

EXTERNAL (for general distribution)

AI Index: MDE 18/02/94
Distr: UA/SC

UA 149/94

Death Penalty / Fear of Imminent Execution

15 April 1994

LEBANON

Bassam Salah al-Muslah
'Abd al-Karim Hujayj
Muhammad Za'tar
Nehmeh Hammadi (*in absentia*)

Amnesty International fears that Bassam Salah al-Muslah, 'Abd al-Karim Hujayj and Muhammad Za'tar may face imminent execution after having been sentenced to death. A fourth man, Nehmeh Hammadi, sentenced *in absentia*, is reported to be in Belgium, which has apparently refused to extradite him to Lebanon on the grounds that he would face the death penalty.

Bassam Salah al-Muslah was sentenced to death on 6 April 1993 by the Criminal Court in Sidon. He had been convicted of the January 1993 rape and murder of a seven-year-old girl. His sentence was confirmed by the Criminal Court of Cassation on 31 March 1994.

'Abd al-Karim Hujayj and Muhammad Za'tar, both members of the Syrian armed forces, were convicted of the 1992 murder of two brothers, the jewellers Ghassan and Jalil Antonios, and sentenced to death on 12 April 1994. Nehmeh Hammadi, a Lebanese national, was sentenced to death for the same crime. All three were convicted by the Court of Justice (al-Majlis al-'Adli), a court which tries certain cases referred to its jurisdiction by Presidential decree usually dealing with matters affecting the security of the state. There is apparently no right of appeal against verdicts of the Court of Justice.

No death sentence can be carried out before the Commission des grâces (Lajnat al-'Afu) has been consulted, and approval given by the President.

BACKGROUND INFORMATION

No execution has been carried out in Lebanon since 1983.

The death penalty in Lebanon has recently been expanded. A new law was passed in March 1994 making the death penalty mandatory for intentional murder and introducing the death penalty in cases of political murder.

Amnesty International has expressed its regret to the Lebanese authorities about this expansion of the death penalty, and has urged them to review all legislation providing for the death penalty in order to reduce the number of capital offences with a view to abolishing the death penalty.

The death penalty is reported to have been sought for at least 23 people (some *in absentia*) since the passing of the new law.

Amnesty International does not condone violent crimes such as murder and recognizes the responsibility of governments to bring the perpetrators of such crimes to justice. However, it opposes the death penalty in all cases as a violation of the fundamental right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment as recognized in the Universal Declaration of Human Rights. There is no reliable evidence that the death penalty deters violent crime, and the risk that innocent people may be executed is inescapable. There can be no method of execution that would ever make it less inhumane.

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

- urging that the death sentences of all three men be commuted, as well as any other current or future death sentences;
- expressing regret at the recent expansion of the death penalty in Lebanon, and urging that all legislation providing for the death penalty be reviewed. The number of capital offences should be reduced with a view to abolishing the death penalty;
- urging the Lebanese authorities to consider signing the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

APPEALS TO

1. President Elias Hrawi
Presidential Palace
Ba'abda, Lebanon

Telegrams: President Hrawi, Beirut, Lebanon

Telexes: 21000

Salutation: Your Excellency

2. Rafik Hariri
Prime Minister
Office of the Prime Minister
Beirut, Lebanon

Telegrams: Prime Minister Hariri, Beirut, Lebanon

Salutation: Your Excellency

3. Mohsen Dalloul
Minister of Defence
Ministry of Defence
Yarzeh, Beirut
Lebanon

Telegrams: Defence Minister Dalloul, Beirut, Lebanon

Telexes: 20901

Salutation: Your Excellency

4. Bahij Tabbareh
Minister of Justice
rue Sami Solh
Beirut, Lebanon

Telegrams: Justice Minister Tabbara, Beirut, Lebanon

Salutation: Your Excellency

COPIES TO: diplomatic representatives of Lebanon accredited to your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 27 May 1994.