

26 April 1990

SUDAN

Officers Executed and Doctor Tortured to Death

Africa Watch has condemned, in the strongest possible terms, the lack of due process in the "trials" that resulted in the execution by firing squad, of 28 army officers on Monday and Tuesday, April 23 and 24. The officers, including both retired and serving officers, were accused of staging what the government has described as a coup attempt, on the night of Sunday-Monday April 22-23.

The trials are continuing and there are unconfirmed reports of further executions.

The executed officers are:

1. Maj. Gen. (retired) Khalid al-Zein Ali
2. Maj. Gen. (rtd.) Osman Idriss al-Balol
3. Maj. Gen. (rtd.) Hussein Abdel Gadir al Kadru
4. Brig. (rtd.) Mohamed Osman Ahmad Karrar
5. Staff Col. Ismat Mirghani Taha
6. Staff Col. Bashir Mustafa Bashir
7. Staff Col. (rtd.) Mohamed Ahmad Gassim
8. Col. Salah al Sayyid Hussein
9. Lt. Col. Bashir Amir Abu Dik
10. Lt. Col. Mohamed Abdel Aziz Ibrahim
11. Lt. Col. (rtd.) al Sayyid Hussein Abdel Rahim
12. Lt. Col. (rtd.) Abdel Moneim Hassan Ali Karrar
13. Lt. Col. (rtd.) Bashir al Tayib Mohamed Saleh
14. Maj. Salah al Dardiri Babiker
15. Maj. el Fatih Khalid Khalil
16. Maj. Osman al Zein Abdullah
17. Maj. Babiker Abdel Rahman Nugudallah
18. Air Force Maj. Akram al Fatih Yusuf

19. Maj. al Sheikh al Bagir al Sheikh
20. Maj. Mu'awiyah Yasin Ali
21. Maj. Nihad Ismail Hamidah
22. Maj. Isam al Din Abu al Gassim Mohamed
23. Maj. (rtd.) al Fatih Ahmad Ilyas
24. Maj. (rtd.) Sid Ahmad Salih
25. Maj. (rtd.) Taj el Din Fatih al Rahman
26. Capt. Muddathir Mohamed Mahjub
27. Air Force Capt. Mustafa Awad Khawajali
28. Capt. (rtd.) Abdel Moniem Khasr Kumeir

Many of these officers were prominent in organizing the April 1985 Popular Uprising that overthrew the government of President Nimeiri and in the army Memorandum of February 1989 in which the army called for immediate progress towards peace. There has been longstanding bitterness between these officers and the National Islamic Front as a result.

Africa Watch has received reports that the executed officers were buried in a mass grave in el Mirkheyat, Omdurman, and that the families were not allowed to retrieve the bodies.

One defendant, Col. Hassan Abdalla

Atta, a pilot, was acquitted. According to press accounts, there are reports that he was granted clemency in exchange for the information he provided as prosecution witness.

Africa Watch is deeply concerned that further executions are likely to take place as "trials" continue. The court martial that sentenced the officers to execution was not only a mockery of justice but represents a flagrant breach of the provisions of the Sudanese Armed Forces Ordinance, which the government is using to justify the summary nature of the trials.

The Ordinance requires that "a proper investigation" be carried out. Africa Watch is not aware that any investigation took place. In addition, the Ordinance stipulates that a paper detailing the charges should be submitted to the accused which he is expected to respond to in his defense. No such paper was given to any of the accused. Finally, the Ordinance gives the accused the right to consult a "friend", who may or may not be a lawyer. The friend is not permitted to address the court but has the right to be present and to give counsel to the accused. This right was denied to all the accused who were not permitted any kind of legal counsel.

There are also serious discrepancies between the official version of events and the information Africa Watch has received. The government claims that all those executed were arrested on Monday, April 23, after discovery of the alleged coup attempt. However, six of the officers, Brig. Mohamed Osman Ahmad Karrar, Maj.

Gen. Hussein Abdel Gadir al Kadru, Lt. Col. Bashir al Tayib Mohamed Saleh, Maj. Gen. Osman Idriss al-Balol and Staff Col. Mohamed Ahmed Gassim, were arrested either two or three days before the alleged coup took place. These six officers were shot as a separate group on Monday morning, and not on Tuesday evening, as claimed officially. They were shot without any investigation or any kind of trial. Another officer, Khalid al-Zein Ali, was reported to have been arrested on Sunday afternoon, at least six hours before the coup is said to have begun.

