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# Gender and migration in Sudan: socio-political aspects

*Munzoul Assal*

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**CARIM Analytic and Synthetic Notes 2011/05**

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**Gender and Migration Series**  
*Socio-Political Module*





**CARIM**  
**Consortium for Applied Research on International Migration**

**Analytic and Synthetic Notes – Gender and Migration Series**  
**Socio-Political Module**

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**Gender and migration in Sudan: socio-political aspects**

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This publication is part of a series of papers on Gender and Migration written in the framework of the CARIM project and presented at a meeting organised in Florence: “Gender and migration in Southern and Eastern Mediterranean and Sub-Sahara African countries” (18-19 October 2010).

These papers will be discussed in two meetings between Policy Makers and Experts on the same topic in winter 2011. The results of these discussions will also be published.

The entire set of papers on Gender and Migration are available at  
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## **CARIM**

The Consortium for Applied Research on International Migration (CARIM) was created at the European University Institute (EUI, Florence), in February 2004 and co-financed by the European Commission, DG AidCo, currently under the Thematic programme for the cooperation with third countries in the areas of migration and asylum.

Within this framework, CARIM aims, in an academic perspective, to observe, analyse, and forecast migration in Southern & Eastern Mediterranean and Sub-Saharan Countries (hereafter Region).

CARIM is composed of a coordinating unit established at the Robert Schuman Centre for Advanced Studies (RSCAS) of the European University Institute (EUI, Florence), and a network of scientific correspondents based in the 17 countries observed by CARIM: Algeria, Chad, Egypt, Israel, Jordan, Lebanon, Libya, Mali, Mauritania, Morocco, Niger, Palestine, Senegal, Sudan, Syria, Tunisia, and Turkey.

All are studied as origin, transit and immigration countries. External experts from the European Union and countries of the Region also contribute to CARIM activities.

CARIM carries out the following activities:

- Mediterranean and Sub-Saharan migration database;
- Research and publications;
- Meetings of academics and between experts and policy makers;
- Migration Summer School;
- Outreach.

The activities of CARIM cover three aspects of international migration in the Region: economic and demographic, legal, and socio-political.

Results of the above activities are made available for public consultation through the website of the project: [www.carim.org](http://www.carim.org)

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## **Abstract**

Sudan is a sending and a receiving country for economic as well as for forced migrants (refugees). Out-migration from Sudan is caused by conflict and political instability, but also by the desire of Sudanese migrants to have better economic and educational opportunities abroad and, in some cases, family reunification. Migrants coming to Sudan are either refugees or recent voluntary migrants following oil exploration and the signing of the peace agreements in 2005. Statistics show that Asians represent the majority of economic migrants in Sudan, while Ethiopians and Eritreans represent the overwhelming majority of refugees in the country. There is no clear or coherent policy that addresses gender aspects of migration or safeguards the rights of migrant women in particular for either Sudanese or foreign migrants. Migration issues are dealt with through legal frameworks that regulate the presence and work of foreign nationals, and the journeys of nationals. Indeed, laws are not gender sensitive and do not address the concerns of either migrants generally or migrant women in particular. There is a need for legal reform and there is also a need for the introduction of policies or programmes that are gender sensitive when dealing with migration issues. Sudan needs to enter into bilateral agreements with receiving countries, to ensure the protection of migrant Sudanese women abroad and foreign migrant women in Sudan.

## **Résumé**

Le Soudan est à la fois un pays d'accueil et d'origine pour les migrations de travail et pour les migrations forcées. Les causes de l'émigration sont les conflits et l'instabilité politique, la recherche de meilleures opportunités économiques et d'éducation et, parfois, la réunification familiale. L'immigration, quant à elle, est formée des flux de réfugiés et de migrations de travail récentes à la suite du développement de l'exploitation pétrolière et de la signature des accords de paix. Les statistiques montrent que la majorité des migrants économiques sont originaires d'Asie, tandis que l'écrasante majorité des réfugiés sont Ethiopiens et Erythréens.

