

# SUDAN COUNTRY STATEMENT

ADDRESSING MIGRANT SMUGGLING AND HUMAN TRAFFICKING IN EAST AFRICA

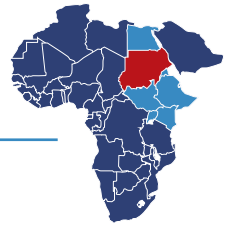
September 2017

This report is one of 10 country statement reports covering:  
Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan, Uganda and Yemen

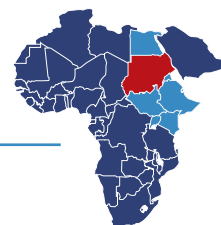


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**Sudan Country Statement:**  
Addressing Migrant Smuggling and  
Human Trafficking in East Africa



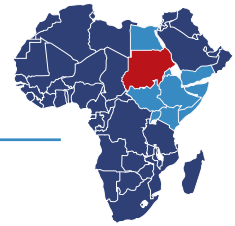
This report is one of a series of ten country statements, produced as part of the project '*Addressing Mixed Migration Flows in Eastern Africa*', funded by the European Commission (EC) and implemented by Expertise France.

The overall project consists of three components:

- Assisting national authorities in setting up or strengthening safe and rights-respectful reception offices for migrants/asylum seekers/refugees.
- Supporting and facilitating the fight against criminal networks through capacity building and assistance to partner countries in developing evidence-based policies and conducting criminal investigations, most notably by collecting and analysing information about criminal networks along migration routes.
- Supporting local authorities and NGOs in the provision of livelihoods and self-reliance opportunities for displaced persons and host communities in the neighbouring host countries.

As part of the second component, Expertise France contracted the Regional Mixed Migration Secretariat (RMMS) in Nairobi to implement the project '*Contributing to enhanced data collection systems and information sharing on criminal networks involved in facilitating irregular migration in the Eastern Africa region*'. This project aims to provide updated knowledge on migration trends and related issues, as well as technical assistance to partner countries on data collection, analysis and information sharing. In all the country statements, the focus is on human trafficking and migrant smuggling.

These country statements are the output of this project. They provide a technical appraisal of existing data related to mixed migration, including data on trafficking: insight on routes and *modi operandi* of criminal networks involved in facilitating irregular migration; and assessments of existing national data collection systems and government capacity to address migrant smuggling and human trafficking. The analysis highlights technical capacity gaps and challenges faced in responding to such phenomena, aiding the identification of capacity building needs in the areas of data collection, analysis and information sharing.

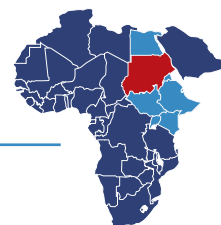


## Acknowledgements and disclaimer

This document was prepared with the financial assistance of the European Union through the project “*Addressing Mixed Migration Flows in Eastern Africa*” financed by European Union and implemented by Expertise France. The contents of this publication can in no way be taken to reflect the views of the European Union.

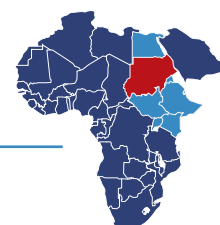
The research was commissioned by Expertise France, in the wider context of the EU-Horn of Africa Migration Route Initiative (the “Khartoum Process”). The research was conducted in 2016 by an international consultant, in cooperation with national researchers under the operational management and technical oversight of RMMS in Nairobi.

The lead researcher and author of this report was Mr. Peter Tinti (an international consultant). The final English editor was Mr. Anthony Morland.



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## EXECUTIVE SUMMARY

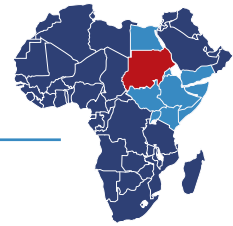
Sudan has seen a significant increase in irregular migration through its territory in recent years as part of migrant and refugee flows to Europe via North Africa. Some 40,000 irregular migrants arrived in Europe via what is known as the Central Mediterranean route in 2013, a number that increased to 170,760 in 2014 and 153,946 in 2015.<sup>1</sup> 2016 was the third consecutive year in which there were over 150,000 sea arrivals in Italy along the Central Mediterranean route.<sup>2</sup> According to data collected by the United Nations Refugee Agency (UNHCR), as of 11 October 2016, migrants from Eritrea, Sudan and Somalia were among the top ten nationalities arriving in Italy via this route, comprising around 25 per cent of these arrivals since the start of 2016. Eritrea and Sudan come at second and third place respectively.<sup>3</sup> Almost all of those arriving in Italy by sea from the Horn of Africa pass through Sudan before crossing the Mediterranean from Libya or Egypt.

A lack of safe, legal avenues for migration from East Africa and the Horn of Africa to desired destinations is driving migration underground. Consequently, transnational networks of migrant smugglers have emerged to facilitate irregular migration from the Horn of Africa into and through Sudan. Within these flows, abuse, extortion, kidnapping and human trafficking are taking place at alarming rates. In some cases, these abuses are perpetrated by actors who exploit their 'clients' while facilitating their journey. In others, they are carried out by groups that specialize exclusively in trafficking, forced labour, and kidnapping for ransom. Migrants and asylum seekers in eastern Sudan in particular are vulnerable to being kidnapped by groups that specialize in trafficking in persons.

Limited capacity in state institutions presents challenges to the effective management of migration flows in Sudan. The country's existing legal frameworks could be improved and there are limited formal mechanisms for collecting, analysing and sharing information in a systematic manner to counter migrant smuggling and human trafficking networks.

However, there are several possible avenues for technical assistance, such as developing legal frameworks, training and capacity-building of stakeholders, and support to Sudan's Committee to Combat Human Trafficking with a view to promote a good migration governance with respect for human rights.

- 1 Frontex (2016). Central Mediterranean Routes. Available at: <http://frontex.europa.eu/trends-and-routes/central-mediterranean-route/>
- 2 IOM (2016). Mediterranean Migrant Arrivals Reach 316,331; Deaths at Sea: 3,611. Available at: <https://www.iom.int/news/mediterranean-migrant-arrivals-reach-316331-deaths-sea-3611>
- 3 UNHCR (2016). Refugees/Migrants Emergency Response – Mediterranean. Available at: <http://data.unhcr.org/mediterranean/country.php?id=105>



# 1.0

## METHODOLOGY

This report is a qualitative study, informed by fieldwork carried out by an international consultant and local monitors in Sudan, and supplemented by a comprehensive desk review of primary and secondary material.

In-depth, semi-structured interviews with stakeholders and key informants formed the core of the fieldwork carried out in Khartoum. Additionally, trained Sudanese observers conducted interviews with a range of actors, including government officials, migrants, and smugglers themselves in eastern Sudan, which is a particularly important area of activity for migrant smuggling and human trafficking networks.

Fieldwork carried out by consultants in Eritrea, Somalia, Ethiopia, and Egypt for the same project also yielded information on migrant smuggling and human trafficking networks that operate on both sides of various borders.

In addition to the field work carried out in eastern Sudan by local monitors, and by consultants in Eritrea, Somalia, Ethiopia, and Egypt, an international consultant conducted interviews in Khartoum with key informants, including foreign diplomats, members of international aid organizations, and key interlocutors (some of whom are affiliated with the government).

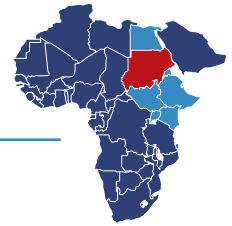
Though there is some existing literature on mixed migration flows through Sudan, there is relatively little regarding migrant smuggling and human trafficking networks operating in Sudan or on government responses to these networks. The assumptions of this report are thus mostly based on primary sources, interviews and fieldwork. A select bibliography of pertinent literature is included at the end of this report.

This report uses the terms “migrant smuggling” and “human trafficking” according to the definitions outlined in the United Nations Convention against Transnational Organized Crime (UNTOC). Article 3 of the convention’s Protocol against the Smuggling of Migrants by Land, Sea and Air (the Migrant Smuggling Protocol) defines migrant smuggling as “the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a state party of which the person is not a national.”<sup>4</sup>

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4 United Nations Office on Drugs and Crime (2004). United Nations Convention against Transnational Organized Crime and the Protocols Thereto. Available at: <https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>





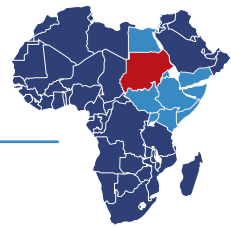
The convention's Protocol to Prevent, Suppress and Punish Trafficking in Persons defines human trafficking as "the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation."<sup>5</sup>

This report will use the term "irregular migrant" to describe individuals travelling "outside the regulatory norms of sending, transit and receiving countries," a definition outlined by the International Organization for Migration (IOM).<sup>6</sup> The term includes asylum seekers as well as economic migrants. In using this definition, the report will be able to concentrate solely on the use of smugglers and traffickers in Sudan, rather than the contextual issues of asylum status and rights under international law.

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5 Ibid.

6 IOM (2011). Glossary on Migration, International Migration Law Series. Available at: <https://www.iom.int/key-migration-terms>



# 2.0 INTRODUCTION

## Gateway to North Africa

The Republic of the Sudan is a country of origin, transit, and destination for irregular migrants from various states in Africa and the Middle East. Many of these migrants are fleeing conflict and persecution, while others are seeking better socio-economic conditions.

Sudan has long served as a gateway linking communities from East Africa and the Horn of Africa to North Africa, and communities in Central Africa with East Africa and the Horn. The country occupies a key position as a necessary point of transit for irregular migrants travelling from East Africa and the Horn towards Libya and Egypt, often for onward travel to Europe. More recently, Sudan has emerged as a transit point for asylum seekers from Syria seeking irregular passage to North Africa.<sup>7</sup>

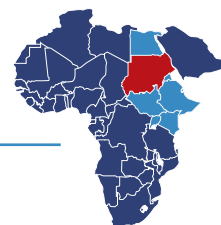
In recent years, Sudan has seen an increase in irregular migration through its territory due to post-Qaddafi Libya's re-emergence as a point of departure for irregular migration to Europe. According to Frontex, the European Border and Coast Guard Agency, around 40,000 irregular migrants arrived in Europe via the Central Mediterranean route in 2013. That number skyrocketed to over 170,000 in 2014 and to close to 154,000 in 2015.<sup>8</sup> 2016 is the third consecutive year in which there were over 150,000 sea arrivals to Italy along the Central Mediterranean route.<sup>9</sup> According to data collected by UNHCR, as of 11 October 2016, migrants from Eritrea, Sudan and Somalia were among the top ten nationalities arriving in Italy via the Central Mediterranean route, comprising around 25 per cent of these arrivals since the start of 2016. Eritrea and Sudan come at second and third place respectively.<sup>10</sup> Almost all of those arriving by sea to Italy from the Horn of Africa would have passed through Sudan before departing from Libya or Egypt.

