

PUBLIC

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Death penalty/ Imminent execution

28 May 1998

LIBYA Charles Joseph Ansah, mechanic
J.K. Blankson, mason
Asare Mustapha Bediako, petrol station manager

According to Ghanaian foreign office sources the above-named men, all Ghanaian nationals residing in Libya, are believed to be at risk of execution within the week.

The men were sentenced to death after being found guilty of the murder of a garage owner in Ghat, South-western Libya, in November 1995. The accused were apparently the only foreigners living in the area where the murder took place. All three deny the charges. No further details are available at the present moment.

BACKGROUND INFORMATION

Although in the 1980's Colonel Mu' ammar al-Gaddafi stated on many occasions his opposition to the death penalty it is, nevertheless, widely used in Libya and since the 1990's he has been calling for a widening of its scope. It is currently applied for a wide range of offences contained in the Libyan Penal Code such as premeditated murder, acts committed against public safety and against the state, attempting to change the form of government by violence and involvement in political parties or groups opposed to the principles of the new order.

Libya's Code of Criminal Procedure (CCP) stipulates that capital offences are tried by the criminal section of courts of appeal. The CCP provides for review of death sentences by the Court of Cassation. All death sentences require ratification by the Secretariat of the General's People Congress (parliament).

In Libya executions generally take place by hanging. From November 1992 to March 1997, 38 executions were officially announced. The true figure may, however, be much higher as there were numerous reports of secret executions

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

- acknowledging the seriousness of the crime for which Charles Joseph Anash, J.K. Blankson and Asare Mustapha Bediako were convicted, but explaining your opposition to the death penalty in all cases as a violation of the right to life, pointing out that it has never been shown to have a unique deterrent effect and is brutalizing to all involved in its application;
- urging the Leader of the Revolution to grant clemency and commute these and all other pending death sentences;
- drawing attention to world trends to abolish or reduce the use of the death penalty, in accordance with Article 6 of the International Covenant on Civil and Political Rights, to which Libya is a state party.

APPEALS TO:

His Excellency Mu' ammar al-Gaddafi
Leader of the Revolution
Office of the Leader of the Revolution
Tripoli, Great Socialist People's Libyan Arab Jamahiriya
Telegram: Colonel al-Gaddafi, Tripoli, Libya

Telex: 70 0901 20162 ALKHASU LY
Salutation: Your Excellency

His Excellency 'Umar Mustafa al-Muntasir
Secretary of the People's Committee of the People's Bureau for Foreign Liaison
and International Cooperation
Tripoli, Great Socialist People's Libyan Arab Jamahiriya
Telegrams: Excellency al-Muntasir, Foreign Liaison Bureau, Tripoli, Libya
Salutation: Your Excellency

His Excellency
Zanati Mohammad al-Zanati
Secretary of the General People's Congress
Secretariat of the General People's Congress
Tripoli, Great Socialist People's Libyan Arab Jamahiriya
Telegrams: Excellency al-Zanati, General People's Congress, Tripoli, Libya
Salutation: Your Excellency

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

PLEASE SEND APPEALS IMMEDIATELY.