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The Danger of Returning Home:

The perils facing Sudanese immigrants when they go back to Sudan

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The Danger of Returning Home, compiled by Waging Peace over a period of a year-and-a-half, documents the disturbing experiences of Sudanese individuals who have spent time in Europe and who have been subjected to varying levels of interrogation, detention, and ill-treatment on their return to Sudan. Under interrogation returnees were explicitly questioned by the Sudanese authorities about their activities and experiences in Europe, and it appears they were targeted because of the time they spent overseas. The testimonies make it clear that the Sudanese government went out of its way to keep track of what Sudanese were doing while they were in Europe, and continued to monitor them upon their return. The Sudanese authorities perceived their citizens' time spent in Europe and their subsequent return to Sudan as sufficiently threatening to justify their monitoring, detention and sometimes their torture.

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Introduction

Waging Peace is a London based non-governmental organisation that documents and campaigns against human rights abuses in Sudan. The UK has given sanctuary to many Sudanese affected by years of conflict in Sudan. Waging Peace works closely with the UK's Sudanese community to help to give them a voice to speak out about their experience of human rights abuses. Together with our sister charity, Article 1, we help to ensure the Sudanese diaspora in the UK has access to the services to which they are entitled. We have a particular focus on the most vulnerable amongst them, those who are seeking asylum in the UK. As the only UK non-governmental organisation with a focus on Sudanese asylum seekers we are uniquely placed to collect the testimonies in this report.

The testimonies, included in full in annexes at the end of the report, have been gathered over a period of a-year-and-a-half. They document the experiences of six men: three men from Darfur, one man from South Kordofan, one from Eastern Sudan, and one British national.

Whilst some of the men interviewed by Waging Peace spoke willingly of their ordeal, others were more hesitant, fearing future repercussions, and they have therefore remained anonymous for the purposes of this report. Testimony has also been obtained from a prison guard who worked in Suakim prison in East Sudan between 2001 and 2011. Whilst his accounts of the prison regime provide corroborating evidence of the detention and ill-treatment of asylum seekers, his testimony could not be verified without placing the guard or others in danger, and therefore it has not been included here.

The testimonies, with one exception, are all provided in the third person. Waging Peace has made an effort to remain as close as possible to the wording and descriptions provided by the interviewees, to ensure their experiences are accurately reflected in the testimonies.

Waging Peace believes that the testimonies included here are not isolated cases but that they are representative of a repressive, state-sanctioned system, and therefore that many other similar stories exist. We believe it is likely that further testimonies will emerge through Waging Peace's close involvement with the Sudanese community; these will be published as addendums to this report as and when we receive them.

The report is organised into sections which bring together themes across the testimonies. The first, ‘Asylum Seekers’, documents the experience of asylum seekers who have returned, or who have been forcibly returned, to Sudan following unsuccessful claims for asylum. It describes their experiences of being picked up by the Sudanese authorities the moment they arrive back on Sudanese soil, at Khartoum International Airport. In the second section, ‘Voluntary Returnees’, we have included the testimony of those who have gone back to Sudan of their own accord following a period living in Europe. These individuals subsequently found themselves monitored, detained and suspected by the Sudanese authorities. The third, ‘Interrogation’, brings together testimony from all of the interviewees and it details their questioning at the hands of the Sudanese government. It reveals their interrogators’ particular interest in the presence and activities of Sudanese within Europe. Finally, in the ‘Treatment of Detainees’, we have brought together the different experiences that the interviewees faced in detention. It paints a clear picture of inhumane and degrading treatment at the hands of the prison guards and the Sudanese national intelligence and security services. We have also included the testimonies separately and in full as annexes to the report.

The testimony of a British national, Magdy El Baghdady, has also been included in this report. It sheds light on the conditions faced by detainees in detention in Sudan, as experienced by an individual who has nothing to gain by fabrication or embellishment. What Mr Baghdady describes happening to him in detention in Sudan is horrific, but it was, in his words, incomparable to the much worse treatment of local prisoners. His testimony demonstrates that at times when the authority of the Sudanese government is threatened, suspicion and persecution extends to foreign nationals. Mr Baghdady’s story has been told in the media including in the Guardian, 6 August 2012, <http://www.guardian.co.uk/world/2012/aug/06/arrested-beaten-tortured-briton-sudan> .

Asylum Seekers

The first section of this report considers the testimony of individuals who have sought asylum within European countries before returning or being returned to Sudan.

In 2011 fifteen Sudanese asylum seekers were forcibly returned to Sudan from the UK, in 2010 twenty-three were returned and in 2009 twenty-nine were returned. Returnees are not afforded post-return monitoring or protection by the UK once they arrive back in Sudan because they are foreign nationals and therefore are not entitled to ongoing UK concern. Please see Annex G, a response to a Freedom of Information Act request made by Waging Peace, in which this is confirmed.

Of the men interviewed by Waging Peace, three had sought asylum within Europe before returning to Sudan. In two instances their return was forcible and against their will, following a failed claim for asylum; in one instance the return was voluntary.

The excerpts below outline the background of these men and document the circumstances of their arrest by Sudanese authorities. In all three cases the individuals were detained upon arrival at Khartoum International Airport.

Excerpt from testimony of Mr M

Mr M is from Al Fasher in Darfur... Mr M came to the UK to study computing at Loughborough University. After completing his course, Mr M claimed asylum in 2003, but his asylum claim was unsuccessful. [In mid-July 2004 following detention in the UK, Mr M was deported to Sudan on a direct flight from London Heathrow to Khartoum, Sudan] On arrival at Khartoum International Airport Mr M was ordered not to get off the plane by members of staff. Once everyone else had left the plane he was then allowed to leave and was escorted away by two men from national security. They took him to an office within the airport. Mr M was then questioned about what he had done in the UK. He was told by the officials that he had run away from Sudan to the UK to seek the UK's protection and when the UK had failed to provide such protection they had returned him to Sudan. He was asked about Darfuri and other political opposition activity in the UK.

He was asked how Darfuris in the UK were supporting those in Darfur financially, and specifically how rebel groups in Darfur were being funded.

Excerpt from testimony of Badaoui Malik Badaoui.

Mr Badaoui is a Darfurian from the Fur tribe. He left Darfur in 2008 and made his way to the UK via Libya and Italy. He arrived in the UK on 22 January 2010 but was removed on 7 July 2011 to Italy, where he had previously been fingerprinted. In Italy, he was homeless and destitute and decided he would be better off in Sudan. With the help of an Italian charity, he collected the funds necessary for a flight back to Sudan and flew to Khartoum on 27 July 2011. He had no passport, but instead used photographic identification documents from the Sudanese embassy in Italy that confirmed his name and date of birth.

While standing in the immigration line in Khartoum International Airport, he was approached by six or seven border security guards. When he confirmed his identity they took him to a small room in the airport. They took his travel document and told him they did not care about it; they only cared about him. Mr Badaoui was kept in the cell for eight or nine hours before six policeman arrived. The officers handcuffed his hands behind his back, blindfolded him and led him to a car.

Excerpt from testimony of Mr A

[Mr A is from Eastern Sudan. He has been a member of the Beja Congress since 1999.] Mr A claimed and was refused asylum in Germany in 2009. He was returned to Sudan in July 2009, on a flight from Frankfurt to Khartoum via Doha. Upon arrival Mr A was told to remain on the plane because he didn't have a passport or travel documents, merely a piece of paper saying he had to leave Germany. He was made to wait until everyone else had left the plane. Two uniformed policemen came onto the plane, whilst two plainclothes policemen waited outside. Mr A was asked to confirm his name, which he did. The police took the paper he had from Germany from the airhostess and escorted him off the plane. He was allowed to walk normally in the presence of other people at the airport, but was taken directly to an office within the building.

Once inside his face was covered with a black cloth. He was still accompanied by the four individuals who had intercepted him on the plane. Mr A was subjected to verbal abuse at this point, and things were done to him without any explanation being given. Mr A states that he does not know how he left the airport as his face was covered. He was taken to a building near Khartoum's embassies which he believes to be the National Intelligence and Security Services (NISS) headquarters. [Details of Mr A's time in custody can be found in the section on interrogation later in this document].

In September 2010 Mr A visited the UK legally. He stayed for two months with his brother who lived in the UK, and visited his mother who was receiving hospital treatment in the UK. Mr A then returned voluntarily to Sudan in November 2010. At Khartoum Airport he disembarked, entered the airport, and queued at the immigration desk. When immigration control looked at his passport he was ordered to wait. His mother was told she could go but that they needed to ask Mr A some questions, and afterwards he would be able to go home. Mr A waited for 5-10 minutes before two plain clothes men took him to a room in the airport office. Mr A was interviewed at the airport for two hours. ...

The excerpts above detail personal experiences of arrest and detention upon arrival at Khartoum International Airport. The following provides corroborating evidence of the arrest of other asylum seekers at Khartoum International Airport and of their detention within Sudanese prisons.

Excerpt from testimony of Badaoui Malik Badaoui.

[Whilst speaking about his detention in a room in Khartoum Airport Mr Badaoui stated] There was one other person in the room with him: a Darfurian who had arrived from France.

[After being taken from the airport Mr Badaoui was driven for 15-20 minutes to a nearby prison.] He was let out of the car in an underground area with no light. Mr Badaoui was then taken to a small, overcrowded room that held approximately twenty other people, many of whom had recently returned from Europe. Two said they had been in France, and two or three others said they had been in Holland. All of the prisoners had been arrested at the airport.

Excerpt from testimony of Mr A

[Whilst describing his experiences in a cell with other people in Kober Prison, Mr A stated] He talked to two men during his time in the cell. Both men were members of the rebel Justice and Equality Movement from Darfur, who had been in Europe and claimed asylum. Mr A was not sure which country they had come from, though he believed one to have come from the UK.

Voluntary Returnees

The following excerpts document the arrests of three men, all of whom entered Sudan voluntarily, having previously lived in the UK. In all three cases the men entered Sudan without difficulty and were arrested a number of days after their arrival. Their testimonies indicate some level of surveillance by intelligence services of the movements and activity of the three men within Sudan.

Excerpt from testimony of Mr Y

Mr Y was studying for a PhD in the UK at the University of Wales. His studies were being funded by the GAC which is part-owned by the Sudanese government... Mr Y returned to Sudan on 6 January 2011 in order to carry out fieldwork as part of his studies. His family lived in Khartoum. He had no problems entering Sudan.

On 9 January 2011 whilst Mr Y was working at the GAC headquarters in Khartoum two plain-clothed men came to see him. They said they were from 'external security' and produced identification to that effect. They told Mr Y that they had they were not formally questioning him but would like him to answer some questions as they were collecting information.... [Following questioning] The men took his mobile number and said that they would call him if they needed more information from him.

On the 16 January one of the security people who questioned him a week earlier phoned Mr Y and told him that they would return to see him at the company. They came back and took him by force to the National Intelligence and Security Services headquarters in Khartoum, near to the Christian Graveyard, on Army Road.... Mr Y was detained for three days, incommunicado... On the third day they told him he could leave...

On Saturday 5 February two security men, one of whom had come the previous time, arrived at Mr Y's house, telling him that he had to go with them. Once again he was taken to the National Intelligence and Security Services headquarters and was imprisoned in a cell where he was detained for a week...

Excerpt from testimony of Mr X

Mr X is Darfurian, from the Zaghawa tribe. He claimed asylum in the UK in 2004 and was granted indefinite leave to remain in the UK in March 2010. After one year he applied for British citizenship and obtained a British passport in June 2011. Mr X obtained a tourist visa for Sudan from the Sudanese embassy in London and flew from the UK to Khartoum. Mr X experienced nothing untoward at Khartoum airport. He was told he should obtain a five-year entry visa, which he got two days later at the Office of Foreign Affairs in Khartoum. This cost 935 Sudanese pounds.

[After obtaining the visa Mr X travelled to El Obeid and then to XXX [redacted at Mr X's request] where he stayed for a few days, before returning to El Obeid.] After another couple of days he went back to XXX again in a taxi with two friends. Whilst they were driving the taxi driver received a phone call and it appeared that he was asked 'Where are you now?' to which the taxi driver responded 'On the way to XXX'. Mr X assumed that this was National Intelligence on the phone. Following the phone call Mr X and his friends grew suspicious and realised that a car had been following them since they set off on their journey. Ten minutes after the phone call ended, however, the car behind them disappeared. Mr X presumes that this was because the National Intelligence now knew that they were heading to XXX and therefore did not need to trail them.

About half way through the journey they were stopped from driving any further by a car parked in the middle of the road cutting off their path. Three men were in the other car. Mr X and his friends were asked to get out of the taxi and were asked for their ID. Before handing their IDs over, Mr X asked what authority the men had to demand their identification. They said that they were intelligence officers from XXX. Mr X and his friends gave over their IDs. Mr X's ID was a British driving licence. He was asked what it was and he told them.

They were asked to pay for the taxi and to go with the intelligence officers in their pickup truck, which they did. They were taken to offices in XXX, where there were people waiting for them. On arrival they were separated, being taken to different offices. They were detained for four hours...

The following day Mr X returned to El Obeid. He then went on to Khartoum by bus. Ten minutes into his journey the bus stopped and a member of the National Intelligence and Security Service got on. Mr X had not seen this man before. The man asked ‘Who is Mr X?’. Mr X put his hand up and identified himself. The NISS agent then left the bus and the bus continued to Khartoum.

When in Khartoum, Mr X told his friends and family members what had happened to him. They recounted anecdotes about others who had come back from America or Europe and had encountered similar problems, including stories of Darfurians who had disappeared on their return.

Mr X thinks that his movements were monitored from his arrival in Khartoum. Mr X provided an incorrect address at immigration control yet authorities were still able to find him a number of days later, travelling from El Obeid to XXX.

The testimony of Magdy El Bagdady demonstrates that foreigners can also arouse the suspicion of the Sudanese government. Magdy El Bagdady is British, with Polish and Egyptian family.

Excerpt from testimony of Magdy El Bagdadhy (written in his own words)

My father decided he wanted to spend his last days with his family in Egypt and I went with him to Egypt to help him stabilize... I did not accept that my father went to Egypt with nothing left to do, so my brother, an English teacher in Alexandria, Egypt, and I decided we would establish a small sustainable restaurant in Tanta, Egypt for him to run... Unfortunately Egypt was not the right place for business, after some failure, so we looked to Sudan.

Sadiq Al Mahdi is the twice former Prime Minister of Sudan. I know his nephew, Omar Habani Al Mahdi, very well... Omar and I know many successful people in Egypt and Sudan who own telecoms companies, property businesses, farms, internet providers and restaurants. We intended to explore the telecoms market alongside the restaurant work to see if we could do some more technical work in the future. Our intention was to initially open a small mobile bus restaurant, and serve food in Khartoum and Bahri, then bring the leftovers to Omdurman...

I arrived in Sudan twenty hours after the Egyptian revolution began, on 27 January 2011. I stayed in the Mahdi house. I was arrested on the 14 of February 2011, just over two weeks into my stay. From their interrogations, we understand that the NISS suspected that we were preparing to begin a revolution through telecoms; they accused us of sending seven million text messages to unite people like in Tahrir Square in Egypt. Just before the arrest we spoke openly about our admiration for the Egyptians, and said we hoped for the same in Sudan. We spoke openly, regardless of who was with us at the time. We also spoke about telecoms companies that we know existed and were interested in. We met many people in his home per day as the family are well known and respected. We suspect among these people was a police informant who must have misunderstood our conversations. It has been over one year, we can speculate as much as we like but we still are unsure of the precise reason.

Interrogation

The following section details the questioning and interrogation experienced in Sudan by those interviewed by Waging Peace. The testimonies reveal the interrogators' strong interest in the presence and activities of Sudanese within Europe; particularly where the activities were perceived as posing a threat to the Sudanese government. Seeking asylum seems in itself to be treated with hostility and is seen as damaging Sudan's international reputation. Engagement in or affiliation to 'anti-governmental' political activity is treated particularly seriously, and as the excerpts highlight, can become a central theme during interrogation. In some cases it is evident there has been Sudanese surveillance at meetings and protests about Sudanese political issues held in the UK.