7 RMMS (2016). Egypt Country Statement: Addressing migrant smuggling and human trafficking in East Africa.

8 Frontex (2016). Central Mediterranean Routes. Available at: <http://frontex.europa.eu/trends-and-routes/central-mediterranean-route/>

9 IOM (2016). Mediterranean Migrant Arrivals Reach 316,331; Deaths at Sea: 3,611. Available at: <https://www.iom.int/news/mediterranean-migrant-arrivals-reach-316331-deaths-sea-3611>

10 UNHCR (2016). Refugees/Migrants Emergency Response – Mediterranean. Available at: <http://data.unhcr.org/mediterranean/country.php?id=105>



The drivers of migration from East Africa and the Horn – most notably lack of economic opportunities, political repression and persecution, conflict, and food insecurity – have remained relatively constant throughout the most recent surge in migration into and through Sudan. The absence of safe, legal avenues for migrants to reach desired destinations is driving migration underground.<sup>11</sup> As a result, transnational networks of migrant smugglers have emerged to facilitate irregular flows from the Horn of Africa into Sudan, for onward movement to Libya and Egypt, from where migrants seek maritime passage to Europe. Within these flows, abuses, extortion, kidnapping and human trafficking often take place. In some cases, these abuses are perpetrated by actors who are exploiting their “clients” while facilitating their journey. In others, they are carried out by groups that specialize exclusively in trafficking, unforced labour, and kidnapping for ransom.

This report will focus specifically on these migrant smuggling and human trafficking networks and assess the Sudanese government’s ability to collect, analyse, and share data in order to combat them.

## Eastern Sudan

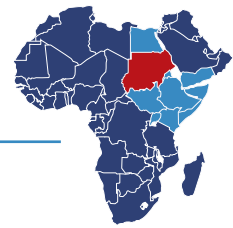
Because most irregular migrants who seek the services of smuggling networks in Sudan come from Eritrea, Somalia and Ethiopia, this report places particular emphasis on eastern Sudan, where most irregular migrants enter the country. It is also one of the areas in which migrants are most vulnerable to human trafficking.

The region of eastern Sudan covers an area of 336,480 square kilometres, slightly less than 20 per cent of the country’s total land mass. It is comprised of three states: Red Sea, Kassala and Gedaref, the extremities of which mark Sudan’s borders with Egypt, (Red Sea State), Eritrea (Red Sea and Kassala) and Ethiopia (Gedaref). According to the 2008 government census, eastern Sudan has an estimated population of 4.53 million. Kassala is the largest state by population, with approximately 1.79 million people, while Red Sea and Gedaref states contain 1.4 million and 1.35 million inhabitants, respectively.

The Beja people make up roughly half of the population in eastern Sudan and comprise several sub-groups. In addition to the Beja, a number of groups designated as ‘Arab’ inhabit the region. They include the Rashaida and the Zibeidya, mostly residing in western Kassala along the border with Eritrea, and the Shukriyya. Other significant communities include the Hausa, Ethiopian and Eritrean migrants, as well as a number of Darfuris, Nubians, and groups from the River Nile State – typically the Shaigiyya and the Ja’aliyin.

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11 Mixed Migration Hub (2015). Conditions and Risks of Mixed Migration in North East Africa. Available at: <http://www.mixedmigrationhub.org/wp-content/uploads/2015/11/Conditions-and-Risks-in-Mixed-Migration-in-North-East-Africa.pdf>



Several of the aforementioned communities, as well as others not explicitly mentioned, are also present in Eritrea, Egypt, and Ethiopia. The resulting cross-border kinship ties often facilitate formal and informal trade, including the trafficking and smuggling of people. The Rashaida in particular, have long carved out such a niche throughout the region.<sup>12</sup>

Abundantly rich in resources, eastern Sudan is one of the wealthiest regions in the country as a result of large-scale agriculture, gold-mining, oil pipelines, and foreign trade out of Port Sudan. Despite these resources, economic challenges remain and, with the exception of Port Sudan, Kassala and Gedaref, the respective state capitals, state and civil institutions have limited presence in Eastern Sudan.<sup>13</sup>

These demographic factors reinforce eastern Sudan's status as a hotbed of smuggling and trafficking of persons, as well as other goods, which, depending on the product, travel in various directions linking East Africa and the Horn to North Africa and Europe, the Arabian Peninsula, and Central Africa.

To understand migration flows through Sudan, it is important to not only focus on cross-border smuggling, but to also examine the subsequent movement of migrants within Sudan. A significant number of those smuggled and trafficked into the country, whether by force or voluntarily, travel to Khartoum before moving on to Libya or Egypt. The state of Khartoum borders Kassala to the north-east and Gedaref to the south-east.

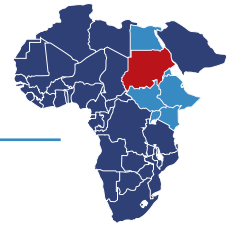
The state of Gezira, which borders Gedaref, is also a key transit route for irregular migrants travelling to Khartoum. Those who wish to travel directly to Libya or Egypt without passing through Khartoum often transit through River Nile State, to the west of Red Sea State and Kassala State, from where they continue through Northern State, which borders both Libya and Egypt. Exchanges between Sudanese and Libyan networks of smugglers and traffickers traditionally take place either in Northern State, or on the other side of the Libya-Sudan border.<sup>14</sup>

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12 Humphris, R (2013). Refugees and the Rashaida: Human smuggling and trafficking from Eritrea to Sudan and Egypt. *New Issues in Refugee Research*, Paper No. 254. Available at: <http://www.unhcr.org/51407fc69.pdf>

13 International Crisis Group (2013). Sudan: Preserving Peace in the East. Available at: <https://d2071andvip0wj.cloudfront.net/sudan-preserving-peace-in-the-east.pdf>

14 Key informant interviews in Sudan, August 2016.



# 3.0

## MIGRANT SMUGGLING AND HUMAN TRAFFICKING IN SUDAN

### Routes into Sudan

Migrant smugglers facilitate irregular flows from the Horn of Africa into Sudan, often for onward movement to Libya and Egypt. Within these flows, abuses, extortion, kidnapping and human trafficking often take place and the lines between smuggling and trafficking are often blurred. In some instances, these abuses are perpetrated by smugglers who exploit the people whose journey they are facilitating. Other groups in Sudan specialize exclusively in kidnapping for ransom and trafficking.

This section provides an overview of the key migrant flows facilitated by smugglers into and out of Sudan. For the sake of clarity, this report will discuss the human trafficking that takes place within the context of the mass movement of people facilitated by smugglers in a separate section which details the structure of migrant smuggling and human trafficking networks in Sudan. Where appropriate, however, this section notes where, along certain routes, kidnapping for ransom and trafficking are prevalent. Further elaboration on the actors involved and the modalities of payment is provided in the section on trafficking networks.

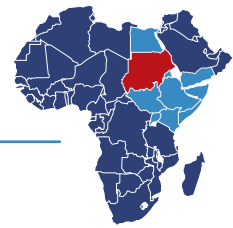
### Eritrea into Sudan

According to UNHCR, an estimated 5,000 citizens flee Eritrea each month, a widely cited statistic that the Eritrean government disputes.<sup>15</sup> Eritreans cross into eastern Sudan or into northern Ethiopia, with refugee camps in both countries often serving as the first stop during itineraries to North Africa and Europe. In 2015, UNHCR reported that 99,000 Eritrean refugees and people in refugee-like situations were living in Sudan.<sup>16</sup> The number of Eritreans living in or transiting through Sudan, however, is likely much higher. According to a 2014 RMMS report, it is estimated that two thirds of Eritrean migrants passing through Sudan do not register as refugees.<sup>17</sup>

15 Reuters (2016). Eritrea won't shorten national service despite migration fears. Available at: <http://www.reuters.com/article/us-eritrea-politics-insight-idUSKCN0VY0M5>

16 Horwood, C. and Hooper K. (2016). Protection on the Move: Eritrean Refugee Flows Through the Greater Horn of Africa. Available at: <http://www.migrationpolicy.org/research/protection-move-refugee-flows-through-greater-horn-africa>

17 RMMS (2014). Going West: Contemporary Mixed Migration Trends from the Horn of Africa to Libya & Europe. Available at: [http://www.regionalmms.org/images/ResearchInitiatives/Going\\_West\\_migration\\_trends\\_Libya\\_Europe\\_final.pdf](http://www.regionalmms.org/images/ResearchInitiatives/Going_West_migration_trends_Libya_Europe_final.pdf)



There are no reliable statistics on what percentage of Eritreans who cross into Sudan do so with the help of smugglers. Those who cross directly into Sudan without the assistance of smugglers usually do so on foot in order to avoid detection by Eritrean authorities. Once across the border, some Eritrean migrants seek transport –through either private operators the Sudanese authorities from various reception centres – to the Shagarab refugee camps where they register. Others seek transport with the help of migrant smugglers directly to Khartoum, from where they may arrange the next leg of their journey.

According to a report by the Sahar Foundation, Eritreans crossing into Sudan for onward migration to Libya prefer to go directly to Khartoum, so as to avoid being kidnapped by trafficking gangs who operate in eastern Sudan and are accused of abducting people directly from refugee camps, particularly the Shagarab camp.<sup>18</sup> UNHCR and the Sudanese government have stated that abductions from refugee camps and surrounding areas have decreased significantly due to increased security within and around camps and reception centres in eastern Sudan.<sup>19</sup> Local researchers for this report, as well as activists working with the International Commission on Eritrean Refugees in Stockholm, dispute these claims.<sup>20</sup> As will be discussed later in this report, there are no reliable statistics regarding incidents of abduction and kidnapping of Eritreans, Ethiopians, Somalis, and even Sudanese citizens in eastern Sudan.

Eritreans who seek assistance from smugglers to cross directly into Sudan may pay for a range of services depending on their point of departure and final destination.<sup>21</sup> Those who pay for smuggler services while in Eritrea may pay for passage only to Sudan, usually to a location in the east, or as far as Khartoum. Others pay for “full-package” schemes that take them all the way to Libya or Egypt, and even to Italy.<sup>22</sup> Interviews with migrants and key interlocutors for this study indicated a wide range of prices, both for border crossings from Eritrea to Sudan, and for ‘full-package’ arrangements that continue beyond Sudan.<sup>23</sup>

Some of those interviewed, for example, suggested that as little as USD 100 was paid to smugglers by migrants who start from areas close to the border with Sudan, where smugglers

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18 Sahar Foundation & IGAD (2016). Human trafficking and smuggling on the Horn of Africa-Central Mediterranean route. Available at: [http://www.igad.int/index.php?option=com\\_content&view=article&id=1284:the-human-smuggling-and-trafficking-on-the-horn-of-africa-central-mediterranean-route-re-port-launched&catid=45:peace-and-security&Itemid=128](http://www.igad.int/index.php?option=com_content&view=article&id=1284:the-human-smuggling-and-trafficking-on-the-horn-of-africa-central-mediterranean-route-re-port-launched&catid=45:peace-and-security&Itemid=128)

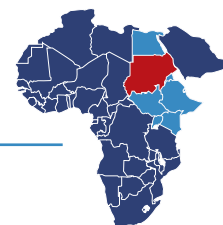
19 UNHCR and IOM (2015). The United Nations and IOM reinforce their support to Sudan in combating human trafficking and smuggling of persons. Available at: <https://sudan.iom.int/sites/default/files/PR%20Anti%20Trafficking%20and%20Smuggling%20Strategy%20Sudan%2027%20May%202015.pdf>

20 Key informant interviews in Sudan, July-August 2016. See Also: Mezzofiore, G. (2016). Sudan: Rashaida kidnapers demand \$5,000 ransom and threaten death for Eritrean captives. *International Business Times*. Available at: <http://www.ibtimes.co.uk/sudan-rashaida-kidnapers-demand-5000-ransom-threaten-death-eritrean-captives-1504974>

