

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	450
Land:	Sudan
Kilde:	US Department of State
Titel:	Trafficking in Persons Report 2019 – Sudan
Udgivet:	20. juni 2019
Optaget på baggrundsmaterialet:	27. juni 2019

2019 TRAFFICKING IN PERSONS REPORT: SUDAN

SUDAN: TIER 2 WATCH LIST

The Government of Sudan does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated significant efforts during the reporting period by convicting more traffickers; identifying more potential trafficking victims and referring them to services; developing standard operating procedures in partnership with international organizations to identify trafficking victims within vulnerable populations; and training more officials to effectively identify trafficking in persons. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. Government military officials forcibly recruited a minor to serve in a combat role and reportedly recruited and provided forged documents for minors to serve as combatants in Yemen. The government did not demonstrate efforts to address sex trafficking or identify any sex trafficking victims, and failed to amend its 2014 anti-trafficking law. Therefore Sudan remained on Tier 2 Watch List for the second consecutive year.

PRIORITIZED RECOMMENDATIONS

Cease all recruitment and use of child soldiers in all of Sudan's military services and increase efforts to investigate, prosecute, and convict officials complicit in child soldier recruitment and use. • Ensure authorities do not punish victims for unlawful acts committed as a direct result of being subjected to human trafficking, such as women compelled to engage in commercial sex acts. • Implement the anti-trafficking law to facilitate increased efforts to prosecute and convict traffickers and complicit officials, including recognizing and distinguishing those allegedly responsible for sex trafficking as distinct from migrant smuggling or kidnapping crimes. • Amend the 2014 anti-trafficking law to criminalize sex trafficking of children in the absence of coercion and define exploitation. • Clearly define the roles and responsibilities of the National Committee to Combat Trafficking (NCCT) and the Higher Committee to Combat Human Trafficking (HCCHT) to increase the effectiveness of the government's anti-trafficking response. • Increase training for security officials in Darfur on distinguishing trafficking from other crimes such as smuggling, and ensure recipients use this guidance to train additional government officials. • Establish procedures for authorities to identify and provide services for adult sex and labor trafficking victims. • Implement and dedicate adequate resources to the 2018-2019 national anti-trafficking action plan. • Develop a data collection and information management system in collaboration with international organizations to more effectively organize law enforcement data.

PROSECUTION

The government increased law enforcement efforts. The 2014 anti-trafficking law criminalized some forms of sex trafficking and some forms of labor trafficking, but failed to define what constituted exploitation. Additionally, inconsistent with international law, Sudan's anti-trafficking legal framework required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense, and therefore did not criminalize all forms of child sex 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 serious crimes, such as rape. Article 14 of the Sudan Armed Forces Act of 2007 criminalized recruiting children younger than 18 years old by members of the armed forces, enslaving civilians, or coercing civilians into prostitution, and prescribed penalties between three years' imprisonment and death.

The Ministry of Interior (MOI) reported investigating 150 trafficking cases involving an unknown number of suspects in 2018. The government prosecuted 30 of those cases involving an unknown number of suspects and convicted 45 individual traffickers under the 2014 anti-trafficking law. Sentences for those convicted ranged from fines of 1,000 Sudanese pounds (\$21) in lieu of imprisonment to more than three years' imprisonment. In 2017, the government reported investigating 99 cases, prosecuting 94 suspects, and convicting seven individual traffickers. As in past years, some of the government-reported cases may have been smuggling crimes due to a lack of trafficking knowledge among some officials and challenges in disaggregating trafficking in persons and smuggling crimes. The government's continued denial of sex trafficking occurring in Sudan coupled with authorities inconsistent screening of vulnerable populations likely resulted in law enforcement officials arresting women whom traffickers forced into prostitution.

The UN reported the Kassala Anti-Trafficking Court heard 40 trafficking cases in 2018 involving 80 suspects charged under the 2014 anti-trafficking law. Kassala government officials convicted 54 traffickers in 24 cases, sentencing them to imprisonment ranging from two and 20 years. Thirty-one of those convicted were Eritreans, and 23 were Sudanese. In August 2018, the government's Criminal Investigation Department collaborated with INTERPOL to arrest 14 suspected traffickers (12 women and two men) in Khartoum. The government did not report the outcomes of those arrests.

