

EXTERNAL (for general distribution)

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Death Penalty

31 January 1995

MOROCCO

Stéphane AIT IDDIR - French/Algerian national
Radouane HAMADI - French/Moroccan national
Hamal MARZOUG - Algerian national

Stéphane Ait Iddir, Radouane Hamadi and Hamal Marzoug were sentenced to death in Fès on 28 January 1995.

They were tried with 14 other defendants in connection with several armed attacks in November 1993 and the summer of 1994 in Casablanca, Fès and Marrakech, including the armed attack on a hotel in Marrakech in August 1994 in which two Spanish tourists were killed. The defendants were alleged to have carried out these attacks on behalf of militant Islamist groups. Six of the other defendants were sentenced to life imprisonment and the remaining defendants were sentenced to prison terms ranging from six years (suspended) to 10 years.

Two other main accused were not present at the trial and are currently detained in Germany.

Amnesty International has expressed its concern at allegations by some of the defendants that they had been tortured whilst held in illegally prolonged *garde à vue* detention, and is concerned that the trial may not have been conducted in accordance with international standards for fair trial.

There is no right of appeal, but the defendants can seek a review by cassation in the Supreme Court, which rules only on procedural matters and does not re-examine the facts of a case. If the death sentences are upheld by the Supreme Court, the last recourse for the defendants is to present a plea for clemency to King Hassan II.

BACKGROUND INFORMATION

The last execution in Morocco was carried out in August 1993, after a period of 11 years in which none had taken place. The death sentences passed on Stéphane Ait Iddir, Radouane Hamadi and Hamal Marzoug are the first to have been pronounced since the commutation of 195 death sentences in March 1994.

There are believed to be 17 people currently on death row in Morocco.

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

- expressing concern that Stéphane Ait Iddir, Radouane Hamadi and Hamal Marzoug have been sentenced to death, and (1) calling on the authorities to urge King Hassan II to commute the sentences if they are upheld by the Supreme Court and (2) urging King Hassan II to commute these death sentences if they are upheld by the Supreme Court;

- stating that Amnesty International publicly welcomed the commutation of 195 death sentences in March 1994 and urging that all outstanding death sentences be immediately commuted, as a further step towards abolishing the death penalty in Morocco;

- explaining that whilst Amnesty International does not condone acts of violence and recognizes the right of governments to bring to justice those responsible for such acts, the organization unconditionally opposes the death penalty in all cases as the ultimate form of cruel, inhuman and degrading punishment and a violation of the right to life, as guaranteed by the International Covenant on Civil and Political Rights, to which Morocco is a state party.

APPEALS TO1) The King

Sa Majesté Hassan II
 Bureau de Sa Majesté le Roi
 Palais Royal
 Rabat, Morocco

Telegrams: Hassan II, Rabat, Morocco

Telexes: 31744 or 32908

Salutation: Sire / Your Majesty

2) Minister of Justice

M. Mohamed Idrissi Alami Machichi
 Ministre de la Justice
 Ministère de la Justice
 Palais de la Manounia
 Rabat, Morocco

Telegrams: Ministre Alami Machichi, Rabat, Morocco

Salutation: Excellence / Your Excellency

3) Minister for Human Rights

M. Omar Azziman
 Ministre délégué auprès du Premier Ministre chargé des Droits de l'Homme
 Bureau du Premier Ministre
 Palais Royal
 Rabat, Morocco

Telegrams: Ministre Azziman, Rabat, Morocco

Telexes: 36161

Faxes: + 212 7 77 68 37

Salutation: Excellence / Your Excellency

COPIES OF YOUR APPEALS TO:Governmental Human Rights Body:

M. Mohamed Mikou
 Secrétaire Général
 Conseil consultatif des droits de l'homme
 24 Place des Chouhada
 BP 1341
 Rabat, Morocco

and to diplomatic representatives of Morocco accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 15 March 1995.