

ECPM & L'OMDH  
presentes

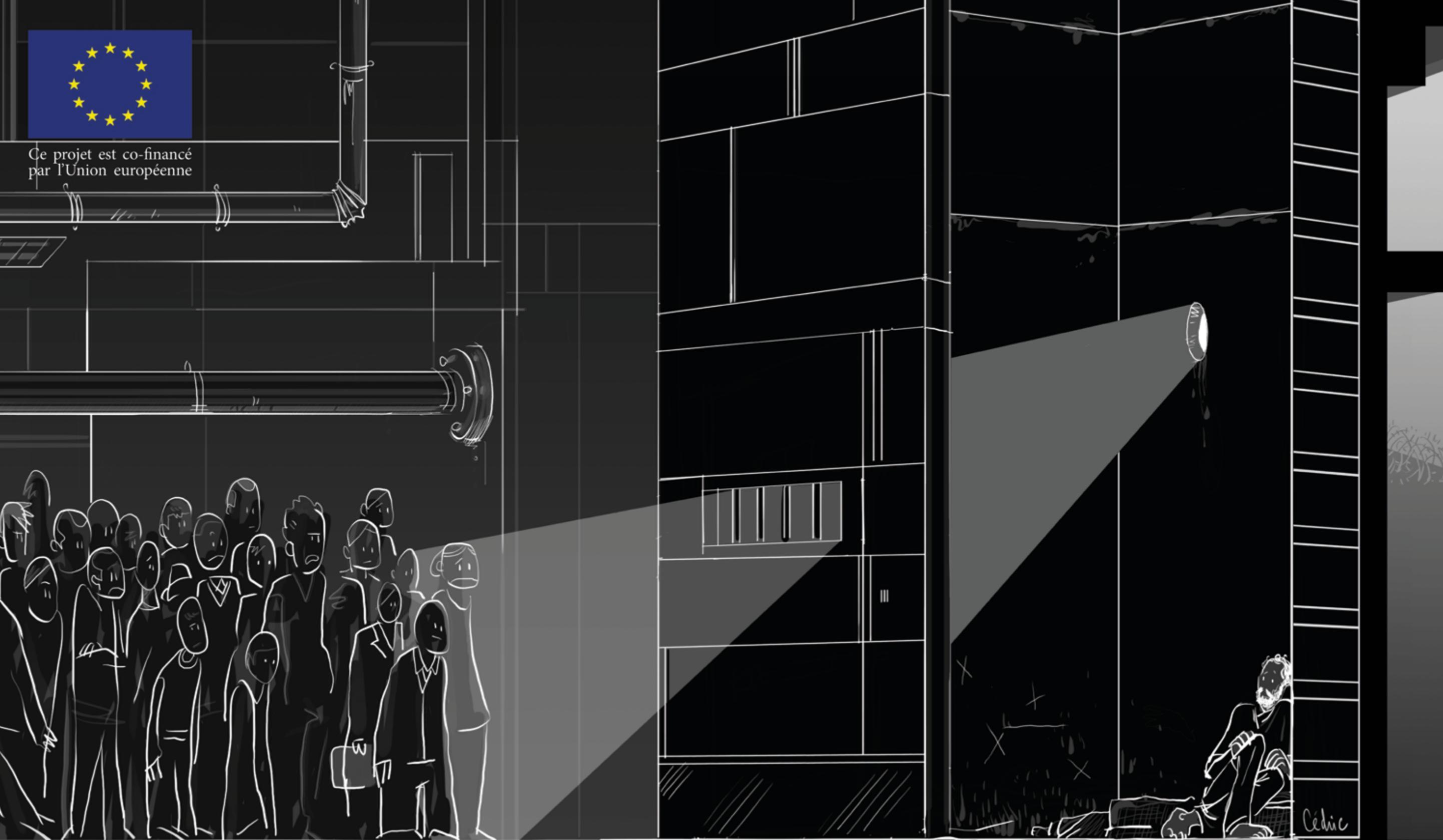
# SENTENCED TO DIE

Cédric Liano  
Gildas Gamy





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Cédric  
pour AHMED

Cédric Liano & Gildas Gamy

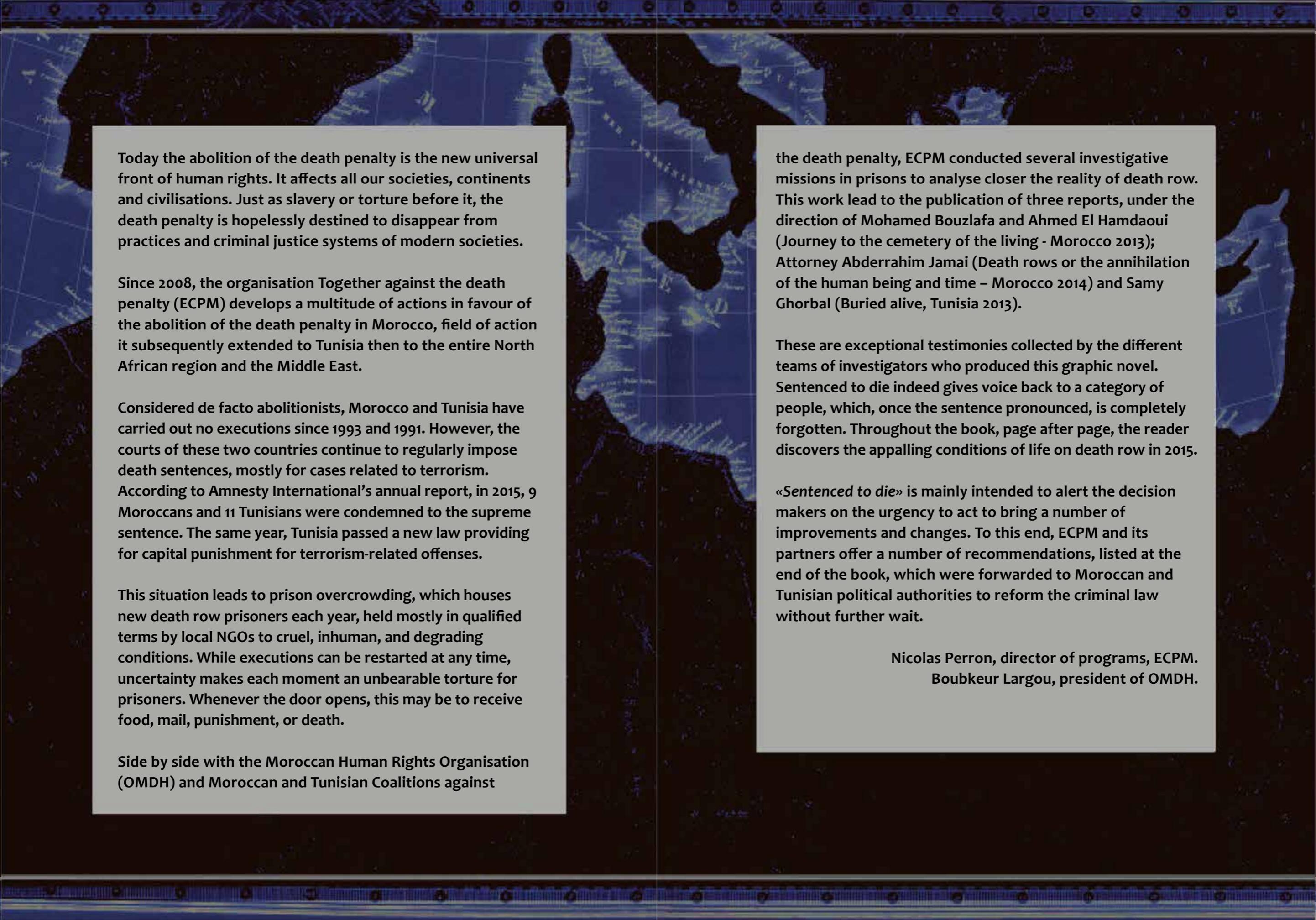
# SENTENCED TO DIE

*About the death penalty in Tunisia and Morocco  
In 2015/1437*

**Everyone has the right to life, liberty and security of person.**

*Article 3, Universal Declaration of Human Rights*





Today the abolition of the death penalty is the new universal front of human rights. It affects all our societies, continents and civilisations. Just as slavery or torture before it, the death penalty is hopelessly destined to disappear from practices and criminal justice systems of modern societies.

Since 2008, the organisation Together against the death penalty (ECPM) develops a multitude of actions in favour of the abolition of the death penalty in Morocco, field of action it subsequently extended to Tunisia then to the entire North African region and the Middle East.

Considered de facto abolitionists, Morocco and Tunisia have carried out no executions since 1993 and 1991. However, the courts of these two countries continue to regularly impose death sentences, mostly for cases related to terrorism.

According to Amnesty International's annual report, in 2015, 9 Moroccans and 11 Tunisians were condemned to the supreme sentence. The same year, Tunisia passed a new law providing for capital punishment for terrorism-related offenses.