Excerpt from testimony of Mr M

[Whilst being held at Khartoum Airport] Mr M was questioned about what he had done in the UK. He was told by the officials that he had run away from Sudan to the UK to seek the UK's protection, and when the UK had failed to provide such protection they had returned him to Sudan. He was asked about Darfuri and other political opposition in the UK. He was asked how Darfuris in the UK were supporting those in Darfur financially, and specifically how rebel groups in Darfur were being funded. He was asked about his role with the party when he was in Saudi Arabia.

[Mr M was detained for one-and-a-half years in a 'Ghost House', a National Security Service House, in Khartoum, before being transferred to Kober prison, where he was held for a further two years before being released. During his detention in the Ghost House Mr M was interrogated and tortured every two to three days, each time by two or three National Intelligence Staff]. Mr M was repeatedly asked about his activities whilst in the UK. He was asked how money was being given to the rebels in Darfur from the UK and who provided funds. He was asked how the rebels got hold of weapons, and how money and weapons got into Darfuri rebel hands from Chad. He was asked about meetings in the UK; who participated in them and what was discussed at them. Mr M refused to answer these questions or answered with 'I don't know'. He was accused of being a spy for the West. [Mr M claims that he experienced similar questioning and torture in Kober prison.]

Excerpt from testimony of Badaoui Malik Badaoui.

[Mr Badaoui was detained for nine days in total in the prison which he was driven to from Khartoum International Airport]. Mr Badaoui was interrogated four times whilst in the prison and questioned by four or five people each time. During interrogations he was taken to another room where he was threatened with violence, which, he was told, was because he had returned to Sudan from Europe and that he was to be shamed for leaving Sudan. The interrogators asked him why he had returned to Sudan from a safe country. The people questioning him knew that he had attended demonstrations about the situation in Darfur while he was in the UK. Mr Badaoui had attended one demonstration at Downing Street and another outside the Sudanese Embassy. Mr Badaoui did not volunteer this information; the interrogators told him that they had videos to prove these allegations and that he could not deny them. They accused him of giving Sudan a bad reputation to Europeans and spreading lies that Sudan is killing its people.

Excerpt from testimony of Mr A.

[Following his first arrest at the airport in July 2009, Mr A spent ten days in a cell in Karfuri in a building he believed to be the NISS headquarters in Khartoum. He was questioned three to five times a day.] Mr A was questioned about why he went to Germany, and what he did there. When he responded that he emigrated to improve his living conditions, his interrogators told him that they didn't believe him, and that he didn't need to go to Germany to improve himself. Mr A was questioned about Sudanese in Germany; what they were doing there and whether they were working, studying or claiming asylum. He was told that if he wasn't honest and didn't tell them the truth, he wouldn't go to court, but that the authorities would 'make him disappear'...

[On his second arrest in November 2010, Mr A was taken to a room in the airport office. He was subjected to questioning for two hours. Two officers remained in the office questioning him throughout the interview, whilst two others came in and out of the questioning]. He was questioned about why he went to London, to which he answered that he went to accompany his mother for medical treatment. They didn't believe this and accused him of being in the UK for other purposes.

They questioned him about a meeting which he had attended at Abrar House on Edgware Road in London. He had known a government representative was at this meeting. While in London Mr A had also met with the Darfur rebel group JEM's UK leadership on the Edgware Road. He was shown photos of this and told that the photos offered proof of his political involvement. Mr A denied this, saying he had met these people on the street and because they were Sudanese he had said hello. He was told that he was lying...

[From the airport Mr A was again taken to Karfuri, where he was detained for ten days.] Mr A was questioned about whether he was still an active member of the Beja Congress, and whether he was still working for the JEM. His interrogators seemed to know about his background, and knew of his previous detention in Karfuri. They accused him of not stopping his political work.

Excerpt from testimony of Mr Y

[Mr Y was first questioned on the 9 January 2011 when two men who claimed to be from 'external security' came to visit him at the GAC headquarters.] Mr Y was told he was not formally being questioned, but that the two men would like him to answer some questions as they were collecting information.

They first asked about Mr Y's studies and then they asked Mr Y about a meeting in the UK Parliament in December 2010. [On Tuesday 30 November 2010 Mr Y had attended a meeting at the House of Lords called 'The Ticking Time-Bomb: Preventing a Return to War in Sudan', organised by Waging Peace. This meeting was about the future of the so called 'Three Areas'; South Kordofan, Blue Nile and Abyei. Kamal Kambal, the then head of the Nuba Mountains Solidarity Abroad (NMSA) spoke at this meeting.] The two men said that they had heard about the meeting in Parliament, and that the press release put out by NMSA following the meeting was a crime against the state of Sudan. During questioning, Mr Y denied that he attended the meeting and claimed he had heard about it from an article on Sudanese Online. The two men asked him who attended the meeting and Mr Y said that he did not know. Mr Y said that he was an academic, and was not interested in politics. Mr Y was questioned for two to

two-and-a-half-hours about the meeting in Parliament. The men took his mobile number and said they would call him if they wanted any more information.

[On the 16 January 2011 Mr Y was taken by force, by the two men who had visited him previously, to the National Intelligence and Security Services headquarters in Khartoum.] On this occasion the men were much more aggressive with him. They told him that they knew he took part in the meeting in Parliament and that he had to tell them the truth. Mr Y said that he was in the UK to secure a better quality of life for himself and his family; he did not go there for political reasons. They asked Mr Y specifically about Kamal Kambal. He admitted knowing Kamal Kambal, as a friend from primary school, but mentioned nothing about the meeting in Parliament. The security officers accused Mr Y of preparing a petition, as a result of the Parliamentary meeting. Mr Y denied this, though he had in fact prepared the petition together with Kamal Kambal and one other. The two men once again told Mr Y that the press release following the Parliamentary debate was considered a crime against the state.

[Mr Y was detained for three days on his own, incommunicado, and was questioned for two consecutive nights. On the first night he was questioned from 11pm throughout the night by another security officer.] He was told he was brainwashed in the UK and told that he could not call his boss in the UK now. The men repeated the same questions, asking him who attended the meeting in Parliament and who was the boss of the delegation to the Parliamentary meeting. He denied attending the meeting throughout the interrogation.

On the third day they told him he could leave. They said that they would accompany him back to his house and that they wanted to see his laptop. Once at his house they took his laptop and searched it. They said that they wanted to check the laptop thoroughly and that they would return it later. Mr Y did not get the laptop back...

[On the 5 February 2011 Mr Y was again taken to the National Intelligence and Security Services headquarters by security officers and was detained for a week.] He was once again questioned about the meeting in Parliament. Mr Y was told by the security men that they were certain that he attended the meeting, and he was asked who else attended the meeting. He was told again that the NMSA press release that

followed the meeting represented a crime against the state. Mr Y was asked why he had left Khartoum in the days previously. He explained that he was doing fieldwork. The security officers did not believe him, and kept questioning him about why he had left Khartoum so close to the date of the South's vote for secession (9 January 2011). Mr Y was asked why he was attending university and why he had a scholarship. It felt to Mr Y as if they were trying to create a backstory for him of a man who was actively anti-regime..... He was told he was sent to the UK to become human but that he would never be able to go back again. He was told that his sponsorship to study in the UK would be terminated...

Mr Y received a letter following his release, on or around the 11 March 2011, informing him that his company would no longer support him and sponsor his PhD in the UK... [Following his release Mr Y left Khartoum and travelled to the Nuba Mountains, then to Upper Nile and Juba, before returning to the UK.] On talking to his wife in Khartoum he found out that she continued to be harassed by security services who asked after Mr Y's whereabouts.

Excerpt from testimony of Mr X

[After being stopped during their journey to XXX by intelligence officers, Mr X and the two men he was travelling with were taken to offices in XXX. Here the men were taken to different offices and detained for four hours.] His interrogator asked him which tribe he was from. Mr X answered truthfully that he was Zaghawa. Mr X was asked what political group he supported before he left for the UK. He was asked how he got to England and how he obtained a British passport. Mr X answered untruthfully that he was a student, because he did not want to reveal that he had claimed asylum in the UK. He said if you were in the UK for five years without any criminal record then you received British nationality.

Mr X was asked if Abdul-Wahid (the rebel Sudan Liberation Movement leader) was his brother, since apparently they looked alike. Mr X asked why the interrogator was asking the question as he was so obviously not Abdul-Wahid's brother. Mr X is from a different tribe, and does not look similar. He was told that Darfurian rebel groups were moving through the area at the moment, from El Obeid into South Sudan.

Mr X was asked when and why he came to the area, which he answered truthfully. During the interrogation he was only asked questions about his own identity and situation, and none of the questions directed to him were about the others who were detained with him. After four hours of questioning he was told he could leave. The security officers apologised for accusing him of being Abdul-Wahid's brother and for detaining him.

Excerpt from testimony of Magdy El Bagdadhy (written in his own words)

Under interrogation Omar and I were accused of being spies, accused of inciting revolution in Sudan, and accused of sending seven million text messages to rally protests in Sudan like those in Tahrir Square in Egypt ... They questioned me about basic computer parts found with Omar and I, a network cable and some network cards. They were interested in the [telecoms] company our friend owns in Sudan and whether this company was used in anti-government activities. They found it not to be the case at all...

Omar and I were interrogated separately in each prison; the NISS and all other separate investigators came to the same conclusion. They took everything from Omar's room and mine, including my socks, underwear, childhood photos, cookbooks, absolutely everything. They checked our phone records and emails, and proved we were precisely what we said we were. There was not a single thing to indicate we were trying to start a revolution.

[Whilst being detained in Kober prison, taken to the NISS HQ for interrogation. He writes...] We were told multiple things by the NISS; that our bail was two million dollars, that we sent millions of messages to Sudan mobiles. They asked about how many times I went to Poland, and why I speak Polish and not Arabic. They claimed my mother must be of Jewish religion.

Treatment of Prisoners

The conditions and treatment of those detained in Sudanese prisons and detention centres have been widely documented and are recognised to be in breach of Article 3 of the European Convention of Human Rights. Prisoners are subjected to inhumane and degrading conditions, ill-treatment and torture, often without access to legal advice or outside communication. The following section documents the conditions and treatment of those interviewed by Waging Peace, and provides strong corroborating evidence in support of this.

The men interviewed were all detained as political prisoners, and as is evident from the testimonies, political detainees are often subject to worse conditions and treatment than those detained for non-political reasons. A theme which emerges from the testimonies is the high number of Darfurians detained as political prisoners, and that Darfurians are singled out for particularly severe and cruel treatment.

Excerpt from testimony of Mr M

[From Khartoum Airport Mr M was taken to a ‘Ghost House’, a National Security Service House, in Khartoum, where he was detained for one-and-a-half years.] He was not told why he was being detained, and he was held incommunicado. Approximately seven or eight other political prisoners were held in the Ghost House, with most staying for a few months before they were moved on; Mr M’s lengthy detention was unusual. The majority of people in the Ghost House were Darfurian, but not all, some from the South and the East of the country. All were male.

Mr M would be interrogated by two or three National Intelligence staff every two to three days, and the questioning would always involve him being tortured. His treatment by NISS got worse over time. Mr M was beaten, sometimes by hand, sometimes using a metal pipe or the butt of a rifle, all over his body including on his head. He was burnt by cigarettes on his hands and leg. Mr M was sometimes forced to stand in the heat of the sun for the entire day, and was regularly ordered to remain standing all night. Cold water was thrown on him whilst he was sleeping. He was regularly shouted at and verbally insulted. Mr M was also regularly threatened with death, as were his family and all other African Darfurians...

Mr M suffers from diabetes and needs regular insulin in order to regulate it. Whilst he was in the Ghost House he was denied medicine or was given medicine infrequently (a single tablet every two days when three tablets were required daily). He was fed on very poor quality food, once or sometimes twice daily. The sanitation in the Ghost House was very poor, with prisoners sometimes being forced to urinate in their rooms as they were prevented from going elsewhere. One prisoner died whilst Mr M was in the Ghost House.

[Mr M was moved from the Ghost House to Kober Prison near Khartoum, where he was detained for over two years in the political wing.] Mr M was imprisoned in a cell with fifteen to twenty other prisoners. He was not told why he was being imprisoned and was held incommunicado. Mr M was again subjected to interrogation and torture in the prison, though this took place with less frequency than in the Ghost House. The questioning tended to take place when significant political events occurred in Darfur. He was asked similar questions in the prison as he was in the Ghost House, and other prisoners were treated similarly. He was fed twice daily in the prison, but the food provided was inadequate. He was given insufficient treatment for his diabetes, only ten tablets to last him a time period where he would need forty tablets. His health deteriorated. [After just over two years Mr M was released without warning and without being given a reason.]

[Following Mr M's arrest in 2009 from the Kosholongo camp, Mr M was taken along with five others to a Ghost House. There were two or three others also held at the Ghost House.] Mr M was interrogated and tortured as before. He was detained for two months incommunicado and he was given no medicine for his diabetes during this time. [Mr M escaped from the Ghost House with his wife.]

Excerpt from testimony of Badaoui Malik Badaoui.

[Mr Badaoui was taken from Khartoum Airport to a nearby prison.] He was let out of the car in an underground area with no light. Mr Badaoui was then taken to a small, overcrowded room that held approximately twenty other people...

There was no toilet in the room, so he had to ask to go to the toilet and was accompanied by a policeman when he did so. The room was very messy and very dark, so he was unable to see much. Mr Badaoui states that every day the police would take three or four people from the room. Whilst he was in the room, Mr Badaoui could hear screaming coming from nearby. The police threatened him and told him the same thing would happen to him when his turn came. The police told him he would be injured or even killed. He was told that he would be killed because he had run away from death, but it had come again and it would kill him this time.

[Mr Badaoui was interrogated four times during his nine day detention at the prison, and questioned by four or five people each time.] . During interrogations he was taken to another room where he was threatened with violence... When the interrogation was over, the officers would push and beat him. He was not seriously injured in these attacks.

Excerpt from testimony of Mr A.

[Following his arrest at the airport Mr A was taken to what he believed to be the NISS headquarters in Khartoum, though his head was covered during transit.] He was held in a place that resembled a holding cell. He recalls hearing other prisoners and dogs used in torture practices. Once inside the cell the black cloth covering Mr A's face was removed. He was hit and subjected to verbal abuse....

[Mr A was held for ten days at the place he believed to be the NISS headquarters in Karfuri.] He was detained alone, though he continued to hear the sounds of other prisoners and the dogs. The cell was very small; Mr A was unable to lie down, and when sitting he was unable to extend his legs. He was questioned three to five times each day, by different officers individually.

[After ten days Mr A was transferred to Kober prison.] Mr A was taken to a cell alone and held in isolation for twenty days. The cell was small, though it was possible to lie down. The toilet was inside the cell.

Mr A was subjected to questioning, sometimes by someone who entered the cell and sat with him, other times by someone standing outside. Mr A suffered severe physical

abuse whilst held in isolation including beatings with cables and belts, and attacks by dogs. He describes the experience as ‘very terrible... worse than in Karfuri’...

There was no pattern in the time or frequency of the abuse. Mr A states he was beaten regularly, as the guards came past his cell, but that the amount of physical abuse and questioning varied each day. The severity of the torture left marks on his body. The food Mr A received also varied each day. Some days he would receive no food all day, whilst other days dry bread and tomato were thrown into his cell.

After twenty days in isolation Mr A was moved into a cell which he shared with three to four other prisoners at different times. His conditions improved, with better meals and access to the toilet once a day... He describes not talking much to the other prisoners because they came and left frequently.

Mr A was taken to a different place for questioning. The pattern of questioning and physical abuse was similar to before though less severe; he was not beaten so badly as to cause scarring. Again the frequency of questioning and abuse followed no real pattern, sometimes once, sometimes twice a day. The other prisoners in his cell were also taken away, sometimes not returning. He describes not talking much to the other prisoners because they came and left frequently.

During his final week Mr A was not taken from his cell by the guards, and was not subjected to questioning or torture. On his final day he was taken from his cell and asked to sign a document which stated he would not engage in political activities inside or outside Sudan, and that he wouldn't leave Sudan without first informing the authorities. [Mr A signed the document and left Kober prison.]

