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Chad: Amnesty International condemns executions

Amnesty International strongly condemned today the execution of at least eight people in Chad, four of whom are known to have been sentenced to death after unfair trials.

At least seven people were executed in N'Djaména this morning, while at least one person was executed in the eastern town of Abéché. Prisoners in N'Djaména's central prison are reported to have prevented another prisoner under sentence of death from being taken out for execution. His current situation is unclear.

Four of those executed in N'Djaména, Mahamat Adam Issa, Adouma Ali Ahmat, a Sudanese national, Abderamane Hamid Haroun and Moubarack Bakhit Abderamane were sentenced to death on 25 October 2003 after being convicted by the Criminal Court in N'Djaména, of the murder of a Sudanese Member of Parliament and businessman, Cheik Ibn Oumar Idriss Youssouf, who was shot dead in N'Djaména, the capital, on 25 September 2003. The case was highly sensitive not only because of Acheik Ibni Oumar Idriss Youssouf's status in Sudan but he was also reported to be close to members of President Idriss Déby's family. He was also director of the Chad Petroleum Company.

On 5 November, lawyers and national and international human rights groups including Amnesty International expressed concern at reports that although the limited appeals procedure open to the men had not been exhausted and that a cessation plea at the Supreme Court, which if upheld would have sent the case back for retrial was still pending, President Déby had denied presidential clemency and that executions were scheduled for 6 November.

The executions have been carried out despite serious procedural and legal flaws, particularly for the four men who were convicted on 25 October.

"The executions are in blatant violation of international human rights treaties, to which Chad is a party and of Chadian domestic procedures. Their convictions are reported to have been based on statements extracted under torture and as such could not be considered to be sound," Amnesty International emphasized.

Details of the convictions and trials of the other prisoners are not yet available.

Background

The last judicial executions known to have taken place in Chad date back to 1991 when four people were summarily executed in public.

In contravention of international law, under the Chadian legal system, there is no right to a full appeal in capital cases. The only recourse open to those sentenced to death is for a cessation plea on grounds of gross errors of fact and or law to be submitted to the cessation chamber of the Supreme Court. If successful, the case is sent back for retrial. If unsuccessful, the convicted prisoner may appeal for presidential clemency. Article 14 of the International Covenant on Civil and Political Rights, which Chad has ratified and is therefore bound by, states that "Everyone convicted of a crime shall have the right to his conviction and sentence being reviewed by a higher tribunal according to law".

Executions carried out after unfair trials amount to arbitrary executions in violation of the right to life guaranteed in Article 6 of the International Covenant on Civil and Political Rights and Article 4 of the African Charter on Human and People's Rights.

Amnesty International opposes the death penalty in all countries and in all circumstances because it is the state sanctioned violation of the right to life and of the right not to be subjected to cruel, inhuman or degrading

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