

EXTERNAL

AI Index: MDE 29/01/97

5 February 1997

Further information (2) on UA 24/95 (MDE 29/14/97, 31 January 1995) and follow-up (MDE 29/13/96, 20 December 1996) - Death Penalty

MOROCCO Stéphane AIT IDDIR, French/Algerian national
Radouane HAMADI, French/Algerian national
Hamal MARZOUG, Algerian national

Amnesty International has learned that on 24 December 1996 the death sentences imposed on Stéphane Ait Iddir, Radouane Hamadi and Hamal Marzoug on 28 January 1995, were upheld by the Moroccan Supreme Court, which rejected defence lawyers' petitions for the overturning of the verdict through the "cassation" procedure. "Cassation" looks at the procedures and application of the law, but does not re-examine the facts of the case.

The defendants had been tried with 14 others 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. Allegations that the defendants had been tortured were not investigated and the trial fell short of internationally recognized standards for fair trial.

The death sentences would have to be ratified by King Hassan II before being carried out. The last resort for Stéphane Ait Iddir, Radouane Hamadi and Hamal Marzoug is a plea for clemency by the King.

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

- urging that the death sentences against Stéphane Ait Iddir, Radouane Hamadi and Hamal Marzoug be commuted;
- expressing concern at the alleged unfairness of the original trial of the three defendants and at allegations that the defendants were tortured during illegally prolonged *garde à vue* detention;
- explaining that while 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;
- welcoming the commutation of 195 death sentences in March 1994 and urging that all outstanding death sentences - there are currently 40 prisoners on death row in Morocco - be immediately commuted, as a further step towards abolishing the death penalty in Morocco.

APPEALS TO:

1) 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. Abderrahmane Amalou
Ministre de la justice
Ministère de la justice
Palais de la Manounia
Rabat, Morocco

Telegrams: Ministre Abderrahmane Amalou, Rabat, Morocco

Faxes: + 212 7 723710

Salutation: Excellence / Your Excellency

COPIES TO:

The president of the Consulative Council for Human Rights (Official Human Rights Body):

M. Driss Dahak

Président de Conseil Consultatif des Droits d l'Homme (CCDH)

Place des Chouhada, B.P. 1341

Rabat, Morocco

Fax: + 212 7 726856

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 19 March 1997.