[Mr A then suffered a second period of detention and torture in 2010, following a legal visit to the UK. Mr A returned to Sudan in November 2010 voluntarily, and was again arrested at Khartoum airport, where he was subjected to 2 hours of questioning.] He was again taken by car from the airport to Karfuri, with his head covered and his hands tied behind his back. He remained there for ten days. He was detained in a very small cell alone. He did not encounter any other prisoners though he recalls hearing cars, dogs and people screaming. Mr A was again physically abused. He describes his

physical torture as ‘even worse than last time,’ with two men coming in to beat him. [After ten days Mr A was helped to escape from Kafuri and smuggled to Khartoum airport by a man who knew his brother.]

Excerpt from testimony of Mr Y

[On 16 January 2011 Mr Y was taken by force to the NISS headquarters in Khartoum.] Mr Y was detained for three days, incommunicado, unable to telephone his wife to let her know where he was. He was kept in a cell on his own and did not see or hear any other people who were detained. He was given food and water. Mr Y was questioned from 11pm throughout the night by another security officer. He was questioned for two consecutive nights.

He was verbally abused during the interrogation and was called a black African slave. He also suffered physical abuse; his hands were tied behind his back, he was slapped in the face, pushed to the ground and was stamped on. [On the third day Mr Y was informed he could leave, and was accompanied back to his house.]

[On 5 February 2011 was again taken to NISS headquarters where he was detained for one week.] During his imprisonment he was verbally abused about his political beliefs and about his Nuban heritage. He was told he was a black slave, not equal to Arabs. He was told he was sent to the UK to become human but that he would never be able to go back again. He was told that his sponsorship to study in the UK would be terminated. After a week Mr Y was released due to the intervention of the ex-Minister of Health, Dr Abdullah. Mr Y was allowed to leave subject to the conditions that he was not allowed to leave Khartoum or Sudan, and had to sign in at the security headquarters on a weekly basis... Mr Y received a letter following his release, on or around the 11 March 2011, informing him that his company would no longer support him and sponsor his PhD in the UK.

Excerpt from testimony of Magdy El Bagdadhy of his personal treatment (written in his own words) (See annex for full testimony)

[Magdy was arrested on the 14 February 2011 and was taken to the NISS headquarters in Khartoum. Magdy spent a total of sixty-six days in detention, and was detained in

four prisons. He describes in detail his first eight days of detention in the political remand wing of Kober prison.]

They put me in a room, and brought in a man my height but extremely well built, who stood behind me while I sat on a chair in the middle of the room surrounded by my interrogators. They insisted I speak Arabic, and threatened me to 'teach' me Arabic by force. The interrogators insisted that I was not British and accused me of being a Jewish spy. My hair was long at the time, and the man behind me held me by the hair during questioning and threatened to beat me... [his right hand holding] the back of my head to drive it into the table. My head was shaken so violently during the first interrogation that hair on my head tore as the man behind me demanded I speak Arabic. I was extremely distraught during this; it is humiliating to admit that I was in tears at this time... Once I said I spoke Polish I was moved to another room where the men questioned me and accused me of being a Jew. I was asked if my mother was a Jew, if she had been to Israel, if my brother had been to Israel and if I had been to Israel. The men checked my passport to see if there was any Israeli stamp, and there appeared to be much confusion between them.

On the first day I begged for the British Embassy to be alerted to prove my words. Every time I said "British Embassy" the men paused momentarily and all looked to one man, who I identify as Major Mohammed Saleh of the NISS. The man never responded quickly, but shook his head and said "No Embassy". I asked to speak with my parents or family but my request was refused. That night they kept me inside the NISS HQ under armed guard. I did not sleep, nor did I eat or drink.

By the second day I was not in the right frame of mind, I was shaking not concentrating. They watched me through glass while I sat alone in a room. They always separated Omar and I and questioned us individually...

It was on the second day Major Mohammed Saleh said we are going to be held in Political Remand in Kober prison. On this second day new men entered the room... We were taken in a small van to Kober prison and brought outside what I know now is a transfer room [where officers hand prisoners over to prison staff]. We were put against a wall outside the transfer room, and our blindfolds were removed... The first

man in sand coloured uniform then began hitting us across the throat multiple times with open hands, never hitting our faces. Both of us were shaking, we always looked at the floor... The first man told the prison officers we were spies, and to deal with us, an order from the NISS.

The handcuffs and foot cuffs were removed, we were taken into a cell where approximately fifteen men sat; some chained; some still wearing blindfolds. Inside there is no speaking or communication between prisoners and standing is not allowed. We were to sit against a wall in silence, lights on twenty-four hours a day, guards always at the windows always watching us... [That same day Magdy was taken to a different room in Kober prison, given an injection in his left arm by one man whilst others aimed automatic weapons at his genitals. He was then returned to his cell.]

The next day after sunrise, men came to the cell, blindfolded and shackled us outside the cell, and two men beat us with plastic pipes directly outside the transfer office... They beat us from behind, and made sounds as they struck us... They beat my right shoulder, the right side of my ribs, and across my right thigh. I went to the floor...[and] tried to use my cuffed arms to protect myself... The sounds from Omar being hit were more of a problem to me than the strikes on me. They beat Omar harder from the sounds and regularity of the strikes. [The physical abuse lasted for approximately ten minutes, before Magdy and Omar were taken by transport officers to a van with other prisoners.]

Inside the van they held our head on a metal bar which was across the top of the seat in front, and they struck the back of our heads to hit this bar... I was furious and I lost my temper and shouted at them for the first time. This is when the first punches came from in front of me, from the man sitting on front left passenger seat. His voice was deep and angry; he called me a Lebanese dog, and punched my collar bone on my right side. I was hit across my left cheek very hard. This was the first strike to my face.

[Omar and Magdy were taken to the NISS HQ. This process happened four times, which the same pattern of events each time; taken cuffed and blindfolded from the cell, beaten with a tin pipe for ten minutes of less by prison officers before being taken

to the transport area, then subjected to further intimidation and abuse inside the transfer van. Magdy cites that they ‘would arrive distraught for questioning’.]

On day fourth or fifth day inside Kober prison, we were held against a wall. The blindfold was removed for the first time... The officers had AK47s in their hands, standing in one line, guns aimed at the floor this time. They questioned Omar, who was violently shaking at this time. I looked at the floor and realised this was different to any other transfer. The armed men came to us, un-cuffed our hands from the front, re-cuffed them behind us... They re-blindfolded us, turned us around and pushed our heads against the wall. This is a firing squad... The senior officer shouted an order, I heard the men pleading from my right side, and the armed men approach us. A gunman pressed the muzzle of his weapon on the back of my head just above my neck... I knew all men had the same thing happen to them. The senior officer shouted an order, all men cocked their weapons at once, I heard whimpering sounds from all prisoners. There was a pause for a few minutes, complete silence from all men... This was the most intimidating moment; I could not move my muscles. I cannot explain what this feeling is. The gun never left the back of my head. The high ranking officer shouted another command, and the guns were cocked a second time. Omar said “its empty, its empty, its empty”. I did not understand. They did it a third time, cocking all weapons... There was no single word uttered by any of the gunmen.

[After some time all prisoners’ blindfolds were removed, and they were returned to their cells.] This is a mock execution that happens regularly... weekly this is what happens to political prisoners to remind them. Nine men were executed by this firing squad. Some of the men in our cell were on death-row, so they were most afraid when they were in the line ups. Mohamed Nour Khalil, Ibrahim Khalil's brother, ex-leader of the JEM was one of the men on death-row there. The nine men executed were with him, and he was deeply troubled by their deaths, awaiting his turn.

The worst beating was on the final day of these eight days. We were dragged from outside the Political Remand cell... The man who was dragging me shouted, pulling my arms [which were outstretched in front]. He stamped on my right foot with the heel of his boot. [Magdy states this caused fracture to his foot across the second and third toe area. The foot became swollen and purple. It has never healed completely,

and Magdy has not walked on it properly since. He states ‘This strike was extremely strong, I used my heel and outer side of my foot to step, and I limped there on’. Magdy’s right knee was also seriously injured; he is now unable to run and has difficulty fully extending his legs.]

No medical treatment was offered. I stayed down on the floor on my left side and struggled to defend my face and head from strikes, I was furious. I struggled enough for the shackles on my feet to cut into my skin... the left side cut into my skin from my body weight when I fell, the right Achilles tendon area was also cut from the shackle. [Scars from these cuts still remain.] I sustained two cigarette burns to my left after we stood up from these strikes. They kicked us in the testicles and hurt our forearms as we were trying to protect ourselves.

[On the eighth day Magdy and Omar were taken to the NISS headquarters, and sat in a room with a NISS officer.] Omar and I sat on chairs, I was leaning over so my head was between my knees, I held my shins, I could not walk correctly. [Magdy asked to be taken to the bathroom on four occasions as he was not feeling well. He vomited and suffered from diarrhoea. There was no questioning on this day and when the transport officers came, Magdy asked the Major of the NISS to tell the prison officers not to hurt him or Omar. The Major carried out this request. On this day the NISS apologised and did not ask for Magdy or Omar again.

Magdy sustained a further injury in the second prison he was held in. After feeling severe pains from not being given fluid, he threw a bottle of urine out of his cell. The prison officer struck his right hand which was gripping the cell bars with a padlock. The fingernail of the smallest finger came three-quarters off. He received no treatment and used toothpaste when the area became septic.]

The testimony above provides a detailed account of the treatment Magdy personally experienced. In the following excerpts Magdy gives additional testimony about the conditions and treatment of others in each of the four prisons he was held in. (See annex for full testimony.) The following excerpts describe the political remand wing of Kober prison where Magdy was first detained.

The political remand cell is the most famous cell... it is referred to as Muataqal Siyasa... We were kept blindfolded and shackled at the feet and hands anytime we were moved around... This location has lights on twenty-four hours a day, and constant armed guard. No other place I went to was remotely like that. We were moved around blindfolded and restrained, and when they removed the blindfold we were standing in front of the offices of the NISS.

The suicide rate is above half, men hang themselves in the cells. The men would tie the galabiyah (traditional dress) around the bars and their own necks and drop themselves to the floor. I did not witness this myself; I am repeating information given to me by Mohamed Nour Khalil. If someone came close to a window the guards use the pipe to strike the hands of these inmates holding the bars and order them to step back. If men try to hunger strike they chain them to the window and leave them naked for up to a month. That quickly stops their hunger strike and is a warning to the other inmates...In Kober prison, the moment the door is opened the men are blindfolded and shackled hand and foot...When prisoners were taken out of cells for interrogation, they were tortured during the transport process. They are also tortured at the NISS HQ; held over tables and lashed on their backs among other things...Anytime the officers searched the cells they would beat the most vulnerable men. Darfuri men were struck for no reason at all during these searches...If the prison guards have orders from the NISS to hurt prisoners, the men are taken from their cells into customized rooms within Kober prison where they are systematically tortured. These rooms are different to one another. In one they have a tire hung to the ceiling; a prisoner is put through the tire naked and beaten. Up to ten officers may carry out the beating, alternating when they get tired. They use customized whips and batons, electricity cables folded in half which do not break bones, just cause pain. Kober Prison also has customized ceiling fans strong enough to hold the weight of one man. The men are cuffed at the feet and suspended upside down, naked, apart from trousers which are lowered to the feet. The prison officers beat him with cables and pipes while spinning him. Electricity is used directly to soft parts of their bodies; no one admitted that this happened to them directly, they only spoke about it as a means of torture.

In Kober prison Magdy was held in a cell with others. The number of inmates varied between twelve and twenty, as men were interrogated and relocated, and new prisoners arrived. In the following excerpts he describes some of the prisoners he encountered.

The first Darfurian is Mohamed Nour Khalil, half-brother of the late Ibrahim Khalil, ex leader of the JEM. [Mohamed Nour Khalil told Magdy of the nine men who were executed in Kober prison. These men signed confession documents after being forced to either sign or face their women being gang raped by Sudanese police. The men were executed soon after signing]. My own observations are that Mohammed Nour Khalil is highly opinionated and supportive of JEM, but kept silent about things that could clearly have risked his life in that particular cell. The NISS routinely arrest him any time there is a sign of trouble in Sudan. He told me this was the third time he was held in political remand without charge, and he had been detained for nine months when I arrived. The conditions of his detention were bad. In his previous cell there was hardly any food, no clean water, and he was shackled hand and foot twenty-four hours a day. He was not beaten in the time that I was there nor was he taken out of the cell. This man was generally afraid, hardly slept, and read his holy books continuously, expecting to be shot by the guards.

[Magdy shared a cell with four Dafurians; Assamani Bashir, a politically active man from the Rizeigat tribe; and his three friends or followers Suleiman Suleimani, Youssef Awadalla and Asim. These four men were stopped trying to leave Sudan and were brought directly, without charge, to political remand.] These men were petrified; they were beaten by the NISS and prison guards, including hours of being flogged with whips and pipes while suspended from a ceiling... When prison guards changed their shifts they came to inspect the cells, they asked who these four were. The new officers shouted in surprise 'Darfur!' and took a whip folded over and beat them on the tops of their heads while they sat crouched on the floor multiple times. This happened more than once, the prison officers were very interested where people came from; Darfurians had the nastiest welcome and most attention by the officers... One day the NISS took Suleiman Suleimani from the cell,... [and] returned him to the cell later that evening. When they removed his blindfold and shackles he fell to the floor crying. They lashed him. He got angry when any of us tried to look at his wounds; three inch long marks across his entire back from whips. He was not crying from the

pain, he was very affected by the words the NISS used against him. They routinely threaten men with gang rape and murder on their women. These men will endure anything except for having their families threatened...

[Magdy encountered a group of seven men from Darfur who had been detained in Kober for a few months before he arrived.] They had bullets still in their bodies, and were beaten on these bullets and wounds... [One of the men, who could hardly walk due to a bullet wound, believed Magdy to be a doctor and asked him to remove a bullet near his groin with a shard of metal broken from an aluminium bucket in the toilet. Magdy explained he was not trained.] ... These men were beaten more regularly and harder than others. [They were taken to rooms specifically designed for torture.] [Magdy also describes a Jordanian man who had been held for three months when Magdy arrived. He had multiple marks across his back from lashings and could not see from one eye after being struck in the eye by a wooden baton used by NISS to beat prisoners across the head.

The longest detention Magdy heard of in Kober prison was of a man from the South who had been detained without charge or trial for three years.] He looked like he was dying from hunger; his body was as thin as my arm. He hardly spoke, just sat in the corner forgotten by the officers.

[Magdy also recounts hearing of children held in Kober Prison.] I was told of two ten year olds were in the cell beside mine in Kober, by an inmate in my cell who was moved between my cell and the one beside it. These two ten year olds in Kober were taken with their grandfathers and held in political remand. Inmates assumed it was because their parents were not captured yet.

Magdy does not know the name of the second prison he was held in. It was part of National Security with 'Crimes against Sudan' written above its entrance. The inmates here were primarily Sudanese from Khartoum and were detained for non-political crimes. There were no political cells and no one was subjected to torture. Prisoners were held in cells of fifteen inmates with no toilet and no fan or air conditioning.

The third prison was referred to as ‘Mubahis’ or Information Police. Individuals could be brought here for any alleged crime, and there was no political wing in the prison. As far as Magdy could tell, all prisoners were arrested within Khartoum; the reasons for arrest were all based on suspicion rather than proof or witness testimony. Magdy was detained in a cell with between six and ten men, as men left and arrived. He describes his detention as like being held in a ‘dungeon’. There was no food except one sandwich between three men at 11pm; ‘two bites each’.

Magdy described the treatment here as ‘one of the worst’. He states that prisoners were ‘consistently beaten’ when interrogated. The following excerpts give accounts of some of his experiences and the other prisoners he encountered.

