

EXTRA 45/01

Dea

PALESTINIAN AUTHORITY Samir Abu Zaynah [m], aged 21
Amjad Hafayizah [m], aged 28
Husayn Abu al-Uyun [m], aged 32

Three men have been sentenced to death after an unfair trial. They are not entitled to appeal against the sentence. If the sentence is ratified by President Yasser Arafat, they could be executed any time.

On 31 July the Higher State Security Court in Nablus sentenced Samir Abu Zaynah, Amjad Hafayizah and Husayn Abu al-Uyun to death for treason and collaborating with Israel in providing information which helped the Israeli army to kill Dr Thabit Thabit in Tulkarem on 31 December 2000. There were two other defendants. Mohammed Abd al-Rahman, a minor aged 17, was sentenced to 15 years in jail. Another defendant, said to be mentally handicapped, was acquitted.

The trial took place on 28 and 30 July 2001. The five defendants were represented by a military lawyer after a civilian lawyer withdrew from the case. The final verdict was announced in a 10-minute session at the Court on 31 July, shortly after eight Palestinians were killed in an Israeli shelling attack on Nablus.

BACKGROUND INFORMATION

Amnesty International has previously condemned trials by the Higher State Security Court as being grossly unfair. Trials are often summary, take place before military judges, are sometimes held at night and there is no right of appeal. Sentences are subject only to ratification by President Yasser Arafat and may be carried out within hours or days of the trial.

Although Amnesty International recognizes the role of the governments in bringing the perpetrators of crime to justice, this must be done in proceedings which meet international standards for fair trial.

The organization is opposed to the death penalty as the ultimate form of cruel, inhuman and degrading treatment and a violation of the right to life.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Arabic or English or your own language:

- expressing your sympathy for the victims of violent crimes and their families, and acknowledging the role of governments in bringing the perpetrators to justice;
- expressing unconditional opposition to the death penalty, urging President Yasser Arafat not to ratify the death sentence imposed on Samir Abu Zaynah, Amjad Hafayizah and Husayn Abu al-Uyun;
- expressing concern that they were sentenced in unfair proceedings, and that they are being denied the right to appeal against the sentence to a higher court, in violation of international human rights standards;
- calling for a retrial to take place in accordance with international standards for fair trial and without the imposition of the death penalty;
- urging that no more executions be carried out in the Palestinian Authority, and that the authorities work towards abolishing the death penalty.

APPEALS TO:

President Yasser Arafat

Palestinian Authority
Al-Muntada
Gaza

Palestinian Authority

Telegrams: President Arafat, Palestinian Authority, Gaza

Faxes: + 972 8 282 2366 (when voice answers, please ask for fax tone)

Salutation: Dear President Arafat

Mr Freih Abu Meddein
Minister of Justice
Ministry of Justice
Abu Khadra Building
Omar al-Mukhtar Street
Gaza

Palestinian Authority

Telegrams: Justice Minister, Palestinian Authority, Gaza

Faxes: + 972 8 286 7109

Salutation: Dear Minister

Mr Khaled al-Qidreh
Attorney General for the State Security Courts
Police Headquarters
Gaza

Palestinian Authority

Telegrams: Khaled al-Qidreh, Police Headquarters, Gaza, Palestinian Authority

Faxes: + 972 8 282 4253 (when voice answers, please ask for fax tone)

Salutation: Dear Mr al-Qidreh

and to diplomatic representatives of PALESTINIAN AUTHORITY accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 1 September 2001.