

# AMNESTY INTERNATIONAL

**COUNTRY: SUDAN**

**SUBJECT TITLE: IMPRISONED LAWYERS**

**October 1990**

**SUMMARY**

**AI INDEX: AFR 54/39/90**

Numerous lawyers working in Sudan have been arrested since a new military government seized power in June 1989. Some have been released uncharged but at least 13 are still detained without charge or trial at various prisons in Sudan. They are detained because of their peaceful opposition to the new military government and in some cases because of their past activities. This document contains details about three imprisoned lawyers: Sadiq al-Shami, Mustafa Abdel-Gadir, and Jalal Mohamed al-Sayyed. Dr Amin Mekki Medani was also going to be featured but fortunately he was released at the end of October.

Amnesty International believes that they are prisoners of conscience and has been appealing to the Sudanese authorities for their immediate and unconditional release.

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This summarises a 5 page document, Sudan: Imprisoned Lawyers (AI Index: AFR 54/39/90), issued by Amnesty International in January 1990. Anyone wanting further details or to take action on this issue should consult the full document.

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October 1990

**SUDAN: IMPRISONED LAWYERS**

**Introduction**

Several lawyers have been detained without charge or trial in Sudan since a new military government seized power in June 1989. Some have been released uncharged but at least 13 are still held at various prisons in Sudan. They are detained because of their peaceful opposition to the new military government and in some cases because of their past activities. This document contains details about three lawyers who are prisoners of conscience, detained without charge or trial. Amnesty International has been appealing to the Sudanese authorities for their immediate and unconditional release.

## **Background**

Hundreds of other people have been arrested since the elected civilian government of former Prime Minister Sadiq al-Mahdi was overthrown in a military coup on 30 June 1989. Although a number of detainees have been released uncharged, more than 250 prisoners of conscience remain in custody, held without charge or trial under emergency legislation allowing administrative detention. These include trade union activists, academics, medical doctors, lawyers and journalists. More than 60 prisoners of conscience, arrested since November 1989, are known to have been tortured by members of a new security organization called the "Security of the Revolution" while detained in newly created secret detention centres in Khartoum. One of them, Ali Fadul, a medical doctor, is reported to have died as a result of torture on 22 April 1990 after being detained in secret since 13 March 1990. No official investigation into the reports of torture or inquest into the circumstances of his death is known to have been carried out. Another prisoner of conscience, Dr Maamun Mohamed Hussein, was sentenced to death in December 1989 for his part in organizing a meeting at which a strike was declared, but was released following international protests in May 1990.

Further arrests occurred in March and April 1990, army officers and senior members of the Umma party being particular targets.

Twenty-eight army officers were executed on 24 April - the day after the government announced that a coup attempt had been thwarted. Other officers have received prison sentences after unfair summary trials. Since the end of May 1990 46 members of

the Arab Socialist Ba'ath Party have been arrested. They were held initially incommunicado at various detention centres before their transfer to Kober and Dabak prisons. Eighteen prisoners were released on 1 August 1990, most of them trade union activists.

Following these releases Lieutenant-Colonel Bakri Hassan Saleh, a member of the ruling National Salvation Revolution Command Council (NSRCC), with special responsibilities for security matters, told the press that all political prisoners were to be released by the end of August. However, so far only a few prisoners among several hundred others held have been released and arrests are reported to be continuing. For example, on 4 September 1990 Abdelaziz Mohamed Salmane, a businessman, was arrested, apparently because his brother was suspected by the authorities of being involved in opposition activities abroad against the military government. Another prisoner of conscience, Mohamed Omar al-Mirghani, a retired senior civil servant in his 60s, was also arrested at the same time following accusations that he had in his possession some printing material used by opposition groups in Khartoum. Both men are still held incommunicado at a secret detention centre in Khartoum, where they are at risk of torture and ill-treatment.

### **Arrests of Lawyers**

On 31 July 1989 leaders of a number of trade unions and professional bodies presented a memorandum to the government calling for these organizations to be no longer proscribed. The Sudan Bar Association and the Association of Legal Advisers in the Attorney General's Chambers were among the memorandum's signatories.

About a week later some senior members of the Sudan Bar Association were arrested and detained without charge or trail. They included Sadiq al-Shami and Galal Eddine al-Sayid, both members of the association's Executive Committee.

Other prominent lawyers have been arrested since the coup although some have been released and others are still in detention. Those still in detention include Mustafa Abdelkadir, and Sayed Issa and Adnan Zahir Surur have been released. None has been charged or tried. These three are still being detained in Shall prison in Darfur. Many of the detainees were previously prisoners of conscience adopted by Amnesty International under the Nimeiri government.

On 21 August 1989 a number of Sudanese judges submitted a memorandum to the government protesting about the dismissal of some of their colleagues, against government interference in the judiciary and, in particular, against the government's creation of new special courts presided over by army officers with no legal training. Following this protest more judges were dismissed as a punishment. At least 58 judges are believed to have been dismissed and more than 70 others are reported to have been dismissed in September 1990.

### **Cases of Lawyers who are still detained**

#### **1. Sadiq al-Shami**

Sadiq al-Shami was released in early November 1989, then briefly detained again in December. He was reported at the time to have been severely tortured while in security service custody. He is a known human rights lawyer and an active member of the now-banned Sudanese Organization for Human Rights. He was arrested again in late May 1990 and detained in a secret place before he was transferred to Kober prison. The authorities have not explained his third arrest since the 30 June 1989 coup.

## **2. Mustafa Abdel-Gadir**

Mustafa Abdel-Gadir is in his late forties and he is married with children. He is a writer and a known trade unionist. He has been a member of the executive Committee of the now-banned Sudan Bar Association for about 17 years. He is also a member of the Sudanese Organisation for Human Rights. Under Nimeiri he wrote a series of articles on the existence of the political police, which led to his arrests and to the confiscation of his passport on a number of occasions. He was a candidate of the Graduates Constituency for the National Assembly. He was arrested after his return from a conference in Damascus, for opposition to the government's suspension of trade union and other professional activities. He was detained in Shalla Prison for about a year before he was transferred to Kober. He is being held without charge or trial. Abdel-Gadir is in his late forties, married and has children.

## **3. Galal Mohamed al-Sayyed**

Galal Mohamed al-Sayyed is in his mid-forties and married. He was detained several times during Nimeiri's rule. He is the deputy secretary of the now-banned Sudan Bar Association. Before that he was the secretary general of the Sudan Youth Movement. He is also a member of the Sudan Communist Party. In the last elections he was a candidate in one of Khartoum constituencies for the National Assembly. He is known to have campaigned against the introduction of the Shari'a laws.

Galal Al-sayyed lost his father while he was detained at Shalla. He was brought from there without explaining the reason, and was not allowed to go to the family house until the next day, and was returned to prison immediately afterwards.