21 Key informant interviews in Sudan, Eritrea, Ethiopia and Egypt, July-August 2016.

22 Ibid.

23 Key informant interviews in Sudan, August 2016.



often work in collusion with some low-level Eritrean authorities who let migrants pass in exchange for payment.<sup>24</sup> A study by researchers at Tilburg University reported that the Eritrean Border Surveillance Unit was directly involved in migrant smuggling into Sudan.<sup>25</sup> In Eritrea, a researcher for this report found that trips from Asmara to Sudan and Ethiopia cost between USD 3,000 and 5,000. Interviews in Asmara indicated that prices vary widely depending on itinerary as well as the time of year.<sup>26</sup>

There are several methods of paying for smuggler services which start in Eritrea. Payments on the lower end of the spectrum, in which migrants pay smugglers to facilitate passage only across the border, sometimes only as escorts on foot, are made either in cash up front, or half in advance and half on arrival.<sup>27</sup> Those paying for more expensive trips, starting as far from the border as Asmara and the Red Sea port of Massawa, pay using informal money transfer systems, also known as *hawala* transfers, as well via formal bank transfers to settle in instalments. Depending on the itinerary, part of the fee is paid up front, with the remainder paid on arrival.<sup>28</sup> Interviews in Asmara, for example, indicated that some payments are made by family members upon confirmation that the migrant has completed a certain leg of their journey, and are effected in USD either via *hawala* transfers or to designated bank accounts.<sup>29</sup>

Groups facilitating passage from Eritrea into Sudan are mainly from tribes with communities living on both sides of the border. The Rashaida, for example, were cited in interviews in Sudan and Eritrea, and are referenced widely in the existing literature about migrant smuggling and human trafficking in Sudan.<sup>30</sup> That said, other border communities are also involved in migrant smuggling, though information remains scarce and the tribes and communities cited in interviews for this report varied widely.

Upon entering Sudan, Eritreans who wish to forgo registering as refugees seek passage to the city of Kassala, the state capital and a major migrant smuggling hub in eastern Sudan. One driver who regularly transports migrants from the border with Eritrea to Kassala town highlighted two particular routes, one north and one south of Kassala, along which he and other drivers pick up migrants and take them to the city. The northern route takes the migrants through areas settled by the Hadandawa people, a sub-division of the Beja tribe, down to Kassala. The southern route involves migrants crossing close to Al-Lafa and Jira, and continuing through Al-Sawagi villages and Mastura, south of Kassala city. The latter area, particularly near Mastura, is a stronghold of the Rahsaida tribe.<sup>31</sup>

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24 Ibid.

25 Reisen, van, M., Estefanos, M., and Rijken, C. (2012). Human Trafficking in the Sinai: Refugees between Life and Death. Brussels: Tilburg University/EEPA. Available at: [http://www.ehrea.org/report\\_Human\\_Trafficking\\_in\\_the\\_Sinai\\_20120927.pdf](http://www.ehrea.org/report_Human_Trafficking_in_the_Sinai_20120927.pdf)

26 RMMS (2016). Eritrea Country Statement: addressing migrant smuggling and human trafficking in East Africa.

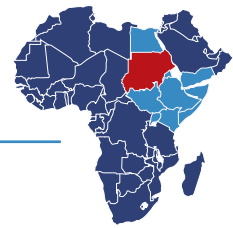
27 Key informant interviews in Sudan, August 2016.

28 Ibid.

29 Key informant interviews in Eritrea, August 2016.

30 Key informant interviews in Sudan and Eritrea, August 2016.

31 Key informant interviews in Sudan, July-August 2016.



According to migrant testimonies cited in several detailed reports within the last four years, at this stage of their journey, migrants are particularly vulnerable to kidnapping by gangs who specialize in extortion and human trafficking.<sup>32</sup> In Kassala city, transactions take place between migrants looking for smugglers, as well as smugglers looking to “sell” their clients to a third party, who may be a smuggler prepared to facilitate the next leg of the journey, or someone whose goal is rather to traffic or hold the migrant for ransom.<sup>33</sup>

From Kassala city, migrants who did not make prior arrangements for onward movement while in Eritrea arrange passage either to Khartoum or directly to Libya or Egypt. Other migrants go directly to the refugee facilities in Shagarab upon entering Sudan. Interviewees in eastern Sudan confirmed that smuggling networks operate in and around numerous refugee camps and reception centres.<sup>34</sup> One interlocutor in Khartoum described the camps as *de facto* consolidation points from where smugglers can link with prospective clients.<sup>35</sup>

## Ethiopia into Sudan

Almost all migrants paying for smuggler services into Sudan from Ethiopia almost come from Ethiopia, Eritrea, and Somalia, with the areas near the border crossings of Metemma and Humera serving as the key entry points from Ethiopia into Sudan.

As with the flows from Eritrea into Sudan, there are no reliable data on how many Ethiopians, Eritreans, or Somalis cross into Sudan from Ethiopia irregularly. Eritreans, for example, will almost always use smugglers to cross into Sudan irregularly, having already illegally crossed the heavily militarized Eritrea-Ethiopia border with the assistance of a smuggler. There are also no reliable statistics on how many Eritreans cross into Sudan from Ethiopia, in part because many of them do not register upon arrival, but also because an unknown number of Ethiopians crossing into Sudan, especially Tigrinya speakers, claim to be Eritrean in order to increase their chances of receiving protection. Some Ethiopians cross into Sudan through legal channels, using Ethiopian paperwork, and “become Eritrean” during another phase of their journey. Sources in Khartoum and aid workers confirmed that detailed biographies and elaborate “Eritrean life stories” can be bought by Ethiopians who might want to pose as Eritreans in the event that they are questioned by authorities about their nationality.<sup>36</sup>

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32 See: Human Rights Watch (2014). I wanted to Lie Down and Die: Trafficking and Torture of Eritreans in Sudan and Egypt, <https://www.hrw.org/report/2014/02/11/i-wanted-lie-down-and-die/trafficking-and-torture-eritreans-sudan-and-egypt>; and Humphris, R (2013). Refugees and the Rashaida: Human smuggling and trafficking from Eritrea to Sudan and Egypt. New Issues in Refugee Research, Paper No. 254. Available at: <http://www.unhcr.org/51407fc69.pdf>; and Mezzofiore, G. (2016). Sudan: Rashaida kidnapers demand \$5,000 ransom and threaten death for Eritrean captives. International Business times. available at <https://www.ibtimes.co.uk/sudan-rashaida-kidnappers-demand-5000-ransom--threaten-death-eritrean-captives-1504974>

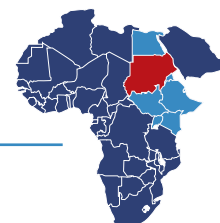
33 Key informant interviews in Sudan, July-August 2016.

34 Ibid.

35 Key informant interview in Sudan, August 2016.

36 Ibid.





Some Ethiopians enter Sudan overland or by air through formal channels on a temporary visa, and seek smuggler services once they have arrived in Khartoum. Others, who lack the necessary documentation or wish to pay a smuggler for a direct journey to North Africa or Europe, will pay smugglers inside Ethiopia for a “full package” scheme that may bypass Khartoum altogether.<sup>37</sup> Other Ethiopians pay illegal employment agencies to arrange low-skilled jobs in Sudan, such as domestic work for women and construction or farming for men, and to organise travel to Khartoum and other towns and cities for employment.<sup>38</sup>

Somali migrants transit through Ethiopia via smuggling networks which move them from Somalia to Addis Ababa, then onward to Sudan via the crossing at Metemma. Some of these Somalis leave directly from Somalia, paying smugglers to take them only to Addis Ababa, where they then seek the services of smuggling networks based in that city. Others enter into “full-package” agreements that take them all the way to Sudan, and even onward to North Africa and Europe. Of the Somalis who enter Sudan as a transit country, it is unknown what percentage leave directly from Somalia, or have been living in Ethiopia for some time, either in the shadows or in refugee camps. Others may be Ethiopians who are ethnic-Somali but claim to be Somali nationals in order to increase their chances of obtaining refugee status at their final destination.

Of the two main crossings into Sudan from Ethiopia, the one at Metemma is most frequently used. Ethiopians can cross the border using official documents and obtain a visa, and travelling to Metemma from other parts of Ethiopia is a straightforward process unless the Ethiopian government has decided to restrict internal travel. Those who do cross using official documents usually continue directly to Khartoum, from where they can seek smuggler services for onward travel to Libya or Egypt. Somalis, however, are more likely to be travelling without official documentation, in part because obtaining official passports from Somalia is difficult for some Somali citizens. Most Somalis, therefore, pay for smuggler services, usually via arrangements made either in Addis Ababa or as far back as Somalia.<sup>39</sup> Interviews in Sudan and Ethiopia indicated that irregular trips from Ethiopia to Khartoum cost between USD 50-200 depending on the arrangement. Itineraries predicated on bribes are believed to be more expensive and less dangerous.<sup>40</sup>

The Humera border crossing is more commonly used by Eritreans and Tigrinya-speaking Ethiopians from northern Ethiopia. Eritreans cross from Humera either after paying smugglers to cross both the Ethiopian and the Sudanese borders, or, more commonly, after paying one smuggler to reach Ethiopia and another to cross into Sudan. To cross into Sudan, arrangements with smugglers are almost always made in, or near, refugee camps in northern Ethiopia. Eritreans who have registered as refugees in northern Ethiopia are not allowed to travel outside certain areas without authorization, and risk being detected unless they hire smugglers who can facilitate crossings near Humera by avoiding main roads and official checkpoints. Interviewees in Sudan indicated that crossing near Humera costs USD 200-500,

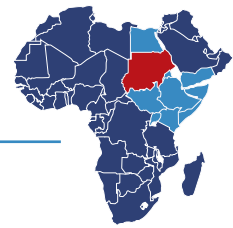
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37 Key informant interview in Sudan, August 2016; and Ethiopia, June 2016.

