

PUBLIC

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Death Penalty

29 March 2000

LEBANON

Muhammad ‘Abd al-Halim ‘Abbara

On 23 March 2000 the Criminal Court of Cassation in Beirut upheld the death sentence against Muhammad ‘Abd al-Halim ‘Abbara. The sentence will now go for ratification to the President, Prime Minister and Speaker of the Assembly. After ratification the execution may follow in a few days.

On 22 April 1998 the Mount Lebanon Criminal Court had found Muhammad ‘Abbara guilty of the murder of Walid al-Jubaili on 27 January 1996.

While Amnesty International recognizes the responsibility of governments to bring those charged of criminal offences to trial according to international standards, the organization is opposed in principle to the application of the death penalty as the ultimate form of cruel, inhuman and degrading punishment and a violation of the right to life as enshrined in international human rights instruments.

There is no reliable evidence that the death penalty helps to deter crimes. The risk of error is inescapable, yet the penalty is irrevocable. No measure that may be devised can ever make it less inhumane

BACKGROUND INFORMATION

In 1994 a new law (Law 302) reinstated the death penalty in Lebanon, after an effective moratorium. Law 302 abrogated the judge’s right to take mitigating circumstances into account when considering whether to impose a death sentence or not and extended the number of offences to which the death penalty could be imposed. There has been increasing criticism of the death penalty law by judges and politicians since its introduction. At least 13 people have been executed since then, two of them publicly. However, no executions have taken place since President Emile Lahoud took office in November 1998.

Over the past fortnight there has been a wide-ranging debate on the use of the death penalty in Lebanon. The death penalty is opposed by Prime Minister Salim El-Hoss who reportedly said in March 2000: “I cannot act against my convictions. I cannot imagine signing anyone’s death warrant. God gives life and He alone can take it away.”

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or your own language:

- expressing sympathy for the victims of violent crimes and their families and acknowledging the role of governments in bringing the perpetrators of such crimes to justice, but expressing unconditional opposition to the death penalty, which has never been shown to have a unique deterrent effect and which is brutalizing to all involved in its application;
- welcoming the fact that no executions have taken place since 1998;
- expressing concern that Muhammad ‘Abd al-Halim ‘Abbara is at risk of being executed after the Criminal Court of Cassation recently upheld his death sentence;
- calling for the commutation of the death sentence passed on Muhammad ‘Abd al-Halim ‘Abbara;
- urging that the 1994 death penalty law be revoked with a view to the total abolition of the death penalty;
- urging the Lebanese authorities to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty.

APPEALS TO:

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COPIES TO: diplomatic representatives of Lebanon accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 8 May 2000.