

28 June 2002

Further information on UA 07/02 (AFR 54/001/2002, 8 January 2002) and follow-up (AFR 54/005/2002, 20 February 2002) - Imminent Executions/Cruel, Inhuman and Degrading Punishment

SUDAN

Abdu Ismail Tong (m)
Yousif Yaow Mombai (m)
Mohamed Adam Yahya (m)
Ahmed Suleiman Mohamed (m)
Mohamed Hassan Mahmoud (m)
Ahmed Yassin (m)
23 unnamed men

new names: Mohamed Abakar Haroun (m)
Khaleel Tahir Bashir (m)
Adam Abdullah Mohamed (m)
Ahmed Juma Mohamed (m)
Habib Ali Abd al-Gadir (m)
At least 9 other men

In May 2002, at least 14 men were executed in the Darfur region, Western Sudan. Amnesty International fears that the executions of the men listed above may be imminent.

Apart from Abdu Ismail Tong, Yousif Yaow Mombai and two others, whose names are not known to Amnesty International, all the men named above are currently under sentence of death in the Darfur region. They have been convicted of offences ranging from armed robbery to murder. A further 21 men in Darfur are reported to have been sentenced to death in September 2001.

Abdu Ismail Tong and Yousif Yaow Mombai were sentenced to amputation of the right hand, while two other men are reported to have been sentenced to cross-limb amputation (of the right hand and left foot). The sentences are not known to have been carried out yet.

Of the new names, the first five were sentenced to execution followed by crucifixion. Prior to the trial, they are reported to have been held for 45 days incommunicado. The other men have been sentenced to death by hanging. None had legal representation at the trials and lawyers acting on their behalf have now issued appeals against the sentences.

Between 22 and 25 May, 12 men were executed after being convicted of armed robbery by "emergency" courts and sentenced to death. A further two men, Musabil Mohamed Abdalla and Issa Arga Osman, were also executed in May despite the fact that they are reported to have been awaiting the outcome of their appeals.

BACKGROUND INFORMATION

Sudan's Penal Code, which is based upon the government's interpretation of Shari'a (Islamic law), includes penalties such as limb amputation, death, and death followed by crucifixion. Amnesty International regards these as cruel, inhuman or degrading punishments. They are inconsistent with international human rights law and Sudan's obligations under the International Covenant on Civil and Political Rights (ICCPR), which Sudan

has ratified, and the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which Sudan has signed.

Darfur has been the scene of complex strife between ethnic groups, and frequent armed robberies by bandits, for many years. The government now appears to have extended and intensified the State of Emergency, announced in December 1999 in Khartoum and renewed every year since, to Northern and Southern Darfur provinces. Emergency or Special Courts were established in May 2001 in both provinces to deal with offences such as armed robbery, murder and possession and smuggling of weapons. These courts are headed by two military judges and one civil judge and do not allow legal representation for the accused. People convicted by these courts may appeal within seven days to the District Chief Justice in Darfur.

Amnesty International is unconditionally opposed to the death penalty and other forms of cruel, inhuman or degrading treatment or punishment, and campaigns for these to be removed from all penal codes without exception. The organization takes no position on the ideological or religious basis of any penal code.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Arabic or your own language:

- expressing your dismay at the recent executions carried out in Darfur;
- expressing concern that the people named above have been sentenced in Darfur to death by hanging, crucifixion and amputations;
- explaining that in your view such sentences contravene the prohibition in the Universal Declaration of Human Rights of all forms of cruel, inhuman and degrading treatment or punishment, as well as Sudan's obligations under the International Covenant on Civil and Political Rights (ICCPR) and the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT);
- appealing for these and all such sentences of death and amputation to be commuted immediately;
- calling on the government to uphold the right of all to receive a fair trial, in accordance with international standards and without recourse to the death penalty;
- appealing for the law in Sudan to be amended to bring it into line with international standards.

APPEALS TO:

His Excellency Lieutenant General Omar Hassan al-Bashir
 President of the Republic of Sudan
 President's Palace
 PO Box 281, Khartoum, Sudan

Telegrams: President al-Bashir, Khartoum, Sudan

Fax: + 24911 771651

Salutation: Your Excellency

Mr Ali Mohamed Osman Yassin
 Minister of Justice and Attorney General
 Ministry of Justice
 Khartoum, Sudan

Telegrams: Justice Minister, Khartoum, Sudan

Fax: + 24911 788941

Salutation: Dear Minister

Mr Mustafa Osman Ismail
Minister of Foreign Affairs
Ministry of Foreign Affairs
PO Box 873, Khartoum, Sudan
Telegrams: Foreign Minister, Khartoum, Sudan
Fax: + 24911 777268
Salutation: Dear Minister

Dr Ahmed al-Mufti
Advisory Council for Human Rights
PO Box 302
Khartoum, Sudan
Telegrams: Advisory Council for Human Rights, Khartoum, Sudan
Fax: + 24911 770883
Salutation: Dear Dr al-Mufti

COPIES TO:

Mr Hafez al-Sheikh al-Zaki
Chief Justice, Supreme Court
Khartoum, Sudan

and to diplomatic representatives of Sudan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 9 August 2002.