



**Baseline Assessment Summary (October 2015)
Republic of Sudan / Ministry of Interior**



TECHNICAL EXPERTISE REQUEST:

Rationalizing and strengthening the Republic of the Sudan's visa policy and process

Over the years Sudan has experienced a sustained period of economic growth where labour migrants, foreign investors, tourists and foreign students have become an important category of persons who contribute – and can contribute further – to the country's continued growth and development. Foreign investment in Sudan is a priority for the Government because it is seen as an important contributor to boosting the economy and direct development. The generation of revenue from tourism is also recognized by the Government as a winning priority.

In order to capitalize on the above, the Government recognizes the need to update the visa framework which has the potential to facilitate the cross-border flow of bona fide travelers as well as to ensure that all entries and exists happen in full respect of the legal framework. A comprehensive and effective visa



framework (both at a policy and process level) is a crucial mechanism for achieving this dual objective. The Passports and Immigration Act (1994) is the primary legislation governing the issuance of visas in the Republic of the Sudan. Because the Act was gazetted over 20 years ago, efforts are being made to update it to reflect new developments and respond to present conditions.

Reasons of the request

The current visa strategy of the Department of Immigration and Passports causes delays both in the processing of visas as well as in the system of visas on arrival. Hence, there is a need to analyze the rationale behind the current visa process and assess whether it offers the best use of resources.

The recommendations will contribute to the Government's long-term efforts to review its immigration policy. The recommendations will also contribute to its ongoing review of the Passports and Immigration Act (1994). Further, the recommendations will be grounded in international good practices as well as international legal principles. Due consideration will be given to the Anti-Human Trafficking Act (2014) and the United Nations Convention against Transnational Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which the Government acceded to on 2 December 2014.

Learning from the Baseline Assessment:

- The Republic of Sudan does not have a defined or articulated migration policy. There is no document stating the objectives and strategies to manage migration flows nor the functions and roles of the different government institutions and other stakeholders in this matter;



- Notwithstanding this, the Republic of Sudan has a visa policy in place, reflected in the Passports and Immigration Act, from 1994¹. An analysis of the legal framework and its respective application on the ground result in the following findings:
- The national visa policy is not clear in its purposes without a coherent vision around the type of legal migration the country wishes to promote. It seems to try to cover all different purposes and types of migration. It does not entail particular attention or provide provisions to facilitate a specific category of persons. One can conclude that national emphasis was previously placed on securing public order and managing irregular migration flows;
 - In terms of procedures, there is a high level of bureaucracies in the admission processes, which consumes a considerable amount of time to potential visitors/migrants and to the administration. This is due to the absence of a network and smooth communication between the diplomatic missions and the MoI, the lack of use of technology and the current visa processing being manual (applications, payments and appointments for visas are not processed online), the lack of a clear mandate between national authorities and a scheme of articulation between them (resulting in divergent interpretations among the government institutions of some rules set out in the Visa Act and in the ineffective system of organization within and between the relevant institutions at the borders) and the lack of use of certain forms of consular cooperation with other States (no representation of Sudan, through bilateral cooperation, on the countries where there are no Sudanese embassies). Critically, the information made available to (potential) visa applicants on the application procedure and conditions for obtaining the visa is not sufficiently clear and transparent. In addition, the country is more exposed to the risks associated with migration due to the inexistence of equipment to identify forged documents. The expertise of the staff in examining document security features and identifying fraudulent practices is also insufficient.

¹ This Act came into force 17 May 1994, after the Presidential Decree No 17 issued on 18/08/ 1993 and approved by Decision No. 47 of the National Assembly Session No. 59.



- The visa policy framework and practice are not consistent with the actual Government of Sudan priorities and objectives.