

PUBLIC

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Incommunicado detention/risk of torture/ Prisoner of conscience

14 April 2009

SUDAN

Mohamed Al Mahjoub, (m) aged 57

Mohamed Al Mahjoub, acting director of Amal centre for the treatment and rehabilitation of victims of torture in El Fasher, North Darfur, was arrested by National Intelligence and Security Services (NISS) officers from his home on 11 April and taken into a NISS detention centre in El Fasher.

Mohamed Al Mahjoub has so far not been allowed any personal visits or been given access to a lawyer. Amnesty International fears for his safety and is concerned that he is at risk of torture or other forms of ill-treatment.

The reasons behind his arrest and detention remain unknown although on 4 March, he was ordered by the NISS not to leave El Fasher. Amnesty International believes that his detention might be solely related to the peaceful exercise of his right to freedom of expression and association. Amnesty International sees his arrest as part of the harassment that human rights defenders have been suffering in Sudan following the arrest warrant against President Al Bashir being issued by the International Criminal Court (ICC) on March 04 for war crimes and crimes against humanity.

The Amal centre's offices were closed down by the NISS in Nyala, South Darfur and in El Fasher, North Darfur, following the arrest warrant against President Omar Al Bashir. The closure of Amal coincided with that of two other Sudanese non-governmental organisations and the expulsion of 13 international humanitarian organisations that were operating in Sudan.

BACKGROUND INFORMATION

Torture or other forms of ill-treatment of human rights activists by the National Intelligence and Security Services (NISS) is often reported in Sudan, in particular when those detained are not given access to the outside world. Amnesty International documented many cases of torture and ill-treatment in detention against human rights activists in Sudan, namely at the hands of the NISS.

The NISS have increased their intimidation and persecution of human rights activists over the last year. A wave of detentions targeted amongst others several human rights defenders following the Justice and Equality Movement's attack on Khartoum. The application by the ICC's prosecutor for an arrest warrant against President Al Bashir has also triggered another wave of detentions and ill-treatment. Since the ICC issued the arrest warrant for crimes against humanity and war crimes against President Al Bashir, the human rights situation in Sudan notably deteriorated with the closure of three national humanitarian and human rights organisations, and the expulsion of 13 international aid organisations.

Although Sudan's Criminal Procedure Code contains safeguards against incommunicado detention, Article 31 of the National Security Forces Act, which governs arrests by the NISS, allows prolonged incommunicado detention without charge or trial. Such incommunicado detention without access to the outside world and without any outside inspection increases the likelihood of torture taking place. Amnesty International has criticised in the past the provisions under the National Security Forces Act.

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

- calling for the immediate and unconditional release of Mohamed Al Mahjoub as he appears to be detained solely because of his peaceful exercise of his human rights activities;
- urging the authorities to allow Mohamed Al Mahjoub access to legal representation as well as family visits and any medical attention he might require;
- requesting that the authorities immediately stop the harassment and unlawful arrests of human rights activists in Sudan;
- calling on the authorities to repeal Article 31 of the National Security Forces Act, which allows detainees to be held for up to nine months without access to judicial review.

APPEALS TO:

His Excellency Lieutenant General Omar Hassan al-Bashir
President of Sudan
Office of the President, People's Palace, PO Box 281, Khartoum, Sudan
Fax: +249 183 782541
Salutation: Your Excellency

Mr Abdel Basit Sabderat
Minister of Justice
Federal Ministry of Justice, PO Box 302, Khartoum, Sudan
Fax: +249 183 770883
Salutation: Dear Minister

Mr Ibrahim Mohamed Hamed
Federal Ministry of the Interior
PO Box 2793, Khartoum, Sudan
Fax: +249 183 776554
Salutation: Dear Minister

Deng Alor Kuol
Federal Ministry of Foreign Affairs
PO Box 873
Khartoum
Sudan
Email: info@sudmer.com
Salutation: Dear Minister

COPIES TO:

Dr Abdel Moneim Osman Taha
Rapporteur, Advisory Council for Human Rights, Khartoum, Sudan
Fax: +249 183 770883

Dr Priscilla Joseph
Chair of the Human Rights Committee, National Assembly, Omdurman, Sudan
Fax: +249 187 560950
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 26 May.