

Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations
Promoting human rights by protecting those who defend them

www.lrwc.org – lrwc@portal.ca – Tel: +1 604 736 1175 – Fax: +1 604 736 1170
3220 West 13th Avenue, Vancouver, B.C. CANADA V6K 2V5

December 16, 2014

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

Mohamed Bushara Dousa
Ministry of Justice
PO Box 302, Al Nil Avenue
Khartoum, Sudan
Via email : moj@moj.gov.sd

Your Excellencies:

Re: Detention of Farouk Abu Issa and Dr. Amin Maki Madani

Lawyers Rights Watch Canada (LRWC) is a committee of lawyers and academics who campaign internationally for advocacy rights, advocates in danger, and on rule of law issues and engage in legal research and education about international human rights law. I am a lawyer and a partner of a law firm in Canada, Cohen Highley LLP. I am writing, as a member of LRWC, in response to information obtained from Amnesty International.

Farouk Abu Issa and Dr. Amin Maki Madani were arrested on December 6th by agents of the Sudanese National Intelligence and Security Services in the capital, Khartoum. We are advised through Amnesty International that Mr. Issa and Dr. Madani were arrested without charge, are being held incommunicado in an undisclosed location, and are therefore at risk of torture and other ill-treatment.

LRWC express their deepest concern at these arrests and incommunicado detentions which seem directed at inhibiting human rights activities and the legitimate exercise of the right to freedom of expression as protected by Article 19 of the *International Covenant on Civil and Political Rights*, ratified by Sudan 18 June 1986. We therefore call on the authorities to guarantee in all circumstances the physical and psychological integrity of Mr. Issa and Dr. Madani, and release them immediately and unconditionally as their detention is arbitrary.

Lawyers Rights Watch Canada urges the authorities of Sudan to:

- i. either immediately release these detainees or charge them with recognizable crimes and grant pre-trial release;
- ii. guarantee in all circumstances the physical and psychological integrity of the detainees;
- iii. reveal their location and give them access to lawyers of their choosing, to medical treatment and to their families;
- iv. ensure that the detainees are not subject to torture or any ill-treatment;

- v. conform with the provisions of the *International Covenant on Civil and Political Rights* and the UN *Universal Declaration of Human Rights*, in particular its Article 3, which states that “everyone has the right to life, liberty and security of person”; its article 5 which provides that “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”; and its Article 20 (1) which provides that “everyone has the right to freedom of peaceful assembly and association”; and,
- vi. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by Sudan.

We are hopeful you will investigate promptly the allegations outlined above and implement the relief requested. Your confirmation of receipt of this correspondence and actions to be taken would be appreciated.

Yours Very Truly,

A handwritten signature in black ink, appearing to read 'Joe Hoffer', with a large, stylized initial 'J'.

Joe Hoffer
Sudan Monitor
Lawyers Rights Watch Canada

cc: Mr Osman Abufatima Adam
Chargé d’Affaires, Embassy of Sudan
354 Stewart Street
Ottawa, Ontario K1N 6K8
Email: Osman.abufatima@sudanembassy.ca

Ibrahim Mohamed Hamed
Ministry of Interior
PO Box 873
Khartoum, Sudan