This situation leads to prison overcrowding, which houses new death row prisoners each year, held mostly in qualified terms by local NGOs to cruel, inhuman, and degrading conditions. While executions can be restarted at any time, uncertainty makes each moment an unbearable torture for prisoners. Whenever the door opens, this may be to receive food, mail, punishment, or death.

Side by side with the Moroccan Human Rights Organisation (OMDH) and Moroccan and Tunisian Coalitions against

the death penalty, ECPM conducted several investigative missions in prisons to analyse closer the reality of death row. This work led to the publication of three reports, under the direction of Mohamed Bouzlafa and Ahmed El Hamdaoui (*Journey to the cemetery of the living - Morocco 2013*); Attorney Abderrahim Jamaï (*Death rows or the annihilation of the human being and time - Morocco 2014*) and Samy Ghorbal (*Buried alive, Tunisia 2013*).

These are exceptional testimonies collected by the different teams of investigators who produced this graphic novel. *Sentenced to die* indeed gives voice back to a category of people, which, once the sentence pronounced, is completely forgotten. Throughout the book, page after page, the reader discovers the appalling conditions of life on death row in 2015.

«*Sentenced to die*» is mainly intended to alert the decision makers on the urgency to act to bring a number of improvements and changes. To this end, ECPM and its partners offer a number of recommendations, listed at the end of the book, which were forwarded to Moroccan and Tunisian political authorities to reform the criminal law without further wait.

Nicolas Perron, director of programs, ECPM.  
Boubkeur Largou, president of OMDH.

Here is the sad story of a poor man.

It begins in Spain in the 90's.

LOOK, YOU'RE JUST A LOSER



A LOSER WITHOUT WORK

WITHOUT RECOGNITION

WITHOUT ID PAPERS



FIVE YEARS THAT YOU'VE BEEN WANDERING IN THAT FOREIGN COUNTRY FAR AWAY FROM YOUR FAMILY.

THERE YOU LOST EVERYTHING



From his radio, it is God, or maybe even the deceased Mohamed V, talking to him.

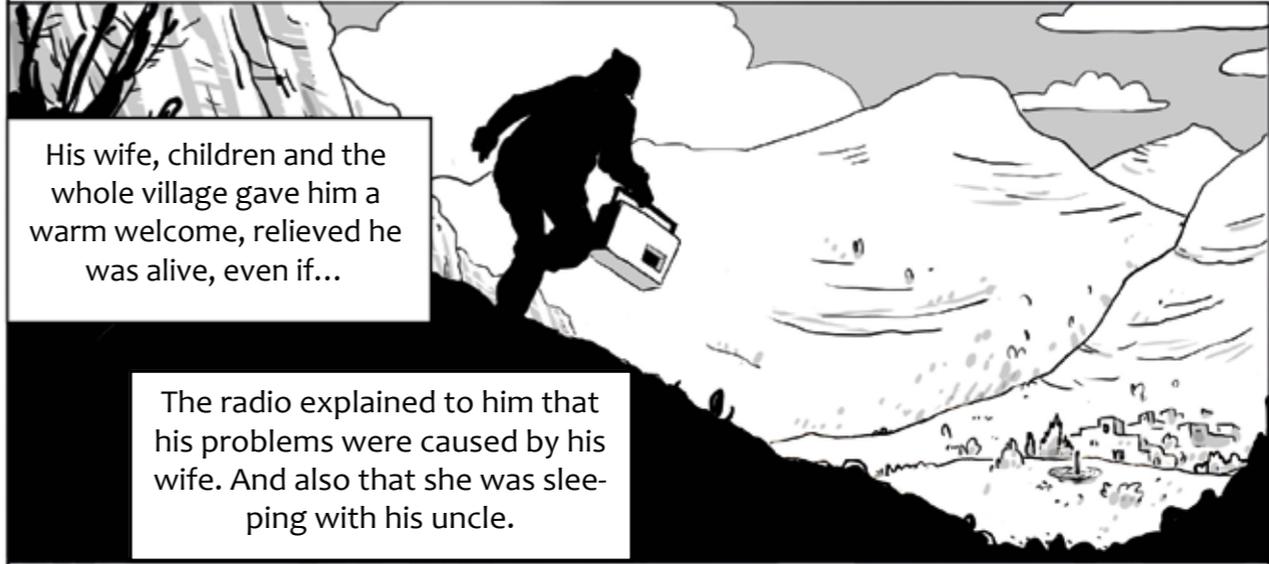
GO HOME, YOU HAVE SUFFERED ENOUGH HERE.



He left the Spanish misery to regain his homeland...



Still obeying the voices, sometimes comforting, sometimes haunting.



His wife, children and the whole village gave him a warm welcome, relieved he was alive, even if...

The radio explained to him that his problems were caused by his wife. And also that she was sleeping with his uncle.

Nobody knows how he went across the Mediterranean sea.



So the criminal justice system of his country sentenced this mad man to death although he was incompetent.



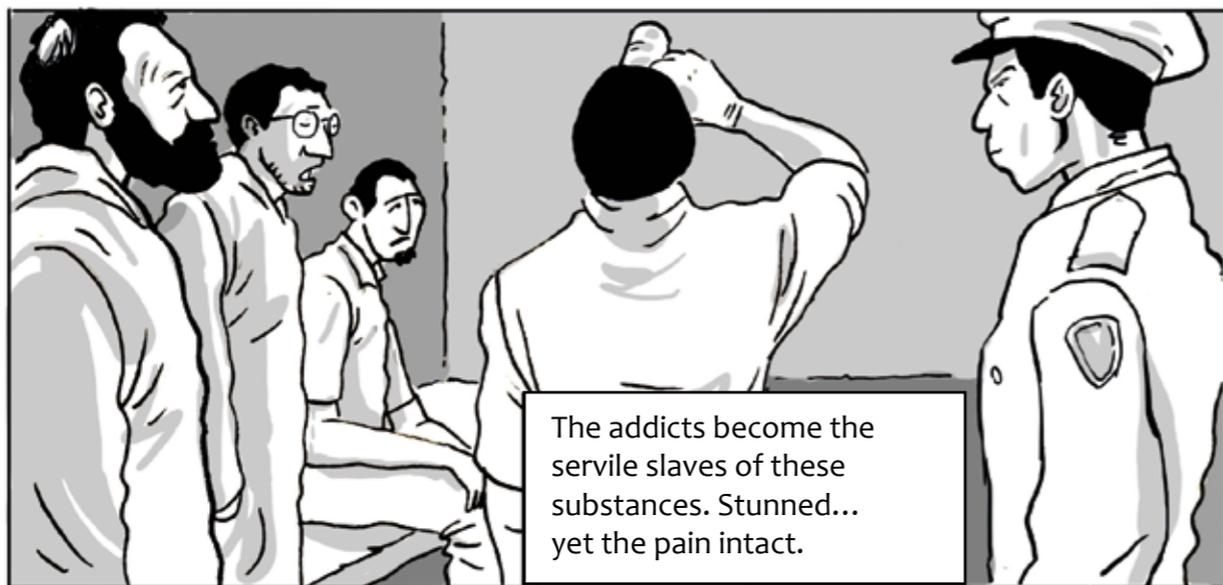
And now for decades he gets in line here, every morning at the same time.



Here we are stuffed full of hard drugs, in the form of medications: Parkisol, Artane or Temesta, to “hang in there”.



And I clearly understand that it makes the department of correction feel better rather than it does its prisoners.



The addicts become the servile slaves of these substances. Stunned... yet the pain intact.



I even believe that suffering is increased.

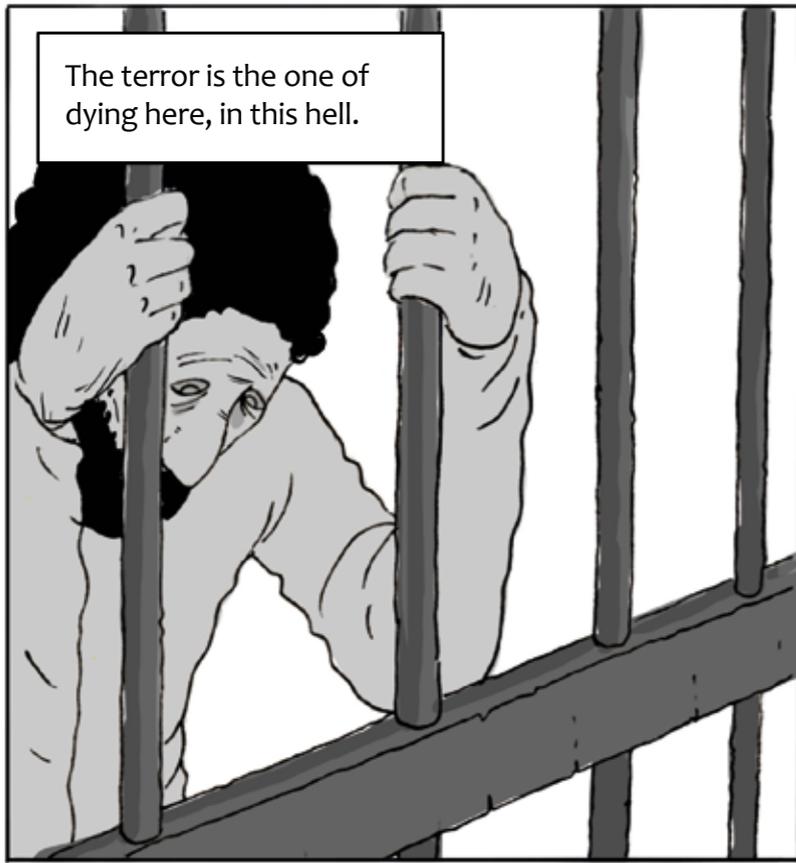


A few seconds of euphoria in an ocean of terror.



