

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

**PROCEDURES SPECIALES DU**  
**CONSEIL DES DROITS DE L'HOMME**

**Mandates of the Working Group on Arbitrary Detention and the Special Rapporteur on violence against women,  
its causes and consequences**

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

**SPECIAL PROCEDURES OF THE**  
**HUMAN RIGHTS COUNCIL**

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Excellency,

We have the honour to address you in our capacity as Chair-Rapporteur of the Working Group on Arbitrary Detention and Special Rapporteur on violence against women, its causes and consequences pursuant to Human Rights Council resolutions 15/18 and 16/7.

In this connection, we would like to draw the attention of your Excellency's Government to information we have received concerning **allegations of arbitrary detention and acts of harassment, intimidation and violence against a group Nuba women and men in Kaduqli, South Kordofan.**

The human rights situation in South Kordofan has been the subject of several communications from Special Procedures mandate-holders, including two joint urgent appeals sent in November 2012 by the Special Rapporteur on the right to freedom of opinion and expression, the Special Rapporteur on the situation of human rights defenders, the Independent Expert on the situation of human rights in Sudan and the Special Rapporteur on violence against women, its causes and consequences; and in October 2012 by the Special Rapporteur on 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 Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, and the Special Rapporteur on violence against women, its causes and consequences. We regret that no response has been received from your Excellency's Government to the aforementioned communications.

According to the information received:

On 10 November 2012, a group of 15 women living in Kaduqli, capital of the South Kordofan, were called in for interrogation by security forces for suspicion of supporting members of the Sudanese Peoples Liberation Movement /North

(SPLM/N). The women were subsequently detained and have allegedly been held in detention since then.

On 11 November, another group of 18 women and one man, father of one of the women, were also detained in Kaduqli on similar grounds, raising the number of detainees to 34 persons. Most women in detention are allegedly married and have dependent children in need of care.

More specifically, the security forces allegedly proceeded with the detention Ms. A, Ms. B, Ms. C, Mr. D, Ms. E, Ms. F, Ms. G, Ms. H, Ms. I, Ms. J, Ms. K, Ms. L, Ms. M, Ms. N, Ms. O, Ms. P, Ms. Q, Ms. R, Ms. S, Ms. T, Ms. U, Ms. V, Ms. W, Ms. X, Ms. Y, Ms. Z, Ms. AA, Ms. AB, Ms. AC, Ms. AD, Ms. AE, Ms. AF, Ms. AG, and Ms. AH.

It is informed that these detainees were allegedly held in an unknown location until they were transferred to the Al-Obeid prison in January 2013. There are serious allegations that suggest that many of these detainees have been subjected to acts of torture and ill-treatment, including Ms. AI, who was transferred to Khartoum General Hospital due to a spinal injury on 6 February 2013.

The security forces allegedly intimidated the detainee advising her to explain the cause of her injury as a result of an accident while in the bathroom. It is reported that following this injury Ms. AI required physical therapy which was denied to her. On 6 March, the security forces decided to transfer her back from Khartoum to Al-Obeid prison, at approximately 292 miles distance, although her health conditions did not despite improve, thus putting her life at further risk. It is also alleged that her family has not been allowed to visit her.

In addition, on 27 December, it is reported that at least 65 other women in detention at that time began a hunger strike protesting for the ill-treatment suffered at the hands of the 14th division of the armed forces in Kaduqli. On 30 December, these women were reportedly transferred to the Al-Obeid prison, in North Kordofan. Reports indicate that no charges have been pressed against any of the detainees to justify their detention.

Acts of torture and ill-treatment have allegedly been committed by the 14th division of the armed forces in Kaduqli. These acts include repeated beatings to blindsided detainees which were taken to closed rooms and placed into big barrels of cold water for long periods of time.

In addition, on 24 February, the Sudanese security forces allegedly conducted raids at the Gideon Theology College in Omdurman proceeding with more detentions. A similar raid was reportedly conducted on 19 February at the Anglican Church in Khartoum.

Without prejudging the accuracy of these allegations, we would like to express our grave concern for the allegations of acts of harassment, ill-treatment and arbitrary detention of several women and men resident in the Nuba mountains, in South Kordofan. We are further alarmed that as the alleged detainees are predominantly women, these alleged violent acts may have deliberately targeted women as part of a campaign to alimnt a climate of fear, insecurity and instability in the region.

We would like to appeal to your Excellency's Government to take all necessary measures to guarantee their right not to be deprived arbitrarily of their liberty and to fair proceedings before an independent and impartial tribunal, in accordance with articles 9 and 10 of the Universal Declaration of Human Rights (UDHR) and articles 9 and 14 of the International Covenant on Civil and Political Rights (ICCPR).

In relation to gender-based violence we would like to bring to Your Excellency's attention Article 1 of the United Nations Declaration on the Elimination of Violence against Women which provides that the term "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life. Further, the

Declaration states that women are entitled to the equal enjoyment and protection of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. These rights include, inter alia, (a) the right to life; (b) the right to equality; (c) the right to liberty and security of person; and (d) the right to equal protection under the law (Art.3).

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 persons in compliance with the above international instruments.

Moreover, 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. Are the facts alleged in the above summary accurate?
2. Has a complaint been lodged by or on behalf of the alleged victims?
3. Please provide the details, and where available the results, of any investigation, and judicial or other inquiries carried out in relation to this cases. If no inquiries have taken place, or if they have been inconclusive, please explain why.
4. Please provide information concerning the legal grounds for the detention of the aforementioned persons, including how these measures are compatible with international norms and standards as stated, inter alia, in the UDHR and the ICCPR.

We undertake to ensure that your Excellency's Government's response is reflected in the report we will submit 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 the above mentioned persons 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.

El Hadji Malick Sow  
Chair-Rapporteur of the Working Group on Arbitrary Detention

Rashida Manjoo  
Special Rapporteur on violence against women, its causes and consequences