



Prisoners of
Conscience
Appeal Fund

13 April 2007

Dear Home Secretary,

We are writing to express our concern at recent attempts by the Home Office to deport Darfuri asylum seekers to Khartoum. This policy is against the explicit advice of the United Nations High Commissioner for Refugees (UNHCR), who insists that Darfuris are at risk of torture and death if returned to the Sudanese capital.

The danger Darfuri asylum seekers face on return to Sudan is all too real. The Times reported on 2 April that Darfuris who are returned to Khartoum face torture together with inhuman and degrading treatment at the hands of the Sudanese Government and its security agencies. Furthermore, the UNHCR warns that the threats to physical safety and personal safety “*are so widespread that it cannot be said there is an internal flight alternative anywhere in Sudan for asylum-seekers from Darfur, including those who resided in Khartoum before the Darfur crisis. Sudanese of ‘non-Arab’ Darfurian background returning to Sudan face a heightened risk of scrutiny by the security apparatus*”.

Recent news about the torture faced by Sadiq Adam Osman at the hands of Sudanese Security Services in Khartoum, following his deportation by the British Government in February 2007, provides clear evidence that such deportations are ill-advised.

In a significant judgment on 4 April, the Court of Appeal highlighted the difficulties with current Home Office policy regarding Darfuri asylum seekers. The Court overturned the Asylum and Immigration Tribunal's refusal of three Darfuris asylum claims, on grounds that oppressive conditions in slums and IDP camps near Khartoum and the lack of resources for economic survival would make their resettlement “unduly harsh”.

Deporting an individual to a country where he or she faces persecution and inhuman and degrading treatment is a serious breach of Article 33 of the Refugee Convention as well as numerous Human Rights Conventions, including Article 3 of the European Convention on Human Rights, as incorporated into UK by the Human Rights Act, Article 7 of the International Covenant on Civil and Political Rights, and Article 3 of the Convention Against Torture and other Inhuman, Degrading Ill-treatment or Punishment.

We are also concerned by the close working relationship between the Home Office and Sudanese Embassy officials on the management of Darfuri asylum cases.

In past weeks, Darfuri asylum seekers reporting to the Home Office have been taken to a room where they were interrogated by Sudanese Embassy officials in the presence of UK immigration officials, according to reports in The First Post.¹ The Sudanese Embassy officials in question claimed to be present at the request of the Home Office. Moreover they were in full possession of confidential details about the asylum seekers. Not only is this close working relationship disturbing, given the role of the Sudanese Government and its security agencies in the persecution of Darfuris; it is also in serious breach of confidentiality and raises questions as to whether this is compatible with the Human Rights Act in

¹ <http://www.thefirstpost.co.uk/index.php?menuID=2&subID=1610>

particular in respect of the obligations arising from Article 3 of the European Convention on Human Rights prohibiting inhuman and degrading treatment.

The Home Office's current policy on Darfuri asylum seekers contradicts the British Government's often-stated commitment to end the Darfur crisis. If the British Government is truly concerned about the people of Darfur, then it must abide by its international obligation to protect these Darfuri asylum seekers.

We therefore respectfully ask that in light of the Court of Appeal's ruling on 4 April, the UNHCR's advice, and recent evidence of torture endured by Sadiq Adam Osman upon deportation to Khartoum, you confirm that the Home Office will halt all further removal of Darfuri asylum seekers to Sudan until their safety can be assured.

We also urge you to investigate claims that the Home Office has been cooperating with the Sudanese Embassy in providing access to and information on Darfuri asylum seekers in the UK.

We look forward to your reply,

Yours sincerely

James Smith
Chief Executive of the Aegis Trust



Arafat Sumo
Chairman of the Darfur Union



Tom Porteous,
London Director of Human Rights Watch



Massoud Shadjareh
Islamic Human Rights Commission

Lynn Carter
Director of the Prisoners of Conscience
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Anna Reisenberger
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