

PUBLIC

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Fear of torture or ill-treatment
/death penalty

21 October 2002

SUDAN

Adel Nasir Ahmad Faraj, (m) Saudi Arabian national
Muhammad Abdullah, (m) Sudanese national
Two men, names unknown, Sudanese nationals

Adel Nasir Ahmad Faraj, a Saudi Arabian national, was reportedly arrested in Khartoum, Sudan, after a hijacking attempt on 15 October on board a Saudi Arabian airline. Amnesty International fears that he is at risk of torture and may be sentenced to death after the authorities in Sudan reportedly agreed to an extradition request from Saudi Arabia.

There are also fears for Muhammad Abdullah, an airport security officer, and two other Sudanese nationals who are also at risk of torture or ill-treatment. The three men were reportedly involved in the hijacking by helping Adel Nasir Ahmad Faraj to obtain and smuggle a gun on to the plane.

According to the Sudanese daily, *Al-Ayam*, all four men have been arrested on charges relating to terrorism, subjecting a means of transport to danger and the illegal possession of firearms. Adel Nasir Ahmad Faraj will remain in Sudan in connection with the trial of Muhammad Abdullah and the two other Sudanese nationals. The three men are reportedly being held by security officers in Khartoum.

Amnesty International has written to the government of Sudan urging them not to extradite Adel Nasir Ahmad Faraj without unequivocal assurances from the Saudi Arabian government that he will not face the death penalty.

BACKGROUND INFORMATION

Saudi Arabia applies the death penalty for a wide range of offences including hijacking. Sentencing occurs after trials which fall short of internationally agreed standards and are held behind closed doors. Defendants do not have the right to a formal representation by a lawyer and in many cases, defendants and their families are not informed of the progress of legal proceedings against them. Defendants may also be convicted solely on the basis of confessions obtained under duress, torture or deception.

Sudan and Saudi Arabia have a bilateral extradition agreement, which Amnesty International fears may be used to ensure that Adel Nasir Ahmad Faraj is tried and sentenced in Saudi Arabia.

Persons held by security officers in Sudan have often been detained incommunicado and denied access to relatives, legal counsel and medical assistance. Security officers have also been responsible for torture and ill-treatment of persons in their custody, including to extract statements from persons accused of acts relating to "criminal or terrorist organizations". Confessions extracted under torture have already been used as evidence in court proceedings.

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

- expressing concern for the safety of Adel Nasir Ahmad Faraj, Muhammad Abdullah and the two other men, arrested on 15 October in connection with the hijacking;

- seeking assurances that the four men are treated humanely in detention, protected from torture and granted regular access to family members, embassy personnel, legal assistance and medical attention if necessary;
- urging the Sudanese authorities not to deport Adel Nasir Ahmad Farad for fear that he may face the death penalty in Saudi Arabia;
- urging the Sudanese authorities to ensure that the four men will be tried according to international standards of fairness;
- seeking clarification of the names and places of detention of all individuals facing trial in this case;
- recognizing the rights and responsibilities of all states to bring to justice anyone suspected of an internationally recognizable criminal offence, including offences of hijacking;
- stating that you are opposed to the death penalty in all cases, considering it to be a violation of the right to life and the ultimate cruel, inhuman and degrading punishment.

APPEALS TO:

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

Telegrams: Justice Minister, Khartoum, Sudan

Fax: + 24911 774842 / 774906

Salutation: Dear Minister

Minister of Foreign Affairs
Mr Mustafa Osman Ismail
Ministry of Foreign Affairs
PO Box 873
Khartoum, Sudan

Fax: +24911 779383

Telegrams: Foreign Minister, Khartoum, Sudan

Salutation: Dear Minister

Minister of Internal Affairs
Major General Abdul-Rahim Muhammed Hussein
Ministry of Interior
PO Box 281
Khartoum

Telegram: Minister of Internal Affairs, Khartoum, Sudan

Fax: +249 11 774339 / 776554/ 773046 / 770186 / 777900 / 773046

Salutation: Dear Minister

COPIES TO: 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 2 December 2002.