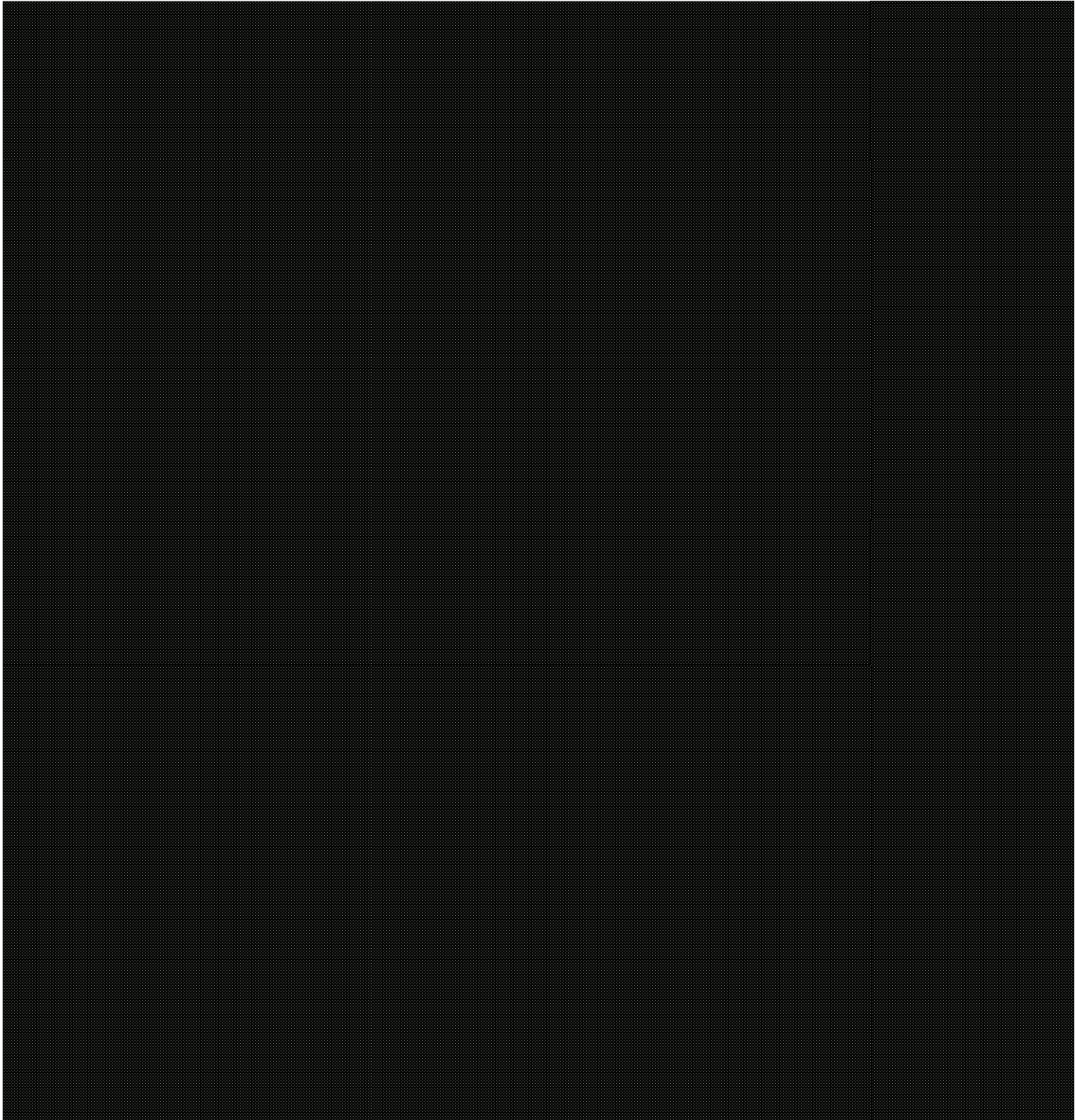


EXHIBIT 89

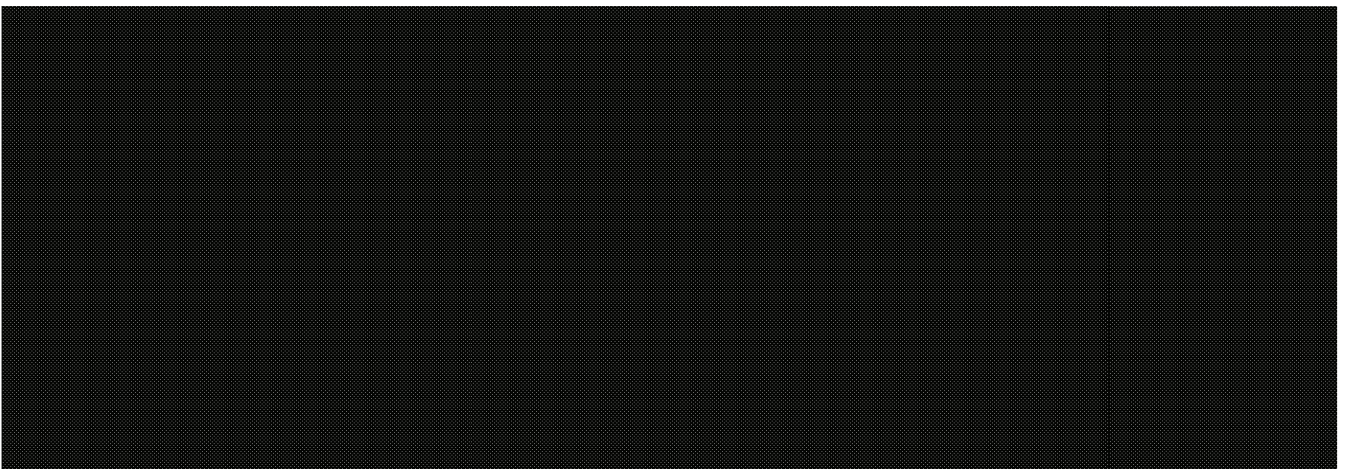
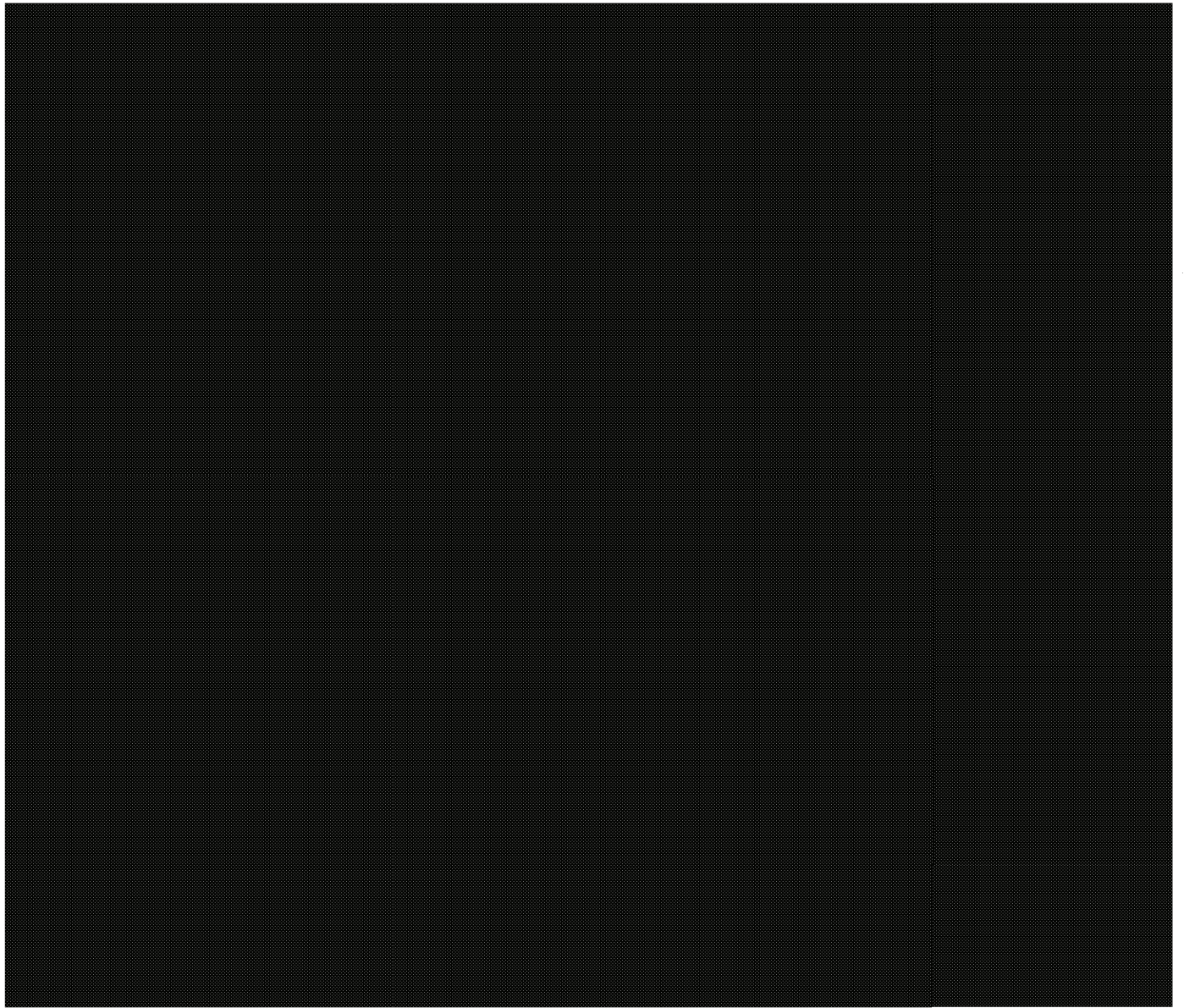
U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of the Director (MS 2000)
Washington, DC 20529-2000



