

EXTERNAL (for general distribution)

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Further information on UA 133/93 (AFR 21/01/93, 26 April 1993) - Death Penalty and new concern Legal concern

COMOROS: Dr M'Tara Maecha, former minister of Foreign Affairs and member of Udzima political party
Omar Tamou, former minister of Internal Affairs and Secretary General of Udzima political party
Lieutenant Abdallah Ahmed Cheik, soldier and son of former President Mohamed Abdallah
Lieutenant Abderahmane Ahmed Abdallah, soldier and son of former President Mohamed Abdallah
Captain Combo Ayouba, a soldier
and four others sentenced *in absentia*

Amnesty International has received reports that on 11 May 1993 the Comorian authorities announced on national radio the commutation of the death sentences imposed on the people named above. It is unclear what alternative sentences the prisoners are now serving. They are believed to be held in Kandani Barracks (military custody) under harsh conditions, with only straw to sleep on and are frequently refused visits by their relatives.

Amnesty International does not know if those sentenced *in absentia* have also had their sentences commuted and does not know of their whereabouts.

Although the defendants named above were represented by lawyers, Amnesty International is still concerned about several aspects of the trial which appear to have been unfair. The impartiality of the Court and officials who carried out the investigations is in doubt. They were appointed by, and are responsible to political leaders, instead of to the Procurator General as required by the Code of Penal Procedure. The Court's judges and assessors are appointed by the government for a renewable one-year term. The lawyers had limited access to the detainees and their files.

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

- welcoming the commutation of these death sentences;
- expressing concern that they were convicted without adequate guarantees for fair trial;
- expressing concern that these prisoners are still being held in military

custody, where conditions are said to be harsh and the prisoners are frequently deprived of visits by their relatives, and urging that the prisoners are moved immediately to a recognized civilian prison;

- urging that a review of all legislation and procedures concerning the death penalty be carried out with a view to progressively reducing the number of offences punishable by death as a first step towards abolition of the death penalty.

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APPEALS TO:

1) President:

Monsieur Saïd Mohamed DJOHAR
Président de la République
B.P. 521
MORONI
République Fédérale Islamique des Comores
Telegrams: President, Moroni, Comoros
Telexes: 233 PRESIREP KO

Salutation: Monsieur le Président / Dear President

2) Minister of Justice:

Monsieur Kaambi ROUBANI
Ministre de la Justice
Ministère de la Justice
B.P. 520
MORONI
République Fédérale Islamique des Comores
Telegrams: Ministre Justice, Moroni, Comoros
Telexes: 219 MAERFIC KO (via Ministry of Foreign Affairs)

Salutation: Monsieur le Ministre / Dear Minister

COPIES TO:

1) Prime Minister:

Monsieur Ibrahim HALIDI ABDERAMANE
Premier Ministre
Bureau du Chef du gouvernement
BP 421
MORONI
République fédérale islamique des Comores

2) Minister of Foreign Affairs:

Monsieur Saïd Athoumane Saïd Ahmed
Ministre des Affaires Etrangères et de la Coopération
Ministère des Affaires Etrangères et de la Coopération
MORONI
République fédérale islamique des Comores

and to diplomatic representatives of Comoros accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,

or your section office, if sending appeals after 25 June 1993.