Experts noted some government officials were complicit in—or otherwise profiting from—trafficking crimes, and the MOI reported investigating two cases involving complicit officials. In one of the cases, the government reported convicting an unknown number of police officers in Kassala state and sentencing them to three years' imprisonment. The accused officials are appealing the second case. In 2017, the government reported prosecuting and convicting two officials, sentencing one to 10 years' imprisonment.

The MOI reported organizing 30 trafficking-related trainings for 925 total law enforcement officials in 2018. In 2017, the government reported partnering with international organizations to provide anti-trafficking trainings for approximately 103 officials. The government's Commissioner of Refugee Affairs (COR) partnered with the UN to provide four anti-trafficking and refugee protection trainings for officers from the Police Investigation Department, prosecutors, and judges in eastern Sudan. The government-funded Judicial and Legal Sciences Institute collaborated with an international organization in Khartoum to train justice sector and law enforcement officials on data collection and reporting in April 2018.

PROTECTION

The government increased overall protection efforts. It increased efforts to identify and refer trafficking victims to care but failed to identify victims of sex trafficking. Due to a lack of consistent screening, officials likely penalized some victims for unlawful acts traffickers compelled them to commit. In 2018, the MOI reported identifying approximately 1,400 potential trafficking victims, compared with 400 during the previous year. The UN reported the Criminal Investigation Department's anti-trafficking unit referred 142 victims to a shelter run by an international organization; the government did not report referring any victims to care or directly providing such support in 2017. The majority of these potential victims were Eritrean, Ethiopian, and Somali whose fraudulent labor recruiters lured to Sudan. In close partnership with an international organization and a foreign government, the government-funded Judicial and Legal Sciences Institute developed and disseminated standard operating procedures (SOPs) in 2018 to assist law enforcement, prosecutors, and the judiciary to identify child victims of trafficking. The SOPs were intended to standardize victim identification procedures; however, the government did not report the extent of dissemination or implementation. Officials discontinued the practice of detaining witnesses to secure their cooperation in trials with the establishment of safe houses in partnership with the UN.

COR officials partnered with UNHCR in eastern Sudan to establish identification and referral SOPs to proactively identify victims of trafficking within asylum-seeking and refugee populations, defining roles and processes for law enforcement, security personnel, and international organizations. In Khartoum, the National Council for Child Welfare (NCCW), Ministry of Social Welfare, and NGOs coordinated to provide care for child victims of trafficking. The effectiveness of coordination and quality of service provision varied widely from region to region and across government agencies. This inconsistency resulted in one case of law enforcement officials temporarily

detaining children, although NCCW staff intervened and ensured government officials provided the victims shelter, food, medical care, and psycho-social support.

During the reporting year, the NCCW and the Ministry for Social Welfare continued efforts to prevent the use of child soldiers within the Sudanese Armed Forces (SAF) and its auxiliaries through the implementation of the National Action Plan to Prevent the Recruitment and Use of Children in Armed Conflict. Unlike previous years, the government did not report identifying or reintegrating any child soldiers in 2018. Officials coordinated with the UN to conduct monitoring and verification visits, although observers reported security officials intermittently denied access to conflict areas in Darfur. In 2018, an international organization reported at least one case of child soldier recruitment and use by security forces in 2018. Media outlets reported government officials recruited children—particularly from Darfur—into combat roles in Yemen. In 2017, the government coordinated with international organizations to conduct monitoring and verification visits in eight conflict states, and officials from the NCCW facilitated the release of 21 child soldiers from non-governmental armed forces in the Darfur region.

The Secretariat of Sudanese Working Abroad coordinated with an international organization to provide medical services, shelter, counseling, reintegration support, and financial assistance for 730 Sudanese returning from Libya—many of whom were potential victims of trafficking. The Domestic Workers Act of 2008 provided 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 during the reporting period.

An international organization reported the government installed video and camera equipment in courthouses across the country allowing victims and witnesses to give testimony in separate rooms to prevent re-traumatization as a result of involvement in criminal proceedings. The government built a mock trial room with this technology at its Judicial and Legal Sciences Institute.

