

Flygtningenævnets baggrundsmateriale

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EASO COI QUERY

FINAL ANSWER

Sudan

Date of the query 20 December 2017

Completion date 26 January 2018

Question/Subject

1. **Information on treatment of non-Arab Darfuri people in Sudan.**
2. **Information on treatment of returned asylum seekers to Sudan – both Arab and non-Arab.**

Disclaimer

The response to this Country of Origin Information (COI) query has been elaborated according to the EASO COI Query User Guide, the Common EU Guidelines for Processing COI and the EASO COI Report Methodology. The information provided has been researched, evaluated and processed with utmost care within a limited time frame. However, this document does not pretend to be exhaustive neither conclusive as to the merit of any particular claim to international protection status. If a certain event, person or organisation is not mentioned in the response, this does not mean that the event has not taken place or that the person or organisation does not exist.

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The target audience is case workers, COI researchers, policy makers, and decision making authorities. The answer was finalised in Malta on 26 January 2018. Any event taking place after this date is not included in this answer.

Contributing Countries

The final answer is based on information provided by COI specialists/units from AT, DE, IE, LU, NL, PT, RO, SE, UK and EASO.

Answer

According to Dr David Hoile, author of the book *Darfur in Perspective*, 'The largest ethnic group within Darfur are the Fur people, who consist mainly of settled subsistence farmers and traditional cultivators. Other non-Arab, "African", groups include the Zaghawa nomads, the Meidob, Massaleit, Dajo, Berti, Kanein, Mima, Bargo, Barno, Gimir, Tama, Mararit, Fellata, Jebel, Sambat and Tunjur' ⁽¹⁾.

¹ Hoile, David, *Darfur in Perspective*, January 2006 ([url](#)), p. 5.

1. Information on treatment of non-Arab Darfuri people in Sudan.

The UN Committee on the Elimination of Racial Discrimination noted, in a June 2015 publication states:

‘The conflict in Darfur is marked by serious violations of human rights, including killings, torture, sexual violence, arbitrary detention and ill-treatment of civilians, particularly those belonging to the Fur, Zaghawa and Massaleit ethnic groups’ ⁽²⁾.

A December 2016 report by Lifos, the Swedish Migration Agency’s COI service, states that available COI indicates a connection between some of the non-Arabic groups in Darfur and rebel groups. There is also societal discrimination against persons, solely based on their ethnicity.

According to Lifos, since persons belonging to non-Arabic groups are presumed to support or be affiliated with armed rebel groups in Darfur, they attract the attention of the authorities more easily, and have for example been exposed to ill-treatment in connection with arrests in Khartoum ⁽³⁾.

A joint report published by the Danish Immigration Service (DIS) and the UK Home Office dated August 2016 notes that:

‘A number of sources, however, noted that those from Darfur and the Two Areas, and in particular those of African ethnicity, were more likely to be viewed with greater suspicion and treated worse in detention than other tribes from Darfur and the Two Areas if they did come to the attention of the NISS [National Intelligence and Security Service] due to their political activity’ ⁽⁴⁾.

The same source indicates:

‘DBA [Darfur Bar Association] (Kampala) and ACPJS [African Centre for Justice and Peace Studies] observed that those from other Darfuri tribes (i.e. not the Fur, Masalit and Zaghawa), would not generally be perceived as opposed to the regime or commonly associated with rebel groups and hence not being monitored by the NISS [National Intelligence and Security Service]. However DBA (Khartoum) noted, in the context of how persons from Darfur and the Two Areas were treated on arrest, that other African Darfuri tribes, including the Tunjur, Meidob, Tama, Mima, Gimir and Dago tribes, were treated more harshly than Arab-origin tribes because the authorities assumed that these groups supported armed rebel groups’ ⁽⁵⁾.

A Human Rights Watch report on Sudan, published in January 2017, notes under the heading ‘Conflict and Abuses in Darfur’:

‘In January, Sudan’s armed forces, including the Rapid Support Forces and allied militia, launched coordinated ground and air attacks on populated villages in Jebel Marra ^[6], the rebel

² UN CERD, Concluding observations on the combined twelfth to sixteenth periodic reports of the Sudan, 12 June 2015 ([url](#)).

³ Sweden, Lifos, Sudan – En sammanfattande analys av säkerhetssituationen i Darfur, rättsväsendet samt civilas situation, version 1.0, 6 December 2016 ([url](#)), chapter 6, subchapters 1.3.1, 3.2, 3.3, 8.1.1.

⁴ Denmark (DIS) and UK (Home Office), Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum, August 2016 ([url](#)), pp. 21-22.

⁵ Denmark (DIS) and UK (Home Office), Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum, August 2016 ([url](#)), p. 22.

⁶ Located in the central belt of Darfur, Jebel Marra was considered to be ‘among the most fertile agricultural areas of Darfur’ and ‘historically has been part of the *dar* or homeland of the Fur’. Human Rights Watch, Background Briefing, January 2005 ([url](#)), accessed 23 January 2018.

stronghold in Central Darfur. These attacks continued for much of the year, following Sudan's "Operation Decisive Summer" campaigns in Darfur in 2014 and 2015.

Government forces killed civilians, raped women and girls, and destroyed hundreds of villages. In September, the United Nations found the violence had displaced up to 190,000 people, many of whom are not accessible to humanitarian agencies. Elsewhere in Darfur, attacks on civilians by government forces and inter-communal fighting over land and resources also resulted in deaths, destruction and displacement' ⁽⁷⁾.