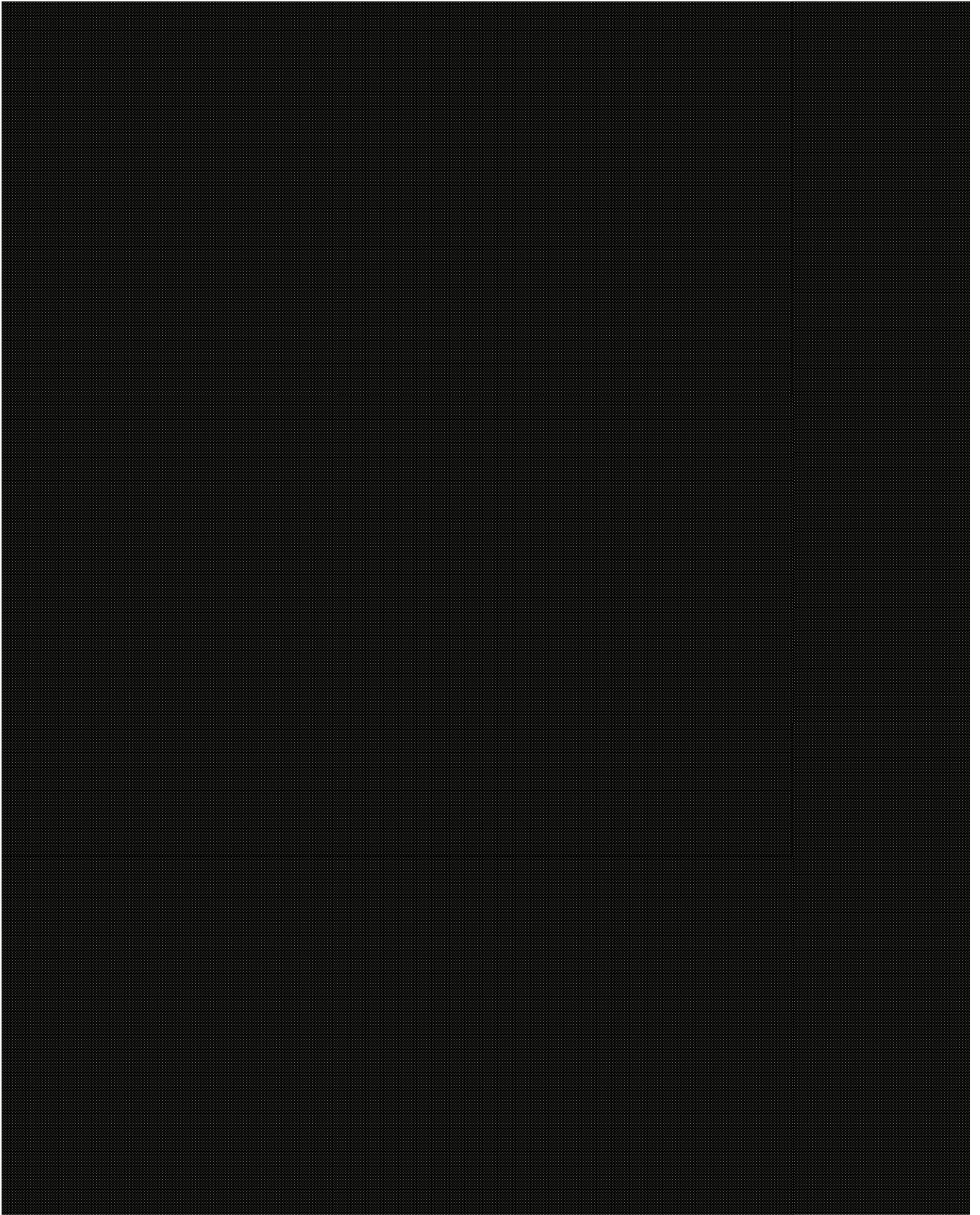
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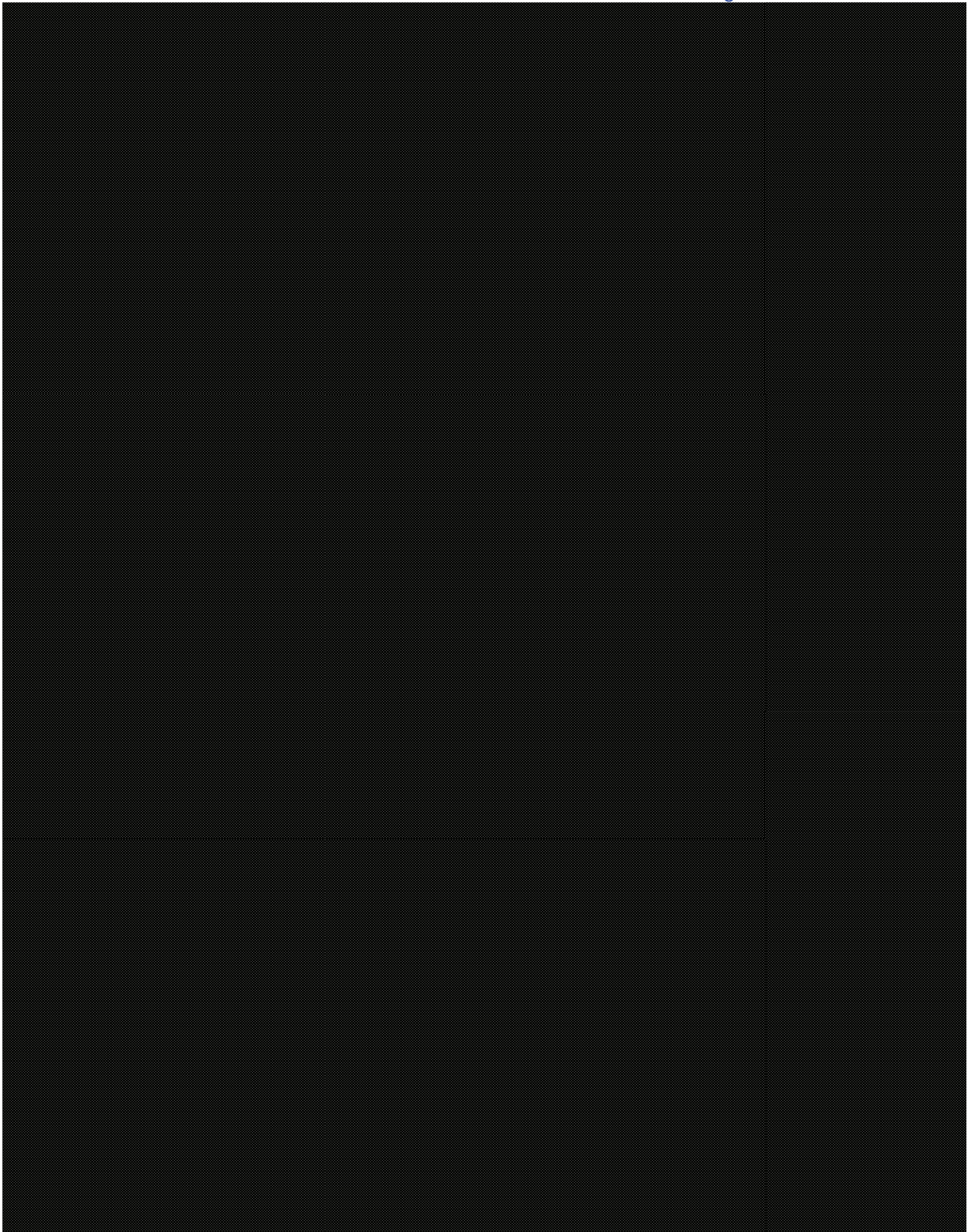
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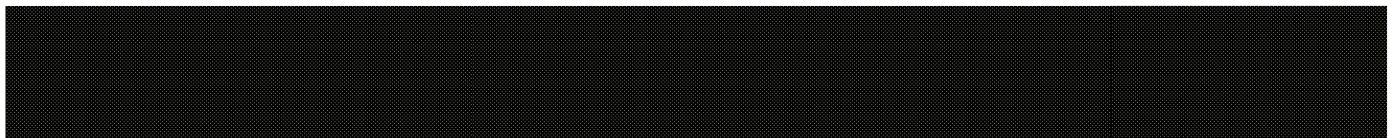
