

PUBLIC

AI Index: MDE 31/007/2008  
17 September 2008

UA 262/08      Forcible return/ Fear of torture and other ill-treatment  
YEMEN          Mohamadain 'Abdel Hameed Haroun

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Mohamadain 'Abdel Hameed Haroun, a Sudanese national from the Darfur region in west Sudan, is a refugee in Yemen and is at risk of being forcibly returned to Sudan, where he would be at risk of torture or other ill-treatment.

The Sudanese authorities have requested that the Yemeni authorities return Mohamadain 'Abdel Hameed Haroun to Sudan. The Sudanese authorities allege that Mohamadain 'Abdel Hameed was involved in the military attack carried out on 10 May on Omdurman, an area of the Sudanese capital Khartoum, by the Justice and Equality Movement, a Darfur-based armed opposition group.

Mohamadain 'Abdel Hameed Haroun has been working as a teacher at the Sudanese School in the Yemeni capital Sana'a, where he has been living for more than 15 years. He was arrested at the Sudanese School by Yemeni security officials on 4 August. Since the time of his arrest he has been held at Hamair Police Station in Sana'a.

On 14 August, Amnesty International urged Yemeni Minister of Interior, Mutaher Rashad al Masri to intervene immediately to prevent the forcible return of Mohamadain 'Abdel Hameed Haroun to Sudan, in accordance with Yemen's obligations under international law. The minister has not responded.

#### **BACKGROUND INFORMATION**

The attack on Khartoum on 10 May was immediately followed by hundreds of arrests in the Sudanese capital, mainly targeting activists and families from Darfur. Hundreds of those arrested remain unaccounted for. Reports received by Amnesty International indicate that others have been tortured or otherwise ill-treated in detention, in several cases dying as a result. Several others suspected of involvement in the attack are believed to have been subjected to extrajudicial execution.

The Sudanese government declared the Justice and Equality Movement a "terrorist group" and are prosecuting some of those arrested in connection with the 10 May attack. Around 50 individuals have so far been found guilty of participating in the attack and were sentenced to death in August by Counter Terrorism Courts that were established following it. The trials failed to meet international standards for fair trial. The accused were not allowed access to lawyers until after their trials had begun and some have alleged that they were held incommunicado and forced to sign confessions after being tortured. The trial courts accepted the confessions as evidence of their guilt, and failed to investigate the allegations of torture and other ill-treatment.

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

- urging the authorities to abide by their international obligations and ensure that Mohamadain 'Abdel Hameed Haroun is not forcibly returned, either directly or through another country, to Sudan, where he would be at risk of serious human rights violations, including torture;
- calling on the authorities to provide Mohamadain 'Abdel Hameed Haroun with the opportunity to challenge any decision made on his expulsion;
- asking the authorities to ensure that he is being treated humanely and given access to his family, lawyers, and any medical attention he may require.

#### **APPEALS TO:**

President

His Excellency General 'Ali 'Abdullah Saleh  
President of the Republic of Yemen  
Sana'a, Republic of Yemen

**Fax: + 967 127 4147**

**Salutation: Your Excellency**

Minister of Interior

His Excellency Mutaher Rashad al Masri  
Ministry of Interior  
Sana'a, Republic of Yemen

**Fax: + 967 133 2511**

**Salutation: Your Excellency**

Minister of Human Rights

Her Excellency Houda 'Ali 'Abdullatif al-Baan  
Ministry for Human Rights  
Sana'a, Republic of Yemen

**Faxes: + 967 1 444 838**

**Salutation: Your Excellency**

Minister of Justice

His Excellency Dr Ghazi Shaif Al-Aghbari  
Ministry of Justice  
Sana'a, Republic of Yemen

**Fax: + 967 1 222 015**

**Salutation: Your Excellency**

Attorney General

His Excellency 'Abdullah al-'Ulufi  
Office of Attorney General  
Sana'a, Republic of Yemen

**Fax: + 967 137 4412**

**Salutation: Your Excellency**

**COPIES TO:** diplomatic representatives of Yemen accredited to your country

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 29 October.