

EXTERNAL

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EXTRA 165/97

Fear of imminent execution

9 December 1997

SUDAN Four women, names unknown

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Amnesty International is deeply concerned at reports that four women are to be executed on 10 December 1997 -- internationally recognised as Human Rights Day -- in Khartoum, Sudan's capital. The official Sudan News Agency (SUNA) is quoted as reporting that the women were sentenced to death for a third-time offence of prostitution on 25 November 1997 and that they had been given 15 days to appeal to the Supreme Court. Sudan's Minister of Justice, Abdel Basit Sabdarat, is reported to have confirmed that the women's case is before the Supreme Court.

#### BACKGROUND INFORMATION

In reports of the case there is some confusion about the actual offence and legal basis of the conviction. Article 155 of the 1991 Penal Code defines death as the penalty for the third-time offence of running a place of prostitution. The offence of practising prostitution, as defined in Article 154 of the 1991 Penal Code, does not carry the death penalty.

SUNA is reported to have indicated that the women were found guilty under a provision of the 1983 Penal Code. However, the 1983 Penal Code does not explicitly define prostitution as an offence, subsuming it within the broader offence of *zina* (extra-marital sex). Article 318 of the 1983 Penal Code defines death as the penalty for the second-time offence of running "an establishment for commission of sexual offences". On top of this, it is Amnesty International's understanding that the 1983 Penal Code is no longer applicable.

#### **RECOMMENDED ACTION: Please send telegrams/telexes/express/airmail letters in English, Arabic or your own language:**

- expressing deep concern at reports that four women have been sentenced to death for prostitution and are under imminent threat of execution and appealing for commutation of the sentences;
- voicing opposition to the death penalty in all cases, irrespective of the nature of the offence, as a violation of the right to life and the right not to be subjected to cruel, inhuman and degrading treatment or punishment, as proclaimed in the Universal Declaration of Human Rights;
- referring to Sudan's obligations under the International Covenant on Civil and Political Rights (ICCPR), which Sudan ratified in 1986, not to impose the death penalty except for "the most serious crimes", and as a quite exceptional measure;
- seeking clarification of the legal basis on which the death sentences were imposed.

Although the reports suggest that the executions are to be carried out on 10 December, as noted above there is some unclarity as to the situation. Therefore although as many appeals as possible (telegrams, telexes, appeals to embassies) should be sent to arrive within 24 hours, appeals may continue beyond that time limit.

#### **APPEALS TO:**

- 1) His Excellency Lieutenant General Omar Hassan al-Bashir  
President of the Republic of the Sudan  
People's Palace

PO Box 281, Khartoum, Sudan  
**Telegrams: President, Khartoum, Sudan**  
**Salutation: Your Excellency**

2) Mr 'Abd al-Basit Sabdarat  
Minister of Justice and Attorney General  
Ministry of Justice  
Khartoum, Sudan  
**Telegrams: Jusice Minister, Khartoum, Sudan**  
**Telexes: c/o 22411 KAID SD or 22604 IPOL SD**  
**Salutation: Dear Minister**

3) Mr Ali Osman Mohamed Taha  
Minister of Foreign Affairs  
Ministry of Foreign Affairs  
PO Box 873  
Khartoum, Sudan  
**Telegrams: Foreign Minister, Khartoum, Sudan**  
**Salutation: Dear Minister**

**AI currently has no fax numbers for these authorities. Those unable to send telegrams or telexes may fax appeals directly to the Sudanese embassy in their country, asking for the appeal to be forwarded onto the authorities in Sudan as a matter of urgency.**

**COPIES TO:**

1) Mr Obeid Haj Ali  
Chief Justice  
Supreme Court  
Khartoum, Sudan

2) Mr Ahmad al-Mufti  
Secretary  
Advisory Council for Human Rights  
PO Box 302  
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 January 1998.