

**Refugee Review Tribunal  
AUSTRALIA**

**RRT RESEARCH RESPONSE**

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**Questions**

- 1. Please provide information on the relationship between Israel and Sudan.**
- 2. Please provide information about the treatment of Sudanese citizens accused of spying for Israel or having some connection with Israel?**
- 3. Please provide information about the treatment of Sudanese citizens accused of spying or of political dissent generally?**
- 4. Please provide information on the freedom of movement of professional Sudanese?**
- 5. Please provide information on the issue of passports/exit visas to people accused of spying/political dissent?**
- 6. Please provide information on the treatment of returnee failed asylum seekers to Sudan?**
- 7. Please provide information on Ahmed Harun?**
- 8. What information is there about the organisation called “International Medical Research”?**

**RESPONSE**

- 1. Please provide information on the relationship between Israel and Sudan.**

Israel and Sudan do not currently share formal diplomatic relations. Sudan’s foreign policy in general favours solidarity with Arab nations. Following the Arab-Israeli war in 1967, Sudan declared war on Israel and following the 1989 coup led by General Omar Hassan al-Bashir, the new government adopted a hostile attitude toward Israel. The government’s attitude toward Israel has at times been influenced by fear of Muslim radicals within the country. As recently as March 2005, President Omar al-Beshir indicated that his country would not normalise ties with Israel as long as it “continues to occupy Palestine and Arab territories and objects to the return of the Palestinian refugees to their homes”. During Sudan’s civil war, the government in Khartoum accused Israel of assisting the Sudan People’s Liberation Army (SPLA) and armed forces in the south of the country and of interfering in Sudanese affairs.

Sudan does not recognise the state of Israel and Israeli citizens are barred from entering Sudan. In 2001, Sudan's Director of Passport and Immigration in Khartoum indicated that Sudanese citizens who had visited Israel would be automatically questioned on their return home ('Background Note: Sudan' 2008, United States Department of State website, 8 January <http://www.state.gov/r/pa/ei/bgn/5424.htm> – Accessed 29 January 2008 – Attachment 1; Adabi, J. 1999, 'Israel and Sudan: The saga of an enigmatic relationship' *Middle Eastern Studies*, vol. 35, iss.3 – Attachment 2; 'Khartoum – Israel helps rebels in order to divide Sudan' 2002, *Al-Bawaba News*, 15 September – Attachment 3; 'Sudan rules out ties with Israel' 2005, *Agence France Presse*, 25 March – Attachment 4; 'Ahmadinejad in Sudan: "Zionists are the true manifestation of Satan"' 2007, *Haaretz*, 1 March <http://www.haaretz.com/hasen/spages/832229.html> – Accessed 29 January 2008 – Attachment 5; for the questioning of visitors to Israel, see Danish Immigration Service 2001, *Report on Fact-finding Mission to Cairo, Khartoum and Nairobi Human rights situation, military service, entry and embarkation procedures in Sudan 8 to 19 August to 20 to 23 November 2001*, 27 February, p. 54 Section 3.1 – Attachment 6).

In January 2005 a Comprehensive Peace Agreement was signed between the Sudanese government and the Sudan People's Liberation Movement (SPLM) to end the twenty-one year civil war in south Sudan. In October 2006, the *Xinhua News Agency* reported that the Sudan People's Liberation Movement had denied rumours circulating since the agreement's signing that it had established secret ties with Israel:

**KHARTOUM, Oct. 18 (Xinhua) -- A former rebel group in south Sudan which signed a peace agreement with the Sudanese government last year has denied that it had built secret ties with Israel, local daily al-Sudani reported on Wednesday.**

Byour Ajanig, the spokesman of the Sudan People's Liberation Movement (SPLM), said the movement had not set up any relation with the Jewish state since its establishment.

"We in Sudan and in the south can solve our problem through the referendum rather than Israel," Ajanig said in an interview with the al-Sudani newspaper. "The SPLM is working for the unity of Sudan on new basis," he added.

**The rumors saying that the SPLM established secret ties with Israel in a bid to separate the region from the biggest African country have mounted up since the movement signed a peace deal with the government and thus presided the regional government in south Sudan.**

In response, the SPLM said that such rumors were aimed at preventing the movement from establishing relations with the Arab states. He said that the movement had set up good relations with Egypt, Libya and other Arab countries.

The Comprehensive Peace Agreement, which the Sudanese government and the SPLM signed on Jan. 9, 2005, put an end to the 21-year civil war in south Sudan.

According to the agreement, a referendum will be carried out in the south in 2011 to decide whether to keep the unity of the country or announce an independence of the region ('Former rebel group in south Sudan denies relations with Israel' 2006, *Xinhua News Agency*, 18 October – Attachment 7).

Recently, Sudanese government ministers have accused Israel of involvement in the events in the western Sudanese region of Darfur. In July 2007, the views of Sudan's defence minister

Abdel Rahim Mohamed Hussein were reported on the Israeli Ynet news.com website, which included that twenty-four Jewish organisations of encouraging the conflict in Darfur:

**Sudan's defense minister, Abdel Rahim Mohamed Hussein, has accused "24 Jewish organizations" of "fueling the conflict in Darfur" last week in an interview with a Saudi newspaper.** Hussein was interviewed during an official state visit to the Saudi kingdom last week.

A journalist from Saudi Arabia's Okaz newspaper asked Hussein: "Some people are talking about the penetration of Jewish organizations in Darfur and that there is no conflict there?"

**"The Darfur issue is being fuelled by 24 Jewish organizations, who are making the largest amount of noise over the issue, and using the Holocaust in their campaigning," the Sudanese defense minister replied.**

Hussein added that the Darfur conflict was driven by "friction between farmers and herders and shepherds. Among the biggest problems is that of water, which is used to exploit the differences and fuel the conflict."

"Are these Jewish groups supporting (the rebels) financially?," the interviewer from Okaz asked Hussein.

"Yes, they provide political and material support through their control over the media and across American and British circles," Hussein said, adding that Jewish groups were using "all means to fuel these conflicts."

He added that Western reports of 200,000 people dying in Sudan were false, and said: "We talk about 9,000 dead as a result of either government or rebel actions."

**'We came to Israel to look for a better place'**

**Several days ago, Sudan's Interior Minister, Zubair Bashir Taha, lashed out at Sudanese refugees who had sought asylum in Israel, and accused "Israeli authorities of encouraging the Sudanese refugees to come to their country."**

**He added that his ministry was "very confused" by Sudanese citizens who came to Israel."**

The Sudan Tribune quoted a Sudanese refugee as telling al-Jazeera television: "We were surprised when we came here. We met good people, who welcomed us and gave us food. We feel that we are extremely happy. We hope that the Israeli government would find a solution for us and our children. We came here to look for a better place."

Meanwhile, in the US, a number of Jewish organizations have attempted to raise awareness over the plight of Sudanese citizens who face mass killings and ethnic cleansing from the Sudanese government. Some 20 Jewish organizations joined the 'Save Darfur Coalition,' along with other religious communities and American civil rights groups ('Sudan: Jews behind Darfur conflict' 2007, Ynet news.com website, 29 July <http://www.ynetnews.com/Ext/Comp/ArticleLayout/CdaArticlePrintPreview/1,2506,L-3431281,00.html> – Accessed 29 January 2008 – Attachment 8).

In September 2007, the *BBC Monitoring Service* for the Middle East excerpted a report from the website of the Sudanese Islamist opposition newspaper *Akhir Lahzah*. The report recorded the head of the government of South Sudan's mission in Cairo as denying and

Israeli presence in commercial sectors in south Sudan, and that both the north and south of Sudan refuse to establish relations with Israel:

The head of the government of South Sudan's mission in Cairo and its representative to the Arab League, Permino Makuit, has denied there is any Israeli presence in South Sudan whether in the hotel business or in the other sectors. **He further denied any Israelis had been granted entry visas to the south and reiterated that both northern and South Sudan refuse to establish relations with Israel.**

Makuit was addressing a seminar, chaired by Hani Raslan, organized by the Sudanese and Nile Valley Studies Programme at the Al-Ahram Centre for Political and Strategic Studies on the theme: South Sudan – two years after the peace agreement.

**Makuit said if there were cases of Israelis in South Sudan they were there illegally and would be treated in the same way Sudanese infiltrators to Israel had been treated.**

**“We do not welcome any relations with Israel in the South and hotels in the region are owned by African investors from Kenya and Uganda,” he said, adding “the entire Sudanese people and its government are against normalization of relations and we have no need, whatsoever, for their investments in any sector”.**

“South Sudan is an integral part of the Arab world and is represented in the Arab League,” Makuit said.

