2 June 1998

Further information on UA 396/97 (MDE 16/15/97, 17 December 1997) - Death Penalty and new concern: Health concern

JORDAN Ahmad Muhammad, 40 Ahmad Salim, 29 Yasser Muhammad, 26 Sa'id Mahmud, 41 'Eid Muhammad, 34 Muhammad Khalil, 70 Mahmud Khalil, 65 Mufaddi Khalil, 77 (note corrected name, previously recorded as Mifdi Khalil)

(Note corrected ages)

There is concern that the eight above-named family members may receive the death penalty following a decision by the Criminal Court, on 19 April 1998, to uphold their death sentences. The case will shortly return to the Court of Cassation to be heard by a nine-judge panel. If confirmed, the death sentences will then pass to King Hussein bin Talal for ratification.

The eight were sentenced to death by the Amman Criminal Court in October 1997 after being found guilty of the murder of a father and son of another family, in a brawl in Wadi al-Sir in October 1993. The defence has stressed, in its appeal against the verdict, that the killing was not premeditated and that, although one of the defendants had a pistol in his pocket, he did not use it.

In March 1998 the Court of Cassation, which can consider procedural irregularities but is not permitted to examine the substance of cases, sent the case back to the court stating that it was not possible to know who had done the actual killings and that the murder was not premeditated -- in Jordan this means that the death penalty can no longer apply. Despite this, the Criminal Court upheld the sentences.

Soon after the deaths, 83 members of the defendants' families, who are farmers in 'Iraq al-'Amir, near Wadi al-Sir, were forced to leave their place of residence and have since been camped in al-Muqar, 70km away.

Amnesty International does not condone violent crime but opposes the death penalty in all cases as the ultimate form of cruel, inhuman or degrading treatment or punishment. Capital punishment has never been shown to have a deterrent effect and the sentence is irrevocable.

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

- expressing sympathy for the victims of violent crimes and their families and acknowledging the role of governments in bringing the perpetrators of such crimes 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 His Majesty Hussein bin Talal to commute the sentence of death on Ahmad Muhammad, Ahmad Salim, Yasser Muhammad, Sa'id Mahmud, 'Eid Muhammad, Muhammad Khalil, Mahmud Khalil and Mufaddi Khalil;

- urging that no more executions be carried out in Jordan and that the government work towards abolishing the death penalty by the 50th Anniversary of the Universal Declaration of Human Rights in 1998.

APPEALS TO:

His Majesty King Hussein bin Talal King of the Hashemite Kingdom of Jordan The Royal Palace Amman The Hashemite Kingdom of Jordan **Telegrams: King Hussein, Amman, Jordan Faxes: + 962 6 463 4755 Salutation: Your Majesty** Dr 'Abd al-Salam Majali Prime Minister Office of the Prime Minister PO Box 80 Amman The Hashemite Kingdom of Jordan

Telegrams: Prime Minister, Amman, Jordan Faxes: + 962 6 468 7420 Salutation: Your Excellency

Riyad Shak'a Minister of Justice Ministry of Justice Amman, The Hashemite Kingdom of Jordan Telegrams: Justice Minister, Amman, Jordan Faxes: + 962 6 568 0238 Salutation: Your Excellency

Nazir Rashid Minister of Interior Ministry of Interior Amman, The Hashemite Kingdom of Jordan Telegrams: Interior Minister, Amman, Jordan Faxes: + 962 6 560 6908 Salutation: Your Excellency

COPIES TO:

Chief Justice Taher Hikmet President Supreme Judicial Council Amman The Hashemite Kingdom of Jordan

and to diplomatic representatives of Jordan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 14 July 1998.

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