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7.2. Exclusion based on the commission of a serious crime

COMMON ANALYSIS
Last update: June 2025

Article 12(2)(b) QD and Article 17(1)(b) QD

Article 12(2)(b) QR and Article 17(1)(b)QR

Criminal activity in Sudan is reported to be widespread and is aggravated by the current conflict which completely undermined the rule of law. Criminal acts reported include kidnappings, enforced disappearances, extortion, sexual violence, arbitrary executions and trafficking in human beings.

Such serious (non-political) crimes would trigger consideration of the application of Article 12(2)(b)/Article 17(1)(b) QD/QR.

Violence against women and children (for example, in relation to domestic violence, honour-based violence, forced and child marriage, FGM) could also potentially amount to a serious (non-political) crime.

Some serious (non-political) crimes could also be considered war crimes (e.g. if committed in order to finance the activities of armed groups) if they could be linked to an armed conflict or could amount to crimes against humanity committed as a part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack, in which case they should instead be examined under Article 12(2)(a)/Article 17(1)(a) QD/QR.

[Country Focus 2024, 1.1.3.; Country Focus 2025, 1.3., 1.4.]

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