38 Key informant interviews in Sudan, August 2016.

39 Ibid.

40 Key informant interviews in Sudan, August 2016; and Ethiopia, June 2016.



with prices varying depending on the final destination (Khartoum, Kassala, Gedaref, or another location just across the border), and the mode of transportation. Smugglers offering migrants transit via motorized transport for the entire journey, which requires passing checkpoints, charge more than those who lead migrants across the border on foot to avoid detection altogether.<sup>41</sup>

Due to its proximity to the Ethiopian border and its transport connections to Khartoum, the city of Gadaref, capital of Gadaref State, serves as a major hub for migrant smuggling that occurs amid legitimate commercial activities linking Ethiopia to Khartoum. Researchers based in Gedaref identified several smaller towns and villages in Gedaref State that are also important hubs for migrant smuggling. The countryside surrounding Gallabat, on the opposite side of the border from Metemma in Ethiopia, is also a key location for migrant smuggling activity. Doka, Dawkah, Gbeasha and Um Shagara were also widely cited as hubs of smuggling activity, where smugglers facilitating crossings from Ethiopia may pass on or “sell” migrants to smugglers or traffickers in Sudan, or where migrants are consolidated by smugglers operating in Sudan, either for exploitation and extortion, or in order to organize onward journeys.<sup>42</sup>

North of Gadaref, and closer to the Shagarab refugee camps, the town of Al-Showak, which is an important transport node in eastern Sudan, is also a key regional hub of migrant smuggling and associated human trafficking activities. In addition to alleged smuggling and trafficking in and around the Shagarab refugee camps, smugglers and traffickers are also reportedly active in the Karkora and Um Gargour refugee centres. The town of Hamdayit, located on the border of Kassala and Gedaref, was also widely identified as a significant smuggling and trafficking hub by researchers for this report.<sup>43</sup>

In Gezira State, researchers for this report identified the villages of Al-Hawwata and Al-Mafaza, as well as the state capital, Wad Madani, as key transit and consolidation points for smugglers moving migrants to Khartoum from eastern Sudan through Gezira State. This area was also identified as a place where smugglers may hold migrants and extort them for payment before agreeing to continue the journey to Khartoum.<sup>44</sup>

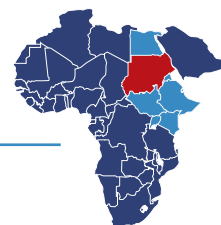
## Eastern Sudan to Libya and Egypt

41 Key informant interviews in Sudan, August 2016.

42 Key informant interviews in Sudan, July-August 2016.

43 Key informant interviews in Sudan, July-August 2016.

44 Ibid.



In Sudan, irregular Sudanese migrants join the flows of Eritreans, Ethiopians, and Somalis transiting to Libya and Egypt. Irregular migrants from Sudan include all major ethnic groups, but those from Darfur, Blue Nile and South Kordofan, due to ongoing conflict, have a higher likelihood of being granted asylum upon arriving in Europe. As a result of their perceived legitimacy as refugees, individuals from throughout Sudan including the centre, the north and the east, sometimes claim to be from these embattled areas in order to increase their chances of attaining asylum once abroad.<sup>45</sup>

The vast majority of irregular migrants transiting through Sudan are from Eritrea, Ethiopia, Somalia, and Sudan itself, but nationals from Syria, South Sudan, Chad and West Africa are also detected along these routes. Researchers for this study were unable to make sufficient contact during the time of the study with individuals from these countries, and their numbers are relatively few compared to the four main nationalities mentioned above.

Some migrant smugglers facilitating flows from Eastern Sudan to Libya and Egypt bypass Khartoum altogether, instead moving migrants to the city of Atbara (and its environs), located in Nile River State. From Atbara, some migrants going to Egypt will be routed through Red Sea State. Others continue on to the city of Dongola in Northern State, which borders both Egypt and Libya. From Dongola, migrant paths diverge, with some going north toward Egypt and others continuing northwest to Libya.<sup>46</sup>

Researchers for this report cited a wide array of prices that migrants paid to be smuggled from eastern Sudan directly to Egypt or Libya. Estimates varied in part because migrants might pay only to cross into Libya and Egyptian territory, or may pay for packages that take them all the way to the North African coast, and even include maritime crossings. In other cases, payments included legs of the journey prior to reaching Sudan, usually in Ethiopia and Somalia. Estimates obtained for this report were generally in the range of USD 1,000-5000 for those smuggled from Sudan into Egypt or Libya, not including fees paid as part of extortion or ransoms.<sup>47</sup>

## Khartoum to Libya and Egypt

Khartoum is a major consolidation point for migrants who have only come to Sudan to transit to another country. Some migrants arrive under the guidance of smugglers, who immediately connect them with associates to facilitate the next leg of their journey, while others arrive having only paid to reach Khartoum, where they have to seek out new smugglers themselves.<sup>48</sup>

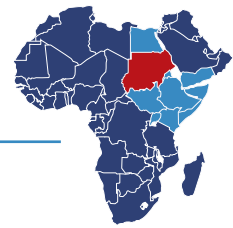
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45 Key informant interviews in Sudan, August 2016.

46 Ibid.

47 Key informant interviews in Sudan, July-August 2016.

48 Key informant interviews in Sudan, August 2016.



Khartoum is also a hub for secondary migration, in which migrants come to Sudan for employment or educational opportunities and then decide to migrate elsewhere, usually to Libya or Egypt. The typical profiles of these migrants are Ethiopians who come to eastern Sudan to work in agriculture and decide to migrate further, and skilled migrants who come to Khartoum and other urban areas to work as plumbers, construction workers, welders, domestic servants or as cooks and cleaners in the restaurant and hotel industry.<sup>49</sup>

From Khartoum and its environs, smugglers move migrants to Dongola. Like the itineraries that bypass Khartoum altogether, the paths to Egypt and Libya diverge.<sup>50</sup> As with the prices for itineraries to North Africa that bypass Khartoum, determining the amounts that migrants tend to pay to be smuggled from the Sudanese capital to either Egypt or Libya proved difficult because of the many variations in itinerary. On the low end, sources in Khartoum cited fees as low as USD 500 for transport from Khartoum to southern Libya. Prices in the range of USD 1,500-USD 3,000 were widely cited, which in some cases included payment for crossing the Mediterranean.<sup>51</sup>

At the onset of the civil war in Syria, Egypt was a preferred destination for Syrian refugees because they did not need a visa to enter Egypt. During the presidency of Mohamed Morsi, Egypt's policies towards Syrians were considered relatively welcoming. In 2013, however, Egypt's new government changed its visa policy and Syrians were required to obtain a visa before entering Egypt. Syrians do not need a visa for Sudan, however, and in 2013 Syrian refugees began flying into Khartoum and joining the flows of irregular migrants being smuggled into Egypt.<sup>52</sup> Researchers for this report, however, were not able to obtain any reliable information on the extent to which Syrians are still flying to Sudan and then transiting overland to Egypt with the assistance of smugglers.

## Khartoum to Chad

There is anecdotal evidence that groups in Darfur are increasingly involved in smuggling migrants from the Horn of Africa. Though more research needs to be done on the subject, some local interlocutors suggested that smugglers are facilitating the flow of Darfuris into Chad for onward journeys to Libya. Interlocutors in Khartoum posited that some migrants who pass through Chad via Darfur are Eritreans and Ethiopians re-routed by smuggling networks based in eastern Sudan and Khartoum which seek to avoid recent efforts to intercept migrant convoys near the Libyan border. Thus, after being consolidated in Khartoum by networks who specialize in moving migrants into Libya, the migrants are taken through Darfur, where they are passed onto ethnic Zaghawa and Toubou networks operating in neighbouring Chad.

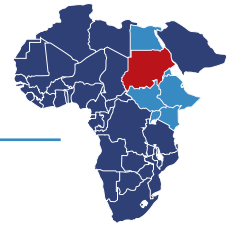
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49 Key informant interviews in Sudan, August 2016.

50 Ibid.

51 Ibid.

52 Reitano, T. and Tinti, P. (2015). *Survive and Advance: The Economics of Smuggling Migrants and Refugees into Europe*. Available at: <https://issafrica.s3.amazonaws.com/site/uploads/Paper289-2.pdf>



Migrants who are diverted from Khartoum through Darfur are able to join the flow of migrants from Darfur seeking to cross into Chad for onward movement to Libya. The town of El Fasher is believed to be emerging as a hub for these crossings, yet information on the networks operating out of these areas remains scarce.<sup>53</sup>

## Migrant Smuggling and Human Trafficking Networks in Sudan

### Organized criminality

Migrant smuggling networks facilitating flows into, through and out of Sudan carry out their activities across a broad spectrum of crime, ranging from highly organized syndicates operating across several countries to loosely linked criminal entrepreneurs capitalizing on opportunities as they arise. Sources interviewed for this report offered competing viewpoints regarding the degree of organized criminality among migrant smuggling networks in Sudan and the prevalence of highly structured, multinational migrant smuggling syndicates.

Some foreign diplomats in Khartoum, as well as a government interlocutor familiar with these networks, suggested that organized smuggling networks comprise a relatively small group of actors. However, their activities have proven very profitable, leading them to become more effective in their methods of corruption, recruiting facilitators, laundering proceeds, and identifying prospective clients. With some actors consolidating control over the migrant smuggling industry, barriers to the market may be increasing, with protection schemes emerging alongside formalized collaboration among various actors along the migrant smuggling chain transiting through Sudan.<sup>54</sup> Other observers in Khartoum spoke of family-based organized crime, in which Eritrean and Ethiopian families with connections in source, transit, and destination countries facilitate certain flows camouflaged by legitimate business enterprises.<sup>55</sup>

The Sahan Foundation and the IGAD Security Sector Program concluded in a February 2016 report that “irregular migration from the Horn of Africa is dominated by highly integrated networks of transnational organized criminal groups,” and that these groups were “coordinated by kingpins based chiefly in Libya and the Horn of Africa.”<sup>56</sup> Some western diplomats and law enforcement officials posted to several different countries in East Africa and the Horn and interviewed for this report indicated that there are likely five to ten highly organized networks that have command and control centres in Europe, Libya, Sudan, Ethiopia, Eritrea and Somalia.<sup>57</sup> The work of Italian law enforcement officials as part of the

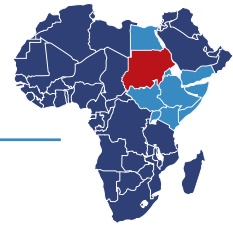
53 Key informant interviews in Sudan, August 2016.

54 Ibid.

55 Ibid.

56 Sahan Foundation and IGAD Security Sector Program (2016). Human Trafficking and Smuggling on the Horn of Africa–Central Mediterranean Route. Available at: [http://igad.int/attachments/1284\\_ISSP%20Sahan%20HST%20Report%20%2018ii2016%20FINAL%20FINAL.pdf](http://igad.int/attachments/1284_ISSP%20Sahan%20HST%20Report%20%2018ii2016%20FINAL%20FINAL.pdf)

57 Key informant interviews, June-August 2016.



Glauco I and Glauco II investigations in which alleged kingpins overseeing networks stretching from Europe to Sudan, Ethiopia and Eritrea were arrested, lends some credence to these claims.<sup>58</sup>

Other diplomats and law enforcement officials, however, suggested that such networks constitute a very small segment of the broader migrant smuggling industry, and that the majority of networks facilitating flows through Sudan are more likely to comprise loosely affiliated actors who specialize in moving migrants from one key transit hub to the next.<sup>59</sup> It may be that these smugglers do little more than drop migrants off when they reach an agreed destination, but in other cases they put migrants in touch with other smugglers who can facilitate the next leg. They may work together frequently but not exclusively, and may develop close relationships that are a product of frequent business transactions and trust rather than being part of a particular criminal organization. In some hubs, for example, migrants are placed in a safe house to wait for security conditions further down the smuggling chain to be met, to coordinate with the smugglers responsible for the next part of the journey, or to wait until they have assembled enough migrants to warrant a departure. These smugglers might not take orders from someone above them, but they do work directly with people who are next in the chain, and these people invariably come from the same core roster of smugglers.<sup>60</sup>

In addition to highly organized groups and the more loosely organized networks that have developed structures as a result of volume and repetition, there is an unknown number of low-level “brokers” and “recruiters” operating within the migrant smuggling economy who earn income by recruiting migrants on behalf of smugglers. In eastern Sudan, for example, “brokers” and “recruiters” connect newly arrived migrants with smugglers.<sup>61</sup> They are usually of Eritrean or Ethiopian descent and are often embedded within the communities and social networks of their prospective clients, leveraging their common ties of kinship, ethnicity, language, and religion to build trust. Within this context, they are the crucial intermediary between migrants and smugglers, as migrants are generally aware of the risks involved in the journey and seek assurances from people within their own community.<sup>62</sup>

