

PUBLIC

AI Index: AFR 54/012/2004

UA 45/04

Death Penalty/Unfair trial

6 February 2004

SUDAN

Al-Tayeb Ali Ahmad (m)

Al-Tayeb Ali Ahmad was sentenced to death on or about 28 January, after an unfair trial where he had no legal representation. He has until 9 February to appeal.

He was convicted of opposing the government by using violence, and being a member of terrorist and criminal groups, by a Special Court in Al-Fasher. Two other men tried with him were sentenced to prison terms.

He was accused of participating in the rebellion in Darfur, in western Sudan, and taking part in attacks by the Sudan Liberation Army (SLA) in the towns of Tina and Al-Fasher. According to press reports the court said it was proved that he took part in an attack on Al-Fasher Airport in April 2003, when some 70 government soldiers were killed and military planes were destroyed. Others arrested in May 2003, reportedly in connection with the same attack, were released with other political detainees during prisoner releases which accompanied a short-lived ceasefire in September.

BACKGROUND INFORMATION

Over the past few years there has been an increase of armed conflict and banditry in Darfur encouraged by the proliferation of small arms. Armed militias allied to the government have attacked villages, killed people and looted cattle and crops. Among the measures used by the Sudanese government to respond to the increasing violence was the introduction of special courts to deal with offences involving killings, armed robbery, rebellion and possession of firearms. These courts pass heavy sentences, including the death penalty, in summary trials where the rights of defence, including the right to legal representation, are not respected.

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

- acknowledging that the authorities have a right to try those accused of violent crimes, but stating that they must do so in accordance with international standards for fair trial;
- urging the authorities to abolish the use of special courts in Darfur and to ensure that all trials are conducted according to international standards for fair trial, with a proper appeal process;
- stating your opposition to the death penalty, which is a violation of the right to life and which has never been shown to have a unique deterrent effect.

APPEALS TO: (Fax numbers may be very difficult to get through to. It is important to copy appeals to the Embassy of Sudan in your country, who are obliged to pass them on to the authorities)

Mr Ali Osman Mohammad Taha
First Vice-President
People's Palace, PO Box 281, Khartoum, Sudan
Telegram: First Vice-President, Khartoum, Sudan
Fax: + 249 11 771025
Salutation: Your Excellency

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

Fax: + 249 11 770883
Salutation: Dear Minister

Mr Osman Mohammad Yusif Kubor
Governor of North Darfur State
c/o People's Palace
PO Box 281, Khartoum, Sudan

Telegrams: Mr Osman Mohammad Yusif Kubor, Governor of North Darfur State,
People's Palace, Khartoum, Sudan

Fax: + 249 11 771 024
Salutation: Dear Sir

COPIES TO:

Chair of the Human Rights Committee
Dr Hamadtu Mukhtar
National Assembly, Omdurman, Sudan
Fax: + 249 15 560 950

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 19 March 2004.