

URGENT ACTION

WOMAN SENTENCED TO DEATH FOR HER BELIEFS

On 15 May Meriam Yehya Ibrahim was sentenced to death by hanging for ‘apostasy’, and to flogging for ‘adultery’. She is a prisoner of conscience convicted because of her religious beliefs and identity.

Meriam Yehya Ibrahim is eight months pregnant and currently in detention with her 20-month-old son. On 15 May her death sentence was handed down by a court in Khartoum, the capital of Sudan, after she refused to recant her religion. She had been given three days by the court to recant her faith after being convicted of ‘adultery’ and ‘apostasy’ on 11 May. Meriam was sentenced to death by hanging under Article 126 of the Sudan Criminal Code for ‘apostasy’, and to 100 lashes under Article 146 for ‘adultery’.

The date of the execution has not yet been announced. According to Sudan’s Criminal Code, a woman that is heavily pregnant cannot be executed before giving birth to her child and nursing him or her for two years. A government spokesperson has been quoted as saying that Meriam Yehya Ibrahim can appeal the ruling at a higher court.

Amnesty International considers the death penalty to be the ultimate cruel, inhuman and degrading punishment and a violation of the right to life and opposes its use in all cases and without exception, regardless of the nature of the crime. In addition, the punishment of flogging violates the absolute prohibition against torture and other ill-treatment in international human rights law.

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

- Urging the authorities to ensure that Meriam Yehya Ibrahim is released immediately and unconditionally because she is a prisoner of conscience, convicted solely because of her religious beliefs and identity;
- Calling on the authorities to repeal Articles 126 and 146 that criminalise apostasy and adultery respectively, in conformity with Sudan’s obligations under international human rights law;
- Calling on the authorities to establish a moratorium on executions, as a first step towards abolishing the death penalty, and to abolish the punishment of flogging.

PLEASE SEND APPEALS BEFORE 27 JUNE 2014 TO:

Minister of Justice
Mohamed Bushara Dousa
Ministry of Justice,
PO Box 302 Al Nil Avenue
Khartoum
Sudan
Email: moj@moj.gov.sd
Salutation: Your Excellency

Minister of Foreign Affairs
Ali Ahmed Karti
Ministry of Foreign Affairs
PO Box: 302, Republic Street
Khartoum
Sudan
Fax: + 249 183 772941
Salutation: Your Excellency

And copies to:
Minister of Interior
Ibrahim Mahmoud Hamed
Ministry of Interior, PO Box 873
Email: mut@isoc.sd

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 118/14. Further information:
<http://amnesty.org/en/library/info/AFR54/006/2014/en>

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ADDITIONAL INFORMATION

Meriam Yehya Ibrahim was arrested and charged with 'adultery' in August 2013 after a family member reportedly claimed that she was committing adultery because of her marriage to a Christian South Sudanese man. Under Shari'a law, as practised in Sudan, a Muslim woman is not permitted to marry a non-Muslim man and any such marriage is considered 'adultery'. The court added the charge of 'apostasy' in February 2014 when Meriam asserted that she was a Christian and not a Muslim. According to Meriam, she was raised as an Orthodox Christian, her mother's religion, because her father, a Muslim, was reportedly absent during her childhood.

The Sudanese Criminal Code formally includes Shari'a law, including Article 126, which states that "(1) Whoever propagates the renunciation of Islam or publicly renounces it by explicit words or an act of definitive indication is said to commit the offence of Riddah (apostasy). (2) Whoever commits apostasy shall be asked to repent within a period decided by the court and if he insisted on his apostasy and was not a new convert he shall be punished with death. (3) Punishment for apostasy lapses if the apostate refrained from apostasy before the execution". Article 146 on the 'Penalty for Adultery' states that "(1) Whoever commits the offence of adultery shall be punished with: (a) execution, by lapidation [stoning], where the offender is married; (b) one hundred lashes, where the offender is not married."

There have been no known cases of people executed for 'apostasy' in Sudan since the 1991 Criminal Code was enacted, but many have had their charges dropped or convictions overturned after recanting their faith.

In 2013, at least 21 executions were reported in Sudan. At least 29 death sentences were reported, but the real figure is believed to be over 100. The Sudanese authorities continued to use the death penalty to oppress real or perceived activists of political opposition groups. In July, the Sudan Armed Forces Act of 2007 was amended to allow for the prosecution of civilians in military courts for various crimes under Sudan's 1991 military code, some of which carry the death penalty.

Over the years, Amnesty International has documented many cases of people sentenced to flogging in Sudan.

Name: Meriam Yehya Ibrahim
Gender m/f: f

Further information on UA: 118/14 Index: AFR 54/007/2014 Issue Date: 16 May 2014