

10 January 2007

UA 10/07 Death Penalty

SUDAN Paul John Kaw (m)
Fathi Adam Mohammed Ahmad Dahab (m)
Idris Adam Alyas (m)
Nasr-al-Din Ahmad Ali (m)
Sulayman Jum'a Timbal (m)
Badawi Hasan Ibrahim (m)
Abd-al-Rahim Ali (m)

The seven men named above were sentenced to death on 23 November 2006 for the murder of 13 police officers who were killed during riots which took place in May 2005 at a camp for internally displaced people. The men were allegedly tortured to force them to confess. They were sentenced to death after the relatives of the dead police officers refused to spare their lives in return for payment of *diya* (blood money).

On 18 May 2005 there were riots at the Soba Aradi camp, 30km south of Khartoum, when the inhabitants resisted the authorities' attempt to forcibly evict all of them. The Government claimed the eviction was part of its overall "replanning" process which aims to resettle the city's internally displaced in legal settlements. There were violent clashes, and 13 policemen and about 30 residents, including children, were killed. On 24 May the security forces threw a cordon round the area, not allowing anyone to enter or leave while they raided the residents' houses and shacks, arresting some 640 people. They were held in various police stations and most were severely beaten in the following weeks. At least one died in custody in circumstances where torture appears to have caused his death.

All seven of those sentenced to death were tortured to force them to confess. This included severe beatings. They had no access to legal counsel until October 2005, when they had been in custody for five months. Three members of the family of Fathi Adam Mohammed Ahmad Adam, including his 70-year-old mother and 15-year-old brother, were arrested and held for three days to force him to give himself up.

Most of those arrested were released in June 2005, but around 250 were taken to prison. A total of 59 were charged with rioting in July 2005; 31 were convicted, including six children, and each was sentenced to 20 lashes. Another 137 residents of Soba Aradi were brought to trial on 9 March 2006 before the South Khartoum Criminal Court on charges including murder. They were defended by a team of 23 lawyers. In June and July, 62 detainees were acquitted for lack of evidence, and in August all but 16 were released on bail.

BACKGROUND INFORMATION

Most of the inhabitants of Soba Aradi are southern Sudanese, with many displaced from other parts of Sudan, including Darfur, who have fled conflict and economic deprivation in their home areas. The UN has frequently criticised the state government's policy of relocating such people around Khartoum without full consultation, often by force and without offering adequate alternatives for shelter and basic services.

The Khartoum municipality has long practised a policy of "relocation", forcibly evicting the displaced who have settled in informal sites in or around Khartoum. The displaced are constantly pushed further and further out of Khartoum, so it is almost impossible for them to work within the city. The land thus cleared is used for building, industrial development or agricultural projects.

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

- expressing concern that the seven men (naming them) have been sentenced to death;
- expressing concern at allegations that they were tortured and detained incommunicado for five months, without access to lawyers, and asking the authorities to investigate and bring those responsible to justice;
- acknowledging that all states have a right and responsibility to bring to justice all those accused of murder and other crimes, but pointing out that the death penalty is the ultimate form of cruel, inhuman and degrading treatment;
- asking the government to commute the men's death sentences if they are upheld on appeal;
- calling on the authorities to end the practice of forced evictions of displaced persons, which often take place without warning and often involve police violence, as at Soba Aradi.

APPEALS TO: (Fax numbers can be difficult to get through to. Please keep trying.)

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

Fax: + 249 183 771651
+ 249 183 787676
+ 249 183 783223

Salutation: Your Excellency

Mr Ali Mohammed Ali al-Mardi
Minister of Justice
Ministry of Justice
PO Box 302
Khartoum

Fax: +249 183 770883

Mr Abdel Halim Mut'afi
Governor of Khartoum State
Khartoum State, Sudan

Fax: + 249 183 770143

Salutation: Dear Governor

COPIES TO:

Dr Abdel Moneim Osman Taha
Rapporteur, Advisory Council for Human Rights, Khartoum, Sudan
Email: human_rights_sudan@hotmail.com

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 21 February 2007.
