

EXTERNAL (for general distribution)

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Death Penalty/Summary or arbitrary executions

12 October 1993

ALGERIA Executed: Allam ABDENNOUR (also known as Amir NOE), Mohamed ASSAD, Messaoud BOUTHELDJA, Mohamed HASSEN, Farid FARES, Ahmed MALEK, Mohamed BELBACHIR, Azzedine CHOULAB, Zohair BOUDHFAR, Bouznad HAOUI, Tayyib BEDIA, Laid BELAKHDAR, Mohamed ABDESALAM

and at least 150 others on death row under threat of execution after unfair trials

Amnesty International is dismayed at the execution of 13 people in Algeria on 11 October 1993, and fears that at least 150 others on death row face imminent execution.

Furthermore, the death sentences were imposed after grossly unfair trials, and as such these executions were summary or arbitrary, as would be any further executions of prisoners sentenced after similar proceedings.

The first seven named above were sentenced to death at the Algiers Special Court on 20 March 1993 in a trial of 51 alleged Islamist opposition activists on charges of assassination, possession of illegal arms, aggravated theft and possession of explosives and firearms. Their trial grossly violated international standards: defence lawyers were denied access to their clients and their case files and the defendants alleged that they were tortured in pre-trial incommunicado detention. The six others were sentenced to death in similarly unfair trials by the Special Courts of Oran and Constantine. All 13 were executed by firing squad at dawn on 11 October 1993. Their families and lawyers received no response to pleas for clemency and were not informed of the executions.

BACKGROUND INFORMATION

More than 290 death sentences (over half of them passed *in absentia*) have been imposed since the state of emergency was declared in Algeria in February 1992. Most of them have been passed by special courts constituted in October 1992, which provide for accelerated and secret justice in trials which are unfair at every stage of the proceedings and violate the most fundamental requirements of international law: confessions extracted under severe torture and denied by the accused in court are routinely used as evidence against them, and detainees are not allowed to fully exercise their right to defence and appeal. These trial procedures fall far short of international standards for fair trial as guaranteed by the International Covenant on Civil and Political Rights (ICCPR), to which Algeria is a state party. Executions after unfair trials are summary or arbitrary executions, which the United Nations Commission on Human Rights has condemned as an "abhorrent practice".

To date, 26 people tried under the emergency "anti-terrorist" laws have been executed in 1993. Families and lawyers are often not informed in advance and are unable to see the detainees before they are executed. Some parents only learned of their sons' executions from the national television news report later the same day.

Amnesty International acknowledges the seriousness of the situation in Algeria and the right of the authorities to bring to justice and to punish those responsible for violent acts and attacks on the security of its nationals. However, such abuses provide no justification for violating the right to life and the right not to be subjected to torture or other cruel, inhuman or degrading treatment which, as the ICCPR provides, may not be derogated from under any circumstances.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in French, Arabic, English or in your own language:

- expressing deep regret at the execution of those named above;
- calling for an immediate halt to any further executions;
- expressing grave concern that over 290 people have been sentenced to death in Algeria this year in trials which violate international standards for fair trial;
- stating that any executions of those sentenced in unfair trials constitute summary or arbitrary executions;
- urging an immediate review of trial procedures to ensure that they comply with the International Covenant on Civil and Political Rights to which Algeria is a state party;
- stating that whilst Amnesty International acknowledges the seriousness of the situation in Algeria, the organization unconditionally opposes the death penalty in all cases as a violation of the right to life. Add that the death penalty has never been shown to have a deterrent effect against those who perpetrate violent crimes;
- urging Ali Kafi, President of the Haut Comité d'Etat, not to reject any pleas for clemency when these are presented to him, and to immediately commute all outstanding death sentences.

APPEALS TO

1) President of the Haut Comité d'Etat

M. Ali KAFI

Président du Haut Comité d'Etat

Présidence de la République

El-Mouradia, Alger, Algérie

faxes: +213 2 609618

telegrams: Président du Haut Comité d'Etat Kafi, Alger, Algérie

telex: 66044/66088

salutation: Excellence/Your Excellency

2) Foreign Affairs Minister

M. Mohamed Salah DEMBRI

Ministre des Affaires étrangères

Ministère des Affaires étrangères

6 rue 16n - Batran

El-Mouradia, Alger, Algérie

faxes: +213 2 60 51 61

telexes: 66241/66178/66243

telegrams: Ministre des Affaires étrangères Dembri, Alger, Algérie

salutation: Excellence/Your Excellency

3) High Council of State Member

M. Ali HAROUN

Membre du Haut Comité d'Etat

Palais du Gouvernement

Alger, Algérie

telexes: 66217/66221/66044/66088

telegrams: M Ali Haroun, Haut Comité d'Etat, Alger,Algérie
salutation: Excellence/Your Excellency

COPIES OF APPEALS TO: to diplomatic representatives of Algeria accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 23 November 1993.