

URGENT APPEAL - THE OBSERVATORY

New Information
SDN 002/0104/OBS 009.2
Arbitrary Detention / Hunger Strike
SUDAN
July 6, 2004

The Observatory for the Protection of Human Rights Defenders, a joint programme of OMCT and the FIDH, has received new information on the following situation in Sudan and requests your urgent intervention.

New information:

The Observatory has been informed by the Sudan Organization Against Torture's (SOAT) that Mr. **Salih Mahmoud Osman**, a member of the SOAT lawyers network in the Darfur Region, has begun a hunger strike.

Mr. Mahmoud Osman who has been in detention since February 1, 2004, has not been charged with any offence. On May 31, 2004, SOAT lawyer, Mr. Amir Mohammed Suleiman, submitted an official memorandum to the security forces requesting an immediate release of Mr. Mahmoud Osman since there are no official charges brought against him and the required 90 days of detention under article 32 section 2 of the 1999 National Security Act has expired.

Mr. Mahmoud Osman is being detained in Dabak prison and has been on a hunger strike since June 30, 2004. There are serious concerns regarding his health, as he was suffering from jaundice at the time of his arrest and continues to suffer from high blood pressure and diabetes, and the hunger strike will further endanger his life.

The Observatory is deeply concerned about the situation of Mr. Mahmoud Osman. The Observatory fears that his arrest and detention are connected to his legal activities in the Darfur region. The Observatory urges the Sudanese authorities to guarantee Mr. Mahmoud Osman's physical and psychological integrity and to order his immediate release in the absence of legal charges, or, if such charges exist, bring him before an impartial and competent tribunal and guarantee his procedural rights at all times.

Background information:

Mr. Salih Mahmoud Osman, a member of the Sudan Organization Against Torture's (SOAT) lawyers network, was arrested by members of the National Security Agency (NSA), on February 1, 2004, at 11:00 pm at his home in Wad-Madani, capital of the Central Region in Sudan. According to SOAT, he was being held at the National Security Agency offices in Wad Madani where he was reportedly being interrogated.

Mr. Osman is a well known lawyer and writer. Over the past year, he has provided free legal aid to hundreds of victims of human rights abuses in Darfur and has also provided legal representation to those facing capital or severe punishment (amputation and cross amputation).

Action requested:

Please write to the authorities of Sudan urging them to:

- i. immediately take all necessary measures to guarantee Mr. **Salih Mahmoud Osman's** physical and psychological integrity;

- ii. order his immediate release in the absence of legal charges, or, if such charges exist, bring him before an impartial and competent tribunal and guarantee his procedural rights at all times;
- iii. conform to the provisions of the Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, in particular article 1, which states that "everyone has the right, individually or in association with others, to promote the protection and realization of human rights and fundamental freedoms at the national and international levels"; article 12.2 which provides that "the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually or in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.";
- iv. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards.

Addresses:

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His Excellency Ambassador Mr. Ibrahim Mirghani Ibrahim,
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Paris - Geneva, July 6, 2004

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

The Observatory, a FIDH and OMCT venture, is dedicated to the protection of Human Rights Defenders and aims to offer them concrete support in their time of need.

The Observatory was the winner of the 1998 Human Rights Prize of the French Republic.

To contact the Observatory, call the emergency line:

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