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The Sudanese National Intelligence and Security Service

The Sudanese National Intelligence and Security Service (NISS) is perhaps the most powerful wing of the Government of Sudan¹, with no checks on its authority to arrest and detain anyone perceived to be at odds with the incumbent regime.² The NISS primarily targets journalists, political dissidents, human rights defenders, activists and members of ethnic minorities³; in January and February of 2011, it also turned its efforts to student activists. Even those simply of conscription age or in the age-range of the majority of the rebel leadership can be at risk.⁴ The NISS rarely provides a reason or warrant for arrests and often releases people without telling them the charges against them.⁵ It regularly holds prisoners *incommunicado*, without legal representation or trial.⁶ Even when trials are provided, the accused are often forbidden to speak except to state their names, and are given no interpreter if they do not speak Arabic.⁷ Under the National Security Act of 2010, NISS officers have immunity from prosecution for their actions, including those of torture and rape. Detention and torture are systematic tools of obtaining intelligence in Sudan.

Intelligence gathering

The NISS has powerful international information-gathering organs. For example, a special governmental desk on Darfur monitors the international press for the activities of rebel affiliates abroad and supplements this with intelligence from Sudanese embassies and work conducted by its own information agents outside Sudan.⁸ Those detained upon returning to Sudan later report being presented with images of demonstrations held in locations across the UK by the NISS, revealing the presence of such information agents in the country.⁹ The Guardian reported in March, 2007 that it had documented embassy officials filming Darfuri protestors in London.¹⁰

Anyone that has recently been returned or removed from the UK is automatically of interest to the NISS. A UNHCR report released in 2008 states: "Darfurians may raise the suspicion of the security forces by the mere fact of travelling from other parts of Sudan to Darfur, by having travelled abroad, or by having been in contact with individuals and organizations abroad."¹¹ As most Sudanese asylum seekers arrive in the UK without passports and identification, they are required to be redocumented by the Sudanese Embassy prior to their return. This application for travel documents automatically alerts the NISS to the fact that someone has been to the UK, and is to be returned.¹² The asylum claim itself is treated as an act of regime defiance, and these individuals are immediately treated with suspicion upon their return to Sudan and therefore highly likely to be targeted by the NISS.

¹ "Safe as Ghost Houses: Prospects for Darfur African Survivors Removed to Khartoum". Aegis Trust, June 2006, http://www.aegistrust.org/images/khartoum_report_june_2006.pdf

² "Agents of Fear: The National Security Services in Sudan", Amnesty International, July 2010, <http://www.amnesty.org/en/library/asset/AFR54/010/2010/en/7b11e50c-3a0b-4699-8b6f-08a27f751c6c/afr540102010en.pdf>

³ *Ibid.*

⁴ "Safe as Ghost Houses". Aegis Trust, 2006

⁵ "Agents of Fear". Amnesty International, 2010

⁶ "2010 Human Rights Report: Sudan", U.S. State Department, 8 April 2011, <http://www.state.gov/g/drl/rls/hrrpt/2010/af/154371.htm>.

⁷ "Safe as Ghost Houses". Aegis Trust, 2006

⁸ *Ibid.*

⁹ "I was expecting to die", Inigo Gilmore. The Guardian, March 2007, <http://www.guardian.co.uk/world/2007/mar/28/sudan>

¹⁰ *Ibid.*

¹¹ "Tenth periodic report of the UNHCR on the situation of human rights in the Sudan: Arbitrary arrest and detention committed by national security, military and police". November, 2008

¹² "Safe as Ghost Houses". Aegis Trust, 2006

The Darfuri Diaspora in the UK frequently report that their calls to friends and family in Sudan are tapped by the NISS. In June 2011, Waging Peace spoke to some of these refugees and documented their experiences of phone tapping. There are often delays in their conversations, indicating that the calls are being recorded, and sometimes a third party will come on to the line and start speaking. Several said that the phone line was cut if they spoke in a language that could not be understood by the security official listening in.

The effects of talking about politics to the Diaspora outside Sudan can be severe. Those Darfuris interviewed by Waging Peace were afraid that those in Sudan would be arrested and detained merely for telling them what was taking place there. In order to avoid conversations being overheard, and confuse NISS surveillance, Darfuris often make use of multiple SIM cards.

