

EXTERNAL (for general distribution)

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*Sections are strongly encouraged to seek appeals from members of the Muslim community residing in their own country who might invoke their own arguments based on the Islamic faith and culture, as these arguments are likely to carry more weight with the authorities in Sudan.*

EXTRA 66/91                      Amputation sentence

24 September 1991

SUDAN:                              Haroun Abdel-Karim

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On 19 September 1991, Haroun Abdel-Karim was sentenced to cross-limb amputation (amputation of the right hand and left foot) by the High Criminal Court of al-Fasher, Northern Darfur state, after being convicted of armed robbery. It appears that under the new legislation, Abdel-Karim has a right of appeal and the case could yet be referred to the Supreme Court in Khartoum. He is the third man to be sentenced to limb amputation since a new penal code based on the government's own interpretation of Islamic Shari'a law came into force in March 1991. In early September 1991, two men were sentenced to amputation of the right hand after being found guilty of stealing food (see EXTRA 64/91). Their case was referred to the Supreme Court. So far, the Court's decision has not been made public.

#### BACKGROUND INFORMATION

Islamic law penalties, including provision for the courts to order amputations of hands and feet, were reintroduced for the first time in post-independence Sudan in September 1983 under the government of President Gaafar Mohamed Nimeiri. Between December 1983 and April 1985, at least 140 sentences of amputation were imposed and carried out in Sudan. After the overthrow of President Nimeiri's government in April 1985 and its replacement with a Transitional Military Government, amputation sentences continued to be imposed but none were carried out. The 1983 "September Laws" also remained in force under the elected civilian government of Sadiq al-Mahdi but were being revised at the time of the June 1989 coup which brought the present military government to power. The new penal code introduced last February prescribes amputation for offences of theft and armed robbery and other harsh penalties such as flogging and stoning for a wide variety of offences. It also makes apostasy (in the case when a Muslim renounces Islam) an offence punishable by death.

Amnesty International opposed amputation under the government of President Nimeiri and appealed to both his government and succeeding ones to abolish it. Amnesty International regards amputation as a cruel, inhuman and degrading punishment, which as such is prohibited by international law, particularly the United Nations' Convention against Torture or other Cruel, Inhuman or Degrading Treatment or Punishment which Sudan ratified on 4 June 1986.

#### RECOMMENDED ACTION: Telegrams/telexes/express and airmail letters:

- expressing concern at the sentence of cross-limb amputation imposed on 19 September 1991 against Haroun Abdel-Karim, who was convicted of armed robbery;
- explaining your personal view that amputations are an extremely cruel form of punishment and referring to the Universal Declaration of Human Rights' prohibition of all forms of cruel, inhuman or degrading treatment or punishment;

- appealing for the amputation sentences to be commuted and replaced by a more humane penalty compatible with international human rights standards;

**In appeals to the Minister of Justice only:**

- pointing out that these sentences are in contravention of the United Nations' Convention against Torture, and other Cruel, Inhuman and Degrading Treatment or Punishment, which Sudan ratified in 1986.

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**APPEALS TO:**

**1.**

His Excellency Lieutenant General  
Omar Hassan al-Bashir  
**[Salutation: Your Excellency]**  
Head of State and Chairman of the NSRCC  
People's Palace  
PO Box 281  
Khartoum, Sudan

**Telegrams: Lt Gen Omar Hassan al-Bashir, Khartoum, Sudan**  
**Telexes: 22385 PEPLC SD; 22411 KAID SD**

**2.**

Major-General al-Zubeir Mohamed Saleh  
**[Salutation: Dear Deputy Prime Minister]**  
Deputy Prime Minister, Minister of the Interior  
and Deputy Chairman of the NSRCC  
People's Palace  
PO Box 281  
Khartoum, Sudan

**Telegrams: Maj Gen Mohamed Saleh al-Zubeir**  
**Khartoum, Sudan**  
**Telexes: 22736 PROC SD; 22380 AUAC SD**

**3.**

Brigadier Ahmad Mahmoud Hassan  
**[Salutation: Dear Minister]**  
Minister of Justice and Attorney-General  
Ministry of Justice  
Khartoum

**Telegrams: Brig Ahmad Mahmoud Hassan, Khartoum, Sudan**  
**Telexes: 22459 KHRJA SD; 22461 KHRJA SD**  
**(via Ministry of Foreign Affairs)**

**COPIES TO:**

Mr Jalal Ali Lufti  
Chief Justice  
Law Courts  
Khartoum, Sudan

Mr Ali Sahloul  
Minister of Foreign Affairs  
Ministry of Foreign Affairs  
Khartoum, Sudan

and to diplomatic representatives of Sudan in your country.

*APPEALS MAY ALSO BE SENT BY LAWYERS GROUPS.*

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 5 November 1991.