



URGENT ACTION FUND
FOR WOMEN'S HUMAN RIGHTS



Women Living Under Muslim Laws
النساء في ظل قوانين المسلمين
Femmes sous lois musulmanes

Women Human Rights Defenders International Coalition Statement Calling for EU Support for the Trial of Lubna Ahmed Al Hussein

1 September 2009

Mr. Jan Sadek
Ambassador
Embassy of Sweden
P.O. Box 8368
Khartoum
Sudan

Your Excellency,

We are writing to you as members of the Women Human Rights Defenders International Coalition to urge the EU Mission in Sudan to continue its support for the trial of Ms. Lubna Ahmed Al Hussein who was arrested along with twelve other girls and women at the Um Kulthoum restaurant in the Riyadh area, east of Khartoum, on 3 July and later, sentenced to a public flogging and a fine under Article 152 of the Sudanese Penal Code of 1991.

We greatly welcome the attendance by representatives of EU missions at the two hearings held to date. We would like to encourage continued EU intervention, particularly from your office in Sudan, on behalf of Ms. Hussein. Considering that she refused Presidential pardon and chose to stand trial even though she could have benefited from immunity from her UN staff position, Ms. Hussein is a defender of women's rights entitled to all forms of assistance provided for under the EU Guidelines on Human Rights Defenders.

Ms. Hussein is not just a victim of discrimination against women, but a woman human rights defender asserting her rights. Ignoring real risks of being punished and stigmatized, Ms. Hussein is using the court to press for the repeal of gender discriminatory laws such as imposed dress codes on women. She is tackling a manifestation of discrimination that is too rarely questioned effectively, yet affecting the lives of women in Sudan everyday. The presence by many women who attended the recent hearings of Ms. Hussein, many of whom wore trousers in solidarity with her and in opposition to the law, signify that this case is a broader struggle of the Sudanese women to challenge oppressive laws in their country.

As a Coalition, we join Ms. Hussein and many other Sudanese activists in demanding that the Sudanese government repeal Article 152 because it is in violation of fundamental human rights as enshrined in international law, as well as in breach of the Bill of Rights in the Sudanese Interim Constitution 2005. We also call for a halt to the court proceedings under Article 58 of the Sudanese Criminal Proceeding Act that gives the Minister of Justice the authority to stop the trial.

We expect that EU Missions will be able to show their support at Ms. Hussein's next scheduled hearing on 7 September. This will be important to ensure impartial judicial proceedings and to acknowledge that Ms. Hussein's confrontation of the discriminatory provisions in the legal system is a legitimate exercise of her human rights. The presence of EU member states could also prevent any attempts to further curtail the rights of those arrested or involved in this case.

The recently updated version of the EU Guidelines on Human Rights Defenders maintained that EU Missions should also look into "violations against women human rights defenders and the political, legal, economic and social contexts enabling the persistence of such abuse". Therefore, we would greatly encourage EU Mission staff in Sudan to maintain contact and ensure support and protection for women human rights defenders, particularly those working on marginalised or 'unpopular' issues. Other concrete suggestions are provided in the attached *Gender-Specific Recommendations for EU Guidelines on Human Rights Defenders* drafted by the members of the Coalition.

As lead representative of the European Union in Sudan, we expect your leadership in sustaining the support of the EU Mission to Ms. Hussein and all other women and human rights defenders in the country.