

**EXTERNAL (for general distribution)**

**AI Index: AFR 54/25/91  
Distr: UA/SC**

**UA 427/91**

**Death Penalty**

**6 December 1991**

**SUDAN:**

**Lual Wuol Tong  
Garang Tong Tong  
Paul Wuol Deng  
Manut Majok Dut  
William Santino Gumaa  
Wal Akol Akong**

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On 27 October 1991, the six men named above were sentenced to death by hanging. They were convicted, under the new Islamic Penal Code introduced in March 1991, by a High Court in Khartoum of murdering and robbing four people in Kalakla, Khartoum South. The six men were apparently convicted on the basis of what the judge described as circumstantial evidence. It is not known whether they were allowed proper legal representation at their trial or whether they have a right of appeal to a higher court.

#### **BACKGROUND INFORMATION**

Under the March 1991 penal code, crimes such as murder and armed robbery are punishable by death. In the last two months, at least eleven men have been sentenced to death on such charges. One of them, Ibrahim Dubara Mongho was hanged in public in El-Fashir, the capital of the Darfur region, on 9 November 1991 (see UA 400/91, AI Index AFR 54/22/91, 15 November 1991). In early August 13 other criminal prisoners were executed in Kober prison in Khartoum.

Amnesty International opposes the death penalty in all circumstances, as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading punishment, as proclaimed in the Universal Declaration of Human Rights.

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

- expressing concern that Lual Wuol Tong, Garang Tong Tong, Paul Wuol Deng, Manut Majok Dut, William Santino Gumaa and Wal Akol Akong have been sentenced to death;
- expressing concern that they have reportedly been convicted on what the judge described as "circumstantial evidence";
- asking whether they have been allowed to appeal to a higher court, referring to the Safeguards Guaranteeing Protection of the Rights of Those Facing the Death Penalty which were adopted by the United Nations in May 1984. One of these safeguards stipulates that anyone sentenced to death should have the right of appeal to a higher court;
- referring to Sudan's obligations under the International Covenant on Civil and Political Rights (ICCPR), which Sudan ratified in 1986, not to impose the death penalty except for "the most serious crimes", and as a quite exceptional measure;
- explaining Amnesty International's opposition to the death penalty in all cases as a violation of the right to 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;

- appealing for commutation of their death sentences.

**APPEALS TO:**

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**  
**Telex: 22385 PEPLC SD or 22411 KAID SD**

Brigadier-General al-Zubeir Mohamed Saleh **Your Excellency**  
 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**  
**Telex: 22842 WZARA SD or 22604 IPOL SD**

Brigadier Ahmad Mahmoud Hassan **Dear Minister**  
 Minister of Justice and Attorney-General  
 Ministry of Justice  
 Khartoum, Sudan

**Telegrams: Brig Ahmad Mahmoud Hassan, Khartoum, Sudan**  
**Telex: 22459 KHRJA SD or 22461 KHRJA SD (via Ministry of Foreign Affairs)**

Mr Ali Sahloul **Dear Minister**  
 Minister of Foreign Affairs  
 Ministry of Foreign Affairs  
 PO Box 873  
 Khartoum, Sudan

**Telegrams: Mr Ali Sahloul, Khartoum, Sudan**

**COPIES TO:**

Mr Jalal Ali Lutfi  
 Chief Justice  
 Law Courts  
 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 17 January 1992.**