

PUBLIC

AI Index: AFR 54/011/2005

27 January 2005

UA 23/05 Fear of torture or ill-treatment/ fear for safety/ incommunicado detention

SUDAN Idriss Jalil Khamis (m), aged 55 ]  
Suleiman Khatir Khamis (m), aged 22 ]of Zaghawa ethnicity  
Abdallah Mohamed Khamis (m) ]

Araiba Adam (m), aged 39, of Fur ethnicity

**Killed:** Adam Juma Bakour (m), of Zaghawa ethnicity

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The four men named above have been detained incommunicado since 20 December 2004 in a hole in the ground in the village of Marla, South Darfur state, western Sudan. A fifth man arrested with them died five or six days after their detention, reportedly as a result of torture. Amnesty International is concerned for the safety of the remaining four men.

The five men were arrested and reportedly tortured by members of the Sudanese armed forces and a government-supported militia, known as the *Janjawid*. The five men were allegedly bound by ropes around their wrists and ankles; flogged on the back and beaten around the head with sticks and gun butts. They have reportedly received no medical treatment for the injuries they received while being tortured. According to reports, Adam Juma Bakour's death was as a result of injuries he sustained during torture.

The men were arrested following a bombing raid on Marla by the Sudanese Air Force on 16 or 17 December 2004. No reason was given for their arrest. However, Amnesty International has documented many cases of arrests people of Fur, Zaghawa and Masalit ethnicity. The Sudanese authorities perceive these ethnic groups as sympathising with armed opposition groups in Darfur, often only on the grounds of their ethnicity.

Following an earlier attack on Marla between 10 and 12 December 2004, 23 men and three children from the area were arrested and reportedly tortured (See UA 341/04, AFR 54/167/2004, 22 December 2004; and follow-up, AFR 54/004/2005, 06 January 2005). All the detainees needed treatment in hospital for injuries reportedly sustained under torture.

#### **BACKGROUND INFORMATION**

Darfur has been the scene of internal armed conflict since February 2003, when the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM) took up arms against the government because of what they perceived as the lack of government protection for their people and the marginalisation and underdevelopment of the region. After that, the government gave free rein to the *Janjawid* nomadic militias to kill and abduct civilians, mainly from the agricultural ethnic groups, and destroy their property. More than 1.65 million people have been forcibly displaced from rural areas to settlements around the towns and villages of Darfur.

Torture has frequently been reported in cases involving detainees suspected of sympathizing with the armed opposition groups in Darfur. Amnesty International knows of at least three other people who died in the custody of the Sudanese security forces in 2004.

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

- expressing concern for Idriss Jalil Khamis, Suleiman Khatir Khamis, Araiba Adam and Abdallah Mohamed Khamis, from Marla village in South Darfur, who have reportedly been tortured in detention; - asking for assurances that they will not be tortured or ill-treated in detention;
- calling for an immediate full and impartial investigation into the reports of the torture of the men, and into the death of Adam Juma Bakour, with anyone found to have tortured or otherwise ill-treated detainees being brought to justice in a fair trial;
- urging that they are given immediate access to relatives, lawyers and any medical aid they may need;
- calling on the authorities to give them access to international monitors, including the African Union force in Darfur, the International Committee of the Red Cross and UN human rights monitors;
- calling for the immediate release of the four men, or else charge them with a recognizable criminal offence and given a fair trial without the possibility of the death penalty;
- calling for a full investigation into the death of Adam Juma Bakour and for a full investigation into reports that the detainees were severely beaten in custody.

**APPEALS TO:**

Mr Ali Osman Mohamed Taha  
First Vice-President  
People's Palace  
PO Box 281  
Khartoum, Sudan

**Fax :** + 249 183 771025

**Salutation:** Your Excellency

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

**Fax:** + 249 183 770883 (difficult to get through to, please keep trying)

**Salutation:** Dear Minister

Al-Hajj Atta al-Manan  
Governor of South Darfur State  
Presidential Palace, PO Box 281  
Khartoum, Sudan

**Fax :** + 249 183 779977

**Salutation:** Dear Governor

**COPIES TO:**

El Tayeb Harun Ali  
Head of Complaints Committee  
Human Rights Advisory Council  
Khartoum, Sudan

**Fax:** + 249 183 781343

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 10 March 2005.