

EXTERNAL

AI Index: MDE 15/19/96

EXTRA 39/96

Death Penalty

13 March 1996

**GAZA: PALESTINIAN AUTHORITY' Attiya Abu Nuqayreh, 26
Ala' 'Akel, 23**

'Attiya Abu Nuqayreh and Ala' 'Akel were sentenced to death by firing squad by a Special Military Court in Gaza on 10 March 1996. They were convicted of killing a member of the civil defence, Wa'el Maghari, following an attack on the house of the head of the civil defence in Gaza, Brigadier General Mahmud Abu Marzuk, on 3 October 1995. The Special Military Court was set up according to the Palestine Liberation Organization penal code; it is not clear whether or not there is a right to appeal against sentences passed by it. The sentences have to be ratified by President Yasser Arafat before they can be carried out.

BACKGROUND INFORMATION

So far the Palestinian Authority has imposed one death sentence since it took over jurisdiction of Gaza and Jericho in May 1994. Tha'er Fares, a policeman was sentenced to death by Military Court having been convicted of murder (see EXTRA 50/95, AI Index MDE 15/14/95, 5 May 1995) Yasser Arafat has not ratified his death sentence, and he remains in prison. In an interview on Palestinian television last week the Attorney General, Khaled al-Qidrah, was reported to have said that, following the murder of a money-changer in February, further death sentences would be imposed.

Amnesty International fully recognizes the right and responsibility of authorities to bring to justice those who have committed crimes. However, the organization opposes the death penalty without reservation as a violation of the right to life and the ultimate form of cruel, inhuman and degrading punishment.

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

- stating that Amnesty International does not condone crimes of violence but opposes the death penalty in all cases as a violation of the right to life;
- urging that the death sentence passed on 'Attiya Abu Nuqayreh and Ala' 'Akel be commuted;
- urging the Palestinian Authority, following world trends against the death penalty, to abolish the death penalty and ensure that any new penal code excludes the death penalty as a punishment.

APPEALS TO:

1) President Yasser Arafat

Palestinian Authority

Al-Muntada

Gaza, Palestinian Authority

Faxes: +972 7 822 365 (ask to send a fax)

Telegrams: President Arafat, Palestinian Authority, Gaza, via Israel

Salutation: Dear President Arafat

2) Minister of Justice Mr Freih Abu Meddein

Ministry of Justice

Abu Khadra Building

Omar al-Mukhtar Street
Gaza, Palestinian Authority

Faxes: +972 7 822 236

Telegrams: Minister of Justice, Palestinian Authority, Gaza, via Israel

Salutation: Dear Minister

3) Khaled al-Qidrah

Attorney-General

Attorney-General Building

Yarmouk

Gaza, Palestinian Authority

Faxes: +972 7 822 388

Telegrams: Attorney-General, Palestinian Authority, Gaza, via Israel

Salutation: Dear Mr al-Qidrah

COPIES TO:

Dr Iyad al-Sarraj

Palestinian Independent Commission for Citizens' Rights

Ritz Hotel

Ibn Khaldun Street

PO Box 54627

Jerusalem

Via Israel

Faxes: 972 2 28 28 69

and to diplomatic representatives of Palestinian Authority accredited to your country. **DO NOT COPY YOUR LETTERS TO ISRAELI DIPLOMATIC REPRESENTATIVES IN YOUR COUNTRY.**

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 10 April 1996.