



Rights groups welcome African Commission's decision to uphold complaint of human rights defenders tortured in Sudan

19 February 2015 – REDRESS and other rights groups welcome the decision Africa's main human rights treaty body has made which recognises Sudan's obligation to protect human rights defenders and to ensure that their work promoting and protecting the rights of others is not hindered or frustrated.

The International Commission of Jurists (ICJ), the International Federation for Human Rights (FIDH), the World Organisation against Torture (OMCT), the African Centre for Justice and Peace Studies (ACJPS) and REDRESS hail the important decision of the African Commission on Human and Peoples' Rights (ACHPR), published on 13 February 2015, which called on Sudan to effectively investigate and prosecute the security and intelligence officers alleged to be responsible for the arbitrary arrest, torture and ill-treatment of three prominent human rights defenders; to reopen and unfreeze the bank accounts of a human rights organisation shut down in connection with the case and to pay them compensation.

Human rights defenders Monim Elgak, Amir Suliman and the late Osman Hummaida were targeted for their supposed cooperation with the International Criminal Court in a pending case against the President of Sudan Omar Al Bashir arising from international crimes committed in Sudan's Darfur region.

The three human rights defenders were arrested on 24 November 2008 by Sudan's National and Intelligence Services (NISS) and subjected to torture and ill-treatment for three days. After their release, they were effectively forced to flee Sudan because of their fear of further persecution, given the impunity enjoyed by the security and intelligence services and the inaction of the Sudanese government.

Suliman was Director of the Khartoum Centre for Human Rights and Environmental Development (KCHRED), which in 2009 was shut down by the Sudanese authorities and had its bank account frozen. Hummaida, an ardent advocate for human rights who founded the Khartoum Centre and set up the ACJPS in Uganda, after his release, to ensure continued reporting of the human rights situation in Sudan, died in 2014.

The complainants turned to the ACHPR in 2009. The Commission found their complaint admissible in 2012, agreeing that the Sudanese justice system prevented them from obtaining redress in Sudan. OMCT and FIDH intervened on their behalf at the ACHPR and the complaint was supported by the ICJ, ACJPS and REDRESS.

Reacting to the decision, Amir Suliman, Legal Programme Coordinator of ACJPS and complainant in the case, said: *“The African Commission’s decision is an important recognition of the harm caused not only in our own case but the daily harm caused to the Sudanese people through the actions of the security and intelligence services. It also highlights the lack of effective safeguards against torture and remedies for victims”*.

Monim El Jak, complainant in the case and Acting Chairperson of the Commission for the Protection of Civilian and Human Rights in the conflict zones of Southern Kordofan and Blue Nile, added: *“We hope this decision will make the Sudanese government stop and reflect on its ongoing crackdown on civil society groups and human rights activists and also helps to put an end to other human rights violations.”*

The UN Human Rights Defenders Declaration establishes that states must take effective measures to facilitate the work of human rights defenders and protect their rights.

Gerald Staberock, OMCT Secretary General, said: *“The ruling sends a powerful message against torture and for the protection of those who fight torture and impunity in Sudan and in Africa. Sudan has now to fully implement and comply with this ruling providing reparations. It is time for all to recognise the vital role human rights and anti-torture activists play for the benefit of their societies”*.

Karim Lahidji, the FIDH President, added: *“The decision of the African Commission is significant and comes in a context where Sudanese human rights defenders continue to work in an environment that is marked by extreme insecurity and rampant impunity. Sudan must ensure that reprisals against those advocating for justice and fundamental rights and freedoms are no longer tolerated and unpunished.”*

Arnold Tsunga, ICJ Africa Programme Director, said: *“The Government of Sudan must now expeditiously comply with the findings of the African Commission to provide reparation to the victims, as well as to ensure guarantees of non-repetition.”*

Lutz Oette, REDRESS Counsel, stated: *“Human rights defenders continue to be harassed, arbitrarily arrested, detained, and prosecuted in Sudan, or driven into exile. The African Commission’s decision is a timely reminder of Sudan’s obligations to protect human rights defenders, and to put a stop to its current practice.”*

For further information please contact:

Amir Suliman, ACJPS: +256 783661084 or suleiman@acjps.org.

Monim El Jak, Acting Chairperson, Commission for the Protection of Civilian and Human Rights, Southern Kordofan and Blue Nile: monimeljak@gmail.com or +254-708903999.

Arnold Tsunga, ICJ Africa Director: Arnold.tsunga@icj.org or +27 73 131 8411.

Arthur Manet, FIDH Communications Officer (Paris): +33 (0) 143 552518.

Gerald Staberock, Secretary General of OMCT: gs@omct or + 41 22 809 4939.

Eva Sanchis, REDRESS Press Officer: eva@redress.org or +44 (0)2077931777.