

PUBLIC

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12 November 2003

Further Information on EXTRA 47/03 (AFR 20/001/003, 6 November 2003) Execution / Fear of execution

CHAD **Léon Totoloum (m) (previously unnamed) – executed**

Mahamat Adam Issa (m)]
Adouma Ali Ahmat (m)]
Abderamane Hamid Haroun (m)] executed
Moubarack Bakhit Abderamane (m)]
Four unnamed individuals]

Léon Totoloum was executed on 9 November. He had escaped execution on 6 November when fellow prisoners prevented attempts to take him from the prison in the capital, N'Djaména. He becomes the ninth person to have been executed in Chad since judicial executions resumed on 6 November after a 12 year gap.

Seven executions took place in the capital N'Djaména on the morning of 6 November. These included those of Mahamat Adam Issa, Adouma Ali Ahmat, Abderamane Hamid Haroun and Moubarack Bakhit Abderamane, whom Amnesty International considers to have been arbitrarily executed, and three other individuals, who were executed by firing squad. One more person was executed in the eastern town of Abéché.

At least one person, a woman, remains under sentence of death. Amnesty International is continuing to monitor her case.

BACKGROUND INFORMATION

Under the Chadian legal system, and in contravention of international law, there is no right to a full appeal in capital cases. The only recourse open to those sentenced to death is for a cassation plea on grounds of gross legal or factual errors to be submitted to the cassation chamber of the Supreme Court. If successful, the case is sent back for retrial. If unsuccessful, the convicted prisoner may appeal for presidential clemency.

Article 14 of the United Nations International Covenant on Civil and Political Rights (ICCPR), which Chad has ratified and is therefore bound by, states that "Everyone convicted of a crime shall have the right to his conviction and sentence being reviewed by a higher tribunal according to law".

Amnesty International opposes the death penalty in all countries and in all circumstances because it is the state sanctioned violation of the right to life and of the right not to be subjected to cruel, inhuman or degrading treatment.

Many thanks to all who sent appeals. If possible, please send a final round of appeals, to arrive as quickly as possible, in French, Arabic or your own language:

- condemning the execution on 9 November of Léon Totoloum;
- reiterating Amnesty International's condemnation of the execution of eight other men on 6 November, including Mahamat Adam Issa, Adouma Ali Ahmat, Abderamane Hamid Haroun and Moubarack Bakhit Abderamane, who were executed despite irregularities in their trials and reportedly in denial of their limited rights to appeal;
- calling on President Idriss Déby to commute all further death sentences which come before him;

- calling on the Chadian authorities to ensure that all trials conform to international standards of fairness as required by international human rights treaties to which Chad is party, including the International Covenant on Civil and Political Rights (ICCPR), including by guaranteeing the right to a full appeal against conviction and sentence to a higher court.

APPEALS TO (Please note it can be very difficult to get faxes through. Please keep trying):

President of the Republic

Son Excellence Général Idriss DEBY

Président de la République

Telegram: President Deby, N'Djaména, Chad

Fax: + 235 51 45 01/ 52 44 73

Salutation: Monsieur le Président/Your Excellency

Minister of Justice

Monsieur Pahime KALZEUBE

Ministre de la Justice et Garde des Sceaux

Telegram: Ministre Justice, N'Djaména, Chad

Fax: (via Ministry of Communication and Government Spokesperson) + 235 51 60 94

Salutation: Monsieur le Ministre/ Dear Minister

Minister of Interior

Monsieur Abderahman Moussa

Ministre de la Sécurité publique et de l'immigration

Telegram: Ministre Intérieur, N'Djaména, Chad

Salutation: Monsieur le Ministre/Dear Minister

COPIES TO:

Minister of Foreign Affairs

Monsieur Nagoum Yamassou

Ministre d'Etat

Ministre des Affaires étrangères et de l'intégration africaine

Ministère des Affaires étrangères

N'Djaména, Chad

Fax: + 235 51 91 22

and to diplomatic representatives of Chad accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.