

# URGENT ACTION

## MOTHER AT RISK OF FLOGGING AND DEATH SENTENCE

**Meriam Yehya Ibrahim, a Christian Sudanese woman, was convicted on charges of 'adultery' and 'apostasy' and is at risk of being sentenced to flogging and death. She is a prisoner of conscience, currently in detention with her 20-month-old son.**

**Meriam Yehya Ibrahim**, a 27-year-old Christian Sudanese woman, eight months pregnant with her second child, was convicted of 'adultery' and 'apostasy' by a court in Khartoum on 11 May. Meriam has been given three days by the court to recant her faith. Her next hearing will be held on 15 May, when she is likely to be sentenced to flogging and death.

Treating adultery and apostasy as criminal offenses is not consistent with international human rights law – including the International Covenant on Civil and Political Rights – to which Sudan is a state party. The criminalization of adultery violates the rights to freedom of expression and association and invariably discriminates against women in its enforcement. The criminalization of apostasy is incompatible with the right to freedom of thought, conscience and religion. Meriam Ibrahim is a prisoner of conscience, convicted solely because of her religious beliefs and identity, and must be released immediately and unconditionally.

Meriam 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 practiced 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 absent during her childhood.

Meriam risks being sentenced to up to 100 lashes for adultery under Article 146. If she refuses to recant her Christian faith, she risks the death penalty for apostasy under Article 126 of the Sudan Criminal Code. The punishment of flogging violates the absolute prohibition against torture and other ill-treatment in international human rights law. 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.

### **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 criminalize apostasy and adultery respectively, in conformity with Sudan's obligations under international human rights law;
- Calling on the authorities to abolish the punishment of flogging and the death penalty.

### **PLEASE SEND APPEALS BEFORE 24 JUNE 2014 TO:**

**Minister of Justice**

**Mohamed Bushara Dousa**

Ministry of Justice

Email: [moj@moj.gov.sd](mailto:moj@moj.gov.sd)

**Salutation: Your Excellency**

**Minister of Foreign Affairs**

**Ali Ahmed Karti**

Ministry of Foreign Affairs

Email: [ministry@mfa.gov.sd](mailto:ministry@mfa.gov.sd)

**Salutation: Your Excellency**

**And copies to:**

**Minister of Interior**

Ibrahim Mahmoud Hamed

Ministry of Interior

Email: [mut@isoc.sd](mailto:mut@isoc.sd)

### **Also send copies to:**

H.E. Ambassador Emad Mirghani Altohamy, Embassy of the Republic of the Sudan

2210 Massachusetts Ave. NW, Washington DC 20008

**Tele: 202 338 8565 | Fax: 1 202 667 2406 | E-mail: [info@sudanembassy.org](mailto:info@sudanembassy.org) -OR- [kahmed@sudanembassy.org](mailto:kahmed@sudanembassy.org)**

**Please check with the AIUSA Urgent Action Office if sending appeals after the above date.**

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### ADDITIONAL INFORMATION

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 offense 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 offense 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.

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

**Name:** Meriam Yehya Ibrahim (f)

**Issues:** Prisoner of conscience, Death penalty, Risk of torture/ill-treatment

**UA:** 118/14

**Issue Date:** 13 May 2014

**Country:** Sudan