

PUBLIC

AI Index: MDE 21/016/2002

29 October 2002

Further information on UA 207/02 (MDE 21/010/2002, 8 July 2002) and follow-up (MDE 21/011/2002, 8 August 2002) - Fear of torture/legal concern/ possible prisoner of conscience/fear of death penalty New concerns: Death penalty/unfair trial

PALESTINIAN Khaidar Ghanem (m), aged 39

**AUTHORITY**

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Khaidar Ghanem, a former field work for Israeli human rights organization B'Tselem, was sentenced to death on 28 October by the State Security Court in Gaza. He was convicted of "collaboration" with the Israeli authorities. The death sentence imposed on Khaidar Ghanem must be ratified by President Arafat, after which he could be executed at any time.

His trial apparently lasted two and a half hours and he was represented by a court-appointed lawyer. A number of Palestinian lawyers in Gaza reportedly refuse to represent clients before the State Security Court on the grounds that the trials are unfair.

Khaidar Ghanem was arrested in the Gaza Strip on 3 July by the Palestinian Preventative Security Forces. The charges of "collaboration" which he faced were apparently linked to the killing of Jamal 'Abd al-Qader 'Abd al-Razeq, a *Fatah* leader, and three others who were shot dead by the Israeli Defence Forces when travelling in a car near the Morag junction in Gaza on 22 November 2000. According to reports, Khaidar Ghanem was convicted mainly on his own admission, with little other evidence. He allegedly said during his trial that he did not know the information he passed to the Israelis would be used to kill people.

#### **BACKGROUND INFORMATION**

Amnesty International has previously condemned trials by the State Security Court as being grossly unfair. Trials are often summary, take place before military judges, and have no right of appeal.

People convicted of "collaboration" with Israel face extremely harsh treatment. Since the beginning of the current *intifada* in September 2000, three alleged "collaborators" have been executed after summary unfair trials. Scores of other "collaborators" have been killed by armed Palestinians.

#### **FURTHER RECOMMENDED ACTION: Please send appeals in Arabic, English or your own language:**

- calling on President Arafat not to ratify the death sentence passed on Khaidar Ghanem and expressing unconditional opposition to the death penalty;
- expressing concern that this and other trials before the State Security Court are grossly unfair, failing to meet even minimum international standards for fair trial;
- calling for a retrial to take place before an ordinary criminal court in accordance with international standards for fair trial and without recourse to the death penalty;
- urging that no more executions be carried out and that the death penalty be abolished.

**APPEALS TO:**

President Yasser Arafat  
The President's Office, Ramallah  
Palestinian Authority  
**Fax: + 972 2 296 3176 (it may be difficult to get through; please keep trying)**  
**Salutation: Dear President Arafat**

Ibrahim Dughmeh  
Minister of Justice  
P O Box 1021  
Gaza  
Palestinian Authority  
**Telegrams: Justice Minister, Gaza, Palestinian Authority**  
**Fax: + 972 8 286 7109**  
**Salutation: Dear Minister**

**COPIES 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 10 December 2002.