... an ocean of terror hidden  
from the eyes of all.





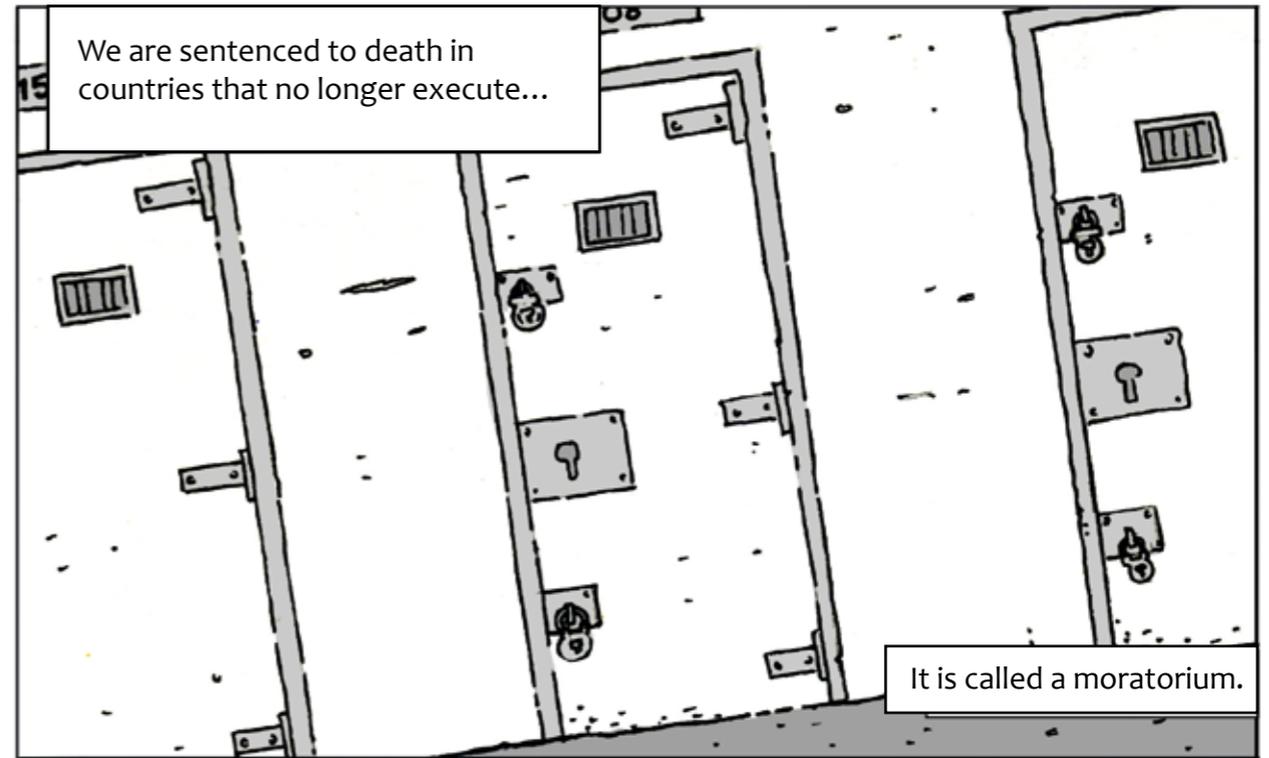
The terror is the one of dying here, in this hell.



Without having seen the outside life again.

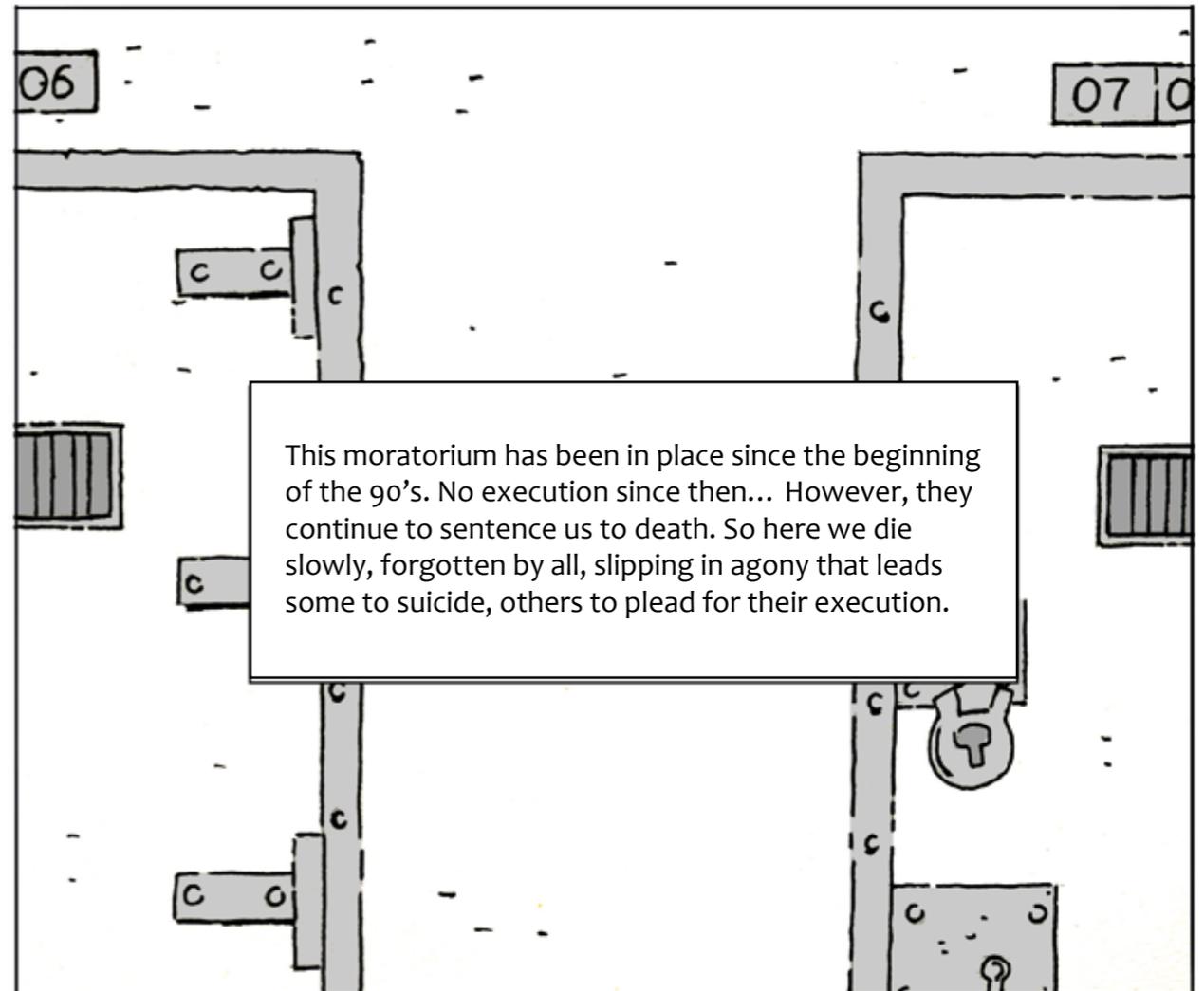


Having lost all hope to see it again one day.



We are sentenced to death in countries that no longer execute...

