

EXTERNAL (for general distribution)

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UA 174/93 Death Penalty

27 May 1993

ALGERIA: 41 people sentenced to death:
Abderrahim Hocine
Rachid Hechaichi
Karim Fennour
Jamal Chikou
Belkacem Tahri
Jamal Laskri
Mabrouk Bakour
Ahmed Dahmoun
Meliani Mansouri
Youcef Boulesbaa
Redha Boucherif
Said Soussan (sentenced to death twice)
Mohamed Aimet (sentenced to death twice)
and 28 *in absentia*

Amnesty International is gravely concerned that 41 people were sentenced to death on 26 May 1993 by the special court in Algiers in two separate trials. Thirty-eight of those sentenced to death (26 *in absentia*) were accused of participating in the bombing of Algiers airport on 26 August 1992, in which nine people died and over 120 were injured. Said Soussan and Mohamed Aimet, who were among the 38 sentenced to death in the first trial, and three others (two *in absentia*) were accused of terrorist attacks, including planting a bomb in the television station in June 1992.

Following the bombing of the airport, six individuals were arrested and the confessions of some of them were shown on Algerian television. There were allegations that the confessions had been extracted under torture.

These individuals have no right of appeal, but may seek a review by "cassation" by the Supreme Court; if successful the case will be retried by another special court.

Cassation rules only on procedures, and does not reexamine facts, thus failing to safeguard the detainees' right of appeal.

Once the death sentences have been upheld by the Supreme Court, executions may not be carried out until a plea for clemency has been presented to the President and refused.

BACKGROUND INFORMATION

Sixty-six death sentences have been passed since February 1993 by the three Special Courts set up by a decree of October 1992 which provides for accelerated and secret justice for those accused of "terrorist" offences, doubling the sentences for such offences. The law is retroactive, inasmuch as any case under instruction or awaiting judgment can be transferred to the Special Courts and thus be subjected to increased penalties which did not apply at the time of the offence. Both these cases were transferred to the jurisdiction of the Special Courts.

The first executions known to have been carried out in Algeria since 1989 took place on 11 January 1992, and the number of those now on death row is well over 200.

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 proclaimed in the Universal Declaration of Human Rights.

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

- expressing concern that 41 people were sentenced to death, two of them twice, by the Special Court on 26 May 1993;

- urging President Ali Kefi to commute these death sentences if they are upheld by the Supreme Court;

- urging that all outstanding death sentences be immediately commuted, and that steps be taken towards abolishing the death penalty in Algeria;

- stating 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 proclaimed in the Universal Declaration of Human Rights.

APPEALS TO

1) President:

Président M. Ali KEFI
Président de la République
Présidence de la République
El-Mouradia, Alger, Algérie

Salutation: Excellence / Your Excellency

Telegrams: President Kefi, Alger, Algeria

Faxes: + 213 2 609618

Telexes: 66044/66088

2) High Council of State Member:

M. Ali HAROUN
Membre du Haut Comité d'Etat
Palais du Gouvernement
Alger, Algérie

Salutation: Excellence / Your Excellency

Telegrams: M. Ali Haroun, Palais du Gouvernement, Alger, Algeria

Telexes: 66217/66221/66044/66088

3) High Council State Member and Minister of Defence:

M. Khaled NEZZAR
Membre du Haut Comité d'Etat
et Ministre de la Défense
Ministère de la Défense
Alger, Algérie

Salutation: Excellence / Your Excellency

Telegrams: M. Khaled Nezzar, Ministère de la Défense, Alger, Algeria

4) Minister of Justice:

M. Mohamed Téguia

Salutation: Excellence / Your Excellency

Ministre de la Justice
Ministère de la Justice
8 rue de Khartoum
El-Biar, Alger, Algérie

Telegrams: M. Mohamed Tegua, Ministère de la Justice, Alger, Algérie

Faxes: + 213 2 605161

Telexes: 66241/66178/66243

COPIES OF YOUR APPEALS TO:

Human Rights Organizations:

1) Observatoire national des droits de l'homme Palais du Peuple Avenue F. Roosevelt Alger, Algérie	2) Ligue algérienne des droits de l'homme: 40-42 rue Larbi ben M'Hidi Alger, Algérie	3) Ligue algérienne pour la défense des droits de l'homme 19 rue Abane Ramdane Alger, Algérie
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Faxes: + 213 2 60 10 42

and 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 8 July 1993.