The guards entered the cell and would single out one detainee and beat him in front of all other men. There was one time when truckloads of men were brought into this prison. We could see from our window seventy men chained together and beaten in a courtyard with pipes. They did this all day, and then took them inside one by one to give their Facebook and email passwords. This group was suspected of writing things against the government, they were arrested and forced to hand over their information. [Magdy encountered one other foreigner, a Pilipino lady, who was also the only woman he came across in detention.] I did not see her but I heard her clearly. One of the inmates asked a guard about the woman, the guard explained this woman’s husband was wanted for gold sales. They could not find him so they took her instead and beat her to give them information.

[Magdy shared a cell with three children who were all tortured in front of him.] One was beaten with plastic pipes by a man three times his size... This man came into the cell, locked himself in with us, held the boy on the wall with his left hand and used his right hand to beat the thighs of the boy. It lasted for a long time, and happened six times in a single day. The officer beat his thighs until I could see the stitching of the seams of his trousers as his legs swelled. The boy defecated himself, and was crying begging him to stop. Another officer entered... the second officer sat on the boy’s knees whilst the first officer beat the soles of his feet. His feet looked twice as thick after this systematic beating.

The second boy was the first boy's friend. They kept him to the side and questioned him while they beat the first boy; of course he was distraught and begged them to stop. When the first boy anticipated the beating and jerked to protect himself the officers only beat him harder... They screamed at him 'nazil eedak' to keep his arms down, and to stop him guarding himself. Then they took both boys outside to the concrete and tied their legs near their bottoms and dragged them across the concrete to cut their knees. The boys returned to the cell with blood covered knees crying. The officers later took them and hosed them while they wore their clothes.

The final boy came in alone, and was held against the bars by officers from outside. He was punched in the face many times by three officers who ordered him to drop his hands. His body was completely solid from fear... This boy was brought in two days before I left so I don't know what happened to him.

The fourth prison Magdy was detained in was Omdurman prison where he did not encounter any physical abuse.

The following excerpts from Magdy relate to the particularly severe treatment of Darfurian prisoners, referred to at the beginning of this section.

I can certainly say that the political prisoners were more severely treated in comparison to the non-political prisoners. The tribal aspect is very important to mention; as long as a man was from a place of conflict i.e. Darfur, he was certain to be continuously beaten even without reason, simply because of his origin. The majority of men in the worst places for were Darfurian. There is no trial, only incommunicado detention and arbitrary arrest.

[Magdy learnt from Mohamed Nour Khalil about the treatment of Dafurians specifically. He heard of men being sodomized by bottles whilst others were made to watch, and of men being sodomised by metal pipes; all men were Darfurian.] These men will never speak about it directly and will always avoid the subject; in Sudanese culture to speak of this subject is more than humiliating, they could outcast themselves if they spoke about it. ... They have absolutely no way to protect themselves physically or with law, they were a long way from home. I did not meet men from Darfur in the

other three prisons, only in Kober where the main political cells are. It is important to note that the political cells are for hostages taken by the NISS. The most feared place to my understanding is Kober Prison, specifically political remand (Muataqal Siyasa). I mention it a lot for this reason; the most feared location and the majority were from Darfur.

Conclusion

The testimonies compiled in this report serve as a strong reminder to the international community that arbitrary arrest, detention, and inhumane treatment continues at the hands of the Sudanese government. The testimonies reveal that individuals who have lived, received education or even just spent time in Europe, are monitored and treated with suspicion on their return to Sudan and are at risk of persecution for this reason. The ethnicity of those interviewed shows that this risk applies not only to those of Darfurian origin, but also to members of other groups.

The testimonies make very clear the significance of the international community's obligation not to return asylum seekers to persecution or to a risk of serious harm. They also illustrate the devastating consequences of our poor decisions. The UK does not afford on-going protection or post-return monitoring to failed asylum seekers once in Sudan; however, as highlighted in the testimonies, failed asylum seekers appear to be vulnerable to immediate arrest and detention upon arrival to Khartoum International Airport.

In 2007 and in 2011 Waging Peace produced reports showing major procedural inadequacies in the re-documentation procedure of Sudanese asylum seekers. Sudanese embassy officials asked asylum seekers for information which was far in excess of what was required to verify nationality and obtain travel documents, including information about the whereabouts of their family members in Sudan. Waging Peace has not received an adequate response by the UK Border Agency addressing our concerns. We hope that the testimonies here will highlight the importance of our conclusions in those reports. You can access them at

http://www.wagingpeace.info/files/200710_WagingPeaceReportHomeOfficeOctober2007.pdf

f and

http://www.article1.org/images/images/pdf/A_report_and_recommendations_on_Sudanese_re-documentation_interviews.pdf

The use of incommunicado detention and the absence of access to legal advice or outside communication mean that it can be very difficult to trace those who are detained by the Sudanese authorities. In February 2012 Mohammed, a Darfurian from the Tunjur (non-Arab Darfurian) tribe, was forcibly returned to Sudan following a failed application for asylum in

the UK. His ethnicity was verified by the leader of his tribe in the UK, the Darfur Union of the UK and Ireland, and by an independent Sudan expert. Unfortunately, it was disputed by the UK's Home Office, whom, had they conceded it, would have had to provide Mohammed with protection in the UK. Prior to his return Mohammed had been in regular contact with Waging Peace, and he promised to remain in email contact with us once he was in Sudan. Since returning Mohammed has ceased all communication, despite Waging Peace's numerous attempts to contact him. Waging Peace is unaware of his whereabouts and is deeply concerned for his safety, fearing that he may have been detained by Sudanese authorities.

For the men interviewed by Waging Peace little can be done to erase the mental and physical damage done to them by the Sudanese government. However, by documenting and sharing their experiences it is hoped that others will not have to endure similar treatment in future.

Waging Peace would like to thank all of those who have shared their testimonies with us and allowed them to be published here. We would also like to thank Catherine George and Florence Skinner who helped to write this report.

Please contact Isobel Crowther on isobel.crowther@wagingpeace.info, 020 7243 0300 for more information about the report. Waging Peace are in contact with all of the men who have provided testimony.

For further information about the work of Waging Peace please visit our website at www.wagingpeace.info. You can follow us on Twitter @WagingPeaceUK.

Annex A: Testimony of Mr M

Mr M provided his testimony to Waging Peace on 23 June 2011.

Mr M is from Al Fasher in Darfur. In August 2001, when he was thirty-three years old, he flew from Saudi Arabia, where he lived at that time, to London Heathrow. Mr M came to the UK to study computing at Loughborough University. After completing his course, Mr M claimed asylum in 2003, but his asylum claim was rejected.

In mid-January 2004 Mr M was detained following a missed court hearing due to a change of address. He was detained for a week at Oxfordshire's Campsfield House before being released. Later that year he was detained once again. In mid-July 2004 Mr M was taken from the detention centre to London Heathrow and was flown by direct flight to Khartoum, Sudan. On arrival at Khartoum International Airport Mr M was ordered not to get off the plane by members of staff. Once everyone else had left the plane he was then allowed to leave and was escorted away by two men from national security. They took him to an office within the airport. Mr M was then questioned about what he had done in the UK. He was told by the officials that he had run away from Sudan to the UK to seek the UK's protection, and when the UK had failed to provide such protection they had returned him to Sudan. He was asked about Darfuri and other political opposition activity in the UK. He was asked how Darfuris in the UK were supporting those in Darfur financially, and specifically how rebel groups in Darfur were being funded.

Mr M was moved from Khartoum airport to a 'Ghost House', a National Security Service House, in Khartoum. He spent one-and-a-half years in the Ghost House where he subjected to interrogation and torture every two to three days. He was not told why he was being detained and he was held incommunicado. Approximately seven or eight other political prisoners were held in the Ghost House with most staying for a few months before they were moved on; Mr M's lengthy detention was unusual. The majority of people in the Ghost House were Darfuri, but not all, some from the South and the East of the country. All were male.

Mr M would be interrogated by two or three National Intelligence staff every two to three days and the questioning would always involve him being tortured. His treatment by NISS got worse over time. Mr M was beaten, sometimes by hand, sometimes using a metal pipe or

the butt of a rifle, all over his body including on his head. He was burnt by cigarettes on his hands and leg. Mr M was sometimes forced to stand in the heat of the sun for the entire day, and was regularly ordered to remain standing all night. Cold water was thrown on him whilst he was sleeping. He was regularly shouted at and verbally insulted. Mr M was also regularly threatened with death, as were his family and all other African Darfuris.

Mr M was repeatedly asked about his activities whilst in the UK. He was asked how money was being given to the rebels in Darfur from the UK and who provided funds. He was asked how the rebels got hold of weapons, and how money and weapons got into Darfuri rebel hands from Chad. He was asked about meetings in the UK; who participated in them and what was discussed at them. Mr M refused to answer these questions or answered with 'I don't know'. He was accused of being a spy for the West.

Mr M suffers from diabetes and needs regular insulin in order to regulate it. Whilst he was in the Ghost House he was denied medicine or was given medicine infrequently (a single tablet every two days when three tablets were required daily). He was fed on very poor quality food, once or sometimes twice daily. The sanitation in the Ghost House was very poor, with prisoners sometimes being forced to urinate in their rooms as they were prevented from going elsewhere. One prisoner died whilst Mr M was in the Ghost House.

Mr M was then moved without explanation to Kober prison near Khartoum, where he spent over two years in the political wing of the prison. Mr M was detained in a cell with fifteen to twenty other prisoners. He was not told why he was being imprisoned and was held incommunicado. Mr M was again subjected to interrogation and torture in the prison, though this took place with less frequency than in the Ghost House. The questioning tended to take place when significant political occurred in Darfur. He was asked similar questions in the prison as he was in the Ghost House and other prisoners were treated similarly. He was fed twice daily in the prison, but the food provided was inadequate. He was given insufficient treatment for his diabetes, only ten tablets to last him a time period where he would need forty tablets. His health deteriorated.

After just over two years Mr M was released from Kober prison without warning and without being given a reason. Mr M was released on the condition that he reside in Khartoum and refrain from embarking on any political activity. He had to sign in on a weekly basis at the

security headquarters in Khartoum. During this time Mr M met other Darfuris and found out the extent of what was taking place in Darfur. Mr M left Khartoum for Darfur in violation of the agreement of his release. He spent a month living in El Fasher where he learnt that Darfuris had left the Darfurian Alliance Party, of which he had been a member, and had joined the Sudanese Liberation Movement (SLM). He subsequently joined the SLM.

Mr M tried to track down his family and learnt that his brothers had been killed. He learnt that NISS were working both inside and outside the camps detaining people. Mr M moved South of Nyala to a camp called Kosholongo. He stayed there for a year-and-a-half, and it was here that he met his now wife whom he married in 2009. Whilst he was there he took part in undercover political work. He was captured by NISS at a political meeting in the camp in 2009. He and his wife were taken by car to near Nyala, where they were held in separate Ghost Houses. The NISS knew who he was, and asked why he had left Khartoum. Five others were taken with Mr M, and there were an additional two or three people detained in the Ghost House with them. Mr M was interrogated and tortured as before. He was asked what his activities were in the camp. He was detained for two months incommunicado and he was given no medicine for his diabetes during this time.

Mr M escaped from the Ghost House with his wife when NISS attempted to move them elsewhere; they were ambushed and freed by the SLM. Mr M went to a rebel area near Hascanita for a couple of days before moving on to Omderman. By this stage Mr M was extremely ill from his untreated and uncontrolled diabetes. One of SLM members found him a doctor who provided him with insulin. He stayed a while in Omderman before organising to come to the UK, whereupon he would claim asylum once again. The rebel group SLM paid for his documents and tickets for himself and his wife to travel. His wife was pregnant by this stage.

Mr M flew to London's Heathrow airport and claimed asylum in Croydon. His asylum claim is still pending and he does not yet have status in the UK. His diabetes has affected his vision and he has undergone surgery in order to help it.

Annex B: Testimony of Badaoui Malik Badaoui

Mr M provided his testimony to Waging Peace on 20 October 2011 at Detention IRC Campsfield House, Oxfordshire.

Mr Badaoui is Darfurian from the Fur tribe. He left Darfur in 2008 and made his way to the UK via Libya and Italy. He arrived in the UK on 22 January 2010 but was removed on 7 July 2011 to Italy, where he had previously been fingerprinted. In Italy, he was homeless and destitute and decided he would be better off in Sudan. With the help of an Italian charity, he collected the funds necessary for a flight back to Sudan and flew to Khartoum on 27 July 2011. He had no passport, but instead used photographic identification documents from the Sudanese embassy in Italy that confirmed his name and date of birth.

While standing in the immigration line in Khartoum International Airport, he was approached by six or seven border security guards. When he confirmed his identity they took him to a small room in the airport. They took his travel document and told him they did not care about it; they only cared about him. There was one other person in the room with him: a Darfurian who had arrived from France. Mr Badaoui was kept in the cell for eight or nine hours before six policeman arrived. The officers handcuffed his hands behind his back, blindfolded him and led him to a car.

Fifteen to twenty minutes later, the car arrived at a nearby prison. He was let out of the car in an underground area with no light. Mr Badaoui was then taken to a small, overcrowded room that held approximately twenty other people, many of whom had recently returned from Europe. Two of them said they had been in France, and two or three others said they had been in Holland. All of the prisoners had been arrested at the airport.

There was no toilet in the room, so he had to ask to go to the toilet and was accompanied by a policeman when he did so. The room was very messy and very dark, so he was unable to see much. Mr Badaoui states that every day, the police would take three or four people from the room. Whilst he was in the room, Mr Badaoui could hear screaming coming from nearby. The police threatened him and told him the same thing would happen to him when his turn came. The police told him he would be injured or even killed. He was told that he would be

killed because he had run away from death, but it had come again and it would kill him this time.

Mr Badaoui was interrogated four times whilst in the prison and questioned by four or five people each time. During interrogations he was taken to another room where he was threatened with violence, which he was told was because he had returned to Sudan from Europe and that he was to be shamed for leaving Sudan. The interrogators asked him why he had returned to Sudan from a safe country. The people questioning him knew that he had attended demonstrations about the situation in Darfur while he was in the UK. Mr Badaoui had attended one demonstration at Downing Street and another outside the Sudanese Embassy. Mr Badaoui did not volunteer this information; the interrogators told him that they had videos to prove these allegations and that he could not deny them. They accused him of giving Sudan a bad reputation to Europeans and spreading lies that Sudan is killing its people. When the interrogation was over, the officers would push and beat him. He was not seriously injured in these attacks.

Mr Badaoui learnt from other people in the room that on the tenth day of his detention, he would be transferred to another jail. On the ninth day, Mr Badaoui was approached by a Darfurian colonel who worked in the jail and offered to help Mr Badaoui attempt to escape in exchange for money. The colonel said that he did not know what happened to people once they were transferred from the jail but he could help Mr Badaoui by ringing his family and organising an escape plan with them. The colonel stressed that the next day was Mr Badaoui's last day in jail and the only chance for the colonel to help.

The colonel asked for three thousand Euros to arrange with Mr Badaoui's family his escape. Mr Badaoui had saved money whilst he was in Europe and had sent it to his family whilst he was in Italy. Calling from the colonel's office, Mr Badaoui spoke to his family. They were upset with him for returning to Sudan; his uncle told him there was no reason for him to have come back. Mr Badaoui told his family that it was up to them whether to help him get out of jail or leave him and keep the money. The money he had given them from Italy was a great deal and it was their decision whether to use it to pay the colonel or not. Mr Badaoui's family agreed with the colonel to get Mr Badaoui out of jail and out of Sudan.

The following day, the day of transfer, sixty people were waiting to be taken to another jail with. Mr Badaoui recalls that there were lots of police and security personnel watching the prisoners. Their attention was focussed on the people being transferred, and not on other matters. In order not to be noticed, Mr Badaoui was taken to clean the toilets and office, a job performed by selected prisoners every day. He was told to go out through a small door behind the building and to hide in the boot of the colonel's car. He waited for about ten minutes before the colonel came and drove the car away. They drove for about twenty minutes before Mr Badaoui was taken to an unknown house where he showered, changed into new clothes and completed the necessary paperwork in order to go to Egypt.

