

EXTERNAL

AI Index: AFR 54/29/94
Distrib: PG/SC

Date: 27 July 1994

MEDICAL CONCERN

**Disappearances: Paulino Qumat (pharmacy assistant)
Stephen Daniel (veterinary surgeon)
Samuel Garang (nurse)**

SUDAN

On 30 June 1989, a military coup ended Sudan's most recent democracy after three years of rule by a coalition government elected in multi-party elections. The military government of Lieutenant-General Omar Hassan al-Bashir immediately banned all political parties and suspended the activities of trade unions and non-religious associations. Secret detention centres, known as "ghost houses", were established and former government ministers, senior members of political parties, trade unionists, academics, doctors and hundreds of others were detained. Many have been victims of torture, "disappearance" and extrajudicial execution.

After initially trying to conceal its Islamist ideological orientation, the military government has set out to Islamicize and radicalize Sudanese society, implementing its own version of the *Shari'a* legal code. However, Sudan is a multi-cultural, multi-language and multi-ethnic country. While the majority of northern Sudanese are Muslims and the politically dominant majority identify themselves as Arabs, most southern Sudanese are Christians or animists and regard themselves as Africans. Conflict between opposition groups and central government has been a recurrent feature of the Sudanese state since independence 38 years ago. Southern Sudan is the base for the Sudan People's Liberation Army (SPLA) which has been engaged in armed conflict with the central government since 1983. The Islamist military coup of 1989 took place in order to pre-empt discussions between the major coalition party in the government and the SPLA, which appeared to be a serious step towards peace.

Since seizing power, the military government has prosecuted the war against the SPLA with vigour. Thousands of civilians have been extrajudicially executed in raids by the army and affiliated militia forces. Suspected members and sympathisers of the rebel forces have been detained, tortured and "disappeared". Rebel soldiers captured on the field are killed, sometimes after interrogation and torture. The SPLA has been guilty of similar violations towards both civilians and captured government soldiers.

The military government holds political prisoners without charge or trial on the basis of Constitutional Decree Two of 30 June 1989 which established a State of Emergency. The decree bans the "showing of any political opposition by any means to the regime of the Revolution for National Salvation". The judiciary, along with the army, police force, security service and civil service, has been purged and is not independent. Anyone detained by the Sudanese security authorities, particularly those held in "ghost houses", is at risk of

ill-treatment. Conditions in such detention centres are extremely inadequate, and many detainees are denied access to medical care. Those whom the authorities suspect may have information about opposition activities are at risk of torture. Amnesty International's information suggests that torture and ill-treatment of detainees in Sudan is systematic.

The Juba "disappearances": Paulino Qumat and Stephen Daniel

In response to a number of assaults and partial occupation of the town of Juba by the SPLA in June and July 1992, government forces in Juba were responsible for the extrajudicial execution of civilians and captured SPLA soldiers. Lalogo, the densely populated suburb through which the SPLA had entered the town, was razed to the ground to create a free-fire zone, displacing tens of thousands of people. In addition, over 230 soldiers and civilians, suspected of having collaborated with the SPLA, were arrested. A number of security force establishments in Juba are notorious as torture centres and all the detainees were at serious risk of torture.

The government claims that in the period following the SPLA incursion some of those arrested were brought before summary military tribunals and imprisoned. Such tribunals in Sudan do not conform to international standards of fair trial. The proceedings are summary, and there is no right to defence counsel or right of appeal. In addition, the government has failed to account for the vast majority of those arrested.

In November 1992, in the face of international protests and the threat of United Nations censure, the military government established a committee chaired by a High Court judge to "investigate the incidents witnessed by Juba town in June and July and their resultant effects on the citizens and the state". In June 1993 the rapporteur of the committee, Ali al-Nasri, announced that the committee had completed its investigations and "found no evidence of improper action by the military courts of the army". However, no report was published. In December 1993 the chairman of the committee stated that the committee had not completed its investigations. In February 1994 the government commented that the delay in finalizing the report was due to the hundreds of enquiries it had received, mainly from the UN Special Rapporteur on Sudan. To the knowledge of Amnesty International, no report has yet been published by this committee.

Paulino Qumat, a pharmacy assistant, and Stephen Daniel, a veterinary surgeon, were amongst those arrested in Juba in 1992. The government has failed to account for their whereabouts. It was considered likely that those who "disappeared" after arrest by the security forces in Juba were killed. However, in June 1994 Amnesty International received information that seven other individuals amongst those who "disappeared" after arrest in Juba are currently incarcerated in Kober prison in the capital, Khartoum. Two of these individuals are among those whom the government had said were tried after arrest, but the remaining five were amongst the great majority of whom nothing had been heard since their detention in 1992. This gives hope that some others, including Paulino Qumat and Stephen Daniel, may still be alive.

Samuel Garang

Samuel Garang is a member of the Sudan Nurses Trade Union Executive Committee. He was originally arrested on 25 January 1990 and detained in Kober prison before being transferred to

Kassala prison in October 1990. He was considered by Amnesty International to be a prisoner of conscience before he was released at the end of 1991.

Samuel Garang was arrested again in 1993. He too has "disappeared". His family have had no news regarding his fate or whereabouts since his rearrest.

EXTERNAL

AI Index: AFR 54/29/94

Distrib: PG/SC

To: Medical professionals
From: Medical Office / Research Department - Africa
Date: 27 July 1994

MEDICAL LETTER WRITING ACTION

Disappearances
Paulino Qumat (pharmacy assistant)
Stephen Daniel (veterinary surgeon)
Samuel Garang (nurse)

SUDAN

Keywords

Theme: disappearance

Profession/association: Pharmacy assistant/veterinary surgeon/nurse

Summary

Paulino Qumat, a pharmacy assistant, and Stephen Daniel, a veterinary surgeon, "disappeared" following arrest during a wave of detentions and extrajudicial killings in the town of Juba in 1992.

Samuel Garang, a member of the Sudan Nurses Trade Union Executive Committee, was arrested for the second time in 1993. He too has "disappeared". These "disappearances" follow a pattern of secret detention, ill-treatment, torture and extrajudicial executions that has characterized the military government of Lieutenant-General Omar Hassan al-Bashir since it seized power in June 1989.

Recommended Actions

Letters from medical professionals, preferably written in English or Arabic, but otherwise in your own language, should be sent to the addresses below:

- calling on the government to account for the fate and whereabouts of Paulino Qumat, Stephen Daniel and all others arrested in Juba in 1992
 - calling on the government to publish the report of the commission of inquiry into the events in Juba in 1992
 - calling on the government to account for the fate and whereabouts of Samuel Garang
- urging that Paulino Qumat, Stephen Daniel and Samuel Garang be immediately and unconditionally released if they are being held for the expression of non-violent political opinions and that otherwise they should be charged with a recognizably criminal offence and promptly tried in accordance with international standards

His Excellency Lieutenant General Omar Hassan al-Bashir
President of the Republic of Sudan
People's Palace
PO Box 281
Khartoum
Sudan
Salutation: *Your Excellency*

Dr Tayib Ibrahim Mohamed Kheir
Deputy Prime Minister and Minister of the Interior
People's Palace
PO Box 281
Khartoum
Sudan
Salutation: *Dear Deputy Prime Minister*

Mr 'Abd al-Aziz Shiddu
Minister of Justice and Attorney-General
Ministry of Justice
Khartoum
Sudan
Salutation: *Dear Minister*

Copies to:

Dr A al-Mufti
Secretary of Human Rights Commission
Khartoum
Sudan

and to diplomatic representatives of Sudan accredited to your country

***Please send copies of all replies
received to the medical office at the
International Secretariat***