“We do not think about separation because we understand that the unity of South Sudan with its north is a source of power for a unified Sudan,” he added (‘South Sudan’s envoy in Cairo denies Israelis operating businesses in south’ 2007, *BBC Monitoring Middle East*, sourced from Sudanese Islamist opposition newspaper *Akhir Lahzah* website, 4 September – Attachment 9).

In May 2007, an academic of political science from Khartoum university spoke on a Sudanese television news-variety programme on Israel’s perceived intervention in the country. A report on the television programme available through the *BBC Monitoring Service* indicates that the speaker stated that Israel’s aim is to “cause friction between various ethnic and religious groups in Africa”, and that official and popular opinion in Sudan are consistent in rejecting relations with Israel:

Sudan TV’s news-variety programme “Iqa Al-Hayat” airs on 15 May an interview with Dr Hasan Hadj Ali, Professor of Political Science at Khartoum University, on a perceived intensification of Israeli intervention in Sudan through indirect means.

Ali says Israel has long been reported to have strong ties with the Sudan People’s Liberation Movement (SPLM), now one of the two principal partners in Khartoum’s transitional National Unity Government. He says that Israel is also boosting its relations with Sudan’s neighbours in a bid to prevent Khartoum from increasing its influence in such strategic areas as the Horn of Africa.

The theme of the 10-minute segment was a book published in June 2005, “Israeli Intervention in Sudan: How and Why?” by Sudanese researcher Shams al-Huda Ibrahim. The titles of the chapters are listed but no details are given on the contents.

**Ali says Israel has been a key mover in shaping international policy on Darfur and played an active role in the recent campaign of Darfur demonstrations staged recently in**

**various world capitals. He said the main Israeli aim was to “drive a wedge” and cause friction between various ethnic and religious groups in Africa.**

He said that there many Arab countries suffered from a split between the official and popular positions on Israel, with most governments favouring ties with Israel. **He says Sudan was a notable exception however because there is “congruity” in the official and popular positions on rejecting relations with Israel** (Source: Sudan TV, Omdurman, in Arabic 0700 gmt 15 May 07) (‘Sudan Academician perceives stepped up Israeli ‘intervention’ in Sudan, Africa’ 2007, *BBC Monitoring Middle East*, sourced from Sudan TV’s news-variety programme “Iqa Al-Hayat, 16 May – Attachment 10).

**2. Please provide information about the treatment of Sudanese citizens accused of spying for Israel or having some connection with Israel?**

**3. Please provide information about the treatment of Sudanese citizens accused of spying or of political dissent generally?**

### **Treatment of Sudanese citizens accused of spying, including for Israel, or connected with Israel:**

No reports were found on the treatment by Sudanese officials of Sudanese citizens accused of spying for Israel. There are reports that Sudanese citizens working for either the United Nations (UN) or other international non-government bodies, especially in Darfur, have been arrested and accused of spying for the UN or the United States. The December 2005 *10th European Country of Origin Information Seminar* highlights that spying is one of nine offences for which the death penalty may be applied under Sudan’s 1991 *Criminal Law*. In this context, the seminar reported the views of Mr Hans Friedrich Schodder on Sudanese citizen accused of spying. Mr Schodder was Senior Protection Officer of the UNHCR Representation in Khartoum, Sudan in 2005:

According to the 1991 Criminal Law, nine offences carry the death penalty: Attack on the power of the state, sometimes also called “crimes against the state”, which is quite commonly used to persecute political opponents; ... **espionage (art.53), which is also used to accuse human rights defenders and humanitarian workers. There were several cases, especially in Darfur, where Sudanese citizens who worked for UN organizations or international NGOs were arrested and accused of being spies for the US or the UN. The offence carries the death penalty** (ACCORD 2005, *10th European Country of Origin Information Seminar*, United Nations High Commissioner for Refugees website, 1-2 December, p.11 Section 3.2.4 <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain/opensslpdf.pdf?docid=4451d6a04> – Accessed 29 January 2008 – Attachment 11).

In May 2005, Human Rights Watch highlighted the situation of NGOs workers arrested for spying in Sudan. Members of *Médecins Sans Frontières* (MSF) were charged *inter alia* with spying, after Sudan’s Humanitarian Aid Commission argued that MSF’s report on rape was flawed:

Donor governments and the United Nations must condemn the Sudanese government’s arbitrary arrest and intimidation of aid workers, Human Rights Watch said today. The Sudanese government should drop charges against all aid workers, including the head of *Médecins Sans Frontières* in Khartoum, Paul Foreman, who was arrested yesterday and released on bail.

It's appalling that instead of arresting the people who have burned hundreds of villages and attacked thousands of women and girls, the Sudanese government is detaining aid workers.

The Sudanese authorities detained a second *Médecins Sans Frontières* (MSF) staff member in Nyala, South Darfur, early this morning. **Foreman's arrest followed escalating public threats against MSF in the Sudanese media over the past few weeks. Sudanese authorities claim that an MSF report on rape published on March 8 violated Sudanese law and that the report is "false."** The precise charges against MSF are unclear but—according to an article in the Khartoum-based pro-government newspaper *Al-Ra'i al-Aam* include spying, provision of false information and disturbing the peace.

The government concluded that the report was false, according to Sudan's Humanitarian Aid Commission, when MSF did not respond to government demands to produce the evidence of rapes. MSF's report stated that the organization had treated more than 500 women and girls in Darfur in a period of four and a half months, and it called on local authorities to do more to stop the abuses. The government sought names and other details, in violation of the doctor-patient privilege.

**In addition to the MSF staff, more than twenty aid workers have been arbitrarily arrested, detained or threatened with arrest in the past six months in Darfur**, according to Human Rights Watch research. International media are increasingly being denied visas to the region (Human Rights Watch 2005, 'Darfur: Arrest War Criminals, Not Aid Workers' Human Rights Watch website, 31 May <http://www.hrw.org/english/docs/2005/05/31/sudan11043.htm> – Accessed 29 January 2008 – Attachment 12).

There is evidence that some members within the ruling National Congress Party (NCP) government view as spies those within Sudan who favour UN troop intervention in Darfur. In May 2006, one NCP member made this accusation during a parliamentary debate on the proposed UN mission to Darfur:

Millions of Darfuris are homeless due to three years of fighting. The Sudanese parliament has debated the prospect of a UN mission in Darfur, as UN envoys tried to persuade Khartoum to accept peacekeepers.

**The debate turned into an unruly quarrel in Sudan's National Assembly on Wednesday after Lam Akol, the foreign minister, gave a statement saying Sudan should "be more flexible" about the prospect of a UN deployment to Darfur.**

**Deputies said one member of the ruling National Congress Party, which dominates government and the assembly, called those in favour of UN troops "traitors and spies".**

Deng Dongrin, a member from southern Sudan, said: "This created a big row and the speaker was not able to control the assembly and people were shouting insults at each other."

A member of parliament who spoke on condition of anonymity said: "There were divided views in parliament, but we are waiting for the outcome of the talks between the government and the UN." ('Sudan ministers split over UN mission' 2006, *Reuters*, 25 May, Media with Conscience website <http://mwcnews.net/content/view/7112/232/> – Accessed 24 January 2008 – Attachment 13).

In August 2006, the Sudanese government arrested in separate incidents two overseas citizens on charges of espionage: an American journalist working for the National Geographic Magazine and a Slovenian presidential envoy/government representative involved in the

peace process between the Sudanese government and rebels in Darfur ('Slovene envoy on trial in Sudan' 2006, *BBC News*, 3 August <http://news.bbc.co.uk/2/hi/europe/5243216.stm> – Accessed 29 January 2008 – Attachment 14; 'US journalist on Sudan spy charge' 2006, *BBC News*, 27 August <http://news.bbc.co.uk/2/hi/africa/5291154.stm> – Accessed 29 January 2008 – Attachment 15). The Slovenian envoy, Tomo Kriznar, wrote of his experience in prison in Sudan for *The Independent* newspaper several weeks after his release. In the October 2006 article, he refers to the Sudanese government's view that the role of NGOs is that of spying in anticipation for a United Nations led invasion:

It is barely more than a fortnight since I was released from a prison in Darfur. My experiences, both in the prison and during seven months as a human rights envoy in Sudan, are a warning to all of us that the people of Darfur can easily be indoctrinated and turned against the international community.

The media in Sudan are telling them that the United Nations is controlled by the US. The leaders in Khartoum, who oppose international intervention, are exploiting this anti-Americanism to stay in power and continue the destruction of Darfur, to continue to push the African population out of the region.