The same day Mr Badaoui was put on a flight from Khartoum to Cairo at 18:30. He was given the passport of someone who looked similar to him. The name on the passport was Tier Alex Kafi Castle. From Egypt, Mr Badaoui travelled to France where he was fingerprinted. He hid in a lorry to get to the UK and arrived here at the beginning of October 2011.

Annex C: Testimony of Mr A

Mr A provided his first testimony to Waging Peace on 6 February 2012 in Arabic. Abla O'Callaghan translated. He gave a second testimony on 21 February 2012 with Ramy Taha acting as translator.

First Testimony

Mr A is from Beja in Eastern Sudan. He has been a member of the Beja Congress since 1999.

Mr A claimed and was refused asylum in Germany in 2009. He was returned to Sudan in July 2009, on a flight from Frankfurt to Khartoum via Doha. Upon arrival Mr A was told to remain on the plane because he didn't have a passport or travel document, merely a piece of paper saying he had to leave Germany. He was made to wait until everyone else had left the plane, then two uniformed police came, whilst two plainclothes policemen waited outside the plane. Mr A was asked to confirm his name, which he did. The police took the paper he had from Germany from the air hostess and escorted him off the plane. He was allowed to walk normally in the presence of the other people at the airport, but was taken directly to an office within the building.

Once inside his face was covered with a black cloth. He was still accompanied by the four individuals who had intercepted him on the plane. Mr A was subjected to verbal abuse at this point, and things were done without any explanations being given. Mr A states that he does not know how he left the airport as his face was covered. He reports that he was taken to Karfuri with the same four individuals from the plane. He was taken to a building near Khartoum's embassies which he believes to be the National Intelligence and Security Services (NISS) headquarters.

He was held in a place that resembled a holding cell. He recalls hearing other prisoners and dogs used in torture practices. Once inside the cell the black cloth covering Mr A's face was removed. He was hit and subjected to verbal abuse. Mr A was questioned about why he went to Germany, and what he did there. When he responded that he emigrated to improve his living conditions, his interrogators told him that they didn't believe him, and that he didn't need to go to Germany to improve himself.

Second Testimony (continued from the first)

Mr A was questioned about Sudanese in Germany; what they were doing there and whether they were working, studying or claiming asylum. He was told that if he wasn't honest and didn't tell them the truth, he wouldn't go to court, but that the authorities would 'make him disappear'. Mr A was held for ten days in the building. He was detained alone, though he continued to hear the sounds of other prisoners and the dogs. The cell was very small; Mr A was unable to lie down, and when sitting was unable to extend his legs. He was questioned three to five times each day, by different officers individually.

After ten days Mr A was transferred to Kober prison. He was taken the same way as before, with his face covered and his hands tied. The journey was approximately fifteen minutes by car. Once inside Kober prison Mr A was taken to a cell alone and held in isolation for twenty days. The cell was small, though it was possible to lie down. The toilet was inside the cell.

Mr A was subjected to questioning, sometimes by someone who entered the cell and sat with him, other times by someone standing outside. Mr A suffered severe physical abuse whilst held in isolation including beatings with cables and belts, and attacks by dogs. He describes the experience as 'very terrible... worse than in Karfuri'. All the time he was questioned about Germany; which city he had been in and how many Sudanese people were there. He was told applying for asylum gives Sudan a bad name.

There was no pattern in the time or frequency of the abuse. Mr A states he was beaten regularly, as the guards came past his cell, but that the amount of physical abuse and questioning varied each day. The severity of the torture left marks on his body. The food Mr A received also varied each day. Some days he would receive no food all day, whilst other days he was fed dry bread and tomato were thrown into his cell.

After twenty days in isolation Mr A was moved into a cell which he shared with three to four other prisoners at different times. His conditions improved with better meals and access to the toilet once a day. He talked to two men during his time in the cell. Both men were members of the rebel Justice and Equality Movement from Darfur, who had been in Europe and claimed asylum. Mr A claims not to be sure which country they had come from, though he believed one to have come from the UK. He knows the name of a further man who shared his

cell, but he felt he could not disclose his name without the man's consent. He describes not talking much to the other prisoners because they came and left frequently.

Mr A was taken to a different place for questioning. The pattern of questioning and physical abuse was similar to before though less severe; he was not beaten so badly as to cause scarring here. Again the frequency of questioning and abuse followed no real pattern, sometimes once, sometimes twice a day. The other prisoners in his cell were also taken away, sometimes not returning.

During his final week Mr A was not taken from his cell by the guards, and was not subjected to questioning or torture. On his final day he was taken from his cell and asked to sign a document which stated he would not engage in political activities inside or outside Sudan, and that he wouldn't leave Sudan without first informing the authorities. Mr A spoke with his brother's friend who worked for the NISS. He told him that he wanted to go to Egypt to seek medical treatment at an Egyptian hospital but that he had signed the paper saying he would not leave. Mr A was told by this NISS official that it would not be a problem for him to go to Egypt for a hospital visit, and Mr A subsequently left with his sister.

In September 2010 Mr A visited the UK legally. He stayed in the UK for two months with his brother who lived in the UK, and visited his mother who was receiving hospital treatment in the UK. Mr A voluntarily returned to Sudan in November 2010. At Khartoum Airport he disembarked, entered the airport, and queued at the immigration desk. When immigration control looked at his passport he was ordered to wait. His mother was told she could go but that they needed to ask Mr A some questions, and afterwards he would be able to go home. Mr A waited for five to ten minutes before two plain clothes men took him to a room in the airport office.

The officials asked him if he had any documents, to which he replied he had nothing. They showed him photographs of his attendance at a meeting. He was questioned about why he went to London, to which he answered that he went to accompany his mother for medical treatment. They didn't believe this and accused him of being in the UK for other purposes.

They questioned him about a meeting which he had attended at Abrar House on Edgware Road in London. He had known a government representative was at this meeting. Whilst in

London, Mr A had also met with the Darfurian rebel group the Justice and Equality Movement's UK leadership on the Edgware Road. He was shown photos of this meeting and told that the photos offered proof of his political involvement. Mr A denied this, saying he had met these people on the street and because they were Sudanese he had said hello. He was told that he was lying. Mr A was interviewed at the airport for two hours. During the questioning two men remained in the office with him the whole time, whilst two others entered and left.

Later that day Mr A was taken to Karfuri. He was again taken by car from the airport to Karfuri with his head covered and his hands tied behind his back. He remained there for ten days. He was detained in a very small cell alone. He did not encounter any other prisoners though he recalls hearing cars, dogs and people screaming. Mr A was again physically abused. He describes his physical torture as 'even worse than last time' with two men coming in to beat him. He was questioned about whether he was still an active member of the Beja Congress, and whether he was still working for the JEM. His interrogators seemed to know about his background, and knew of his previous detention in Karfuri. They accused him of not stopping his political work.

After nine days in Karfuri, a man wearing National Security clothes rather than prison uniform spoke to Mr A. This man knew Mr A's name and was nice to him. The man helped Mr A to call his brother who told Mr A to trust this man because they were friends. The man told Mr A he wanted to offer his help and would come back tomorrow. He came the next day and took Mr A from his cell to a car which took them both to Khartoum airport. Mr A was smuggled into the airport and instructed to wait in an office inside the airport, which he did for two hours. The man told Mr A that he had to leave Sudan as it was dangerous for him, and that he would be put on a plane to London. Mr A flew to London, taking a different route to that which passengers normally would. He claimed asylum in the UK on the 22 November 2010. His claim was refused on 17 January 2012, and his appeal rejected on 6 March 2012. He is currently living in s4 accommodation in Manchester.

Annex D: Testimony of Mr Y

Mr Y provided his first testimony to Waging Peace on 6 February 2012. Mr Y now has refugee status in the UK.

Mr Y was studying for a PhD in the UK at the University of Wales. His studies were being funded by the GAC which is part-owned by the Sudanese government.

Whilst in the UK Mr Y attended three demonstrations to protest about the situation in Sudan. Two of which were outside Downing Street to call upon the UK government to push for a peaceful implementation of the Comprehensive Peace Agreement and one was outside the Sudanese embassy during the 2010 Sudanese Presidential election. On Tuesday 30 November 2010 Mr Y attended an event at the House of Lords called ‘The Ticking Time-Bomb: Preventing a Return to War in Sudan’ which was organised by Waging Peace. This meeting was about the future of the so called ‘Three Areas’, South Kordofan, Blue Nile and Abyei. Kamal Kambal, the then head of the Nuba Mountains Solidarity Abroad (NMSA) spoke at this meeting.

Mr Y returned to Sudan on 6 January 2011 in order to carry out field work as part of his studies. His family lived in Khartoum. He had no problems entering Sudan.

On 9 January 2011 whilst Mr Y was working at the GAC headquarters in Khartoum two plain-clothed people came to see him there. They said they were from ‘external security’ and produced identification to that effect. They told Mr Y that they had they were not formally questioning him but would like him to answer some questions as they were collecting information.

They first asked about Mr Y’s studies and then they asked Mr Y about a meeting in the UK Parliament in December 2010. The two men said that they had heard about the meeting in Parliament, and that the press release put out by NMSA following the meeting was a crime against the state of Sudan. During questioning, Mr Y denied that he attended the meeting and claimed he had heard about it from an article on Sudanese Online. The two men asked him who attended the meeting and Mr Y said that he did not know. Mr Y stated he was an academic, and was not interested in politics. My Y was questioned for two to two and a half

hours about the meeting in Parliament. The men took his mobile number and said they were to call him if he had any more information.

On the 16 January one of the security men who questioned him a week earlier phoned Mr Y and told him that they would return to see him at the company. They came back and took him by force to the National Intelligence and Security Services headquarters in Khartoum, near to the Christian Graveyard, Army Road.

On this occasion the men were much more aggressive with him. They told him that they knew he took part in the meeting in Parliament and that he had to tell them the truth. Mr Y said that he was in the UK to secure a better quality of life for himself and his family; he did not go there for political reasons. They asked Mr Y specifically about Kamal Kambal. He admitted knowing Kamal Kambal, as a friend from primary school, but mentioned nothing about the meeting in Parliament. The security officers accused Mr Y of preparing a petition, as a result of the Parliamentary meeting. Mr Y denied this, though he had in fact prepared the petition together with Kamal Kambal and one other. The two men once again told Mr Y that the press release following the Parliamentary debate was considered a crime against the state.

Mr Y was detained for three days, incommunicado, unable to telephone his wife to let her know where he was. He was kept in a cell on his own and did not see or hear any other people who were detained. He was given food and water. Mr Y was questioned from 11pm throughout the night by another security officer. He was questioned for two consecutive nights.

He was verbally abused during the interrogation and was called a black African slave. He also suffered physical abuse; his hands were tied behind his back, he was slapped in the face, pushed to the ground and was stamped on. He was told he was brainwashed in the UK and told that he could not call his boss in the UK now. The men repeated the same questions, asking him who attended the meeting in Parliament and who was the boss of the delegation to the Parliamentary meeting. He denied attending the meeting throughout the interrogation.

On the third day they told him he could leave. They said that they would accompany him back to his house and that they wanted to see his laptop. Once at his house they took his

laptop and searched it. They said that they wanted to check the laptop thoroughly and that they would return it later. Mr Y did not get the laptop back.

Mr Y stayed at home for the next few days, scared. He messaged Kamal Kambal from NMSA and Louise Roland-Gosselin at Waging Peace. Kamal Kambal contacted the then Minister of Health, Dr Abdullah, who was SPLM. The Minister of Health got in touch with Mr Y and advised him to leave Khartoum and go and stay with his relatives in the Nuba Mountains out of harm's way. Mr Y decided to try to finish his field work quickly so that he could return to the UK. As part of his work he was meant to visit six gum Arabic plantations; three in the West and three in the East of the country. He went to a plantation in El Gedarif, in Eastern Sudan, where he stayed and carried out his work for a day and a half before returning to Khartoum.

On Saturday 5 February two security men, one of whom had come the previous time, arrived at Mr Y's house, telling him that he had to go with them. Once again he was taken to the National Intelligence and Security Services headquarters and was imprisoned in a cell where he was detained for a week.

He was once again questioned about the meeting in Parliament. Mr Y was told by the security men that they were certain that he attended the meeting, and he was asked who else attended the meeting. He was told again that the NMSA press release that followed the meeting represented a crime against the state. Mr Y was asked why he had left Khartoum in the days previously. He explained that he was doing fieldwork. The security officers did not believe him, and kept questioning him about why he had left Khartoum so close to the date of the South's vote for secession (9 January 2011). Mr Y was asked why he was attending university and why he had a scholarship. It felt to Mr Y as if they were trying to create a backstory for him of a man who was actively anti-regime.

During his imprisonment he was verbally abused about his political beliefs and about his Nuban heritage. He was told he was a black slave, not equal to Arabs. He was told he was sent to the UK to become human but that he would never be able to go back again. He was told that his sponsorship to study in the UK would be terminated.

After a week Mr Y was released due to the intervention of the ex-Minister of Health, Dr Abdullah. Mr Y was allowed to leave subject to the conditions that he was not allowed to leave Khartoum or Sudan, and had to sign in at the security headquarters on a weekly basis. Mr Y returned to his family who had not been harmed during his detention. His wife had assumed he had been taken by the security services again. Mr Y received a letter following his release, on or around the 11 March 2011, informing him that his company would no longer support him and sponsor his PhD in the UK.

Mr Y met with Dr Abdullah who told him that due to the increasing tensions between the NCP and the SPLM his power within government was on uncertain ground and that he may not be able to help Mr Y again. He advised Mr Y to leave Khartoum and to go to his relatives in the Nuba Mountains, where he would have SPLM protection. Mr Y followed this advice. Dr Abdullah lent Mr Y his car which offered diplomatic immunity and enabled him to enter the Nuba Mountains. He stayed with his mother there.

Tensions were high in the Nuba Mountains at this time as elections for governor of the state were about to take place. Mr Y became involved in the election campaign working with a small organisation which encouraged people to vote. He was able to use a computer and was put in charge of tabulating results. Following the election, tension in the Nuba Mountains increased and on the 4-5 June 2011 war broke out. Mr Y was staying in Kadugli at the time with his cousin who ran a radio station in South Kordofan. Mr Y's brother, an SPLM officer, rang and told Mr Y that he must leave Kadugli as it was going to be attacked by SAF.

Mr Y and his cousin took shelter in the mountains at night in order to avoid bombings. Houses in Kadugli were being looted; Mr Y's brother's house was looted. He talked to his auntie who had a child and they decided to leave Kadugli. They fled to a small village nearby where they found a man who had been taught by their uncle who agreed to let them stay with him. From the village they went to the UNMIS camp outside Kadugli where IDPs were gathering. Security officials were visiting the camp and Mr Y and his cousin were worried about their safety as Mr Y's cousin was the media advisor for Abdul Aziz's campaign, and thus was likely to be a target. They decided to leave the camp, leaving behind Mr Y's auntie and her child. They smuggled themselves out of the camp hiding under women's clothes in the middle of the night.

Mr Y's cousin worked with the UNAMIS head in Lewait North of Kadugli. They called him and he told them he would be able to get them on a flight to Juba. They went to the UNAMIS office which was near to the airport. There was a high security presence. Their journey from the camp to the UNAMIS office was perilous with numerous checkpoints, and they could see people being shot and killed by the Police Reserve Forces. They went with the UNAMIS head to his relative's house. The head received a phone call and was told that the security services were searching houses and that they had to leave. They paid three-hundred Sudanese pounds for a private car to get out of Lewait into Kosti in White Nile; from there they took public transport to get to Upper Nile in the Republic of South Sudan. They adopted fake South Sudanese names in order to do this as they thought it would offer them greater protection.

In Upper Nile in South Sudan they went to see the State Commissioner who provided them with food and accommodation. They warned the commissioner that lots of refugees would be on their way fleeing the violence in the Nuba Mountains. Mr Y and his cousin were early arrivals in Upper Nile, within two days a further forty people had arrived. Whilst in Upper Nile they met with Alasdair McPhail, the UK's ambassador to the Republic of South Sudan, and with Brian Jones, the UK's representative to RoSS from Dfid; both were there to visit IDPs and refugees. Mr Y informed them of what was happening in Kadugli. They told Mr Y that they would help him in Juba.

