

SUDAN

CONFESSIONS EXTRACTED UNDER TORTURE MUST END

Amnesty International is urging the Sudanese authorities not to use confessions extracted under torture as evidence in the trial of 44 members of the Ma'aliya ethnic group, which started on 22 September 2003 in Nyala, South Darfur State, western Sudan. The organization is further calling for an independent and impartial investigation into the allegations of torture made by the members of the group. Article 14(g) of the International Covenant on Civil and Political Rights, to which Sudan is a party, states that no one should be compelled to testify against himself or to confess guilt.

The 44 are part of a group of 57 Ma'aliya arrested in July and August 2003. They were all tortured by army and security officers into confessing to the murder of seven members of the Rizeiqat ethnic group killed in July 2003. Some were tortured into denouncing their co-accused as responsible for the murder.

The 57 were kicked and beaten severely with sticks, plastic hoses and gun butts. Two of them had metal truncheons inserted into the anus. Some allegedly received electric shocks. Alhaj Hamado Jad Kaream, a 68 year-old disabled man, had a rib broken and is now receiving medical treatment at the police hospital in Nyala. The others are detained in the Nyala Prison. Some were examined by a doctor who confirmed their injuries.

13 of them, including a 10 year-old child, were released without charge after lawyers complained about the lack of evidence against them. The 44 others have been charged with "murder" and "unlicensed possession of arms". They are being tried by a Special Court and are at risk of being sentenced to death if found guilty.

In July 2002, 88 Rizeiqat men were sentenced to death by a Special Court in Darfur. They were convicted of the murder of members of the Ma'aliya ethnic group, despite their lawyers protesting that some were tortured into confessing to the crime. They are still awaiting the result of their appeal to the High Court.

Special Courts established in 2001 in Darfur fall far short of international standards of fairness: they can accept confessions extracted under torture as evidence, limit the right of defence of the accused and use summary procedures.

AMNESTY INTERNATIONAL IS CALLING FOR:

- An end to the admissibility of confessions extracted under torture as evidence in Sudan's courts.
- An open independent and impartial investigation into the torture of the 57 Ma'aliya, to make the findings public and to bring to justice anyone found to have used or ordered torture.

ACT NOW!

► Please send appeals to:

- Mr Ali Mohamed Osman Yassin
Minister of Justice and Attorney General
Ministry of Justice, Khartoum, Sudan
Telegrams: Justice Minister, Khartoum, Sudan
Fax: + 249 11 770883

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