Tant pour les migrants Soudanais qu'étrangers, il n'existe pas de politique claire ou cohérente relative aux aspects sexués ou « genrés » de la migration ou, plus particulièrement, à la protection des droits des femmes migrantes. Les questions migratoires sont considérées à travers les cadres législatifs relatifs à la présence et au travail des étrangers, et aux déplacements des nationaux. En effet, les lois ne tiennent pas compte du genre et ne répondent pas aux préoccupations des migrants en général et des femmes migrantes en particulier.

Il existe donc un besoin de réforme de la législation, ainsi qu'un besoin de créer des politiques et des programmes qui, lorsqu'elles traitent des questions migratoires, tiennent compte du genre. Le Soudan a besoin de développer des accords bilatéraux avec les pays d'accueil afin de garantir la protection des femmes soudanaises émigrées ainsi que des femmes étrangères immigrées au Soudan.

## Introduction

Migration in Sudan has traditionally been restricted to men. This applies to both internal and international migration (Galaledin 1988, Abusharaf 2002, Assal 2010). But women did migrate too; internally and internationally though in smaller numbers. Seeking education, employment or accompanying husbands were typical reasons for the migration of women. Most studies on population movements in Sudan dwell on the analysis and explanation of male-dominated migration; whether these males move internally or cross international borders. What we have then is a body of research that deals primarily with internal migration, with a focus on forced migration where internal displacement has the biggest share (cf. Abusharf 2009, Assal 2008). The few studies that tackled international migration did not give much space to gender. One explanation for this is that for Sudan gender-segregated data on migration hardly exists. This is not only the result of a lack of research, but also the fact that there is no coherent migration policy in Sudan (Assal 2010), and that where such a policy exists, it is gender blind. The lack of gender segregated data on migration is severe in the case of international migration, where databases on the numbers, qualifications, destinations and conditions of female Sudanese migrants do not exist. One reason for this is the gender gaps in many aspects of life in Sudan, gaps that naturally affect migration (Nour 2010). Research on the status of women and gender gaps in Sudan in relation to education and the share of women in economic activities shows that adult literacy rate for women is 51.8 percent compared to 71.1 percent for men. Employed Sudanese men constitute the majority in all sectors and account for 76 percent. Women represent only 24 percent. It is not, however, the purpose of this article to deal with gender gap in Sudan. The gender gap is mentioned here only to make the point that the gap has implications for gender and migration, particularly its socio-political aspects, which this paper deals with.

While migration in Sudan has historically been male-dominated, in recent years many women also have also begun to migrate. Sudan has been ravaged by civil wars and natural disasters over the last three decades (Black et al 2008). A succession of dry seasons in the 1970s and 1990s resulted in the resettlement of close to three million people along the Nile valley and in urban areas, especially Khartoum (ibid, p. 54). Since 1983, it has been estimated that one million have fled from conflict to neighbouring countries and that about 6 million others fled to safer areas within Sudan (Assal 2004). Women and children go to make up the majority among these displaced persons. In some cases, women migrate alone, while in others they accompany their families. Some studies on internally-displaced persons in Khartoum show that the phenomenon of households with female heads is widespread in IDP camps around the capital (De Geoffroy 2007).

The international migration of Sudanese women is not, as we noted above, a new phenomenon and, while such migration was not conspicuous until recently, at the present time females migrate in different capacities: as students, as professionals, as wives or for family reunification. Some studies suggest that Sudanese women migrate as unskilled labourers to some countries in the Middle East (Fabos 2001, Gabska 2008). But interestingly, as we will show below, Sudan receives thousands of unskilled domestic workers who are mostly women from Ethiopia, Eritrea, China, the Philippines and Indonesia. This article deals with some of the socio-political aspects of gender and migration in Sudan. Since the focus has so far been on male migration, and since there has hardly been any work done on international female migration, the article will focus on the following key aspects: (1) international migration by Sudanese women; (2) the migration of foreign women who come to Sudan as domestic workers from selected countries; and (3) policy framework that addresses gender and migration, whether such a policy framework is sensitive to the rights of migrant women or not. Within these broad themes emphasis will be placed on the extent to which laws and policies affect the migration of women from, and to, Sudan. These themes are not entirely separate and, therefore, will be tackled together. This article will be based on the analysis and interpretation of existing information, and draws to a lesser extent on the researcher's expertise in migration research

