

EXTRA 09/01

Torture a

SUDAN Ibrahim Gumai

Omer Salim
Salih Omer
Abakar Jalab
Dafa Alla Mowloudi
19 other men

Nineteen men are awaiting "cross amputation" (amputation of the right hand and left leg) after they were convicted of armed robbery. The sentence was carried out on their five co-defendants on 25 and 27 January, and the rest are expected to face the same torture in the next few days.

There are allegations that most of the men did not receive a fair trial: there was not enough evidence to convict them and the usual judicial procedures were not followed properly. According to their lawyers, an appeal has been rejected by the highest court with jurisdiction on this matter, the Constitutional Court, leaving them with no more prospect of escaping the sentence.

The men are held in Kober prison, in the capital, Khartoum. The five who have already undergone amputation are reportedly held in isolation, without proper medical treatment, putting them at risk of death or serious infection. These five were also sentenced to pay a very high fine before they are released, leaving them with the prospect of staying in prison indefinitely.

BACKGROUND INFORMATION

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. The sentence for armed robbery is cross amputation, under the Criminal Act of 1991. 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 unconditionally opposed to the death penalty and other forms of cruel, inhuman or degrading treatment or punishment, and campaigns for these to be removed from all penal codes without exception. The organization takes no position on the ideological or religious basis of any penal code.

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

- expressing grave concern that the five men named above have suffered cross amputation and that 19 others are awaiting the same sentence;
- 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;
- urging the authorities to commute the sentences of cross amputation against the 19 men to a more humane penalty;
- asking the authorities to provide the five men who have already suffered amputation with adequate medical care as a matter of urgency;

- asking for an investigation into allegations that the 24 prisoners were tried unfairly, and if these allegations are confirmed, for them to receive a prompt and fair trial, according to international standards and without resorting to cruel, inhuman or degrading punishment;

- appealing for the law in Sudan to be amended to bring it into line with international standards.

APPEALS TO:

His Excellency Lieutenant Omar Hassan al-Bashir
President of the Republic of Sudan

People's Palace

PO Box 281, Khartoum, Sudan

Fax: + 24911 787676/783223

Telegrams: President al-Bashir, Khartoum, Sudan

Salutation:Your Excellency

Mr Ali Mohamed Osman Yassin

Minister of Justice and Attorney General

Ministry of Justice

Khartoum, Sudan

Telegrams: Justice Minister, Khartoum, Sudan

Salutation:Dear Minister

Mr Mustafa Osman Ismail

Minister of Foreign Affairs

Ministry of Foreign Affairs

PO Box 873, Khartoum, Sudan

Fax: + 24911 779383

Telegrams: Foreign Minister, Khartoum, Sudan

Salutation:Dear Minister

Dr Ahmad al-Mufti

Advisory Council for Human Rights

PO Box 302

Khartoum, Sudan

Fax: + 24911 779173

COPIES TO:

Mr Hafez al-Sheikh al-Zaki

Chief Justice, Supreme Court

Khartoum, 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 1 March 2001.