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Responses to Information Requests

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3 July 2013

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Sudan: National identity cards, including issuance procedures; information contained in the cards, including physical description (2001-June 2013)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Background

In correspondence with the Research Directorate, a lawyer in Khartoum indicated that in Sudan there are various identity card systems, which fall under the following Acts: Identity Card Act 1981, Civil Registry Act 2001, and Civil Registry Act 2011 (Lawyer 23 June 2013). In correspondence with the Research Directorate, a representative of the United Nations High Commissioner for Refugees (UNHCR) in Khartoum stated that issuance of Sudanese national identity cards is governed by the 2011 Civil Registry Act (UN 24 June 2013). Sources state that the Civil Registry Act of 2011 replaced the Civil Registry Act of 2001 (Lawyer 23 June 2013; UN 24 June 2013). However, the UNHCR Khartoum representative stated that "the Civil Registry Regulations of 2005 issued under the 2001 Act remain valid and in force as at present no new regulation has been issued under the 2011 Act" (ibid.). The lawyer indicated that, "[a]lthough the first Civil Registry Act was promulgated in 2001, section 4(1) of this Act states, '[t]his Act shall be applied in such places and dates to be specified by the Minister by an order made by him from time to time, and shall be published in the Gazette'" (Lawyer 23 June 2013).

Sources indicate that, in 2011, Sudan started implementing a new civil registry procedure (Sudan 18 June 2013; IRRI May 2013, 7). According to the International Refugee Rights Initiative (IRRI), an organization that promotes human rights during displacement and conflict situations (IRRI n.d.), this procedure was introduced in May 2011 and is "required for all residents and citizens" (ibid. May 2013, 7). In a telephone interview with the Research Directorate, an official from the Embassy of the Republic of Sudan in Ottawa stated that Sudan is working towards having one central issuing body for civil registration documents, including national numbers, birth certificates and marriage certificates (Sudan 18 June 2013). Sources indicate that in 2011, the government began issuing new identity cards in accordance with the new civil registration system (CRAI 19 June 2013; UN 24 June 2013).

The Sudanese Embassy official indicated that identity cards are used to establish identity (Sudan 18 June 2013). He explained that identity cards are different from nationality cards [also called nationality certificates], which are a more commonly held document (Sudan 24 June 2013). The Sudanese Embassy official stated that nationality cards establish a person's Sudanese nationality (ibid.) and they do not expire (ibid. 18 June 2013). There is an older version of the nationality card, with a green cover that is slightly less than half of the size of a standard A4 page (ibid., 24 June 2013), and there is the more updated version of the nationality card which is a wallet-sized card (ibid. 18 June 2013) that has information on both sides with the person's photograph on the right top corner (ibid. 24 June 2013).

The lawyer and the UNHCR Khartoum representative both cited Article 27.8 of the 2011 Civil Registry Act, which states "notwithstanding the provisions of any other law, after obtaining the identity card and registration certificates," the nationality certificate should be cancelled and replaced with the identity card (Lawyer 23 June 2013; UN 24 June 2013). According to the Sudanese Embassy official, nationality numbers replace nationality cards (Sudan 18 June 2013).

2. National Identity Numbers

The Sudanese Embassy official said that the new civil registration system has been introduced, but is not yet completed (ibid.). The official said that the process of issuing national numbers to citizens has not yet been completed, but there is an ongoing campaign that started over two years ago to issue national numbers for free (ibid.). The UNHCR Khartoum representative stated that a national number is a "unique and unrepeatable number that is given to the citizens at the time of their registration with the Civil Registry" (UN 24 June 2013).

3. Requirements and Procedures to Obtain a National Identity Card Since 2011

The Sudanese Embassy official outlined the following procedures and requirements that a citizen should follow to obtain a national identity card since 2011:

- go to a civil registration office;
- provide a national number document, which proves that they have received a new national number;
- provide a letter from their employer;
- pay fees;
- fill in an application;
- get a photograph taken (Sudan 24 June 2013).