**I saw in prison how people changed from having sympathy and empathy for me to being suspicious and hostile and believing that I was a spy.** These people are being readied to go and fight against the UN. I won't forget what I saw for seven months. The fighting, the dying, the villages destroyed.

The UN must come, but only as far as the border with Chad. They need to start a radio station broadcasting across the border to give people access to information on what is really going on. At the moment, the Sudanese government has total control over all information in the country. Only the rich have access to independent media, through the internet, and they are, broadly speaking, either supporters of the present government or people preparing to leave the country.

**I have been to Sudan nine times, and each time I have seen the same pattern. The government is using its own Jihadist brand of Islam to keep the people in submission. They are using the threat of an outside enemy – the international community, primarily the US – that wants to come in and take their natural resources, steal their oil.**

**The Chief of Security in Sudan told me himself that he fears the US will come. They have managed to make people believe that even the NGOs are evil, that they are spies preparing the ground for a UN invasion of the country.**

...At the moment, they have convinced the people in Darfur that a UN force coming in across the border from Chad would be an invasion force. They have persuaded people that they must rise up and fight this invasion.

In the prison where I was held there are 550 inmates, convicted of violent crimes such as murder. These prisoners are in chains and waiting to be executed, but they have been told they will be given guns and released to go and fight the UN. These men come from the Janjaweed, the rebel groups of Minni Minawi, fighters loyal to Abdelwahid Elnur. They are a cross-section of all the armed groups in Darfur and they have been indoctrinated.

...The Janjaweed and other groups committing atrocities have spies everywhere. When I was there they would hear where I was. They learnt that I had a camera and thought it would record their faces and send the pictures which would then appear on the BBC that night.

These are proud people, they don't want to be filmed cutting babies out of mother's wombs and playing with the foetuses in front of them.

The camera can be more powerful a defence than the gun in these situations. We need to find a way to train local reporters to challenge the government monopoly on information, and get them the technical gear to get their own pictures out to tell the world and the people of Darfur what is actually happening. The author is a Slovenian writer and photographer, arrested while visiting Sudan as an official envoy of the Slovenian government (Krizner, T. 2006, 'Sudan sees UN intervention as an invasion', *The Independent*, 4 October <http://www.independent.co.uk/opinion/commentators/tomo-krizner-sudan-sees-un-intervention-as-an-invasion-418603.html> – Accessed 24 January 2008 – Attachment 16).

Current information is available on the views of the Sudanese government with regard to Sudanese citizens who seek asylum in Israel. In July 2007, the IRIN news website quoted the views of Sudan's Minister of the Interior, who stated that asylum seekers from Israel would be punished on return:

...African asylum seekers

Human rights organisations estimate that about 2,000 African asylum seekers have entered Israel so far this year. About 70 percent are from Sudan, including over 250 refugees from the Darfur region.

**... Sudan's Minister of Interior Zubair Bashir Taha said on 9 July that Sudanese law will be applied to all returning to the country, which observers take to mean that refugees who have been to Israel will be punished. The two countries consider each other "enemy states"** ('Sudanese asylum seekers take long bus ride to find bed for night' 2007, IRIN News website, sourced from Reuters-AlertNet website, 9 July <http://www.alertnet.org/thenews/newsdesk/IRIN/7089ab918c86a830b17f4395f41528e0.htm> – Accessed 30 January 2008 – Attachment 25).

Human Rights Watch also referred to the situation of asylum seekers in Israel in a 3 November 2007 statement on Egypt's forcible return of at least five asylum seekers to Sudan. HRW refers to the views of the Sudanese Foreign Minister and Sudanese Refugees Commissioner, who stated respectively that visiting Israel was a crime and that Sudanese refugees within Israel wished to "implement Zionism agendas against Sudan":

...Forty-four Sudanese, three Ivorians and one Somali have been held in incommunicado detention since Israel forcibly transferred them to Egypt on August 18, after they crossed briefly into Israel. Twenty-three in the group are known to be refugees or to have made asylum claims. At the time of the transfers, Israel claimed that Egyptian President Hosni Mubarak had assured Israeli Prime Minister Ehud Olmert that Egypt would not return refugees to Sudan. Egypt has denied any such agreement, and will not acknowledge the group's continued detention or provide any further information about them.

**...In addition to being forcibly returned to the armed conflict in Sudan, the five or more Sudanese could face persecution because they had sought refuge in Israel, which Sudan considers an enemy state. The Sudanese Foreign Ministry stated in September that visiting Israel was a crime. In July, the Sudanese Refugees Commissioner claimed that Sudanese refugees in Israel wanted to "implement Zionism agendas against Sudan," and called on Egyptian authorities to "firmly penalize any Sudanese refugees if they were found trying to infiltrate through Egypt into Israel."**



“In the face of Sudan’s record of rights abuses and its hostility toward its citizens who seek refuge in Israel, Egypt’s apparent decision to forcibly return Sudanese asylum seekers is unconscionable,” Whitson [HRW’s Middle East and North Africa Director] said (Human Rights Watch 2007, ‘Egypt: Do Not Return Detained Sudanese’ Human Rights Watch website, 3 November <http://hrw.org/english/docs/2007/11/03/egypt17233.htm> – Accessed 30 January 2008 – Attachment 26).

In 2001 Sudan’s Director of Passport and Immigration in Khartoum had indicated that Sudanese citizens who had visited Israel would be automatically questioned on their return. The Director’s views are to be found in The Danish Immigration Service’s August 2001 report on its fact-finding mission to Khartoum:

Abdulbagi Albushra Abdulhay, Major General, Director of Passport and Immigration, General Administration, Khartoum, denied that Sudanese citizens who had stayed abroad for some time would be arrested or questioned by the authorities on their return home. He said that no Sudanese would be questioned about his circumstances while abroad, however long he had been away, and whether he had been in Western Europe, the USA or other countries, **with the exception of Israel. If a person had been in Israel he would be questioned** (Danish Immigration Service 2001, *Report on Fact-finding Mission to Cairo, Khartoum and Nairobi Human rights situation, military service, entry and embarkation procedures in Sudan 8 to 19 August to 20 to 23 November 2001*, 27 February, p. 54 Section 3.1 – Attachment 6).

### **Treatment of Sudanese citizens accused of political dissent generally:**

Collated information on the treatment of Sudanese citizens accused by the government of political dissent generally or similar activities is provided by the Sudan Human Rights Organization in Cairo (SHRO-Cairo). SHRO-Cairo publishes on an *ad hoc* basis *The Sudanese Human Rights Quarterly* which documents the situation of human rights in Sudan with regard both to the region of Darfur and other parts of the country. It has most recently published two quarterlies covering the periods 1 January to 30 April 2007 and 1 May to 30 September 2007. For the most recent period, the *Quarterly* provides the following description of events involving citizens accused of political dissent or crimes of some kind:

The Situation of Human Rights (May 1- September 30, 2007): Mohamed Hassan Daoud

#### **SHRO-CAIRO SECRETARIAT**

Between May 1st and the ending September of 2007, the violation of human rights and fundamental freedoms was never abated. Many violations were committed against the right to free press, peaceful assembly, and organization. Many citizens were arbitrarily arrested, while many suffered long months in unlawful detention without charge. Acts of violence continued unabated, including extra-judicial killings in the regions of Darfur and Southern Kordofan. The ultra-violence of police forces by firearms to suppress popular demonstrations resulted in scores of murdered people and injured victims.

... On September 20, an armed group shot eight employees working with the World Vision relief agency. Three persons were seriously injured; Mohamed Hamid al-Mahdi and ‘Abd al-Rahman Eissa were shot in the head. The UN said that the attacks on relief workers increased by 150% in June this year compared by June last year.

#### **... Violating the Freedom of Press and Expression**

May the 11th, the Press and Publications Attorney (PPA) in Khartoum North summoned Kamal Hassan Bakheit, the editor-in-chief of *Al-Ray Al-'Am* journal, accused together with his economic reporter by the State Security Department for publication of news “negatively affecting the Sudanese-Egyptian relations.” Pledging to appear before the Attorney’s Office as might be required Bakheit was released by a personal bond.

... May the 24th, the Press and Publications Council decided to suspend journalist ‘Abd al-Baqqi al-Zafir from writing to Akhbar Al-Yom journal because he had criticized the Council’s decision to disallow the papers from imparting news about the military in Darfur.

On June 6, the deputy editor of Al-Ayyam, Kamal al-Sadiq, and the retired brigadier ‘Abd al-’Aziz Khalid, Chairperson of the National Alliance Party, were summoned before the Khartoum North Court in relation to a writing by the latter criticizing the intervention of the Armed Forces in politics. These criticisms were considered defaming to the Armed Forces.

