

EXTERNAL (for general distribution)

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*Sections are strongly encouraged to seek appeals from members of the Muslim community residing in their own country who might invoke their own arguments based on the Islamic faith and culture, as these arguments are likely to carry more weight with the authorities in Sudan.*

UA 373/91

Fear of Execution and Crucifixion

4 November 1991

SUDAN

Ali Mohamed Bashir  
Gima Mohamed Adam  
Ismail Haroun Adam  
Mohamed Abdel Hamid

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In late October 1991, the four men named above were sentenced to death by hanging after which their bodies are to be publicly crucified. They were convicted by a special court in El Fashir, the capital of Darfur in western Sudan, of armed robbery and illegal possession of arms. The special court was apparently headed by a judge assisted by a military officer and a member of the police force. It is not known whether the four have the right to appeal to a higher court against their sentences.

#### BACKGROUND INFORMATION

These are the second set of death sentences involving hanging and crucifixion that have been passed in El-Fashir in October 1991. On 10 October, four men were sentenced to death by hanging and crucifixion after being convicted of armed robbery, firearms offences and of "spreading corruption on earth" as defined under the Sudan government's interpretation of Islamic Shari'a law in the new penal code introduced in March 1991 (see UA 349/91, AI Index AFR 54/18/91, 21 October). It is not known whether the sentences have yet been carried out. The last known execution by hanging followed by crucifixion in Sudan took place in August 1990 when two men convicted of murder and theft were hanged and then crucified in public in El Fashir.

At least 120 people whom the government has accused of being armed robbers have been arrested in the last couple of months during military operations in Darfur. Darfur has been the scene of complex intercommunal strife and frequent armed robberies for several years, a situation which has been exacerbated by conflict in neighbouring Chad until the end of last year, but which also involves acts of rebellion against the authorities in Khartoum. There have been reports of attacks by the army on villages of both the Fur and Zaghawa peoples in Darfur. The government has indicated that its military operations are against what it calls "armed bandits". However, there have been persistent reports of indiscriminate attacks on villages and of the extrajudicial execution of civilians. In August 1991 Colonel al-Tayib Ibrahim Mohamed Khair, formerly Minister of Cabinet Affairs, was appointed Regional Governor of Darfur. Since his appointment military operations in the area have intensified and there have been reports of renewed operations involving attacks by the army on villages

inhabited by the Zaghawa.

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

- expressing concern that Ali Mohamed Bashir, Gima Mohamed Adam, Ismail Haroun Adam and Mohamed Abdel Hamid have been sentenced to death and that afterward their bodies are to be publicly crucified;
- 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;
- 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;
- referring to basic safeguards adopted by the United Nations in May 1984 to protect the rights of anyone facing the death penalty, one of which stipulates that anyone sentenced to death should have the right of appeal to a higher court;
- appealing for commutation of their death sentences.

**APPEALS TO**

His Excellency Lieutenant General Omar Hassan al-Bashir      **Your Excellency**  
Head of State and Chairman of the National  
    Salvation Revolution Command Council (NSRCC)  
People's Palace  
PO Box 281  
Khartoum, Sudan  
**Telegrams: Lt Gen Omar Hassan al-Bashir, Khartoum, Sudan**  
**Telexes:        22385 PEPLC SD or 22411 KAID SD**

Brigadier-General al-Zubeir Mohamed Saleh                      **Dear Brigadier-General**  
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**  
**Telexes:        22842 WZARA SD or 22604 IPOL SD**

Brigadier Ahmad Mahmoud Hassan                                      **Dear Brigadier**  
Minister of Justice and Attorney-General  
Ministry of Justice  
Khartoum, Sudan  
**Telexes: 22459 KHRJA SD or 22461 KHRJA SD (via Ministry of Foreign Affairs)**

**COPIES TO:**

Mr Jalal Ali Lufti	Mr Ali Sahloul
Chief Justice	Minister of Foreign
Law Courts	Affairs
Khartoum, Sudan	Ministry of Foreign
	Affairs
	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 16 December 1991.