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# Sudan: Query Response

Query Response on (Forced) recruitment of Arabs by the Sudan People's Liberation Movement/Army – North (SPLM/A-N)

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17 August 2016

17<sup>th</sup> August 2016 (COI up to 15<sup>th</sup> August 2016)

## South Kordofan Query Response

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## Explanatory Note

This report presents country of origin information (COI) on Sudan up to 15<sup>th</sup> August 2016 on an issue of relevance in refugee status determination for Sudanese nationals from South Kordofan. Only COI specific to South Kordofan has been included unless otherwise stated. For information on the situation in South Kordofan more generally, see the relevant sections of the ARC publication [South Kordofan and Blue Nile Country Report](#), 1 June 2016, whilst information on the situation in Sudan more generally can be found in the relevant sections of the ARC publication [Darfur Country Report](#), October 2015.

The COI presented is illustrative, but not exhaustive of the information available in the public domain, nor is it determinative of any individual human rights or asylum claim. All sources are publicly available and a direct hyperlink has been provided. A list of sources and databases consulted is also provided, to enable users to conduct further research and to conduct source assessments. Research focused on **events** which occurred between 1 July 2014 to 15 August 2016 and all sources were accessed in August 2016. Excerpts from annual reports covering events from 2014 have been included even though part of their reporting periods pre-date the cut-off point for research.

To supplement the publicly available information included, three country experts on Sudan were contacted through email correspondence in October 2016, asking the following question:

- Do you know whether the practice of forced recruitment of Arabs by the SPLM/A-N in the time frame 2014-2016 exists.

For a list of country experts consulted, a short paragraph on their expertise, and their contact details, see [Annex A](#) in this report.

It should be noted that as set out by the UN Secretary-General in his June 2015 report, “Access to Government and SPLM-N-controlled areas remained very challenging, even though there was a slight improvement compared with 2013. For the first time, the United Nations was granted limited access to Kurmuk and Bau localities in Blue Nile”.<sup>1</sup> Amnesty International similarly noted in an August 2015 report on attacks against civilians in Sudan’s South Kordofan State that “International organizations have faced considerable difficulty in monitoring the human rights situation in the state because of sweeping restrictions by the Government of Sudan on access to the area. While it has been very difficult because of security concerns and logistical challenges related to travel, it has been possible to conduct some research in areas that are controlled by the SPLA-N, but it has been impossible to do so in areas under the control of the Sudanese Armed Forces. There has been scant media coverage of the conflict over the past four years because of the ban on access and the security and logistical challenges associated with travel to and in the area”.<sup>2</sup>

This document is intended to be used as a tool to help to identify relevant COI and the COI referred to in this report can be considered by decision makers in assessing asylum applications and appeals. **However, this document should not be submitted in full or in isolation as evidence to refugee decision making authorities.** Whilst every attempt has been made to ensure accuracy, the authors accept no responsibility for any errors included in this report.

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<sup>1</sup>UN Secretary-General (UNSG), [Children and armed conflict: report of the Secretary-General](#), 5 June 2015, A/69/926–S/2015/409, paragraph 178

<sup>2</sup> Amnesty International, [Don't We Matter? Four years of unrelenting attacks against civilians in Sudan's South Kordofan State \[AFR 54/2162/2015\]](#), 17 August 2015, *Restrictions on Human Rights Monitoring* p.38

## Sources and databases consulted

Additional sources to those individually listed were consulted via database searches. This non-exhaustive list is intended to assist in further case-specific research. To find out more about an organisation, view the 'About Us' tab of a source's website.

### Databases consulted:

[EASO COI Portal](#)

[ECOI.net](#)

[Refworld](#)

[Reliefweb](#)

### Sources consulted

[Armed Conflict Location & Event Date Project \(ACLED\)](#)

[Aegis Trust](#)

[African Arguments](#)

[African Centre for Justice and Peace Studies \(ACJPS\)](#)

[Africa Review](#)

[All Africa](#)

[Amnesty International](#)

[Brookings Institution](#)

[Carnegie Endowment for International Peace](#)

[Child Rights International Network](#)

[Child Soldiers International](#)

[CHR Michelsen Institute](#)

[CIA World Factbook – Sudan country page](#)

[Enough Project](#)

[Eric Reeves, Sudan Research, Analysis, and Advocacy](#)

[Heidelberg Institute for International Conflict Research](#)

[Humanitarian Aid Relief Trust](#)

[Human Rights Watch](#)

[Human Security Baseline Assessment for Sudan and South Sudan/Small Arms Survey](#)

[Institute for War and Peace Reporting](#)

[Internal Displacement Monitoring Centre](#)