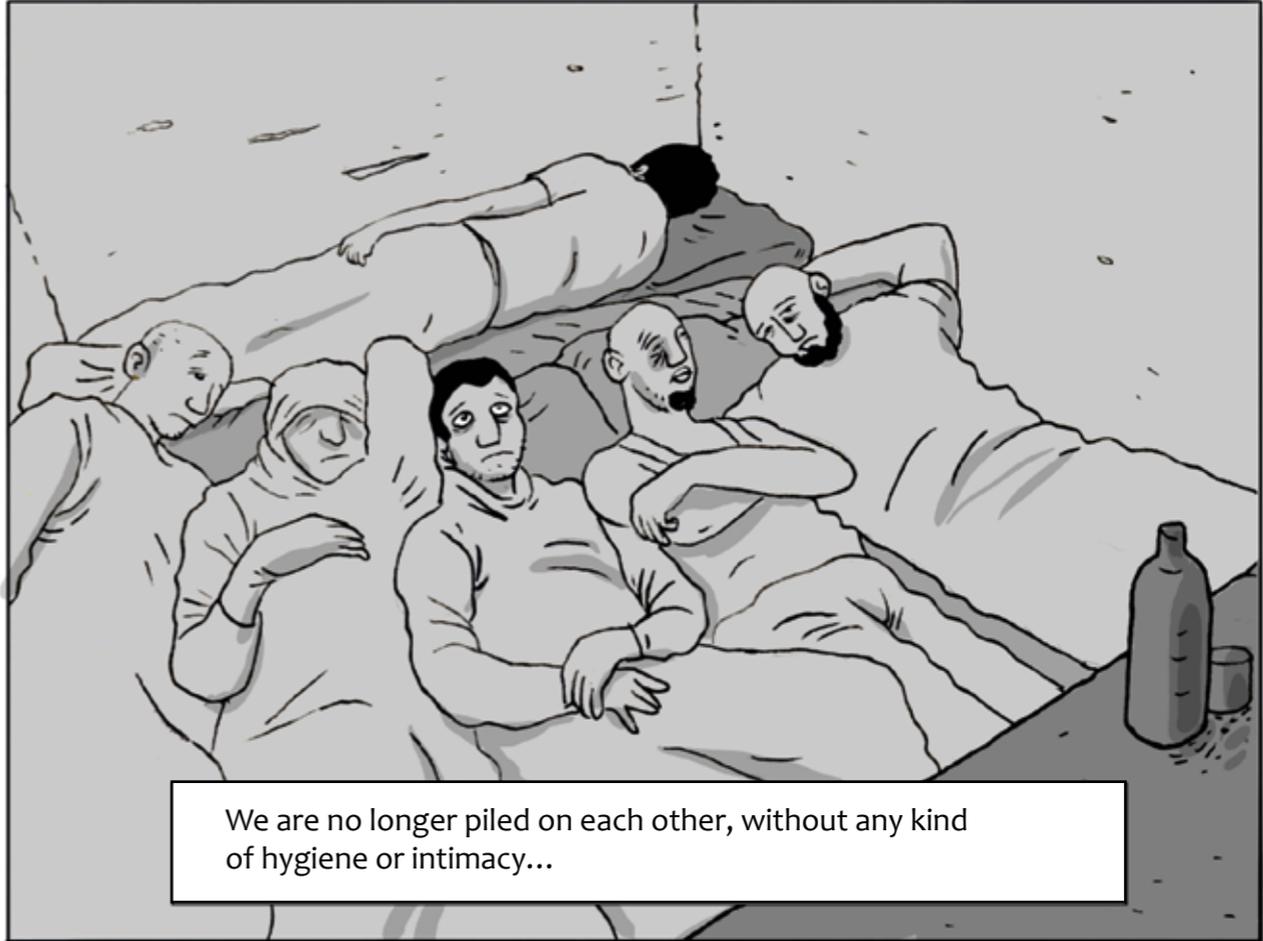
It is called a moratorium.



This moratorium has been in place since the beginning of the 90's. No execution since then... However, they continue to sentence us to death. So here we die slowly, forgotten by all, slipping in agony that leads some to suicide, others to plead for their execution.



There are those who will tell you that the living conditions have improved.



We are no longer piled on each other, without any kind of hygiene or intimacy...



Indeed the methodical tortures are no longer systemic.

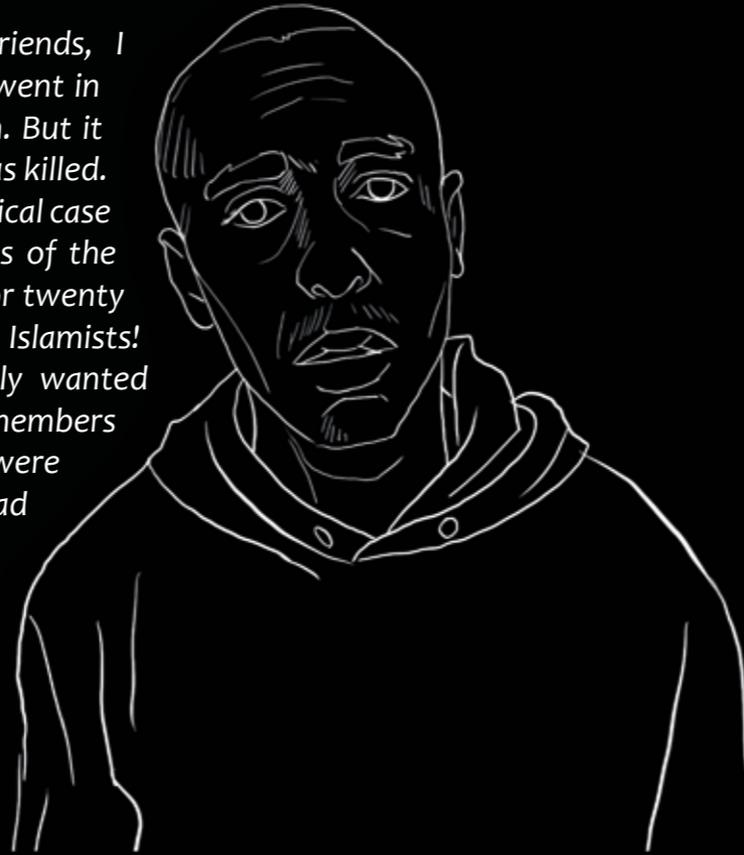


and they freed the limbs of those who lived in chains for years.



Overall, the blows to the bodies given by the department of corrections have almost disappeared.

19 years old, along with two friends, I committed an irreparable act. We went in a taxi with the idea of robbing him. But it turned very rough and the driver was killed. They turned this tragedy into a political case and tried to charge the adversaries of the regime for it. So they tortured us for twenty days. They kept telling us: "You are Islamists! You are Islamists!" They absolutely wanted to find out if we knew other members of the movement of which we were supposedly members. Yet we had already confessed our crime.



I became a living dead. Prison is about deprivation. I forgot the flavour of fruits. I spent eighteen years without eating them even once.

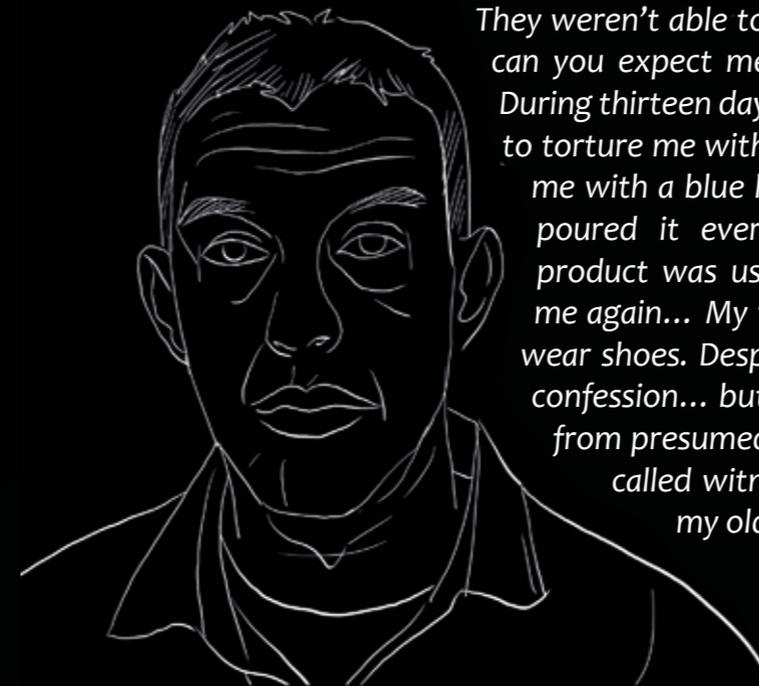


In prison for the past eleven years, I lost almost all my teeth. I can no longer eat. I cannot chew. I only eat bread soaked in water. I have asked for treatment for years but I received no reply.

I spent two months in a coma. I fell in a coma after the fight... When I woke up, I was immediately taken to the jail. The investigation lasted four years and seven months, which is quite long. I truly regretted what I had done, I still regret it profoundly. After all, I did kill a man... When I realised it, I wanted to die, I was hoping for the death penalty. After the ninth hearing, the judge asked me what I thought I deserved. I paused for a long moment before asking him for the maximum sentence...



They weren't able to obtain the confession they wanted. How can you expect me to confess to a crime I didn't commit? During thirteen days, they suspended me between two tables to torture me without tirelessly. They beat me then covered me with a blue liquid, from the eyes to the testicles, they poured it everywhere... It burned... Apparently this product was used to cool my body, so they could beat me again... My toes were so badly swollen that I couldn't wear shoes. Despite all that I endured, they didn't get my confession... but they were able to obtain false testimonies from presumed eye-witnesses. Recently, one of these so-called witnesses admitted to having lied. Since then my oldest son is fighting to get me out of there.



Always present at every moment, in each corner, for each one of us is death.