He added that identity cards must be obtained in person, and that they can only be issued from inside of Sudan (ibid.). He also said that the Department of Civil Registry, which is part of the Ministry of Interior, issues the identity card (ibid.).

4. Appearance of New National Identity Cards

A sample of a national identity card, published on the Sudanese Civil Registry website, is attached to this Response. The Sudanese Embassy official confirmed that this sample is the version of the national identity card that has been issued since 2011 (Sudan 24 June 2013). In correspondence with the Research Directorate, a representative of the Citizenship Rights in Africa Initiative (CRAI), a campaign that is "dedicated to ending statelessness and the arbitrary denial of citizenship in Africa" (CRAI n.d.), stated that the holes in the document are not part of the original ID cards, and have been added to prevent forgery (ibid. 19 June 2013).

According to the UNHCR Khartoum representative, national identity cards are plastic and electronic (UN 24 June 2013). The Sudanese Embassy official and the UNHCR Khartoum representative both indicate that national identity cards issued under the 2011 Civil Registry law contain the following information on the front of the card:

- name;
- date of birth;
- place of birth;
- profession;
- address;
- photograph;
- national number (UN 24 June 2013; Sudan 24 June 2013).

The Sudanese Embassy official also stated that western numerals are used for the date of birth and the national number are printed in English (ibid.).

Sources indicate that national identity cards contain the following information on the back:

- date of issue (UN 24 June 2013, Sudan 24 June 2013);
- date of expiry (ibid., UN 24 June 2013), which the UNHCR Khartoum representative stated is five years from the date of issue (ibid.);
- place of issuance (ibid.; Sudan 24 June 2013);
- bar code (ibid.; UN 24 June 2013), which the UNHCR Khartoum representative described as a "matrix 2D barcode containing the cardholder's data" (ibid.). The Sudanese Embassy official said that the bar code is on the left top of the card (Sudan 24 June 2013);

- signature of the issuing authority (UN 24 June 2013), described by the Sudanese Embassy official as a stamped signature (Sudan 24 June 2013); photograph (UN 24 June 2013), described by the Sudanese Embassy official as a "very small" photograph of the card holder (Sudan 24 June 2013);
- Machine Readable Zone (UN 24 June 2013; Sudan 24 June 2013), which is described by the Sudanese Embassy official as a machine-readable alpha-numeric series of numbers and includes some of the person's name, similar to Canadian passports (ibid.). The UNHCR Khartoum representative indicated that this machine readable zone consists of 3 lines (UN 24 June 2013);
- a series of numbers on the very top right hand side of the card (Sudan 24 June 2013).

5. Differences Between the New and Old Identity Card

A sample of an identity card issued under the Identity Card Act 1981, sent to the Research Directorate by the lawyer in Khartoum, is provided in Attachment 2. According to the CRAI representative, the previous ID cards were "traditional plastic" cards (18 June 2013). On 5 January 2009, describing the ID card at the time, the Norwegian Country of Origin Information Centre, LandInfo, stated that the card "has a light blue cover and contains a photo, personal data, fingerprints and details of blood type and any known illnesses. Applicants must apply in person for a card. A fee must be paid in order to obtain an ID card." Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The UNHCR Khartoum representative indicated that the new card contains the national number, the matrix barcode and the Machine Readable Zone, and no longer includes a finger print and blood group (UN 24 June 2013). The CRAI representative stated that the new national identity card is biometric, while the previous identity card was not (18 June 2013). In correspondence with the Research Directorate, a representative of the Open Society Foundation (OSF), an organization that aims to strengthen the rule of law, human rights, democratic governments and civil society (n.d.), also indicated that the new Sudanese identity cards are biometric (20 June 2013).

6. Identity Card Variations

The Sudanese Embassy official stated that some identity documents may be in English, as the Department of Civil Registry has a new system which can issue English versions of documents (18 June 2013).

