

NATIONS UNIES
HAUT COMMISSARIAT DES NATIONS UNIES
AUX DROITS DE L'HOMME

PROCEDURES SPECIALES DU
CONSEIL DES DROITS DE L'HOMME

UNITED NATIONS
OFFICE OF THE UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS

SPECIAL PROCEDURES OF THE
HUMAN RIGHTS COUNCIL

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; and the Independent Expert on the situation of human rights in the Sudan.

REFERENCE: AL G/SO 214 (67-17) Assembly & Association (2010-1) G/SO 214 (107-9) Sudan
SDN 1/2014

7 May 2014

Excellency,

We have the honour to address you in our capacities 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; and Independent Expert on the situation of human rights in the Sudan pursuant to Human Rights Council resolutions 25/2, 24/5, 25/18, and 24/28.

In this connection, we would like to bring to your Excellency's Government's attention information we have received concerning allegations of intimidation and threats against Mr. **Adam Eldouma Suleiman and his family and the raid on the offices of the Human Rights Network for Democracy.**

Mr. Adam Eldouma Suleiman is the director of Marafi Organization for Sustainable Development, which works towards the improvement of the lives of vulnerable people in Sudan. He is also a member of Human Rights Network for Democracy (HAND) and the Organization for Non-violence and Development (ONAD).

According to the information received:

On 11 February 2014, unknown individuals, presumably from the National Intelligence and Security Services (NISS), allegedly raided Mr. Suleiman's family home in Khartoum and confiscated documents.

On 11 March 2014, unknown individuals, apparently from the NISS, purportedly raided the office of Human Rights Network for Democracy (HAND) in Khartoum and confiscated documents, laptops and photos of HAND members attending meetings that involved discussions around the International Criminal Court.

Mr. Suleiman has resided in Uganda since 2011. Following these two raids, Mr. Suleiman and his family members in Sudan have received threats through text messages and phone calls from both Sudanese and Ugandan numbers. One of the messages that Mr. Suleiman received came from a Ugandan number and said “We know where you are and we know everything about you... it is easy for us to get to you.”

Concerns are expressed that the intimidation and threats directed towards Mr. Suleiman and his family might be related to his peaceful and legitimate work advocating for human rights in Sudan. Further concerns are expressed regarding the physical and psychological integrity of Mr. Suleiman and his family following these threats.

In connection to the above alleged facts and concerns, please refer to the **Reference to international law Annex** attached to this letter where applicable international human rights instruments and standards that we would like to recall are outlined.

Moreover, 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. Since we are expected to report on these cases to the Human Rights Council, we would be grateful for your cooperation and your observations on the following matters:

1. Are the facts alleged in the above summary accurate?
2. Please provide the details, and where available the results, of any investigation or inquiries which may have been carried out in relation to this case.
3. Please provide information concerning the legal grounds for the raid of the offices of Human Rights Network for Democracy and how this is compatible with international norms and standards as stated, inter alia, in the UDHR and the ICCPR.
4. Please provide the full details of any protective measures which may have been put in place to ensure the physical and psychological security and integrity of Mr. Suleiman and his family following the alleged threats that they have received.
5. Please indicate what measures have been taken to ensure that human rights defenders, including civil society and activists, can operate in an enabling environment and can carry out their legitimate activities without fear for their safety.

We would appreciate a response within sixty days. Your Excellency's Government's response will be made available in a report to the Human Rights Council for its consideration.

While waiting for your response, we urge your Excellency's Government to take all necessary measures to guarantee that the rights and freedoms of Mr. Suleiman and his family are respected and, in the event that your investigations support or suggest the above allegations to be correct, the accountability of any person responsible of the

alleged violations should be ensured. We also request that your Excellency's Government adopt effective measures to prevent the recurrence of these acts.

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

Frank La Rue
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

Margaret Sekaggya
Special Rapporteur on the situation of human rights defenders

Mashood Baderin
Independent Expert on the situation of human rights in the Sudan

**Reference to international human rights law and standards
Annex**

In connection to the above concerns, we wish to refer your Excellency's Government to articles 19 and 22 of the International Covenant on Civil and Political Rights, acceded by the Republic of the Sudan on 18 March 1986, which guarantee the rights to freedom of opinion and expression and to freedom of association.

In this context we would like to refer to the principles enunciated by Human Rights Council Resolution 24/5, and in particular operative paragraph 2, which "reminds States of their obligation to respect and fully protect the rights of all individuals to assemble peacefully and associate freely ... including human rights defenders, seeking to exercise or to promote these rights, and to take all necessary measures to ensure that any restrictions on the free exercise of the rights to freedom of peaceful assembly and of association are in accordance with their obligations under international human rights law."

In addition, we would like to refer Your Excellency's Government to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised 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.

Furthermore, we would like to bring to the attention of your Excellency's Government the following provisions of the Declaration: article 6 point a) which refers to the right to seek, obtain, receive and hold information; article 6 points b and c) which refers to the freedom of opinion and expression; and article 12 paras 2 and 3 which refers to the right to physical integrity and protection granted by the State.