The "trial" on Tuesday, after which the remaining 22 were shot, took a mere two hours. They were shot immediately afterwards and not Wednesday night as the government claims. They were not permitted any kind of defense counsel.

Fourteen officers were brought to trial on Wednesday. Africa Watch has received details about the sentences:

1. Capt. Mohamed al-Hadi Alyas, sentenced to 15 years, stripped of his rank and dismissed from the army;
2. Major Mohamed Idam Mahmoud, sentenced to three years in prison, stripped of his rank and dismissed;
3. Capt. Isam Mustafa, sentenced to three years, stripped of his rank and dismissed;
4. Capt. Al-Amin Abdel Gadir Da'ud, dismissed;

5. Capt. Ibrahim Khalifa Muzamil, dismissed;
6. Maj. Hamid Ali Suleiman, sentenced to 10 years, stripped of his rank and dismissed;
7. Staff Col. Siddiq Muhajir Mohamedein, freed;
8. Staff Col. Osman Mohamed Osman Fadil, freed;
9. Staff Lt. Col. Abdel Salam Hassan Suleiman, freed;
10. Major Ahmad Babiker al-Tijani, freed;
11. 1st Lt. Hassan Na'im Mustafa al-Naim, freed;
12. Lt. Omer Osman Mohamed Awad al-Karim, freed;
13. Lt. Col. Mutassim Babikir Jibril, dismissed;
14. Maj. Sid-Ahmed al-Balul, dismissed.

The government has stated that "the courts will continue with their duties." It has officially described the alleged coup attempt as a "continuation" of a previous alleged coup attempt on March 28. The government has stated that 20 civilians, mainly Umma Party members arrested in the wake of the events of March 28, will also be brought to trial. They include:

1. Fadlallah Burma Nasir, former member of the Transitional

government and Minister of Transport under Sadiq al-Mahdi;

2. Mahdi Babo Nimr, Chief of Staff under Sadiq al-Mahdi, dismissed by the Bashir government;
3. Abdel Rasoul el Nur, former governor of Kordofan;
4. Abdel Rahman Farah, chief of security under Sadiq;
5. Faisal Tawr, a member of the Chief of Staff office under Sadiq, dismissed by the Bashir government;
6. Fathi Ahmed Ali, former Commander-in-Chief of the army, dismissed by the Bashir government;
7. Abdel Rahman Sadiq al-Mahdi, son of the former Prime Minister.

and went into a coma after he suffered severe head injuries. He was taken to Omdurman Military Hospital, apparently with multiple fractures of the skull. He died at 11:00 a.m. on Saturday, April 21. Doctors at the hospital insisted on an autopsy. The official autopsy published on Sunday stated that he had died of cerebral malaria.

Dr. Fadul's family refused to accept the body unless a full and independent judicial inquiry was instigated without delay. In a move unusual in Islam, and which serves to underline the gravity of the situation in Sudan, the family also demanded an independent autopsy in order to establish the cause and time of death. Dr. Fadul was buried at 3 a.m. on Sunday morning. An independent autopsy had not been carried out.

A Doctor is Tortured to Death

Africa Watch has learned that **Dr. Ali Fadul**, a doctor working in the Ministry of Health, died on Saturday, April 21, as a result of torture. Dr. Fadul had been an active member of the Executive Committee of the Doctors' Union and was also Secretary-General of the League of Socialist Doctors in Sudan.

Dr. Fadul was arrested on March 13 and held in an unofficial secret detention center, a house near the CitiBank building in Khartoum West. He was beaten badly

Dr. Fadul was actively involved in the strikes organized by the Doctors' Union during November and December. It is apparently because of his role in these strikes that the government was determined to arrest him. He managed to evade arrest. In order to force him to give himself up, his brother, a veterinary doctor, was arrested and tortured. It was made clear to the family that the brother would continue to be detained and subjected to the same pattern of ill-treatment unless Dr. Ali Fadul surrendered. It is not clear whether the brother has yet been released.

