

(Translated from Arabic)

Permanent Mission of the Republic of the Sudan, Geneva

Subject: Alleged acts of intimidation and reprisal against three Darfuri students and a lady

We wish to provide you with the following information in response to your letter No. SDN7/2015 dated 28 December 2015:

1. Police officers in the Governorate of Khartoum reported that on 16 May 2015 [REDACTED] (30 years old) of the tourism police authority informed them that the defendant [REDACTED] (a student) had resisted him during his work at Corinthia Hotel and refused to hand over the concealed knife in his possession, which he had detected by means of an electronic inspection device. As he also refused to accompany him to the police station, he had submitted an indictment to the public prosecutor's office.
2. After a lengthy dispute with the hotel security team, the defendant was taken to the Public Prosecutor's Office of Northern Khartoum, which ordered the opening of proceedings under article 47 of the Code of Criminal Procedure, which stipulates that: "If a public prosecutor possesses any information that arouses suspicion that an offence has been committed, or if he receives a report or complaint concerning the commission of an offence, he may launch a preliminary investigation to verify the facts or the grounds for suspicion. If he is convinced of the soundness of the facts or the grounds for suspicion, he shall order the responsible officer to institute criminal proceedings and to register and record them."
3. The Prosecutor's Office therefore interrogated the defendant on 16 May 2015. He confirmed his identity as follows: His name is [REDACTED] Sudanese, 25 years old; he is a student at Omdurman Ahlia University; he is resident in Khartoum Governorate, [REDACTED] his telephone number is: [REDACTED]. He said: "We visited Burj al-Fateh (Corinthia Hotel), together with a student called [REDACTED] and others, in response to an invitation issued to the student [REDACTED] by officials working for the United Nations Mission in Darfur (UNAMID), who were staying in the hotel. When we arrived I was carrying a knife, as is customary in our district, and I immediately handed it over to the hotel security team before being searched. When the meeting ended, I returned, retrieved the knife and left. Within a short distance of the hotel, I was approached by the police officer who filed the complaint. He ordered me to present identification and to hand over the knife in my possession. When I refused to do so, he ordered me to proceed to the Public Prosecutor's Office and we did so." He also reported that he was accompanied by [REDACTED] and [REDACTED].
4. The Public Prosecutor's Office also questioned a number of witnesses, who confirmed the complainant's statements.
5. After questioning the complainant, the defendant and the witnesses on 16 May 2015, the Prosecutor's Office replaced the reference in the record to article 47 of the Code of Criminal Procedure with article 99, which reads as follows: "Obstruction of an officer in the performance of his duties, or assaulting him during the performance or on account of the performance of his duties."
6. The National Intelligence and Security Service stated in its report to the Advisory Council on Human Rights that there was no connection between the incident at Hotel Corinthia and any security forces belonging to the National Intelligence and Security

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Service. The incident had occurred in the context of the security procedures followed by the hotel management and the tourism police.

7. It stated that the allegations contained in the oral information had been obtained from the four persons concerned in their statements and that the information was false.

8. It also stated that the persons concerned had not been detained and that no action had been taken against them by any force belong to the National Intelligence and Security Service.

9. Having presented the above data from the police and the National Intelligence and Security Service, the Permanent Mission of the Sudan in Geneva wishes to underscore its continuous cooperation with the international human rights mechanisms. It is surprised at the utilization of oral information and erroneous facts concerning a criminal incident that was addressed in accordance with Sudanese law and international standards.

10. The Sudanese Government reaffirms its commitment to compliance with its international obligations and to pursuit of its relations with the international human rights mechanisms. It underscores that the Sudanese legislation reflected in the 1995 Transitional Constitution, the Bill of Rights and the Organization of Voluntary and Humanitarian Work Act of 2006 guarantees all Sudanese citizens legal protection for freedom of assembly and association and freedom of expression.

11. The Sudan reaffirms its cooperation with the Special Procedures Branch and its aspiration to take all possible steps to verify the accuracy of the allegations sent to it, and to ascertain the correctness and veracity of the information with a view to enhancing its cooperation.