

## URGENT APPEAL - THE OBSERVATORY

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**New information**  
**SDN 001 / 0812 / OBS 070.2**  
Releases / Judicial harassment  
**Sudan**  
August 20, 2012

The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), has received new information and requests your urgent intervention in the following situation in **Sudan**.

### **New information:**

The Observatory has been informed by the African Centre For Justice and Peace Studies (ACJPS) about the release of 17 human rights defenders, namely Messrs. **Ramzi Yahia**, **Abdul Rahman Abu Al Hassan**, **Ahmed Mohamed Abdallah**, **Adil Abdallah Nasr El Dein**, **Satti Mohamed Alhaj** and **Amro Hamad Omar**, lawyers, as well as Mr. **Mohamed Salah Mohamed**, President of the Nubian Students Association, Mss. **Nahid Gabralla**, women's rights activist, member of Sima Organisation for Child Rights, **Marwa el Tigany**, journalist and human rights defender, **Mai Shatta**, member of *Girifna*<sup>1</sup>, **Amira Osman**, women's rights activist, member of "No to Women's Oppression", **Rashida Shams**, member of *Girifna* and member of "No to Women's Oppression", Messrs. **Mohamed Al-Ussat**, journalist and activist, **Al Said Mustafa**, Chairperson of Al Shiroog Cultural Forum, **Abdulgadir Mahmoud**, affiliate of Al Shiroog Cultural Forum, **Faisal Shabou**, women's rights activist, member of Sima Organisation for Child Rights and **Radwan Daoud**, member of *Girifna*. The Observatory was further informed about the withdrawal of the charges against Mr. **Ahmed Alkwarti**, another member of *Girifna*.

According to the information received, the National Intelligence and Security Service (NISS) released Mr. Ramzi Yahia on July 27, 2012, Messrs. Abdul Rahman Abu Al Hassan, Ahmed Mohamed Abdallah, Adil Abdallah Nasr El Dein and Amro Hamad Omar on August 4, 2012 and Ms. Nahid Gabralla, Marwa El Tigany, Mai Shatta and Mr. Mohamed Salah Mohamed on August 11, 2012.

In addition, on August 13, 2012, the Al-Haj Youssef Court of Khartoum dropped the charges against Mr. Ahmed Alkwarti, who had been released on bail on July 23 (see background information) but remained charged under Article 62 ("inciting feelings of unrest among disciplined forces and abetment of disturbing order"), Article 63 ("calling for opposition to public authority by use of violence or criminal force"), Article 65 ("participation in criminal and terrorist organisations"), 69 ("disturbance of public peace") and Article 77 ("public nuisance, alcohol and gambling public nuisance") of the Criminal Code of 1991.

Moreover, on August 16, 2012, on the occasion of the upcoming Eid, Sudanese President Omar Hassan Ahmad al-Bashir granted an amnesty to a number of detainees, including human rights defenders Ms. Amira Osman, Rashida Shams, Messrs. Satti Mohamed Alhaj, Mohamed Al-Ussat, Al Said Mustafa, Abdulgadir Mahmoud, Faisal Shabou and Radwan Daoud, who were all released on the same day.

The Observatory welcomes the withdrawal of the charges against Mr. Alkwarti as well as the release of the 17 above-mentioned human rights defenders and thanks all the persons, institutions and organisations who intervened in their favour.

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<sup>1</sup> Girifna, which means "we are fed up", is a youth group created before the 2009 general elections to encourage promotion of social change and democracy through peaceful actions.



However, the Observatory remains deeply concerned about the continuing harassment of human rights defenders over the past months in Sudan (see background information).

The Observatory therefore calls upon the Sudanese authorities to put an end to the continuing harassment of all human rights defenders and to guarantee in all circumstances their physical and psychological integrity, since such practices seem to merely aim at sanctioning their human rights activities and the legitimate exercise of their right to freedom of expression as protected by Article 19 of the International Covenant on Civil and Political Rights, to which Sudan is a State party.

#### **Background information:**

Between June 23 and July 19, 2012, the Sudanese authorities launched a campaign of arbitrary arrests targeting dozens of human rights defenders, in the context of popular mass protests calling for regime change, peace and justice.

