

EXTERNAL (for general distribution)

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Death Penalty

18 January 1995

CHAD

Yachoub Issaskha  
three others (*in absentia*)

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Yachoub Issaskha, sentenced to death on 20 November 1994, may face imminent execution unless President Idriss Déby exercises his constitutional authority and commutes his death sentence. He has no other right of appeal. Three others, tried *in absentia*, were also sentenced to death at the same time.

On 20 November, the criminal court sitting at Abéché in northeastern Chad heard the case of nine people accused of attacking the local population of Gniguilim at a market place in August 1993. The attack resulted in the death of 64 people and injuries to about the same number of others. The five other defendants received sentences of 12 years' imprisonment plus a fine.

Amnesty International is concerned that Yachoub Issaskha was defended by judge's assistants (*assesseurs*) rather than lawyers, and that he has no right of appeal to a higher court. It fears that he may be publicly executed in the near future.

Amnesty International opposes the death penalty in all cases without reservation on the grounds that it is a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading punishment as proclaimed in the Universal Declaration of Human Rights.

#### BACKGROUND INFORMATION

There are many offences which carry the death penalty in Chad. In August 1992, Daoud Ahmat Cherif and Awat Abdou, two members of the Chadian security forces, were sentenced to death for murder (see UA 68/92). However, no judicial execution has been carried since 1991, when three soldiers and one civilian were executed after being convicted for criminal offences by a special military court which allowed no right of appeal.

#### RECOMMENDED ACTION: Please send telegrams, telexes, and airmail letters in French, Arabic or your own language:

- expressing concern at the death sentence passed on Yachoub Issaskha on 20 November 1994;
- stating Amnesty International's unconditional opposition to the death penalty in all cases, and urging that President Idriss Déby grants clemency by commuting this death sentence;
- expressing concern that Yachoub Issaskha did not have access to lawyers and has no right of appeal to a higher, independent jurisdiction, and urging that Chadian legal procedures are brought into line with the safeguards adopted by the United Nations Economic and Social Council in 1984 which stipulate that anyone who is sentenced to death shall have the right to appeal to a higher court;
- urging that all other pending death sentences also be commuted.

#### APPEALS TO:

##### General Idriss Déby

Président de la République  
Présidence de la République  
N'Djaména  
République du Tchad

**Telegrams: President Deby, Chad**

**Telexes: 5201 PREDIREP KD or 5307 PRESIREP KD**

**Salutation: Monsieur le Président de la République / Dear President**

**Monsieur Loum Hinassou Laina**

Ministre de la Justice, Garde des Sceaux

Ministère de la Justice

N'Djaména

République du Tchad

**Telegrams: Ministre Justice Laina, N'Djamena, Chad**

**Salutation: Monsieur le Ministre / Dear Minister**

**COPIES TO:**

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**Monsieur le Directeur de Publication**

*N'Djaména Hebdo*

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**Monsieur le Directeur de Publication**

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and to diplomatic representatives of Chad accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your Section office, if sending appeals after 5 March 1995.