

8 June 1999

Further information on UA 84/99 (AFR 54/05/99, 21 April 1999) - Fear of Imminent Execution/Fear of Cruel, Inhuman or Degrading Treatment or Punishment

SUDAN Adam abd al-Rahman Hussain (nickname Abudoma)
 Mohamed Issa Tiato
 Mohamed Hamed Ahmed
 Fadul Adam abd al-Rahman
 abd Allah Rabih Fadul
 Siddieg Suliman Abakar
 Mohamed Ibrahim abd Allah
 Mohamed Abakar Shigaifat
 Ali abd al-Rahman Idris
 Sidieg Ibrahim abd al-Khier
 14 others

Nine of the men named above have been sentenced to cross amputation (amputation of the right hand and left foot) and death by hanging, followed by crucifixion, for bank robbery. The sentences have been submitted to the Supreme Court for confirmation, and if confirmed will be carried out rapidly.

Sidieg Ibrahim abd al-Khier was acquitted of the same charges, but he was so badly tortured while in detention that he is now blind. The nine still in detention have been deprived of food and sleep, forced to do heavy exercise in the heat, and had cold water thrown over them during winter.

In a separate case concerning ethnic clashes in the Darfur region of western Sudan in February 1999, 14 people were convicted and sentenced to death and three were acquitted. The sentences have been submitted to the Supreme Court for confirmation and will be carried out rapidly if confirmed. Amnesty International has no further information about this case at this time.

In a letter in response to Urgent Action appeals, the Sudan government's Advisory Council for Human Rights has confirmed that nine men were convicted and sentenced for bank robbery in Nyala town, in Darfur, and that their sentences have been referred to the Supreme Court for confirmation. The letter says that all prisoners were tried before a free, fair and competent court. Amnesty International does not consider courts in Sudan to be either free or fair.

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 and therefore inconsistent with international human rights law and Sudan's obligations, in particular 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), both of which Sudan has ratified. Amnesty International is universally opposed to the death penalty and other forms of cruel, inhuman or degrading treatment or punishment and campaigns for the removal of such penalties from all penal codes without exception. The organization takes no position on the ideological or religious basis of any penal code.

FURTHER RECOMMENDED ACTION: Please send telegrams/faxes/express/ airmail letters in English, Arabic or your own language:

- expressing grave concern that the first nine people named above have been sentenced in Darfur to cross amputation and death by hanging followed by crucifixion as reported in Sudanese newspapers and as confirmed by the Sudan government's Advisory Council on Human Rights;
- explaining that in your view such sentences contravene the prohibition in the Universal Declaration of Human Rights of all forms of cruel, inhuman or degrading treatment or punishment, as well as Sudan's obligations under the ICCPR and CAT;
- appealing for all sentences of death and/or amputation, including those for the Nyala bank robbery and the ethnic clashes in Darfur, to be commuted immediately;
- expressing grave concern that Sidieg Ibrahim abd al-Khier was so badly tortured while in detention that he is now blind, and asking for a full and impartial investigation be launched to find and bring to justice those responsible;
- expressing grave concern at reports that those still in detention are being ill-treated and urge that this stop immediately;
- appealing for the law in Sudan to be amended to bring it into line with international standards.

APPEALS TO:

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

Telegrams: President Omar Hassan al-Bashir, Khartoum, Sudan

Faxes: + 249 11 787 676

Salutation: Your Excellency

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

Telegrams: Justice Minister Ali Mohamed Osman Yassin, Khartoum, Sudan

Faxes: + 249 11 774 063

Salutation: Dear Minister

Minister of Foreign Affairs Mr Mustafa Osman Ismail
Ministry of Foreign Affairs
PO Box 873
Khartoum, Sudan

Telegrams: Foreign Minister Mustafa Osman Ismail, Khartoum, Sudan

Salutation: Dear Minister

COPIES TO:

Dr Fathy Khalil, Chair of the National Assembly's Human Rights Committee
Human Rights Committee
National Assembly
Omdurman, 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 20 July 1999.