

PUBLIC

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Arbitrary arrest/Incommunicado detention/Fear of torture or other ill-treatment

SUDAN

Hassan Al Turabi (m), aged 76, opposition group leader

Hassan Al Turabi, leader of the opposition group Popular Congress Party (PCP), was arrested on 14 January by armed agents of the Sudanese National Intelligence and Security Services (NISS), at his home in the capital, Khartoum. He has been held incommunicado, without charge, since then, and has had no access to medical treatment.

Although his family followed him to the NISS detention centre, they were not allowed to go in with him. The NISS have since refused to allow them to see him, to give him his medicine and special food.

Al Turabi is about to turn 77 and requires medication as well as a special diet (his doctors have told him not to eat spicy or salty food). He was first held at an NISS detention centre, and then moved to Kober prison in Khartoum.

Al Turabi's arrest came two days after he addressed journalists in the PCP offices: he told them that President Al Bashir should present himself to the International Criminal Court and face trial, to spare Sudan further internal crisis and collapse. He told them that, because he was in power, President Al-Bashir was politically responsible for the crimes such as killings, rape, displacement and burning of the villages that have been taking place since 2003 in Darfur.

Al Turabi has not been charged with any offence. Neither his family nor his lawyer have been officially informed of the reasons for his arrest. His family do not know how he is being treated, or how his health has been affected.

Hassan Al Turabi is the latest in a series of individuals, including human rights activists and others, detained solely for the peaceful exercise of their right to freedom of expression in Sudan, particularly since on 14 July 2008, when the ICC Prosecutor applied for a warrant for the arrest of President Al Bashir. Some of those arrested and detained were tortured and otherwise ill-treated.

Amnesty International believes that Al Turabi's arrest is arbitrary, carried out in response to his 12 January statement to journalists.

PCP leader Hassan Al Turabi, who was one of the people behind the 1989 coup d'état that brought President Omar Al Bashir to power, had fallen out with the president. He was imprisoned in Kober from February to May 2001, after which he was put under house arrest until October 2003, when he was pardoned by presidential decree. He was never brought to trial. He was again incarcerated between 2004 and 2005.

BACKGROUND INFORMATION

Although Sudan's Criminal Procedure Code contains safeguards against incommunicado detention, Article 31 of the National Security Forces Act, which governs arrests by the NISS, allows incommunicado detention without charge for up to nine months. This increases the likelihood of torture and other ill-treatment.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- urging the authorities to charge Hassan Al Turabi with a recognisable criminal offence or else release him immediately;
- urging them to allow Hassan Al Turabi immediate access to his family, legal representation and any medical treatment he may require;
- urging them to immediately stop the harassment and unlawful arrest of human rights activists and members of the opposition for the peaceful exercise of their right to freedom of expression and assembly;
- urging the authorities to repeal Article 31 of the National Security Forces Act, which allows detainees to be held for up to nine months without access to judicial review.

APPEALS TO:

His Excellency Lieutenant General Omar Hassan Al Bashir, President of Sudan
Office of the President, People's Palace, PO Box 281, Khartoum, Sudan

Fax: +249 183782541

Salutation: Your Excellency

Mr Abdel Basit Sabderat
Minister of Justice
Federal Ministry of Justice, PO Box 302, Khartoum, Sudan

Fax: +249 183 770883

Salutation: Dear Minister

Mr Ibrahim Mohamed Hamed
Federal Ministry of the Interior
PO Box 2793, Khartoum, Sudan

Fax: +249 1 8377 6554

Salutation: Dear Minister

Deng Alor Kuol
Federal Ministry of Foreign Affairs
PO Box 873, Khartoum, Sudan

Email: info@sudmer.com

Salutation: Dear Minister

COPIES TO:

Dr Abdel Moneim Osman Taha
Rapporteur, Advisory Council for Human Rights, Khartoum, Sudan

Fax: +249 183 77 08 83

Dr Priscilla Joseph
Chair of the Human Rights Committee, National Assembly, Omdurman, Sudan

Fax: +249 187 560 950

and to diplomatic representatives of Sudan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 26 February 2009.