By mid June, the security authorities arrested four journalists who had been covering events in Kajbar.

... August 8, the Civil Aviation Department at the Khartoum Airport stopped the travel of a number of journalists and media personnel who were about to take flight with the UN Special Envoy Ean Elison for a scheduled tour in Darfur. The Director of the Department said that a directive had been earlier issued suspending flight of all non-UN staff in the UN Flights.

### **... Violating Public Rights and Freedoms**

... On May 21, the authorities of the Kassala State refused to allow the East Front to demonstrate in protest of the slates finalized for appointment in constitutional posts. The authorities justified the rejection saying the requested demonstration was planned during meetings of the Joint Committee on Security Arrangements.

On May 21, officers of the Sudanese Liberal Party were harassed and intimidated by the authorities upon their visit to the Nuba Mountains and South Kordofan. Muhanad Zamil, member of the party’s media and information office, was harassed by a group dressed in military uniform. Zamil was beaten up and almost kidnapped. That night, the residence of Nor Tawir was also shot by firearms.

... About the 18th of June, the authorities refused to permit the People’s Congress Party to convene its June 21st scheduled state conference.

... June 24, the authorities curtailed Khalid ‘Abd-Allah Jadeen, Chairperson of the Sudan People’s Liberation Movement (SPLM) at the Khartoum Legislative Council, from traveling to Cairo for medical reasons by order of the Minister of the Interior. In protest, the SPLM group boycotted meetings of the Council.

### **... Arbitrary Arrests and Trials**

In the closing week of May the authorities arrested in Zalingi both Yasir Sa’d and al-Sayed Anees of the Jazarona Organization on their return from al-Hamidiya Camp. The two persons were arrested from inside a UN vehicle.

June 13, the authorities of Dongola in the Northern State arrested 4 (four) journalists who had been covering peaceful protesting of people against construction of the Kajbar Dam.

...On July 15, the security authorities arrested politicians and military personnel in Khartoum accused of engaging themselves in a conspiracy to sabotage the National Capital. ...Within a few days, the number of the arrestees increased to 40 persons. It was repeatedly reported that many of them had been tortured. On July 30, the authorities arrested the Deputy Chairperson of the Democratic Unionist Party 'Ali Mahmoud Hassanain for the same charge.

On July 20, the authorities arrested 'Osman Ibrahim 'Osman, Deputy Chairperson of the Committee Against the Kajbar Dam, from his residence in the village of Fareeq at the Wadi Halfa Locality, The eight men that arrested him climbed over the walls of his house at 2:30 am according to his wife 'Aza Khairi. The latter informed further that her husband was not allowed to take with him his diabetic and high blood pressure medicine.

... In the beginning of August, the security authorities arrested Dr. Siddig Norain of the Geography Department at the University of Western Kordofan from his residence in Khartoum, accused of cooperating with the Darfur rebels.

... September 20, the authorities arrested 14 members of the Sudan Liberation Movement in Khartoum after injuring 6 (six) demonstrators. The latter had been peacefully demonstrating in support of their leader 'Abd al-Wahid Mohamed Nor – the rebels' leader rejecting peace talks with the government in October unless a climate conducive to peace would be fully guaranteed before the deployment of the UN peace keeping force in Darfur.

In September, Suliman Jamous, coordinator of humanitarian services in Darfur, was released from house detention at the UN building in Kadogli by government orders. The release came about in response to a year's international campaign.

... On September 10, inspecting and confiscating documents, the police force sacked the SPLM Khartoum offices in the Khartoum North Locality, al-Diyoum, and al-Mogran. Despite an implicit apology by official of the ruling National Congress Party (NCP), the Minister of the Interior refused strongly to apologize for the SPLM: "There nothing to warrant police apology," affirmed the Minister (Sudan Human Rights Organization – Cairo 2007, *The Sudanese Human Rights Quarterly*, Issue No. 25, November, Sudan Human Rights Organization – Cairo website, pp.7-16 <http://www.shro-cairo.org/quarterly/No25E.pdf> – Accessed 31 January 2008 – Attachment 17).

For the earlier period 1 January to 30 April 2007, the *Quarterly* lists the following events involving citizens accused of political dissent or related activities:

The Situation of Human Rights January 1st –April 30th, 2007

SHRO Secretariat

### **Illegal State Violence**

During the period between January 1st and April 30th violations committed against the human rights and the fundamental freedoms of citizens continued unabated in the Sudan. The violations included the freedom of the Press and expression, the right to voluntary organizations and peaceful assembly and the right to fair trial. The police and security forces suppressed with illegal violence peaceful rallies and popular demonstrations, thus killing or injuring tens of citizens, as well as detaining hundreds of the demonstrators. The authorities prohibited the Press from covering different issues regarding the conflict in Darfur, or the trials under way. Several papers were sentenced with fines or payments to satisfy government officials claiming compensations for defamation; other journalists were suspended.

### **... Freedom of Publication and Expression**

... Around the end of January, a Khartoum criminal court condemned with 110 million pounds fine the editor-in-chief of Al-Sahafa Journal, 'Adil al-Baz, and the writer al-Haj Waraq in response to claims of defamation by the government officials Lam Akol and Tilara Deng.

February 1, a court at Khartoum North condemned Al-Sudani with defamation of a government official. The court committed Al-Sudani to pay the plaintiff Lam Akol, minister of foreign affairs, 100 million pounds (about 50,000 dollars) in compensation.

February 5, the Gezira T.V. was prevented from showing a press conference with members of the Umma Liberation Army.

February 8, 'Adil Sid Ahmed, the deputy editor-in-chief of the AlWattan Journal, and his colleague, journalist Ahmed al-Sharif were both arrested for their participation in the coverage of news considered "harmful to the national security." The journalists were released after 4 days in jail. The authorities conducted further investigation with Al-Wattan's Sid Ahmed al-Khalifa, the editor-in-chief, and the Press Council suspended the paper for two days (February 14 and 15). The paper was able, however, to repeal the suspension.

... March 12, the Council of Ministers' Secretariat General accused Al Ayyam and the deputy editor-in-chief of the journal of defamation for news published in the journal on the Council's discussion on the situation of the political parties that constituted the Government of National Unity.

... March 18, the Khartoum Criminal Court sentenced Mahgoub Mohamed Salih, the editor in-chief of Al-Ayyam, and editor Hadiya al-Hadi with a million dinar fine or 3 months imprisonment, in response of a complaint by the security/intelligence department against the paper.

The Press and Publications Attorney Office banned publication of materials that "degraded" the police in reaction to claims by the Ministry of Interior's Legal Affairs Administration.

... April 22, the journalists serving at the National Council were severely harassed during meetings of the Security and Defense Committee with the Director of the National Security Department and Intelligence.

### **Violating Human Rights and Public Freedoms**

... January 10, 11 persons were injured while 13 others, at least, were arrested as the police confronted them violently to disperse a peaceful rally by the Socialist Arab Ba'thi Party (Sudanese National Leadership) protesting the execution of the former Iraqi president, Saddam Hussain. Khalid Diyaaddin, Musa Mohamed Yusif, Musa Mohamed Musa, Khalid Shatir, Wala Omar Waqi'-Allah, Malaz Hassan Rabi', Mohammed Osman Sid Ahmed, Talal Osman, Yusif Ahmed Khugali, Yusif Mohamed Isma'il, and Tariq Hassan were arrested and unlawfully detained.

January 22, the National Council approved Law on Political Parties 2007 amidst high protests from the National Democratic Alliance's parliamentary bloc that withdrew from the session protesting the registration provisions for political parties, as prescribed by the law, and the limitations imposed on party finances, membership, and penal treatment. The democratic forces considered the law a clear adoption of totalitarian rule.

### ... Arbitrary Arrest and Trial

January 10, the police arrested 11 members of the Sudanese Socialist Ba'th Party in a demonstration protesting the execution of Saddam Hussain, the former Iraqi president. Among the detainees was 'Ali al-Rayah al-Sheikh, secretary of the party, Osman Idris Abu Ras, his deputy, Yusif Adam al-Day, Yahya Ishaq, Sa'id 'Abd al-Fatah, Siddiq Tawir, Shadiya Ahmed Lazim, Ahmed Hassan Isma'il, Awad Al-'Alim Musa'ad, and 'Awad-Allah Suliman. On January 15, the Khartoum North Criminal court fined with 200 pounds 'Ali al-Rayah al-Sanhori and Idris Abu Ras

... March 7, the national security and intelligence forces arrested Ahmed Dahiya, the chair of the al-Manbar al-Hor lil-Misairiya [the Misairiya Free Forum]. The arrested citizen was subsequently moved to Khartoum via Abu Bilaila Camp. He was released on April 18 after lengthy interrogations, without charge.