[International Crisis Group](#)

[International Federation for Human Rights](#)

[International Office for Migration Sudan Mission](#)

[International Refugee Rights Initiative](#)

[Inter Press Service](#)

[IRIN news](#)

[Jamestown Foundation](#)

[Nuba Reports](#)

[Radio Dabanga](#)

[Radio Free Europe/Radio Liberty](#)

[Radio Tamazuj](#)

[Reuters Africa](#)

[Rift Valley Institute](#)

[South Kordofan Blue Nile Coordination Unit \(SKBLCU\)](#)

[Sudan Democracy First Group](#)

[Sudan Consortium](#)

[Sudan Social Development Organisation \(SUDO\)](#)

[Sudan Tribune](#)

[UK Foreign and Commonwealth Office](#)

[United Nations Children's Fund \(UNICEF\)](#)

[United Nations Office for the Coordination of Humanitarian Affairs \(UNOCHA\)](#)

[United Nations Office of the High Commissioner for Human Rights \(OHCHR\)](#)

[United Nations Special Rapporteur on trafficking in persons, especially in women and children](#)

[United States Institute of Peace](#)

[United States Department of State](#)

[Uppsala Universitet – UCDP Conflict Encyclopedia](#)

[Waging Peace](#)

## 1. (Forced) recruitment of Arabs by the Sudan People's Liberation Movement/Army – North (SPLM/A-N)

Amongst the sources consulted for the period between 1 July 2014 and 15 August 2016 no information was found on the forced recruitment of Arabs by the SPLM/A-N. Only one source was found suggesting that Arab nomads have been recruited by the SPLA-N though no indication was provided as to it being forced (see below).

The Small Arms Survey explained in July 2015 that “The SPLA-N is composed mainly of Nuba fighters from various tribes, including from small tribes historically allied to Khartoum, such as the Dilling and Kadugli. The lack of CPA [Comprehensive Peace Agreement] peace dividends for the people of South Kordofan pushed together previously opposing tribes in the state and also helped SPLA-N recruitment among Arab nomads”.<sup>3</sup>

In email correspondence with Asylum Research Consultancy, a country expert on Sudan, who wants to remain anonymous, wrote on 17<sup>th</sup> October 2016 that “the SPLM-North includes some Misseriya who self-identify as Arab. One of the senior commanders is Misseriya. But I have not heard of forced recruitment of Arabs into the SPLM-N. There are however reports of GoS [Government of Sudan] forced recruitment”.<sup>4</sup>

Two additional country experts on Sudan also confirmed in writing on 17<sup>th</sup> October 2016 that they had not heard of any credible evidence of forced recruitment of Arabs into the SPLM/A-N:

Harry Verhoeven wrote that “I have not seen any credible evidence that shows the recruitment of Arabs by the SPLM-North”.<sup>5</sup> Similarly, Abdel-Rahman noted that “I cannot confirm if it exists or does not. What I can confirm is that there are unverified claims that it does”.<sup>6</sup>

## 2. Recruitment and use of children

As no information was found on the forced recruitment of Arabs by the SPLM/A-N, information was included on the recruitment and use of children by armed opposition groups operating in South Kordofan and specifically the SPLM/A-N.

Without specifying the exact location and without referring to government or non-government forces, in its ‘Concluding observations on the fourth periodic report of Sudan’ of August 2014, the UN Human Rights Committee stated that “the Committee is concerned by reports indicating that children are still being recruited and used in armed conflict, and that efforts at monitoring this practice are insufficient”.<sup>7</sup>

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<sup>3</sup> Small Arms Survey, [Sudan Working Paper 38; Two Fronts, One War: Evolution of the Two Areas](#), July 2015, *SPLM/A-N and SRF, South Kordofan*

<sup>4</sup> Anonymous, country expert on Sudan in email correspondence with Asylum Research Consultancy (ARC) on 17<sup>th</sup> October 2016. See Annex A for more information.

<sup>5</sup> Harry Verhoeven, country expert on Sudan in email correspondence with Asylum Research Consultancy (ARC) on 17<sup>th</sup> October 2016. See Annex A for more information.

<sup>6</sup> Abdel-Rahman, country expert on Sudan in email correspondence with Asylum Research Consultancy (ARC) on 17<sup>th</sup> October 2016. See Annex A for more information.