Interrogation of returnees

In June 2011, Waging Peace interviewed a Sudanese asylum seeker, with the pseudonym Mr. M. This man is a Darfuri who sought asylum in the UK in 2003. In 2004, his asylum application was rejected and he was returned to Khartoum. Upon his return, Mr. M was detained at the airport and questioned about his activities in the UK as well as wider Darfuri and other NCP opposition activity within the UK. Mr. M was moved to a 'ghost house', a NISS house of detention in Khartoum, where he spent the next one and a half years. Mr. M was then transferred to Kober prison near Khartoum, where he spent two years detained in the political wing. During his time in the ghost house, he was interrogated every two or three days by multiple NISS officers about his time in the UK, questioned on how money was being given to the rebels in Darfur from the UK and about the membership and content of meetings held by rebel groups in the UK. Mr. M refused to answer these questions and was accused of being a spy for the West. Once he was in Kober Prison, Mr. M's interrogation became less frequent, tending to take place when significant events occurred in Darfur, though his questioning concerned similar themes. Eventually the NISS released Mr. M, without providing a reason for his long detention. He was asked to refrain from political activity and required to sign in at the security headquarters in Khartoum on a weekly basis. Violating this agreement, Mr. M moved to an Internally Displaced Persons (IDP) camp in Darfur. He stayed there for a year and a half before being re-captured by the NISS along with his wife while they were participating in a political meeting in 2009. He was then transferred to another ghost house, where he was kept for a further two months. He has now made it back to the UK, and his current asylum claim is pending.

Methods of torture used by the NISS on Mr. M during these multiple detentions included verbal abuse, threats to him and his family, multiple cigarette burns, beatings with a metal pipe or rifle-butt, sleep deprivation and prolonged forced exposure to the sun. NISS officers also denied Mr. M regular access to the insulin he uses to regulate his diabetes and provided meals only infrequently. As a result Mr. M's health has deteriorated and his vision has been affected. Mr. M also witnessed the death of an inmate during his time in the Khartoum ghost house.

Sadly Mr. M's experiences are not isolated, as the case of Adam Osman Mohammed demonstrates.¹³ Mr. Mohammed was returned to Sudan in August, 2008 following the rejection of his claim for asylum in the UK. He was killed by security services in front of his wife and son upon his return to his Darfuri village, having been followed after his arrival at Khartoum airport. Mohamed Elzaki Obubeker, Mr. Mohammed's cousin and former UK Darfur Union chairman, said: "The government suspects everyone who returns from the United Kingdom as being anti-government, whether it is true or not. They regard them as enemies of the state."¹⁴ Waging Peace brought this

¹³ "Sent Back by Britain. Executed in Darfur", Robert Verkaik. The Independent, March 2009, <http://www.independent.co.uk/news/uk/home-news/sent-back-by-britain-executed-in-darfur-1646507.html>

¹⁴ *Ibid.*

to the attention of the Asylum and Immigration Tribunal in April 2009 to prevent the removal of the ban on returning non-Arab Darfuris to Sudan.

In 2007, the Guardian reported that Sadiq Adam Osman had suffered severe torture following his immediate detention at Khartoum International Airport resulting from the rejection of his claim for asylum in the UK. His legs were pinned down using metal hooks, and he was threatened with the use of electrical cables.¹⁵

As illustrated by Mr. M's experiences, even after their release from detention, prisoners are often threatened and intimidated by the NISS. Some are required to check in at NISS offices while others are regularly visited by the NISS. Often, these prisoners are eventually re-arrested and tortured for more information.¹⁶ Some are even released specifically to gather information on rebel activity. Often this process repeats itself, with prisoners being released then re-detained in a 'cat and mouse' pattern.¹⁷

Conclusion

Returning Sudanese asylum seekers from the UK to Sudan in and of itself constitutes a significant threat to their safety at the hands of the NISS, and in the worst instances can result in death. Claiming asylum abroad is considered an act of regime defiance and, as such, the process of applying for documentation brings an individual to the attention of the NISS. Furthermore, the NISS uses information gathered through an advanced security service network to incriminate detainees, making the risk of imprisonment for failed UK asylum cases high. Detainees are then held without warrant, record, trial or representation, often severely tortured and their lives threatened, in prison conditions that are unacceptable. They are sometimes released only on the basis that they gather information on rebel activity and return to the NISS to be re-detained should they not provide 'satisfactory' answers. With this in mind, returning a Sudanese asylum seeker from the UK can, in the worst cases, amount to sending them to their death, and even in more favourable cases, constitutes a considerable threat to their safety and well-being.



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¹⁵ "I was expecting to die" The Guardian, 2007

¹⁶ "Agents of Fear". Amnesty International, 2010

¹⁷ "Safe as Ghost Houses". Aegis Trust, 2006