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2020 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. Authorities prosecuted more suspected traffickers and launched programs to raise awareness for the first time in two years. The government also improved its ability to coordinate across ministries by streamlining its national anti-trafficking mechanism and focusing resources on the National Committee to Combat Human Trafficking (NCCHT). During the reporting period, the government drafted, finalized, and approved a national action plan. Sudanese Armed Forces (SAF) officials launched a unit to lead the government's child protection efforts in conflict areas and provided training to more than 5,000 members of its military on child protection issues, including child soldiering. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. A semi-autonomous paramilitary branch of the government's security apparatus—the Rapid Support Forces (RSF)—allegedly recruited child soldiers in May 2019 under the former military-led government; officials did not report investigating the alleged recruitment, nor making efforts to identify, demobilize, and rehabilitate the potential victims. Additionally, officials' conflation of trafficking, smuggling, and kidnapping for ransom impeded the country's anti-trafficking efforts. Substantial personnel turnover related to the April 2019 formulation of the Transitional Military Council followed by the September 2019 establishment of the Civilian Led Transitional Government (CLTG) hindered Sudan's ability to maintain consistent anti-trafficking efforts and accurately report on those efforts for this reporting period. Further, government-reported investigations and convictions decreased compared to the previous reporting period. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Sudan was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Sudan remained on Tier 2 Watch List for the third consecutive year.

PRIORITIZED RECOMMENDATIONS:

The CLTG proactively ensures Sudan's armed forces do not recruit or use child soldiers and increases efforts to investigate and prosecute officials who have been complicit in child soldier recruitment and use. • Increase efforts to investigate and prosecute traffickers as well as complicit officials according to the country's anti-trafficking law, including distinguishing those allegedly responsible for labor and sex trafficking from migrant smuggling or kidnapping crimes. • Coordinate with civil society and international organizations to disseminate existing standard operating procedures (SOPs) for authorities and first responders to identify adult sex and labor trafficking victims. • Ensure authorities do not penalize trafficking victims for crimes committed as a direct result of unlawful acts traffickers compelled them to commit, such as women coerced into commercial sex acts. • Amend the 2014 anti-trafficking law to criminalize sex trafficking of children in the absence of force, fraud, or coercion and define exploitation. • Increase training for security officials in Darfur on distinguishing trafficking from other crimes such as smuggling and kidnapping for ransom, and ensure recipients use this guidance to train additional government officials. • Implement and dedicate adequate resources to the 2020-2022 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 decreased its reported 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 government did not report training officials on the identification or investigation of trafficking crimes, and authorities’ conflation of human trafficking, smuggling, and kidnapping for ransom impeded accurate assessment of Sudan’s anti-trafficking law enforcement data. Additionally, significant personnel turnover as a result of the September 2019 establishment of the CLTG hampered Sudan’s ability to report accurately its law enforcement activities. During the reporting period, the NCCHT reported authorities investigated and prosecuted 97 potential traffickers for crimes involving sexual exploitation as well as forced labor, and convicted five traffickers; courts sentenced the traffickers to between three and four years’ imprisonment as well as unknown fines. In 2018, the government reported investigating 150 trafficking cases, prosecuting 30 of those cases, and convicting 45 traffickers.

Experts 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. The government did not report investigating complicit officials in 2019, compared with investigating two government employees in 2018. Authorities did not report the status of the 2018 complicity investigation.

PROTECTION

The government decreased overall protection efforts and identified fewer victims; this is partially attributable to the transition and high turnover of personnel between the former regime and the CLTG. The government identified fewer victims, which is partially attributable to the transition and high turnover of personnel between the former regime and the CLTG. Authorities reported identifying more than 1,200 potential victims during the reporting period, compared with approximately 1,400 potential victims in 2018; however, due to a dearth of training and resulting conflation, some of those potential victims the government identified in 2019 and 2018 may have been individuals who purchased the services of smugglers and were not exploited in forced labor or sex trafficking. The National Council for Child Welfare collaborated with donors, international organizations, and civil society to provide shelter and medical services to 84 potential child trafficking victims from Eritrea and Ethiopia in 2019; in 2018, the UN reported law enforcement officers referred 142 victims to a shelter run by an international organization.

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 within Sudan, coupled with authorities’ inconsistent screening of vulnerable populations, likely resulted in the arrests and detention of women whom traffickers forced into commercial sex. Sudan’s 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.

