

EXTERNAL (for general distribution)

AI Index: AFR 19/01/94

Distr: UA/SC

UA 399/94 Death penalty

14 November 1994

CENTRAL AFRICAN REPUBLIC

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Amnesty International is concerned that the four *gendarmes* named above have been sentenced to death after having been found guilty of murder by the Permanent Military Court of the Central African Republic. Apart from a *pourvoi en cassation* (a review procedure by the Supreme Court which may grant a retrial), there is no right of appeal against the verdict of a military court. Execution would be carried out in public by firing squad.

It is not yet known if a date for the cassation procedure has been fixed. Because there is no right of appeal, trials before military courts do not conform to international standards of fair trial. As death sentences must be confirmed by the head of state, Amnesty International is calling on President Ange Félix Patasse to commute all four death sentences passed.

BACKGROUND INFORMATION

On 13 September 1994 the military court, which had been sitting since 12 September, convicted Boris Barnabe Wili Bona of the fatal shooting of Hermine Yakite, a pregnant woman killed on her way to hospital in May 1993 as demonstrating security forces tried to commandeer her car. The other three *gendarmes* were convicted on 28 October 1994 for the killing of Dr Claude Conjugo, an eye-doctor, who was beaten to death during a demonstration in August 1992. Amnesty International had appealed to the former government to open inquiries into the killing of Claude Conjugo and Hermine Yakite and to bring those responsible to justice.

The penal code of the Central African Republic provides for the death penalty for a number of offenses including murder and killing in the course of other crimes such as armed robbery, although as far as it is known there have been no executions since 1981. In September 1993, the first democratic elections held in the Central African Republic, after years of one party rule, brought to power President Patasse, a former prisoner of conscience.

RECOMMENDED ACTION: Please send telegrams/telexes and airmail letters either in French or in your own language:

- expressing concern that the four prisoners named above have been sentenced to death by a court whose procedures do not conform to international standards for fair trial;
- urging that the head of state commute all four death sentences to custodial sentences immediately;
- explaining that Amnesty International considers the death penalty to be a violation of the right to life and the ultimate form of cruel, inhuman and degrading punishment and as such is prohibited by Article 5 of the

Universal Declaration of Human Rights and other international human rights standards;

- calling for a moratorium on death sentencing and executions until an exhaustive review of the death penalty has taken place in the Central African Republic.

APPEALS TO

Son Excellence Monsieur
Ange Félix PATASSE
Président de la République
Palais de la Renaissance
BANGUI
Central African Republic
Telegrams: President Patasse, Bangui, RCA
Telexes: 5253
Salutation: Monsieur le President

COPIES OF YOUR APPEALS TO:

Monsieur Jean-Luc MANDABA
Premier Ministre et
Chef du Gouvernement
Palais de la Renaissance
BANGUI

Monsieur Jacques MBOSSO
Ministre de la Justice,
Réforme du droit et Garde des Sceaux
Ministère de la Justice
BANGUI

and to diplomatic representatives of the Central African Republic accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 26 December 1994.