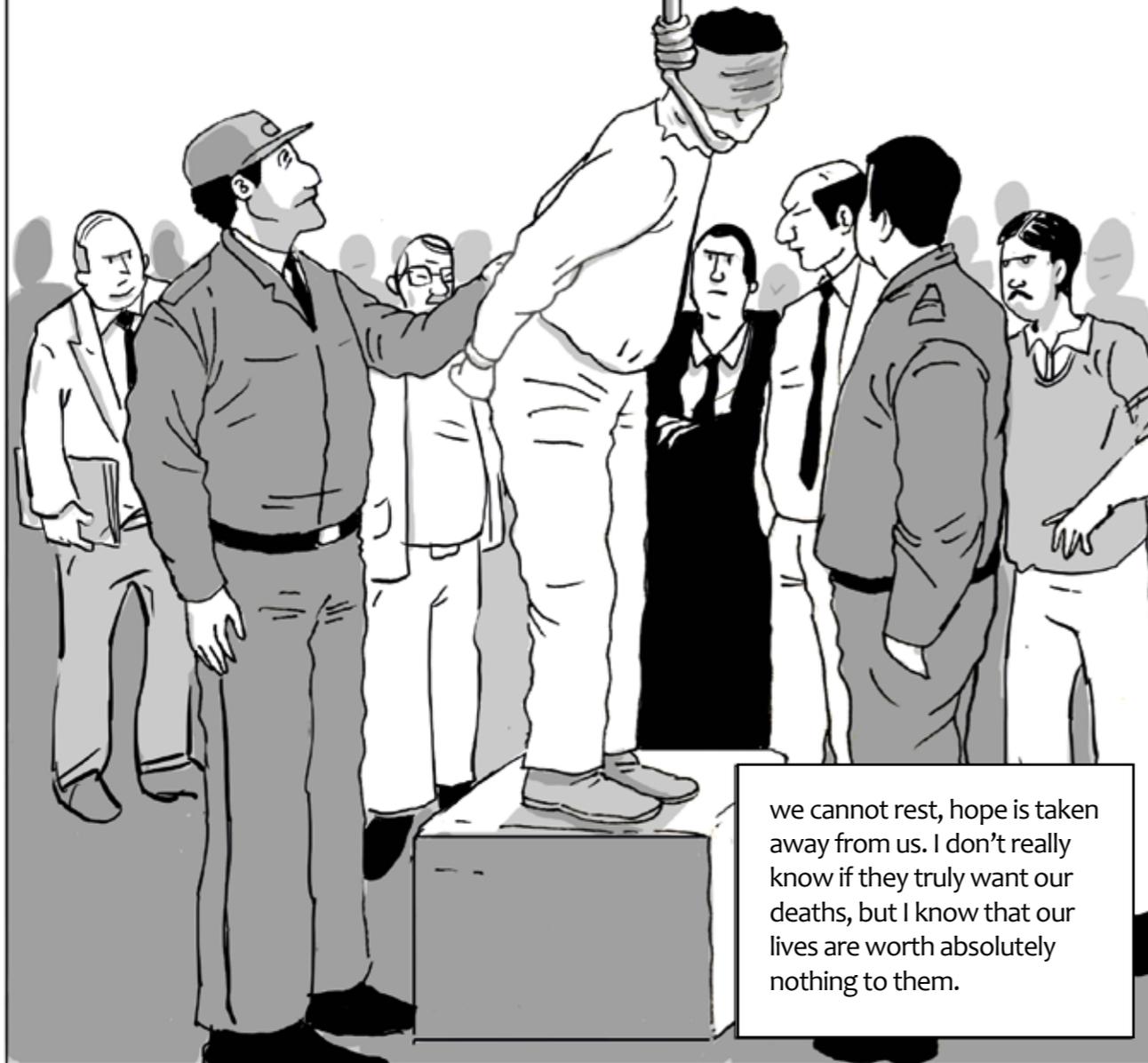
Still, some managed to find solace in religion.



which, unfortunately, is not my case.

This moratorium, that should protect us, became an unimaginable torture of the mind. Of course, they have not executed for more than twenty years, but when populist policies claim to be in favour of executions, even if we know it is only to gain votes for the next elections, but that the international community would be up in arms against this return to barbarism...

But when it is the same international community that executes Saddam Hussein. What kind of message does it send us? It terrorises us.



we cannot rest, hope is taken away from us. I don't really know if they truly want our deaths, but I know that our lives are worth absolutely nothing to them.

The nights are particularly horrible, because we know that it is during the night that they murder us.



Each noise, each clue, even an imaginary one, warns us that they are coming to kill us.

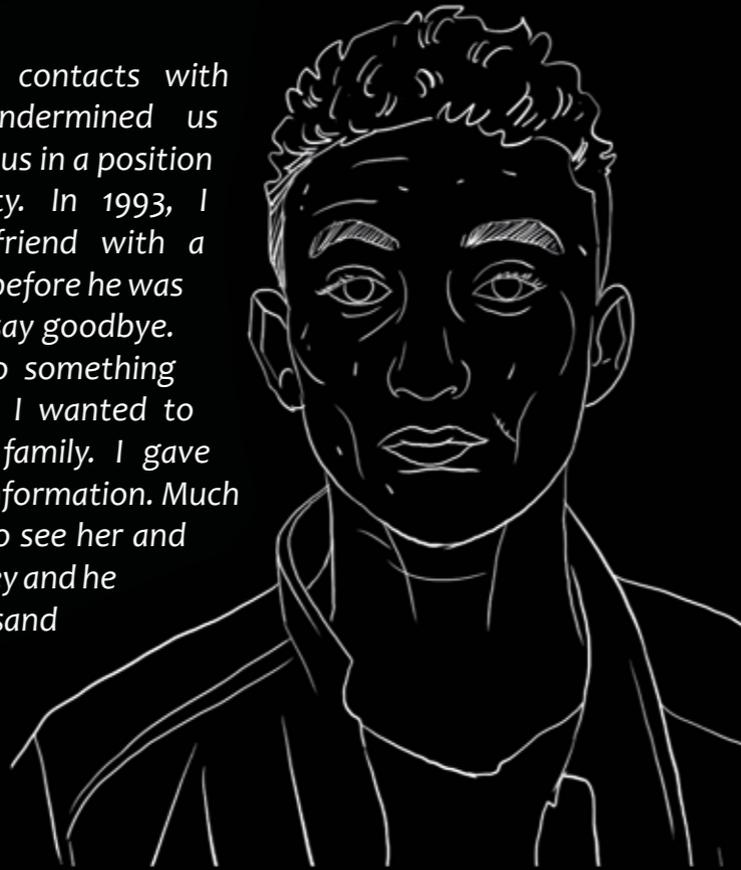


Even the drugs cannot stop the terrors and the insomnia.

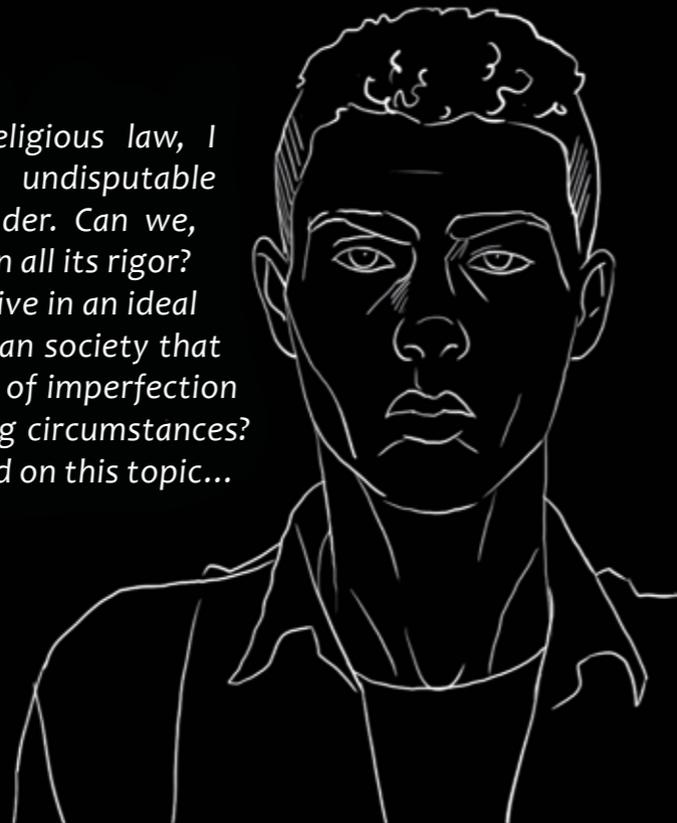


Am I going to die this coming night?