According to the UNHCR Khartoum representative, Article 34.2 of the 2011 Civil Registry Law states that a special card called the "'alien's identity card'" shall be issued to "aliens" living in Sudan (UN 24 June 2013). The UN Office for the Coordination of Humanitarian Affairs (OCHA) reports that registered South Sudanese people in Khartoum "have been issued identification cards by the Sudanese aliens department and the police" (3 June 2012).

7. Age to Obtain Identity Cards

The lawyer indicated that, according to Section 6 of the Identity Card Act 1981, "[e]very Sudanese of 18 years of age shall obtain an Identity Card..." (Lawyer 23 June 2013). He added that the age that citizens are required to obtain a card has been reduced to sixteen years old (ibid.). The UNHCR Khartoum representative stated that, according to Article 27.1 of the 2011 Civil Registry Act, every Sudanese citizen "must" obtain an identity card at the age of sixteen (UN 24 June 2013). The lawyer also states that, according to Article 27, any Sudanese national who is sixteen years old "shall" obtain the card (23 June 2013). The UNHCR Khartoum representative added that identity cards may be issued for younger citizens as well (UN 24 June 2013), while the lawyer states that ID cards can be given to people "beyond" sixteen (23 June 2013).

8. Use of Identity Cards

According to the lawyer in Khartoum, the Civil Registry Act of 2001 and the Civil Registry Act of 2011 both state that identity cards are obligatory (23 June 2013). However, in an interview with the Research Directorate, the Sudanese Embassy official stated that identity cards are "helpful but not obligatory" (24 June 2013). The CRAI representative stated that "[i]n theory, there is no obligation on citizens that they must have national identity cards. However, the provision of public services, even the basic ones, is now linked with possession of a national number" (18 June 2013). Similarly, according to the IRRI,

in order to promote registration, the government recently decided to link the provision of public services with possession of a national number. Identity documents are therefore not only required to facilitate travel, but also to access medical and education services and engage with the justice system - including, for example, accessing critical rights such as the right to bail. (May 2013, 7)

The Sudanese Embassy official and the CRAI representative corroborate that identity cards are required to post bail for someone (Sudan 18 June 2013; CRAI 19 June 2013).

The Sudanese Embassy official said that after getting a national number, people "should" get a national identity card, and stated that now identity cards are "linked to much more" than before (Sudan 24 June 2013). He also said that usually, people do not apply for identity cards unless they require them, and added that "recently" identity cards have been requested in some circumstances, including:

- opening a bank account;
- acting as a witness in court;
- filing a complaint with the police (Sudan 18 June 2013).

The Sudanese Embassy Official added that, in most cases, nationality cards can take the place of ID cards, except for some circumstances such as posting bail and opening a bank account (ibid.).

The UNHCR Khartoum representative and the lawyer stated that without a valid identity card, people cannot be "recruited" in the "public, private or mixed sectors" (Lawyer 23 June 2013; UN 24 June 2013), and the UNHCR representative added that this is stated in Article 27.3 of the Civil Registry Act 2011 (ibid.). The lawyer says that, according to Section 8 of the Identity Card Act 1981, "[n]o Sudanese person shall be employed unless he has an Identity Card" (23 June 2013). In contrast, the Sudanese Embassy official says that although identity cards are required for some jobs, they are not usually required for employment (Sudan 18 June 2013). He stated that for employment purposes, a person could show a national identity card or a nationality card (24 June 2013).

The Sudanese Embassy official said that to access education, a person must have either an identity card or a nationality card (ibid.). He added that now the national numbers issued since 2011 are required for education purposes, for example, for high school exams (ibid.).

According to the Sudanese Embassy official, national identity cards are not required to access public health care, and patients can provide their nationality cards if requested (ibid.).

