

UA 345/00 Death Penalty

9 November 2000

OMAN **Habib bin Jum'a bin Sulayman (45)**
 Ahmed bin Habib bin Jum'a (19)] sons of Habib bin Jum'a
 Mohammad bin Habib bin Jum'a (20)] bin Sulayman
 Faisal bin Hilal bin Salem (19)
 Najeeb bin Mahfoudh (19)

Five men have been sentenced to death for murder in Oman. As they cannot appeal against their sentences, it is feared that they will be executed once a legal committee has ratified the convictions.

The five men named above were sentenced to death by a criminal court in the capital, Muscat, on 7 November. Under Omani law, it is not possible to appeal against death sentences for premeditated murder, although such sentences have to be ratified by a legal committee, of which the Grand Mufti is a member, and by the Sultan before they can be carried out. However, the five men's lawyer has reportedly said that the committee "invariably upholds the decisions of the criminal court".

The five men were sentenced to death for murdering three owners of a jewellery store during a burglary in September. The victims' families reportedly refused to accept "diya" or "blood money" from the families of the accused. Had they accepted such payment, the five men would not have faced the death penalty, but would probably have received prison sentences instead. Mus'ab bin Habib bin Jum'a, a 16-year-old tried for the same crime, was sentenced to five years imprisonment rather than the death penalty because he is a minor.

Amnesty International considers the death penalty to be the ultimate form of cruel, inhuman and degrading punishment, and a violation of the right to life guaranteed by Article 3 of the Universal Declaration of Human Rights. The organization is concerned that the denial of the opportunity to appeal against death sentences violates of the United Nations (UN) Safeguards Guaranteeing Protection of the Rights of Those Facing the Death Penalty, which state that "anyone sentenced to death shall have the right to seek pardon, or commutation of sentence".

BACKGROUND INFORMATION

Amnesty International is unaware of any executions carried out in Oman during the past 10 years. A number of death sentences were reportedly commuted in 1994. Death sentences are usually carried out by firing squad. Oman has been a UN member since 1971 and is party to the UN Safeguards Guaranteeing Protection of the Rights of Those Facing the Death Penalty.

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

- acknowledging the seriousness of the crime and expressing sympathy for the victims' families;
- urging that the death sentences against the five men named above be commuted, and calling for them to be given the opportunity to appeal against their sentence in line with UN Safeguards Guaranteeing Protection of the Rights of Those Facing the Death Penalty;
- calling for a moratorium on the use of the death penalty in Oman;
- seeking assurances that the men are granted regular access to family and medical assistance as required whilst in detention;
- seeking assurances that Mus'ab bin Habib bin Jum'a is treated as a minor in line with the standards set out in the UN Convention on the Rights of a Child.

APPEALS TO: (please note that getting through to fax numbers can be problematic)

Sultan of Oman
His Majesty Sultan Qaboos Bin Said
Diwan of the Royal Court
PO Box 632, Muscat 113
Sultanate of Oman
Salutation: Your Majesty

Grand Mufti of the Sultanate of Oman
His Excellency Sheikh Ahmed bin Hamad Al-Khalili
Office of the General Mufti of the Sultanate of Oman
PO Box 354, Ruwi 112
Sultanate of Oman
Fax: + 968 601 118
Salutation: Your Excellency

Minister of Justice
His Excellency Sheikh Mohammad bin Abdullah bin Zaher al-Hinai
Minister of Justice, Ministry of Justice
PO Box 354, Muscat Code 112
Sultanate of Oman
Fax: + 968 602 725
Salutation: Your Excellency

Minister of Interior
His Excellency 'Ali bin Hamud bin 'Ali al-Busaidi
Minister of Interior, Ministry of Interior
PO Box 127, Ruwi 112
Sultanate of Oman
Fax: + 968 602 244
Salutation: Your Excellency

and to diplomatic representatives of Oman accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 20 December 2000.