

URGENT ACTION

HEALTH CONCERNS FOR DETAINED SUDANESE ACTIVIST

The family of Sudanese activist Husham Ali Mohamed Ali has received disturbing information that he has been injured while in detention. The Sudanese National Intelligence Service (NISS) arrested him upon arrival in Sudan on 29 May. The NISS have not allowed his family and lawyer to visit. Amnesty International considers him to be a prisoner of conscience held solely for exercising his right to freedom of expression.

Amnesty International has received credible information about the health condition of **Husham Ali Mohammad Ali**. According to Husham's family, they have received information that he has sustained injuries to the head that have left him paralyzed and unable to speak. It is, however, unclear how he sustained these injuries. Since his detention, the NISS have consistently denied him visits from his family or his lawyers. This lack of contact with the outside world considerably enhances Husham Ali Mohammad Ali's risk of being subjected to torture and other ill-treatment.

Husham Ali, a Sudanese national, worked as a freelance accountant in Saudi Arabia, where he has resided since 2010. An opposition activist in Sudan for many years, he continued to contribute to various online forums after moving to Saudi Arabia and is also involved in supporting charity groups in Sudan. After the Sudanese government's repression of civil society in Sudan in 2013, he became more active online and wrote various posts and articles to expose government corruption. He also published information about torture in detention by the Sudanese authorities and expressed his support for the November and December 2016 civil disobedience in Sudan on his Facebook page.

The 46-year-old activist was arrested on 18 November 2017 from his apartment in Jeddah, Saudi Arabia. Husham Ali was detained incommunicado and held in solitary confinement from the time of his arrest until the beginning of January 2018, when he was moved to a cell with other detainees. During this time, he was interrogated multiple times about his activism and informed by prison officials that he was detained at the order of the Sudanese authorities. On 6 March 2018, Husham Ali was moved from Dhaban prison to Al Shumaisi detention centre, an immigration centre outside Jeddah. He was forcefully deported to Sudan on 29 May 2018 and was detained by the NISS upon his arrival in Khartoum.

Please write immediately in Arabic or your own language:

- Calling on the Sudanese authorities to release Husham Ali Mohammad Ali immediately and unconditionally, as he is a prisoner of conscience detained solely for the peaceful exercise of his right to freedom of expression;
- Urging them to ensure that Husham Ali Mohammad Ali is granted regular access to his family and a lawyer of his choice without delay, pending his release;
- Urging them to ensure that pending his release, he is protected from torture and other ill-treatment;
- Calling on them to ensure that he is receiving proper medical treatment.

PLEASE SEND APPEALS BEFORE 17 AUGUST 2018 TO:

President
Omar Hassan Ahmad al-Bashir
Office of the President
People's Palace
PO Box 281
Khartoum, Sudan
Salutation: Your Excellency

Minister for Justice
Mohamed Ahmed Salim
Ministry of Justice
PO Box 302
Al Nil Avenue
Khartoum, Sudan
Salutation: Your Excellency

And copies to:
Minister for Interior
Ibrahim Mahmoud Hamid
Ministry of Interior
PO Box 873
Khartoum

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR MOHAMMED ABDALLA ALI ELTOM
Embassy of the Republic of the Sudan, 3 Cleveland Row St James's SW1A 1DD, 020 7839 8080, info@sudan-embassy.co.uk
Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

A previous urgent action was issued on 4 April 2018: <https://www.amnesty.org/en/documents/mde23/8078/2018/en/>

Husham Ali was deported from Saudi Arabia to Sudan on 29 May 2018 and arrested and detained by NISS agents upon arrival in Khartoum. Saudi Arabia has violated with impunity the principle of non-refoulement, which prohibits nations from returning individuals to countries where they would face risk of human rights violations or abuse. The principle of non-refoulement has the status of customary international law. Amnesty International documented in 2016 and 2017 the detention of three Sudanese activists residing in Saudi Arabia; Elgassim Mohammed Seed Ahmed, 52, Elwaleed Imam Hassan Taha, 44, and Alaa Aldin al-Difana, 44. They were arrested in Saudi Arabia in December 2016, for their support of the civil disobedience action in Sudan in November and December 2016. They were deported from Saudi Arabia to Sudan on 11 July 2017. The NISS arrested them upon arrival in Sudan. They were held at the NISS headquarters in Khartoum North and told Amnesty International that they were subjected to torture and other ill-treatment during detention. Elwaleed Imam Hassan Taha and Alaa Aldin al-Difana were released on 22 August 2017 without charge, while Elgassim Mohamed Seed Ahmed was released without charge on 3 October 2017.

Between November 2016 and February 2017, the NISS arrested dozens of opposition political party members and other activists who supported the civil disobedience action in November and December 2016, which was held in protest against the rise in fuel, electricity, transport, food, and medicine costs in Sudan. Those detained were subjected to various methods of torture and other ill-treatment, including electric shocks, beatings, whippings, solitary confinement, and severe psychological pressure. This included threats of rape during interrogations. In many cases the activists have been held for weeks or months without being charged with any crime. In 2018, at least 140 opposition party members, human rights defenders, students and women rights activists were arrested and detained by the NISS between 6 January and 10 February in connection with sporadic protests around Sudan over the rise in the cost of food and medicine. In April 2018, they were all released without charge.

The NISS maintains broad powers of arrest and detention under the National Security Act 2010 (NSA), which allows suspects to be detained for up to four-and-a-half months without judicial review. NISS officials often use these powers to arbitrarily arrest and detain individuals, and many have been subjected to torture and other ill-treatment. Under the same Act, NISS agents are provided with protection from prosecution for any act committed in the course of their work, which has resulted in a pervasive culture of impunity. The constitutional amendment to Article 151 (NSA) passed on 5 January 2015, that expanded the mandate of the NISS, has exacerbated the situation. The amendment transformed the NISS from an intelligence agency focused on information gathering, analysis and advice, to a fully-fledged security agency with a broad mandate to exercise a mix of functions usually carried out by the armed forces or law enforcement agencies. It gave the NISS unlimited discretion to decide what constitutes a political, economic or social threat and how to respond to such threats. Neither the NSA nor the revised Article 151 explicitly or implicitly require the NISS to abide by relevant international, regional and domestic law in the operation of its duties.

Gender m/f: m

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