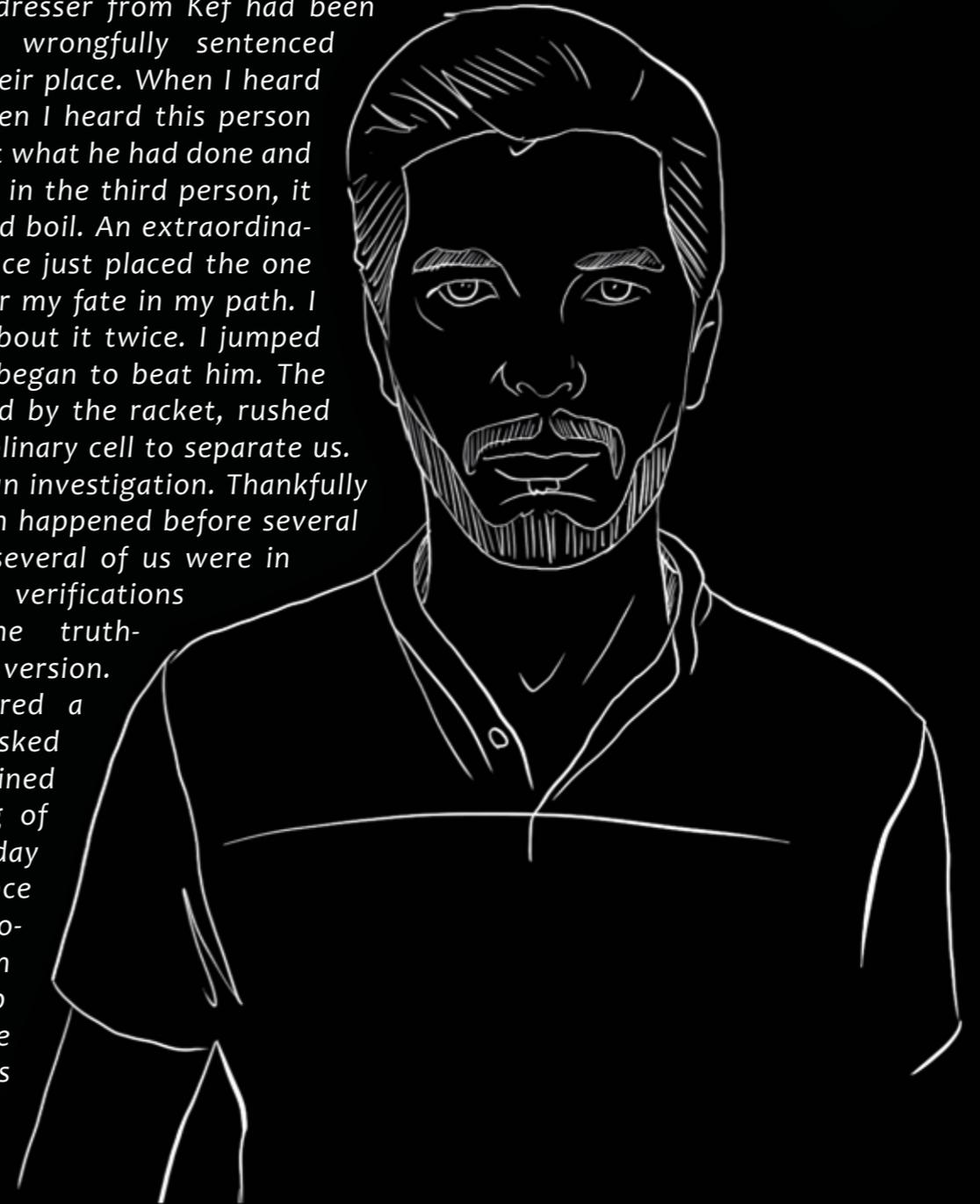
The deprivation of all contacts with the outside world undermined us psychologically. It placed us in a position of extreme vulnerability. In 1993, I thought I had made friend with a doctor. About one week before he was transferred, he came to say goodbye. He asked if he could do something for me. I told him that I wanted to communicate with my family. I gave him my sister's contact information. Much later I learned he went to see her and pretended I needed money and he tricked her out of a thousand dinars!



In accordance with the religious law, I deserve my sentence, it's undisputable because I killed. But I wonder. Can we, today, apply the Sharia law in all its rigor? For that, we would have to live in an ideal society; while we live a human society that is imperfect. Does this state of imperfection in society gives us mitigating circumstances? Even the Oulemas are divided on this topic...



My name is Maher Sassi Ali Manai and I was born in 1982. I'm 31 years old and I spent a third of my life in prison, for nothing. I was arrested on September 6, 2003, tried and sentenced to death for murder and robbery on December 16, 2004 after a flawed trial. I have always claimed my innocence, in vain. My sentence was confirmed on appeals. I no longer expected anything from society or from the justice of men when, during a stay in the hole, a prisoner, who was recently arrested, bragged about having committed a crime with an accomplice and having escaped from the police pursuit. He gave details and stated arrogantly that a hairdresser from Kef had been arrested and wrongfully sentenced to death in their place. When I heard this story, when I heard this person gloating about what he had done and talk about me in the third person, it made my blood boil. An extraordinary happenstance just placed the one responsible for my fate in my path. I didn't think about it twice. I jumped on him and I began to beat him. The guards, alerted by the racket, rushed into the disciplinary cell to separate us. They opened an investigation. Thankfully the altercation happened before several witnesses as several of us were in this cell. The verifications confirmed the truthfulness of my version. My father hired a lawyer who asked for and obtained the reopening of the case. Today my innocence has been proved, but I'm still locked up because the procedure has not yet come to an end...





I know that politicians don't even know exactly how many of us are on death row, how many are sentenced to death each year, and among them, how many are mad, incompetent, how many are victims of our system before becoming executioners.

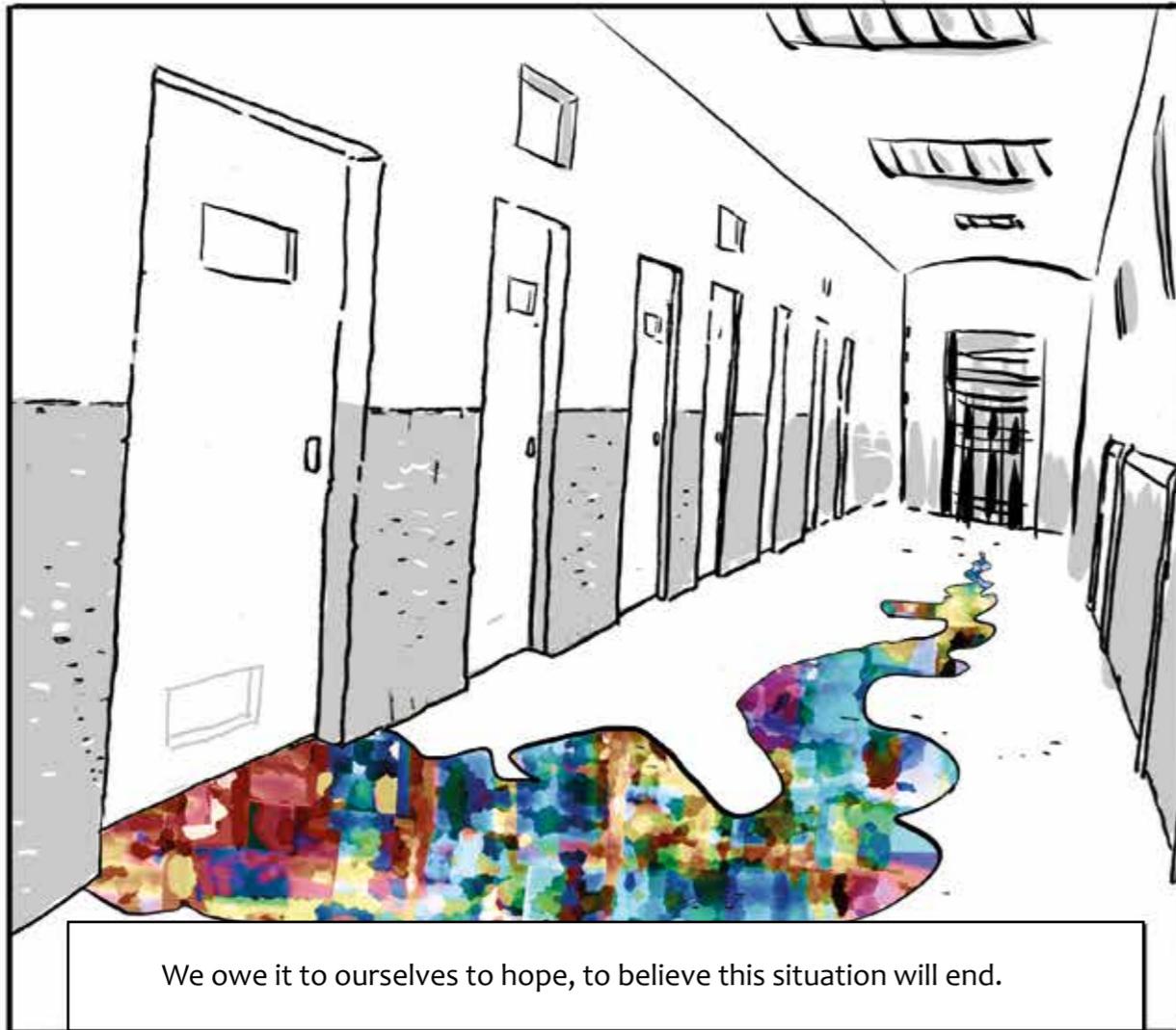
And how many are innocent?

because among the death row prisoners, the destitute, the left out, the mad, the innocents are legions. They mostly come from the poorest class in our rich societies. Sentenced to death by a ruthless class justice.