From where they were in Upper Nile they got a bus to the capital Malakal and then UNAMIS took them to Juba. It was in Juba that Mr Y emailed Olivia Warham at Waging Peace. Whilst they were there Mr Y gave information to and worked with various NGOs such as the Sudan Sentinel Project and Amnesty International. From Juba they went to Yida refugee camp in Unity State, there they would see SAF Antonovs flying overhead daily. Abductions of intellectuals were taking place in the camp by Southern militias supported by the Sudanese government attempting to push the people from the camp back to the Nuba Mountains. Mr Y and his cousin then returned to Juba and Mr Y flew on to the UK where he still had a current student visa. He later claimed asylum in Croydon. His cousin is still in Juba, operating a radio station for Unity state.

On talking to his wife in Khartoum he found out that she continued to be harassed by security services who asked after Mr Y's whereabouts. His wife and three children are planning to

move to RoSS where they think that they will be safer pending the decision on Mr Y's asylum claim in the UK.

Annex E: Testimony of Mr X

Mr X provided his testimony to Waging Peace on 16 March 2012.

Mr X is Darfurian, from the Zaghawa tribe. He claimed asylum in the UK in 2004 and was granted indefinite leave to remain in the UK in March 2010. After one year he applied for British citizenship and obtained a British passport in June 2011. Mr X obtained a tourist visa for Sudan from the Sudanese embassy in London and flew from the UK to Khartoum. Mr X experienced nothing untoward at Khartoum airport. He was told he should obtain a five year entry visa, which he got two days later at the Office of Foreign Affairs in Khartoum. This cost 935 Sudanese pounds.

After obtaining the visa Mr X took a bus from Khartoum to El Obeid in South Kordofan. He was met from the bus by some of his relatives. He then took a bus to the small town of XXX [redacted at Mr X's request] where some of his family live. He stayed in XXX for the next two days. He stayed in XXX for a couple of days before returning to El Obeid where he was visited by his friends.

After another couple of days he went back to XXX again in a taxi with two friends. Whilst they were driving the taxi driver received a phone call and it appeared that he was asked 'Where are you now?' to which the taxi driver responded 'On the way to XXX'. Mr X assumed that this was National Intelligence on the phone. Following the phone call Mr X and his friends grew suspicious and realised that the same car had been following them since they set off on their journey. Ten minutes after the phone call ended, however, the car behind them disappeared. Mr X presumes this was because the National Intelligence now knew that they were heading to XXX and therefore did not need to trail them.

About half way through the journey they were stopped from driving any further by a car parked in the middle of the road cutting off their path. Three men were in the other car. Mr X and his friends were asked to get out of the taxi and were asked for their ID. Before handing their IDs over, Mr X asked what authority the men had to demand their identification. They said that they were intelligence officers from XXX. Mr X and his friends gave over their IDs. Mr X's ID was a British driving licence. He was asked what it was and he told them.

They were asked to pay for the taxi and to go with the intelligence officers in their pickup truck, which they did. They were taken to offices in XXX, where there were people waiting for them to arrive. On arrival they were separated, being taken to different offices. They were detained for four hours.

Mr X was asked what he was doing on the road from El Obeid to XXX. He explained that he was on his way to XXX to visit his relatives. He explained that he had been granted a visa in London and he had obtained a second visa whilst in Sudan. He explained that these gave him the right to travel to this area, and that he was not in contravention of any travel restrictions. Mr X asked why he had been followed and why he was being questioned. He said that he had no useful information for the security officers.

His interrogator asked him which tribe he was from. Mr X answered truthfully that he was Zaghawa. Mr X was asked what political group he supported before he left for the UK. He was asked how he got to England and how he obtained a British passport. Mr X answered untruthfully that he was a student, because he did not want to reveal that he had claimed asylum in the UK. He said if you were in the UK for five years without any criminal record then you received British nationality.

Mr X was asked if Abdul-Wahid (the rebel Sudan Liberation Movement leader) was his brother, since, apparently they looked alike. Mr X asked why the interrogator was asking the question as he was so obviously not Abdul-Wahid's brother. Mr X is from a different tribe, and does not look similar. He was told that Darfurian rebel groups were moving through the area at the moment, from El Obeid into South Sudan.

Mr X was asked when and why he came to the area which he answered truthfully. During the interrogation he was only asked questions about his own identity and situation, and none of the questions directed to him were about the others who were detained with him. After four hours of questioning he was told he could leave. The security officers apologised for accusing him of being Abdul-Wahid's brother and for detaining him.

The following day Mr X returned to El Obeid. He then went on to Khartoum by bus. Ten minutes into his journey the bus stopped and a member of the National Intelligence and Security Service got. Mr X had not seen this man before. The man asked 'Who is Mr X?'. Mr

X put his hand up and identified himself. The NISS agent then left the bus and the bus continued to Khartoum.

When in Khartoum, Mr X told his friends and family members what had happened to him. They recounted anecdotes about others who had come back from America or Europe and had encountered similar problems, including stories of Darfurians who had disappeared on their return.

Mr X then flew from Khartoum to Nyala in Darfur. He was told not to leave his house after 7-8pm or to go out alone in public as he may be a target. Mr X was paranoid whilst he was there due to his experience in South Kordofan. When asked how security services had found him travelling between El Obeid and XXX, Mr X said he didn't know but that he thought that he was tracked from arrival. At Khartoum airport you have to give an address where you will be staying and Mr X had provided a false address.

Annex F: Testimony of Magdy El Baghdady

Mr El Bagdadhy provided two separate testimonies to Waging Peace. The first takes a question and answer format and details his experiences across four detention centres during his sixty-six days of detention. This was given to Waging Peace on the 1 March 2012. The second is a personal account of his treatment during the eight days he was held in the political wing of Kober prison, immediately following his arrest.

First Testimony

a) Background

Q1) What brought you to Khartoum?

Our family owned a restaurant in Holborn, my father and mother are chefs and we had a successful business. My father became blind from a failed cataract operation; my parents got divorced soon after. We sold the restaurant and I became his carer for six years. My father decided he wanted to spend his last days with his family in Egypt and I went with him to Egypt to help him stabilize. My father remarried an Egyptian lady which freed me from my duties as carer.

I did not accept that my father went to Egypt with nothing left to do, so my brother, an English teacher in Alexandria, Egypt, and I decided we would establish a small sustainable restaurant in Tanta, Egypt for him to run. Large profits were not important; the aim was to provide him with something to fill his time so as to avoid depression. Once complete I planned to return home to the UK. Unfortunately Egypt was not the right place for business, after some failure, so we looked to Sudan. What attracted me to Sudan was that the currency of Sudan is three times stronger than Egypt. Also I had good friends there which reassured me that we could not be conned, in particular I went to school with some of the Al Mahdi family in London.

Sadiq Al Mahdi is the two time former Prime Minister of Sudan. I know his nephew, Omar Habani Al Mahdi, very well. Omar was taken to political prison with me. The Al-Mahdi

family has always opposed Bashir's government; their family is regularly detained in Kober. For background on the importance of this family, there is actually a film with Lawrence Olivier and Charlton Heston called Khartoum (1966). The man who Lawrence Olivier plays is Omar's great grandfather, Al Mahdi.

Omar and I know many successful people in Egypt and Sudan who owned telecoms companies, property businesses, farms, internet providers and restaurants. We also intended to explore the telecoms market alongside the restaurant work to see if we could do some more technical work in the future. Our intention was to initially open a small mobile bus restaurant, and serve food in Khartoum and Bahri, then bring the leftovers to Omdurman. We researched it well, the most successful restaurant businesses in Khartoum are actually owned by British people from Hounslow, namely Solitaire. The majority of customers are UN workers and young people throughout the evening. The richer youth in Khartoum normally pick up some food after sunset and head off to quiet areas to relax with their partners. Omar knew these areas well, so we thought it would be wise to drive there directly and serve the higher quality food to make a name for ourselves before expanding. Once set up, the restaurant would provide an income for my father and something to occupy his mind, as opposed to him feeling defeated by blindness. Omar was unemployed in Sudan at the time so was very interested in the idea which we would have funded completely.

Q2) How do you think that the security services heard about you? Why do you imagine that you were targeted?

I arrived in Sudan twenty-four hours after the Egyptian revolution began, on 27 January 2011. I stayed in the Mahdi house. I was arrested on the 14 of February 2011, just over two weeks into my stay. From their interrogations, we understand that the NISS suspected that we are preparing to begin a revolution through telecoms; they accused us of sending seven million text messages to unite people like in Tahrir Square in Egypt. Just before the arrest we spoke openly about our admiration for the Egyptians, and said we hoped for the same in Sudan. We spoke openly, regardless of who was with us at the time. We also spoke about telecoms companies that we know existed and were interested in. We met many people in his home per day as the family are well known and respected. We suspect among these people was a police informant who must have misunderstood our conversations. It has been over one year, we can speculate as much as we like but we still are unsure of the precise reason.

Q3) Did you hear about others being targeted/arrested around this time?

I only heard of four UN workers being kidnapped by the NISS. These workers were Sudanese. The UN never intervened as China in the UN Security Council prevents any UN intervention in Sudan. Had they been foreign workers I assume it would have been better reported.

b) Prison Inmates

Q1) Can you tell me about some of the other the inmates you encountered? Where were they from?

The inmates in Political Remand in Kober:

The first Darfurian is Mohamed Nour Khalil, half-brother of the late Ibrahim Khalil, ex leader of the JEM. The nine men I mentioned that were forced to sign confession documents or face their women being gang raped by Sudanese police were also from Darfur. They signed the documents and were executed soon afterwards, Mohammed Nour Khalil told me about it himself. My own observations are that Mohammed Nour Khalil is highly opinionated and supports the JEM, but kept silent about things that could clearly have risked his life in that particular cell. The NISS routinely arrest him any time there is a sign of trouble in Sudan. He told me this was the third time he was held in political remand without charge, and he had been detained for nine months when I arrived. The conditions of his detention were bad. In his previous cell there was hardly any food, no clean water, and he was shackled hand and foot twenty-four hours a day. He was not beaten in the time that I was there nor was he taken out of the cell. This man was generally afraid, hardly slept, and read his holy books continuously, expecting to be shot by the guards.

The four Darfurians who protected me were called Suleiman Suleimani, Assamani Bashir, Youssef Awadalla and Asim (I don't remember his surname). Assamani Bashir was a politically active man whose family is also active in Darfur. He is from the Rizeigat tribe, he spoke English well. The other three men were his friends/followers. These men were petrified; they were beaten by the NISS and prison guards, including hours of being flogged

with whips and pipes while suspended from a ceiling... When prison guards changed their shifts they came to inspect the cells, they asked who these four were. The new officers shouted in surprise 'Darfur!' and took a whip folded over and beat them on the tops of their heads while they sat crouched on the floor multiple times. This happened more than once, the prison officers were very interested where people came from; Darfurians had the nastiest welcome and most attention by the officers. These four men were stopped trying to leave Sudan with a few pounds in their pockets, and brought directly without charge to political remand. One day the NISS took Suleiman Suleimani from the cell; the other three were left behind. They sat in silence until the officers returned him to the cell later that evening. When they removed his blindfold and shackles he fell to the floor crying. They lashed him. He got angry when any of us tried to look at his wounds; three inch long marks across his entire back from whips. He was not crying from the pain, he was very affected by the words the NISS used against him. They routinely threaten men with gang rape and murder on their women. These men will endure anything except for having their families threatened. He sat against the wall in tears; we all remained quiet in respect to him.

A group of seven men from Darfur, they were young, all no more than twenty-three years old. They had bullets still in their bodies, and were beaten on these bullets and wounds. They were there for a few months before I got there. One of them thought that because I am British I must be a doctor, and insisted for me to remove the bullet near his groin. He broke off a shard of metal from an aluminium bucket in the toilet. I explained I had no idea how to, plus the shard of metal was filthy; the wound would have probably got infected. He could barely walk. These men were beaten more regularly and harder than others. There are rooms specific for torture depending on what is requested by the NISS. These are the rooms these men were taken to. During transfer is the other form of systematic beating.

A Jordanian man called Firas was held in this cell for three months before I arrived. He said he could not see in one eye because of beatings by the NISS. They used wooden batons to beat the top of his head, and on one occasion the baton missed his head and struck his eye. It was clear for us to see the eye was damaged. He had multiple marks across his back from recent lashing just before I arrived, some were black in colour. He was treated with disrespect by the prison officers; he was never taken out for questioning while I was there.

There was one man from the south (I don't remember from where or what his name was). I was told he was there for three years, no charge or trial. He looked like he was dying from hunger, his body was as thin as my arm. He hardly spoke, just sat in the corner forgotten by the officers.

The best treated man was called Mohamed Babo. He was an extremist who made it unnecessarily difficult for me. According to the other inmates, Mohamed Babo is a well-known man. I was told by more than one inmate that Mohamed Babo and five of his friends received funding to build bombs in Khartoum. These men prepared suicide bombs in a flat. One bomb exploded during preparation, and one of the men lost his leg. The others left the site, except for Mohamed Babo. He took the injured man to an amjad (taxi) and took him to hospital. The police turned up, searched the flat and found the equipment. He was treated like a hero in the prison by officers. He was referred to as 'sheikh'. He had light skin, read books all day, and never disclosed where he was from or any details about himself. According to other inmates he had a pharmacy degree.

There was a Liberian man called Michael who was a Military Police Officer. He claimed he was taken off the street by police and brought to the cell. He would not speak of his torture to anyone but was clearly affected by it. He isolated himself.

Q2) Do you know what their political involvement was or how active they were?

The men that were in Kober were the most opinionated. All men in the other prisons were anti-regime, but never mentioned rebel groups or political activity. If they were politically active, they kept it to themselves. The inmates that were doctors who I met in Omdurman Prison were all conservative, and when we did get a chance to speak about Bashir they were extremely cautious and avoided to comment too much. It is a dangerous subject when there are NISS agents walking around in plain clothes. These NISS agents are sent into the prison in plain clothes to mingle with the inmates to pick out suspicious people for further questioning. Therefore most people remained silent about political things in the open prison.

Q3) How long had people been in detention?

In Kober prison three years was the longest time in detention without charge. In the second prison it was nine months without charge; an old man from Khartoum. The third prison it was six months, without charge; another older man. In Omdurman prison one man was there for eleven years. I don't know why he was there or whether he was charged or not.

Q4) How many women did you come across in detention?

I encountered only one Philipino lady in the third prison. I did not see her but I heard her clearly. One of the inmates asked a guard about the woman, the guard explained this woman's husband was wanted for gold sales. They could not find him so they took her instead and beat her to give them information. There is no Philippine Embassy in Khartoum, or I would have gone there myself to alert them of the situation.

Q5) How many children did you see in detention?

Five children in total; two I did not see but I heard of, held in the next cell in Kober; three I shared a cell with in the third prison.

I was told of two ten year olds were in the cell beside mine in Kober, by an inmate in my cell who was moved between my cell and the one beside it. These two ten year olds in Kober were taken with their grandfathers and held in political remand. Inmates assumed it was because their parents were not captured yet. The three that I shared a cell with in the third prison were tortured in front of me. One was beaten with plastic pipes by a man three times his size. This is one of the largest Sudanese men I have seen. This man came into the cell, locked himself in with us, held the boy on the wall with his left hand and used his right hand to beat the thighs of the boy. It lasted for a long time, and happened six times in a single day. The officer beat his thighs until I could see the stitching of the seams of his trousers as his legs swelled. The boy defecated himself, and was crying begging him to stop. Another officer entered and put the boy of the ground. The second officer sat on the boy's knees and the first officer beat the soles of his feet. His feet looked twice as thick after this systematic beating.

The second boy was the first boy's friend. They kept him to the side and questioned him while they beat the first boy; of course he was distraught and begged them to stop. When the first boy anticipated the beating and jerked to protect himself the officers only beat him

harder; in strikes of three compared with one hard strike. They screamed at him ‘nazil eedak’ to keep his arms down, and to stop him guarding himself. Then they took both boys outside to the concrete and tied their legs near their bottoms and dragged them across the concrete to cut their knees. The boys returned to the cell with blood covered knees crying. The officers later took them and hosed them while they wore their clothes. We all picked the stones out of their knees in case of infection and applied toothpaste to their wounds.