## Trafficking within the context of smuggling

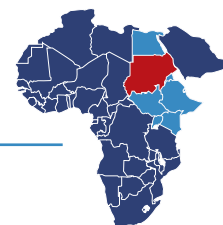
58 See: Statement of UNODC Executive Director Yury Fedotov on Italian criminal investigation known as “Glauco 1.” Available at: <https://www.unodc.org/unodc/en/press/releases/2016/February/statement-of-unodc-executive-director-yury-fedotov-on-italian-criminal-investigation-known-as-glauco-1.html>; and Tondo, L. and Kingsley, P. (2016). Police investigating if wrong man caught in anti-smuggling operation. The Guardian. Available at: <https://www.theguardian.com/world/2016/jun/08/police-investigating-if-wrong-man-caught-in-anti-smuggling-operation>

59 Key informant interviews August 2016.

60 Key information interviews in Somalia, June-July 2016.

61 Key informant interviews in Sudan, July-August 2016.

62 Ibid.



In the course of irregular flows of migration from the Horn of Africa into Sudan, abuses, extortion, kidnapping and human trafficking often take place, and the line between smuggling and trafficking is often blurred. Smugglers may abuse and extort migrants within the process of facilitating a journey, thus taking on the role of both facilitator and exploiter, which means their activities and their business models lie somewhere between traditional conceptions of migrant smuggling and human trafficking.<sup>63</sup>

Migrants who enter into “leave now-pay later” arrangements with their smugglers are particularly susceptible to abuse. Within these arrangements, smugglers tell migrants in Somalia and Ethiopia they can pay on arrival, or pay only a small fraction of the fee up front. Once in Sudan or another transit country, however, the migrants are sometimes held and forced to call their families to ask for money. Upon payment of a ransom, the journey to the desired destination can continue, sometimes even with the same smuggler.<sup>64</sup>

It is often unclear to what extent these schemes are operated by smugglers who are willing to “sell” clients to traffickers in the event that ransoms are not paid, or whether these smugglers are actually traffickers offering smuggler services under false pretences. There are indications that some of the brokers and recruiters arranging “leave now-pay later” schemes in Somalia and Ethiopia are working directly with traffickers in Sudan, while others might be working for smuggling networks who continue providing smuggler services once ransoms are paid, but are also willing to “sell” migrants to traffickers who cannot pay ransoms. From there, the crimes being committed can more clearly be defined as human trafficking.

Other groups in Sudan specialize in kidnapping for ransom, extortion and trafficking, as has been well documented by various reports produced by international organizations and human rights groups.<sup>65</sup> Trafficking gangs, most notably from the Rashaida tribe, intercept migrants and asylum seekers on their way from the Eritrean and Ethiopian borders to the main transit hubs or refugee facilities in eastern Sudan, or from refugee camps and at border posts, as well as *en route* to Khartoum.<sup>66</sup> Migrant smuggling convoys in the desert, transiting to Egypt and Libya, have also reportedly been intercepted by armed trafficking gangs who

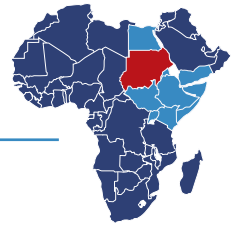
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63 For more on these blurred distinctions, see: RMMS (2015). Beyond Definitions: Global migration and the smuggling-trafficking nexus. Available at: [http://www.regionalmms.org/images/DiscussionPapers/Beyond\\_Definitions.pdf](http://www.regionalmms.org/images/DiscussionPapers/Beyond_Definitions.pdf)

64 Key information interviews in Somalia, June-July 2016.

65 Human Rights Watch (2014). I wanted to Lie Down and Die: Trafficking and Torture of Eritreans in Sudan and Egypt, <https://www.hrw.org/report/2014/02/11/i-wanted-lie-down-and-die/trafficking-and-torture-eritreans-sudan-and-egypt>; and Humphris, R (2013). Refugees and the Rashaida: Human smuggling and trafficking from Eritrea to Sudan and Egypt. New Issues in Refugee Research, Paper No. 254. Available at: <http://www.unhcr.org/51407fc69.pdf>; and Mezzofiore, G. (2016). Sudan: Rashaida kidnappers demand \$5,000 ransom and threaten death for Eritrean captives. International Business Times Available at: <http://www.ibtimes.co.uk/sudan-rashaida-kidnappers-demand-5000-ransom-threaten-death-eritrean-captives-1504974>

66 RMMS (2014). Going West: Contemporary mixed migration trends from the Horn of Africa to Libya & Europe. Available at: [http://www.regionalmms.org/images/ResearchInitiatives/Going\\_West\\_migration\\_trends\\_Libya\\_Europe\\_final.pdf](http://www.regionalmms.org/images/ResearchInitiatives/Going_West_migration_trends_Libya_Europe_final.pdf)



then either hold the migrants for ransom, or force them into unpaid labour in southern Libya.<sup>67</sup>

## Other forms of trafficking

In addition to the examples of trafficking within mixed migration flows outlined above, several other forms of trafficking have been documented in Sudan.

Indentured servitude and sex trafficking of Ethiopian and Somali women often takes place under the guise of domestic work as cleaners, cooks and nannies. Under these schemes, Ethiopian women contact a “dealer” or “agent” in Ethiopia who brings them to a family in Sudan. The women agree to pay the dealer/agent in instalments from the small sums they earn. In some cases, they can earn enough to eventually free themselves from the debt they have incurred. In other cases, they are pipelined directly into unpaid work, finding themselves in indefinite debt bondage.<sup>68</sup>

The 2016 US State Department Trafficking in Persons report lists Sudan as “a source, transit, and destination country for men, women and children and, to a lesser extent, sex trafficking.” Though there are no reliable data or statistics regarding the prevalence of various activities, the report claims that children working in the mining and agricultural sector are vulnerable to trafficking and forced labour.<sup>69</sup> The report also claims that a “substantive number of Filipina women subjected to trafficking in Sudan work as domestic employees in Sudanese homes,” and that “anecdotal evidence also suggests that Chinese women working for Chinese companies, especially restaurants, may be subjected to forced labour or prostitution.” Additionally, the report suggests that Bangladeshi adults who migrate to Sudan in search of employment have been reported as victims of trafficking.<sup>70</sup>

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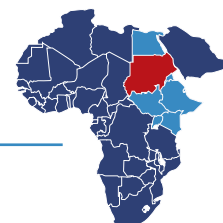
67 RMMS (2016). Somalia Country Statement: addressing migrant smuggling and human trafficking in East Africa. Available at: <http://www.regionalmms.org/index.php/country-profiles/eritrea>

68 Key informant interviews in Sudan, August 2016.

69 US State Department (2016) Trafficking in Persons Report: Sudan. Available at: <http://www.state.gov/j/tip/rls/tiprpt/countries/2016/258867.htm>

70 Ibid.





# 4.0

## THE SUDANESE GOVERNMENT'S FRAMEWORK TO RESPOND

### 4.1 Legal and institutional frameworks

Sudan became a signatory to the United Nations Convention against Transnational Organized Crime (UNTOC) on 15 December 2000 and ratified the convention on 10 December 2004.<sup>71</sup> In December 2014, Sudan also acceded its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.<sup>72</sup> The Sudanese government is not, however, a party UNTOC's Protocol against Smuggling of Migrant by Land, Sea and Air.

Sudan's government signed into law the Combatting Human Trafficking Act in 2014, which defines the offence of human trafficking as that committed by:

"(1)...[W]hoever kidnaps, transfers, abducts, transports, harbours, receives, detains or equips a natural person, with intent to exploit or use the same in unlawful business, or any acts, as may by nature degrade his dignity, or achieve unlawful aims in consideration of any of the following:

- (a) Material return, or promise therewith;
- (b) Moral gain, or promise therewith;
- (c) Granting any type of advantages.

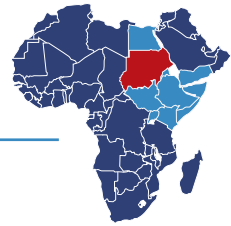
(2)The acts mentioned in sub-section (1), shall be deemed human trafficking, where they have been accomplished by the use of force, or threat of use of force, or by any of the forms of coercion, abduction, fraud, deception, or abuse of power and influence, or exploitation of a state of weakness or need, or by granting payments or advantages, or promise therewith, in order to obtain the consent of a person to traffic in another person upon whom he has control."<sup>73</sup>

The 2014 Act prescribes as a punishment for trafficking prison terms of no less than three years and no longer than ten. Jail terms for aggravated trafficking

71 United Nations Convention against Transnational Organized Crime. Available at: [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12&chapter=18&clang=\\_en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12&chapter=18&clang=_en)

72 United Nations Protocol Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nationals Convention against Transnational Organized Crime. Available at: [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12-a&chapter=18&clang=\\_en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18&clang=_en)

73 Government of Sudan (2014). The Combatting of Human Trafficking Act. Available at: <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/99189/118286/F148132047/SDN99189%20Eng.pdf>



to no less than five years' and no more than 20. In the event of the victim's death, a capital penalty can be applied.<sup>74</sup> As well as defining human trafficking and outlining penalties for the offence, the 2014 Act defines transnational human trafficking as involving more than one state during any aspect of the trafficking operation. These definitions are very much in line with those outlined in the protocol to punish trafficking in persons supplementing UNTOC.

In addition to the national law against human trafficking, several of Sudan's states have adopted local anti-trafficking legislation, not all of which defines the offence in the same way or prescribes the same penalties.<sup>75</sup> The 2015 US State Department Trafficking in Persons Report noted that law enforcement and judiciary officials, not always being familiar with the national Combating of Human Trafficking Act, resorted to other legal frameworks, such as state laws, many of which carry lesser penalties for human trafficking offences.<sup>76</sup>

The 2014 Act also called for the formation of a National Committee for Combating Human Trafficking which shall be "the highest authority for combating and addressing the causes of offences of human trafficking; and shall have the rights to establish branches in the states."<sup>77</sup>

According to the text of the 2014 Act, this committee, mandated to convene once every three months, has eleven separate functions and powers which encompass a wide range of roles and responsibilities. The first is to "address the incipencies and causes of the offence of human trafficking." Additionally, the committee is tasked with developing and submitting an annual budget to the Council of Ministers for approval, and to review existing legislation on human trafficking and propose recommendations.<sup>78</sup>

The committee is also meant to coordinate between "official and non-official entities concerned with the prevention of crimes of human trafficking," and to coordinate between competent authorities in Sudan and the relevant authorities concerned in other countries to facilitate the repatriation of alien victims to their homeland."<sup>79</sup> Other responsibilities include "disseminating awareness of issues relating to the crimes of human trafficking" and "organizing conferences and symposiums, issuing bulletins, arranging training and such other means, in particular amongst businessmen and dealers in the fields of employees and labour recruitment."<sup>80</sup>

The committee's mandate further broadens to include publishing and circulating a national guidebook on issues relevant to its work; to study international, regional, and national

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74 Ibid.