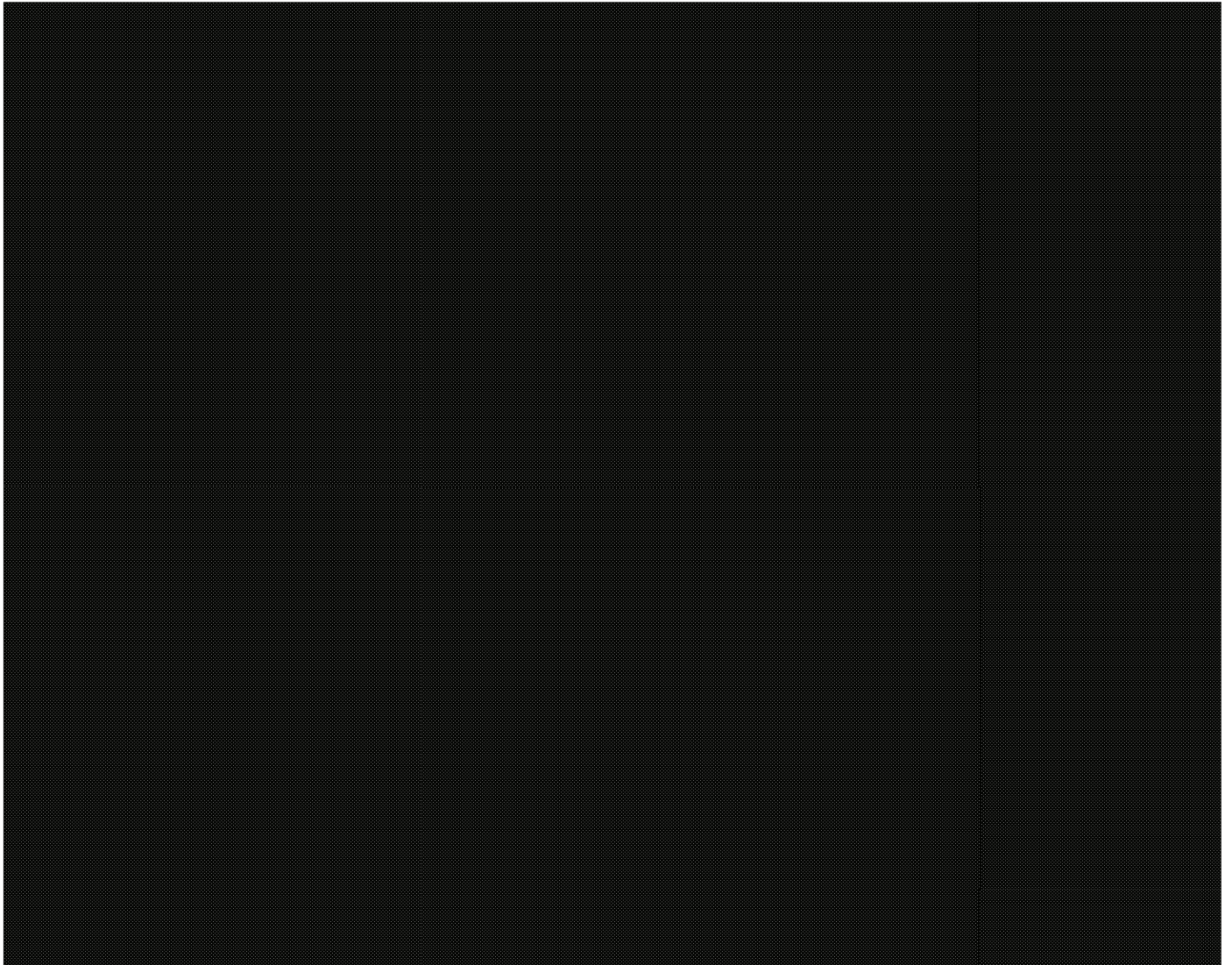
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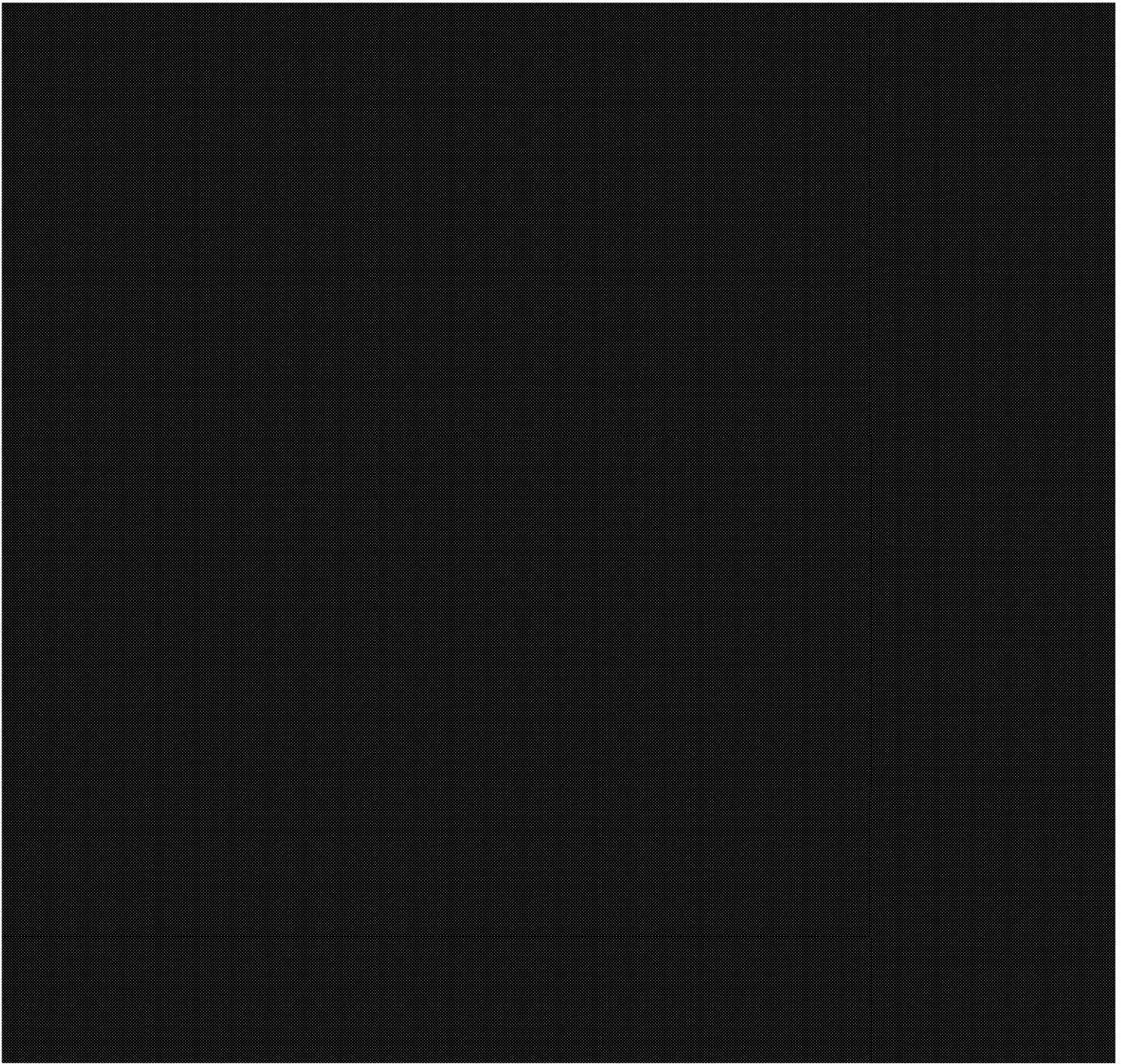
INTERNAL PRE-DECISIONAL RECOMMENDATION