## **Outward migration: trends, patterns and policies**

The world is witnessing the feminization of migration (Oishi 2002). According to UNFPA, in 2006, 95 million migrants were women, approximately half of all international migrants worldwide. Whether women are being left behind with their children, making decisions on how to spend the money that men (or children or other family members) send from abroad, or whether they leave behind children with extended family members in the hopes that they can create better lives for themselves and their families from a distance, women are at the heart of a maelstrom of movement. Women no longer restrict themselves to following their husbands or other family members as dependents, though most still do so as the case in Sudan shows. Currently women also migrate alone or on their own. Yet, there is a concern that, as the number of migrant women increase, incidents of abuse and exploitation also increase. The extent to which migrant women fare in the countries in which they migrate depends not only on the legal frameworks and policy context of receiving destinations, but also on those of sending countries (IOM 2003). The literature reveals that the majority of migrant women work as housemaids, entertainers and nurses. Housemaids are perceived to be especially vulnerable owing to the fact that they work under conditions that are not regularly – if, indeed, they are ever – inspected by the authorities and are thus vulnerable to abuse.

Migration generally, whether by females or males, is often looked at from the perspective of remittances and development with concomitant questions about the extent to which migrants contribute to the welfare of their households and communities. For instance, in 2006, UNFPA estimated that funds sent by migrants to their countries of origin rang in at US\$ 232 billion. This is a larger sum than official development assistance for developing countries. Citing the example of Sri Lanka, UNFPA found that, of the more than US\$ 1 billion in migrant funds sent to Sri Lanka, women contributed over 62 percent (UNFAP 2006). For Sudan, workers' remittances and compensation of employees were estimated to have increased from US\$ 640 million to US\$ 1 billion between 2000 and 2005 (World Bank 2007). These figures will be low since thousands of migrant women and men use informal systems of remittance transfer. There is no data on the male-female split when it comes to migrants remittances to Sudan.

In terms of the feminization of migration, Sudan has in the past two decades witnessed an increase in female out-migration. Many factors combined to bring about this increase. As mentioned earlier, civil war has raged in Sudan for over two decades. The civil war forced millions to leave their home; either as internally displaced persons or as refugees. In 2008, there were 300,700 Sudanese refugees distributed around the world (USCR 2008). Apart from the apparent push factor of war, Sudanese women also migrated in search of better work and income opportunities. Migration for education is also undertaken by females, particularly in Europe (Assal 2004). It is not possible to determine the proportion of students within the category of migrant women. Arab countries, Gulf countries in particular, represent the typical destination for Sudanese women migrants.

Many factors account for the feminization of international Sudanese migration. Historically, Sudanese women who migrate to the Gulf countries do so on family-reunification tickets. A woman migrates to one of the Gulf countries either as a left-behind wife wishing to join her husband for a shorter or longer visit, or a newly married one who will join her husband for the first time. In Sudan a common practice is that a migrant worker asks his family back home to identify a bride for him. Family members (mothers and sisters, in particular) look around and find what they deem a suitable bride for their son or brother. The Islamic system of marriage does not require the physical presence of the two who should marry and is religiously and socially acceptable. The bridegroom may authorize a relative to represent him in the ceremony. When the marriage paperwork is done, the husband starts the process of bringing the wife over to him. This process may take time, depending on the conditions in the country of destination and the nature of the work of the migrant. It may indeed be the case that a man may never see his potential wife until the day he meets her at the airport in the country where he works. Kinship is, therefore, important as far international migration is concerned.



