

PUBLIC

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15 August 2002

Further information on EXTRA 56/02 (AFR 54/013/2002, 18 July 2002) -
Imminent execution/Torture/Unfair trial

SUDAN 88 people including two children, Gadim Hamdoum Hamid (14) and
Kabashi Alayan (14)

Eighty-eight people are still facing imminent execution for their alleged role in ethnic clashes in Rizeigat, Southern Darfur. Amnesty International has learned that the group includes two children, Gadim Hamdoum Hamid and Kabashi Alayan, both aged 14, despite the worldwide ban on sentencing children under the age of 18 to death. All were sentenced to death after an unfair trial.

The appeal on behalf of all of the accused was rejected on 11 August by the Chief Justice of Darfur. The lawyer representing those accused is now planning to appeal to the High Court in El Obeid. The submission must be made within 15 days of the initial appeal being rejected.

During the trial, the defendants did not have proper legal representation. The death sentences were passed in special Emergency Courts that exist only in Darfur and that were established as part of the 1998 State Emergency Act. These courts are not obliged to try cases according to Sudan's Criminal Procedures Act of 1993.

FURTHER RECOMMENDED ACTION: Please send appeals in Arabic, English or in your own language:

- expressing grave concern over the fact that 88 people, including two children aged 14, Gadim Hamdoum Hamid and Kabashi Alayan, who were sentenced to death have had their appeal rejected;
- calling on the authorities to commute the death sentences immediately;
- expressing particular concern at the death sentences imposed on the two children named above, and calling on the authorities to abide by their obligations under Article 37 of the Convention on the Rights of the Child and to ensure that "No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age";
- if you are able, calling on the authorities to ensure that the detainees be given access to their lawyer and families and any medical assistance where needed;
- calling on the authorities set up an independent and impartial investigation into allegations of torture of the detainees and make the findings public;
- condemning the use of Special or Emergency Courts in Darfur and calling for the restoration of international standards of justice and fair trials.

APPEALS TO:

His Excellency Lieutenant General Omar Hassan al-Bashir
President of the Republic of Sudan
President's Palace
PO Box 281, Khartoum, Sudan
Fax: + 24911 771651/ 787676 / 783223
Telegrams: President al-Bashir, Khartoum, Sudan
Salutation: Your Excellency

Mr Ali Mohamed Osman Yassin

2

Minister of Justice and Attorney General
Ministry of Justice
Khartoum, Sudan
Telegrams: Justice Minister, Khartoum, Sudan
Fax: + 24911 788941 / 774842/ 774906
Salutation: Dear Minister

Mr Mustafa Osman Ismail
Minister of Foreign Affairs
Ministry of Foreign Affairs
PO Box 873, Khartoum, Sudan
Fax: + 24911 779383
Telegrams: Foreign Minister, Khartoum, Sudan
Salutation: Dear Minister

Dr Ahmed al-Mufti
Advisory Council for Human Rights
PO Box 302
Khartoum, Sudan
Fax: + 24911 779173
Salutation: Dear Dr al-Mufti

COPIES TO:

Mr Hafez al-Sheikh al-Zaki
Chief Justice, Supreme Court
Khartoum, Sudan
Salutation: Dear Sir

The Editor
Khartoum Monitor
Email: Khartoummonitor@hotmail.com
Salutation: Dear Sir

and to diplomatic representatives of Sudan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.