the streets of Khartoum.¹⁶ The 'tea ladies' of Khartoum have been previously accused of prostitution and drug dealing and their businesses were disrupted by the police¹⁷ as they were seen to be working illegally and against the public order laws.¹⁸ In November 2019, an article by The National reported that the new government seeks to help the 'tea ladies' as a 'part of a government move to support society's "vulnerable classes"'.¹⁹ No further details about the planned support were disclosed by the source.

Instances of ill-treatment and attacks

No information on specific instances of ill-treatment and attacks on the non-Arab Darfuris in Khartoum in the reference period could be found amongst consulted and used sources in time constraints of this query response.

International Crisis Group did not record any incident in Khartoum targeting non-Arab Darfuris in the reference period.²⁰ The source reported on several demonstrations in Khartoum in the reference period, including on 12 September 2019, 21 October 2019 and 20 February 2020.²¹ Sources reported that four protesters were killed in Omdurman near Khartoum on 1 August 2019 without providing further details on the victims.²²

UNOCHA reported that violence and armed conflict in 2019 resulted in some 500 deaths across Sudan with highest numbers recorded in Khartoum, Red Sea, Darfur, South-, West- and North Kordofan.²³ In the third quarter of 2019, the Austrian Centre for Country of Origin and Asylum Research and

¹¹ Al Jazeera, 100 days of Sudan's transitional government: Now what?, 18 December 2019, [url](#)

¹² New Arab (The), Sudan to fall deeper into recession due to coronavirus pandemic, IMF says, 15 April 2020, [url](#)

¹³ UNOCHA, Humanitarian needs overview, Sudan, January 2020, [url](#), p. 13

¹⁴ UNOCHA, Humanitarian needs overview, Sudan, January 2020, [url](#), p. 13

¹⁵ UNOCHA, Humanitarian needs overview, Sudan, January 2020, [url](#), p. 20

¹⁶ Globe and Mail (The), Khartoum's vulnerable tea sellers face deadlier risks in Sudan's time of turmoil, 8 July 2019, [url](#);

National (The), Sudan's tea ladies hope for better life in post-Bashir Khartoum, 4 September 2019, [url](#)

¹⁷ National (The), Sudan's tea ladies hope for better life in post-Bashir Khartoum, 4 September 2019, [url](#)

¹⁸ UK Home Office and Danish Immigration Service, Sudan, Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum, August 2016, [url](#), pp. 29, 34, 57

¹⁹ National (The), Beset by crises, Sudan's PM spares a thought for tea ladies, [url](#)

²⁰ International Crisis Group, Crisis Watch Sudan August 2019-May 2020, [url](#)

²¹ International Crisis Group, Crisis Watch Sudan August 2019-May 2020, [url](#)

²² International Crisis Group, Crisis Watch Sudan August 2019-May 2020, [url](#); New York Times (The), Four Killed at Sudan Protest, and Tensions Rise, 1 August 2019, [url](#); VOA News, Four Killed in Renewed Sudan Protests, Opposition Medics Say, 1 August 2019, [url](#)

²³ UNOCHA, Humanitarian needs overview, Sudan, January 2020, [url](#), p. 44



Documentation (ACCORD) recorded 95 incidents that killed 5 persons in Khartoum, without providing further information on the victims.²⁴

Some 53 people were injured in the protests in Khartoum on 21 February 2020, according to the Anadolu Agency.²⁵ In April 2020, it was reported that the police fired teargas at protesters in Khartoum in relation to increased bread prices.²⁶

Access to justice

No information on access to justice of the non-Arab Darfuris in Khartoum in the reference period could be found amongst consulted and used sources in time constraints of this query response.

In their description of developments in Sudan in 2019, Freedom House noted that the reforms following the new constitutional document include creation of independent judiciary with a new chief justice and a public prosecutor's office.²⁷ According to the source, the transitional constitution provides for equal treatment of the citizens before law and right to due process but keeps death penalty with at least one death sentence being given until the end of the year. Criminal law remains based on Islamic law, allowing for flogging and amputation of hands and feet.²⁸

During the rule of al-Bashir, the law and justice system in Sudan were strongly influenced by Islamic law²⁹ and have been assessed as not independent from the executive powers.³⁰ Under al-Bashir, police were reported as corrupted.³¹ Police forces in Sudan have been accused of committing serious human rights violations, for example during the protests in Khartoum on 3 June 2019.³² The US Department of State described the judiciary in Sudan in 2019 as 'inefficient and subject to corruption'.³³

Mark Fathi Massoud, an associate professor and director of the legal studies program at the University of California, Santa Cruz, stated about the legal developments in Sudan:

²⁴ ACCORD, Sudan, Third Quarter 2019: Update on incidents according to the Armed Conflict Location & Event Data Project (ACLED), 25 February 2020, [url](#)

²⁵ AA, Sudan: 53 people injured in anti-army protests, 21 February 2020, [url](#)

²⁶ GardaWorld, Sudan: Police fire teargas at pro-Bashir supporters in Khartoum April 16 /update 2, 17 April 2020, [url](#)