INTERNAL PRE-DECISIONAL RECOMMENDATION



INTERNAL PRE-DECISIONAL RECOMMENDATION



INTERNAL PRE-DECISIONAL RECOMMENDATION

Attachment A - Temporary Protected Status (TPS) Legal Authority

Pursuant to section 244(b)(1) of the Immigration and Nationality Act (INA), 8 U.S.C. § 1254a(b)(1), the Secretary of Homeland Security (Secretary), after consultation with appropriate agencies of the Government, may designate a foreign State (or part thereof) for TPS. The Secretary may then grant TPS to eligible nationals of that foreign State (or aliens having no nationality who last habitually resided in that State).

At least 60 days before the expiration of a TPS designation, the Secretary, after consultations with appropriate agencies of the Government, must review the conditions in a foreign State designated for TPS to determine whether the conditions for the TPS designation continue to be met and, if so, the length of an extension of the TPS designation. *See* INA § 244(b)(3)(A); 8 U.S.C. § 1254a(b)(3)(A)-(C). If the Secretary determines that the foreign State no longer meets the conditions for the TPS designation, he must terminate the designation. *See* INA § 244(b)(3)(B); 8 U.S.C. § 1254a(b)(3)(B). Although the Secretary must make his determination on extension or termination at least 60 days before the expiration of the TPS designation, publication of the required *Federal Register* notice announcing his decision must be “on a timely basis.” *See* INA § 244(b)(3)(A). There is also an automatic, minimum six-month extension of a country’s TPS designation if the Secretary does not make a decision under INA § 244(b)(3)(A); 8 U.S.C. § 1254a(b)(3)(A) that the foreign state no longer meets the conditions for designation. *See* INA § 244(b)(3)(C); 8 U.S.C. § 1254a(b)(3)(C).

After the Secretary designates a country for TPS, nationals of the country (and persons without nationality who last habitually resided in the country) may apply for TPS, but they must individually demonstrate their eligibility pursuant to the criteria established in INA § 244(c) and the TPS regulations at 8 C.F.R. § 244.1 *et seq.* These criteria include, but are not limited to, requirements that the applicant show continuous physical presence in the United States since the effective date of the country designation and continuous residence since such date as the Secretary determines; admissibility as an immigrant (with limited exceptions); that the applicant is not ineligible under certain mandatory criminal history, terrorism, and national security bars as specified in INA § 244(c)(2)(A-B); and that the applicant is registering for TPS in accordance with regulatory procedures in 8 C.F.R. §§ 244.2 – 244.9.

If granted TPS, the individual receives employment authorization and an Employment Authorization Document, if requested, that is valid for the period that he or she holds TPS. TPS is a temporary benefit that does not lead to lawful permanent residence or confer any other immigration status. When a TPS country designation ends, TPS beneficiaries maintain the same immigration status, if any, that they held prior to TPS (unless that status has expired or been terminated) or any other status they may have acquired while registered for TPS.

TEMPORARY PROTECTED STATUS CONSIDERATIONS: Sudan – August 7, 2017**ONGOING ARMED CONFLICT / EXTRAORDINARY AND TEMPORARY CONDITIONS**
(Covering events since July 2015)**SUMMARY**

The Jebel Marra area of the Darfur Region and the states of South Kordofan and Blue Nile (known as the “Two Areas”) are “priority areas” of humanitarian concern due to ongoing conflict and outstanding humanitarian needs.¹ From January to October 2016, conflict between the government of Sudan’s Sudanese Armed Forces (SAF) and the Darfuri opposition group of the Abdul Wahid-led faction of the Sudan Liberation Movement/Army (SLM/A-AW) displaced an estimated 160,000 to 195,000 individuals from areas of Jebel Marra.² Since January 2016, the resumption of ground hostilities between the SAF and the Sudan People’s Liberation Movement-North (SPLM-N) in Southern Kordofan and Blue Nile, followed by aerial bombardment of civilians by the government forces, led to a rapid deterioration of the security situation in the Two Areas.³

By October 2016, the government of Sudan, the SPLM-N, and the two other Darfuri opposition groups, the Justice Equality Movement (JEM) and the Mini Minawi-led faction of the Sudan Liberation Movement/Army (SLM/A-MM) renewed unilateral ceasefires.⁴ The government’s ceasefire is until the end of July 2017, while the ceasefire among the armed groups is until April 2017.⁵ In recent months, there has been a reduction in violence and rhetoric from the conflict parties, with the notable exception of the area of Darfur under SLA/AW control.⁶ However government forces from SAF and the Rapid Support Forces (RSF) continue to attack alleged armed groups positions and bomb villages suspected of hosting opposition forces.⁷ In the Two Areas, the Assessment Capacities Project (ACAPS) March 2017 report states:

The SPLM-N recently developed a new negotiating position that includes the removal of President al-Bashir and the achievement of a transition agreement among the opposition. Its condition for a truce is to allow access to civilians in conflict-affected areas. The Sudanese government firmly refuses, accusing the SPLM-N of wanting to smuggle weapons.⁸

Conflict resulting from intercommunal violence and attacks by organized criminal groups and militias against civilians also continued in Darfur.⁹ Indiscriminate attacks on the civilian population (including aerial bombardment) were also reported, but could not be verified due to limitations on access to affected areas placed by the Sudanese government.¹⁰ Organized criminals, including armed nomads and militia groups, have taken advantage of the security

¹ Sudan- Complex Emergency Fact Sheet #1, US Agency for International Development Fiscal Year 2017, Nov. 28, 2016, pg. 2.

² *Ibid.*

³ Report of the IE on the situation of human rights in the Sudan, UN Human Rights Council, July 28, 2016, pg. 11.

⁴ Crisis Analysis –Sudan/ Peace Negotiations Section, ACAPS, last updated March 27, 2017(last visited on March 31, 2017).

⁵ *Ibid.*

⁶ *Ibid.*

⁷ *Ibid.*

⁸ *Ibid.*

⁹ Special Report on Sudan- UNAMID, UN Security Council, June 8, 2016 pg. 9.

¹⁰ *Ibid.*, pg. 9-10.

vacuum in the region to commit various criminal acts, including attacks and harassment of the civilian population, murder, rape, armed robberies, abductions and arson.¹¹

Moreover, while armed conflict has been the primary driving force behind the humanitarian needs in Sudan, poverty, floods, drought, and environmental degradation have also significantly affected the livelihoods of vulnerable people, particularly children.¹² Conflict and insecurity have meant that arable lands in some food producing areas cannot be accessed, and even when crops can be grown, an inadequate transportation infrastructure prevents efficient access to markets.¹³

NUMBERS AT A GLANCE

Figures are from the 2017 United Nations (UN) Humanitarian Needs Overview for Sudan report.

Population Displacement

- Internally Displaced Persons in Sudan - 2,300,000 (in government-controlled conflict areas)¹⁴
- Internally Displaced Persons in Darfur - 1,600,000 in camps, 500,000 outside camps (per government); and additional 500,000 live in host communities/settlements (per UN);¹⁵
- Internally Displaced Persons in the Two Areas- South Kordofan and Blue Nile - 200,000 (per government) versus 545,000 (per opposition groups).¹⁶

Humanitarian Needs

- Number of People in Need of Humanitarian Assistance in Sudan - 4,800,000;¹⁷
- Number of People in Need of Humanitarian Assistance in Darfur - 2,100,000;¹⁸
- Number of People in Need of Humanitarian Assistance in Two Areas (South Kordofan and Blue Nile - 230,000).¹⁹

Food Security and Acute Malnutrition

- Number of People in Need - 3,600,000;²⁰
- Number of Children Suffering from Acute Malnutrition - 2,200,000;²¹
- Number of Children Suffering from Severe Acute Malnutrition - 573,000.²²

DARFUR

In its January 2017 report, a United Nations Panel of Experts on Sudan offered the following assessment of the scope of the conflict in Darfur:

¹¹ Ibid, pg. 10.

¹² Humanitarian Needs Overview, Sudan, United Nations Office of Humanitarian Assistance, March 24, 2017, pg. 10.

¹³ Ibid.