March 24, following armed assault by the police on the residence of the Sudan Liberation Army (SLA), the rebel group that signed Abuja Agreement with the government, tens of the SLA members were arrested all over the Three Towns of the capital Khartoum.... On 28 March, the authorities released 21 of the detainees. Still more than 70 persons were under arrest.

... On April 11, the Khartoum authorities arrested two members of the Sudan Communist Party who had been disseminating party leaflets in the anniversary of the April Uprising. One of the detainees was released but the other, al-Rasheed 'Amir, was kept under custody.

...In the second week of February, members of and students supporting the Sudanese Liberal Party were arrested as part of the detention campaigns on the campus of the Neelain University. The party claimed that 10 of its cadres were detained, including Mohamed al-Mustafa, member of the executive committee of the party.

April 13, the Khartoum police arrested a senior official of the SPLM in front of the gate of his house at the 'Imarat area in Khartoum. Lieutenant-General Eliyas Waba, head of the technical committee, the Joint Defense Council, claimed he had been beaten up and chained by the police. He lost his personal belongings, including 5 million pounds, a mobile, medical spectacles, and a watch. He was injured in his ears and left eye. The police claimed that General Waba was drunk.

### Extra-Judicial Killing

... March 24, tens of the police and security forces attacked a residential place of the SLA, a government's peace partner, at the al-Muhandiseen suburb in Omdurman. The attack was launched with heavy arms that killed 13 persons of whom ten were members of the SLA, in addition to three policemen. The murdered persons included Adam Babiker Ahmed, Hafiz Ibrahim Mohamed 'Abd al-Shafi', al-Nur Adam 'Abd al-Shafi', Abubakr Jangail, Mohamed Yagub Hassan, Gibreel Bakheit, Sharif Wad Darnajg, and Osman Ibrahim Suliman (Sudan Human Rights Organization – Cairo 2007, *The Sudanese Human Rights Quarterly*, Issue No. 24, June, Sudan Human Rights Organization – Cairo website, pp.7-18 <http://www.shro-cairo.org/quarterly/Quarterly24%20English.pdf> – Accessed 31 January 2008 – Attachment 18).

The SHRO-Cairo *Quarterly* for the period 1 August to 31 December 2006 was also consulted. It refers to a campaign launched by the government's "agency of humanitarian affairs" against "civil society groups":

The government's agency of humanitarian affairs launched wide campaigns against civil society groups that failed to rearrange their organizations, according to a new law on voluntary work (2006). The law inhibited civil society groups from receiving grants or pursuing funding to finance programs from abroad or even from Sudanese resources, without permission from the competent minister. The latter might authorize or disapprove funding by Section 7 of the new law. Section 13 authorized the registrar of voluntary organizations to cancel registration of an organization that might violate the law.

The first victim of the law, which contradicted Article 22 (2) of the International Covenant of Civil and Political Rights, was Own. This women's legal-aid group in Port Sudan was suspended by a registrar's administrative decision. Own bank account with the Sudanese French Bank was further sequestered, including a fund obtained from the European Union to strengthen (Sudan Human Rights Organization – Cairo 2007, *The Sudanese Human Rights Quarterly*, Issue No. 23, June, Sudan Human Rights Organization – Cairo website, p.25 <http://www.shro-cairo.org/quarterly/quarterly23.doc> – Accessed 31 January 2008 – Attachment 19).

The US State Department's *Country Reports on Human Rights Practices* on Sudan for 2006 provides the following summary with regard to political prisoners and detainees in the country:

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Although the Interim National Constitution, adopted in July 2005 and hereafter referred to as the "interim constitution," prohibits such practices, **government security forces continued to torture, beat, and harass suspected political opponents and others.**

...Political Prisoners and Detainees

There were no reports of political prisoners; however, **the government held an estimated 100 political detainees, including members of opposition parties. Security forces reportedly detained without charge, tortured, and held incommunicado political opponents ...**Detentions of such persons generally were prolonged. However, security forces **frequently harassed political opponents by summoning them for questioning, forcing them to remain during the day without questioning, and then ordering their return the following day--a process that sometimes continued for weeks.**

In September the government detained several leaders of the opposition Umma Party for planning protests against government-backed increases for the price of sugar and fuel...

Security forces detained members of Hassan al-Turabi's Popular Congress Party; however, there were fewer such detentions than in previous years.

Security forces arrested numerous persons suspected of supporting rebels in Darfur, some of whom were tried, convicted, and sentenced to death under special courts (see section 1.e.). For example, on April 19, NISS officers in Khartoum North detained the JEM's legal advisor and confiscated his belongings. Later in the day, officials transferred him to NISS headquarters, where he was held until May 2, when he was moved to the NISS section of Khobar prison in Khartoum North and charged with undermining the constitution, espionage, and obtaining official documents. A judge later ordered the man to be released because the government had held him for too long before filing charges. However, the NISS later brought the man to another judge, who ordered him detained for another week. He was later released.

Following the May 5 signing of the DPA, the government began to release many political detainees associated with the conflict. By August, the government had released 23 persons in accordance with the DPA, according to the UN special rapporteur on the situation of human rights in Sudan (US Department of State 2007, *Country Reports on Human Rights Practices for 2006 – Sudan*, 6 March, 2007 – Attachment 20).

One report was found on the arrest of a Sudanese intelligence officer suspected of spying on Sudanese opposition groups in Germany. The article was published by *Reuters* in October 2007:

BERLIN, Oct 23 (Reuters) – German police have arrested a Sudanese man suspected of spying on Sudanese opposition groups in Germany for Khartoum’s intelligence service, the federal prosecutor’s office said on Tuesday.

The 39-year-old, identified as Acuil A., was arrested on Saturday in Berlin and is thought to have been spying on the groups since at least July 2005, the office said.

Investigations are continuing and no further information can be provided at this time, it added (‘Germany arrests suspected Sudanese spy’ 2007, *Reuters*, 23 October, SudaneseOnline.com website

[http://www.sudaneseonline.com/en2/publish/Latest\\_News\\_1/Germany\\_arrests\\_suspected\\_Sudanese\\_spy.shtml](http://www.sudaneseonline.com/en2/publish/Latest_News_1/Germany_arrests_suspected_Sudanese_spy.shtml) – Accessed 24 January 2008 – Attachment 21).

#### **4. Is there any information on the freedom of movement of professional Sudanese?**

Opposition political figures have been detained at Khartoum airport and prevented from traveling. The government has also stopped the director of a local NGO working in Darfur from departing from Sudan to attend a conference overseas and confiscated his passport. These events are referred to in the US State Department’s *Country Reports on Human Rights Practices* on Sudan for 2006:

Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The interim constitution and law provide for these rights, but the government restricted them in practice.

**Movement generally was unhindered for citizens outside conflict areas;** however, at times foreigners needed government permission for domestic travel outside of Khartoum, which could be difficult to obtain and sometimes refused. Foreigners must register with the police on entering the country, obtain permission to move from one location to another, and reregister at each new location within three days of arrival. The Government of Southern Sudan did not restrict the movement of foreigners in the south, although foreigners were required to register upon entry.

...Although foreign NGO staff could obtain entry visas and work or travel permits for Darfur, there were numerous reports of continuing delays and restrictions (see section 1.g.). The government generally implemented its policy of issuing humanitarian visas within 48 hours, but nationals of some countries encountered difficulties in obtaining visas to work with NGOs.

Prior to the October 14 peace agreement signed by the government and the Eastern Front, supporters and members of the Eastern Front, a rebel group comprising the Rashaida Free

Lions, Beja Congress, and JEM faced increased restrictions against their movement throughout the eastern part of the country, and internationally.

**The government detained persons, particularly opposition political figures, at the airport and prevented them from traveling due to “security concerns.” For example, on August 20, the government prevented the director of a local NGO working in Darfur from departing the country to attend a conference overseas and confiscated his passport.**

The government required citizens to obtain an exit visa to depart the country; however, **the issuance of exit visas was pro forma and generally not used to restrict citizens’ travel.**

...Opposition leaders remained in self imposed exile in Cairo, Asmara, and other locations during the year (US Department of State 2007, *Country Reports on Human Rights Practices for 2006 – Sudan*, 6 March, 2007 – Attachment 20).

