



### **Sudanese authorities use arbitrary arrests and summary trials to frustrate Human Rights Defenders and Activists**

African Center for Justice and Peace Studies (ACJPS) condemns the continued use of arbitrary arrests and incommunicado detention of Sudanese citizens by the security bodies amidst the ongoing conflict. The tactic has been employed by the conflicting parties targeting human rights defenders and activists among other groups to frustrate their work. ACJPS is deeply concerned about the safety and security of the detainees who are often held at unknown locations. The lack of access for lawyers and family members for the detainees coupled with the well-documented use of torture and other forms of ill-treatment significantly exposes the detainees to torture and other ill-treatment.

There has been an increase in cases of arbitrary arrests especially by the security forces following the amendment of the General Intelligence Services (GIS) law early this year. The amended law grants extensive immunities, shielding personnel from criminal or civil prosecution without the approval of the head of the spy agency. In capital punishment cases, the director holds the authority to form a special court. These powers are enjoyed at the detriment of the civilians particularly those living within SAF-controlled areas like Port Sudan, Algadaref, and Kassala in Eastern Sudan among other States.

On 23 September 2024, the military intelligence unit in Senar town, Senar State in Central Sudan arrested Ms. Zuhail Hussien, a 28-year-old women's rights activist from her home. Ms. Zuhail was taken to the Military Intelligence headquarters located in the Adraja neighborhood in Senar. The family was denied from seeing her while in detention. Ms. Zuhail was released on 11 October 2024.

Additionally, in December 2023, two young women were arrested by the military intelligence officers in Senar town. The women were detained for several days and later released without charges.

#### **Other developments**

ACJPS previously documented an incident where Mr. Montasir Abdallah, an advocate and human rights defender was arrested by the Military Intelligence Unit in Port Sudan, Red Sea State in Eastern Sudan (the current Administration capital of Sudan). Mr. Montasir is also a member of the Freedom and Rights Committee, providing legal aid services to the victims of human rights violations. He was arrested at the office of the prosecutor where he had gone to file an application

for the dismissal of the cases against Former Prime Minister, Abdallah Adam Hamdook and other members of Taqqadoum Coalition. A few days later, the acting Sudanese Attorney General, Mr. Alfatih Tayfor, while appearing on a talk show on Aljazeera TV stated “... *We have communicated with **international criminal police** regarding several cases including the cases against the former prime Minister Mr. Hamdook and other members of Taqqadoum Collation who are accused of committing war crimes. Taqqadoum Coalition signed an agreement with the RSF making them partners and accomplices of the crimes committed...*”.

However, these are politically motivated cases that are not within the mandate of the International Criminal Police. The demeanor and the tone of the acting Attorney General further revealed the intention of the Sudanese government to frustrate the efforts of any individual or organization calling for the cessation of hostilities in Sudan.

Mr. Alfatih condemned the actions by SAF of proceeding with his trial in his absence thus not giving him a fair hearing as a right guaranteed under international law.

### **Background**

Sudan has a long history of using summary trials to punish its opponents. Often, these trials are conducted in the absence of the accused who are held incommunicado denying them the right to a fair hearing. The sentences passed are often harsh i.e. death penalty, long imprisonment, flogging, hefty fines, etc. In 2014, ACJPS documented cases where political leaders including Mr. Malik Agar, the Sudanese People’s Liberation Movement/Northern Sector (SPLM-NS) head, and Chairperson Yasir Arman, the current vice president of the Sudanese Sovereign Council were tried summarily in a public order court and sentenced to death following the civil war between the Sudanese Government and SPLM-NS in Darfur. The two lived in exile for a long time and only returned to Sudan after signing the Sudan Peace Agreement in 2020 (during the transitional period).