Please cite as: EUAA, '7. Exclusion' in *Country Guidance: Sudan*, June 2025.

7. Exclusion

COMMON ANALYSIS
Last update: June 2025

Article 12(2) QD and Article 17 QD

Article 12(2) QR and Article 17 QR

For general guidance on Exclusion, see EUAA Practical Guide: Exclusion and EUAA Practical Guide on Exclusion for Serious (Non-Political) Crimes.

Given the serious consequences that exclusion may have for the individual, the exclusion grounds should be interpreted restrictively and applied with caution.

The examples mentioned in this chapter are non-exhaustive and non-conclusive. Each case should be examined on its own merits.

In the context of Sudan, various circumstances may require consideration of the potential applicability of exclusion grounds. The QD/QR does not set a time limit for the application of the grounds for exclusion. Applicants may be excluded in relation to events regardless of when they took place.

More specifically, the need to examine possible exclusion issues in the context of Sudan may arise, for example, in cases of applicants being former or current members of the groups cited below. This list is non-exhaustive:

- (Former) members of the state forces and affiliated para-state groups, such as the SAF, the Military intelligence, the General Intelligence Service (GIS) and the former National Intelligence and Security Service (NISS), the Border Guards, the Central Reserve Police (CRP), Popular Defence Forces (PDF), Islamist militias linked to the former regime and the National Congress Party, police forces.

- (Former) members of the RSF and affiliated groups, including Arab militias and Janjaweed militias.
- (Former) members of the Sudanese government institutions, such as government officials and members of political or administrative institutions of a certain rank or level, judicial officials, prosecution authorities, prison officials and detention personnel.
- (Former) members of armed groups in Darfur, such as the SLM-MM, SLM-AW, the JEM, the JSAMF and other smaller splinter factions.
- (Former) members of armed groups in the Kordofans and Blue Nile, such as SPLM-N, the SPLM-N-al-Hilu, SPLM-N-Agar and other smaller splinter factions.
- (Former) members of others armed groups located along the Eritrean and Ethiopian borders (e.g. the National Movement for Justice and Development (NMJD) and the Eastern Corps).
- (Former) mercenaries fighting abroad (e.g. in civil wars in Libya and Yemen).
- Individuals who committed serious crimes in or outside Sudan, such as trafficking in human beings or violence against women and children.

The contents of this chapter include:

- 7.1. Exclusion based on the commission of international crimes
- 7.2. Exclusion based on the commission of a serious crime
- 7.3. Exclusion based on acts contrary to the purposes and principles of the United Nations
- 7.4. Exclusion based on constituting a danger to the community or to the security of the Member State

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