¹⁴ Ibid, pg 7.

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Ibid, pg. 12.

¹⁸ Ibid.

¹⁹ Ibid, pg 4.

²⁰ Ibid, pg. 20.

²¹ Ibid, pg. 11.

²² Ibid.

While the conflict has remained geographically circumscribed during the reporting period localized intercommunal violence, militia activity and banditry have continued unabated in the five states of Darfur, posing a threat to internal security and stability. Information gathered by the Panel indicates that criminal activity is one of the major causes of civilian casualties in Darfur.²³

In Darfur, 1.6 million internally displaced persons (IDPs) are registered as living in camps.²⁴ Estimates of unregistered IDPs-- displaced people living in rural settlements and urban areas-- vary considerably, especially as there is no systematic registration of displacement outside of camps.²⁵ The official government estimate is that an additional 500,000 IDPs live outside camps in Darfur, and the UN and its partners estimate that a further half a million displaced people live in host communities and settlements in Darfur.²⁶

Jebel Marra Region

During this reporting period, the Jebel Marra region of Darfur experienced increased conflict between the Government of Sudan and the SLA/AW.²⁷ On January 14, 2016, the government launched a major military operation in SLA/AW locations near Sortony and Tawila in North Darfur and Nertiti in Central Darfur,²⁸ “accusing the rebel movement of looting and attacking civilians and military and commercial convoys in the area.”²⁹ Government forces included members of the SAF and the Rapid Support Forces (RSF)³⁰ as well as militia forces referred to by the local population as ‘Janjaweed,’ who fought in concert with official government forces throughout the campaign.³¹

According to Amnesty International, “the goal of the government’s military campaign [was] to attack and gain control over positions held by members of the SLA/AW, and, in turn, to put an end to the “rebellion” in Darfur.”³² Throughout March and April 2016, ground fighting and aerial bombardment continued in areas south-west of Rockero and south-east of Golo in Central Darfur, and north of Kas in South Darfur.³³ On April 12, the SAF announced the capture of Sorrong, south-east of Golo, which it described as the last opposition stronghold in Jebel Marra.³⁴ By the end of July 2016, the United Nations Organization for the Coordination of

²³ Final Report of Panel of Experts on the Sudan, UN Security Council, January 9, 2017, pg. 10-11.

²⁴ Humanitarian Needs Overview, Sudan, United Nations Office of Humanitarian Assistance, March 24, 2017, pg. 7.

²⁵ Ibid.

²⁶ Humanitarian Needs Overview, Sudan, United Nations Office of Humanitarian Assistance, March 24, 2017, pg. 7.

²⁷ Report of the IE on the situation of human rights in the Sudan, UN Human Rights Council, July 28, 2016, pg. 5.

²⁸ Special Report on Sudan- UNAMID, UN Security Council, June 8, 2016, pg. 3.

²⁹ Ibid.

³⁰ In August 2013, in preparation for the launch of Operation Decisive Summer, the Government created an auxiliary force, the Rapid Support Forces, the members of which were mostly recruited from the Rizeigat tribe, many of whom formerly belonged to the Border Guards and, to a lesser extent, the Central Reserve Police. The Rapid Support Forces took an increasing role in operations against armed groups and reportedly committed gross violations of international human rights and humanitarian law. In January 2015, the Rapid Support Forces, which had been operating under the command of the National Intelligence Security Services, became part of the regular government forces through a constitutional amendment. In April 2015, the Rapid Support Forces were placed under the command of the Presidency. In January 2017, the Parliament passed the Rapid Support Forces Act, integrating those forces into the Sudan Armed Forces. Report of the Secretary –General on children and armed conflict in Sudan, UN Security Council, March 6, 2017, pg. 3.

³¹ Scorched Earth, Poisoned Air, Amnesty International, September 2016, pg. 4.

³² Scorched Earth, Poisoned Air, Amnesty International, September 2016, pg. 4.

³³ Special Report on Sudan- UNAMID, UN Security Council, June 8, 2016, pg. 3- 4.

³⁴ Ibid, pg. 4.

Humanitarian Affairs estimated that as many as 251,000 people were displaced by violence in Jebel Marra.³⁵ Many of the survivors had fled to areas in Jebel Marra outside of government controlled areas, where they remained inaccessible to humanitarian actors and vulnerable to further attacks.³⁶

Despite the Sudanese government declaring an end to the rebellion in all five states of Darfur once it had captured Sorrong in April 2016,³⁷ Amnesty International reported that by mid-September 2016, small-scale fighting between the government and the SLA/AW, including aerial bombardments by the government, was occurring.³⁸ Furthermore there are continued reports of continued violence in this region. According to ACAPS' March 2017 report:

In January 2017 violence has escalated in Kutum, Darfur with 45 attacks in Kutum and Kassab. Between 4 and 5 February, violence against civilians and IDPs were reported in the Kutum area of North Darfur, within one killed, two abducted, and two incidents of theft. On 1 January 2017, Sudanese government forces in Nertiti, Central Darfur, killed at least nine civilians and injured 69 in retaliation for the killing of a soldier one day before. This episode is significant because reports of direct government violence against civilians in government controlled areas have been rare in the past ten years.³⁹

Humanitarian Consequences

According the United Nations, an estimated 160,000 to 195,000 civilians were reportedly internally displaced from the Jebel Marra area as a result of the fighting during the first half of 2016, including over 80,000 people who have been registered, verified or assisted by the UN.⁴⁰ The vast majority of the internally displaced persons were women or children.⁴¹

In a January 2017 report the United Nations Panel of Experts on Sudan stated that “government aircrafts conducted extensive aerial bombardments on civilian localities in and around the Jebel Marra area. This campaign of aerial bombardment reportedly resulted in civilian casualties and the destruction of numerous villages.”⁴² Using satellite imagery, in its September 2016 report, Amnesty International “was able to confirm that 171 villages were destroyed or damaged. Numerous villages were attacked multiple times, including many that were torched after they had been abandoned by the local residents.”⁴³ Alleged human rights violations committed by the government forces “included the bombing of civilians and civilian property, the unlawful killing of men, women, and children, the abduction and rape of women, the forced displacement of civilians, and the looting and destruction of civilian property, including the destruction of entire villages.”⁴⁴ In addition, the attacks consistently began with aerial bombardment followed by the arrival of ground forces, which included uniformed soldiers riding in trucks and pick-up trucks,

³⁵ Scorched Earth, Poisoned Air, Amnesty International, September 2016, pg. 4.

³⁶ Ibid.

³⁷ Special Report on Sudan- UNAMID, UN Security Council, June 8, 2016, pg. 4.

³⁸ Scorched Earth, Poisoned Air, Amnesty International, September 2016, pg. 22.

³⁹ Crisis Analysis –Sudan/ Conflict Developments Section, ACAPS, last updated March 13, 2017 (last visited on March 31 2017).

⁴⁰ Final Report of Panel of Experts on Sudan, UN Security Council, January 9, 2017, pg. 22.

⁴¹ Ibid.

⁴² Final Report of Panel of Experts on Sudan, UN Security Council, January 9, 2017, pg. 22.

⁴³ Scorched Earth, Poisoned Air, Amnesty International, September 2016, pg. 5.

⁴⁴ Ibid., pg. 4.

and both uniformed and plain-clothes fighters riding camels, horses, and motorbikes.⁴⁵ The soldiers would attack a village, kill civilians, and forcibly displace the population.⁴⁶

Moreover, in September 2016, Amnesty International reported that the Sudanese government allegedly used chemical weapons in Jebel Marra, stating that “32 suspected chemical weapons attacks between January and September 2016”.⁴⁷ These attacks allegedly “took place in each of the four areas in Jebel Marra that experienced major violence in 2016” and were reportedly delivered by both bombs and by rockets.⁴⁸

Amnesty International estimates “that between 200 and 250 people may have died as a result of exposure to the chemical weapons agents, with many – or most – being children.”⁴⁹ Such exposure resulted in:

“caregivers and survivors often reported that bodies, particularly of children, were swollen. Caregivers and parents of child survivors reported that children experienced a substantial loss in appetite after being exposed to the alleged chemical weapons agents. Several children reportedly refused to eat after being exposed and died. Several adult survivors also reported experiencing a loss of appetite in the aftermath of an attack. Several survivors reported that their young children experienced a regression in their motor functions and mental capabilities after exposure to the alleged chemical weapons agents, including an inability to walk or speak despite having previously been able to do so.”⁵⁰

In a January 2017 report the United Nations Panel of Experts on Sudan stated that it was “aware of allegations that government forces used chemical weapons during their operations in Jebel Marra in 2016 and is conducting its own technical analysis of the allegations and intends to follow up on this issue.”⁵¹

Intercommunal Conflict

According to the United Nations, in many parts of Darfur inter-communal conflict is another main cause of insecurity, and recurrently causes substantial civilian displacement.⁵² In its June 2016 report the African Union-United Nations Hybrid Operation Darfur (UNAMID) offered the following assessment on intercommunal conflict in Darfur:

The causes of intercommunal conflict are inherently linked to those of the broader Darfur conflict. Historically, this form of violence arose mainly between nomadic herder and sedentary farming communities over the ownership and use of resources, such as land. Since the beginning of the conflict, efforts to address such violence have failed to provide sustainable solutions, owing to the sociodemographic effects of drought, the

⁴⁵ Ibid, pg. 18.

