

URGENT ACTION

CHILDREN SENTENCED TO DEATH IN SUDAN

On 21 October, the Special Court in Darfur, western Sudan, sentenced ten individuals including four alleged children to death by hanging following an unfair trial. One of the children has had his sentence commuted after a medical examination established him to be under 18 years old.

The ten were sentenced to death for their reported involvement in an attack on a government escorted convoy in South Darfur in May 2010. A total of eleven individuals allegedly affiliated with the Darfurian armed opposition group, the Justice and Equality Movement, were tried in relation to the attack. One of the eleven was acquitted.

The defendants were prosecuted for a number of criminal offences under the 1991 Criminal Act, including murder, offences against the state, armed robbery and criminal damages. The trial was flawed and violated the right of the accused to a fair trial. The detainees were denied access to their lawyers and their families before the trial except for one occasion when their lawyers were permitted to meet with them for half an hour.

The four alleged children were placed in the same detention facilities as adults and were all tried together with the adult defendants before the Special Court. Despite the fact that the four reportedly gave their exact age to the court's registry, only two were allegedly sent for medical inspections, despite requests by the lawyers and claims by the other two that they were also under 18. In Sudan, many people do not have birth certificates, so courts sometimes rely on medical examinations to establish people's ages when they are not provided by the defendants.

Idriss Adam Abbaker and **Abdallah Abdallah Daoud**, were reportedly both found to be under 18 by the first medical examination. A second examination only confirmed Idriss Adam Abbaker as a child, so only he had his sentence commuted. The court did not look for further medical expertise to verify the results and reasons behind the contradictory results and also did not allow **Ibrahim Shareef Youssif** and **Abdelrazig Daoud Abdessed** to undergo the same examination. This raises concerns about the arbitrariness of the process of determining the age of the defendants by the court. The adults sentenced to death are **Altayib Mohammed Yagoub**, **Abdelgasim Abdallah Abubaker**, **Hassan Ishag Abdallah**, **Adam Altoum Adam**, **Mohammed Adam Hasballah** and **Alsadig Abbakar Yahya**. The defence lawyers submitted an appeal on behalf of the defendants before the Chief Justice for South Darfur.

PLEASE WRITE IMMEDIATELY in English, Arabic or your own language:

- Stating that international human rights law and standards and the Sudanese 2010 Child Act prohibit the execution of children;
- Calling on the authorities to commute the death sentences of the nine people sentenced to death;
- Urging the authorities to ensure that the appeal is in accordance with international fair trial standards;
- Urging the authorities to transfer the suspected juvenile offenders to a juveniles detention facility, or release them pending their re-trial, and to re-try them before a juvenile court;
- Stating your opposition to the death penalty as a violation of the right to life and the ultimate cruel, inhuman, and degrading punishment, and calling for all death sentences to be commuted and a moratorium established

PLEASE SEND APPEALS BEFORE 14 DECEMBER 2010 TO:

President

HE Omar Hassan Ahmad al-Bashir
Office of the President
People's Palace PO Box 281
Khartoum, Sudan
Fax: +249 183 782 541

Salutation: Your Excellency

Minister of Justice

Mr Mohammed Bushara Dousa
Ministry of Justice, PO Box 302
Al Nil Avenue
Khartoum, Sudan
Fax: +249 183 764 168

Salutation: Your Excellency

And copies to:

Minister of Interior
Mr Ibrahim Mohamed Hamed
Ministry of Interior
PO Box 873
Khartoum, Sudan

Also send copies to diplomatic representatives accredited to your country. Check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

According to UN estimates, around 300,000 people have been killed and more than 2.7 million displaced since 2003 as a result of the Darfur conflict. The conflict has been marked by large-scale violations of international human rights and humanitarian law, including war crimes and crimes against humanity.

The practice of arbitrary arrest and detention of Darfurians by law enforcement agencies such as the National Intelligence and Security Service has been rife in Darfur. Amnesty International has documented cases of prolonged detention without trial of Darfurians. Detainees have been subjected to torture and other forms of ill-treatment, unfair trials, enforced disappearance and death in detention.

The Convention on the Rights of the Child, the International Covenant on Civil and Political Rights, and the African Charter on the Rights and Welfare of the Child, all of which were ratified by Sudan, prohibit the passing of death sentences against juvenile offenders. Although Sudan's 2009 Child Act changed the definition of a child to a person under 18 of age, it is of concern that the practice of medical examinations and the way they are conducted by courts in Sudan would still allow for suspected juvenile offenders to be sentenced to death.

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