75 Key informant interviews in Sudan, July 2016.

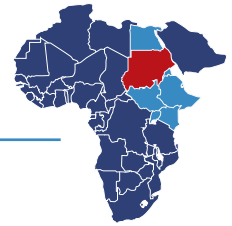
76 US State Department (2015). Trafficking in Persons Report: Sudan. Available at: <http://www.state.gov/j/tip/rls/tiprpt/countries/2015/243538.htm>

77 Government of Sudan (2014). The Combatting of Human Trafficking Act. Available at: <http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/99189/118286/F148132047/SDN99189%20Eng.pdf>

78 Ibid.

79 Ibid.

80 Ibid.



reports on combatting human trafficking; to cooperate with official and non-official entities for implementation of programmes necessary for the “physical, psychological and social recuperation of victims”; to participate with other stakeholders in international and regional conferences and forums and “reflect the State’s orientation and policies toward such issues”; and to “assume any other function it deems necessary for combatting human trafficking.”<sup>81</sup>

Despite its adoption of these legal frameworks, the US Department of State demoted Sudan to a “Tier 3” country in its 2016 Trafficking in Persons Report, asserting that the Sudanese government does “not fully meet the TVPA’s [Trafficking Victims Protection Act, a US law] minimum standards and are not making significant efforts to do so.”<sup>82</sup> Sudan was previously a “Tier 2 Watch List” country, having been promoted from Tier 3 in 2014. Sudan’s temporary elevation was related to the passing of the 2014 Combating of Human Trafficking Act as well as to a general increase in activity at the policy level aimed to tackle human trafficking in the country. The 2016 report, however, noted that Sudan had since “demonstrated insufficient and questionable anti-trafficking law enforcement efforts.”<sup>83</sup> Other criticisms concern the lack of information relating to the number of convictions secured and resulting penalties, while those that the government have highlighted fall short of the penalties in accordance with the 2014 Combating of Human Trafficking Act.<sup>84</sup>

Observers in Sudan echo the concerns highlighted by the 2016 State Department report. Interviews in Khartoum indicate a near consensus that, although the government has worked in recent years to improve its response to human trafficking through policy, and the 2014 Act and establishment of the National Committee for Human Trafficking were important steps in the right direction, these new frameworks have not yet sufficiently translated to meaningful action on the ground.<sup>85</sup>

The knowledge of the new legislation among the police and judiciary could be improved. There do not appear to be procedural manuals to help practitioners understand the Act or how to implement it.<sup>86</sup> No specific mechanisms or forums were established to discuss the practicalities of the law with the judiciary, and when international organisations did conduct initial trainings with judges, lawyers, and civil society organisations concerning the law, they found that few participants were aware of it.<sup>87</sup>

According to UNHCR, for example, the prosecutor’s office continues to ask courts to detain victims of trafficking in prisons and detention centres out of fear that they would abscond before they gave evidence. In order to justify these detentions, local authorities charge victims with “illegal entry” under the Immigration Act. UNHCR has since proposed that separate safe houses be created where victims can be hosted in preparation for giving

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81 Ibid.

82 US State Department (2016) Trafficking in Persons Report: Sudan. Available at: <http://www.state.gov/j/tip/rls/tiprpt/countries/2016/258867.htm>

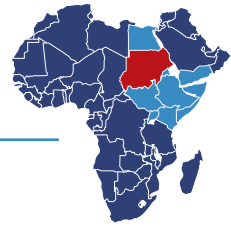
83 Ibid.

84 Ibid.

85 Key informant interviews in Sudan, August 2016.

86 Ibid.

87 Ibid.



testimony rather than being charged with a crime and detained until an unspecified date.<sup>88</sup> Interviews in Khartoum corroborate UNHCR reports indicating that victims of trafficking are regularly detained, in contravention of their rights, and charged with “illegal entry” by authorities who are unfamiliar with the 2014 Combatting of Human Trafficking Act.<sup>89</sup>

## 4.2 Government structures to collect, analyse and share information

At present, the Sudanese government has no official mechanism for gathering intelligence and sharing data on migrant smuggling and human trafficking networks. Its ability to collect and analyse information is challenged by limited capacity within state institutions and a lack of procedural clarity.

Representatives of international organisations in Khartoum have indicated that there is limited capacity among Sudanese border officials to monitor the country’s borders adequately. At the time of writing this report, a needs assessment conducted with the help of IOM was underway, but it remains a challenge to get a complete picture of what is going on at the borders.<sup>90</sup> Key interlocutors interviewed for this report suggested that border officials who detect or intercept trucks with migrants on board are faced with the decision of letting them pass or holding them indefinitely with nowhere to house them and no capacity for supplying provisions for other arrangements (such as deportation).<sup>91</sup> Border posts are poorly equipped and lack basic communications technology, and immigration authorities have limited statistics on who enters and exits the country through land borders. At land border posts, there is no standardized method of registering data nor a data collection system. Documentation is often written by hand, in disparate ledgers, and when information collected at the borders does make it back to Khartoum, it is fragmented and non-standardized making it difficult to compile and analyse.<sup>92</sup>

Systems for data collection and management at land borders could be improved and modernized, and procedural clarity (who collects what, who is allowed to enter, and who is not) is needed.

The Ministry of Interior (MOI) is in charge of the Department of Civil Registration and Migration and has worked closely with the EU to try to diagnose some of these shortcomings. In theory, the MOI is the main source of statistics on who enters and exits the country and who is stopped at borders, but at present, the most reliable source of statistics regarding who enters the country is the Sudanese Refugee Commission, which collects border statistics

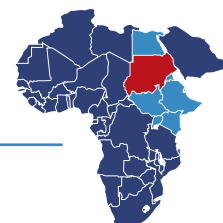
88 UNHCR and IOM (2015). Addressing Human Trafficking, Kidnapping, and Smuggling of Persons in Sudan: Second Quarter Report 2015. Available at: <https://sudan.iom.int/sites/default/files/docs/2015%20Second%20Quarter%20Report%20-%20Joint%20Strategy%20to%20Address%20Human%20Trafficking.pdf>

89 Key informant interviews in Sudan, August 2016

90 Ibid.

91 Ibid.

92 Ibid.



on refugees and liaises with IOM and UNHCR for registration of asylum seekers and refugees. These statistics offer an incomplete picture of border crossings.<sup>93</sup>

Security structures to combat migrant smuggling and human trafficking networks in Sudan are spread across several institutions, with different levels of capacity. The police and the Criminal Investigations Department (CID) are under the Ministry of Interior, which is also, in theory, in charge of collecting information on migrant flows, smuggling and trafficking. Yet the police in Khartoum have limited capacity to collect intelligence beyond human intelligence and the information they glean through rounding up migrants is not collected in a systemic manner. Police outside of Khartoum are even more limited in their capacity and resources, which creates challenges to the law enforcement chain that links initial arrest to final prosecution, starting with police work and ending with the judiciary.<sup>94</sup>

In principle, the armed forces, under the Minister of Defense, also play a role in securing borders and intercepting migrant convoys, but in reality this task is undertaken by the Rapid Support Forces (RSF), a paramilitary unit that is technically overseen by the National Intelligence and Security Services (NISS). The NISS operates independently of any other institution and reports directly to the president. Interlocutors interviewed in Khartoum for this report maintain that it has more intelligence collection capability than any other institution, but does not share its intelligence with other state institutions.<sup>95</sup>

## International support for capacity building

As part of efforts to address the capacity gaps outlined above and to build on the incremental progress made in certain areas, the Sudanese government has partnered with a range of international organizations in recent years to improve its ability to counter human trafficking.

In 2012, IOM and UNHCR began working on a joint project, in cooperation with the Sudanese authorities, to address human trafficking, kidnappings, and smuggling of persons in Sudan. The project was implemented between August 2012 and September 2013. It consisted of capacity-building workshops with participants from Sudan's Commissioner for Refugees, the police, national security, civil society, federal ministries, representatives of the migrant groups and the judiciary. These workshops focused on law, as well as the protection needs of trafficking victims and vulnerable migrants.<sup>96</sup>

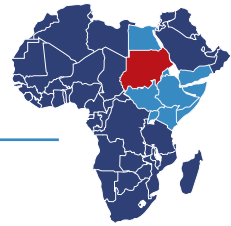
Building on this initial project, in late 2013, IOM and UNHCR began implementing the Joint National Strategy against Trafficking, Kidnapping and the Smuggling of Persons, which was endorsed by the Government of Sudan and developed in close collaboration with the Sudanese Commissioner for Refugees and the Ministry of Interior. The project lists five key strategy objectives, which include enhancing security and mitigating risks, strengthening

93 Key informant interviews in Sudan, August 2016.

94 Ibid.

95 Ibid.

96 UNHCR (2013). UNHCR and IOM strengthen their support to Sudan in combating human trafficking and smuggling. Available at: <http://www.unhcr.org/52b0184e6.pdf>



protection responses, identifying solutions and alternatives, building capacity, and enhancing cooperation.<sup>97</sup>

As part of this project, UNHCR facilitated nine trainings in eastern Sudan to discuss key provisions of the 2014 Combatting of Human Trafficking Act with government officials. In Khartoum, the UNHCR also held a training with 20 journalists and local NGOs to sensitize the media on the definitions of human trafficking and smuggling. Also in 2014, UNODC delivered a three-day workshop during which national and international experts on trafficking law “spoke about the different dimensions of Sudan’s recently enacted Trafficking Act and techniques for identifying and investigating trafficking cases.”<sup>98</sup>

In April 2015, UNODC held a four-day workshop, organized by the National Committee to Combat Human Trafficking in Sudan, to support the committee in drafting a national strategy and action plan to combat human trafficking. Among the 35 participants were committee members and other relevant partners from throughout the Sudanese government. The workshop placed particular emphasis on national coordination efforts and legislative measures.<sup>99</sup>

In May 2015, the Government of Sudan endorsed a new Joint 2015-2017 Strategy to Address Human Trafficking, Kidnapping, and Smuggling in Persons to build on the progress of the prior joint strategy developed and implemented by UNHCR and IOM in cooperation with the Sudanese government.<sup>100</sup> The strategy brings together UNHCR, IOM, UNICEF, the United Nations Population Fund (UNFPA), and UNODC to “provide a coordinated UN response and support to the Government of Sudan in countering these crimes.”<sup>101</sup>

As part of its efforts under the Joint 2015-2017 Strategy, IOM provided a two-day training on international migration law to 16 members of the Ministry of Justice in June 2015. Also in June, UNODC held a three-day workshop in Cairo in which it hosted seven members of the sub-committee within the National Committee to Combat Human Trafficking who were tasked with drafting the National Strategy to Combat Human Trafficking to “learn from the Egyptian experience in establishing a National Committee and a National Strategy.” This

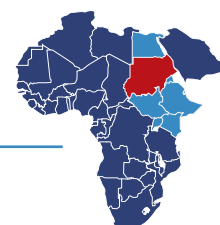
97 UNHCR and IOM (nda). Addressing Human Trafficking, Kidnapping and Smuggling of Persons in Sudan: End of Year Report 2014. Available at: <https://sudan.iom.int/sites/default/files/docs/UNHCR%20IOM%202014%20End%20of%20Year%20Human%20Trafficking%20Report.pdf>

98 UNHCR and IOM (nda). Addressing Human Trafficking, Kidnapping and Smuggling of Persons in Sudan: End of Year Report 2014. Available at: <https://sudan.iom.int/sites/default/files/docs/UNHCR%20IOM%202014%20End%20of%20Year%20Human%20Trafficking%20Report.pdf>

