Information for British Nationals

Imprisoned in Sudan
Introduction

Being arrested and put on trial in a foreign country can be a bewildering and even terrifying experience, especially if you don’t understand the language and don’t know your rights within the law. This guide will help you understand the criminal justice system of Sudan. It includes guidance on your rights – what should be happening and when – plus some pointers on the best way to deal with your situation, and what support is available to you as a British national. We have tried to make sure that the information in this booklet is accurate and up to date, but the British Embassy cannot accept legal responsibility for any errors or omissions in the information.

The Foreign & Commonwealth Office (FCO)

The FCO is represented overseas by its Embassies and High Commissions (High Commissions in Commonwealth countries). Both employ consular officers, and one of their jobs is to provide help and advice to any Briton who gets into difficulty in a foreign country.

About the Consular Section of the British Embassy

We are impartial; we are not there to judge you. We aim to make sure that you are treated properly and fairly in accordance with Sudanese regulations and that you are treated no less favourably than other prisoners are. We cannot get you better treatment than other prisoners.
We can answer questions about your welfare and about prison regulations, but not questions about legal matters. You should ask your lawyer or the court these kind of questions. We can give you a list of lawyers.

We cannot get you out of prison, pay fines or stand bail, or interfere in local judicial procedures to get you out of prison or secure you an earlier trial date; we cannot investigate a crime.

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Who are the Consular representatives?

In Khartoum the consular representatives are:
Her Majesty’s Consul: David Belgrove
Vice Consul: Darren Love
Pro Consul: Lucy L Iskander

Contact Information:
BRITISH Embassy Khartoum Sudan
CONSULAR SECTION
Off Sharia Al-Baladiya
PO Box 801 Khartoum
Sudan

Tel: 00249 1 15 677 5761
Fax:00249 1 15 677 5503

Web/E-mail: http://ukinsudan.fco.gov.uk
Consular.Khartoum@fco.gov.uk

Opening Hours:
Sunday to Wednesday: 9:00 – 12:00
Thursday: Closed to Public Service

In cases of emergency when the Embassy is closed, please contact 015 677 5500
FIRST STEPS

Who will know that I have been detained?

It is essential that you inform the Embassy as soon as possible after your arrest. When a British citizen is arrested and detained in Sudan the authorities must inform the British Embassy. However, in practice this can take some time. We may be informed much more quickly by friends or relations. We will aim to make contact with you within 24 hours of being notified.

What will my family be told?

For reasons of confidentiality we are not permitted to tell anyone that you have been detained or what the charges are without your permission. However, should you wish to inform your family, we can make contact with them if they are in Sudan, if they are in the UK, ask our colleagues in the FCO in London to contact them. We can give your family or next of kin advice on how you are doing. We can also pass on any messages from you.

What will the British Embassy do?

We will aim to visit you as soon as we get permission for this visit from the Sudanese Ministry of Foreign Affairs, which may take some time.

We aim to make contact with you within 24 hours of being notified of your arrest. In case they wish to transfer any money to you, we can tell your next-of-kin how to transfer money through the FCO in London.

Prisoners Abroad

“Prisoners Abroad” is a UK Charity organisation which provides information, advice and support for prisoners and their families. They can provide information and limited financial assistance in certain situations.

They will keep in touch with you and your family throughout your time in prison and provide assistance upon release.
UK NATIONS NATIONALS DETAINED IN Sudan

WHAT YOU SHOULD KNOW

Sudanese Law

Please remember that British Laws do not apply in Sudan. Sudan has an established judicial system. You should therefore expect to be treated fairly in accordance with Sudanese Law.

If you hold both British and Sudanese citizenship we cannot assist you formally apart from in the most exceptional humanitarian situations and even then only with the approval of the Sudanese authorities.

What happens when I am arrested?

Arrests lead to detention in police cells. Most of your processions including passport, identity cards, money etc. will be taken away from you and kept. You may be allowed to see a lawyer and a member of the consular staff.

For how long can I be remanded in custody?

The law stipulates that the remand period should not exceed 48 hours. A suspect should be taken to court and charged within this time. This time maybe extended depending on investigation needed for different cases.

What happens when I am charged?

The charge is read to you and depending on the nature of the charge bail may be granted. Although bail is a constitutional right, it might be difficult to grant you bail if you do not have a permanent place of abode in this country. However, if
you provide sureties and surrender your passport to the authorities, bail might be granted.

**Categories of Charges.**

**Minor Offences**

These include for instance traffic offences etc. you will in most cases be fined or face a relatively short imprisonment.

**Serious Offences**

Cases like violent crime, murder, sexual offences, dealing in banned drugs are serious offences and you are not likely to be granted bail. Narcotics offences are considered a serious offence in Sudan and lead to long prison sentences. All type of class A and B drugs are prohibited in Sudan.

**Interpreters and Translators**

Required in court, as the official language used is Arabic. The court may arrange interpreters for you, but the Embassy official is not permitted, even if attended, to translate for you. While in detention there should be staff who can converse with you in English. The other inmates may well speak to each other in a variety of local languages, but there are likely to be some who will speak at least some basic English.

**What happens at the trial?**

Your lawyer will explain the detail of what to expect in court.

The magistrate or judge controls the proceedings. There are no jury trials, in most cases the decision is made by the judge acting alone.

There are no stenographic facilities in Sudanese courts and a hand written record is kept of proceedings, which slows down proceedings. There are no speaker systems in the courts so it can be difficult to follow proceedings.