<sup>7</sup> UN Human Rights Committee: [Concluding observations on the fourth periodic report of the Sudan](#) [CCPR/C/SDN/CO/4], 19 August 2014

The United States Department of State reported in its annual report covering 2015 that “Due to problems of access, particularly in conflict zones, reports of child soldiers were limited and often difficult to verify”.<sup>8</sup>

#### **a. By armed opposition groups in South Kordofan**

The UK Foreign and Commonwealth Office Human Rights and Democracy Report, covering events in 2014, stated: “Gaps remain in Sudan’s implementation of the Child Act (enacted in 2010), which raises the age of criminal responsibility, criminalises child exploitation and abuse, and prohibits recruitment of children to armed groups. There were credible reports of the continued use of child soldiers, particularly by armed opposition movements in Darfur, South Kordofan, and Blue Nile”.<sup>9</sup>

The United States Department of State, in its ‘Trafficking in Persons Report for 2015’, also covering developments in 2014, stated “Non-governmental armed groups recruited and used children under 17 years old”.<sup>10</sup>

Similarly, the same source reported in its ‘Trafficking in Persons Report for 2016’, covering developments in 2015, that “children remained vulnerable to recruitment and use as combatants and in support roles by Sudanese military and security forces and non-governmental armed groups and militias”.<sup>11</sup>

The Secretary-General of the National Council for Child Welfare, Amal Mahmoud, expressed concern in April 2015 over “renewal of incidents of kidnapping and recruitment of children by rebel movements in eastern South Kordofan State”.<sup>12</sup> The report did however not specify who these “rebel movements” referred to.

The United States Department of State reported in its annual report covering 2015 that:

Many of the armed movements issued commands or statements prohibiting the use or recruitment of child soldiers, including the SLA/MM in 2014, the JEM in 2012 and again during the year, the SPLM-N during the year. Allegations persisted, however, that the armed movements, government forces, and government-aligned militias had child soldiers within their ranks [...] In January the National Council for Child Welfare reported an estimated 2,100 children had been recruited by armed movements [...] In November a representative of Sudan’s Disarmament, Demobilization, and Reintegration (DDR) Commission claimed the SAF and PDF did not recruit or use child soldiers [...] Many children lacked documents verifying their age. Children’s rights organizations believed armed groups, including the SAF, exploited this lack of documentation to recruit or retain children. The SAF continued to deny recruiting children and having children in its ranks.<sup>13</sup>

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<sup>8</sup>United States Department of State, [Country Reports on Human Rights Practices for 2015: Sudan](#), 13 April 2016, *Section 1.G. Use of Excessive Force and Other Abuses in Internal Conflicts*

<sup>9</sup> UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2014 – Section XII: Human Rights in Countries of Concern – Sudan](#), 12 March 2015, *Children’s Rights*

<sup>10</sup> United States Department of State, [Trafficking in Persons Report 2015 – Country Narratives, Sudan](#), 27 July 2015

<sup>11</sup> United States Department of State, [Trafficking in Persons Report 2016 – Country Narratives, Sudan](#), 30 June 2016

<sup>12</sup> Sudanese News Agency, [National Council for Child Welfare expresses concern over renewal of incidents of abduction and recruitment of children in South Kordofan State](#), 7 April 2015

<sup>13</sup> United States Department of State, [Country Reports on Human Rights Practices for 2015: Sudan](#), 13 April 2016, *Section 1.G. Use of Excessive Force and Other Abuses in Internal Conflicts*

In April 2016 the UN Secretary-General reported that “in contexts such as [...] the Sudan and [...] parties to conflict took advantage of the vulnerability of displaced and refugee populations to recruit children and commit other crimes, including sexual violence and abduction”.<sup>14</sup>

### **b. By the SPLM/A-N**

Although not detailing forced recruitment in South Kordofan the report of the UN Secretary-General on ‘Children and armed conflict’ covering events in 2014 stated that:

The United Nations verified the recruitment of 60 boys aged 14 to 17 years by the JEM (55) and SPLM-N (5). All but 3 of them occurred during a forced recruitment campaign in refugee settlements in Unity State in South Sudan. Unverified information was received about an additional 9 boys recruited by JEM in that same period [...] Large areas of those states were inaccessible, which limited United Nations ability to monitor allegations in order to reflect the full extent of violations.<sup>15</sup>

The United States Department of State reported in its annual report covering 2015 that “Many of the armed movements issued commands or statements prohibiting the use or recruitment of child soldiers, including the SLA/MM in 2014, the JEM in 2012 and again during the year, the SPLM-N during the year [2015]”.<sup>16</sup> Indeed, according to Child Soldiers International, in June 2015 the SPLM-N signed a “Geneva Call Deed of Commitment” raising the “Minimum age for recruitment and use in hostilities” to 18.<sup>17</sup>

The Human Security Baseline Assessment (HSBA) for Sudan and South Sudan reported in January 2015:

