

EXTERNAL

AI Index: AFR 21/01/96

EXTRA 149/96

Death penalty / Legal concern

25 September 1996

COMOROS

M. Rodin
M. Mohamed Sahali
M. Ali Machallah
and one other (name unknown)

Ali Youssouf

Amnesty International fears that the first four men listed above, convicted of armed robbery and sentenced to death on 20 September 1996 in Moroni, the capital of Comoros, may be executed by firing squad in the next few days. These fears have been heightened by the execution of a fifth man, Ali Youssouf, on 18 September, just days after his sentence was passed. His was the first execution in Comoros since the country's independence in 1975.

Ali Youssouf had no recourse to appeal against his sentence, as the judges for the *Cour de Cassation* (Appeals Court) have yet to be named by the National Assembly and the court is therefore not operational.

The execution of Ali Youssouf followed a speech on 23 August 1996 by the President of the Republic, Mohamed Taki Abdoukarim, in which he announced a crackdown on violent crime, and warned that the death penalty would be applied. In his speech he spoke of: "our justice being too slow, it moves at the speed of a tortoise".

BACKGROUND INFORMATION

Several people were sentenced to death in Comoros in April 1993, but later had their sentences commuted following international protests by Amnesty International and others against the punishment.

The current government headed by President Mohamed Taki Abdoukarim came to power in March 1996. It has vowed to uphold Islamic values in Comorian society.

Amnesty International recognizes the rights and responsibilities of governments to bring to justice those suspected of criminal offences, but opposes the death penalty in all cases as the ultimate violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment, as proclaimed in the Universal Declaration of Human Rights. Furthermore, the death penalty has never been shown to have a unique deterrent effect on crime, and is brutalizing to all involved in its application.

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

- expressing deep concern at the imminent execution of four men convicted of armed robbery - M. Rodin, M. Mohamed Sahali, M. Ali Machallah and one other;
- explaining opposition to the death penalty in all cases and urging that the death sentences be commuted;
- expressing deep regret at the execution on 18 September of Ali Youssouf, and noting with serious concern that he was executed without being able to exercise his right to appeal;

- stating that the resumption of executions is a seriously retrograde step for the respect of human rights in Comoros, and urging that no further executions be carried out and that steps be taken towards the eventual abolition of the death penalty in law.

APPEALS TO:

1. President

Mohamed Taki Abdoukarim
Président de la République
BP 521, MORONI, Comoros

Telegrams: President, Moroni, Comoros

Telexes: 233 PRESIREP KO

Faxes: +269 73 60 14 482

Salutation: Monsieur le Président / Dear President

2. Minister of Justice, Guardian of the Seals, with responsibility for Islamic Affairs and Arabo-Islamic Institutions

Mohamed Aboulwahab
Ministre de la Justice, Garde des Sceaux, des Affaires musulmanes
et des Relations avec les Institutions Arabo-Islamiques
Ministère de la Justice, de la Fonction Publique et de l'Emploi
MORONI, Comoros

Telegrams: Ministre Justice, Moroni, Comoros

Telexes: 219 MAERFIC KO

Salutation: Monsieur le Ministre / Dear Minister

COPIES TO:

Prime Minister

Tadjidine Ben Said Massoundi
Premier Ministre du gouvernement
BP 521, MORONI, Comoros

Minister of Foreign Affairs and Cooperation

Said Omar Said Ahmed
Ministre des Affaires Etrangères et de la Coopération
Ministère des Affaires Etrangères et de la Coopération
MORONI, Comoros

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 October 1996.