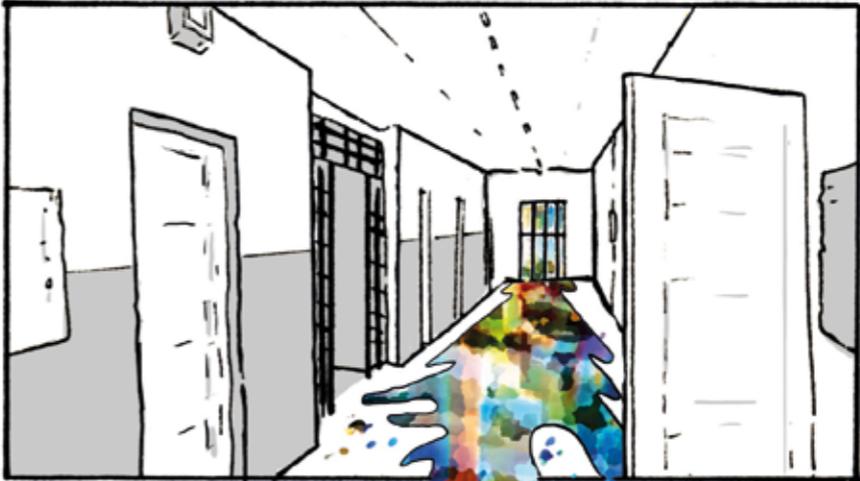




To hope...



We owe it to ourselves to hope, to believe this situation will end.

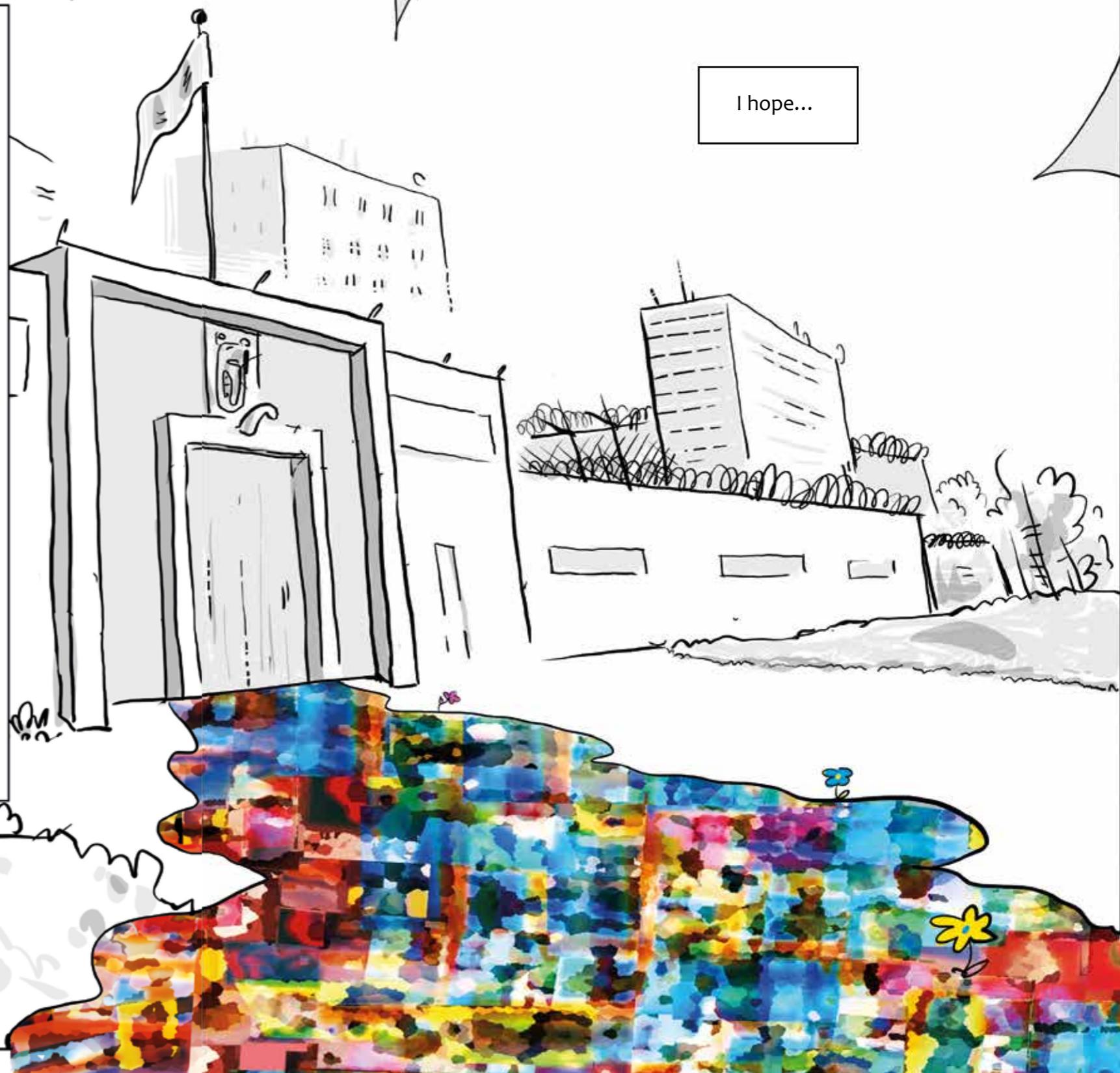


I hope...

# Recommendations

- We ask the Moroccan and Tunisian governments to abolish the death penalty for all crimes.
- We ask the Moroccan and Tunisian governments to officially implement a moratorium on capital executions in voting in favour of the resolution of the General Assembly of the United Nations aiming to install a universal moratorium on executions as well as to commute the death sentences of those currently on death row in Morocco and Tunisia.
- We ask the Moroccan and Tunisian governments to ratify the Second optional protocol on the International Covenant on Civil and Political Rights covering the abolition of the death penalty in all circumstances.
- We ask for the increase of budgets allocated to the departments of corrections in Morocco and Tunisia in order to improve the living conditions of death row prisoners, particularly regarding hygiene, diet and sanitary conditions.
- We ask the Moroccan and Tunisian departments of corrections to create a commission of psychiatrists and psychologists to evaluate the mental health of those on death row and to transfer those, whose mental state is incompatible with prison life, to psychiatric hospitals.

I hope...



