



Sudan – Researched and compiled by the Refugee Documentation Centre of Ireland on 16 February 2018

- 1. Is there any information on the treatment of Darfuris living in Khartoum?**
- 2. Are there any reports of arrests of Darfuris for perceived political opinions?**
- 3. Are there reports of groups of Darfuris, living in Khartoum, being opposed to the al Bashir regime?**

A fact-finding mission report jointly published by the Danish Immigration Service and the UK Home Office, in chapter 3, “Treatment of persons from Darfur and the Two Areas by the authorities” (section 3.3: “Impact of ethnic and tribal affiliation”) states:

“Four sources observed that all communities from Darfur or the Two Areas in Khartoum could be at risk of mistreatment by the NISS or indicated that persons from these communities may be targeted by the authorities due to their ethnicity alone. However, none of the sources provided specific information indicating that persons from Darfur or the Two Areas were being subjected to mistreatment by the authorities exclusively due to their ethnic background.

Faisal Elbagir (JHR) noted that whilst there was no official report on ordinary civilians (that is persons who were not involved in political activities) from Darfur or the Two Areas being targeted by the authorities merely due to their ethnic affiliation, such cases could be found on social media. However, the source could not give examples of such cases which had been verified. Elbagir also remarked that due to media restrictions in Sudan, it was often difficult to obtain accurate news reports about cases of detention.

Khartoum based journalist (1) noted that it was the type and level of political activity rather than one’s ethnic background which was the determining factor behind who was monitored and targeted by the NISS. ACPJS explained that ethnicity was complicated and that ethnic disputes were often exploited by the government to pursue political goals. ACPJS highlighted that in general anyone who was suspected of political opposition against the government could be targeted, including persons from Arab tribes.

Some sources advised with regard to the arrest of Darfuris in Khartoum that there had been no largescale arbitrary arrest of Darfuris in Khartoum in recent years compared to that of 2008, following the JEM assault on Omdurman. Sources noted that at that time widespread security operations in Khartoum took place, which were often based on the skin colour and ethnicity of a person.

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 due to their political activity. Some sources also mentioned Ingessana from the Two Areas among the tribes being suspected by the authorities for political activity. Several sources noted that the Darfuri and the Two Area communities were perceived by the NISS to be 'rebel sympathisers' and consequently these communities would be more closely monitored by the NISS, for example through the use of informants. Khartoum based journalist (3) held the view that it was only those communities arriving in Khartoum post 2003 who would be monitored.

DBA (Kampala) and ACPJS 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. 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. DBA (Kampala) also observed that activists of Arab origin may experience harsh treatment for advocating in favour of the rights of non-Arab tribes.

EHAHRDP commented that it was difficult to be prescriptive about which tribes would be at greater risk, although considered those from Arab Baggara tribes as less likely to experience mistreatment because these tribes were commonly associated with the pro-government Janjaweed militia.

UNHCR noted, however, that it was difficult in practice to treat persons differently on the basis of their tribal affiliation. The source explained that it was difficult to say which group would be targeted and which would not due to the sheer number of different tribes in Darfur (over 400), and the fact that mixed parentage occurred." (Danish Immigration Service and UK Home Office (August 2016) *Sudan: Situation of Persons from Darfur, Southern Kordofan and Blue Nile in Khartoum*, pp.21-22)

In chapter 5, "Societal treatment in Khartoum, including the prevalence of racial discrimination" this report states:

"A number of sources observed that persons from Darfur and the Two Areas, and in particular those of African descent, experienced some level of discrimination or societal harassment. To illustrate this, five sources referred to the use of derogatory phrases such as 'slave', especially from those belonging to Riverine Arab tribes.

Crisis Group noted that despite 'systematic' discrimination restricting those from Darfur and the Two Areas in conducting political activities, such communities were able to live 'day to day' in Khartoum. The source also considered that the level of discrimination an individual may experience was linked to how politically involved a person was and how long they had lived in the city; according to the source those with established links over a longer period would likely experience less discrimination in Khartoum. Western embassy (A) remarked that there was no visible societal discrimination

against the Darfuri and persons from the Two Areas, except within the student community.

DBA (Kampala) noted that discrimination tended to be from the authorities, rather than the civilian populace. The source referred to cases of discrimination involving the POP who targeted illegal tea sellers; in cases of recruitment into the civil service or in the over-taxation of Darfuri businesses. Three sources considered day to day discrimination from officials working in the Sudanese authorities to be reflective of a wider 'racist narrative' or supremacist ideology, which placed emphasis on a person's skin colour and was prejudicial towards those of African / non-Arab descent.

Two sources considered societal discrimination and racism against persons from Darfur and the Two Areas as a major problem in Sudan." (ibid, pp.30-31)

The Executive Summary of a report from Amnesty International states:

"Since the conflict started in Darfur in 2003, the police and the security services have arbitrarily arrested and detained at least 10,000 students from Darfur. In 2015 alone, the police and the security services arbitrarily arrested and detained at least 200 students from Darfur. During the same period, Amnesty International documented at least 13 students from Darfur killed in various universities across Sudan, possibly by police officers, National Intelligence and Security Service (NISS) agents and/or ruling party affiliated students.