SHRO-Cairo in *The Sudanese Human Rights Quarterly* for 1 May to 30 September 2007 refers to the intervention of the Civil Aviation Department at the Khartoum Airport on 8 August 2007, barring the travel of journalists and media personnel who were intending to travel with UN staff to Darfur; and to restrictions to travel for the Chairperson of the Sudan People’s Liberation Movement (SPLM):

August 8, the Civil Aviation Department at the Khartoum Airport stopped the travel of a number of journalists and media personnel who were about to take flight with the UN Special Envoy Ean Elison for a scheduled tour in Darfur. The Director of the Department said that a directive had been earlier issued suspending flight of all non-UN staff in the UN Flights.

..... June 24, the authorities curtailed Khalid ‘Abd-Allah Jadeen, Chairperson of the Sudan People’s Liberation Movement (SPLM) at the Khartoum Legislative Council, from traveling to Cairo for medical reasons by order of the Minister of the Interior. In protest, the SPLM group boycotted meetings of the Council (Sudan Human Rights Organization – Cairo 2007, *The Sudanese Human Rights Quarterly*, Issue No. 25, November, Sudan Human Rights Organization – Cairo website, p.9 <http://www.shro-cairo.org/quarterly/No25E.pdf> – Accessed 31 January 2008 – Attachment 17).

The SHRO-Cairo *Quarterly* for the period 1 August to 31 December 2006 also refers to the arrest at Khartoum airport Abul-Qasim, a member of the negotiating team of the Sudan Liberation Army (SLA):

September 28, the National Security Department arrested Abul-Qasim Ahmed Abul-Qasim who arrived at the Khartoum airport deported from Saudi Arabia where he had been living with his family for a long time. Qasim arrest was related to opposition stands against the Government of Sudan, besides his public support for UN forces in Darfur during a meeting held by the Sudanese Embassy in the Saudi Kingdom. Abul-Qasim was a member of the negotiating team of the Sudan Liberation Army (SLA) in the Abuja peace talks. He became a representative of the SLA non-signatories to the Abuja Peace Agreement. Earlier on September 15, his brother Zakariyah Ahmed Abul-Qasim had been arrested without charge by the Security Department in Khartoum (Sudan Human Rights Organization – Cairo 2007, *The Sudanese Human Rights Quarterly*, Issue No. 23, June, Sudan Human Rights Organization – Cairo website, p.30 <http://www.shro-cairo.org/quarterly/quarterly23.doc> – Accessed 31 January 2008 – Attachment 19).



## 5. Is there any information on the issue of passports/exit visas to people accused of spying/political dissent?

Little information was found on the topic of passports and exit visas being issued to Sudanese persons accused of spying. The December 2005 *10th European Country of Origin Information Seminar* does contain comment on the issuance of exit visas to persons the government may suspect of political dissent. The views recorded in this instance are those of Hans Friedrich Schodder, who was then Senior Protection officer of the UNHCR representation in Khartoum:

Sudanese citizens need an exit visa to leave the country, and **these are denied to persons the government doesn't want to travel abroad, for example to attend critical meetings or conferences.** While considering an application for an exit visa, the authorities keep the passport of the applicant. **It's not a fact that political opponents don't get exit visa at all; it just might take a couple of months or even years, and through all those years the passport stays with the authorities** (ACCORD 2005, *10th European Country of Origin Information Seminar*, United Nations High Commissioner for Refugees website, 1-2 December, United Nations High Commissioner for Refugees website, p.22, 3.10.1 <http://www.unhcr.org/cgi-bin/txis/vtx/refworld/rwmain/opendocpdf.pdf?docid=4451d6a04> – Accessed 29 January 2008 – Attachment 11).

In August 2001, the Danish Immigration Service undertook a fact-finding mission in Khartoum. The mission included an interview with the then Major General, Director of Passport and Immigration, Khartoum, Abdulbagi Albushra Abdulhay, who indicated that Sudanese law allowed the authorities to refuse a person an exit visa. This was something decided on by a court which would in turn inform the Ministry of Internal Affairs and the immigration authorities:

Abdulhay [Major-General, Director of Passport & Immigration, General Administration, Ministry of Interior Affairs, Khartoum] explained that Sudanese national passports were issued by the Passports and Immigration Department in Khartoum. Any Sudanese citizen could have a national passport issued to him if he could produce valid proof of nationality and an identity card. There were two types of passport which were normally used, one for business travellers (pale blue cover) and one for ordinary travellers (green cover). From 2002 new technically improved passport types would be issued to replace the above, which were relatively easy to falsify.

For a person to leave Sudan legally his passport had to contain an exit visa. There were two types of exit visa for Sudanese citizens. One was only for those who were traveling abroad to work, and the other was for everyone else. These two types of exit visa have been in use since May 1998. To obtain an exit visa for countries which required a visa for entry, then that entry visa had to be produced.

**...It was possible in law for the authorities to refuse a person an exit visa. The decision was taken by a court which informed the Ministry of Internal Affairs and the immigration authorities about its decision** (Danish Immigration Service 2001, *Report on Fact-finding Mission to Cairo, Khartoum and Nairobi Human rights situation, military service, entry and embarkation procedures in Sudan 8 to 19 August to 20 to 23 November 2001*, 27 February, Section 3.2 – Attachment 6).

In an earlier February/March 2000 fact-finding mission on Sudan which was restricted to Cairo and Geneva, the Danish Immigration Service provides the opinions of several experts on the issuance of exit visas to opposition party members or professionals the government suspected of possessing harmful information:

Fadol [President Umma Party (UP), Egypt Office] explained that anyone wanting to leave Sudan must have an exit visa, obtainable from the Sudanese Ministry of the Interior, in his passport. There are three checkpoints at Khartoum airport.

According to Nhial [Vice-President Sudan Human Rights Organisation and Representative of the Union of Sudan African Parties (USAP) in the National Democratic Alliance (NDA), NDA Executive Office Cairo], **the Sudanese Government has recently made it easier for even members of opposition parties to obtain an exit visa in Sudan and thus be able to leave the country legally...**

Nhial also referred to one result of the conflict between President Al-Bashir and Al-Turabi being that Al-Bashir is now trying to muster support among public opinion in ways such as liberalizing Sudan's exit procedures. He instanced a leading member of the Umma Party (UP), Haj Abdel Rahman Nugdallah, imprisoned for over seven years, **who has now been released and permitted both to leave Sudan and to re-enter the country. This was apparently designed to show the outside world that anyone is free to come and go in the country. He did not think it would last, however, and cautioned against believing it to show Sudan as being in the process of liberalising conditions in the country.** This is a deliberate policy intended merely to persuade public opinion in Sudan that the country is moving out of its international isolation, as well as keeping the outside world satisfied with developments in Sudan.

Fadol stated that leading opposition politicians and activists are now allowed to leave Sudan and re-enter the country...

According to Eissa [General Secretary Arab Lawyers' Union (ALU) and First Deputy to Secretary-General and Official Spokesman NDA, Cairo], **journalists and media reporters can obtain an exit visa, as required in order to leave the country legally, only with great difficulty, if at all. The same also applies to lawyers and others suspected by the authorities of possibly being in possession of information which the authorities do not want brought to the outside world's attention.**

Dr Abdullah Mansour, Director of the Al-Nadim Centre in Cairo (a rehabilitation centre for torture victims), thought it very difficult to leave Sudan legally. Accounts of how the country has been left can therefore at times sound quite surreal, although they may be true. Many people have in fact managed to get out of Sudan by means including bribery.

Fadol explained that both deserters and draft evaders are able to leave via official points of departure from Sudan. It is possible for them to obtain both passports and exit visas, etc. by means of bribery. Border control officers at points of departure from Sudan can easily be bribed. Checks there were described as not very effective, despite each passenger at Khartoum airport, for instance, being checked three times on departure. Reasons for such susceptibility to corruption include family ties and low pay for airport staff. The same also applies to all points of departure from Sudan, i.e. Halfa in the north and Port Sudan in the east as well. **He nevertheless made the point that anyone on the list of wanted persons issued by the Ministry of the Interior would never manage to use bribery to obtain an exit stamp or leave Sudan via Khartoum airport. All those leaving Sudan require an exit permit in their passport, in the form of a stamp issued by the Ministry of the Interior.**

People merely of conscription age, on the other hand, would find it relatively easy to bribe their way out of the country via Khartoum airport. The same applies to deserters from the army and members of the political opposition. The authorities are not very well able to check on all departing passengers. This is due to shortage of financial resources and a general casualness about checks on departure. The point was again made that this only applies to people not on the authorities' list of wanted persons.