A common practice in Sudan is that migrants leave behind their wives and children when they migrate. It may take years before the family is reunited; either with the wife joining the husband or the husband coming back at the end of his contract. In effect, wives who are left behind become household heads, taking full responsibility of children, ensuring, for example, their education.

In recent years, however, highly-skilled females have migrated too, mostly to the Gulf countries, as professional workers; including teachers, university professors, medical doctors and nurses. Some Gulf countries, especially Saudi Arabia, grant residence and work permits only to women with a male guardian; either a husband, a father or a brother. Thus, in the case of a migrating wife, if she is already married, her husband will accompany her immediately. This means that the migration of women to certain countries opens up opportunities for husbands and brothers as some of these get jobs upon arrival. While some women may also succeed in finding jobs when they are reunited with their husbands, many end up as housewives in the host country. Yet, the situation is complex in cases of polygamous marriages: i.e. when a husband has more than one wife. Generally migrant husbands get one wife at a time for reunification, which means other wives will take turns depending on financial ability, legal issues in receiving countries, number of children, etc. It is not known how receiving countries deal with this, especially in Arab and Muslim countries where polygamy is allowed. In Europe, polygamous marriage is not allowed.

There is no data for the Sudanese women who work as domestic workers or housemaids in the Gulf countries: in fact, Asian women dominate domestic work in these countries. Nonetheless, in countries like Syria and Egypt, studies show that there are significant numbers of Sudanese women domestic workers (Fabos 2001, IOM 2003, Grabska 2008). Northern Sudanese, regarded as fellow Arab Muslims, have been included in Egyptian policies that transcend statecraft (such as preferential residential and educational policies based on the 'brotherhood' of the two peoples of the Nile Valley). Yet they are excluded from citizenship unless Sudanese women marry Egyptian men. Despite the benefits of citizenship acquired through marriage of Egyptian nationals, Sudanese women living in Egypt do not seem to be pursuing this strategy (Fabos, 2001: 47). The IOM study (2003) on foreign domestic workers in Syria, including Sudanese women, showed that foreign domestic workers have little protection under Syrian law since their employment, although legal, is not regulated. Some of these women are asylum seekers whose status does not allow them to have formal jobs and as such they are vulnerable to abuse.

It is difficult to say that there is a national policy on gender and migration in Sudan. While there is a body entrusted with issues related to Sudanese expatriates (the Secretariat of Sudanese Working Abroad), its main concern seems to be getting revenues from expatriates, not really attending to the problems and challenges which expatriates face (Assal 2010). But the socio-political and legal contexts in Sudan do not favour female migration. Through many legal provisions and social taboos, the migration of women is discouraged. Socially, it is considered *aib*<sup>1</sup> for women to migrate alone. Even travel for pilgrimage is surrounded with many caveats including, again, the need for a male guardian. However, social taboos surrounding the travel of women are fading in Sudan. Historically, such taboos were weaker among the rich and upper and upper middle classes, who did not deem daughters travelling for education or work as inappropriate. It is to be noted that forced displacement, where many women were forced to travel alone, led to a weakening of social taboos surrounding travel. Legally, there are also many provisions in the Sudanese Personal Status Law that restrict women's mobility considerably. Prior to 2005, every woman who intended to travel abroad, for whatever reason, was to obtain consent from her guardian (father, brother or husband). Without such consent, an exit visa was not issued.

The issue of custody over children represents a significant deterrent for female migration. With very few exceptions, custody over children, in the case of divorce, is given to the father. Even when

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<sup>1</sup> Aib means 'socially unacceptable' or 'taboo'.

custody rests with the mother, she must obtain the consent of the children's father before migrating. The father's permission for his children to leave Sudan is needed for an exit visa. It can be said, in this sense, that the policy framework is discriminatory and does not in any manner provide support for women who intends to leave Sudan.