Dr. Fadul's torture is part of a wider pattern in which prominent doctors have been arrested and tortured. **Dr. Mamoun Mohamed Hussein** was arrested at the outset of the doctors' strike; he was beaten severely and spent four days in a coma. Subsequently he was sentenced to death for his role in the strike. While his sentence has not been carried out, neither has it been commuted. Africa Watch also knows of at least 20 other doctors who remain in detention, including some who have been tortured.

In protest over Dr. Fadul's death, doctors in Khartoum are refusing to work, even to answer emergency calls. A number of doctors joined the family in calling for an

autopsy.

Dr. Fadul, aged about 35, received his medical training in Sudan at the University of Khartoum. He spent a year at el-Fasher in western Sudan as part of his practical training. While working at the Ministry of Health, he was also studying for an MSc in community medicine at the University in Khartoum. Dr. Fadul was not married.

Execution for Currency Dealing

On April 17, **Arkengelo Ayiga Daru** was hanged for alleged currency offenses. He had been detained for some time awaiting trial and the carrying out of his sentence.

Recommendations:

Please write urgent appeals to the Sudanese authorities listed below, calling for the government to:

- * Cease all executions immediately;
- * Ensure that all military trials are conducted in accordance with the provisions of the Sudan Armed Forces Ordinance and in compliance with internationally accepted standards;
- * Put an immediate end to abusive interrogation methods amounting to torture;
- * Allow, where requested by the family, an independent autopsy;
- * Set up independent judicial investigations into the circumstances of the executions and the death in detention of Dr. Ali Fadul;
- * Release all political detainees unconditionally and without delay.

Please address appeals to:

His Excellency Lt. Gen. Omar Hassan al Bashir
Head of State, Defence Minister
and Commander-in-Chief
Army Headquarters
Khartoum
Sudan

His Excellency Mr Abdalla Ahmed Abdalla
Ambassador
Embassy of the Republic of Sudan
2210 Massachusetts Avenue, N.W.
Washington, DC 20008

His Excellency Mr el Rashid Abu Shama
Ambassador
Embassy of the Republic of Sudan
3 Cleveland Row
St James's
London SW1A 1DD
United Kingdom

Previous Africa Watch Publications on Sudan:

Report:

**Denying "The Honor of Living",
Sudan: A Human Rights Disaster.**
March 1990. 140 pages, obtainable
from Africa Watch, price \$12.00.

News From Africa Watch:

Sudan: The June Coup d'Etat: 50
Days On. (22 August 1989)

Sudan: Destruction of the
Independent Secular Judiciary;
Military Government Clamps down
on Press Freedom. (25 September
1989).

Political Detainees in Sudan. (24
October 1989).

Sudan: Khartoum: Government to

Execute Striking Doctors. The Provinces: Militia Killings and Starvation Policy Return. (6 December 1989).

from Fundamentalist Regime (9 April 1990).

Sudan: Recent Developments in Khartoum, an Update. (13 December 1989).

Political Detainees in Sudan: Journalists, Poets and Writers (8 January 1990).

Political Detainees in Sudan: Medical Doctors (22 January 1990).

Political Detainees in Sudan: Trade Unionists (22 January 1990).

Political Detainees in Sudan: Academics (22 January 1990).

Political Detainees in Sudan: Lawyers (22 January 1990).

Sudan: The Massacre at el Jebelein (23 January 1990).

Sudan: The Forgotten War in Darfur Flares Again (6 April 1990).

Sudan: Threat to Women's Rights

Africa Watch is a non-governmental organization created in May 1988 to monitor human rights practices in Africa and to promote respect for internationally recognized standards. Its Executive Director is Rakiya Omaar; its Research Director Richard Carver; Alex de Waal is Research Consultant; and Janet Fleischman and Karen Sorensen are Research Associates.

Africa Watch is part of Human Rights Watch, an organization that also comprises Americas Watch, Asia Watch, Helsinki Watch and Middle East Watch. The Chairman of Human Rights Watch is Robert L. Bernstein and the Vice-Chairman is Adrian DeWind. Aryeh Neier is Executive Director of Human Rights Watch, the Deputy Director is Kenneth Roth, Holly Burkhalter is Washington Director, Susan Osnos is Press Director and Joyce Mends-Cole is Counsel to Human Rights Watch.