

House of Representatives

Attn. Her Excellency Chairperson of the House of Representatives

Date: July 14, 2020

Subject: Your decision number WBV 2020/1 (Asylum policy on Sudan)

Dear Ms. Khadija Arib,

Hundreds of Sudanese citizens [specifically from Darfur](#), South Kordofan, and Blue Nile states – who have sought asylum in the Netherlands, some of whom have already lived legally in the country for more than five years and have now applied for permanent residence status, have been surprised and shocked [to receive a letter](#) from the Dutch Immigration and Naturalisation Service (IND) informing them that unless they change the grounds for their application, they will be compelled to return to Sudan.

The Ministry of Justice and Security has made a decision to reassess asylum seekers from war-affected areas in Sudan; namely, Darfur, South Kordofan, and Blue Nile states [citing an](#) ‘improved situation since 2017’. This statement is at odds with the actual situation in all parts of Sudan, let alone the conflict zones. With this letter we want to explain the current security situation in Sudan.

According to the UN and other NGOs, the security situation in these areas remains fragile. The African Centre for Justice and Peace Studies (ACJPS) in its [report](#) of 15 June stated that: “Many believed that the practice of arbitrary arrest and torture manifested in al Bashir’s regime had come to end, however, a monitoring report by the African Centre for Justice and Peace Studies (ACJPS) between March to May 2020 indicates that the Sudanese Armed forces (SAF) and the Rapid Support forces (RSF) have continued to violate human rights of civilians”.

Human Rights Watch in March 2020, [reported that](#) civilians in displaced people camps scattered across the region vulnerable to attacks by armed groups in the absence of the deterrent presence of international forces. “The Sudanese security elements are either implicated in these violent incidents or lack capacities to respond,” the report added.

The ICC prosecutor in [her recent report](#) to the UNSC explained that although throughout 2019, the number of returnees has exceeded the number of internally displaced persons in Darfur, the security situation has raised concern across the region. “I am concerned by reports of harassment of IOM staff, as well as the looting of humanitarian supplies from five local non-governmental organisations in Kabkabiya, North Darfur,” she said.

In the report, she expressed concern about recent clashes between armed groups of armed forces in Jebel Marra, that caused about 60 civilian casualties and the displacement of more than 2,300 people, mostly women and children. Sexual violence occurred as well in the area, of which 84 incidents constitute serious violations against children.

The security situation remains fragile across the country, even in places where it used to be relatively safe. Various local, regional, and international sources daily report about killings of people in the conflict areas, by members of various militias and armed groups.

Below some examples of violent incidents in the past six months:

- In the El Hamidiya refugee camp in Zalingei, in Central Darfur, 46-year old Ismail Abakar Abdelrahman was detained and tortured to death.
- In the eastern Sudanese towns of Kassala, New Halfa and Port Sudan, several violent incidents occurred in May this year in which 22 people were killed. While police and security forces deliberately are withheld, some neighbourhoods have become an open confrontation field between various ethnic groups.
- In Sirba, a suburb of El Geneina in West Darfur, two people were shot dead by the Rapid Support Forces.
- On March 8, Sudanese Prime Minister Abdalla Hamdok survived an attack in the capital Khartoum.
- In the morning of June 13, militiamen stormed the sit-in the Fata Borno camp for displace people in North Darfur. The first reports spoke about nine people killed and 12 injured.

Despite the change that has taken place in the Sudanese government, military personnel at various levels remain loyal to the previous brutal regime of Al Bashir and do everything to undermine security and stability.

Shooting incidents are the order of the day. Daily people are being killed by militiamen and members of armed groups that are still active across the country. Even the infamous National Intelligence and Security Service (NISS) is still intact and operational. On January 14, the operations division of the NISS attempted to launch a military coup. Three people were fatally hit by stray bullets in Khartoum.

It is clear that Sudan is not yet safe and stable enough to let refugees return.

The decision of the State Secretary for Justice and Security to change the asylum policy for Sudan and in particular for Darfur, South Kordofan and Blue Nile, is not

based on the real situation in Sudan.

The official notice on which the State Secretary based her decision (WBV 2020/1), is not up to date and does not reflect the real security situation in Sudan.

We appeal to the House of Representatives to put pressure on the Ministry of Foreign Affairs and the Ministry of Justice and Security to ensure that these ministries will base their policies towards Sudanese refugees on the actual security situation in Sudan.

Yours sincerely,

- 1- The Darfur Union Association
- 2- The Sudanese Democratic Forum
- 3- Nuba Mountains Solidarity Abroad (the Netherlands)
- 4- Committee of Sudanese asylum seekers in the Netherlands