

EXTERNAL (for general distribution)

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UA 400/91 Death Penalty/Legal Concern

15 November 1991

SUDAN Ibrahim Dubara Mongho

Amnesty International has learnt that on 9 November 1991 Ibrahim Dubara Mongho was hanged in public in El-Fashir, the capital of the state of Darfur. His execution was carried out in the presence of the Darfur State Governor, Colonel al-Tayib Ibrahim Mohamed Khair, other officials and citizens of El Fashir.

Ibrahim Dubara Mongho had been convicted of killing 20 people during an armed attack on a village and of stealing camels, horses and cattle. No information is available about the trial except that four other people accused of the same crimes as Ibrahim Dubara Mongho were apparently released for lack of evidence. However, it is not known whether the five men were allowed proper legal representation at their trial or whether Ibrahim Dubara Mongho had a right of appeal to a higher court.

BACKGROUND INFORMATION

This is the first known execution of a convicted armed robber since the government stepped up its military operations against what it calls "armed bandits" in the state of Darfur in August 1991. Amnesty International is concerned about the fate of eight other men sentenced to death by hanging and crucifixion after being convicted of armed robbery and firearms offences in El Fashir in October 1991 (See UA 373/91, AI Index AFR 54/21/91 and UA 349/91, AI Index AFR 54/18/91). It is not known whether these sentences have yet been carried out. Amnesty International has also learnt that a further two men convicted of armed robbery in the Darfur state are also in danger of imminent execution.

At least 120 people whom the government has accused of being armed robbers have been arrested in the last couple of months during military operations in Darfur and are expected to be brought to trial in the near future. Darfur has been the scene of complex intercommunal strife and frequent armed robberies for several years, a situation which has been exacerbated by conflict in neighbouring Chad, but which also involves acts of rebellion against the authorities in Khartoum. There have been reports of attacks by the army on villages of both the Fur and Zaghawa peoples in Darfur. The government has indicated that its military operations are against what it calls "armed bandits". However, there have been persistent reports of indiscriminate attacks on villages and of the extrajudicial execution of civilians.

In August 1991 Colonel al-Tayib Ibrahim Mohamed Khair, formerly Minister of Cabinet Affairs, was appointed Regional Governor of Darfur. Since his appointment military operations in the area have intensified and there have been reports of renewed operations involving attacks by the army on villages occupied by the Zaghawa.

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

- expressing grave concern that Ibrahim Dubara Mongho was executed;

- explaining Amnesty International's opposition to the death penalty in all cases as a violation of the right of life and the right not to be subjected to cruel, inhuman and degrading treatment or punishment, as proclaimed in the Universal Declaration of Human Rights;

- seeking information about the trial he received referring to basic safeguards adopted by the United Nations in May 1984 to protect the rights of anyone facing the death penalty, one of which stipulates that anyone sentenced to death should have the right of appeal to a higher court;

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- expressing concern that public executions may brutalise the general public in its reaction to crime rather than deterring serious crime and calling on the government to end public executions;

- urging the government to commute the other 10 death sentences passed by courts in El Fashir since October 1991.

APPEALS TO

1) His Excellency Lieutenant General **Your Excellency**
Omar Hassan al-Bashir
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 or 22411 KAID SD

2) Brigadier-General al-Zubeir Mohamed Saleh **Dear Brigadier-General**
Deputy Prime Minister, Minister of the Interior and
Deputy Chairman of the NSRCC
People's Palace, PO Box 281
Khartoum, Sudan
Telegrams: Brig-Gen al-Zubeir Mohamed Saleh, Khartoum, Sudan
Telexes: 22842 WZARA SD or 22604 IPOL SD

3) Brigadier Ahmad Mahmoud Hassan **Dear Brigadier**
Minister of Justice and Attorney-General
Ministry of Justice, Khartoum, Sudan
Telegrams: Brig Ahmad Mahmoud Hassan, Khartoum, Sudan
Telexes: 22459 KHRJA SD or 22461 KHRJA SD (via Ministry of Foreign Affairs)

COPIES TO:

Colonel al-Tayib Ibrahim Mohamed Khair
Darfur Governor
c/o National Salvation Revolution Command Council
People's Palace
PO BOX 281, Khartoum
Sudan

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 27 December 1991.