

EXTERNAL

AI Index: AFR 54/10/96

UA 134/96 Death penalty / Crucifixion / Judicial amputation 31 May 1996

SUDANNineteen men, names unknown, variously sentenced to death, death and crucifixion and judicial amputation

According to a report on 30 May 1996 in the official Sudan news agency SUNA quoting Ahmad Abu Zeid, the senior judge in Sudan's northwestern state of North Darfur, between 16 and 25 May a court in North Darfur sentenced six men to hang, three men to be hanged until dead and their bodies then publicly crucified, and 10 men to the amputation of their right hand and left foot ("cross-limb amputation"). They were convicted of armed robbery (*hiraba*). The men have the right of appeal to a higher court against their convictions but it is not known if this has yet taken place. The death sentences have to be endorsed by Sudan's President, Omar Hassan Ahmad al-Bashir.

BACKGROUND INFORMATION

Darfur has been the scene of complex intercommunal strife and frequent armed robberies for many years. The authorities have claimed that there has been an intensification in the frequency of attacks by armed gangs on travellers since March 1996. In that month men described by the authorities as "bandits" ambushed the Governor of North Darfur, reportedly killing two of his bodyguards.

Sudan's current penal code, which is based on the government's interpretation of Shari'a (Islamic) law, was introduced in March 1991. It includes a number of penalties such as limb amputation, death and death followed by crucifixion, which Amnesty International regards as cruel, inhuman and degrading punishments and therefore as inconsistent with international human rights law and Sudan's obligations, in particular under the International Covenant on Civil and Political Rights and the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, both of which Sudan has ratified.

Amnesty International is universally opposed to the death penalty and other forms of cruel, inhuman and degrading punishment and campaigns for the removal of such penalties from all penal codes without exception. The organization takes no position on the ideological or religious basis of any penal code.

RECOMMENDED ACTION: Please send telegrams/telexes/express/airmail letters in English, Arabic or your own language:

- expressing concern at the six sentences of death, three sentences of death followed by crucifixion and 10 sentences of limb amputation reported by SUNA on 30 May 1996 to have been imposed on 19 men in North Darfur in mid-May;
- explaining that in your view sentences of death and limb amputation contravene the Universal Declaration of Human Rights' prohibition of all forms of cruel, inhuman and degrading treatment or punishment;
- explaining that you oppose such punishments and the death penalty without exception, in all penal codes, anywhere in the world;
- appealing for the 19 sentences to be commuted;
- appealing for the law in Sudan to be amended to replace cruel, inhuman and degrading punishments with penalties compatible with international human rights standards.

Sections are encouraged to seek appeals from members of the Muslim communities in their own country who might invoke their own arguments based on their Islamic

faith and culture, as these arguments are likely to carry much weight with the authorities in Sudan.

APPEALS TO:

1) His Excellency Lieutenant General Omar Hassan al-Bashir
President of the Republic of the Sudan
People's Palace
PO Box 281, Khartoum, Sudan
Telegrams: Lt Gen Omar Hassan al-Bashir, Khartoum, Sudan
Telexes: 22411 KAID SD
Salutation: Your Excellency

2) Mr 'Abd al-Basit Sabdarat
Minister of Justice and Attorney General
Ministry of Justice
Khartoum, Sudan
Telegrams: Minister of Justice 'Abd al-Basit Sabdarat, Khartoum, Sudan
Telexes: c/o 22411 KAID SD or 22604 IPOL SD
Salutation: Dear Minister

3) Mr Ali Osman Mohamed Taha
Minister of Foreign Affairs
Ministry of Foreign Affairs
PO Box 873
Khartoum, Sudan
Telegrams: Foreign Minister Ali Osman Mohamed Taha, Khartoum, Sudan
Salutation: Dear Minister

COPIES TO:

Mr Obeid Haj Ali
Chief Justice
Law Courts
Khartoum, Sudan

Mr Angelo Beda Bambara
Chairman of the Human Rights Committee of the Transitional National Assembly
(TNA)*
Omdurman, Sudan

* The TNA's Human Rights Committee was created by Sudan's government-appointed Transitional National Assembly in December 1992, apparently to counter what the government perceives as hostile human rights propaganda. The Committee's Chairman has said that it investigates reports of human rights violations.

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 15 July 1996.