

URGENT ACTION

TWO MEN AT SERIOUS RISK IF RETURNED TO SUDAN

Two young Sudanese nationals are at risk of being forcibly returned from France to Sudan, where they would be at real risk of serious human rights violations. The two men are in a detention centre near Paris awaiting their expulsion.

B.A., age 18, and **I.C.**, age 22, are at risk of being illegally returned to Sudan, where they are at real risk of serious human rights violations. They were arrested on 26 October in Calais and issued with an expulsion order based on the fact they entered the country irregularly and had not submitted an asylum claim in France.

According to information the men provided to French officials (*Préfecture du Pas de Calais*), **B.A.** is from South Kordofan and **I.C.** is from Darfur, both conflict-affected areas in Sudan. I.C. informed his lawyers that in Sudan he and his brother were detained for a week. He said he was tortured and accused of supporting the opposition against the regime. Although the expulsion orders did not mention any country of final destination, flights to Khartoum (Sudan) were scheduled for both. B.A. received confirmation on 16 November of his return to Sudan and a flight was scheduled for 17 November, but was cancelled. I.C. was informed on 17 November of his return to Sudan and a flight was scheduled for 19 November. Both B.A. and I.C. are awaiting the results of an appeal submitted before an administrative court. Although the current status of the proceedings is unclear, I.C. could be sent back to Sudan on a flight scheduled for 19 November, and B.A. could risk the same fate.

No individual assessment of the risks upon return to Sudan was conducted before ordering the expulsion of the two men, in clear violation of international law. The French authorities have also been in contact with the Sudanese Embassy in France to establish the nationality of the two men - which could put them at further risk upon return.

Individuals coming from conflict-affected areas of Sudan such as Darfur and South Kordofan are at serious risk of persecution upon repatriation, in particular at the hands of the National Security Intelligence Service (NISS), who have often been accused of serious human rights violations, including arbitrary detention and torture. In some cases, the NISS appear to have beaten people upon arrival in Khartoum, particularly people coming from conflict areas, under the suspicion that they may be supporters of armed groups.

Please write immediately in French or your own language:

- Urging the French authorities not to return the two Sudanese men to Sudan as they are at real risk of being submitted to serious human rights violations upon return;
- Calling on them to conduct thorough individual assessments of the risks upon return before issuing expulsion orders, irrespectively of whether the individuals request international protection in France.

PLEASE SEND APPEALS IMMEDIATELY AND BEFORE 30 DECEMBER 2016 TO:

Minister of Interior

Mr. Bernard Cazeneuve
Place Beauvau
75008 Paris, France
Fax: +33(0)1 49 27 49 27
Email: sec.immigration@interieur.gouv.fr
Salutation: Monsieur le ministre/ Dear Minister

Préfecture du Pas de Calais

Madame le Préfète Fabienne Buccio
Préfète du Pas de Calais
Préfecture du Pas de Calais
Rue Ferdinand Buisson, 62000 ARRAS
France
Fax: +33 (0)3 21 55 30 30
Salutation: Madame la Préfète/ Dear Prefect

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation
Please check with your section office if sending appeals after the above date.



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ADDITIONAL INFORMATION

Amnesty International is concerned that the forcible return of the two men known as B.A. and I.C. would expose them to serious human rights violations and therefore breach the principle of *non-refoulement*. Under this principle, all states are prohibited from transferring anyone to a place where they would be at risk of serious human rights violations. Under international law, French authorities should have conducted an individual assessment of such risks before ordering the removal of the two men from France, irrespective of whether they had submitted a request for international protection or not.

In January 2016 Amnesty International interviewed 12 Sudanese individuals, mostly from Darfur, who had been repatriated from Jordan the previous month: they stated that upon return, they were arrested by officials from the NISS, interrogated about their tribal affiliation, accused of being "rebels" who "defamed Sudan's reputation", and beaten and tortured.

In August 2016, 40 people identified as Sudanese nationals were returned to Khartoum from Italy. Amnesty International spoke to a 23-year-old man from Darfur who was on this flight and described how security forces were awaiting his arrival in Khartoum: "They took us to a special area in the airport. I saw one man beaten...We were interrogated one by one...Now I am afraid if the security is searching for me or if they find me, I don't know what will happen to me."

Name: B.A. and I.C. (identity withheld for security reasons)

Gender m/f: male

UA: 262/16 Index: EUR 21/5176/2016 Issue Date: 18 November 2016