Eissa, too, referred to the scope for those wishing to leave Sudan to bribe their way out via Khartoum airport. However, people are apprehensive about leaving and many students, in particular, are refused an exit visa (Danish Immigration Service 2000, *Report on Fact-finding Mission to Cairo (Egypt) and Geneva (Switzerland) Human Rights Situation in Sudan and Position of Sudanese Nationals in Egypt 29 January to 12 February and 3 to 7 March 2000*, October, Section 2 and 2.1 – Attachment 22).

General information on the issuance of passports and exit visas in Sudan is available. The Immigration and Refugee Board of Canada spoke with an official at the Sudanese Embassy in Canada on 14 February 2007, who indicated that a computerised passport system exists in Sudan and that this allows “officials to verify the information and photographs of passport holders” (Immigration and Refugee Board of Canada 2007, *SDN102442.E – Sudan: Passport issuance and renewal procedures*, 28 February – Attachment 23). As quoted above, the US State Department indicated that during 2006 “the issuance of exit visas was pro forma and generally not used to restrict citizens’ travel” (US Department of State 2007, *Country Reports on Human Rights Practices for 2006 – Sudan*, 6 March, 2007 – Attachment 20). Sudanese passports are valid for ten years but with renewal required every two years during this period. Detailed information on the practical procedures involved in obtaining a passport and exit visa are contained in question one of *Research Response SDN16570* (RRT Country Research, *Research Response SDN16570*, 29 March – Attachment 24).

## **6. What information is there about the treatment of returnee failed asylum seekers to Sudan?**

The most recent information found on the above is from the *10th European Country of Origin Information Seminar* held on 1-2 December 2005 in Budapest. The treatment of returnee failed asylum seekers to Sudan is commented on by Mr Hans Friedrich Schodder (Senior Protection Officer of the UNHCR Representation in Khartoum in 2005) and Mr Homayoun Alizadeh (who was from March 2001 to June 2005, Head of Office of the United Nations High Commissioner for Human Rights in Khartoum). These two experts did not believe that returnees would face severe problems or were particularly targeted upon return to Sudan, or that they would automatically be arrested at the airport; however, such persons might face surveillance or questioning from security forces if they are seen as a threat to the state or for political reasons:

### 3.10.3. Return (of Failed Asylum Seekers)

HA [Homayoun Alizadeh]:

**Failed asylum seekers won’t face severe problems upon return, as long as they are not recognized as a threat to the state.** However, if they are seen as a threat – there is no guarantee. In the beginning of the 90ies there were cases of people who just disappeared.

A lot of persons who left the country after the coup [in 1989] returned from exile. Of course they feared that they would be arrested at the airport, but nothing happened. However, this does not mean that the situation will continue like this.

HS [Hans Friedrich Schodder]:

In the past persons who left the country after the coup and stayed away for more than one year, would be questioned upon return automatically. This is no routine policy anymore; also

the practice of arrests straight at the airport is not common anymore at the moment. **Returnees might get visits from security officers later and be questioned or warned not to start any “funky business” in Sudan. I have no information that these people are particularly being targeted.** Instead, some people who have been abroad for many years, maybe for political reasons, have come back to Khartoum. They are subject to close surveillance and they know that they cannot engage in political activities. They also know that they can be arrested, questioned, and detained at any time. They feel a little bit more secure if they obtained a foreign passport before their return. But if they are still Sudanese citizens, they have no protection at all.

There have been some positive developments, but the security is monitoring the situation very closely and it is quite unpredictable (ACCORD 2005, *10th European Country of Origin Information Seminar*, United Nations High Commissioner for Refugees website, 1-2 December, p. 23 <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain/opendocpdf.pdf?docid=4451d6a04> – Accessed 29 January 2008 – Attachment 11).

The Danish Immigration Service’s August 2001 report on its fact-finding mission to Khartoum in late 2001 refers briefly to the situation of returnee failed asylum seekers in its discussion on the general conditions of entry into Sudan for citizens:

Abdulbagi Albushra Abdulhay, Major General, Director of Passport and Immigration, General Administration, Khartoum, denied that Sudanese citizens who had stayed abroad for some time would be arrested or questioned by the authorities on their return home. He said that no Sudanese would be questioned about his circumstances while abroad, however long he had been away, and whether he had been in Western Europe, the USA or other countries, **with the exception of Israel. If a person had been in Israel he would be questioned.**

He also explained that Sudanese who worked abroad were obliged to pay tax on their foreign income either at a Sudanese Embassy or to the tax authorities in Sudan. Abdulhay said that no Sudanese had been arrested or even questioned on their return from abroad unless they had some unresolved business with the Sudanese tax authorities or were suspected of previous criminal activities in Sudan.

**Abdulhay explained that the airport police at Khartoum airport had a register of all wanted persons. The airport police showed these lists when the delegation visited the airport. The lists contain information about approximately 1700 Sudanese citizens who are wanted by the authorities.** The lists are drawn up manually and there is no wanted persons database. Abdulhay also said that any foreigner could enter Sudan freely. Even former militant members of the opposition who had fought against the Government could enter without having problems with the authorities. He added that there was an amnesty for such people in Sudan.

Anyone entering the country who appears on the list and is identified by the authorities will immediately be arrested and handed over to the Detective Police/Central Intelligence Department (CID) at the airport, which after further investigations may hand him over to the security service. A source at the airport police said that this happened three or four times a month. However, the head of the CID, Colonel Emad Kalafalla M. Khier, said that five or six people were handed over every day. This figure included those travelling on false passports.

Waltmans-Molier said that the Netherlands Embassy did not follow up any deportations of rejected asylum applicants from the Netherlands. There was no form of monitoring and the Embassy therefore did not know what subsequently happened to those who had been returned. The Embassy was not informed in advance by the Netherlands authorities about forthcoming deportations, nor was it told if these were happening with or without a Dutch police escort.

Waltmans-Molier was not aware of the existence of an alleged Sudanese decree called Decree No 4/B/307 from the head of the general security apparatus to senior border guards. However, she knew that it was the practice for Sudanese citizens who had been away from the country for a couple of years or more and who were now returning home to be questioned by the Sudanese police on their arrival. Often this would be because of a failure to pay tax. The Netherlands Embassy was not aware of any examples of people suffering any harm while being questioned.

Questioning was carried out by the immigration authorities or by the security service and was, according to Waltmans-Molier, quite normal. She mentioned a case in which a Sudanese woman had been returned from the Netherlands to Khartoum. The woman claimed to be the member of an opposition party but could not give any account of its ideology, and had been repeatedly questioned by the security service. The woman complained to the Netherlands Embassy but the matter was not felt to be serious and the Embassy had not heard that the woman had come to any harm. Waltmans-Molier did not have information about the number of Sudanese citizens sent back from the Netherlands in the last year.

A well-informed local source in Cairo said that Sudanese citizens in possession of a valid national passport could enter Sudan without any difficulty. However, if they only had a temporary travel document they would be questioned about their circumstances on arrival in Sudan. This applied only to those returning voluntarily to Sudan. The source had no information about conditions on entry for Sudanese citizens who were being forcibly repatriated to Sudan.

**Johannes Lehne [Deputy Head of Mission, Embassy of the Federal Republic of Germany, Khartoum] said that Germany had never had problems with the deportation of rejected asylum applicants to Khartoum, either on entry or following entry. In the previous year a total of 15 people had been sent back to Sudan from Germany. Only in some individual cases had the deportation been followed up** (Danish Immigration Service 2001, *Report on Fact-finding Mission to Cairo, Khartoum and Nairobi Human rights situation, military service, entry and embarkation procedures in Sudan 8 to 19 August to 20 to 23 November 2001*, 27 February, Section 3.1 – Attachment 6).

There is a considerable amount of current information on the views of the Sudanese government with regard to returnee asylum seekers specifically from Israel. During 2007 several thousand African asylum seekers entered Israel via Egypt, with a majority being from Sudan. In July 2007, the IRIN news website quoted the views of Sudan's Minister of the Interior, who stated that returnees asylum seekers from Israel would be punished:

...African asylum seekers

Human rights organisations estimate that about 2,000 African asylum seekers have entered Israel so far this year. About 70 percent are from Sudan, including over 250 refugees from the Darfur region.

... **Sudan's Minister of Interior Zubair Bashir Taha said on 9 July that Sudanese law will be applied to all returning to the country, which observers take to mean that refugees who have been to Israel will be punished. The two countries consider each other "enemy states"** ('Sudanese asylum seekers take long bus ride to find bed for night' 2007, IRIN News website, sourced from Reuters-AlertNet website, 9 July <http://www.alertnet.org/thenews/newsdesk/IRIN/7089ab918c86a830b17f4395f41528e0.htm> – Accessed 30 January 2008 – Attachment 25).