Some of the defenders had already been released on bail on July 23, 2012, including Messrs. Ahmed Alkwarti, **Sharaf Aldin** and Ms. **Namarig Abdelonim**, and Al-Haj Youssef Court of Khartoum dropped the charges against a number of others on July 25, including Mr. Aldin and Ms. Abdelonim<sup>2</sup>. However, Mr. Radwan Daoud remained in detention for about 40 days and was officially charged under Article 63 (“calling for opposition to public authority by use of violence or criminal force”), Article 65 (“participation in criminal and terrorist organisations”), 67 (offences relating to public tranquility – rioting”), Article 69 (“disturbance of public peace”), Article 72 (“exposing ways and means of transport and communication to danger”) and Article 77 (“public nuisance, alcohol and gambling public nuisance”) of the Criminal Code of 1991. On August 13, 2012, the Al-Haj Youssef Court indeed also found Mr. Daoud guilty of violating Article 69 (“disturbance of public peace”) of the Criminal Code of 1991 and sentenced him to a fine of 500 Sudanese Pounds (about 95 Euros). Although the court dropped the other charges against Mr. Daoud and considered the time he had already spent in detention as a punishment and thus ordered his release on the same day, the NISS arrested him again before he could leave the court.

All the other human rights defenders mentioned above, i.e. Messrs. Ramzi Yahia, Abdul Rahman Abu Al Hassan, Ahmed Mohamed Abdallah, Adil Abdallah Nasr El Dein, Satti Mohamed Alhaj, Amro Hamad Omar, Mohamed Salah Mohamed, Mohamed Al-Usbat, Al Said Mustafa, Abdulgadir Mahmoud, Faisal Shabou, Tarig El Sheikh, and Mss. Nahid Gabralla, Marwa el Tigany, Mai Shatta, Amira Osman and Rashida Shams, remained held in custody without charges for several weeks, and had no access to lawyers.

#### **Actions requested:**

The Observatory urges the authorities of Sudan to:

- i. Put an end to any kind of harassment, including at the judicial level, against all human rights defenders in Sudan, and ensure in all circumstances that they are able to carry out their activities without hindrances;
- ii. Guarantee in all circumstances the physical and psychological integrity of all human rights defenders in Sudan;
- iii. Conform in any circumstances with the provisions of the UN Declaration on Human Rights Defenders, in particular its Article 1, which states that “everyone has the right, individually or in association with others, to promote the protection and realization of human rights and

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<sup>2</sup> See Observatory Urgent Appeal SDN 001 / 0712 / OBS 070.1

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fundamental freedoms at the national and international levels”, and its article 12.2 which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;

iv. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by Sudan.

**Addresses:**

- Mr. President Omar Hassan Ahmad al-Bashir, Office of the President, People’s Palace, PO Box 281, Khartoum, Sudan, Fax: + 249 183 783223
- Mr. Mohammed Boushara Dossa, Minister of Justice, Ministry of Justice, PO Box 302, Khartoum, Sudan; Fax: 249 183 764 168 / +249 183 770 883; Email: [moj@moj.gov.sd](mailto:moj@moj.gov.sd)
- Mr. Ali Ahmed Karti, Minister of Foreign Affairs, Ministry of Foreign Affairs/External Relations, PO Box 873, Khartoum, Sudan, Fax: 249183772941
- Mr. Ibrahim Mahmoud Ahmed, Minister of Internal Affairs, Ministry of Interior, PO Box 873, Khartoum, Sudan, Fax: +249 183 779383 / +249 183 776 554; Email: [ministry@mfa.gov.sd](mailto:ministry@mfa.gov.sd)
- Advisory Council for Human Rights, Rapporteur, PO Box 302, Khartoum, Sudan, Fax: +249 183 77 08 83
- Permanent Mission of the Republic of Sudan to the United Nations in Geneva, Avenue Blanc 51-53 (3rd Floor), 1202 Geneva, Switzerland, Tel: +41 22 731 26 63, Fax: +41 22 731 26 56 / +41 22 716 19 70, Email: [mission.sudan@bluewin.ch](mailto:mission.sudan@bluewin.ch)
- Embassy of Sudan in Brussels, Avenue F.D. Roosevelt 124, 1050 Brussels, Belgium. Tel.:0032 (2) 647 51 59 / 0032 (2) 647 94 94, Fax: 0032 (2) 648 34 99, Email: [sudanbx@yahoo.com](mailto:sudanbx@yahoo.com)

Please also write to diplomatic representations of Sudan in your respective countries.

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Paris-Geneva, August 20, 2012

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

The Observatory, a FIDH and OMCT venture, is dedicated to the protection of Human Rights Defenders and aims to offer them concrete support in their time of need.

To contact the Observatory, call the emergency line:

- E-mail: [Appeals@fidh-omct.org](mailto:Appeals@fidh-omct.org)
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