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## **Sudan: Two activists at risk of flogging for ‘indecent behaviour’**

The Sudanese authorities must drop ‘indecent behaviour’ charges against two activists who risk being sentenced to flogging in a trial that opens tomorrow, Amnesty International said today.

The organization is calling for the charges to be immediately and unconditionally dropped.

“Yet again the Sudanese authorities are exploiting their legal system to harass and intimidate activists,” said Sarah Jackson, Amnesty International’s Deputy Regional Director.

“The public order laws being used in this case do not specify what is meant by ‘indecent behaviour’ so the security forces are using their discretion to arrest and punish whoever they want to.”

On 21 October Najlaa Mohammed Ali, a lawyer and a human rights activist, and Amin Senada, an activist, were travelling by car to Port Sudan, when two armed men stopped the car, claiming to be from Sudan’s Public Order Police.

They accused Amin Senada of placing his hand on Najlaa Mohammed Ali’s shoulder and ordered the two to accompany them to the Public Order Department. The two were later charged with ‘indecent behaviour’ under Article 152 of Sudan’s Criminal Code, part of a broader set of laws known as the public order regime, which impose corporal punishment and fines for what is seen as immoral behaviour. Such charges can result in corporal punishment of up to 40 lashes.

“It appears that the charge is a response to Najlaa’s activism, including her participation in countrywide demonstrations that took place in September,” said Sarah Jackson.

Amnesty International is calling on the Sudanese authorities to abolish the penalty of flogging, which violates the absolute prohibition against torture and other cruel, inhuman or degrading treatment or punishment.

“Thousands of people, mainly women, are at risk of flogging in Sudan after being arrested for what is arbitrarily deemed ‘indecent behaviour’. This law is highly arbitrary and discriminatory, and needs to be repealed,” said Sarah Jackson.

Amnesty International is urging the Sudanese authorities to repeal or radically revise Article 152 of the Criminal Code as soon as possible to bring it in line with Sudan’s obligations under international human rights law.

### Background information

Article 152 states: “(1) Whoever commits, in a public space, an act, or conducts himself in an indecent manner, or a manner contrary to public morality, or wears an indecent or immoral dress, which causes annoyance to public feelings, shall be punished, with whipping, not exceeding forty lashes, or with a fine, or with both (2) The act shall be contrary to public morals if it is regarded as such according to the

standard of the person's religion or the custom of the country where the act takes place.”

In August this year, the case of [Amira Osman Hamed](#), a Sudanese women’s rights activist charged under Article 152 for not wearing a headscarf, attracted international attention. Her trial has repeatedly been delayed.