

Recent cases of post-deportation risk

Waging Peace is a non-governmental organisation that campaigns against human rights abuses in Sudan, and together with its sister charity Article 1 (<http://article1.org/>), supports Sudanese asylum-seekers and refugees in the UK. We regularly work with the UK Home Office's Country of Origin Information Team to provide up-to-date country information in order to ensure decision-making on Sudanese asylum cases is robust.

It came to our attention that the Home Office is planning to update its Country Policy and Information Notes (CPINs) on sur place activity and failed asylum seekers relevant to Sudan, both last updated in August 2016. We wish to provide the following information as a supplement to our lengthier reports, which have already been widely cited in the aforementioned CPINs, [The Danger of Returning Home](#) (2012) and [The Long Arm of the Sudanese Regime](#) (2014).

The testimonies and reporting below refer to recent cases where individuals were ill-treated, tortured and even killed post-deportation, and demonstrate the risks facing those forcibly returned to Sudan having claimed asylum elsewhere, particularly, but not limited to, those individuals who engaged in sur place political activity in the country hosting their asylum claim. In total 5 individuals are mentioned in this report, but the absence of further testimony is only due to restricted access to the affected populations, and we are told a great many more could support the claims made in these accounts.

The testimonies are as follows:

1. Abuses following deportation from Jordan
 - a. Ali Yahya
 - b. Abdalmonim Adam Omer
2. Abuses and death in NISS custody following deportation from Israel
 - a. Mohamed Ahmed Ali
3. Deportations from Italy

1. Abuses following deportation from Jordan

a. Ali Yahya

In October 2016 Ali Yahya contacted Waging Peace via email, stating that he had been deported from Jordan back to Sudan by force and abused by the government upon return. We maintained contact with him, and in November 2016 arranged a phone call and later a Skype conversation to document his testimony.

He claims he is originally from South Darfur, but fled to Jordan and received a UNHCR certificate recognising his refugee status (file number 841-13c35575). While living in Jordan in November/December 2015, he was involved in widely-reported demonstrations outside the UNHCR office regarding delays in resettlement. During these protests, Ali was interviewed by CBC, El Mundo, Al-Monitor and Middle East Eye and spoke about his experience of the genocide in Darfur: all of his brothers except one have been killed by the conflict and his parents are still living in a camp in Nyala.

Ali was interviewed and mentioned by name in newspaper reporting regarding the protests outside the UNHCR. The articles can be accessed here: [Is UNHCR in Jordan discriminating against Sudanese refugees?](#) (Al-Monitor) and [Hundreds of Sudanese refugees in Jordan deported: Reports](#) (Middle East Eye).

The Jordanians deported Ali along with 800 other Sudanese asylum seekers. When he arrived at Khartoum International Airport he was arrested for 6 days and then released. A day after his release, he was arrested again for sixteen days. Ali claims he was beaten and “abused by the Sudanese government” who “violated” his rights. He was questioned about what he had said to the media and was also asked about his involvement with a Christian group who had helped him during his time in Jordan. As a Muslim, it was perceived as unacceptable for him to spend time with Christians. Ali then “escaped” to Egypt in January 2016 (subsequently and again receiving UNHCR recognition, file number 555-16C03139), where he remains and claims the “Sudanese embassy [is] still targeting and threatening” him.


b. Abdalmonim Adam Omer

Abdalmonim Adam Omer contacted Waging Peace in December 2016, stating that he had been deported from Jordan back to Sudan. We spoke to him via phone and Skype. He is originally from Darfur, and is from the persecuted Tunjur tribe. UNHCR recognised his refugee status and issued a certificate, a photograph of which is included below. While in Jordan, he demonstrated outside the UNHCR building regarding delays to resettlement. On arrival in Sudan following his deportation, he was arrested by the government and detained for 3 days. During these 3 days, he was interrogated and beaten. He was asked why he had left Sudan for Jordan and told he had been presenting Sudan “in a bad way”. He was also interrogated about some people he had been associated with in Jordan and some that he had been to church with, as the Sudanese government were looking for them. He was also asked about his tribal affiliation. Evidence that he was lashed is provided in the below image he sent us following our conversation.


After he was released from prison, Abdalmonim fled to Egypt. He is now currently displaced and sleeping on the streets in Egypt in front of the UNHRC building in order to appeal for help and to understand why he was deported from Jordan.



Photograph of a letter from UNHCR (Jordan) confirming Abdalmonim's refugee status:


 **UNHCR**
United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés


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Khalda – Amman – Jordan
Telephone: 00962 6 4008000
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UNHCR Refugee Certificate

Date of Issue: **11-11-2015**
File No.: **841-14C05967**
Name: **ABDEL GALIL, Abdelmonim Adam**
Date of Birth: **01-01-1995**
Nationality: **Sudanese**
Alias Name:






وثيقة الاعتراف بصفة اللجوء
تاريخ الاصدار: **11-11-2015**
رقم الملف: **841-14C05967**
الاسم: **عبدالمنيم ادم عمر عبدالحليل**
تاريخ الميلاد: **01-01-1995**
الجنسية: **Sudanese**
اسم الشهرة:

