

PUBLIC

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UA 241/07 Torture/Medical Concern

**SUDAN Abdel Jalil al-Basha (m), Umma Reform and Renewal Party General Secretary
Yaquob Yahya (m), former army officer
Kabbashi Khater Mohammed Ahmad (m), trader
Tawer Osman Tawer (m), aged 58, former army officer
Ahmad Salman (m), aged 35, secretary to Abdel Jalil al-Basha**

The five men named above are held at Kober Prison in the capital, Khartoum, where they have been tortured.

Abdel Jalil al-Basha, Yaquob Yahya, Kabbashi Khater Mohammed Ahmad and Tawer Osman Tawer are held in a special security section of the prison, run by National Intelligence and Security (NISS), who have threatened them with further torture. Ahmad Salman, in the general section of the prison, needs urgent medical attention after severe and prolonged torture carried out in an attempt to persuade him to implicate Mubarak al-Fadel al-Mahdi, the political leader of the opposition Umma Party Reform and Renewal (UPRR) who is also held in Kober prison in an alleged armed coup attempt.

The five named above were arrested with 40 other people, including many former army officers, on or soon after 14 July. At press briefings NISS spokespersons accused them of smuggling arms and planning sabotage, to encourage foreign intervention in Sudan or a coup d'état. Their families and eventually their lawyers were only able to visit them after 10 August when 11 detainees were released and the case against 33 others was officially transferred to the Justice Department. On 26 August all but four detainees were moved to the part of the prison run by the prison administration rather than the NISS; here they are allowed to exercise in a courtyard and receive food from their families.

Those detained in the main prison include UPRR president Mubarak al-Fadel al-Mahdi, and human rights lawyer Ali Mahmoud Hassanain, Deputy Chairman of the opposition Democratic Unionist Party (DUP), who is diabetic. They are not believed to be in danger of torture.

Many of the former army officers and others detained, who now have access to family and lawyers, have reported being tortured under interrogation in an attempt to implicate Mubarak al-Fadel al-Mahdi and others with the alleged planned sabotage and coup d'état. Many say they have suffered prolonged beatings. Other torture methods reportedly include being suspended from the ceiling by their wrists, and tying up the victim and beating him with hosepipes. One was lifted up by his moustache. Another said that his testicles were crushed; they remain swollen and he needs medical attention.

BACKGROUND INFORMATION

The 1991 Sudanese Penal Code contains safeguards for people detained: a prosecutor or judge must be informed within 24 hours and detainees must be treated with dignity, with the right to see lawyers and to inform and normally to meet their families. However, the NISS are able to detain people without these safeguards. In particular, Article 31 of the 1999 National Security Forces Act gives the NISS the power to detain people for up to nine months without access to judicial review, and Article 33 gives them immunity from prosecution. The NISS frequently torture detainees in order to obtain confessions; Sudanese courts have recently acquitted a number of defendants in political trials because their confessions were extracted under torture.

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

- urging the authorities to ensure that Abdel Jalil al-Basha, Yaqoub Yahya, Kabbashi Khater Mohammed Ahmad, Tawer Osman Tawer and Ahmad Salman are treated humanely and have immediate access to independent doctors;
- urging the authorities to release them unless they are to be promptly charged with recognisably criminal offences;
- urging them to make sure that allegations that the men have been tortured are investigated immediately and fully, and that any official found to have used torture is brought to justice;
- asking them to ensure that prosecutors, judges and an independent inspection body have access to all detention centres, including those under the NISS;
- pointing out that any statement made as a result of torture must not be used as evidence in any proceedings except against a person accused of torture as evidence that the statement was made.

APPEALS TO:

Field Marshal Omar Hassan Ahmad al-Bashir
President of the Republic of Sudan
Office of the President
People's Palace
PO Box 281
Khartoum

Fax +249 183782541 (if voice answers, ask for "fax")
Salutation: Your Excellency

Prof. Al-Zubair Bashir Taha
Minister of Internal Affairs
Ministry of Interior
PO Box 281 Khartoum
Sudan

Fax: +249 183 774 339 (mark: "FAO Minister of Internal Affairs")
Salutation: Dear Minister

Mr Muhammad Ali al-Mardi
Minister of Justice and Attorney General
Ministry of Justice, PO Box 302, Khartoum, Sudan

Email: info@sudanjudiciary.org
Salutation: Dear Minister

COPIES TO:

Dr Abdel Moneim Osman Taha
Rapporteur, Advisory Council for Human Rights
Khartoum
Sudan

Email: human_rights_sudan@hotmail.com

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 19 October 2007.