The policy framework is also absent when it comes to supporting women in destination countries. Indeed, there is not any policy in place to oversee the welfare of men or of women migrants in host countries. The Sudanese abroad are generally left to deal with the legal frameworks of their host countries on their own. In recent years there have been reports of the abuse of Sudanese migrants and refugees in Egypt and Lebanon. Due to the absence of policies that provide protection for Sudanese migrants, Sudan shrugged off these incidents. There is no bilateral agreement between Sudan and these countries that commits Egypt and Lebanon to protecting females and males who migrate escaping conflict at home. Interestingly, the Sudanese migrants who were killed in Egypt in December 2005 were asylum seekers whose protection rests with UNHCR.<sup>2</sup> There is also a lack of policies for programmes that support the emigration of females. The absence of such programmes should be read in conjunction with the overall unfavourable attitude toward female migration and the gender gap in socio-economic questions such as education and women's participation in the labour force in Sudan.

One policy to tap the expertise of Sudanese national working abroad, though gender-blind, is the Transfer of Knowledge Through Expatriate Nationals (TOKTEN). In 2006, the Sudanese government and UNDP opened up TOKTEN in the country as a way of allowing expatriate nationals with lengthy experiences in their fields of specialization to return home, for an agreed period of time, to volunteer in recovery and reconstruction. TOKTEN is considered an efficient development intervention as TOKTEN volunteers can merge their acquired learning with their familiarity of local culture and language. The phrase *Expatriate Nationals* is employed by TOKTEN to refer to persons from the host country who live abroad, and have permanent residence or citizenship status in another country.

Between 2006 and 2010, TOKTEN Sudan recruited 43 volunteers to provide institutional capacity building support for more than 75 government institutions, universities and private sector institutions in Sudan. TOKTEN Sudan trained and built the capacity of 2,352 personnel from 65 national and state government institutions, universities and research institutions, private sector organizations, and NGOs across the country. Training covered the following areas: governance and rule of law; HIV/AIDS and health sector; food security; basic and higher education; public administration and governance; sustainable environmental conservation; and economic development; micro-finance development; geographic information system; media professional training; and public administration and project management.<sup>3</sup> While TOKTEN is gender blind, it still facilitates the return and integration of female Sudanese emigrants.

## Immigrants to Sudan

Generally, female migrants to Sudan fall into two categories: economic migrants and refugees. Women from Ethiopia, Eritrea, the Philippines and Indonesia represent the core of female domestic workers in Sudan. Men from Bangladesh also perform domestic work, but given the conservative nature of Sudanese society, domestic work is generally restricted to women. While the migration of Ethiopian and Eritrean women to Sudan started as early as the 1960s, when these women came as

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<sup>2</sup> There were conflicting points of views that came from the UNHCR. On the one hand, UNHCR's office in Cairo claimed that those refugees are not under its protection programme since their cases were already closed. On the other, the director of UNHCR, Antonio Guterres said he was 'deeply shocked and saddened' by the attack. 'There is no justification for such violence and loss of life. This is a terrible tragedy and our condolences go to all the families of those who died and to the injured,' (<http://www.independent.co.uk/news/world/africa/sudanese-refugees-killed-as-egyptian-police-storm-protest-camp-in-cairo-park-521102.html>)

<sup>3</sup> <http://www.sd.undp.org/projects/tokten.htm>

refugees fleeing civil war, migration of women from Asia is more recent, the result of an oil boom in Sudan. This section deals with these two categories and outlines how they fare in Sudan and what policies, if any, regulate their presence and oversees their rights.