2. Information on treatment of returned asylum seekers to Sudan – both Arab and non-Arab.

December 2013 information from the Austrian Embassy in Cairo-Egypt (diplomatic post also responsible for Sudan) sent to the Austrian Federal Office for Immigration and Asylum, indicates that returned asylum seekers to Sudan had not faced problems entering the country, with the exception of well-known personalities from the opposition or advocates of armed rebellion against the government ⁽⁸⁾.

Statistics from the UK Government show that between January 2015 and September 2017, 29 Sudanese failed asylum seekers have voluntarily returned to Sudan (there were no enforced returns). There were also 38 non-asylum voluntary returns and one enforced return to Sudan in the same period ⁽⁹⁾.

A publication released in January 2017 by Waging Peace, an advocacy group that campaigns against abuses in Sudan, states that:

'Deportations from Italy as a part of the wider Khartoum Process, bilateral agreements between the Sudanese and Italian governments have been signed that aim to tackle migration and border control issues. (...) In August 2016, this agreement led to the deportation of 48 Sudanese from Italy to Khartoum (...). On arrival, the individuals were held briefly by NISS, and though some reported that they had been tortured, we have not had access to original testimony that can verify this' ⁽¹⁰⁾.

The August 2017 UK Home Office Country Policy and Information Note (CPIN) on Sudan: Failed asylum seekers, citing secondary sources includes:

'[the British Embassy in Khartoum, in a letter] dated 19 February 2015 noted: "As reported in our letter of April 2013 it remains the case that none of our international partners were aware of any cases of returnees being mistreated on return to Sudan"' ⁽¹¹⁾.

The UK Home Office CPIN further notes:

'Although the letter further clarified: "Counterparts at other embassies in Khartoum have told us that the numbers returned from their countries is very limited. If it happens at all, and that even when individuals are returned they do not actively monitor every case." The letter also noted: "It is our understanding that UNHCR has no role in monitoring the situation of

⁷ Human Rights Watch, Sudan Events of 2016, January 2017 ([url](#)).

⁸ Austria, Embassy in Cairo-Egypt, written communication with the Austrian Federal Office for Immigration and Asylum, December 2013.

⁹ UK, Immigration statistics July to September 2017, Returns data tables volume 5, 30 November 2017 ([url](#)).

¹⁰ Waging Peace, Update - Sudan: Recent cases of post-deportation risk, 4 January 2017 ([url](#)).

¹¹ UK, Home Office, Country Information and Guidance, Sudan: Failed asylum seekers, version 3.0, August 2017 ([url](#)), section 6, Treatment of returnees.

Sudanese returned to Khartoum International Airport, but that representatives of IOM would normally meet any individual being returned under the global programme of assisted voluntary returns” (12).

Moreover, the UK CIG quoting the Australian Department of Foreign Affairs and Trade (DFAT) indicates:

‘DFAT is not aware of any evidence that suggests an asylum seeker returning to Sudan would be distinguishable to the broader community or susceptible to any form of discrimination or violence, unless they presented a threat to the Government. In reality, this is likely to affect vocal opponents of the Government’ (13).

The DIS and UK Home Office joint report of August 2016 noted under the heading ‘Returning failed asylum seekers’:

‘A number of sources stated that they had no information to indicate that failed asylum seekers / returnees from Darfur or the Two Areas would generally experience difficulties on return to Khartoum International Airport (KIA), or they did not consider that claiming asylum overseas would put such a person at risk per se. Western Embassy (C) noted that they had monitored the forced return of two persons from Europe in 2015 and had no reason to believe that they experienced any difficulties or mistreatment, although the source acknowledged that they were not present throughout the arrival procedure. The diplomatic source mentioned that they had experience of a very few rejected asylum seekers being deported from Switzerland and Norway. According to the source it was unclear whether these returnees could get support upon return to Sudan. However the source added that those sent back from Norway had not faced any problems upon return’.

The same fact-finding mission report notes that different sources indicated:

- ‘a lack of coordination in the return operations from deporting countries to inform those concerned when precisely returnees would arrive at KIA;
- a general absence of independent organisations at KIA, including UNHCR, when forcibly returned persons arrived in Sudan, although IOM was present for voluntary returns;
- a limited number of enforced returns from Europe’.

On the issue of questioning and treatment upon arrival in Sudan, the DIS/UK Home Office report adds:

‘EAC [European and African Centre ¹⁴] advised that at the security desk, officers asked a range of questions of failed asylum seekers returning to Sudan (for instance about how long they had stayed abroad; why they did not have a passport; or political affiliations and acquaintances abroad). ACPJS remarked that persons returning without travel documents or under escort would be subject to questioning. (...)’

¹² UK, Home Office, Country Information and Guidance, Sudan: Failed asylum seekers, version 3.0, August 2017 ([url](#)), section 6, Treatment of returnees.

¹³ Australia, DFAT (Department of Foreign Affairs and Trade), DFAT Country Information Report, Sudan, 27 April 2016 ([url](#)), p. 27.

¹⁴ The European and African Centre for Research, Training and Development (EAC) is an international non-profit organisation working on fighting human smuggling and trafficking ([url](#)).



UNHCR was not able to verify whether any of the returnees had been detained. However, the source stated that if a person had a high political profile, one could not rule out the possibility that he could face difficulties with the authorities' ⁽¹⁵⁾.

¹⁵ Denmark (DIS) and UK (Home Office), Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum, August 2016 ([url](#)), subchapter 2.2 Returning failed asylum seekers.



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