During the reporting period, SAF officials launched the Child Rights Unit (CRU) to lead the government’s child protection efforts in conflict areas. CRU officials implemented 71 training activities in partnership with international organizations to sensitize authorities on the rights of children—including efforts to prevent security forces from recruiting and using child soldiers—and reached more than 5,000 personnel. Additionally, the Sudanese Joint Chiefs of Staff issued and disseminated command orders every three months during the reporting period directing military officials to follow the government’s ban against using individuals under 18 years of age in support or combat roles. However, the government did not report identifying or reintegrating any child soldiers the former regime recruited and used, despite credible reports Sudanese units used minors in combat roles. An international organization reported RSF units allegedly recruited and used 87 children aged 14 to 17 years old in May 2019 to forcibly disperse anti-government crowds. The government cooperated with international observers in August 2019 to facilitate monitoring and verification visits to RSF barracks and training facilities to screen for children; experts did not identify any children out of approximately 800 soldiers they interviewed.

PREVENTION

The government increased efforts to prevent trafficking. The NCCHT finalized and approved the government’s 2020-2022 national action plan in March 2020. In 2019, the government resolved unclear divisions of responsibility between the NCCHT and Higher Committee to Combat Human Trafficking (HCCHT) by disbanding the HCCHT. Similar to the previous year, the NCCHT met at least three times during the reporting period. Authorities did not report whether the Kassala state government finalized its state-level action plan, which was drafted during the previous reporting period and intended to mirror the national action plan. For the first time in two years, officials held a

workshop in September 2019 to raise awareness of exploitation in domestic work. Ministry of Labor inspectors were responsible for providing oversight of recruitment agencies, but they did not report investigating or sanctioning fraudulent recruiters during the reporting period. The government did not report providing anti-trafficking training for its diplomatic personnel. Officials did not report efforts to reduce the demand for commercial sex.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Sudan, and traffickers exploit victims from Sudan. Traffickers exploit homeless children in Khartoum—including Sudanese and unaccompanied migrant children from West and Central Africa—in forced labor for begging, public transportation, large markets, 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; the aforementioned traffickers expose the children to threats, physical and sexual abuse, as well as to hazardous working conditions with limited access to education or health services. Criminal groups exploit Sudanese women and girls—particularly internally displaced persons (IDPs) or those from rural areas—in domestic work and in sex trafficking.

The non-governmental armed group Sudan Liberation Army/Abdul Wahid recruited and used child soldiers in Darfur during the reporting period. An international organization reported RSF members allegedly recruited child soldiers in May 2019 to forcibly disperse anti-government crowds in June 2019 under the previous military-led government. Observers noted government armed forces under the former regime recruited and used child soldiers from 2011 to 2017 and in 2019. Additionally, sources reported corrupt RSF officials financially benefited from their role as border guards and took a direct role in human trafficking.

Due to regional instability and conflict, there are more than 2 million IDPs and 1.1 million refugees in Sudan—populations with increased susceptibility to forced labor or sex trafficking. Observers noted government officials tasked with protecting vulnerable individuals sexually exploited some refugees in Sudan's eastern provinces. Additionally, the government's refugee encampment policy, which restricts refugees from moving freely within the country, further increased some refugees' risk of exploitation as they utilized smugglers inside Sudan.

Thousands of Eritrean, Ethiopian, and other African asylum-seekers—populations vulnerable to trafficking due to their economic fragility and lack of access to justice—are temporarily housed in Khartoum while planning to travel to Europe. During the reporting period, Eritreans represented the highest number of victims in Sudan, mainly in the east, due to traffickers targeting the consistent flow of migrants 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 commercial sex in Khartoum by manipulating debts and other forms of coercion. Attempting 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, the South Sudanese refugee population in Sudan nearly doubled since 2018; many of these refugees remain vulnerable to forced labor and sex trafficking in Sudan. In 2018, an international organization documented cases of traffickers exploiting West and Central African nationals—primarily from Chad, Mali, and Niger—arriving in Sudan via irregular migratory routes.

Darfuri armed groups exploit some migrants in forced labor or sex trafficking. 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 abuse them in other ways, including exploiting them in forced labor or sex trafficking.

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Austrian Red Cross Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD)	Wiedner Hauptstraße 32, 1041 Wien T (Telefon) +43 1 589 00 583 F (Fax) +43 1 589 00 589 info@ecoi.net	Contact Imprint & Disclaimer F.A.Q. Data Protection Notice
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