

10 March 1999

EXTRA 36/99

Death penalty/imminent execution/legal concernPALESTINIAN AUTHORITYRa'ed al-'Attar, 25

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Ra'ed al-'Attar was sentenced to death by firing squad on 10 March 1999. Amnesty International believes he is at risk of imminent execution: his death sentence must be ratified by President Yasser Arafat before it is carried out, but this can take as little as 12 hours.

Ra'ed al-'Attar, allegedly a member of the militant *Hamas* group, was found guilty by the Palestinian State Security Court of killing a Palestinian policeman, Captain Rifat Joudeh, who had been trying to arrest him. Trials before the Palestinian State Security Court have consistently been unfair, violating minimum standards of international law. The court uses military judges and prosecutors, and defendants are given state-appointed lawyers. There is no right of appeal to a higher court, in violation of international law. In this case no ballistics report was presented to the court which might have proved conclusively whether the bullets which killed the police captain were fired from Ra'ed al-'Attar's pistol.

His co-defendants, Muhammed Abu Shamalah and Usama Abu Taha, were sentenced to life imprisonment and to 15 years with hard labour respectively.

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**

To date the Palestinian Authority's State Security Court and military courts have issued more than 20 death sentences, often after unfair trials. Most of these sentences have been commuted to life imprisonment.

The Palestinian Authority has executed three people over the past year, most recently on 26 February. On both occasions the 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 English, Arabic 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, but 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;
- urging President Yasser Arafat to commute the sentence of death on Ra'ed al-'Attar;
- expressing concern that the trial before the State Security Court was unfair and that there is no appeal before the sentence of the court, as international human rights standards require, and therefore urging President Arafat to order a retrial for Ra'ed al-'Attar, Muhammed Abu Shamalah and Usama Abu Taha before an ordinary court with full respect for international law trial standards;
- 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

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Gaza

Palestinian Authority

**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

**Faxes:** + 972 7 286 7109

**Salutation:** Dear Minister

**COPIES TO:**

Representatives of the Palestine Liberation Organization in your country.

**PLEASE SEND APPEALS IMMEDIATELY.**