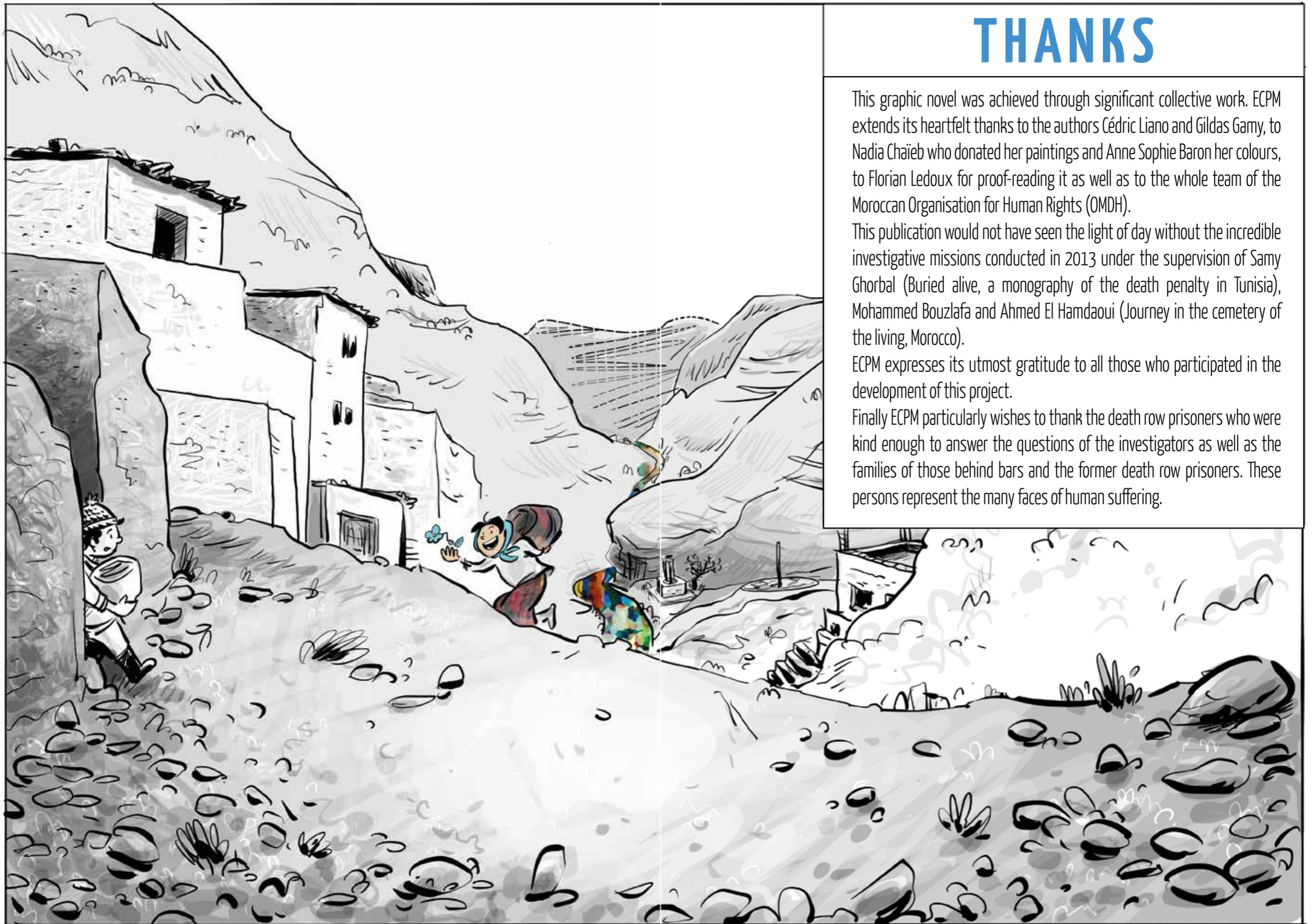


I hope you'll hear us and act accordingly...

*More than ever, our country should abolish the death penalty, because never has this sentence prevented the most heinous crimes. Our modernity and our place in the civilised world will be noted and will make Morocco one of the first Arab and Muslim countries to vote in favour of a bill that will distinguish it from all these ruthless regimes. The debate exists. But one thing is certain, to abolish capital punishment will send an important signal to the world about the quality and the depth of our humanity.*

**Tahar Ben Jelloun, writer.**





# THANKS

This graphic novel was achieved through significant collective work. ECPM extends its heartfelt thanks to the authors Cédric Liano and Gildas Gamy, to Nadia Chaïeb who donated her paintings and Anne Sophie Baron her colours, to Florian Ledoux for proof-reading it as well as to the whole team of the Moroccan Organisation for Human Rights (OMDH).

This publication would not have seen the light of day without the incredible investigative missions conducted in 2013 under the supervision of Samy Ghorbal (Buried alive, a monography of the death penalty in Tunisia), Mohammed Bouzlafa and Ahmed El Hamdaoui (Journey in the cemetery of the living, Morocco).

ECPM expresses its utmost gratitude to all those who participated in the development of this project.

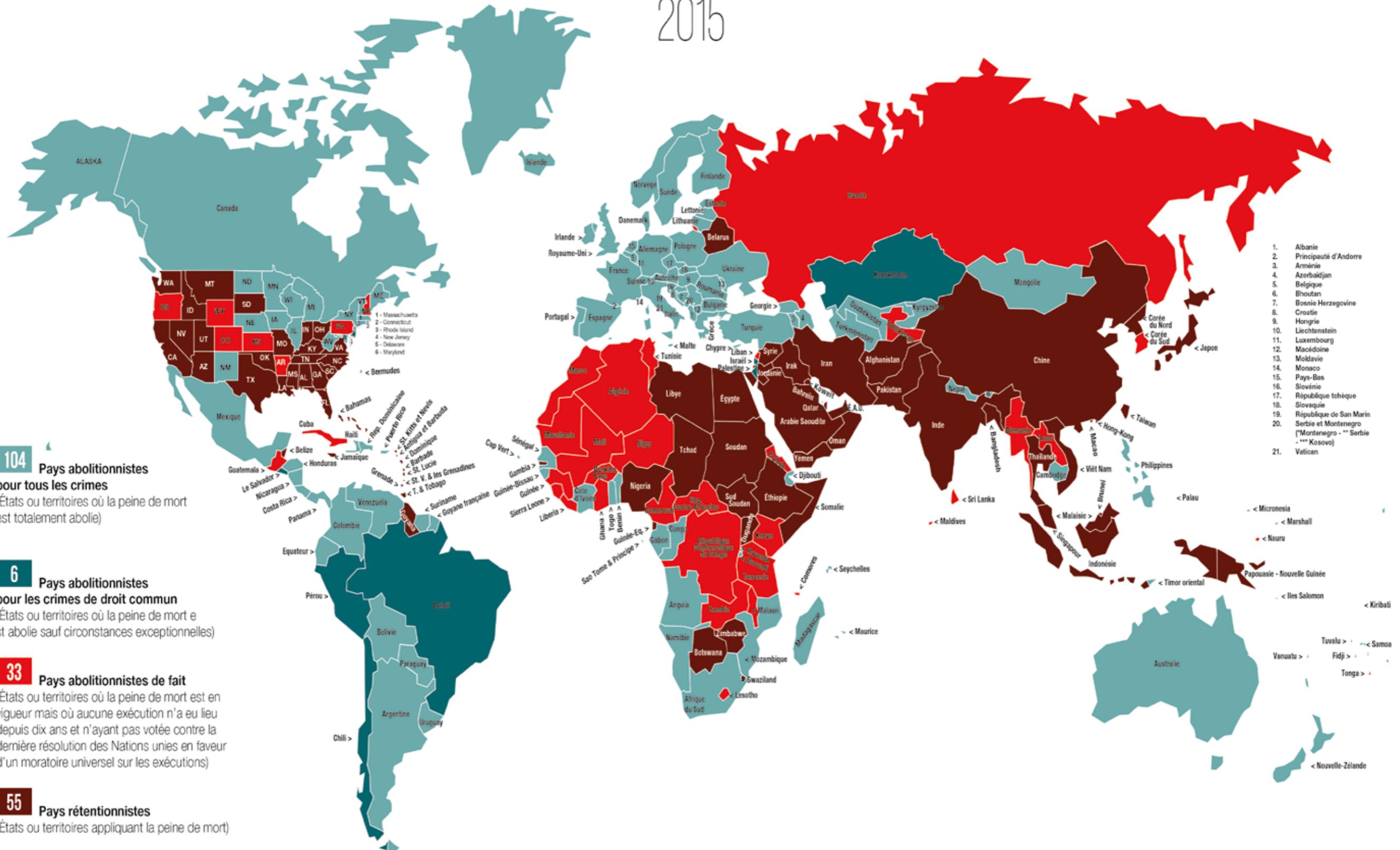
Finally ECPM particularly wishes to thank the death row prisoners who were kind enough to answer the questions of the investigators as well as the families of those behind bars and the former death row prisoners. These persons represent the many faces of human suffering.





# LA PEINE DE MORT DANS LE MONDE

2015



**104** Pays abolitionnistes pour tous les crimes (États ou territoires où la peine de mort est totalement abolie)

**6** Pays abolitionnistes pour les crimes de droit commun (États ou territoires où la peine de mort est abolie sauf circonstances exceptionnelles)

**33** Pays abolitionnistes de fait (États ou territoires où la peine de mort est en vigueur mais où aucune exécution n'a eu lieu depuis dix ans et n'ayant pas votée contre la dernière résolution des Nations unies en faveur d'un moratoire universel sur les exécutions)

**55** Pays rétentionnistes (États ou territoires appliquant la peine de mort)

1. Albanie
2. Principauté d'Andorre
3. Arménie
4. Azerbaïdjan
5. Belgique
6. Bhoutan
7. Bosnie Herzégovine
8. Croatie
9. Hongrie
10. Liechtenstein
11. Luxembourg
12. Macédoine
13. Moldavie
14. Monaco
15. Pays-Bas
16. Slovinie
17. République tchèque
18. Slovaquie
19. République de San Marin
20. Serbie et Monténégro ("Monténégro - \*\* Serbie - \*\*\* Kosovo)
21. Vatican

This document was developed with the financial assistance of the European Union. The contents of this document are the sole responsibility of Together against the Death Penalty (ECPM) and the Moroccan Organization for Human Rights (OMDH) and can in no way be taken to reflect the views of the European Union.

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In the *Amazigh* ancestral law, crimes such as murder were punished with financial compensation to the family of the victim before an exile in another region. Then, during the French colonization, the death penalty was introduced in the Moroccan and Tunisian Penal Codes and has unfortunately persisted until today. Before 1991 and 1993, years of the last executions in Tunisia and Morocco, a number of criminals and political were executed. Since then, both countries have implemented an unofficial moratorium. However, thanks to the mobilisation of civil society in both countries, positive developments have been noted suggesting a solution favourable to the abolitionist... In 2013, nearly 250 Moroccan parliamentarians created the Parliamentarian Network against the death penalty, unique initiative in the world. In 2014, Tunisia voted for the second consecutive time in favour of the UN resolution on the adoption of a universal moratorium on executions. Morocco and Tunisia remain nonetheless de facto abolitionist countries that no longer execute but continue to condemn to death, leaving its most vulnerable children to rot in prison until they die.



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