

URGENT ACTION

DETAINED RELIGIOUS TEACHER FACES DEATH PENALTY

Matar Younis Ali Hussein, religious teacher who has a visual disability, has been formally charged with three offences under the 1991 Penal Code. Two of the offences put him at risk of facing the death penalty or life imprisonment in Sudan. Matar Younis was arrested on 1 April apparently because of his criticism of the government's policy in Darfur. He remains at risk of torture and other ill-treatment while in detention.

Matar Younis Ali Hussein, a 48-year-old religious teacher and a father of eight who has a visual disability, was charged under the 1991 Penal Code on 24 June for allegedly 'undermining the constitutional system' (Article 50) and 'waging war against the State' (Article 51), both of which carry a death penalty or life imprisonment. He has also been charged with 'espionage' under Article 53 of the Penal Code.

Matar Younis has been a vocal critic of the government's policy in Darfur and has called for the protection of displaced people. He was arrested by the Sudanese National Intelligence and Security Services (NISS) on 1 April in Zalengi city, Central Darfur. He was taken to Kober Prison in Khartoum few days later where he was detained until his transfer at the end of May to a detention centre run by the State Security Prosecution Office of Crimes Against the State in Khartoum. After he was charged on 24 June, he was taken back to Kober Prison.

According to Matar's lawyer, on 10 July, NISS agents transferred him again to the State Security Prosecution Office of Crimes Against the State in Khartoum.

Amnesty International considers Matar Younis to be a prisoner of conscience who is held solely for peacefully exercising his right to freedom of expression in his public criticism of the government's policy in Darfur. Amnesty International is also concerned that Matar Younis' is held in inhumane conditions and his continued and prolonged detention puts him at risk of torture and other ill-treatment. His trial is scheduled for 12 July in Khartoum.

Please write immediately in Arabic, English or your own language:

- Calling on the Sudanese authorities to drop the charges and release Matar Younis Ali Hussein immediately and unconditionally, as he has been detained solely for peacefully exercising his right to freedom of expression;
- Calling on them to ensure that, pending his release, Matar Younis Ali Hussein is granted regular access to his family and a lawyer of his choice;
- Urging them to ensure that, pending his release, he is not subjected to torture and other ill-treatment;
- Calling on them to release all other detainees in Sudan who are detained solely for the peaceful exercise of their human rights.

PLEASE SEND APPEALS BEFORE 22 AUGUST 2018 TO:

President

HE 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, Sudan

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. This is the second update of 70/18. Further information:
<https://www.amnesty.org/en/documents/afr54/8568/2018/en/>

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DETAINED RELIGIOUS TEACHER RISKS DEATH PENALTY

ADDITIONAL INFORMATION

As of today, there are widespread incidents of killings against internally displaced persons (IDPs), and other civilians, abduction, looting, sexual violence and arbitrary arrests in Darfur.

Despite this credible information on the human rights situation, the government of Sudan continues to repeat its claims that the security situation in Darfur has improved and is “stable”. On 28 June, Amnesty International released exclusive satellite and photo images showing extensive damage caused by ongoing attacks on villages in the region. The images show at least 18 villages in the eastern parts of the Jebel Marra area of Darfur were burnt by government and allied militia forces over the past three months. These images corroborate witness accounts, earlier collected by Amnesty International, from at least 13 affected villages. From March to May 2018, large displacement was caused by fighting between the Sudan Liberation Army – Abdel Wahid (SLA-AW and the Government of Sudan forces) in East Jebel Marra.

Torture and other forms of ill-treatment, arbitrary arrest and detention, remain pervasive in Darfur. It is a repressive measure regularly used by the Sudanese authorities to silence and punish dissent and anti-government political activists, human rights defenders, civil society activists and IDPs in Darfur. The rights to freedom of expression, association and peaceful assembly are heavily restricted in Darfur. Also, another community leader among a group of internally displaced persons (IDPs) in El Geneina, the capital of West Darfur state, Adam Haroun Shames Eldeen, a 46-year-old who was arrested and detained by the NISS on 13 December 2017, is facing similar charges to Matar Younis.

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 a court reviewing the detention. NISS officials often use these powers to arbitrarily arrest and detain individuals, many of whom are then 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 abuse and impunity. The amendment to Article 151 (NSA) of the Constitution passed on 5 January 2015, which 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.

Name: Matar Younis Ali Hussein
Gender m/f: m

Further information on UA: 70/18 Index: AFR 54/8759/2018 Issue Date: 11 July 2018