Most of these violations were committed by Sudanese security forces, who repeatedly used excessive force to break up assemblies of Darfuri students, violating their rights to freedom of expression, association and peaceful assembly. Security agents demonstrated bias in their policing of student protests, appearing to target only Darfuri students for arrests, while ruling party affiliated students were not held to account. Ruling party affiliated students also perpetrated abuses against Darfuri students and university professors, including through beatings and threats. Although these are criminal offenses, the state failed to prosecute the ruling party affiliated students who committed these abuses." (Amnesty International (15 May 2017) *'Uninvestigated, Unpunished': Human Rights Violations Against Darfuri Students In Sudan*, p.5)

This Summary also states:

"Darfuri students have also been suspended from studying or denied their certificates after graduation. When they protest against university policy, they are violently dispersed by the NISS, the police and ruling party affiliated students and, on many occasions, are arrested and subjected to ill-treatment and torture. Another trigger for violence is the political activities of Darfuri students in relation to the conflict in Darfur. Darfuri students' attempts to discuss the conflict in Darfur through public fora in the universities are regularly violently thwarted by ruling party affiliated students. Senior government officials have also made inflammatory public statements against the political activities of Darfuri students. Many students participating in these public fora are also arrested and subjected to torture and ill-treatment while in custody." (ibid, p.6)

A report from Human Rights Watch, in a section titled “Patterns of Repression Since 2011”, states:

“The government has also repeatedly used violence against protesters inside universities, a longstanding pattern that appears to have intensified in recent years and often involves violence between pro-government students and other groups.¹⁴ In one example, security forces reportedly shot dead Darfuri student Ali Abaker in Khartoum University in March 2014,¹⁵ and in another example they sexually harassed, beat and detained female students protesting eviction from the university’s dormitories in October 2014.” (Human Rights Watch (23 March 2016) *“Good Girls Don’t Protest”: Repression and Abuse of Women Human Rights Defenders, Activists, and Protesters in Sudan*, pp.11-12)

In a chapter titled “Patterns of Abuse against Women Human Rights Defenders, Activists, and Protesters” this report states:

“Outspoken activists from Darfur have also been targeted. In one example from 2011, Hawa Abdallah ‘Jango,’ a well-known community activist from North Darfur, was detained for more than two months and subjected to torture and sexual violence. On May 6 2011, national security agents raided her family’s home in Abu Shouk displaced persons camp, and using violent force, took her to the security office for two days, then transferred her to another facility in Khartoum. On May 8, a photo was released of Hawa holding a Bible, her face bruised, on a government news outlet accusing her of attempting to convert children to Christianity. She was held incommunicado, with the exception of one visit by UN officials which, she said, was supervised. She was never formally charged. During interrogations, security officers whipped and beat her with iron rods, electrocuted her, pulled out her fingernails, and sexually abused her, she said. They accused her of supporting the ICC and being a spy, among other things. They released her on July 12, 2011, threatening her and her family if she continued her activism. Shortly thereafter, Hawa fled the country. In 2012, she received the International Woman of Courage award.

More recently, security forces used sexual violence against Darfuri students protesting their eviction from a university dormitory in Khartoum. In October 2014, national security officials allegedly raped at least one female student following the eviction of about 70 mostly Darfuri women from the Zahra women’s dorm of Khartoum University. According to multiple eye-witness accounts collected at the time, police and security officers entered rooms, beat women, groped and taunted them and threatened to assault them sexually. One women’s group reported that security officers forced some students to undress, photographed them and threatened to use photos against them.” (ibid, p.24)

A report from the Amsterdam based pro-Darfuri Radio Dabanga states:

“Fifty-five Darfuri students at the Holy Koran University in Omdurman have been detained, wounded or missing since Monday, when a security raid took place on the campus. Ten students sustained injuries and 14 of the students were or still are detained by the Sudanese National Intelligence and Security Service (NISS), according to the head of the Darfur Students Association. 31 students have gone missing, Nasreldin Mukhtar told Radio Dabanga. He

added that security agents detained Moaz Abdallah and Sharafeldin Shakur on the campus on Tuesday morning. 'They were taken to a room in the Holy Koran University, where the security troops beat the students and stripped them of their clothes, in front of other people. They threw the two in their vehicle and took them to an unknown destination,' Mukhtar claimed. Meanwhile, policemen and NISS members are stationed inside the university with 'seven vehicles loaded with weapons', according to Mukhtar. 'They are preventing students who originate from Darfur from entering the classrooms. They are armed with tasers.'" (Radio Dabanga (27 October 2015) *Darfuri students detained, wounded, missing in Omdurman*)

See also Radio Dabanga report which states:

