

EXTERNAL (for general distribution)

AI Index: AFR 54/15/91  
Distr: UA/SC

*Sections are strongly encouraged to seek appeals from members of the Muslim community residing in their 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 64/91

Amputation Sentences

16 September 1991

SUDAN:

Adam Mohamed Adam  
Hussein Abdul Karim

---

According to the official newspaper Al-Inqaz Al-Watani, these two men were recently sentenced by the Supreme Court in Sinnar, central Sudan, to amputation of the right hand after being found guilty of stealing flour and sugar from a shop. The sentences, which have now been submitted to the High Court in Khartoum for review, are the first known judicial amputation sentences to be imposed under the present government since a new penal code based on the government's own interpretation of Islamic Shari'a law came into force in March 1991.

#### 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 provides for harsh penalties such as flogging and amputation 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 sentences of amputation of the right hand recently imposed on Adam Mohamed Adam and Hussein Abdul Karim, who were convicted of stealing food;
- 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;

*page 2, EXTRA 64/91...*

**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 al-Zubeir Mohamed Saleh**  
**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, Sudan

**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.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 28 October 1991.