JEM is also accused of recruiting children in Yida camp and in South Kordofan, one reason the SPLA-N expelled them from South Kordofan. According to SPLA-N leaders and the local population around 600 youths were taken between 2012 and 2014. Around 200 Nuba youth (12–17 years old) were reportedly taken between January and March 2014 in exchange of money and pledges of honours and military rank. The numbers could not be independently verified. In general, recruitment was said to take place in the name of SRF.<sup>18</sup>

An August 2015 Small Arms Survey report found that “Previous research has also documented cases of child recruitment by the SPLA-N [...] SPLA-N officers admitted that some children are employed in front-line areas outside their control—which was confirmed by local humanitarian actors—but when found are sent to school in the refugee camps [...]”.<sup>19</sup>

In April 2016 the UN Secretary-General reported that “As noted in my previous report (A/69/926-S/2015/409), cross-border activities by armed groups continued and two boys were recruited by

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<sup>14</sup> UN General Assembly, [Children and armed conflict; Report of the Secretary-General \[A/70/836-S/2016/360\]](#), 20 April 2016, paragraph 18

<sup>15</sup> UN General Assembly, [Children and armed conflict; Report of the Secretary-General A/69/926-S/2015/409](#), 5 June 2015, paragraph 174

<sup>16</sup> United States Department of State, [Country Reports on Human Rights Practices for 2015: Sudan](#), 13 April 2016, Section 1.G. Use of Excessive Force and Other Abuses in Internal Conflicts

<sup>17</sup> Child Soldiers International (formerly: Coalition to Stop the Use of Child Soldiers), [A Law unto themselves? Confronting the recruitment of children by armed groups](#), March 2016, Annex 1: Armed groups’ commitments and policies on child soldiers -1999 – 2015

<sup>18</sup> Human Security Baseline Assessment (HSBA) for Sudan and South Sudan, [Conflict in the Two Areas: Describing events through 29 January 2015](#), 30 January 2015

<sup>19</sup> Small Arms Survey, [Two Fronts, One War: Evolution of the Two Areas Conflict, 2014–15](#), HSBA Working Paper 38, August 2015, V. Humanitarian impacts and human rights violations

SPLM-N from refugee settlements in South Sudan”.<sup>20</sup> The same report further noted that “Three other boys were reportedly abducted by SPLM-N, including two in South Sudan”, but omitted the reason for such abduction.<sup>21</sup>

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<sup>20</sup> UN General Assembly, [Children and armed conflict; Report of the Secretary-General \[A/70/836-S/2016/360\]](#), 20 April 2016, *paragraph 113*

<sup>21</sup> UN General Assembly, [Children and armed conflict; Report of the Secretary-General \[A/70/836-S/2016/360\]](#), 20 April 2016, *paragraph 137*

## Annex A: Details of country experts consulted

To supplement the publicly available information included, three country experts on Sudan were contacted through email correspondence in October 2016 by Asylum Research Consultancy (ARC), asking the following question:

- Do you know whether the practice of forced recruitment of Arabs by the SPLM/A-N in the time frame 2014-2016 exists.

The following three country experts provided written answers:

### ❖ **Anonymous**

Due to the nature of his work on Sudan and South Sudan as a consultant, advisor and coordinator for various organisations this country expert would prefer to keep his identity anonymous.

### ❖ **Abdel-Rahman El-Mahdi** ([arelmahdi@gmail.com](mailto:arelmahdi@gmail.com))

Abdel-Rahman El-Mahdi is a professional development practitioner with over 15 years of experience in international development, anchored in NGO management and development/humanitarian programming in Sudan, South Sudan and the Middle East. He has a strong and well-developed network across Sudan and South Sudan and is well attuned to the socio-political environment in these two countries. He is also the Managing Director of the Sudanese Development Initiative (SUDIA), a non-profit NGO working for greater stability, development, and good governance in Sudan by reducing violence, empowering youth and advancing the role of the media and civil society.

### ❖ **Dr. Harry Verhoeven** ([hv89@georgetown.edu](mailto:hv89@georgetown.edu))

Professor Harry Verhoeven teaches at the School of Foreign Service in Qatar, Georgetown University. He is also an Associate Member of the Department of Politics and International Relations of the University of Oxford. His research focuses on elite politics, conflict and the political economy of the environment in Sudan, the Horn of Africa and the Great Lakes Region. Outside academia, he has worked in Northern Uganda, Sudan, India and the Democratic Republic of Congo. He has also provided consultancy services to and collaborated with the World Bank, UNDP Sudan, Chatham House, Small Arms Survey and several governments. From October 2016 onwards, he is a Visiting Scholar at Cambridge University.