"On Sunday, a criminal court in Khartoum North convicted two Darfuri students on charges of rioting and violating the public order. Nine others were acquitted. According to the chairman of the Darfur Students Association, the students were detained on the basis of their skin colour. Students Muslim Yahya Abdallah and Mohamed Babikir were sentenced to a fine of SDG200 (\$33) each, defence lawyer Jibril Adam Hasabo told Radio Dabanga. The 11 Darfuri students of the University of El Zaeem El Azhari were detained by security officers on Wednesday, following an attack by militant youth members of the ruling National Congress Party and security forces on Darfuri students at the campus in Khartoum North." (Radio Dabanga (22 February 2016) *Darfur students targeted on skin colour in Khartoum*)

A report published by the Department of Foreign Affairs and Trade (DFAT) of Australia, a section titled "Fur, Zaghawa and Massalit" (paragraph 3.8), states:

"There are also examples of individuals from Darfur being targeted outside of Darfur, particularly in Khartoum. There are a number of factors that influence the treatment of Darfuris in Khartoum, including their actual or perceived support for or association with rebel groups, or the criticism, particularly from students, of the implementation of the Doha Document for Peace in Darfur (which guaranteed free university education for Darfuris). For example, between late April and early July 2015 over 200 Darfuri students and their families were detained in Khartoum following protests." (Department of Foreign Affairs and Trade (DFAT) (27 April 2016) *DFAT Country Information Report: Sudan*, p.12)

See also paragraph 3.9 which states:

"Overall, DFAT assesses that Darfuris in Khartoum face a moderate risk of discrimination and violence on the basis of their ethnicity and their actual or perceived support for or association with rebel groups. DFAT assesses that Darfuris who actively criticise the Government, such as through participating in protests, face a higher risk." (ibid, p.12)

A 2011 report published by the Middle East Institute, in a section titled "Darfuri IDPs and the Challenge of Urbanization", states:

"In Khartoum, many Darfuri IDPs instinctively try to assimilate to avoid standing out and attracting the attention of frequently hostile authorities. This sense of insecurity drives the IDPs to assume the identity of 'urban poor' rather than being identified as migrants because of the stigma associated with

forced migration. The fears of some of these IDPs came true after the rebel Justice and Equality Movement (JEM) attacked the capital Khartoum in May 2008. The GoS security services rounded up many Darfuris in search-and-detain operations that combed through areas of the capital where the IDPs were believed to live. The government established roadblocks in some areas and forced people out of their vehicles or public transportation. Many were held for days or even months without trial and there are credible reports of torture and human rights abuses.

IDPs are more likely to live in the poor areas of Khartoum, where unemployment is a serious concern. Many women have turned to illegally selling, putting themselves at risk of arrest. Exposure to crime and gender-based violence, malnourishment, disease, arbitrary arrest, forced eviction, lack of water, and poor access to transportation are problems that IDPs face. Forced evictions and relocations have often turned violent and resulted in deaths. In 2005, the UN inter-agency Rapid Needs Assessment reported that Darfuri IDPs in Khartoum were living in poorer situations than those in Darfur, and there are no indications that the same does not hold true today.” (Middle East Institute (30 March 2011) *Facing the Unknown: The Continuing Challenge of Assisting the Protracted Displaced in Darfur and Eastern Chad*)

A report from the UK Home Office, in paragraph 6.2.9, quotes from a letter from the Deputy Head of Mission at the British Embassy in Khartoum as follows:

“Recently a number of opposition leaders who signed a political manifesto (New Dawn Charter) in Uganda calling for reform and the overthrow of the Government of Sudan were detained for a number of weeks. These were widely reported in the Sudanese press and acknowledged as fact by the Sudanese government. One of the arrestees was a dual Sudanese/British National and this Embassy has had direct contact with the Government of Sudan about the case. We have also received credible reports from political parties and human rights groups in Sudan that those who are overly critical of the government are usually subject to surveillance and intimidation by the security services. Reports from human rights groups suggest that Darfuris and Nubans are also more likely to be at risk from this type of persecution.” (UK Home Office (August 2017) *Sudan: Rejected asylum seekers*, p.17)

See also “Annex A Letter from British Embassy, Khartoum, 29 September 2016” which, under the heading “Non-Arab Darfuris In Sudan”, states:

“This letter aims to provide an assessment of the situation facing non-Arab Darfuris in Sudan, and whether they face persecution.

The British Embassy is in regular contact with Darfuri groups from civil society, government and political parties. In the course of these contacts, no substantial concerns have been raised over the treatment of non-Arab Darfuris settled in regions outside of Darfur that we would consider ethnic persecution, although many face economic marginalisation having been displaced due to conflict. We are also not aware of reports of systematic targeting of Darfuris from United Nations agencies or other embassies with whom we are in contact.

As found in the UK Home Office-Danish Immigration Service FFM report, we do receive reports of discrimination in education and employment. We also receive reports of harassment of individuals or groups perceived to have an anti-government political stance, such as Darfuri student associations. But these issues are not overriding for Darfuris as opposed to other ethnicities. Any individual with a perceived anti-government stance can face harassment. And many Darfuris (including non-Arab) are represented at senior levels in Government, academia, the security forces, the media and in other institutions." (ibid, p.23)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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