²⁷ Freedom House, Freedom in the World 2020 - Sudan, 4 March 2020, [url](#)

²⁸ Freedom House, Freedom in the World 2020 - Sudan, 4 March 2020, [url](#)

²⁹ BT, BTI 2020 Country Report Sudan, 29 April 2020, [url](#), pp. 7, 12; Massoud, M. F., Sudan's Rule of Law revolution, In: Current history, May 2020, [url](#), pp. 171-172

³⁰ BT, BTI 2020 Country Report Sudan, 29 April 2020, [url](#), pp. 10, 31; Freedom House, Freedom in the World 2020 - Sudan, 4 March 2020, [url](#); Massoud, M. F., Sudan's Rule of Law revolution, In: Current history, May 2020, [url](#), p. 171

³¹ Elamin, N., A theoretical analysis of corruption in Sudan: Causes, diagnostics, consequences, and remedies, January 2019, [url](#); Radio Dabanga, Aragi, police, and corruption in Sudan, 9 November 2015, [url](#); Sudan Democracy First Group, The Framework of the Public Order Laws in Sudan: Tools for Repression and Totalitarian Domination, 3 January 2018, [url](#)

³² AI, They descend on us like rain: Justice for victims of protest crackdown in Sudan, 10 March 2020, [url](#), p. 6-7, 11, 26, 30; ARC, Sudan: Query Response, The situation in Khartoum and Omdurman – An update (3rd version), 5 February 2020, [url](#), pp. 15-16, 70-71, 74; HRW, "They Were Shouting 'Kill Them'", Sudan's Violent Crackdown on Protesters in Khartoum, November 2019, [url](#), pp. 15, 32, 37, 44; PHR, "Chaos and Fire", An Analysis of Sudan's June 3, 2019 Khartoum Massacre, March 2020, [url](#), pp. 7, 16, 26

³³ USDOS, Country Report on Human Rights Practices 2019 - Sudan, 11 March 2020, [url](#), p. 12



'The cabinet, led by Prime Minister Abdalla Hamdok, spent much of late 2019 and early 2020 doing what was expected of it: writing laws and enacting them. A series of measures created human rights, anticorruption, transitional justice, and peace commissions. The cabinet also drafted a measure abolishing the existing zakat (almsgiving) law, which many believe facilitated Bashir's corruption, and bills to remove the Bashir regime's restrictions on voluntary organizations and the press. Many lawyers and judges who worked in key posts under Bashir remain in Sudan.'³⁴

Mr Massoud added that '[m]eanwhile, the judiciary is asserting an independent authority that the Sudanese people have not seen in decades.'³⁵ Following the establishment of a new public prosecutor's office, amongst the first cases were those of former president al-Bashir and members of security forces.³⁶

In December 2019, prime minister Abdalla Hamdok announced formation of a committee formed to investigate perpetrators of attacks on protesters in Khartoum on 3 June 2019.³⁷ Similarly, in April 2020, the government formed an investigative commission³⁸ in response to four church attacks reported by the Christian Solidarity Worldwide between December 2019 and January 2020.³⁹

Legal changes in the reference period included overturn of the public order act that regulated activities of women in public in November 2019⁴⁰, criminalisation of female genital mutilation in April 2020⁴¹ and a creation of a new special police force protecting health workers in May 2020.⁴²

Given the recent nature of the legal changes in Sudan, no information on their practical implementation could be found amongst consulted and used sources in the time constraints of this query response.

³⁴ Massoud, M. F., Sudan's Rule of Law revolution, In: Current history, May 2020, [url](#), p. 172

³⁵ Massoud, M. F., Sudan's Rule of Law revolution, In: Current history, May 2020, [url](#), p. 173

³⁶ Freedom House, Freedom in the World 2020 - Sudan, 4 March 2020, [url](#)

³⁷ Al Jazeera, 100 days of Sudan's transitional government: Now what?, 18 December 2019, [url](#); International Crisis Group, Crisis Watch Sudan August 2019-May 2020, [url](#)

³⁸ CSW, Minister of Religious Affairs appoints commissioners to investigate Khartoum church attack, 9 April 2020, [url](#)

³⁹ CSW, CSW urges government action in case of Khartoum church attacked four times by extremists, 18 Mar 2020, [url](#)

⁴⁰ Al Jazeera, 100 days of Sudan's transitional government: Now what?, 18 December 2019, [url](#); Al, Sudan: Decision to repeal public order laws a step forward for women's rights, 29 November 2019, [url](#); BBC News, Sudan crisis: Women praise end of strict public order law, 29 September 2019, [url](#); Washington Post (The), Sudan repeals public order law that let police flag women for wearing pants, 1 December 2019, [url](#)

⁴¹ BBC News, Sudan criminalises female genital mutilation (FGM), 1 May 2020, [url](#); Thomson Reuters, Sudan makes female genital cutting a crime in 'new era' for women's rights, 30 April 2020, [url](#)

⁴² Al Jazeera, Sudan to establish police force to protect healthcare workers, 23 May 2020, [url](#)



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