99 UNHCR and IOM (2015). Addressing Human Trafficking, Kidnapping, and Smuggling of Persons in Sudan: Second Quarter Report 2015. Available at: <https://sudan.iom.int/sites/default/files/docs/2015%20Second%20Quarter%20Report%20-%20Joint%20Strategy%20to%20Adress%20Human%20Trafficking.pdf>

100 UNHCR and IOM (2015). The United Nations and IOM reinforce their support to Sudan in combating human trafficking and smuggling of persons. Available at: <https://sudan.iom.int/sites/default/files/PR%20Anti%20Trafficking%20and%20Smuggling%20Strategy%20Sudan%2027%20May%202015.pdf>

101 See: <https://sudan.iom.int/capacity-building>



workshop was coordinated in tandem with IOM, which organized a “study” tour to meet with Egyptian counterparts and learn from their experiences.<sup>102</sup>

In September 2015, IOM conducted two three-day training sessions focusing on different aspects of the 2014 Combatting of Human Trafficking Act. The first focused on building the capacity of the counter trafficking police to apply the 2014 Act in the investigation of a crime. The second training, with members of the Sudanese Bar Association, focused on implementing of the law in the prosecution of human trafficking cases.<sup>103</sup>

In January 2016, IOM held a two-day training on “Human trafficking and Protection of Victims” for 30 migration officers working in the Alien’s Department of the Directorate of Passports and Immigration of the Ministry of Interior. The training, which was part of IOM’s regional counter-human trafficking project covering the “North-East African Migratory route” and was funded by the US State Department’s Bureau of Population, Refugee, and Migration, aimed to sensitize migration officers on the concepts of human trafficking, smuggling and Sudan’s Combatting of Human Trafficking Act.<sup>104</sup>

Most recently, in October 2016, 20 senior officers from the Sudanese General Directorate of Passports and Immigration completed a “five-day advanced course in border management concepts in techniques” conducted by IOM.<sup>105</sup> In theory, many of the technical capacities being developed to counter human trafficking networks also apply to migrant smuggling. Yet migrant smuggling, despite being in the title of many of the programmes outlined above, has not garnered significant attention from the Sudanese authorities. Nevertheless, despite the focus on trafficking, many of the “anti-trafficking” operations currently being carried out by Sudanese authorities appear to involve intercepting migrant smuggling convoys, and arresting smugglers, not necessarily traffickers.

## European Trust Fund

In April 2016, the EU announced an aid package to Sudan worth EUR 100 million to “address root causes of irregular migration and forced displacement” as part of the EU Emergency Trust Fund for Africa, in addition to EUR 40 million that had already been set aside to better

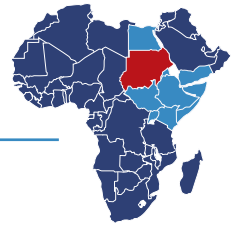
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102 UNHCR and IOM (2015). Addressing Human Trafficking, Kidnapping, and Smuggling of Persons in Sudan: Second Quarter Report 2015. Available at: <https://sudan.iom.int/sites/default/files/docs/2015%20Second%20Quarter%20Report%20-%20Joint%20Strategy%20to%20Adress%20Human%20Trafficking.pdf>

103 IOM (2015). IOM and Government of Sudan together build the capacity of those tackling human trafficking and smuggling. Available at: <https://sudan.iom.int/news/iom-and-government-sudan-together-build-capacity-those-tackling-human-trafficking-and-smuggling>

104 IOM (2016). 30 Migration Officers trained from the Alien’s Affairs Department in Sudan. Available at: <https://sudan.iom.int/news/30-migration-officers-trained-alien%E2%80%99s-affairs-department-sudan>

105 IOM (2016). IOM trains 20 Senior Immigration Officers on Border Management in Khartoum. Available at: <https://sudan.iom.int/news/press-releases/iom-trains-20-senior-immigration-officers-border-management-khartoum>



manage migration in Africa.<sup>106</sup> In August 2016, within the context of the EU Trust Fund, Italy signed a memorandum of understanding on combating crime, illegal migration, and border issues.<sup>107</sup> More recently, in October 2016, Germany and Sudan reached a joint understanding on ways for their respective police forces to work together to combat illegal migration and human trafficking.<sup>108</sup>

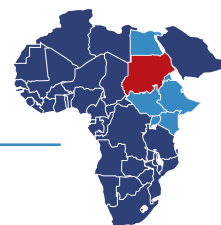
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106 European Commission (2016) EU to Announce €100 Million Development Package for Sudan to Address Root Causes of Irregular Migration and Forced Displacement, [http://europa.eu/rapid/press-release\\_IP-16-1206\\_en.htm](http://europa.eu/rapid/press-release_IP-16-1206_en.htm)

107 Sudan Tribune (2016). Sudan, Italy sign MoU to stem crime and irregular migration. Available at: <http://www.sudantribune.com/spip.php?article59832>

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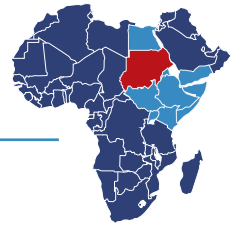




# 5.0

## RECOMMENDATIONS

- To complement the efforts made by the Government of Sudan in combating trafficking in persons, a comprehensive legal framework could be developed to specifically address the issue of migrant smuggling, in particular to decriminalise irregular migrants.
- In order to increase understanding and awareness of the 2014 Combating Human Trafficking Act, conduct training and awareness-raising among members of the judiciary, law enforcement agents, lawyers, and other stakeholders.
- In order to operationalise the National Committee for Combating Human Trafficking and enable it to fulfil its mandate, governance capacities should be reinforced through improved coordination between committee members, better definition of roles and responsibilities, and better management of information.
- Increase the capacity of the police to conduct criminal investigations into human trafficking and migrant smuggling by training law enforcement agents, reinforcing operational management between police services, and improving logistic capacity.
- Develop a formal mechanism for collecting, analysing, and sharing information on migrant smuggling and human trafficking between government institutions, especially between law enforcement, security forces, and the judiciary, and ensure its application through trainings and the establishment of operational hubs.
- Significantly increase the awareness of state agents, in particular those from law enforcement agencies, of the difference between migrant smuggling and human trafficking.
- Improve the national response to the protection needs of the most vulnerable migrants and refugees in eastern Sudan, including by reinforcing the management channels and monitoring of law enforcement agents to prevent potential collusion and corruption with migrant smugglers and human traffickers and by increasing protection services offered to asylum seekers in refugee camps, reception centres, and in major transport hubs; directly engage the communities that are involved in trafficking in persons and smuggling of migrants.
- Develop formal policies, procedures, and mechanisms for the management of migrants who are intercepted in remote areas by state agents to ensure immediate assistance to the vulnerable individuals and protection of their rights, especially for those seeking asylum.



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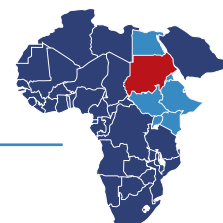
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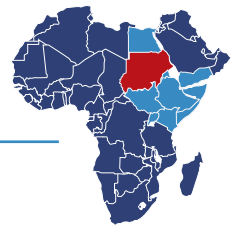
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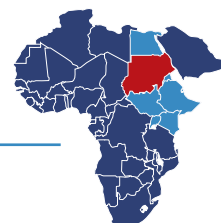
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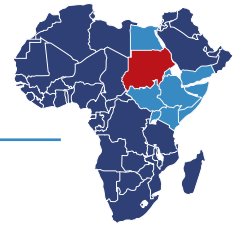


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## ANNEX

# CHALLENGES AND NEEDS OF NATIONAL INSTITUTIONS

## Introduction

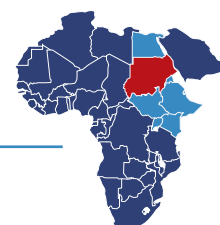
This analysis has been processed through the organisation of a consultative workshop held on 1 December 2016 with representatives from the Sudanese police forces. This exercise was facilitated by Expertise France with the support from European Union police experts from the French Ministry of Interior, “*Direction de la Coopération Internationale*” and the Italian Ministry of Defence “*Carabinieri*”. The aim of the consultation was to review the country research and analyse the institutional needs for capacity building and training.

## Summary of the findings

### 1. Review of the country statement by national institutions

The Regional Mixed Migration Secretariat (RMMS) presented the major outcomes of the research, after which the floor was opened for discussion, comments and questions. Issues raised by participants included:

- The Sudanese police has received several trainings, but there is limited implementation in the field. It is important to identify the capacity building needs.
- Smuggling and trafficking are pervasive problems in Sudan, especially in the border states. The problem has to be addressed for several reasons:
  - Humanitarian: migrants are being exploited and human rights have to be respected.
  - National interest: uncontrolled migration flows may cause health problems and economic pressures on host populations.
  - Regional and international legal obligations.
- It is important to distinguish between smuggling and trafficking, and between refugees fleeing war and illegal migrants. Victims of trafficking should not be detained, as this also hinders the collection of information and data on trafficking and smuggling networks.
- Sharing information between countries of origin, transit and destination is of the utmost importance.



## 2. Challenges and capacity needs

Gaps and challenges on four key aspects were discussed:

### Operational planning

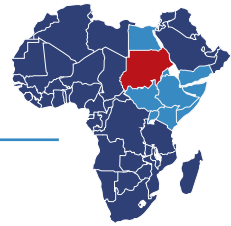
- Issues of capacity, capability and resources limit Sudan's ability to patrol and control its long borders with many countries. There is a need to establish well-equipped one-stop border posts.
- Discrepancies between decisions made at national level and material and resources to be provided at state level hinder the rapid deployment of security agencies to respond to changes in migration flows.
- While customs legislation provides for seizing funds/assets of criminal smugglers/traffickers, there have been no cases yet in which this law has been applied, because of lack of evidence.
- Technical support is needed to implement the national and state-level plans to address smuggling and trafficking.

### Information collection and referral

- There is limited clarity on how to collect information; there are no standardized methods for data collection.
- Information is collected at both national and state level, with limited formal mechanisms for sharing information between these two levels. Similarly, there is a need for more and better cross-border collaboration and information sharing.
- Police staff in the field need to be trained to differentiate between types of crime (smuggling vs trafficking) and types of people involved (e.g. refugee or migrant, or victim or perpetrator), as well as on data collection.
- There are contradicting legal provisions. According to the Passport and Immigration Act, victims of trafficking are charged with illegal entry, while under the 2014 Combating Human Trafficking Act they are considered as victims.
- There are no special units for dealing with victim and witness protection, which makes it difficult to collect witness testimony.
- Participants mentioned the need for insider informants who are able to provide information on smuggling and trafficking networks.
- Equipment to collect data and information is generally lacking, especially in the border areas (e.g. surveillance cameras, communication equipment, vehicles).

### Data management and record

- There is currently no database with information on smuggling and trafficking (with, for example, data on criminal smuggling/trafficking networks, their *modi operandi*, the identity of victims, etc.).
- Secure channels for information sharing between agencies are needed.



## Analysis and reports

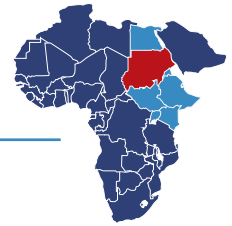
- Participants pointed to a lack of technical skills in data analysis and the need for advanced training on analysis and reporting.

## 3. Recommendations

The third part of the plenary workshop consisted of a discussion of several of the recommendations from the country research.