⁴⁶ Ibid.

⁴⁷ Scorched Earth, Poisoned Air, Amnesty International, September 2016, pg. 69.

⁴⁸ Ibid.

⁴⁹ Ibid.

⁵⁰ Ibid, pg. 71.

⁵¹ Final Report of Panel of Experts on Sudan, UN Security Council, January 9, 2017, pg. 23.

⁵² Humanitarian Needs Overview, Sudan, United Nations Office of Humanitarian Assistance, March 24, 2017, pg. 7.

consequences of the war and the erosion of traditional conflict resolution mechanisms and land management structures. The ongoing rebellion and counter-insurgency operations in Darfur have significantly polarized Arab and non-Arab communities, thereby increasing the intensity of intercommunal fighting, particularly in terms of its impact on the civilian population.⁵³

In 2015, intercommunal fighting resulted in approximately one third of all conflict-related fatalities and accounted for over 40 percent of the people displaced in Darfur.⁵⁴ Key land ownership disputes such as the one between the Berti and the Zayadiya in Malha, Al Kuma, and Mellit in North Darfur remained unresolved.⁵⁵ In South Darfur, in August 2015, fighting between the Salamat and Fallata tribes in Al Nadif, in Buram locality led to 83 fatalities on both sides.⁵⁶ Despite the signing of a ceasefire agreement between the two ethnic groups in September 2015, fighting once again resumed in February 2016, resulting in 35 deaths.⁵⁷ The situation has been further exacerbated by the widespread proliferation of weapons and the inadequacy of rule of law and judicial institutions, which contributes to a culture of impunity and the weakening of traditional conflict resolution mechanisms and reconciliation processes.⁵⁸

There are reports of continued intercommunal violence in recent months. For example, in January 2017, residents of Tabit IDP camp and its neighboring villages in North Darfur complained of attacks by armed herders preventing them from going out to collect firewood and straw.⁵⁹ In February 2017, reports of tensions between members of the Rizeigat and Ma'aliya ethnic groups resulted in the killing of two people, while another sustained injuries in Tullus locality in South Darfur.⁶⁰

BLUE NILE AND SOUTH KORDOFAN (TWO AREAS)

In December 2016, the Sudan Consortium offered the following description of the situation in the Two Areas (South Kordofan and Blue Nile) region of Sudan:

Five years on from the start of the conflict, similar attacks by the Sudanese government continue unabated. In January 2016, our monitors documented 13 incidents, including three shellings (all in Dilling County), four extra-judicial killings, one abduction and two shootings. In February 2016, at least 74 bombs were reported to have been dropped and 78 rockets were launched, resulting in the death of one person and injury to seven others, including three children. In March, monitors recorded 181 dropped bombs and 642 fired

⁵³ Special Report on Sudan- UNAMID, UN Security Council, June 8, 2016, pg. 4.

⁵⁴ Ibid.

⁵⁵ Ibid.

⁵⁶ Ibid, pg. 5.

⁵⁷ Ibid.

⁵⁸ Ibid, pg. 4.

⁵⁹ Crisis Analysis --Sudan/ Conflict Developments Section, ACAPS, last updated March 13, 2017 (last visited on March 31 2017).

⁶⁰ Ibid.

shells and in April a total of 72 incidents with a significant increase in the number of children killed and injured by aerial bombardments. In May, our monitors recorded a total of 29 incidents in the two areas. One incident resulted in the deaths of six children which garnered significant coverage.⁶¹

Human Security Baseline reported in February 2016:

As in 2015, the Sudan Armed Forces (SAF) are largely stationed around the garrison towns, while the Popular Defence Forces and militia are leading the attacks. The militias are mainly organized as part of the Rapid Support Force under the command of the National Intelligence and Security Services.⁶²

In March 2016, the SAF launched a multipronged attack in seven locations, three of which had never before been affected by conflict.⁶³ Between March and June 2016, the SAF dropped an estimated 227 bombs in these areas, and launched ground attacks on and captured civilian villages in Al Azarak, Mustaraq and Mardes.⁶⁴ The SAF burned down crops and fields, looted food stores and displaced 75,000 people, mainly from Al Azarak and surrounding villages.⁶⁵ The SAF maintained its presence in these areas despite a ceasefire announced by President Al Bashir in June 2016 preventing displaced civilians from returning to their homes and farming their crops.⁶⁶

There are also reports of continued violence in recent months. A December 2016 assessment by the Armed Conflict Location and Event Data Project (ACLED) stated:

In South Kordofan, offensives targeted areas previously unaffected by conflict but on which many populations rely for food production. Government forces set up bases in these areas and stayed throughout the rainy season, building up their capacity ahead of the resumption of conflict in November, but also preventing civilians from returning to their homes and farming their crops.⁶⁷

In its March 2017 assessment ACAPS reported that “according to the SPLM-N, government forces attacked their positions on 16 January 2017, wounding one fighter. On 22 February, clashes between SPLM-N and government forces resumed, killing at least three government soldiers.”⁶⁸

⁶¹ Attack on civilians in Southern Kordofan, Sudan 2011-2016, Sudan Consortium, Dec. 2016, pg. 4.

⁶² Conflict in Two Areas, Human Security Baseline Assessment, Feb. 9, 2016, pg. 3-4.

⁶³ Sudan: Five Years and Counting, Amnesty International, Sept 29, 2016, pg. 8.

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ Ibid.

⁶⁷ Sudan- December 2016 Update, Armed Conflict Location and Event Data Project, (last visited on March 31, 2017).

⁶⁸ Crisis Analysis –Sudan/ Conflict Developments Section, ACAPS, last updated March 13, 2017 (last visited on March 31 2017).

SEXUAL AND GENDER-BASED VIOLENCE

Sexual and gender-based violence remains a grave concern in Darfur.⁶⁹ The lengthy nature of the conflict, the widespread proliferation of weapons, and the frequent intercommunal fighting have all added to the risk of exposure and the vulnerability of civilians, especially women and girls, to sexual and gender-based violence and conflict-related sexual violence, including in camps for internally displaced persons.⁷⁰ Incidents of rape by unidentified armed men, militiamen and armed nomads, and other perpetrator groups against women and girls are routinely reported by different sources.⁷¹ At camps for internally displaced persons, women and girls are regularly exposed to sexual violence, including when outside the camps collecting water or firewood, or engaging in livelihood activities.⁷²

According to the United Nations, despite taking some measures to address sexual and gender-based violence by the government, the climate of impunity continued to create an environment conducive to the perpetration of sexual violence.⁷³ Many incidents of sexual violence were not reported owing to fear of social stigmas associated with rape, fear of reprisals, and victims' lack of trust in the justice system to effectively investigate and prosecute perpetrators.⁷⁴ Despite efforts by UNAMID to provide security escorts to internally displaced women and girls as they undertake such activities, threats and violence, including sexual harassment and rape, continue.⁷⁵ Survivors of sexual and gender-based violence are faced with a range of challenges, including social stigma, police inaction, and the serious capacity deficit in the justice sector.⁷⁶ Such inaction has made victims reluctant to report incidents of sexual and gender-based violence to the police.⁷⁷

VIOLENCE AGAINST CHILDREN

The ongoing conflict in Darfur and the Two Areas continued to affect children.⁷⁸ Violence in Darfur, the Kordofans, Blue Nile and Abyei⁷⁹ has forced 1.9 million children to flee⁸⁰ -- 60 percent of the internally displaced persons in Darfur⁸¹ -- many of whom have been separated from their families and affected by grave human rights violations.⁸²

⁶⁹ Final Report of Panel of Experts on Sudan, UN Security Council, January 9, 2017, pg. 23.

