

EXTERNAL (for general distribution)

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PLEASE ORGANIZE UP TO 20 APPEALS PER SECTION

UA 332/91

Death Penalty/Legal concern

10 October 1991

CHAD

Hazarak Mansour, soldier
Ahmat Mouniama
Hassane Souleymane
Hassabalah Abderamane

The four men named above were executed by firing squad in public at the race course in Chad's capital, N'Djamena on Monday 7 October 1991, after being sentenced to death by a Court Martial.

Hazarak Mansour was convicted of trying to steal a motorcycle in April 1991, Ahmat Mouniama was convicted of murdering his own father, and Hassane Souleymane and Hassabalah Abderamane were convicted of armed robbery and criminal association ("vol à main armée et association de malfaiteurs"). The four were sentenced to death in recent months by a military court and appeared to have no opportunity to appeal to a higher court. It is not known if they were assisted at their trials by lawyers. They were executed in front of a large crowd after President Idriss Deby rejected clemency appeals.

Amnesty International opposes the death penalty **in all cases** on the grounds that it constitutes a particularly cruel, inhuman and degrading punishment and is a violation of the right to life.

BACKGROUND INFORMATION

These are the first executions since a special Court Martial was set up in April 1991 to curb growing crime, particularly by soldiers. Under the court's rules of procedure defendants cannot appeal against its decisions. Since President Idriss Deby took power in December 1990, there have been complaints about an increased crime rate and an increased feeling of insecurity, blamed mainly on a high number of weapons being available and the presence of large numbers of soldiers in the capital, many of whom were until December 1990 members of irregular forces. During the 1980s, when President Hissein Habré was in power, the courts imposed few death sentences and no judicial executions were reported. In contrast, many hundreds of prisoners were executed extrajudicially.

Government official sources have claimed that these executions were intended to be a deterrent.

RECOMMENDED ACTION: Telegrams/telexes/faxes/airmail letters:

- expressing dismay at the public execution of four prisoners on 7 October;
- explaining that Amnesty International considers these executions to constitute a violation of human rights - both a violation of the right to life and a form of cruel, inhuman and degrading punishment, the use of which contravenes the Universal Declaration of Human Rights;

- explaining that international human rights standards require that anyone who is sentenced to death should have an opportunity to appeal against conviction and sentence to a higher court (in some appeals refer to the set of safeguards to be applied in capital cases, which were adopted by the United Nations Economic and Social Council in 1984);

- expressing particular concern that the brutal spectacle of these executions occurred in public and observing that this may encourage rather than deter violent crime;

- explaining that studies of the effects of executions all around the world have never shown that the death penalty is a more effective deterrent than more humane forms of punishment;

- calling on the Chadian authorities not to carry out any further executions but to carry out a review of all legislation and procedures concerning the death penalty in order to increase respect for human rights and progressively reduce the number offences punishable by death.

APPEALS TO:

Son Excellence Général Idriss DEBY
Président de la République du Tchad
Présidence de la République
N'DJAMENA, République du Tchad

**Monsieur le Président de la
République**

Telegrams: President Deby, N'Djamena, Chad
Telexes: 5201 PRESIREP KD or 5307 PRESIREP KD
Faxes: +235 51 4501

Monsieur Sounghi AHMED
Ministre des Relations extérieures
Ministère des Relations extérieures
N'DJAMENA, République du Tchad

Monsieur le Ministre

Telegrams: Ministre affaires etrangeres, N'Djamena, Chad
Telexes: 5328 MINAFFET KD

Monsieur Maldom BADA ABBAS
Ministre d'Etat à l'Intérieur
et à la Sécurité
Ministère d'Etat à l'Intérieur et à la Sécurité
N'DJAMENA, République du Tchad

Monsieur le Ministre

Telegrams: Ministre interieur, N'Djamena, Chad

Monsieur Youssouf TOGOIMI
Ministre de la Justice,
Garde des Sceaux
Ministère de la Justice
N'DJAMENA, République du Tchad

Monsieur le Ministre

Telegrams: Ministre Justice, N'Djamena, Chad

COPIES TO: diplomatic representatives of Chad in your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 21 November 1991.