PREVENTION

The government decreased efforts to prevent trafficking. Although individual ministries and law enforcement personnel continued to implement anti-trafficking programming in 2018, unclear divisions of responsibility between the NCCT and HCCHT impeded the government's overall anti-trafficking coordination. Despite this shortcoming, the NCCT met at least three times in 2018, on par with the previous year. As in 2017, the government did not allocate a budget for its 2018-2019 national action plan. At the local level, the Kassala state government began drafting a state-level action plan designed to mirror the national action plan. The government did not report developing national awareness campaigns, nor did it make efforts to reduce the demand for commercial sex acts and forced labor, and it did not report providing anti-trafficking training for its diplomatic personnel. Due to the government's restrictions on foreigners' movement within Sudan, some individuals utilized smugglers for internal travel from eastern Sudan to Khartoum, increasing their risk of trafficking.

Ministry of Labor inspectors were responsible for providing oversight on recruitment agencies, but they did not report investigating or sanctioning fraudulent recruiters and claimed a lack of training and guidance from the ministry impeded their ability to enforce existing laws. The MOI reported two hotlines were available for reporting trafficking tips—one for child trafficking, and one for other trafficking cases—but did not disclose the numbers of calls it received.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Sudan, and traffickers exploit victims from Sudan abroad. Traffickers subject homeless children in Khartoum—including Sudanese and unaccompanied migrant children from West and Central Africa—to forced begging, forced labor in public transportation and large markets, and sex trafficking. Human rights groups observe children working in brick-making factories, gold mining, collecting medical waste, street vending, and agriculture; these children are exposed to threats, physical and sexual abuse, and hazardous working conditions, with limited access to education

or health services, making them highly vulnerable to traffickers. Criminal groups exploit Sudanese women and girls—particularly internally displaced persons or those from rural areas—in domestic work and Sudanese girls to sex trafficking. Sudanese law prohibits the recruitment of children as combatants and provides criminal penalties for perpetrators; however, an international organization reported SAF elements forcibly abducted a minor for the purpose of recruitment in 2018. Media reported complicit officials associated with Sudan’s Rapid Support Force recruited children and provided forged documents for minors to serve as combatants in Yemen. Sudanese military forces denied observers’ access to conflict areas in Darfur making verification of child soldier recruitment more challenging.

Because of regional instability and conflict, Sudan hosts approximately 3.3 million people of concern, including over 1 million refugees (primarily South Sudanese), and asylum-seekers, and 1.9 million internally displaced persons. These individuals are vulnerable to trafficking due to their lack of economic stability and access to justice.

In 2018, a human rights organization reported approximately 30,000 Eritrean, Ethiopian, and other African asylum seekers—populations vulnerable to trafficking due to their economic fragility and lack of access to justice—were temporarily housed in Khartoum waiting to travel to Europe. During the reporting year, Eritreans represented the highest number of trafficking victims in Sudan—mainly in the east—due to traffickers targeting the consistent flow of refugees and asylum-seekers. Sudanese traffickers compel Ethiopian women to work in private homes in Khartoum and other urban centers. Increasingly well-organized and cross-border criminal syndicates force some Ethiopian women into prostitution in Khartoum by manipulating debts and other forms of coercion. Somalis represent a significant portion of smuggled individuals who become, or are at risk of becoming, victims of trafficking. Seeking to escape conflict and poverty, many East African victims of trafficking initially seek out the services of smugglers, who coerce the migrants into forced labor or sex trafficking. Due to the ongoing conflict in South Sudan, there was an increase in South Sudanese refugees across Sudan, many of whom remained vulnerable to forced labor and sex trafficking in Sudan. An international organization continued to document cases of traffickers exploiting West and Central African nationals—primarily from Chad, Mali, and Niger—arriving in Sudan via irregular migratory routes. Anecdotal evidence also suggests business owners subject Chinese women working for small-scale Chinese firms such as restaurants and hotels to forced labor or sex trafficking.

Darfur remained a favored route for Sudanese attempting to travel through Libya to Europe, as the porous border and sustained insecurity allow traffickers to operate with impunity across the region. Experts reported Libyan officials held 427 Sudanese in Libyan detention centers where they were vulnerable to forced labor and other forms of abuse. The government reported Darfuri armed groups increasingly exploit some migrants in forced labor or sex trafficking. In past years, criminals exploited in trafficking some Sudanese nationals en route to Europe via Egypt. Smugglers linked to the Rashaida and Tabo tribes abduct Eritrean nationals at border crossings, extort them for ransom, and subject them to abuse, including trafficking. Other cross-border tribes also force abductees to perform domestic or manual labor and subject them to other forms of abuse, including trafficking. Sudanese government officials allegedly facilitate trafficking in persons in eastern Sudan and allow victims to be transported across security checkpoints or international borders without intervention.