

27 August 1999

PALESTINIAN AUTHORITY Ayman Muhammad Abu Sa'da, 27

Ayman Muhammad Abu Sa'da has been sentenced to death by firing squad in a summary trial by the Palestinian State Security Court. His death sentence must be ratified by President Yasser Arafat before it is carried out, but this can take only a few hours.

Ayman Abu Sa'da was convicted of killing a police lieutenant, Hani Abu Zayna, who had been called out to help stop a violent confrontation between two families in Tell al-Sultan, near Rafah in the Gaza Strip on 23 August 1999. Lieutenant Abu Zayna sustained fatal head injuries and died on 25 August. Ayman Abu Sa'da was charged under Article 378 of the 1979 Revolutionary Penal Code of the Palestine Liberation Organization and tried with three others on 26 August 1999 before the State Security Court, where trials are consistently unfair. The court uses military judges and prosecutors, defendants are given state-appointed lawyers, and, in violation of international law, there is no right of appeal to a higher court.

Sixteen-year-old 'Ala Mahmud Abu'l-'Aish, who was tried together with Ayman Abu Sa'da, was sentenced to six months' imprisonment. The men's mothers, 'Aqila Muhammad 'Ali Abu Ulwan, aged about 55, and Wafa Muhammad Abu'l-'Aish, aged about 38, were acquitted. The summary trial lasted approximately three hours.

Although Amnesty International recognizes the role of governments in bringing perpetrators of crime to justice, the organization is absolutely opposed to the use of the death penalty, as the ultimate form of cruel, inhuman and degrading treatment and a violation of the right to life.

BACKGROUND INFORMATION

The Palestinian Authority has executed three people over the past year, most recently on 26 February. On both occasions trials were summary and grossly unfair, and those convicted were executed shortly after the trial.

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

- expressing 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, which has never been shown to have a unique deterrent effect and which is brutalizing to all involved in its application;
- expressing concern that the trial before the State Security Court was unfair and that there is no appeal against the sentence of the court, as international human rights standards require;
- urging President Yasser Arafat to commute the sentence of death on Ayman Muhammad Abu Sa'da, and to order a retrial for him and 'Ala Mahmud Abu'l-'Aish before an ordinary court with full respect for fair trial standards enshrined in international law;
- urging that no more executions be carried out in the Palestinian Authority and that the government 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 7 282 2365 (when voice answers, please request 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 7 286 7109

Salutation: Dear Minister

COPIES TO:

Palestinian Centre for Human Rights

P.O. BOX 1204

Gaza

Palestinian Authority

Fax: + 972 7 282 4776

E-mail: pchr@trendline.co.il

and to representatives of the Palestine Liberation Organization accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 24 September 1999.