إلى من يهمه الأمر
يشهد مكتب المفوضية السامية للأمم المتحدة بأن الشخص المذكور أعلاه قد تم الاعتراف به كلاجئ من قبل مكتب المفوضية السامية للأمم المتحدة لشؤون اللاجئين بناء على المعلومات المتوفرة لدى المكتب .
ويصفه لاجئ فإنه يعتبر من الأشخاص المشمولين برعاية مكتب المفوضية، و يتوجب بشكل خاص حمايته من العودة القسرية إلى بلده حيث يواجه تهديداً لحياته أو لحرية. كما يعرب مكتب المفوضية للأمم المتحدة عن فائق تقديره لأي مساعدة تقدم إلى الشخص المذكور أعلاه.
هذه الوثيقة لا تحول حاملها الحصول على تصريح عمل أو إقامة في الأردن. إن إصدار هذه الوثائق المتعلقة بتصاريح العمل أو الإقامة تقع حصريا ضمن سلطة الحكومة الأردنية.
يمكن توجيه أي سؤال يتعلق بالمعلومات الواردة في هذه الوثيقة إلى مكتب المفوضية السامية للأمم المتحدة لشؤون اللاجئين على العنوان المذكور أعلاه.
إن هذه الوثيقة صالحة حتى تاريخ : 03.11.2016

To Whom it May Concern
This is to certify that the above-named person has, on the basis of available information, been recognized as a refugee by the United Nations High Commissioner for Refugees, pursuant to its mandate
As a refugee, he is a person of concern to the Office of the United Nations High Commissioner for Refugees, and should, in particular, be protected from forcible return to a country where he would face threats to his life or freedom. Any assistance accorded to the above-named individual would be most appreciated.
This certificate does not entitle the holder to a residency permit or a work permit in Jordan. The issuance of such permits is solely within the competence of the Jordanian authorities.
Questions regarding the information contained in this document may be directed to the United Nations High Commissioner for Refugees at the address above.

This document is valid until : 03.11.2016

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2. Abuses and death in NISS custody following deportation from Israel

a. Mohamed Ahmed Ali

On 24 November 2016 it was reported that a Sudanese refugee Mohamed Ahmed Ali was killed by the National Intelligence and Security Services (NISS) following his return to Sudan. He is said to have lived in Israel for a few years and then registered for voluntary deportation, arriving in Sudan on 22 November 2016. On arrival, he was taken to a NISS establishment. Later, his family were called by NISS, who claimed that Mohamed had jumped from the fifth floor while being interrogated. Mohamed was taken to hospital by ambulance, where he died. According to a statement issued by his Bargo Tribe Association, his corpse was subsequently buried without a medical report. The supporting news report on Mohamed Ahmed Ali's death is available in Arabic on [Alhamish Voice](#), and information was disseminated widely online, for instance in [this Facebook post by Hotline for Refugees and Migrants](#).

The military group Justice and Equality Movement (JEM) [also reported](#) this story but provided a different account - they report that Mohamed arrived in Sudan on 21 November 2016 and was 'eliminated' the following day, and that 'he was jumped [sic] from the third floor' during inquiries. It also notes that comments on social media revealed that 'his body was full of injuries, when they [his family] received him'. The article argues that 'Khartoum would see any Sudanese who traveled [sic] there as a traitor' and 'deserve a penalty death'. The article holds a strong view that the 'young Sudanese was assassinated by racial' motivations and his murder was used to impart fear on others who left and might consider returning.

While Home Office documents have previously recognised the risks facing those who return from Israel in particular, our opinion is that Mohamed's experience should not only be understood as relating to deportees from that country, but is instead indicative of the methods employed by NISS when an individual is held in their custody. Even if it is accepted that Mohamed took his own life, that he did so during interrogation should suggest that he was escaping a severe degree of physical pain inflicted by NISS officials, a level of treatment that is also meted out to others held under their protection.

3. Deportations from Italy

As a part of the wider Khartoum Process, bilateral agreements between the Sudanese and Italian governments have been signed that aim to tackle migration and border control issues. The Memorandum of Understanding (MoU) between Italy and Sudan, signed in August 2016, aims to 'cooperate further in managing the frontier flow of migrants and in the matter of repatriation' (Article 3). This includes carrying out the 'identification and repatriation of their citizens present in the territory of the other party if they are found in an irregular location in respect of the narrative of immigration' (Article 4). We have previously provided an English-language translation of the MoU to the Home Office Country of Origin Information Team.

In August 2016, this agreement led to the deportation of 48 Sudanese from Italy to Khartoum, [as reported in the Daily Express](#), though it in fact seems that the initial flight held 40 passengers, and the remainder were transported separately. While Italy has claimed that those individuals being deported were failed asylum seekers, testimonies we have seen - and can coordinate for the Home Office Country of Origin Information Team to receive - show some individuals did not first claim asylum, and were deported without being told that this was what would occur. UK lawyers can now forward argumentation that removal from Italy is unlawful given that it will result in de facto refoulement to Sudan. It has been argued that the UK may be forced to process third country cases where Sudanese refugees have

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journeyed via Italy. The Italy deportations are especially relevant as other European countries seek their own bilateral deals on repatriation, for instance there have been recent cases of deportations under similar arrangements in France.

On arrival, the individuals were held briefly by NISS, and though some reported that they had been tortured, we have not had access to original testimony that can verify this. However, human rights monitoring group Huqooq provides the testimony of a gentleman nicknamed Barakat in a report dated 1-31 August 2016, also [accessible online](#). Barakat claims he was beaten by NISS during the period the group was detained and has since gone into hiding. Other testimonies seen by our organisation also suggest that the deportees now live in fear for their physical security, as well as that of their families, and that they believe they are being monitored by NISS, including on their mobile phones.