

EXTERNAL

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22 May 1997

PALESTINIAN AUTHORITY Minister's statements herald new use of death penalty and may lead to extrajudicial punishments

On 5 May 1997 Minister of Justice Freih Abu Middein announced that the Palestinian Authority (PA) would begin using a Jordanian law which provides for the death penalty in cases of Arabs selling land to Jews. He said this was an interim measure until the PA created their own law. If the land is sold by an agent then the agent rather than the owner of the land will face the death penalty. The Minister of Justice reportedly stated that the "official" position of the PA is to send those accused to a military or civilian court but he reportedly stated "actually we have to punish him very strongly, very severely. Everybody now realises the danger of selling land to a Jew."

Since the Minister's announcement, two land dealers have been killed. On 9 May, Farid Bashiti, an East Jerusalem land dealer, was found dead in Ramallah and on 17 May the body of another land dealer, Harbi Abu Sara, was found. Both had apparently been shot dead. Palestinian security services denied involvement in the killings. Another land dealer, Rashid Salameh, from Nablus has been reported missing and it is feared that he may be at risk, having apparently sold land to Jews.

On 21 May, President Yasser Arafat defended the decision to apply the death penalty for land sales to Jews. In a press interview he said "We are talking about a few traitors and will apply what has been determined by law against them". His spokesman stated that the PA did not sanction summary executions and insisted that those charged with such land sales would be brought to court. However, neither man condemned the killings of the two land dealers.

Amnesty International opposes the death penalty in all cases as a violation of the fundamental right to live as enshrined in the Universal Declaration on Human Rights. International human rights standards, which the PA has said that it will adhere to, state that in countries which retain the death penalty, it should only be imposed for the most serious crimes, namely for crimes with lethal or extremely grave consequences.

Amnesty International fears that the statements made by the Minister of Justice appear to constitute permission to security services to commit killings or extrajudicial punishments with impunity.

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

- calling for the decision to impose the death penalty on those who sell land to Jews to be rescinded;
- stating that the death penalty is a violation of the fundamental right to life;
- expressing concern that the statements of the Minister of Justice may encourage members of the PA security forces to commit extrajudicial punishments, including killings, and calling on President Arafat and the Minister of Justice to make a public statement that such punishments and killings will be investigated and those responsible brought to justice;
- calling on the President and Minister to unequivocally condemn the killings of Farid Bashiti and Harbi Abu Sara.

APPEALS TO:

President Yasser Arafat
Palestinian Authority
Al-Muntada

Gaza, Palestinian Authority

Faxes: +972 7 822 365 and +972 7 823 744 (ask to send a fax)

Telegrams: President Arafat, Palestinian Authority, Gaza

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: Justice Minister, Palestinian Authority, Gaza

Salutation: Dear Minister

COPIES TO:

Dr Iyad al-Sarraj

The Palestinian Independent Commission for Citizens' Rights

PO Box 54627

Jerusalem Via Israel

Fax: +972 2 99 87536

and to diplomatic representatives of the Palestinian Authority accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 7 July 1997.