Human Rights Watch also referred to the situation of returnees to Sudan from Israel in a 3 November 2007 statement on Egypt's forcible return of at least five asylum seekers to Sudan.

HRW refers to the views on returnees from Israel of the Sudanese Foreign Minister and Sudanese Refugees Commissioner:

...Forty-four Sudanese, three Ivorians and one Somali have been held in incommunicado detention since Israel forcibly transferred them to Egypt on August 18, after they crossed briefly into Israel. Twenty-three in the group are known to be refugees or to have made asylum claims. At the time of the transfers, Israel claimed that Egyptian President Hosni Mubarak had assured Israeli Prime Minister Ehud Olmert that Egypt would not return refugees to Sudan. Egypt has denied any such agreement, and will not acknowledge the group's continued detention or provide any further information about them.

**...In addition to being forcibly returned to the armed conflict in Sudan, the five or more Sudanese could face persecution because they had sought refuge in Israel, which Sudan considers an enemy state. The Sudanese Foreign Ministry stated in September that visiting Israel was a crime. In July, the Sudanese Refugees Commissioner claimed that Sudanese refugees in Israel wanted to "implement Zionism agendas against Sudan," and called on Egyptian authorities to "firmly penalize any Sudanese refugees if they were found trying to infiltrate through Egypt into Israel."**

"In the face of Sudan's record of rights abuses and its hostility toward its citizens who seek refuge in Israel, Egypt's apparent decision to forcibly return Sudanese asylum seekers is unconscionable," Whitson [HRW's Middle East and North Africa Director] said (Human Rights Watch 2007, 'Egypt: Do Not Return Detained Sudanese' Human Rights Watch website, 3 November <http://hrw.org/english/docs/2007/11/03/egypt17233.htm> – Accessed 30 January 2008 – Attachment 26).

## **7. What information is there about Ahmed Harun?**

Ahmed (or Ahmad) Muhammad Harun was Sudanese Minister of State for the Interior between 2003 and 2005. In this position he was in charge of the "Darfur Security Desk" and coordinated the police, armed forces, and the National Security and Intelligence Service and the Militia/Janjaweed. In 2006 and 2007 he was Minister of State for Humanitarian Affairs of Sudan. In April 2007, the International Criminal Court (ICC) issued an international arrest warrant for Ahmed Harun for crimes against humanity and war crimes committed between 2003 and 2005. The ICC stated that he was responsible for the recruiting, mobilising, funding and arming the Janjaweed in the Darfur region of Sudan, of plans of attacks against the civilian population and towns and villages in Darfur, and that he personally encouraged such acts (Amnesty International 2007, 'Time for justice in Darfur' Amnesty International website, 17 July <http://www.amnesty.org/en/news-and-updates/feature-stories/time-for-justice-in-darfur-20070717> – Accessed 30 January 2008 – Attachment 27; El-Kaissouni, A. 2007, 'Sudan rejects ICC jurisdiction, says one suspect held' Reuters AlertNet website, 27 February <http://www.alertnet.org/thenews/newsdesk/L27385823.htm> – Accessed 30 January 2008 – Attachment 28).

The ICC's *Warrant for the Arrest of Ahmad Harun* which lists in detail fifty one counts for his arrest is provided in Attachment 29 (International Criminal Court 2007, *Warrant for the Arrest of Ahmad Harun*, International Criminal Court website, 27 April [http://www.icc-cpi.int/library/cases/ICC-02-05-01-07-2\\_English.pdf](http://www.icc-cpi.int/library/cases/ICC-02-05-01-07-2_English.pdf) – Accessed 30 January 2008 – Attachment 29).

In November 2006, Ahmed Harun reportedly accused international humanitarian NGOs of violating Sudanese law by their support of political activities. The source of the report is a

Human Rights First article (available on the ReliefWeb website) on the attack on NGOs working in the Darfur region by the Sudanese government. The report also refers to a February 2006 Sudanese *Organization of Humanitarian and Voluntary Work Act* which requires “non-interference by foreign and international organizations in the internal affairs of the Sudan”:

The first ten months of 2006 has seen a significant deterioration in the conditions faced by the many Non-Governmental Organizations (NGOs) working to bring relief to the civilian population devastated by the Darfur conflict and to expose violations of human rights.

...The Sudanese government has a long history of persecution of NGOs and human rights defenders throughout the country. It has consistently inhibited the ability of those organizations and individuals to bring relief to Sudan’s large conflict-affected populations, and has been particularly harsh on those attempting to document and publicize human rights violations. **It has also demonstrated a long-held suspicion of international organizations operating within its borders, as exemplified in a law passed in February 2006 (the Organization of Humanitarian and Voluntary Work Act), which requires “non-interference by foreign and international organizations in the internal affairs of the Sudan, to the extent that these infringe upon the sovereignty of the country”.**

... October 2006: State Minister for Humanitarian Affairs, Ahmad Mohamed Haroun, renewed accusations that **international humanitarian NGOs were violating Sudanese law by supporting political activities**. Another official made vague allegations of interference in domestic affairs by INGOs through their distribution of large amounts of US dollars. He concluded that this situation called for the need to put restrictions on voluntary work (‘Non-Governmental Organizations (NGO) under attack in Sudan’ 2006, Human Rights First website, sourced from ReliefWeb website, 13 November <http://reliefweb.int/rw/RWB.NSF/db900SID/YAOI-6VJ32Q?OpenDocument> – Accessed 30 January 2008 – Attachment 30).

## 8. What information is there about the organisation called “International Medical Research”?

Reference was found to an “International Medical Research Organisation” (IMRO) based in Kolkata, India (<http://imrocal.com/Home.htm>). This organization’s website makes no reference to international membership or to any recently held conferences.

The TUFH website does refer to a conference called *Network: Towards Unity for Health (TUFH)*, and was titled “Improving Social Accountability in Education, Research and Service Delivery” held in September 2006, in Ghent, Belgium and which included participants from overseas, including from Sudan and Israel (‘Take Home Messages’ 2006, International Conference of the Network: TUFH, Ghent Belgium, 2006, Network: Towards Unity for Health (TUFH) website, <http://www.the-networktufh.org/conferences/previousconferencedetail.asp?id=19&tt=&t=Previous+Conferences> – Accessed 31 January 2008 – Attachment 31). The TUFH organisation has its own website and gives the following description of its composition, mission and strategies:

What is The Network: Towards Unity for Health?

The Network: TUFH is a global association of individuals, groups, institutions and organisations committed to improving and maintaining health in the communities they have a mandate to serve.

The Network: TUFH is a Non-Governmental Organisation in official relationships with the World Health Organization (WHO) (The Network: Towards Unity for Health, 'What is The Network: Towards Unity for Health?' (undated) The Network: Towards Unity for Health website, <http://www.the-networktufh.org/home/index.asp> – Accessed 30 January 2008 – Attachment 32).

Mission and strategies

Mission

The Network: Towards Unity for Health is an international organisation of academic health professions institutions and organizations promoting equity in health through community-oriented education, research and service.

It is a non-governmental organization in official relationships with the World Health Organization.

Strategies

Create partnerships between academic health professions institutions, and with stakeholders: communities; health services; health care providers and their professional organisations; and other sectors affecting health;

Act locally and internationally;

Share expertise to promote change and change processes (The Network: Towards Unity for Health, 'Mission and strategies' (undated) The Network: Towards Unity for Health website, [http://www.the-networktufh.org/about\\_us/missionstatement.asp](http://www.the-networktufh.org/about_us/missionstatement.asp) – Accessed 30 January 2008 – Attachment 33).

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United States Department of State website <http://www.state.gov/>

#### **United Nations (UN)**

United Nations High Commissioner for Refugees website <http://www.unhcr.org/>

ReliefWeb website <http://reliefweb.int/>

#### **Non-Government Organisations**

Sudan Human Rights Organization – Cairo website <http://www.shro-cairo.org/>

Human Rights Watch website <http://hrw.org/>

Amnesty International website <http://www.amnesty.org/>

#### **International News & Politics**

*The Independent* <http://www.independent.co.uk/>

*Haaretz* <http://www.haaretz.com/>

Ynet news.com website <http://www.ynetnews.com/>

#### **Topic Specific Links**

The Network: Towards Unity for Health website <http://www.the-networktufh.org/>

#### **Search Engines**

Google search engine <http://www.google.com.au/>

### Databases:



FACTIVA (news database)  
BACIS (DIMA Country Information database)  
REFINFO (IRBDC (Canada) Country Information database)  
ISYS (RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State Reports)  
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