

EXTERNAL

AI Index: AFR 15/02/95

29 August 1995

Further information on UA 199/95 (AFR 15/01/95, 15 August 1995) - Fear of imminent execution

BOTSWANADavid Keleletswe

David Gobatsu
Tekoetsile Tsiane

and new names: Obusitswe Tshabang
Patrick Ntesang

David Keleletswe, David Gobatsu, Tekoetsile Tsiane, Obusitswe Tshabang and Patrick Ntesang were executed by hanging at 7am (local time, 5am GMT) on 26 August 1995 at Gaborone Maximum Security Prison in Gaborone. All appeals for clemency made on behalf of the five men by their lawyers and by local and international human rights activists failed to save their lives.

Obusitswe Tshabang, about 25 years of age, was convicted in June 1994 of murdering a man in November 1990 at or near Thokolo cattle post, about 50 kilometres from the town of Mahalapye, and sentenced to death by the High Court sitting at Francistown. His sentence was upheld by the Botswana Appeal Court in February 1995.

Patrick Ntesang, aged about 34, was accused of murdering a motor mechanic in August 1991. In June 1994 he was sentenced to death by the High Court sitting at Francistown. His sentence was also upheld by the Botswana Court of Appeal.

It was not until late on 25 August 1995 that Amnesty International and local human rights groups learned that Obusitswe Tshabang's and Patrick Ntesang's appeal for a presidential pardon had been turned down. In February 1995, Amnesty International had appealed to President Masire directly and through prominent people in five countries to spare the lives of these five men when their cases came before him.

FURTHER RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English or in your own language:

- stating Amnesty International's unconditional opposition to the death penalty as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment as proclaimed in Article 5 of the Universal Declaration of Human Rights
- expressing Amnesty International's deep regret that, despite all the appeals, the President decided not to exercise his right to grant clemency to the five men named above.

APPEALS TO:

Sir Ketumile Masire
President of Botswana
Office of the President
Private Bag 001
Gaborone
Botswana

Faxes: +267 356 866 (Via Foreign Affairs)

Telegrams: President Masire, Gaborone, Botswana

Salutation: Dear President

COPIES TO:

Minister of Foreign Affairs
Hon.Lt.Col. Mompate Merafhe
Ministry of Foreign Affairs
Private Bag 001
Gaborone
Botswana
Faxes: +267 313 366

Chief Justice
Moleleki Mokama
Private Bag X01
Gaborone
Botswana

President of the Appeal Court
A.N.E. Anmissah
Court of Appeal
Gaborone
Botswana

and to diplomatic representatives of Botswana accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.