

**Mandates of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the situation of human rights defenders; the Independent Expert on the situation of human rights in the Sudan; and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment**

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Excellency,

We have the honour to address you in our capacity as Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the situation of human rights defenders; Independent Expert on the situation of human rights in the Sudan; and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment pursuant to Human Rights Council resolutions 25/2, 24/5, 25/18, 27/29, and 25/13.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the raid by security forces of the premises of the human rights organization TRACKS for Training and Human Development, and the questioning and detention of the following individuals: **Mr. Khalafalla Mukhtar**, Director of TRACKS; **Ms. Arwa Elrabie**, **Mr. Shazali Ibrahim El Shiekh**, and **Mr. Khuzaini Elhadi Rajab**, TRACKS employees; **Mr. Midhat Hamdan**, and **Mr. Alhassan Kheiri**, TRACKS trainers; and **Mr. Mustafa Adam**, **Mr. Adam Ali**, **Mr. Al Waleed Mohamed Ahmed**, and **Ms. Raye Imany Leyla**, individuals visiting TRACKS at the time of the alleged incident.

TRACKS for Training and Human Development is a Khartoum-based organization that provides training on a range of themes, including IT, capacity-building and human rights training for the private sector and national organizations. It is registered with the National Training Bureau, a division of the Sudanese Ministry of Labour.

According to the information received:

On 29 February 2016, agents from the National Intelligence and Security Service (NISS) office in Khartoum reportedly raided TRACKS' office and confiscated nine mobile phones, five laptops, as well as publications, flip charts and other office documents. The NISS also confiscated the passports of those in the office at the time, and two vehicles. They detained for six hours Mr. Khalafalla Mukhtar, Mr. Shazali Ibrahim El Shiekh and Mr. Mustafa Adam.

On 3 March 2016, Mr. Khalafalla Mukhtar, Mr. Shazali Ibrahim El Shiekh, Mr. Khuzaini Elhadi Rajab, Mr. Midhat Hamdan, Mr. Alhassan Kheiri, Mr. Mustafa Adam, Mr. Adam Ali and Mr. Al Waleed Mohamed Ahmed were summoned to the NISS office. Between 3 and 13 March 2016, they had to report every morning to the NISS office in Khartoum, and were released between 11 p.m. and midnight every day. Ms. Arwa Elrabie and Ms. Raye Imany Leyla were similarly summoned around 10 and 12 March 2016, and 12 March 2016, respectively.

All these individuals were questioned about the activities of TRACKS and its links with the Al Khatim Adlan Centre for Enlightenment and Human Development (KACE). KACE was a non-governmental, non-profit organization which undertook research and carried out programs and campaigns with a focus on peace and human rights, educational reform and curriculum development and African culture. KACE was shut down by the Humanitarian Aid Commission in 2012. In March 2013, some of its former staff established TRACKS.

In the course of their interrogation, the aforementioned individuals were reportedly verbally abused, threatened and ill-treated by NISS agents, including being denied food

Serious concern is expressed about the alleged raid of TRACKS' premises by NISS agents and the detention and questioning of the aforementioned individuals. In addition, concern is expressed at the increasing number of reports pointing at harassment and criminal prosecution of human rights defenders in Sudan for undertaking their peaceful and legitimate human rights activities.

While we do not wish to prejudge the accuracy of these allegations, we would like to refer your Excellency's Government to the right to freedom of opinion and expression, as well as freedom of association as set forth in the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR), ratified by Sudan on 18 March 1986, in articles 19 and 22. Furthermore, we would like to refer to the absolute prohibition of torture and other forms of ill-treatment as codified in articles 2 and 16 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which the Government of Sudan signed on 4 June 1986.

In addition, we would like to refer your Excellency's Government to the fundamental principles provided in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders. In particular, we would like to refer to articles 1 and 2 of the Declaration which state that everyone has the right to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels and that each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms. Furthermore, we would like to bring to the attention of your Excellency's Government article 5 (b) which provides for the right to form, join and participate in nongovernmental organizations, associations or groups.

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) or can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of the above-mentioned person(s) in compliance with international instruments.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations.
2. Please provide details of the legal grounds for the raid conducted against TRACKS and the subsequent interrogation and detention of the aforementioned individuals. Please indicate how these measures are compatible with international human rights norms and standards governing freedom of association and freedom of opinion and expression.
3. Please kindly indicate what measures have been taken to ensure the physical and psychological integrity of the above named individuals and what measures have been taken to ensure that human rights defenders in Sudan are able to carry out their legitimate work in a safe and enabling environment without fear of threats or acts of intimidation, harassment or prosecution of any sort.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

David Kaye

Special Rapporteur on the promotion and protection of the right to  
freedom of opinion and expression

Maina Kiai

Special Rapporteur on the rights to freedom of peaceful assembly and  
of association

Michel Forst

Special Rapporteur on the situation of human rights defenders

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Juan E. Méndez

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