⁷⁰ Special Report on Sudan- UNAMID, UN Security Council, June 8, 2016, pg. 11.

⁷¹ Final Report of Panel of Experts on Sudan, UN Security Council, January 9, 2017, pg. 23.

⁷² *Ibid* pg. 24.

⁷³ Report of the IE on the situation of human rights in the Sudan, UN Human Rights Council, July 28, 2016, pg. 10.

⁷⁴ *Ibid*.

⁷⁵ Special Report on Sudan- UNAMID, UN Security Council, June 8, 2016, pg. 11.

⁷⁶ *Ibid*.

⁷⁷ Special Report on Sudan- UNAMID, UN Security Council, June 8, 2016, pg. 11.

⁷⁸ Report of the Secretary –General on children and armed conflict in Sudan, UN Security Council, March 6, 2017, pg. 5.

⁷⁹ On 20 June 2011, the government of Sudan and the Sudan People's Liberation Movement (SPLM) [now South Sudan] signed an agreement on a temporary administrative arrangement for Abyei, which would have mandated for the demilitarization of Abyei and the establishment of a joint administration. However, Abyei's political future remains unresolved, the joint administration not established, and the SAF have a force of 120–150 troops stationed at Difra, Abyei's sole oil field, in violation of multiple United Nations Security Council resolutions. Update on Abyei, Human Security Baseline Assessment for Sudan and South Sudan, as of July 1, 2015 (last visited on March 31, 2017).

⁸⁰ Humanitarian Action for Children, United Nations Children Fund, pg. 1, 2017.

⁸¹ Report of the Secretary –General on children and armed conflict in Sudan, UN Security Council, March 6, 2017, pg. 2.

⁸² Humanitarian Action for Children, United Nations Children Fund, pg. 1, 2017.

The high numbers of documented incidents of the killing and maiming of children and sexual violence in Darfur also remain a grave concern.⁸³ According to a March 2017 report from the UN Secretary General on children in Sudan:

The majority of child casualties occurred during armed confrontations between government forces and armed groups and as a result of aerial bombardments. Incidents involving unexploded ordnance were also a significant cause of child casualties, with a total of 304 children affected, 84 of whom were killed and 220 maimed. In most instances, unexploded ordnance were found by children, who mistook them for toys or tampered with them. The intensification of tribal clashes also affected children. In addition, allegations were also received of child casualties during aerial bombardment by the Sudan Armed Forces.⁸⁴

Incidents of violence affecting children were “perpetrated by all parties to the conflict, including government security forces, namely, the Sudan Armed Forces, the police, the Central Reserve Police, the Popular Defence Forces, the Border Guards, the Rapid Support Forces and government-affiliated militias.”⁸⁵ Children also face recruitment by both the government and armed groups.⁸⁶ The UN Secretary General’s report on children offered the following examples:

For example, in July and August 2015, three boys were reportedly recruited by the Sudan Armed Forces in El Damazin and released after their parents intervened. In 2015, a recruitment campaign by the Sudan Armed Forces was reportedly ongoing in Blue Nile State, during which children were allegedly recruited after obtaining official documents with a falsified age.⁸⁷

During a visit to Sudan in March 2016, the Special Representative for Children and Armed Conflict was given access to 21 children who had been detained by the National Intelligence Security Services since April and August 2015 for their association with JEM. The children, who had been captured by the Rapid Support Forces in South Darfur State, were recruited by JEM in Southern Kordofan State and South Sudan and used in combat in Darfur and South Sudan. Some of them reported that they had been abducted by JEM.⁸⁸

HUMANITARIAN ACCESS

Despite recent reporting that the Sudanese government has eased access for humanitarian support⁸⁹, the United Nations and its partners reported access denials in different regions of Darfur, in particular in parts of Jebel Marra affected by the 2016 crisis.⁹⁰ Issuance of entry visas and renewal of residency permits are frequently used to limit humanitarian action and, in some

⁸³ Report of the Secretary –General on children and armed conflict in Sudan, UN Security Council, March 6, 2017, pg. 5.

⁸⁴ Ibid, pg. 8.

⁸⁵ Ibid, pg. 2.

⁸⁶ Ibid, pg. 6.

⁸⁷ Ibid.

⁸⁸ Ibid, pg. 7.

⁸⁹ Although relief actors report improved access to some conflict-affected areas of Sudan, insecurity and bureaucratic challenges continue to impede critical humanitarian operations, particularly in areas of Darfur Region, including Jebel Marra Sudan Complex Emergency, Fact Sheet #2, FY 2017, US Agency for International Development, January 27, 2017, pg. 3.

⁹⁰ Final report of panel of experts on Sudan, UN Security Council, January 9, 2017, pg. 23.

cases, as a means of expelling humanitarian personnel.⁹¹ In addition, restrictions on movements and the denial of access and clearances continue to be imposed on humanitarian agencies by the Sudanese authorities.⁹² The result has been a steady reduction in humanitarian operational capacity in Darfur and other areas of Sudan.⁹³

Amnesty International reported in September 2016 that “no international or national journalist, human rights investigator, or humanitarian actor has been permitted to carry out any credible assessment of the human rights or humanitarian situation in areas affected by the conflict in Jebel Marra in 2016.”⁹⁴ Furthermore, the UN “in October 2016, humanitarian actors reported that they had been unable to reach some of the affected communities to assess the needs of an estimated 50,000-85,000 people, who reportedly had been displaced by the fighting.”⁹⁵

In the Two Areas region (South Kordofan and Blue Nile), the Sudanese government has consistently refused humanitarian access to areas controlled by the (SPLM-N), with devastating consequences on food supplies, health care and education.⁹⁶ The widespread destruction or damage to civilian property, including homes, fields, food stores, hospitals, health clinics, schools and market areas by these attacks has also disrupted agricultural production, health care and education in the area, contributing to the humanitarian crisis.⁹⁷ In the Blue Nile region, in mid-2016 there was only one international UN staff member.⁹⁸

At the end of December 2016 Sudan's Humanitarian Aid Commission approved new guidelines to ease the movement of humanitarian workers within government-controlled areas, as aid workers will only need permission for movement within high-risk areas: however, as of the beginning of February 2017, there were no signs of eased restrictions.⁹⁹

ECONOMIC SITUATION

Sudan has faced significant economic instability after the secession of South Sudan in 2011. The World Bank reports:

The secession of South Sudan also induced multiple economic shocks; the most important and immediate was the loss of the oil revenue that accounted for over half of Sudan's government revenues and 95 percent of its exports. This has left huge challenges, as well as much reduced economic growth, and resulted in double-digit consumer price inflation, which, together with increased fuel prices, triggered violent protests in September 2013.¹⁰⁰

⁹¹ Report of the IE on the situation of human rights in the Sudan, UN Human Rights Council, July 28, 2016, pg. 10.

⁹² *Ibid.*

⁹³ *Ibid.*

⁹⁴ Scorched Earth, Poisoned Air, Amnesty International, September 2016, pg. 4.

⁹⁵ Final Report of Panel of experts on Sudan, UN Security Council, January 9, 2017, pg. 23.

⁹⁶ Sudan: Five Years and Counting, Amnesty International, Sept 29, 2016, pg. 7.

⁹⁷ *Ibid.*

⁹⁸ A Crisis Normalized: Civilian perspectives on the conflict in Sudan's Blue Nile State, International Refugee Rights Initiative, September 2016, pg. 25.

⁹⁹ Crisis Analysis –Sudan/ Humanitarian Access Section, ACAPS, last updated March 17, 2017 (last visited on March 31 2017).

¹⁰⁰ The World Bank in Sudan: Overview, World Bank, April 19, 2017 (last visited on August 3, 2017).

