

EXTERNAL

AI Index: MDE 29/13/96

20 December 1996

Further information on UA 24/95 (MDE 29/01/95, 31 January 1995) - Death Penalty

**MOROCCO** Stéphane AIT IDDIR, French/Algerian national  
Radouane HAMADI, French/Algerian national  
Hamal MARZOUG, Algerian national

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Stéphane Ait Iddir, Radouane Hamadi and Hamal Marzoug, sentenced to death in Fès on 28 January 1995, will have their case examined in cassation by the Supreme Court in Rabat on 24 December 1996. It is unclear how long this will take.

The three men were tried with 14 other defendants in connection with several armed attacks in November 1993 and the summer of 1994 in Casablanca, Fès and Marrakech, including the armed attack on a hotel in Marrakech in August 1994 in which two Spanish nationals were killed. The defendants were alleged to have carried out these attacks on behalf of militant Islamist groups.

Some of the defendants allege that they were tortured in illegally prolonged *garde à vue* detention, and there are concerns that the trial may not have been conducted in accordance with international standards for fair trial.

The review by cassation rules only on procedural matters and does not re-examine the facts of the case. If the death sentences are upheld by the Supreme Court, the defendants may then present a plea for clemency to King Hassan II.

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

- acknowledging the right and responsibility of governments to bring perpetrators of violent crime to justice, but expressing unconditional opposition to the death penalty in all cases as the ultimate cruel, inhuman and degrading punishment and a violation of the right to life, as enshrined in the International Covenant on Civil and Political Rights, to which Morocco is a state party;
- urging that the death sentences against Stéphane Ait Iddir, Radouane Hamadi and Hamal Marzoug be commuted if upheld by the Supreme Court;
- expressing concern at the alleged unfairness of the original trial of the three defendants, mentioning allegations that they were tortured during illegally prolonged *garde à vue* detention;

**if possible also:**

- urge that all outstanding death sentences (40 prisoners are currently on death row in Morocco) be immediately commuted, as a further step towards abolishing the death penalty in Morocco (195 death sentences were commuted in March 1994, which AI publicly welcomed).

**APPEALS TO:**

1) The King  
Sa Majesté Hassan II  
Bureau de Sa Majesté le Roi  
Palais Royal  
Rabat, Morocco

**Telegrams: Hassan II, Rabat, Morocco**

**Telexes: 31744 or 32908**

**Salutation: Sire / Your Majesty**

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2) Minister of Justice

M. Abderrahmane Amalou  
Ministre de la justice  
Ministère de la justice  
Palais de la Manounia  
Rabat, Morocco

**Telegrams: Ministre Abderrahmane Amalou, Rabat, Morocco**

**Faxes: + 212 7 723710**

**Salutation: Excellence / Your Excellency**

**COPIES TO:**

Consulative Council for Human Rights (Official Human Rights Body):  
Conseil Consultatif des Droits d l'Homme (CCDH)  
Place des Chouhada, B.P. 1341  
Rabat  
**Fax: + 212 7 726856**

and to diplomatic representatives of Morocco accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 15 February 1997.