



Sudan: Judicial harassment of women's rights defender Waad Bahjat

URGENT APPEAL - THE OBSERVATORY

SDN 001 / 0121 / OBS 007

Judicial harassment /

Ill-treatment

Sudan

January 15, 2021

The Observatory for the Protection of Human Rights Defenders, a partnership of the World Organisation Against Torture (OMCT) and FIDH, requests your urgent intervention in the following situation in **Sudan**.

Description of the situation:

The Observatory has been informed by the African Center for Justice and Peace Studies (ACJPS) about the judicial harassment of **Waad Bahjat**, a women's rights defender and blogger who publishes posts promoting the rights of women and girls. Waad Bahjat is also a member of the Umbda Resistance Committee, an organisation that promotes civil and economic rights in Sudan.

On January 14, 2021, Waad Bahjat was due to attend her third hearing session before the Criminal Court of Khartoum. Nonetheless, the Court postponed the session to January 18, 2021 due to the absence of the complainant. Waad Bahjat faces charges of "public annoyance" and "using criminal force" (art. 77 and 143 of the Sudanese Criminal Act). If convicted, Waad Bahjat could face up to one year in prison or be fined a sum determined by the judge.

On November 8, 2020, a police officer and an officer of the Sudanese Armed Forces (SAF) arbitrarily arrested Waad Bahjat in a petrol station in Al-Amarat neighborhood, Khartoum, where she was documenting and broadcasting on her personal Facebook account the discrimination and acts of harassment perpetrated by police and SAF officers against a group of women. In particular, police and SAF officers were preventing women from refuelling their cars, whereas men were allowed to refuel their vehicles without any impediments.

Waad Bahjat was subsequently taken to Al-Imtedad police station, where her mobile phone was confiscated and she was allegedly subjected to threats and ill-treatment, including cuts and bruises on her shoulders and arms.

The Public Prosecutor charged the women's rights defender with "publishing false news", "public nuisance", "insulting a public servant exercising judicial proceeding" and "defamation" (art. 66, 77, 116 and 159 of the Sudanese Criminal Act). On November 9, 2020, Ms. Bahjat was released pending trial.

On December 3, 2020, Waad Bahjat's first hearing was held before the Criminal Court of Khartoum. On January 10, 2021, in her second hearing, the Court dismissed the charges of "defamation", "insulting a public servant exercising judicial proceedings" and "publishing false news". However, the Court maintained the charges of "public nuisance" and charged Waad Bahjat with "using criminal force". Ms. Bahjat pleaded not guilty and refuted the accusation.

The Observatory expresses its concern over the judicial harassment of Waad Bahjat, which seems to be connected to her legitimate activities as a women's rights defender.

The Observatory urges the Sudanese authorities to guarantee the physical integrity and psychological well-being of Waad Bahjat and to put an end to any kind of harassment, including at the judicial level, against her.

Actions requested:

Please write to the authorities of Sudan asking them to:

- i. Guarantee in all circumstances the physical integrity and psychological well-being of Ms. Waad Bahjat, as well as of all human rights defenders in Sudan;
- ii. Put an end to all forms of harassment, including at the judicial level, against Ms. Waad Bahjat and all human rights defenders in Sudan so that they are able to carry out their work without hindrance or fear of reprisals;
- iii. Carry out an immediate, independent and impartial investigation into alleged above-mentioned acts of ill-treatment against Ms. Waad Bahjat in order to bring all those responsible before a competent tribunal in accordance with international standards.

Addresses:

- o Mr. Abdalla Hamdok, Prime Minister of Sudan, Email: pm.press@cabinet.gov.sd
- o Mr. Nasredeen Abdulbari, Minister of Justice, Email: Minister@moi.gov.sd
- o Mr. Idriss al-Traifi, Minister of Interior, Email: ministry@mfa.gov.sd
- o H.E. Mr. Mr. Ali Ibn Abi Talib Abdelrahman Mahmoud, Ambassador, Permanent Mission of the Republic of Sudan United Nations in Geneva, Email: mission.sudan@bluewin.ch,
- o Embassy of Sudan in Brussels, Email: sudanbx@yahoo.com

Please also write to the diplomatic missions or embassies of Sudan in your respective country.

Geneva-Paris, January 15, 2021

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

The Observatory for the Protection of Human Rights Defenders (the Observatory) was created in 1997 by the World Organisation Against Torture (OMCT) and the FIDH. The objective of this programme is to intervene to prevent or remedy situations of repression against human rights defenders. OMCT and FIDH are both members of ProtectDefenders.eu, the European Union Human Rights Defenders Mechanism implemented by international civil society.

To contact the Observatory, call the emergency line:

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