1. Develop a comprehensive framework to specifically address migrant smuggling
  - The first step is to ratify the UN supplementing protocol on migrant smuggling.
  - Secondly, an Act on migrant smuggling should be passed, which has to be in line with the international convention.
  - A strategy plan on how to address migrant smuggling should be developed.
  - A committee should assess whether there are contradictions in the legislative framework (e.g. between the Immigration and Passports Act and the 2014 Combating Human Trafficking Act) and ensure that the laws are in line with international conventions and agreements.
2. Improve coordination between members of the National Committee for Combating Human Trafficking
  - Technical support is needed to ensure all members can achieve their roles and responsibilities.
  - There should be technical support for coordination.
  - Communication tools are needed for police officers working in remote areas of the country.
  - The National Committee for Combating Human Trafficking should convene regular meetings with sub-committees at state level and provide the necessary support and capacity.
3. Develop a formal mechanism for collecting, analysing and sharing information on migrant smuggling and human trafficking between government institutions (law enforcement, security and judiciary)
  - The same mechanism for information sharing that exists at national level should be implemented at state level. Capacity building and equipment are needed.
4. Conduct training and awareness raising on the 2014 Combating Human Trafficking Act
  - This could be facilitated by the Department of Legal Affairs and the police training department.
  - For the civil society, the media could be used for awareness raising and sensitization.





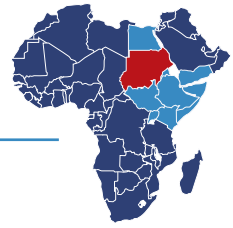
- Civil society organizations are already engaged in trainings and awareness raising activities.
5. Increase the capacity of the police to conduct criminal investigations on human trafficking and migrant smuggling
- The police's training department is responsible for developing training according to needs and has the facilities to conduct training. Training equipment and financing are required, however.
  - Necessary expertise is limited. Training courses are necessary to develop standard operating procedures.

## 4. Training needs and priorities

- Training and sensitization of legislators and policy makers on trafficking and smuggling.
- Joint training for investigators, prosecutors, judicial officers and first responders on issues of smuggling/trafficking.
- Training on the monitoring and evaluation of interventions (methodology for accountability and impact).
- Training on coordinated strategic and operational planning.
- Key aspects of investigative procedures and standard operating procedures (SOPs) for collecting and sharing information on trafficking and smuggling (including referral of victims and suspects).
- Training on capacity and resources to establish a harmonized information management system (IMS).
- Training on managing and recording forensic resources and materials (best practices, innovation and technology to record and secure data).
- Training on analysing and reporting situations and cases of trafficking and smuggling.
- Training on establishing victim protection response (profiling needs of victims and mapping protection services).

## Conclusion

The Government of Sudan has made substantial efforts to address the issues related to irregular migration, particularly trafficking in persons. However, there are outstanding challenges in terms of capacity and capabilities, especially in border areas, and a lack of legal frameworks to address migrant smuggling. Contradictory legal provisions and the regular detention of victims of human trafficking inhibit the opportunity to collect vital information on human trafficking and migrant smuggling networks. Finally, the participants stressed the need for several material resources, including vehicles (4WDs), motorcycles, communication devices (e.g. satellite phones), clinics and medicines to treat migrants, a database and software, surveillance cameras, etc. However, it was also noted that such material is not useful without qualified human resources. Participants highlighted the need to raise capacity to collect, analyse and assess information. The provision of technical



expertise to establish a database (experts, training, and software) and to provide training on specific aspects of investigation were discussed as potential avenues for assistance.

# Institutional challenges and priority needs

Topics/ issues	Gaps & challenges	Existing framework/ response
Information collection and referral	<p><b>Lack of collaboration between different stakeholders and harmonized system of collection and referral:</b></p> <ul style="list-style-type: none"> <li>• Different types of collecting &amp; sharing information for different types of crime.</li> <li>• General lack of equipment at front line level (surveillance cameras, radar, vehicles).</li> <li>• Intelligence gathering, including established network of informants.</li> <li>• Challenges in distinguishing between victim &amp; perpetrator.</li> </ul> <p><b>Management and referral of victims:</b></p> <ul style="list-style-type: none"> <li>• No special unit dealing with victim and witness protection.</li> <li>• Victims according to law are charged with illegal entry/contravening legal provisions (smuggled migrants are both victim and criminalised illegal migrant).</li> </ul>	<p>National Committee for Combatting Human Trafficking</p> <p>Passport and Immigration Act / Combatting Human Trafficking Act in 2014</p> <p>Joint 2015-2017 Strategy to Address Human Trafficking, Kidnapping, and Smuggling in Persons (UNHCR and IOM).</p>
Data management	<p><b>Lack of centralised Information Management System (IMS)</b></p> <ul style="list-style-type: none"> <li>• Insufficient tracking record of smugglers and traffickers</li> <li>• No data record and follow-up on status of victims of trafficking (VoT).</li> <li>• Security and protection of confidential data.</li> </ul>	<p>National Committee for Combatting Human Trafficking</p> <p>Ministry of Interior (MOI): Department of Civil Registration and Migration / Criminal Investigation Department.</p>
Analysis & reports	<p><b>Insufficient reporting and analytical mechanisms for TiP and SoM</b></p> <ul style="list-style-type: none"> <li>• Lack of information and understanding on trends and patterns of trafficking in persons (TiP) and smuggling of migrants (SoM) - including among legislators and executive bodies.</li> <li>• Lack of analysis on migrant profile and mapping of available services in response to VoT and migrants with protection needs.</li> </ul>	<p>National Committee for Combatting Human Trafficking</p>

Topics/ issues	Gaps & challenges	Existing framework/ response
<b>Strategic planning</b>	<p><b>Lack of appropriate response in key areas affected by smuggling and trafficking:</b></p> <ul style="list-style-type: none"> <li>• Identification of key routes and corridors used for TiP and SoM, including specific period, entry and exist points.</li> <li>• Unequal or insufficient presence of technical and logistic resources in most areas affected by smuggling and trafficking.</li> <li>• Insufficient funding for key institutional response, including at national and state levels.</li> <li>• Planning &amp; operational process.</li> </ul> <p><b>Accountability and effective use of law enforcement and other institutional response.</b></p>	<p>National Committee for Combatting Human Trafficking</p> <p>Joint 2015-2017 Strategy to Address Human Trafficking, Kidnapping, and Smuggling in Persons (UNHCR and IOM).</p>

# Training priorities

Topics /issues	Priority needs	Training needs
<b>Information collection and referral</b>	<p><b>Establish mechanisms and procedures for collecting and sharing information across government departments, ministries, and agencies:</b></p> <ul style="list-style-type: none"> <li>• Enhance knowledge for the identification and referral of suspected smugglers and traffickers.</li> <li>• Enhance knowledge for identification and referral of cases of trafficking and smuggling between national and state levels and within law enforcement agencies.</li> </ul> <p><b>Reinforce logistical capacities for the conduct of border operation and investigation:</b></p> <ul style="list-style-type: none"> <li>• Vehicles and transportation.</li> <li>• Intelligence materials.</li> <li>• Communication and recording.</li> </ul>	<p><b>Key aspects of procedures and standards operational procedures in investigating TiP and SoM.</b></p> <ul style="list-style-type: none"> <li>• Collecting and documenting data on smugglers and traffickers (how to collect profiling data).</li> <li>• Identification and referral VoT and witnesses (patterns of the needs/ mapping existing services/ identification of type of criminal offenses).</li> </ul>
<b>Data management and records</b>	<p><b>Establishment of IMS, including appropriate platform and database:</b></p> <ul style="list-style-type: none"> <li>• Records &amp; database for suspects and convicted smugglers and traffickers.</li> <li>• Records &amp; database for VoT.</li> <li>• Security protocol and SOPs for confidential data.</li> </ul>	<p><b>Capacity and resource to establish a harmonised IMS (why, what and how).</b></p> <ul style="list-style-type: none"> <li>• Record identity and &amp; establish profile of suspects and convicts of SoM and TiP.</li> <li>• Record identity and &amp; establish profile of VoT.</li> <li>• Protection and security of confidential data (e.g. witness and victim identity and testimony).</li> </ul>
<b>Analysis &amp; reports</b>	<p><b>Improve analytical and reporting system:</b></p> <ul style="list-style-type: none"> <li>• Develop information notices, sensitisation and reports to state and national levels of leadership.</li> <li>• Conduct profiling exercise and mapping of available service for VoT and migrants with protection needs.</li> </ul>	<p><b>Training on analysis and reports on TiP and SoM.</b></p> <ul style="list-style-type: none"> <li>• Reporting on TiP and SoM.</li> <li>• Profiling and reporting situation of irregular migrants and victims of trafficking/use of evidence based data</li> </ul>

Topics /issues	Priority needs	Training needs
<b>Strategic planning</b>	<p><b>Key aspects and definition of TiP and SoM.</b></p> <ul style="list-style-type: none"> <li>• Develop a fact sheet providing key aspects for the identification and situation of TiP as defined in the Counter Trafficking in Persons Act for front line police officers, civil society organisations and NGOs.</li> <li>• Enhance knowledge on SoM and TiP within law enforcement agencies, conduct sensitization on the Counter-Trafficking in Persons Act.</li> </ul> <p><b>Improve coordination, planning and operational management:</b></p> <ul style="list-style-type: none"> <li>• Coordination tools and procedure of the National Committee for Combating Human Trafficking (centralised and state level support).</li> <li>• Mapping of priority areas of intervention (where, when, why).</li> <li>• Allocation of technical resources at national and state levels.</li> <li>• Establishment of funding requirement.</li> <li>• Improve strategic &amp; operational planning.</li> </ul>	<p><b>Joint training and sensitization on SoM and TiP</b></p> <ul style="list-style-type: none"> <li>• Methodology and tools to identify trends and patterns of SoM and TiP (when, where, how and why).</li> <li>• Training and sensitization on how to identify situation of SoM and TiP.</li> </ul> <p><b>Training on coordinated strategic and operational planning, including:</b></p> <ul style="list-style-type: none"> <li>• Mapping of intervention.</li> <li>• Identification and deployment of technical resources.</li> <li>• Budget planning and management.</li> <li>• Strategic and operational tools &amp; reports.</li> </ul>

## Workshop participants

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Col Mohammed	Imad	Police Academy	Investigation Directorate	Not provided
Col El Beir	Hassan	Police Academy	Passport Directorate	Not provided
Col Amhed	Ismael	Police Academy	El Gadarif State police director	Not provided
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Lt Col Issa	Issa	Police Academy / General Administration for Smuggling Commission	Master Degree	Not provided
Lt Col Ahmed	Al Gadafi	Police Academy / General Administration for Smuggling Commission	Master Degree	Not provided
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Lt Omer	Sami	Police of Kassala state	Police officer	Not provided
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This report is one of a series of ten country statements, produced as part of the project *Addressing Mixed Migration Flows in Eastern Africa*. These reports provide an updated overview of migrant smuggling and human trafficking trends and dynamics and the modus operandi of criminal networks involved in facilitating irregular migration. The reports also highlight capacity gaps and challenges faced by governments in the region in responding to these phenomena, informing the identification of capacity-building needs in the areas of data collection, analysis and information sharing. The project is managed by Expertise France and is funded by the European Commission in the context of the EU-Horn of Africa Migration Route Initiative (the Khartoum Process).

This report is one of 10 country statement reports covering:  
Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan, Uganda and Yemen



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