### Gender dimensions of economic migrants to Sudan

The Comprehensive Peace Agreement (CPA) signed in January 2005 brought relative peace and stability and provided opportunities for foreign investment. Prior to the signing of the peace agreement, oil exploration and export was already underway. These developments led to the flourishing of the private sector and both national and foreign investors ventured into service provision undertakings that necessitated bringing foreign workers, skilled and unskilled. Prior to 2004, the number of foreign economic migrants was small and there were no statistics on them. Since 2004, however, their numbers have increased, and for the years 2004, 2005, and 2006, there were respectively: 3816, 11037, and 15663.<sup>4</sup> The overwhelming majority are Asian; 76.4 percent and they are concentrated in the oil sector and domestic work. Arabs, meanwhile, represent only 12.2 percent. The following table shows the number, gender, and the distribution of Asian migrants in Sudan during 2007.

**Table 1: Asians in Sudan (2007)**

Country	Males	Females	Total
China	1777	30	1807
India	306	---	306
Philippines	51	2	53
Turkey	70	1	71
Bangladesh	466	2	468
Indonesia	3	1	4
<b>Total</b>	<b>2673</b>	<b>36</b>	<b>2709</b>

Source: Population Council 2009, p 69 .

The number of Asians almost doubled between 2006 and 2008. As of June 2008, there were 4519 Asian migrants in Sudan. During the same period, the total number of all economic migrants stood at 5527, which means that Asians represented almost 82 percent. Chinese males are the most numerous and they work in the construction and oil industries, while Filipinos (a handful of women) work as housemaids. However, during the same period, 62.4 percent of the total number of female migrants to Sudan were women from other African countries. They are to be found in domestic situations, working as housemaids (table 2).

The decrease in the number of foreign workers in 2008 was the result of an active state policy to curb the migration of foreign unskilled labourers to Sudan. During 2006 and 2007, there were public debates in the different media outlets about whether foreign unskilled workers should be allowed to come to Sudan or not. The general public opinion was that as long as Sudanese workers can do the work, unskilled foreign nationals should not be allowed in. Additionally, the debates touched on the effects of foreign domestic workers on family life and values in the light of crimes committed by foreign nationals. These debates prompted the government to end the contracts of thousands of unskilled workers from Bangladesh and visa processing for other nationalities were also tightened.

<sup>4</sup> Population Council 2009, p. 67.

**Table (2): Gender distribution of foreign workers by continent (2008)**

Continent	Males	Females	Total
Africa	279	546	825
Asia	4207	312	4519
Europe	151	12	163
North America	9	4	13
Australia	6	1	7
<b>Total</b>	<b>4652</b>	<b>875</b>	<b>5527</b>

Source: Population Council 2009, p 71 .

**Table (3): Work permits renewed in 2008, by continent and gender**

Continent	Males	Females	Total
Africa	129	87	216
Asia	3604	218	3822
Europe	132	7	139
North America	12	2	14
Australia	7	—	7
<b>Total</b>	<b>3884</b>	<b>314</b>	<b>4198</b>

Source: Ministry of Labour and Human Resources Development 2009.

If we compare tables 2 and 3, we find that the contracts of some of these migrants were not renewed, which may indicate that their status is not regulated or that they may be staying illegally in the country. This is particularly the case with African women, most of whom are refugees and whose status is not clear. This is one of the difficulties and challenges that foreign workers in Sudan face. The presence and work of foreign nationals in Sudan is regulated by the 2001 Organization of Foreign Workers Law. The law stipulates that no foreign national will be allowed to work unless permission is granted by the Minister of Labour. And there are conditions for granting work permits for foreign nationals. First, the visa is only given if the particular position cannot be filled by a national and even there priority is given to resident aliens, Arabs and Africans. Second, the foreign national needs a resident permit and must be 21 years of age or older.