Sudan “remains a highly indebted country that has accumulated sizeable external arrears and has been in non-accrual status with the World Bank Group since 1994.”¹⁰¹ At the end of 2015, Sudan’s external debt amounted to \$50 billion (61 percent of GDP), about 84 percent of which was in arrears.¹⁰² Inflation has remained high in recent years, estimated at 16.5 percent in July 2016.¹⁰³

Corruption is a significant problem in Sudan, “one of the world’s most corrupt nations,” which ranked 165th among the 168 countries surveyed in Transparency International’s 2015 Corruption Perceptions Index. Power and resources are concentrated in and around Khartoum, while outlying states are neglected and impoverished.¹⁰⁴

The labor market remains underdeveloped, and much of the labor force is employed in the informal sector.¹⁰⁵ Additionally, a large portion of Sudan’s population remains outside of the formal banking sector, and access to credit remains limited.¹⁰⁶ According to Moody’s Analytics, Sudan’s unemployment rate is 13.6 percent (2014), with 46.5 percent (2009) of the population living below the poverty line.¹⁰⁷

Cholera

In August 2016, a cholera outbreak began in the Blue Nile state, and has since spread across several states in Sudan.¹⁰⁸ Conservative estimates suggest a minimum of between 15,000 to 23,000 people¹⁰⁹ have been infected, with 280 to 820 deaths.¹¹⁰ In its June 2017 report the Assessment Capacities Project (ACAPS) reported that the outbreak has spread to Gedarif, White Nile, Khartoum, Sennar, River Nile, North Kordofan, and Gezira states.¹¹¹ As of June 2017, the outbreak has also spread to Darfur.¹¹² According to July 2017 ACAPS Briefing Note on Darfur:

The epidemic first spread to Naivasha camp for IDPs in North Darfur where it killed 12 and infected at least 95. As of 4 July, there are also reports of it having spread to Kabkabiya camp, North Darfur where 7 have died and 7 have been infected. It has since spread to East Darfur, including Kriu camp for South Sudanese refugees where 5 deaths and at least 100 infections were recorded as of 27 June, and Kalma camp in South Darfur where 6 have died and 32 are infected as of 29 June.¹¹³

¹⁰¹ Ibid.

¹⁰² Ibid.

¹⁰³ IMF Executive Board Concludes 2016 Article IV Consultation with Sudan, International Monetary Fund, October 4, 2016.

¹⁰⁴ Sudan Index of Economic Freedom, Heritage Foundation, 2017, pg. 2.

¹⁰⁵ Ibid.

¹⁰⁶ Ibid.

¹⁰⁷ Sudan- Economic Indicators, MOODY’S Analytics (last visited on August 3, 2017).

¹⁰⁸ Sudan Cholera outbreak, Assessment Capacities Project (ACAPS), June 16, 2017, pg. 2.

¹⁰⁹ Caseload numbers are conflicting as there has been no official recognition of a cholera outbreak and the government refers to it as acute watery diarrhea (AWD). Government figures state that 15,000 people have been infected and 279 have died from AWD between August 2016 and 2 June. In contrast, the National Epidemiological Corporation claims there have been at least 23,766 cholera infections and 820 deaths since the start of May 2017.

¹¹⁰ Ibid.

¹¹¹ Ibid, pg. 1.

¹¹² Sudan Conflict in Darfur. Briefing Note 6, ACAPS, July 6, 2017, pg. 2.

¹¹³ Ibid.

According to the World Health Organization, “The arrival of refugees from cholera-affected areas in South Sudan also increases the threat of importation of the disease into Sudan, placing both refugees and host communities at risk.”¹¹⁴ South Sudanese refugees face overcrowding and a lack of safe water and sanitation services in camps in Sudan, thus increasing the risk of waterborne diseases among refugees.¹¹⁵ The White Nile state hosts a large South Sudanese refugee population and has had the highest number of cases of cholera.¹¹⁶

In its June 2017 report ACAPS stated Sudan’s “healthcare system suffers from a lack of funding and qualified personnel, with 36 percent of healthcare facilities not functioning at full capacity.”¹¹⁷ Furthermore, access to clean drinking water remains an additional challenge; the “lack of access to clean water is most severe in Red Sea, Darfur, and Blue Nile states.”¹¹⁸

¹¹⁴ WHO responds to health needs of South Sudanese refugees in Sudan, World Health Organization, June 8, 2017.

¹¹⁵ Ibid.

¹¹⁶ Sudan Cholera outbreak, Assessment Capacities Project (ACAPS), June 16, 2017, pg. 2.

¹¹⁷ Ibid.

¹¹⁸ Ibid.

Attachment C: Demographic Data**South Sudan and Sudan Temporary Protected Status Beneficiaries****South Sudan and Sudan TPS Beneficiaries by Age:**

This table shows counts of individuals with approved TPS applications with a country of citizenship of South Sudan or Sudan by age at approval as of December 31, 2016.

United States Citizenship and Immigration Services (USCIS) I-821, Application for Temporary Protected Status Q1. Country of Citizenship of South Sudan and Sudan Count of Approved Individuals by Age at Approval As of December 31, 2016		
Age at Approval	South Sudan	Sudan
3		2
4		1
5		3
6		3
7		1
8		5
9		2
10		5
11	1	2
12		2
13		1
14		7
15	1	1
16	1	4
17		6
18	1	8
19	1	6
20	1	4
21		11
22	1	10

23	3	11
24	2	23
25	2	17
26		17
27	1	37
28	5	27
29	4	44
30	2	31
31		32
32	2	32
33	2	39
34	2	33
35	2	35
36	2	35
37		32
38	2	30
39		31
40		36
41	2	32
42	1	27
43		21
44		23
45	2	23
46		30
47		19
48	1	26
49		12
50		8
51	1	19
52		25
53	2	19
54		16
55		19
56		14
57		10
58		15
59		9
60		6

61		5
62		8
63		2
64		6
65		5
66		3
67		1
68		3
69	1	1
71		2
72		1
73		1
77	1	
78		1
79		1
Grand Total	49	1,039

South Sudan and Sudan TPS Beneficiaries by Gender:

This table shows counts of individuals with approved TPS applications with a country of citizenship of South Sudan or Sudan by gender as of December 31, 2016.

United States Citizenship and Immigration Services (USCIS) I-821, Application for Temporary Protected Status Q2. Country of Citizenship of South Sudan and Sudan Count of Approved Individuals by Gender As of December 31, 2016		
Gender	South Sudan	Sudan
FEMALE	10	318
MALE	39	718
UNKNOWN		3
Grand Total	49	1,039

South Sudan and Sudan TPS Beneficiaries by State of Residence:

This table shows counts of individuals with approved TPS applications with a country of citizenship of South Sudan or Sudan by beneficiary state as of December 31, 2016.

United States Citizenship and Immigration Services (USCIS) I-821, Application for Temporary Protected Status Q3. Country of Citizenship of South Sudan and Sudan Count of Approved Individuals by Beneficiary State As of December 31, 2016		
Beneficiary State	South Sudan	Sudan
ALABAMA	1	14
ARIZONA	2	8
CALIFORNIA	3	62
COLORADO		9
CONNECTICUT		17
DELAWARE		2
DISTRICT OF COLUMBIA	1	11
FLORIDA		35
GEORGIA		16
ILLINOIS		81
INDIANA	2	9
IOWA	4	17
KANSAS		6
KENTUCKY	1	
LOUISIANA		1
MAINE		5
MARYLAND	1	64
MASSACHUSETTS	3	14
MICHIGAN		27
MINNESOTA	4	31
MISSISSIPPI	1	1
MISSOURI		9
NEBRASKA	3	13
NEVADA		1
NEW HAMPSHIRE	2	3
NEW JERSEY		33
NEW MEXICO		2
NEW YORK	4	140

NORTH CAROLINA	1	32
NORTH DAKOTA	1	
OHIO	1	29
OREGON		2
PENNSYLVANIA	1	56
RHODE ISLAND		2
SOUTH CAROLINA		4
SOUTH DAKOTA	2	2
TENNESSEE	1	15
TEXAS	4	100
UTAH	3	2
VIRGINIA	2	144
WASHINGTON		14
WEST VIRGINIA	1	
WISCONSIN		6
Grand Total	49	1,039

South Sudan and Sudan TPS Beneficiaries by Immigration Classification at Initial Application:

This table shows counts of individuals with approved TPS applications with a country of citizenship of South Sudan or Sudan by beneficiary current class at initial application as of December 31, 2016.

United States Citizenship and Immigration Services (USCIS) I-821, Application for Temporary Protected Status Q4. Country of Citizenship of South Sudan and Sudan Count of Approved Individuals by Beneficiary Class at Initial Application As of December 31, 2016		
Beneficiary Current Class at Initial TPS Application	South Sudan	Sudan
1B1		3
A1	1	5
A2		15
A3		4
AS		16
ASD	1	8
ASY		1
B1		31
B2		82
CH	1	
D1		1
DA		1
E2		2
EWI		5
F1	13	140
F2		18
G1		2
G2	1	
G4		1
GT		1
H1		1
H-1		1
H1B		12
H4		7
IMM		1
J1		11
J1S	1	
J2		9

K3		1
L1		1
L2		1
M1		3
O1		1
PAR		6
RE		2
TPS		3
UN	31	400
UU		60
V1		1
WI		1
X		2
(blank)		179
Grand Total	49	1,039