

URGENT ACTION

SUDANESE MAN AT RISK OF EXECUTION

A Sudanese man, Al-Tom Hamed Tutu, a member of the Darfuri armed-opposition group, the Justice and Equality Movement (JEM), faces imminent execution if his death sentence is not overturned on appeal. He was subjected to a flawed trial and has reportedly been tortured in detention.

Al-Tom Hamed Tutu was arrested on 21 July 2011 in the Kadugli locality, in Sudan's Southern Kordofan state. He was charged with seven counts against the state including, "undermining the constitutional system" and "waging war against the state" (under Articles 50 and 51 of the 1991 Criminal Act), both of which are punishable by death or life imprisonment. The trial took place in Kadugli Criminal Court from 22 to 25 August 2011, following which he was sentenced to death by hanging. This sentence was upheld by the appeals chambers of the same court in September 2011.

Al-Tom Hamed Tutu's lawyer was not allowed to introduce witnesses during the trial or given sufficient time to review the evidence against his client. Reports further indicate that Al-Tom Hamed Tutu was tortured in prison on various occasions; his hands and feet were beaten with wooden sticks, and he was suspended from the ceiling with his hands and feet bound together. He has also reportedly been repeatedly threatened with execution.

After appealing to the High Court president, a decision was not communicated to Al-Tom Hamed Tutu or his lawyer, until he was taken for execution on 24 May 2012. His execution was temporarily suspended pending the submission of an appeal to the Constitutional Court, which was submitted on 10 June 2012. There are concerns that if the appeal is unsuccessful he could face execution the following day.

Please write immediately in Arabic, English or your own language:

- Calling on the authorities to commute the death sentence against Al-Tom Hamed Tutu;
- Urging the authorities to ensure that Al-Tom Hamed Tutu gets a fair retrial, in accordance with international standards on fair trial;
- Calling on the authorities to ensure that Al-Tom Hamed Tutu is not tortured or otherwise ill-treated;
- Stressing that under international law the execution of people after a trial that does not meet international fair trial standards is a violation of the right to life;
- Calling on the Sudan government to establish an official moratorium on executions in the country, with a view to abolish the death penalty, in line with the growing global trend and resolutions of the UN General Assembly and the African Commission for Human and Peoples' Right, and urging the President to commute all existing death sentences.

PLEASE SEND APPEALS BEFORE 29 NOVEMBER 2012 TO:

President

HE Omar Hassan Ahmad al-Bashir
Office of the President
People's Palace
PO Box 281
Khartoum
Sudan
Fax: +249 183 782 541

Salutation: Your Excellency

Minister of Justice

Mohammed Bushara Dousa
Ministry of Justice,
PO Box 302
Al Nil Avenue,
Khartoum,
Sudan

Salutation: Your Excellency

And copies to:

Minister of Interior

Ibrahim Mahmoud Hamed
Ministry of Interior
PO Box 873
Khartoum,
Sudan

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

Al-Tom Hamed Tutu is a member of the armed-opposition group, the Justice and Equality Movement (JEM) which is mostly active in Darfur, in the western part of Sudan. In July 2011, JEM allegedly joined forces with the armed-opposition group, the Sudan Peoples Liberation Army-North (SPLA-N) in Southern Kordofan against the Sudan Armed Forces (SAF), and Al-Tom Hamed Tutu was captured in Al Mirri, in the Kadugli locality.

In June 2011, civil conflict broke out in the state of Southern Kordofan between the SAF and the SPLA-N. Following this, in September 2011, fighting broke out in neighbouring Blue Nile State. Conflict in Darfur started in 2003 and has been marked by large-scale violations of international human rights and humanitarian law, including war crimes and crimes against humanity.

Amnesty International believes that the death penalty is the ultimate cruel, inhuman and degrading punishment, and a violation of the right to life as proclaimed in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, to which Sudan is a state party. Death sentences continue to be passed in Sudan and Amnesty International is aware of at least seven executions carried out in 2011.

Name: Al-Tom Hamed Tutu

Gender m/f: Male

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