According to the lawyer, "[e]very person shall hold an ID card and he/she shall present the [ID card] to any competent authority, whenever asked to. Upon submitting the [ID card] for any legal proceedings, the competent organ shall give its holder a receipt of the [ID card]" (23 June 2013).

The Sudanese Embassy official stated that old identity cards are still usable until they expire, even though the law states that a person should seek a new card (24 June 2013). In contrast, the CRAI representative stated that old identity cards "that do not contain a national number are not longer valid. Only the new one is valid and acceptable" (19 June 2013). The OSF representative stated that all citizens need to reapply to get the new identity card (20 June 2013).

9. Obstacles to Accessing National Identification Cards

The IRRI states the following:

Under the new law, Sudanese nationals are issued with a national number which they can then use to apply for a national identification card. Accessing these cards is difficult for those in marginalised groups who may find it hard to prove their identity, particularly for those perceived to be of southern origin or from the Nuba Mountains. To secure a national identification card, you must have a national number. To secure the latter you are required to present a birth/age assessment certificate; a residency certificate; a nationality by birth certificate, ID, or passport; a certificate of blood type or group and an employment letter. The majority of those in displaced populations do not have access to these documents, and presentation of witness evidence can be complex. Furthermore, many do not have clear information about the process and what is required. For those just surviving day-to-day, the costs associated with travelling to registration centres in the centre of Khartoum, which involves the loss of a day's work, makes the process inaccessible. Applicants from the Nuba Mountains and Blue Nile, and in particular those who are Christian, are facing specific difficulties in obtaining a national ID number where their names are seen to have a "southern" origin, even when they possess Sudanese nationality documents. It should also be noted that those living in rural areas experience more difficulties with accessing registration centres. (May 2013, 7)

The CRAI representative similarly said that "[t]oday, for those who are 18 and above, having a nationality certificate is a prerequisite for acquiring a national number" (19 June 2013).

Similar to IRRI, the OSF representative also says that "people of southern ethnicity are being denied renewal of ID cards if they previously held them" (20 June 2013). Human Rights Watch also indicates that some people have been refused the new Sudanese national number because of their "southern roots" (2 Mar. 2012).

In 2009, LandInfo indicated that, according to a 2008 interview in Khartoum with a "well-informed international organization," "the very complex bureaucracy and the formal fees" make it difficult for ordinary people to obtain identity documents (5 Jan. 2009).

The Sudanese Embassy official stated that many people who live in remote areas do not have identity documents (24 June 2013).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

References

Citizenship Rights in Africa Initiative (CRAI). 19 June 2013. Correspondence from a representative to the Research Directorate.

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_____. 3 June 2012. UN Office for the Coordination of Humanitarian Affairs (OCHA). *Weekly Humanitarian Bulletin: Sudan. 28 May -3 June 2012*. <<http://reliefweb.int/sites/reliefweb.int/files/resources/OCHA%20Sudan%20Weekly%20Humanitarian%20Bulletin%2028%20May%20-%203%20June%202012.pdf>> [Accessed 21 June 2013]

Additional Sources Consulted

Oral sources: Attempts to contact the following individuals and organizations were unsuccessful within the time constraints of this Response: African Centre for Justice and Peace Studies; Canada – Canadian Border Services Agency, Embassy of Canada to Khartoum, Foreign Affairs and International Trade. The International Migration Institute at the University of Oxford could not provide information for this Response.

Internet sites, including: All Africa; Amnesty International; Ecolnet; Factiva; Keesing's Document Checker; Khartoum State; Sudan – Embassy in Ottawa, Embassy in Washington, Ministry of Interior; United Nations – Refworld; United States – Department of State.

Attachments

1. Sudan. N.d.a. Department of Civil Registry. Sample National Identity Card.
<<http://www.civil.gov.sd/pages/introcard.php>> [Accessed 21 June 2013]
2. Sudan. N.d.b. Sample National Identity Card Under the Identity Card Act 1981. Sent by a lawyer in Khartoum on 25 June 2013.

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