The final boy came in alone, and was held against the bars by officers from outside. He was punched in the face many times by three officers who ordered him to drop his hands. His body was completely solid from fear. I was one meter away from him. This boy was brought in two days before I left so I don’t know what happened to him.

Q6) Was anyone you were in prison with given access to justice, access to a lawyer or convicted of a crime?

Access to lawyers is prohibited; there is absolutely no chance whatsoever in any case to have access to a lawyer at all. The only way to meet a lawyer is if the family is rich enough to afford one, and even then the lawyer will meet his client for the first time in court. I was not allowed access to a lawyer or the Embassy, and I could not contact my family or use a telephone. There was no access to the outside world in the first three prisons. Omdurman is an open prison that has mobile phones circulating around and has a visiting area.

Q7) Did you meet any one who had come from outside Africa in detention?

I met one Jordanian, one Egyptian and one Liberian in Kober; one Ethiopian, one man from Chad and one Nigerian in second prison; one Nigerian in the third prison; and three Indians, and two British Sudanese dual nationality holders in Omdurman prison.

c) Prison Guards

Q1) Can you tell me about the prison guards? Was there a difference between the treatment of ‘political’ and ‘non-political’ inmates? Was the treatment of Darfuri prisoners different?

I was not able to learn of any hierarchy accurately enough to say, nor do I know of orders being given apart from at the mock execution in Kober Prison (described below). I can

certainly say that the political prisoners were more severely treated in comparison to the non-political prisoners. The tribal aspect is very important to mention; as long as a man was from a place of conflict i.e. Darfur, he was certain to be continuously beaten even without reason, simply because of his origin. The majority of men in the worst places for were Darfurian. There is no trial, only incommunicado detention and arbitrary arrest.

The men who were sodomized with bottles whilst others made to watch are all Darfurian, as were the men that were sodomized with metal pipes. These men will never speak about it directly and will always avoid the subject; in Sudanese culture to speak of this subject is more than humiliating, they could outcast themselves if they spoke about it. Mohamed Nour Khalil explained to me about the treatment of the Darfurians specifically. They have absolutely no way to protect themselves physically or with law, they were a long way from home. I did not meet men from Darfur in the other three prisons, only in Kober where the main political cells are. It is important to note that the political cells are for hostages taken by the NISS. The most feared place to my understanding is Kober Prison, specifically political remand (Muataqal Siyasa). I mention it a lot for this reason; the most feared location and the majority were from Darfur.

d) Interrogation

Q1) Can you tell me more about the content of their questioning of you?

Under interrogation Omar and I were accused of being spies, accused of inciting revolution in Sudan, and accused of sending seven million text messages to rally protests in Sudan like those in Tahrir Square in Egypt. We have a friend who owns a telecoms company like many other telecoms companies in Sudan and Egypt, all completely legal. They questioned me about basic computer parts found with Omar and I, a network cable and some network cards. They were interested in the company our friend owns in Sudan and whether this company was used in anti-government activities. They found it not to be the case at all

Sudan's system is absolutely different from normal procedure. They use force and intimidation to make a person speak quickly. After being beaten men speak fast, without thinking straight or protecting their friends. If they are guilty of something there is no way

they will last a few days under this kind of treatment. The NISS quickly learnt there was no illegality whatsoever with us or our friends company, so released us.

Omar and I were interrogated separately in each prison; the NISS and all other separate investigators came to the same conclusion. They took everything from Omar's room and mine, including my socks, underwear, childhood photos, cookbooks, absolutely everything. They checked our phone records and emails, and proved we were precisely what we said we were. There was not a single thing to indicate we were trying to start a revolution. The NISS wrote this in their report and apologized to us verbally. When I mentioned embassy they were clearly worried. It was a big mistake to have arrested me and violated international law, namely the Vienna Convention Article 36. They released us without charge and passed us to another detention centre without giving the second place any information. They kept passing us to lower authorities so someone else could take responsibility for us as quite clearly a serious mistake had been made.

Q2) In your personal statement you describe how you were mocked about being the first British person to enter Kober, and told you had made history. Can you tell us more what was said about you being British?

They do not initially hide their hostile feelings to Britain. The NISS said, what saved you is that your father is 'ibn al neel' (son of the Nile), not that you are British. The fact that I had a British passport and was born in London meant little to them to start with.

They tried to dissuade me from alerting the Embassy by speaking nicely about my father and Egypt, asking if I knew Egypt and Sudan were one country in the past. I asked to speak to my dad multiple times, and it was clear I was worried about him. They tried to deter me from speaking to the British Embassy by speaking compassionately about my father, it was a weak tactic. Not much was openly said about Britain or me being British.

I insisted for them to call the British Embassy to get information about me to assist their investigations if they believed I was a threat. They made every effort to avoid it in the hope that they really had found someone they could charge. When they realized they had no charges against me they buckled and apologized, and said it's not necessary to speak to the embassy. Later on they made us sign the papers not to disclose what happened to us. I told

Mr Tony Brennan these points on the first day that I met him, and that I would not speak of my ordeal while still in Sudan in case of further damage to my friends and I.

Q3) Did they interrogate you in all of the prisons?

They interrogated us in the first three prisons. In Omdurman there was nothing.

It is standard procedure for men to be first taken to Kober and interrogated by the NISS without access to a lawyer. The physical and psychological abuse will make anyone crumble very quickly. From there they either press charges or transfer them to what is known as the attorney general's office. 'Crimes against Sudan' is written above the entrance of this location. They passed us to a lower departments with no charges brought to pass the responsibility on to someone else.

e) Prison Conditions and Routine

i. Kober

Q1) How many people were in the cell with you at Kober?

It varied, between twelve and twenty men. There was another cell beside ours which held up to twenty men. We were aware of prisoners in the other cell as some inmates moved between the two cells.

Q2) How often did new people arrive or prisoners permanently leave the cell?

Between Sunday and Wednesday were the most active days, with people being interrogated and relocated during those times. The four Darfurians and the group of seven Darfurians referred to above were the only ones who entered into the cell while I was there. No one left the cell.

Q3) Were people tortured in the cell or were they taken from the cell to be tortured?

In Kober prison, the moment the door is opened the men are blindfolded and shackled hand and foot. If they are to be taken to the NISS HQ they are beaten on the way there and then while tied up to soften them for the interrogation. This happens with all men taken for interrogation. The rooms were different.

In the prison guards have orders from the NISS to hurt prisoners, the men are taken from their cells into customized rooms within Kober prison where they are systematically tortured. These rooms are different to one another. In one they have a tire hung to the ceiling; a prisoner is put through the tire naked and beaten. Up to ten officers may carry out the beating, alternating when they get tired. They use customized whips and batons, electricity cables folded in half which do not break bones, just cause pain. Kober prison also has customized ceiling fans strong enough to hold the weight of one man. The men are cuffed at the feet and suspended upside down, naked, apart from trousers which are lowered to the feet. The prison officers beat him with cables and pipes while spinning him. Electricity is used directly to soft parts of their bodies; no one admitted that this happened to them directly, they only spoke about it as a means of torture.

In the third prison the guards entered the cell and would single out one detainee and beat him in front of all other men. There was one time when truckloads of men were brought into this prison. We could see from our window seventy men chained together and beaten in a courtyard with pipes. They did this all day, and then took them inside one by one to give their Facebook and email passwords. This group was suspected of writing things against the government, they were arrested and forced to hand over their information. The same guard who told us about the Philipiono lady made a comment about the Facebook problem, ‘only receive, and never send, that will stop you getting into trouble on Facebook’.

Q4) How often were people tortured?

[At Kober prison] When prisoners were taken out of cells for interrogation, they were tortured during the transport process. They are also tortured at the NISS HQ; held over tables and lashed on their backs among other things.

Anytime the officers searched the cells they would beat the most vulnerable men. Darfuri men were struck for no reason at all during these searches. In the third prison there were specific beatings for specific detainees in order to prepare them for questioning.

Q5) Please tell us more about the political wing of Kober Prison which you refer to as a 'political remand cell' in your personal statement.

The political remand cell is the most famous cell; the NISS Major Saleh mentioned every Sudanese President has been inside that very cell. It is referred to as Muataqal Siyasa. All officers, guards, inmates and the NISS themselves refer to it as political remand. We were kept blindfolded and shackled at the feet and hands anytime we were moved around. No other prisoners are moved like that. Once we went to the 2nd, 3rd and 4th prisons and men learned that we were there, they could hardly believe it. It is known as one of the worst locations by most Sudanese people. This location has lights on twenty-four hours a day, and constant armed guard. No other place I went to was remotely like that. We were moved around blindfolded and restrained, and when they removed the blindfold we were standing in front of the offices of the NISS.

The suicide rate is above half, men hang themselves in the cells. The men would tie the galabiyah (traditional dress) around the bars and their own necks and drop themselves to the floor. I did not witness this myself; I am repeating information given to me by Mohamed Nour Khalil. If someone came close to a window the guards use the pipe to strike the hands of these inmates holding the bars and order them to step back. If men try to hunger strike they chain them to the window and leave them naked for up to a month. That quickly stops their hunger strike and is a warning to the other inmates.

Q6) Please tell us about the lead investigator of Kober prison.

This man is the reason I was in prison. He is the one who wrote to Mohamed Atta (Head of the NISS) and got Atta's order to hold us in Kober. Initially he was weary and tried to be aggressive but quickly could see we were not troublesome people at all. At the end of the eight days he was very apologetic and tried to be nice as much as he could, inviting us to have dinner at his house. He was the highest ranking man in the NISS that I met. He was brought to court eight months later. He confirmed no charges were brought upon me after investigation and there is no reason to suspect anything negative against us. The British Embassy witnessed this.

ii. Second prison

Q1) Do you know the name?

It was Attorney General's office, a part of National Security with 'Crimes against Sudan' written above the entrance.

Q2) How many people were in the cell with you?

There were fifteen men in the cell, with no toilet, no fan or AC, and no water access. It was a difficult place to be in with no way for us to sleep correctly.

Q3) Who were the other inmates imprisoned with you?

The other inmates were mainly Sudanese people from Khartoum, nobody was from Darfur. There were no political reasons for any prisoner's detention. The reasons were black market money transfer, dealings with Gold and diamonds, and money issues.

Q4) How often did new people arrive or inmates leave the cell?

People arrived daily; at times there was only enough space to stand up, and it impossible to sleep all at once. Some men stayed a week, some a few days. two men that refused to sign papers and were there for nine months, they were older men.

Q5) Were people tortured in the cell or were they taken from the cell to be tortured?

Nobody was physically tortured in this location at all. We asked the officials about it the moment we arrived, as we were afraid of being beaten again. They assured us these officers did not beat anybody.

Q6) How often were people interrogated?

Interrogations seemed random, charges were either made or men were taken directly to another prison/police station depending on their crimes. No lawyers are allowed to enter the location.

iii. Third prison

Q1) Do you know the name?

The men referred to it as 'Mubahis' or Information Police. They consistently beat people, one of the worst. Anyone could be brought here for any alleged crime.

Q2) How many people were in the cell with you?

It varied between six and ten men.

Q3) Who were imprisoned with you?

Men were of all ages. There were no Darfurians, but one Nigerian. As far as my questions went all were arrested within Khartoum. The reasons for arrest were all based on suspicion.

Q4) Was there a political wing at the prison?

No

Q5) How often did new people arrive or inmates leave the cell?

Every few days, people came and left alone, not in groups like in Kober. They left as soon as the investigation was complete, either with the case moving to court or ending in release.

Q6) Were people tortured in the cell or were they taken from the cell to be tortured?

Both. The kids were beaten inside the cell, whilst others were all beaten outside. Beatings are mandatory here; this is a feared department. I already mentioned about the Facebook group brought in trucks. We were not regularly monitored like in Kober. It was literally like a dungeon that they kept us in until we were needed. There was no food; one sandwich between three men at 11pm, two bites each.

Q7) How often were people tortured?

Prisoners were tortured when interrogated. They were consistently beaten throughout the investigation but this stopped once investigations were over. That means either a confession was made or questioning was postponed until the following day.

Q8) Do you have anything to add about the Philipino lady you encountered in the third prison?

This Philipino lady's situation is what made me the most furious of all, and I am sorry to say I can offer nothing more than what I have already provided about the information coming to us from one guard to an inmate. I wish I could have learned more but there was no opportunity. We did not hear her screams any more after that.

iv. **Omdurman prison**

Q1) Was there a political wing here?

There was no political wing at all, that is only in Kober. This prison is divided into three sections. The names are: Columbia, Cheqaat and Nifasha

Columbia is the section is for common crimes. It has no sleeping facility, it is a huge open area and men sleep on the floor. It is a very dangerous place and we were not supposed to go into this area for safety reasons.

Nifasha is an older version of Columbia for the more serious crimes; people were not able to walk into or out of this section.

The word Cheqaat comes from the word cheques. Cheqaat is where you will find rich light skinned men. There were full sleeping facilities, televisions everywhere, many fans, toilets, showers, ice, fruits, food, deliveries, satellite TV, beds, mobile phones, alcohol and drugs smuggled in. There was even a mosque here. It looked like a very developed refugee camp/market. In this section many spoke English; all had been involved in money issues where their accuser had opened a case against them and had them imprisoned during the

investigation. The guards used this area to make their money, and deals were made with guards for day release.

Q2) Was it a 'criminal' prison as opposed to a prison for political prisoners?

It was a criminal prison only without a political section.

Q3) Was the treatment of prisoners by prison guards any different in this prison?

The prison officers carried batons but never used them from what I saw, there seemed to be a good feeling between the prisoners in Cheqaat and guards. The prisoners in Columbia hated the guards; there was blatant racism and discrimination against darker skinned prisoners. Nifasha I have no information about.

Second Testimony

We were taken to the NISS HQ in Khartoum on the 14 of February 2011. They put me in a room, and brought in a man my height but extremely well built, who stood behind me while I sat on a chair in the middle of the room surrounded by my interrogators. They insisted I speak Arabic, and threatened me to 'teach' me Arabic by force. The interrogators insisted that I was not British and accused me of being a Jewish spy. My hair was long at the time, and the man behind me held me by the hair during questioning and threatened to beat me. He had his left hand on the table in front of me while his right hand held the back of my head to drive it into the table. My head was shaken so violently during the first interrogation that hair on my head tore as the man behind me demanded I speak Arabic. I was extremely distraught during this; it is humiliating to admit that I was in tears at this time.

The man who spoke to me here first could speak some English. I told them I do not speak Arabic, I only speak Polish as a second language. Once I said I spoke Polish I was moved to another room where the men questioned me and accused me of being a Jew. I was asked if my mother was a Jew, if she had been to Israel, if my brother had been to Israel and if I had been to Israel. The men checked my passport to see if there was any Israeli stamp, and there appeared to be much confusion between them.

On the first day I begged for the British Embassy to be alerted to prove my words. Every time I said "British Embassy" the men paused momentarily and all looked to one man, who I identify as Major Mohammed Saleh of the NISS. The man never responded quickly, but shook his head and said "No Embassy". I asked to speak with my parents or family but my request was refused. That night they kept me inside the NISS HQ under armed guard. I did not sleep, nor did I eat or drink.

By the second day I was not in the right frame of mind, I was shaking not concentrating. They watched me through glass while I sat alone in a room. They always separated Omar and I and questioned us individually about the same things over and over. Our answers were identical, even down to the kinds of food we intended to cook, and the farms we spoke to about supply chickens. Every single word we said was proven true by their investigation.

