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Date: 10th October 2024

URGENT APPEAL

UNJUSTIFIED LONG DETENTION OF MR. ABDALLA IN AL-QADARIF, SUDAN

Since 3rd May 2024, Mr. Abdalla Abdelmajid has been in detention under poor conditions. He has been under long detention regardless of the fact that police investigators found no case against him and recommended that he should be released. This affected his wellbeing (life) and family.

On 3rd May 2024, Mr. Abdalla Abdelmajid Awad-Eljeed was arrested by General Intelligence Service (GIS) in Gallabat at the checkpoint of the border with Ethiopia while he was traveling by road to Ethiopia. At first, GIS interrogated him while accusing him to be a supporter of Rapid Support Force (RSF). GIS seized his laptop, smart phone and money.

On 5th May 2024, Mr. Abdalla was transferred from GIS detention to the central police office in Al-Qadarif. The case was filed against him under article 177 of Sudan criminal penal - 1991 while his items were remained seized by the GIS.

On 8th May 2024, Mr. Abdalla was interrogated again by the police investigator and this time, the complainant was the Real Estate Bank in Al-Qadarif.

On 18th May 2024, the police interrogation concluded that the case should be dropped because of lack of evidence. However, Mr. Abdalla was intentionally kept in the police custody under the prosecutor's order and on 26th May 2024, he was transferred to the state prison in Al-Qadarif.

On 1st June 2024, the police submitted the case file to the prosecutor recommending that, the defendant should be released without any condition and to drop the case. But the prosecutor ignored their recommendation and kept renewing Mr. Awad-Eljeed's detention orders.

On 9th September 2024, the magistrate rejected the request for the renewal of detention justifying that, there is no reason to keep the defendant in prison. Accordingly, the defendant was sent back from the prison to the police office. However, the prosecutor appealed the magistrate's decision and kept the defendant jailed at the police cell.

On 23rd September 2024, the reply to the appeal was issued instructing the prosecutor to resend the case file to the lower court with the justification for the extension requested. Since then, the prosecutor has not acted according to the appeal court judge instructions yet the defendant is still incarcerated up to date.

During this period, the defendant's lawyers kept approaching the high prosecutor's office and appeal to the high court for the release of the defendant but they get no reply/response.

A retired prosecutor talked to HUDO Centre saying that, *"I believe GIS is behind the long detention of Mr. Abdalla, this is because up to date his seized items remained with them. Secondly, since the May-2024 interrogation (no other interrogation was done) in which the police investigator recommended the case to be dropped because of lack of evidence. However, Mr. Abdalla remained behind the bars. It is only the GIS which can do all this including disobeying court decision and forcing police to keep him detained without any legal ground"*.

The long detention of Mr. Abdalla affected his physically and psychological health as well as his family since he is the provider (bread winner).

HUDO Centre is concerned about the safety of civilians in Sudan during this difficult period of fighting between SAF and RSF and calls for the following:

- The head of judiciary and attorney general to immediately intervene and unconditionally release Mr. Abdalla Abdelmajid or take him to the courts of law.
- The security committee in Al-Qadarif State to investigate the circumstances behind Mr. Abdalla's long detention and make the findings public.
- The General Intelligence Service in Al-Qadarif to release the seized items to Mr. Abdalla.
- The General Intelligence Service to stop the arrest of civilians
- Sudan government to respect the constitutional rights of citizens.

More information:

Mr. Abdalla Abdelmajid Awad-Eljeed (41 years old) is married and a father of five children. He was a former manager of the Real Estate Bank in al-Gadarif. Mr. Abdalla is known as social media activist and he had strongly opposed the former regime of Omer al Bashir. He is originally from South Kordufan state/ Nuba Mountains.

Al-Qadarif city is the capital of Al-Qadarif state which at the eastern part of Sudan bordering Ethiopia, Gallabat is a town in Al-Qadarif State at the borderline with Ethiopia, it's about 100 km southeast Al-Qadarif city.

The accusation against Mr. Abdalla has since changed from RSF supporter to a criminal offense under article 177-2: Criminal Breach of Trust (Sudan Criminal Code–1991) however, the complainant failed to support the accusations with evidence. Interestingly, the general auditor's report was published in August 2024 and did not contain any breach on the part of the defendant. However, the prosecutor repeatedly promised to provide the evidence while failed.

The defendant's money which was seized by GIS (with his laptop and smart phone) is three thousand and two hundred Euro (€ 3200) and seven hundred and eighty USD (\$ 780).

The violated rights: Personal freedom

- Articles 46, 48 & 52 of the Constitutional Document 2019.
- Articles 3, 6 & 7 of the African Charter on Human and Peoples' Rights.
- Articles 9, 14 & 26 of the International Covenant on Civil and Political Rights.