The Sudan Labour Law of 1997 regulates employment in the country for both foreign nationals and nationals. For foreign nationals, the law provides the following conditions for granting work permits:

1. Foreign nationals intending to work in Sudan must file an application through their employers to get a provisional work permit;
2. When a provisional permit is granted, the employer must make a contract with the foreign national. The contract must specifically state that the employee will train a Sudanese national who will eventually take over that job;
3. The employer undertakes to cover the cost of return of the foreign national at the end of contract;
4. A foreign national is not allowed to move from one job to another, either during his contract period or after the end of such contract unless permission is obtained from the Ministry;
5. The work permit is valid for one year (unless otherwise specified) and renewable. The contract can be nullified if the contract holder breaches the law;
6. Employers are required to provide bi-annual report about their foreign employees;
7. The authorities reserve the right to periodically visit work locations and check records; to see whether contract provisions are adhered to or not.

The government introduced some measures intended to curb the migration of foreign nationals, and as already mentioned, there is public resistance to foreign unskilled workers given the high unemployment rates in Sudan. In 2008, the Ministry of Labour decided not to renew work permits for unskilled workers from Bangladesh. It also banned unskilled workers engaged in marginal jobs. Since January 2008, foreign nationals who enter the country on tourist visas are no longer allowed to work. The Ministry also warned employers against employing foreign nationals without proper contracts. Such measures may not curb migration or illegal work. This is especially the case with refugees from Eritrea and Ethiopia whose status does not allow them to get formal jobs anyway. They are employed as housemaids in urban areas. The basic push factors for the migration of women from Eritrea and Ethiopia are conflict and the desire to have better economic opportunities. Many of the refugees use Sudan as a transit country, but may end up staying there for years before moving to another country (Assal 2007).

In Khartoum alone, the number of refugees is estimated at 30,000, most of these young women. Sudan is party to the 1951 Geneva Convention and the AU 1969 Protocol, but the government has a reservation on article (26) and refuses freedom of movement for refugees. The policy of the Sudanese government is to confine refugees in designated camps close to the borders with sending countries (notably Ethiopia and Eritrea). It is illegal for refugees to move into cities unless with the permission of Commission of Refugees (COR) for credible reasons. In 2006, UNHCR suggested the integration of long-term refugees, but the government, citing national security, rejected the proposal. Instead, the government agreed to allow UNHCR to provide livelihood projects for these long-term refugees in Eastern Sudan.

Women refugees risk losing protection in urban areas because they are not supposed to be there. UNHCR has lawyers who interview those who are detained in urban areas; to ascertain who is a refugee. But since UNHCR does not have any policy for urban refugees, there is little that can be done. A positive policy change is that the government is considering easing restrictions on the movement of refugees. UNHCR is also debating a new Asylum Act. Based on Cairo declaration of 1991, Arab nationals are not considered refugees, but in recent years, and due to events in Iraq, the Sudan government started to rethink its policy on Arab nationals. Refugee women in urban areas may be harassed. For this reason, women prefer not to get in touch with the authorities; for fear of being harassed even more. Women without a legal status risk exploitation at the hands of their employers.

I have already discussed some of the policies that regulate the entry and stay of foreign nationals, including men and women. Here, however, it must be noted that there is not a separate policy that addresses foreign migrant women issues. There is not a clear policy on family reunification for migrants generally including women and although migrants who work legally generally have the right to bring their families, refugees have more difficulties here.

As to the integration of foreign migrant women, Sudanese law is generous provided that some conditions are met. An alien woman can be naturalized in two years if she meets the following conditions: (1) she is married to a Sudanese national; and (2) she has lived with her husband in Sudan continually for no less than two years. But generally, a migrant woman can apply for citizenship without marriage if she has been resident in the country legally for five years.<sup>5</sup> The Sudan has amended its nationality law in such ways that it has reduced the period of naturalization of foreign nationals from ten to five years, it allowed dual citizenship and it also gave the right for women to pass nationality to their children. The 1974 Nationality Act only gave the right to pass citizenship to the father. The new amendment of the law makes it, at least theoretically, possible for migrant women to be integrated. However, this does not include refugee women since their status is regulated by a different law, the Asylum Act of 1974.

