

27 May 2016

## **Sudan – Human rights defenders unlawfully charged and arbitrarily detained**

Human rights defenders Mr **Khalafalla Alafif Mukhtar** and Mr **Adil Bakheit** are currently being detained at the Prosecutor’s Office in Khartoum, following their arrest on 22 May 2016. The human rights defenders were arrested in relation to charges against them for a training they attended in March of last year. The training was held at the premises of the **Khartoum Centre for Training and Human Development (TRACKS)**, of which Khalafalla Alafif Mukhtar is the Director. Both human rights defenders are facing serious criminal charges including “undermining the constitutional system” and “waging war against the State”, considered as crimes against the State and punishable by the death penalty.

[Khalafalla Alafif Mukhtar](#) is a Sudanese human rights defender and director of TRACKS, a Khartoum-based organisation which provides and facilitates trainings on a variety of topics ranging from human rights to information technology. [Adil Bakheit](#) is a Sudanese human rights defender and a member of the Board of Trustees of **Sudanese Human Rights Monitor** organisation (**SHRM**), a Khartoum-based human rights group and member organisation of the Confederation of Sudanese Civil Society Organisations, documenting human rights violations in Sudan, providing legal assistance to victims of State abuse and working on the defence of minorities in Sudan.

Human rights defenders Khalafalla Alafif Mukhtar and Adil Bakheit, along with eight staff members and activists associated with the Centre are currently being detained in the office of the Prosecutor for State Security in Al-Amarat district, Khartoum since 22 May 2016. The two human rights defenders and two staff members, Ms Nudaina Kamal and Mr Hassan Kheiry, were requested to report to the aforementioned office after a court hearing at the Khartoum Central Criminal Court on 22 May 2016, following a summons they received on 19 May 2016. The hearing was postponed until 8 June 2016 and all four remain in detention. No charges have yet been filed against the two staff members and no official reason has been given for the summons they received. A further nine staff members were summoned to report to the National Intelligence and Security Service (NISS) after the court session, eight of which are in detention.

Khalafalla Alafif Mukhtar's health is reported to be deteriorating rapidly due to a weak heart condition. He was quickly transferred to the Police Hospital on 25 May 2016 before being placed in a narrow cell at the Prosecutor’s office, which he shares with the other male TRACKS detainees, including trainers Hassan Kheiry and Midhat A Hamdan, office supervisor Al Shazali Ibrahim Al Sheikh, accountant Khuzaini El Hadi, Mustafa Adam and a guest of the centre. The two female staff members, volunteer Imani-Leyla Raye and administration manager Arwa Ahmed Elrabie were requested to stay in the reception area and are held in a different office room during the night. Ms. Nudaina Kamal was released shortly after her arrest as she is on maternity leave.

Both Khalafalla Alafif Mukhtar and Adil Bakheit are facing seven serious charges under the 1991 Criminal Act including “joint acts in the execution of criminal conspiracy, criminal conspiracy, undermining the constitutional system, waging war against the State, calling for opposition to public authority by use of violent or criminal force, publication of false news, and impersonating a public servant.” The Prosecutor for Crimes against the State in charge of the case can sentence the detainees to the death penalty under Article 50 for “undermining the constitutional system” and Article 51 for “waging war against the State”. The charges pertain to a raid on TRACKS offices last year for organising a training on social responsibility.

TRACKS was subjected to a second office raid [on 29 February 2016](#), by plain-clothed NISS agents who did not produce a warrant. They confiscated staff members' passports, which have not yet been returned, and referred them to the police station where they were interrogated, verbally abused, ill-treated and threatened. The raid was carried out in connection with the case brought against the Director of TRACKS, following the previous raid on 26 March 2015.

Front Line Defenders expresses grave concern for the detention and criminal charges brought against Khalafalla Alafif Mukhtar and Adil Bakheit, which it believes to be solely motivated by their peaceful work in the defence of human rights. It also expresses concern at the recent pattern of judicial harassment and unlawful investigations which have been intensely increasing over the past few months, against human rights defenders and organisations, as well as the increased use of arbitrary detention by the NISS as a tool for the repression of the work of human rights defenders in Sudan.

### **Front Line Defenders urges the authorities in the Republic of the Sudan to:**

1. Immediately and unconditionally release human rights defenders Khalafalla Alafif Mukhtar and Adil Bakheit, and all staff members of TRACKS and drop all charges against them, as Front Line Defenders believes that they are being held solely as a result of his legitimate and peaceful work in the defence of human rights;
2. Ensure that their treatment, while in detention, adheres to the conditions set out in the ‘*Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment*’, adopted by UN General Assembly resolution 43/173 of 9 December 1988;
3. Immediately return the passports of staff, trainers, as well as visitors to the Centre, and refrain from any further harassment of the human rights organisation;
4. Guarantee in all circumstances that all human rights defenders in the Republic of the Sudan are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions.