

EXTERNAL (for general distribution)

AI Index: MDE 28/05/93

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Further information on UA 146/92 (MDE 28/02/92, 7 May 1992) - Death Penalty

ALGERIA:Aissa Messaoudi (also known as Tayeb El Afghani)

Lazhar Amar

Mohamed Nguia

Bechir Rezig

Ahmed Osman (note corrected name)

Kamel Rukhe

Antar Tera (note corrected name)

Tayeb Sennouga

Khalid Kessous

Lamine Athmania (note corrected name)

Jamal Bou Djelkha

Belgacem Tlili

Abdelnacer Saidani (no longer under sentence of death: re-tried
and sentenced to 15-year prison term)

Amnesty International is gravely concerned at the confirmation on 14 January 1993 by the Algerian Supreme Court of 12 death sentences passed on 4 May 1992.

The 13 people named above were sentenced to death in May 1992 by the military court in Ouargla. Abdelnacer Saidani was sentenced *in absentia* but was later re-tried and sentenced to 15 years' imprisonment. All 13 were convicted of participating in an attack against a border post in Guemmar in November 1991, during which three of the soldiers defending the post were killed. The charges brought against them included plotting against state security, theft of weapons and ammunitions, forming an armed band, murder, and crimes against the authority of the state.

BACKGROUND INFORMATION

Under Algerian law, those convicted by the military court may apply to the Supreme Court for review by cassation. The review concerns only alleged misapplications of the law, not facts. 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.

The first executions known to have been carried out in Algeria since 1989 took place on 11 January 1992, when two men were executed by firing squad. They had had their death sentences confirmed by the Supreme Court in October 1992.

Forty-eight death sentences have been imposed over the last year, bringing the number of those now said to be on death row to over 120.

Amnesty International recognises the right of governments to bring to justice and to punish those responsible for criminal offences such as those mentioned above but unconditionally opposes the death penalty in all cases as a violation

of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment and punishment, as proclaimed by the Universal Declaration of Human Rights.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters

- expressing your concern that the Supreme Court has upheld the death sentences of the 12 people named above;
- urging President Ali Kefi to commute these death sentences when the

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clémency pleas are presented to him;

- urging that all death sentences be immediately commuted;
- reiterating 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;
- urging that steps be taken towards abolishing the death penalty in Algeria.

APPEALS TO:

1) President

Salutation: Excellence/Your Excellency

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

Telegrams: President Kefi, Alger, Algérie

Faxes: + 213 2 609618

Telexes: 66044/66088

2) High Council of State Member

Salutation: Excellence/Your Excellency

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

Telexes: 66217/66221/66044/66088

3) Minister of the Interior

Salutation: Excellence/Your Excellency

M. Mohamed HARDI
Ministre de l'Interieur
Ministère de l'Interieur et des Collectivités Locales
Alger, Algérie

Telexes: 66341

Faxes: + 213 2 618802 / + 213 2 645793

4) Minister of Justice

Salutation: Excellence/Your Excellency

M. Mohamed Téguia
Ministre de la Justice
Ministère de la Justice
8 rue de Khartoum
El-Biar
Alger, Algérie

Faxes: 213 2 605161

Telexes: 66241/66178/66243

PLEASE ALSO SEND COPIES OF YOUR APPEALS to the following Human Rights Organizations:

Observatoire national des droits de l'homme
Palais du Peuple
Avenue F. Roosevelt
Alger, Algérie

Ligue algérienne des droits de l'homme
40-42 rue Larbi ben M'Hidi
Alger, Algérie

Ligue algérienne pour la défense des droits de l'homme
19 rue Abane Ramdane
Alger, Algérie

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 10 March 1993.