

PUBLIC

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Torture

12 February 2004

SUDAN

Abdallah Hamed Ismail (m), aged 25, farmer
Mohamed Hamad Adam Muta (m), aged 26, farmer
Abdallah Mahmud (m), aged 28, nomad

The three men named above were arrested by members of the internal security service on 24 January. They were reportedly severely tortured for the next week, to force them to confess to possessing guns and ammunition, an offence that carries the death penalty. They may soon face a summary trial before the "specialised criminal court", which does not guarantee the rights of defence. They are now apparently held in Adila police station.

Abdallah Hamed Ismail, Mohamed Hamad Adam Muta and Abdallah Mahmud, all from the Ma'aliya ethnic group, were reportedly arrested at Adila market, in Southern Darfur State in western Sudan, at 4pm, and taken to the internal security detention centre in east Adila market. At 5pm they were transferred to the military camp in Adila. At 1am on 25 January six internal security agents reportedly stripped the men and beat them on their backs and shoulders with whips, and tied them up. They then allegedly poured boiling water on the men's backs and burnt them with hot metal objects. This torture reportedly continued over a period of seven days. The three men asked to be taken to hospital, but were refused.

On 2 February they were transferred to the police station in Adila and charged with possessing guns and ammunition. On 5 February the police sent the detainees to Adila hospital for treatment. Medical reports from the hospital are said to confirm the reports of torture. Abdallah Hamed Ismail had reportedly received serious injuries to his back and right eye.

BACKGROUND INFORMATION

Over the past few years there has been an increase of conflict and banditry in Darfur encouraged by the proliferation of small arms and armed militias from nomad groups apparently supported by the government. Armed opposition groups from settled farming communities have taken up arms against government forces and government-supported militias. Among the measures used by the Sudanese government to respond to the increasing violence was the introduction of special courts to deal with offences involving killings, armed robbery and possession of firearms. These courts pass severe sentences, including the death penalty, after summary trials which do not guarantee the rights of defence. In special courts and special criminal courts, confessions, possibly extracted under duress, are accepted as evidence, even when the defendants retract them in court.

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

- expressing grave concern that Abdallah Hamed Ismail, Mohamed Hamad Adam Muta and Abdallah Mahmud have reportedly been tortured, in violation of Article 7 of the International Covenant on Civil and Political Rights (ICCPR) to which Sudan is a state party, and calling for an immediate investigation;
- reminding the authorities that as a signatory to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment they have committed themselves to the eradication of torture;
- reminding the authorities that torture constitutes an offence under Article 115(2) of the 1991 Sudan Penal Code;
- calling on the authorities to ensure that any members of the Sudan security forces found to have carried out torture are tried in accordance with international standards of justice and fair trial;
- reminding the authorities that, under the Convention against Torture, statements made as a result of torture may not be used in evidence, except against the person responsible.

APPEALS TO:

President of the Republic of Sudan
Lieutenant-General Omar Hassan Ahmad al-Bashir
President's Palace
PO Box 281, Khartoum, Sudan

Telegram: President of the Republic, Khartoum, Sudan

Fax: + 24911 779977 / 771024/ 771651

Salutation: Your Excellency

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

Telegrams: Foreign Minister, Khartoum, Sudan

Fax : + 249 11 779383

Salutation: Dear Minister

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

Telegrams: Minister of Internal Affairs, Khartoum, Sudan

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

Salutation: Dear Minister

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

Telegrams: Justice Minister, Khartoum, Sudan

Fax: + 249 11 799031

Salutation: Dear Minister

COPIES TO:

Dr Yasir Sid Ahmed
Advisory Council for Human Rights
PO Box 302
Khartoum, Sudan

Fax: + 249 11 779173 / 770883

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 24 March 2004.