

PUBLIC

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UA 279/01 Fear of torture or ill-treatment/ 2 November 2001
Detentions without charge/

Possible prisoners of conscience

SUDAN Adil Mahmoud (m),
Mohammed al Hassan (m),
both lawyers and members of the National Alliance for the Restoration of
Democracy (NARD)

The two lawyers named above are detained by Sudanese security forces and are reportedly being held in an office of the security forces near Farouk Cemetery in North Khartoum. Amnesty International fears that they are at risk of torture or ill-treatment and of prolonged detention.

Adil Mahmoud was arrested without charge at his office in Khartoum on 30 October. Mohammed al-Hassan was arrested with three lawyers and two members of the Communist Party as they held a private meeting on 31 October. On the same day, two other lawyers were also arrested in Khartoum. All except Mohammed al-Hassan and Adil Mahmoud were subsequently released without charge and asked to report to the security forces on 3 November.

The arrested lawyers are all members of the National Alliance for the Restoration of Democracy (NARD) - a loose association of lawyers who peacefully oppose the government. Their arrest seems to be linked to the election of a new Chair of the Sudanese Bar Association which is due to take place in December. At the last election in September 1997, the government tampered with ballot boxes in order that pro-government lawyers be elected. Security forces also violently disrupted meetings of lawyers who politically oppose the government and on one occasion beat several with steel bars and pipes.

BACKGROUND INFORMATION

Political opposition and freedom of expression, assembly and association have been severely curtailed in Sudan since President Omar al-Bashir came to power in 1989. The Political Act, which came into force in January 1999, supposedly relaxed the ban on opposition parties. However, opposition parties and trade unions not supporting the government are either banned or denied genuine political freedom. There is a consistent pattern of human rights abuses against those perceived to oppose the government, such as lawyers and human rights defenders. They remain at risk of torture, arbitrary arrests and detentions and harassment by security officers.

Under the National Security Act, amended in December 2000, the security forces can detain people for a total 123 days before a legal challenge can be made. This means, in effect, that detainees can be held for an indefinite period of time without charge.

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

- Expressing your concern at the continued detention of Adil Mahmoud and Mohamed al-Hassan as well as the arbitrary arrest of five other lawyers of the National Alliance for the Restoration of Democracy (NARD) and two members of the Communist Party;
- Seeking assurances that the detainees will not be ill-treated or tortured while in custody of the security forces and that they have immediate access to their families, lawyers and any medical assistance they may need;

- Stating that Amnesty International believes that they are held solely for having peacefully exercised their political beliefs and would consider them to be prisoners of conscience unless they are immediately and unconditionally released;
- Calling for the security forces to stop harassing and intimidating lawyers and politicians;
- Calling for the National Security Act to be brought in accordance with international human rights standards.

APPEALS TO:

His Excellency Lieutenant General Omar Hassan al-Bashir
President of the Republic of Sudan
President' s Palace
PO Box 281, Khartoum, Sudan
Fax: + 24911 787676 / 783223
Telegrams: President al-Bashir, Khartoum, Sudan
Salutation: Your Excellency

Mr Ali Mohamed Osman Yassin
Minister of Justice and Attorney General
Ministry of Justice
Khartoum, Sudan
Telegrams: Justice Minister, Khartoum, Sudan
Salutation: Dear Minister
Fax: +24911 77 48 42/77 49 06

Mr Mustafa Osman Ismail
Minister of Foreign Affairs
Ministry of Foreign Affairs
PO Box 873, Khartoum, Sudan
Fax: +24911 779383
Telegrams: Foreign Minister, khartoum, Sudan
Salutation: Dear Minister

Dr Ahmed al-Mufti
Advisory Council for Human Rights
PO Box 302
Khartoum, Sudan
Fax: +24911 779173

COPIES TO:

Mr Hafez al-Sheikh al-Zaki
Chief Justice, Supreme Court
Khartoum, Sudan

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 14 December 2001.