

the judicial process, and the possible bias of the appeal courts has lead Amnesty International to conclude that only a new and fair trial could prevent the execution of a man who has not been proved guilty in a fair trial," Amnesty International stressed.

The prosecution of Mumia Abu-Jamal was built upon three pillars: the testimony of eyewitnesses; ballistics evidence; and an alleged confession by the accused. After a thorough study of original trial documents, Amnesty International has determined that the veracity of each of these three pillars is in sufficient doubt to make a new trial essential.

Key concerns

- The three prosecution eyewitnesses substantively altered their description of what they saw between their original statements to police and their trial testimony.
- The witnesses were confused and unclear about the height of the shooter, what clothes he was wearing, in which hand he held the gun, and whether he ran away from the scene.
- The alleged confession, reportedly crucial to the jury's decision and sentencing, was first reported more than two months after the shooting.
- The alleged confession directly contradicted the contemporaneous notes of one of the alleged witnesses to the confession (a police officer) that "the negro male made no comments." This evidence was not put before the jury.
- There is also evidence that witnesses were offered inducements to alter their testimony in favour of the prosecution's version of events. This evidence was not put before the jury.
- Lack of adequate ballistic tests to determine whether Abu-Jamal's gun had recently been fired. It was not determined, for instance, whether there was residue on his hands from firing a gun.

Additional information and background

Amnesty International opposes the death penalty in all cases as a violation of human rights. The organization is therefore calling for a new trial in which should preclude the re-imposition of a death sentence.

Mumia Abu-Jamal, black, was convicted and sentenced to death in July 1982 for the murder of white police officer Daniel Faulkner on 9 December 1981. He has consistently maintained his innocence.

Amnesty International can take no position on the guilt or innocence of Mumia Abu-Jamal. The organization has expressed concern however, over the activities of a government counter-intelligence programme which appeared to list Abu Jamal among its targets. Amnesty International is also concerned that political statements attributed to him as a teenager were improperly used by the prosecution in its efforts to obtain a death sentence against him.

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