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<sup>5</sup> Sudan Interim Constitution, 2005. There are no figures about the numbers of foreign women who were naturalized. Figures about foreign women married to Sudanese men are also unavailable.

Except for the efforts of UNHCR to protect refugee women who fall under its mandate, there is not any visible, coherent policy that addresses the rights of migrant women and, as mentioned above, policies and laws that regulate migration are not gender-sensitive. The most recent policy action was the establishment, in 2008, of the Higher Council for Migration. The council is chaired by the Vice President of Sudan. This is a new development toward migration. The council has yet to embark on programmes that can be looked at or evaluated. There are no visible civil-society initiatives around migration issues let alone the protection of female migrants.

## **Conclusions and policy recommendations**

In recent years, the number of Sudanese women leaving Sudan increased. Women migrate as students, wives, and professionals, mostly to the Arab Gulf countries. Work and family reunification account for the migration of most Sudanese women to the Gulf countries, while students travel to Europe and North America for educational purposes. The socio-political context in Sudan does not encourage the migration of women, especially when they are single. In some cases Sudanese women travel abroad to work as unskilled domestic workers in countries like Egypt, Syria and Lebanon where they face challenging conditions in the absence of legal frameworks or bilateral agreements that protect domestic workers. Sudan as a sending country does not have legal provisions or policies that ensure the welfare of its migrant citizens. There is dearth of information to document the experiences of Sudanese migrant women abroad. Except for some countries like Egypt and Syria, nothing is known about Sudanese women abroad. In fact, literature on Sudanese migrants is scant.

While Sudan is a sending country, it also receives thousands of foreign workers, skilled and unskilled. But the overwhelming majority of foreign nationals in Sudan are refugees from neighbouring countries. Following oil exploration and the signing of the Comprehensive Peace Agreement (CPA) in 2005, national and foreign investment firms sprang up, leading to the arrival of economic migrants from such countries as China, India, Bangladesh, the Philippines and Indonesia. These migrants, including women, work in the oil and service sectors, but also in the domestic sphere. Males from Bangladesh and females from the Philippines predominantly work as housemaids and in other marginal jobs, e.g. cleaning.

But generally, domestic work is dominated by Ethiopian and Eritrean women. Most of these women are refugees, especially those from Eritrea, but some can also be seen as voluntary migrants who come to Sudan for economic purposes. While the post-peace agreement period provided opportunities for foreign nationals to work in Sudan, the country now imposes restrictions. The law regulates the presence and work of foreign nationals, but may not fully account for the rights of workers particularly in the sphere of domestic work, as authorities seldom do routine checks to ensure that contracts are enforced.

Compared to many countries, Sudan does provide generous opportunities for the integration of foreign women workers whose presence in the country is legal. Yet, refugees are excluded since they are dealt with according to the 1974 Asylum Act, which restricts the movements of refugees and does not provide any opportunity for integration. Indeed, some Ethiopian and Eritrean refugees have been living in Sudan for more than thirty years but they are still refugees. Of all the different categories of migrant women, refugees are most vulnerable and are subjected to harassment and violation of rights, especially in urban areas. The law forbids refugees from entering towns and cities, but as job opportunities are found in cities, women refugees take great risks by escaping camps and going to urban areas to seek jobs.

## **Recommendations**

1. There is a need for legal reform that make laws gender sensitive, particularly in relation to migration. The Sudan Nationality Act of 2005 is advanced, compared to that of 1974 in that it makes it easier for migrant women to integrate. But for Sudanese women, there is a need to reform the Personal Status Law.
2. There is a need for civil society and non-governmental organizations to get involved in migration issues. While there are many civil society organizations that are involved in advocacy for women rights, there is hardly any organization that addresses migrant women's rights; either in Sudan or further afield.
3. Sudan should enter into bilateral agreements with receiving countries; to ensure that the rights of Sudanese migration women are safeguarded. At the present time, Sudanese women migrants are subject to the laws and policy frameworks of receiving countries.

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