It was on the second day Major Mohammed Saleh said we are going to be held in Political Remand in Kober prison. On this second day new men entered the room. The first man, the highest ranking, was in sand coloured camouflage uniform, he had a silver handgun on his right hip. There were three officers behind him dressed in blue/darker blue camouflage uniform, two carried automatic weapons. The last officer carried chains, handcuffs and blindfolds. They sat us down, and cuffed our feet, hands, and blindfolded both of us while the others aimed guns at us. The man in camouflage uniform spoke with the officers of the NISS who told them we are suspected spies. We were taken in a small van to Kober prison and brought outside what I know now is a transfer room where officers hand prisoners over to prison staff. We were put against a wall outside the transfer room, and our blindfolds were removed. They tried to make jokes which I thought was odd, and then photographed us. The first man in sand coloured uniform then began hitting us across the throat multiple times with open hands, never hitting our faces. Both of us were shaking, we always looked at the floor. Omar began to cry here from what he heard. The first man told the prison officers we were spies, and to deal with us, an order from the NISS.

The handcuffs and foot cuffs were removed, we were taken into a cell where approximately fifteen men sat; some chained; some still wearing blindfolds. Inside the there is no speaking or communication between prisoners and standing is not allowed. We were to sit against a wall in silence, lights on twenty-four hours a day, guards always at the windows always watching us. Soon after that same day, men returned and blindfolded and cuffed Omar and I

again inside the cell. We were taken to another room inside Kober Prison where we were put in chairs and our blindfolds were removed. They placed our arms on the table, uncuffed them, then re-cuffed our left arms individually to the metal table in front. The men who brought us into this room men sat in front of us with AK47s aimed at our private parts. A large man entered with syringes and inserted the needle into my left arm. I turned my head away during this, but I did not struggle; the men holding the automatic weapons laughed. The same happened to Omar. They then returned us to our cell.

The next day after sunrise, men came to the cell, blindfolded and shackled us outside the cell, and two men beat us with plastic pipes directly outside the transfer office. The sounds were of only two batons being used, I was facing a wall with Omar on my right. They beat us from behind, and made sounds as they struck us, not words. They beat my right shoulder, the right side of my ribs, and across my right thigh. I went to the floor; my left side was touching the floor, and tried to use my cuffed arms to protect myself. I was blindfolded so I could not see the strikes coming, and the anticipation was worse than the strike. The sounds from Omar being hit were more of a problem to me than the strikes on me. They beat Omar harder from the sounds and regularity of the strikes. The beating lasted about ten minutes. After other prison guards who had been watching swore at us.

They took us to the transfer area, where we stood by a wall, blindfolds on, and then transport officers arrived and led us through Kober Prison to their van. Inside the van they held our head on a metal bar which was across the top of the seat in front, and they struck the back of our heads to hit this bar. We were ordered to keep our heads down during transport. There were more prisoners in here; everyone was beaten during transport, whilst other officers played with their mobile phones casually. I heard strikes, and chains rattling from men being struck, and ringtones being selected by officers on their phones like it was normal. I was furious and I lost my temper and shouted at them for the first time. This is when the first punches came from in front of me, from the man sitting on front left passenger seat. His voice was deep and angry; he called me a Lebanese dog, and punched my collar bone on my right side. I was hit across my left cheek very hard. This was the first strike to my face.

They brought us to the NISS HQ again, four times, with the same events; brought from a cell, cuffed and blindfolded, beaten by the prison officers outside for ten minutes or less with a

thin pipe to hurt and intimidate us, brought to a transfer area where transport officers took us to the NISS HQ, beaten inside the van so that we arrive distraught for questioning.

We were told multiple things by the NISS; that our bail was two million dollars, they accused us of sending millions of messages to Sudan mobiles to rally like in Tahrir Square in Egypt . They asked about how many times I went to Poland, and why I speak Polish and not Arabic. They claimed my mother must be of Jewish religion.

On day fourth or fifth day inside Kober prison, we were held against a wall. The blindfold was removed for the first time. I saw an officer on my left, standing on a three brick high wall, legs wide, hands held behind his back, clearly the highest ranking man there. The other officers had AK47s in their hands, standing in one line, guns aimed at the floor this time. They questioned Omar, who was violently shaking at this time. I looked at the floor and realised this was different to any other transfer. The armed men came to us, un-cuffed our hands from the front, re-cuffed them behind us and pushed our heads to the wall and held them there. Omar panicked and pleaded to the high ranking officer who shouted at him. They re-blindfolded us, turned us around and pushed our heads against the wall. This is a firing squad. Omar was on my right, other men were there but I did not see them, I only heard them standing to Omar's right.

The senior officer shouted an order, I heard the men pleading from my right side, and the armed men approach us. A gunman pressed the muzzle of his weapon on the back of my head just above my neck, he pressed the gun into me. I knew all men had the same thing happen to them. The senior officer shouted an order, all men cocked their weapons at once, I heard whimpering sounds from all prisoners. There was a pause for a few minutes, complete silence from all men. It was never like that before. This was the most intimidating moment; I could not move my muscles. I cannot explain what this feeling is. The gun never left the back of my head. The high ranking officer shouted another command, and the guns were cocked a second time. Omar said "its empty, its empty, its empty". I did not understand. They did it a third time, cocking all weapons. This lasted double the time of the beatings. There was no single word uttered by any of the gunmen.

My blindfold was removed first after some time. I looked to my left to see this lead officer still standing with his arms behind his back watching my eyes. He did not speak, I looked in

front of me again. I saw the armed men on my right take off everyone's blindfold and we were returned to the cells. This is a mock execution that happens regularly, it is absolutely standard, weekly this is what happens to political prisoners to remind them. Nine men were executed by this firing squad. Some of the men in our cell were on death-row, so they were most afraid when they were in the line ups. Mohamed Nour Khalil, Ibrahim Khalil's brother, ex-leader of the JEM was one of the men on death-row there. The nine men executed were with him, and he was deeply troubled by their deaths, awaiting his turn.

The worst beating was on the final day of these eight days. We were dragged from outside the Political Remand cell, my hands were outstretched in front of me. The man who was dragging me shouted, pulling my arms. He stamped on my right foot with the heel of his boot. This damage to my right foot I know fractured my foot across the second and third toe area. This foot has never healed, it became swollen, the colour changed and became purple and I never walked on it properly since. My right knee is destroyed since this injury, I cannot run and I have trouble stretching out my legs. This strike was extremely strong; I used my heel and outer side of my foot to step, limping from then on. No medical treatment was offered. I stayed down on the floor on my left side and struggled to defend my face and head from strikes, I was furious. I struggled enough for the shackles on my feet to cut into my skin. Until this day these marks still remain, the left side cut into my skin from my body weight when I fell, the right Achilles tendon area was also cut from the shackle. I sustained two cigarette burns to my left after we stood up from these strikes. They kicked us in the testicles and hurt our forearms as we were trying to protect ourselves.

On the eighth day I was furious. I drank two cups of tea in the cell, and felt like vomiting during transport. When we got to the NISS building Omar and I sat on chairs, I was leaning over so my head was between my knees, I held my shins, I could not walk correctly. One NISS officer was watching me, and sat in the same room near us, his AK47 placed across his thighs not aiming at us. I looked up, and saw Omar was in the identical position I was, holding his shins with his head was between his knees. We did not speak. I asked to be taken to the bathroom as I was not feeling well. I vomited in the bathroom, limping there and back. I asked to be taken again, where I vomited again. The water in the prison was a muddy bucket of toilet water, I felt my stomach turn. I went two more times to the toilet, this time diarrhoea. I was not well at all, clearly experiencing health problems. The officer allowed me to go back and forth. We sat in our chairs; there was no questioning on this day. When the transport

officers came I turned to the Major of NISS and asked him to tell his men not to hurt us anymore, we have done nothing to deserve this treatment. He looked at my eyes then turned to the sand camouflage officer and told him to tell the prison officers not to hurt us again, that we are completely clear.

The NISS group apologised to us at this moment. I asked Major Mohamed Saleh to contact the Embassy. He paused, clearly worried, and did not answer; the word Embassy made him very uncomfortable. They were suddenly very friendly to us, and Major Mohamed Saleh said he would invite me to try his wife's cooking. They tried to make jokes with us. When we returned to Kober prison, this sand camouflage officer spoke to me for the first time and asked if I wanted a Coca-Cola. I did not answer him, I was still dazed from losing so much water and I know I was badly dehydrated. That was the last day we saw the NISS, they did not ask for us again.

We sat in political remand for twenty-six days. One morning a guard named Mansouri came to the window, looking puzzled scratching his head. He called for Omar and me to get ready to be released. They drove us around but could not find anyone who would take responsibility for our release, and then they brought us back into political remand as the NISS didn't want anything to do with us.

The final piece of damage I sustained was to the fingernail on my right hand on my smallest finger. It was removed by a padlock hitting my hand. This happened in the second prison, after I felt severe pains from not drinking at all. I urinated in a bottle, and threw the bottle at the officers from my cell; it landed and burst, the liquid was over the floor. My hands were gripping the bars, the officer ran over and lifted the padlock and struck my hand. The nail was three-quarters off. I received no treatment. I still have the trousers I wore that day where I wiped the blood from my hand. I used toothpaste to disinfect the area when it began to become septic.

Annex G: Freedom of Information Act Response



Freedom of Information Act Policy Team
Customer Services and Improvement Directorate
United Kingdom Border Agency
Lunar House
40 Wellesley Road
12 Floor, Long Corridor
Croydon CR9 2BY

Web www.ukba.homeoffice.gov.uk

Isobel Crowther
isobel.crowther@wagingpeace.info

Date 30 April 2012

Ref 22237

Dear Isobel Crowther,

Thank you for your e-mail of 2903/12. Your request has been handled as a request for information under the Freedom of Information Act 2000. I have listed your request for reference.

15 Sudanese Asylum Seekers were returned to Sudan in 2011, 23 asylum seekers were returned to Sudan in 2010, and 29 were returned in 2009.

Can you confirm this information and also, for each of these data sets from 2009-2011:

- 1) What type of (how many of each) returns took place – enforced, voluntary, voluntary assisted, notified voluntary departure, (other) voluntary departure?
- 2) For enforced removals, what process is followed for removal to Sudan?
- 3) For all types of return, what kind of travel documents were asylum seekers returned on?

- 4) If the asylum seeker is required to attend the embassy in the UK but does not or cannot, how are travel documents arranged?
- 5) What harm assessment categories did the returnees fall into – A (high), B (medium), C (low), or not assessed?
- 6) How many were returned with a chaperone/escort? Medical chaperone or otherwise?
- 7) Once flights arrive in Khartoum, what is the procedure for 'release' of the returnees who are escorted? At what point do returnees leave the care of the escorts and to whom are they handed over at the airport?
- 8) On arrival, are returnees formally detained and questioned?
- 9) What do the UKBA do to ensure the welfare of these returnees?
- 10) Have there been any reports of mistreatment for those who have been returned via the Assisted Voluntary Returns programme? Either by IOM, or subsequently by Refugee Action?
- 11) What is the process for monitoring returnees returning via this (AVR) programme? How is this information fed back to the Home office?
- 12) What is the cost of returning an Asylum Seeker to Sudan? Please give total costs for returns including pre-removal detention and returns where individuals arrange their own transport to airport.
- 13) What monitoring systems are in place for reporting and recording the situation for returnees once in Sudan? What reports/evaluation/follow-up is performed after a removal takes place? Does this process determine any further action – for example if concerns are raised over the safety/welfare of a returnee?

Question 1

By Removal Category

1. Enforced
2. AVR
3. Voluntary Departure
4. Vol Dep (Data Matched)
5. Not Known
6. Grand Total

2009

1. 5
2. 10

- 3. 0
- 4. 14
- 5. 0
- 6. 29

2010

- 1. 12
- 2. 6
- 3. 0
- 4. 6
- 5. 0
- 6. 24

2011

- 1. 5
- 2. 8
- 3. 3
- 4. 1
- 5. 1
- 6. 18

G Total

- 1. 22
- 2. 24
- 3. 3
- 4. 21
- 5. 1
- 6. 71

Question 2

Removals to Sudan are arranged on scheduled flights with a valid travel document. Further information on the returns process can be accessed on the UK Border Agency's website (UKBA) under Laws and Policy within Enforcement Instructions and Guidance, Detention and Removals, Chapters 46- 61. I have provided a link for your reference.

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/enforcement/detentionandremovals/>

Question 3

By Travel Document

1. ETD
2. Passport
3. Not Known
4. Grand Total

2009

1. 5
2. 4
3. 20
4. 29

2010

1. 8
2. 3
3. 13
4. 24

2011

1. 4
2. 1
3. 13
4. 18

Grand Total

1. 17
2. 8
3. 46
4. 71

Question 4

The embassy is unable to issue a travel document without first having interviewed the person. We are able to arrange interviews at Immigration Removal Centres for those who are detained.

Question 5

By Harm Assessment

1. A
2. B
3. C
4. D
5. Not Known
6. Grand Total

2009

1. 4
2. 1
3. 22
4. 0
5. 2
6. 29

2010

1. 2
2. 3
3. 16
4. 0
5. 3
6. 24

2011

1. 2
2. 2
3. 10
4. 2
5. 2
6. 18

G Total

1. 8
2. 6

3. 48
4. 2
5. 7
6. 71

Question 6

Escorts Required

1. Yes
2. No
3. Grand Total

2009

1. 4
2. 25
3. 29

2010

1. 9
2. 15
3. 24

2011

1. 3
2. 15
3. 18

Grand Total

1. 16
2. 55
3. 71

Question 7

The escorts will present the returnee to the receiving authority at the Immigration control point.

Questions 8, 9 and 13

The UK Border Agency does not routinely monitor the treatment of individual unsuccessful asylum seekers once they are removed from the UK. They are, by definition, foreign nationals who have been found as a matter of law not to need the UK's protection and it would be inconsistent with that finding for the UK to assume an ongoing responsibility for them when they return to their own country. However, if specific allegations are made that any returnee, to any country, has experienced ill-treatment on return from the UK, then these are investigated through the Foreign and Commonwealth Office (FCO) as a matter of urgency.

Questions 10 and 11

UKBA does not formally monitor AVR cases after they have been returned.

Question 12

UKBA does not centrally hold the information you have requested in the format requested. Whilst the Agency is not obliged to create information in order to respond to requests, to attempt to answer your request it would be necessary to manually search both electronic and paper based records to identify information which fell within scope of your request and collate it into the format requested. However, due to the number of records that would need to be searched it would not be possible to conduct a manual search of the records to answer your request.

Moreover, as part of the Home Office, the UK Border Agency is not obliged under section 12 of the Freedom of Information Act 2000 to comply with any information request where the estimated costs involved in supplying the information exceed the £600 cost limit. I regret that we cannot supply you with the information that you have asked for, as to comply with your request would exceed this cost limit. This limit applies to all central Government Departments and is based on work being carried out by one member of staff at a rate of £25 per hour, which equates to 3½ days work per request. The costs involved include locating and retrieving information you requested, and preparing our response to you. They do not include considering whether any information is exempt from disclosure, overheads such as heating or lighting, or disbursements such as photocopying or postage.

However, if you were to refine your request further so that it falls under the £600 cost limit, we will be pleased to consider it further. Although, on this occasion I am unable to suggest how you could refine your request.

Should you wish to refine your request, so that we can provide you with answers to your questions within the £600 cost limit, please write back to me at the above address.

I should also point out that if you were to break your original request down into a series of smaller applications, we might, depending on the circumstances of the case, decline to answer if the aggregated cost of complying would exceed £600.

You should also bear in mind that even if any new request were to fall below the £600 cost limit, some information which we hold on this matter which you have requested may fall to be withheld under the terms of a number of the substantive exemptions contained in Part II of the Freedom of Information Act 2000. These exemptions could also make it necessary for us to extend the period for responding beyond the usual 20 working day target if they involve having to consider the public interest balancing test.

I hope that this information meets your requirements. I would like to assure you that we have provided you with all relevant information that the Home Office holds.

I hope this is of help to you. If you are dissatisfied with this response, you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference 22237. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

Information Access Team

Home Office

Ground Floor,

Seacole Building

2 Marsham Street

London SW1P 4DF

email: info.access@homeoffice.gsi.gov.uk.

As part of any internal review, our handling of your information request will be reassessed by staff who were not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right to complain to the Information Commissioner, as established by section 50 of the Freedom of Information Act.

Yours sincerely,

Paul Feakins,
Freedom of Information Act Policy Team