

PUBLIC

AI Index: AFR 54/030/2004

18 March 2004

Further Information on UA 10/04 (AFR 54/006/2004, 09 January 2004) and follow-up (AFR 54/018/2004, 18 February 2004) - Fear for Safety / Fear of torture or ill-treatment / Incommunicado detention

SUDAN **Abdel Shafie Issa Mustafa (m), former Sudan Textile employee**
Ahmed Hassan Abdel Rahman (m), banker
Ahmed Taher Ahmed Shattah (m), electronic technician
Al-Fadi Tambour (m), teacher
Hashem Hammam (m), student
Mohammad Abdallah Duma (m), lawyer and former Minister of Local Government
Mohammad Harun Mohamed (m), lawyer (name corrected from Mohammad Harun Kafi)
Mohammad Omer (m), student (name corrected from Mohammad Ismail)

Released: **Ismail Abdallah Musa (m), teaching assistant**
 Suleiman Ahmed Hussein (m)
And scores of others arrested in connection with the conflict in Darfur

Ismail Abdallah Musa and Suleiman Ahmed Hussein are now known to have been released on 18 February. They said they and the others held with them had been tortured. Scores of others have recently been released.

Amnesty International has received reliable reports that the other detainees named above have been tortured and ill-treated. They are still held without charge, at the security forces' Nyala Security Centre. They are at risk of further torture and ill-treatment. They have not had access to their families or lawyers. It is still not clear why they were arrested, although it seems likely they were suspected of supporting the armed opposition groups operating in Darfur.

BACKGROUND INFORMATION

Over the past few years hundreds of civilians in Darfur, western Sudan, mostly from agricultural ethnic groups like the Fur, Masalit and Zaghawa, have been killed or wounded by armed nomadic groups. Their homes have been burnt and herds stolen. The Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM) took up arms against the government in February 2003, because of what they perceived as the lack of government protection for their people and the marginalisation and underdevelopment of the region. Since then, the Sudan government appears to have given free rein to the nomadic militias known as the *Janjawid* to kill and abduct civilians, mainly from the agricultural ethnic groups, and destroy their property. More than 700,000 people have fled from their burnt villages and most have taken refuge in towns in Darfur, while more than 90,000 have crossed the border into Chad.

Since late 2003 hundreds of people from the Darfur region have been arrested, apparently because they were suspected of contacts with the armed opposition groups operating in the region. Those arrested have been held under Article 31 of the National Security Forces Act, which allows detention for up to nine months without access to judicial review. Many have been released within three months, and many of these have said they were tortured in custody.

Many of those detained in Darfur before September 2003 were released under the terms of a ceasefire between the SLA and the government, which was sponsored by the Chadian authorities. However on 17

December 2003, negotiations in Chad to end the conflict in Darfur collapsed. Since then, the local authorities have imposed a curfew in El Fasher, Nyala and Geneina, the capitals of North, South and West Darfur. While the peace process between the Sudan government and rebels of the SLA has been reaching a final agreement, the conflict in Darfur has not been included in the talks.

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

- expressing grave concern over reports that the men named above (naming them) were tortured and ill-treated while in detention in the Nyala Security Centre, pointing out that this violates the prohibition of torture or cruel, inhuman or degrading treatment in Article 7 of the International Covenant on Civil and Political Rights, to which Sudan is a state party, and calling for an immediate investigation;
- reminding the authorities that as a signatory to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment they have committed themselves to eradicating torture;
- pointing out that torture is an offence under Article 115(2) of the 1991 Sudan Penal Code;
- calling on the authorities to ensure that any members of the Sudan security forces found to have committed torture are tried in accordance with international standards of justice and fair trial;
- reminding the authorities that, under the Convention against Torture, statements made as a result of torture may not be used in evidence except against a person accused of carrying out the torture;
- urging the authorities to end the targeted repression against those who speak on Darfur and to ensure that meaningful measures are taken to end attacks against villages by the *Janjawid* militia.

APPEALS TO:

Mr Ali Osman Mohammad Taha
First Vice-President
People's Palace, PO Box 281, Khartoum, Sudan
Telegram: First Vice-President, Khartoum, Sudan
Fax: + 249 11 771025
Salutation: Your Excellency

General Salah Ahmed Mohammed Saleh
Minister of Presidential Affairs
People's Palace
PO Box 291
Khartoum
Fax : + 24911 771651/783223
Salutation: Dear Minister

Mr Ali Mohamed Osman Yassin
Minister of Justice and Attorney General
Ministry of Justice, Khartoum, Sudan
Telegrams: Justice Minister, Khartoum, Sudan
Fax: + 249 11 770883
Salutation: Dear Minister

Lieutenant-General Adam Hamid Musa
Governor of South Darfur State
c/o People's Palace
PO Box 281, Khartoum, Sudan
Telegrams: Lieutenant-General Adam Hamid Musa, Governor of South Darfur State,
People's Palace, Khartoum, Sudan
Fax: + 249 11 771 024
Salutation: Dear Sir

COPIES TO:

Chair of the Human Rights Committee
Dr Hamadtu Mukhtar

National Assembly, Omdurman, Sudan

Fax: + 249 15 560 950

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 29 April 2004.