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## **Libya: Two possible prisoners of conscience sentenced to death**

Amnesty International today expressed concern at the death sentences announced on Saturday 16 February 2002 against two possible prisoners of conscience, Abdullah Ahmed Izzedin and Salem Abu Hanak. Scores of others received sentences ranging from 10 years' to life imprisonment after an unfair trial.

"These sentences resulting from an unfair trial are a travesty of justice. We call on the Libyan authorities to withdraw the death sentences against Abdullah Ahmed Izzedin and Salem Abu Hanak", Amnesty International said today. "We also call on the Libyan authorities to review the trial with regard to all defendants with the aim of releasing all those punished solely for the exercise of their non-violent conscientiously held belief".

Salem Abu Hanak, born in 1956 and father of five was the head of the Chemistry Department at the Faculty of Science of the University of Qar Younes in Benghazi. He was arrested on 5 June 1998. Abdullah Ahmed Izzedin, born in 1950 and father of four, was a lecturer at the Engineering Faculty of Tripoli when he was arrested on 7 June 1998. They were among 152 professionals and students arrested in and after June 1998 on suspicion of supporting or sympathizing with the banned Libyan Islamic Group, *al-Jama'a al-Islamiya al-Libiya*, also known as Muslim Brothers, *al-Ikhwān al-Muslimīn*. The Libyan Islamic Group is not known to have used or advocated violence.

Since their arrests the detainees were kept *incommunicado* and their whereabouts remained unknown. For more than two years they were deprived of their rights to have legal counsel and to receive visits from their relatives. There was no public report of any investigation into the allegations of torture raised by some of the defendants.

Their trial, also known as the "Muslim brothers case", which began in March 2001, failed to conform with international standards for fair trial, including the right of a defendant to choose a lawyer. All the hearings of their cases by the People's Court, *Mahkama al-Sha'b*, were held behind closed doors in a military compound in the suburbs of Tripoli. The lawyers appointed by the families were neither allowed to study the files nor were they allowed to meet their clients. At the second session on 29 April 2001 they were denied access to the court and the judge appointed clerks from within the Popular Lawyers' Office, *Maktab al-Muhama al-Sha'biyya*. Defendants first met their relatives briefly on 29 April 2001 during the trial's second session. They were afterwards denied authorization to receive visits in Abu Salim prison in Tripoli until at least December 2001. Amnesty International has twice applied to the Libyan authorities to receive permission to observe this trial but was denied authorization on both occasions.

### **Background**

The defendants were apparently accused under the provisions Article 2 and 3 of Law 71 of 1972 and Article 206 of the Penal Code. Law 71 defines party activities in a way which encompasses almost any form of group activity based on a political ideology opposed to the principles of *al-Fatih* Revolution of 1 September 1969. Article 3 of Law 71 and Article 206 of the Penal Code state that "*execution*" is the punishment for those who call "*for the establishment of any grouping, organization or association proscribed by law*", support or belong to such an organization.

On repeated occasions Amnesty International called on the Libyan authorities to introduce legislative and practical measures as a matter of urgency to bring Libya's law and human rights practice into conformity with international human rights treaties to which it is a state party.

In December 2001, the Gaddafi International Foundation for Charity Association (GDIFCA), headed by Saif al-Islam Gaddafi, a son of Colonel Gaddafi, announced the release of 177 prisoners. This followed releases of scores of political prisoners in August and September 2001.

However, hundreds of political prisoners, including prisoners of conscience, remained in detention, many without charge or trial. Among the hundreds of political prisoners who have not been released are five prisoners of conscience imprisoned since April 1973 -- Muhammad 'Ali al-Akrami, al-'Ajili Muhammad 'Abd al-Rahman al-Azhari, Muhammad 'Ali al-Qajiji, Salih 'Omar al-Qasbi and Muhammad al-Sadiq al-Tarhuni. They were sentenced to life imprisonment for membership of the Islamic Liberation Party before tribunals which fail to conform with international standards of fair trial.

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