

PUBLIC

AI Index: MDE 16/022/2003

10 December 2003

Further Information on UA 45/02 (MDE 16/005/2002, 13 February 2002) and follow-ups (MDE 16/016/2002, 30 October 2002; MDE 16/001/2003, 9 January 2003, and MDE 16/013/2003, 10 July 2003) - Death penalty/Torture/Unfair trial

JORDAN

Ra'ed Muhammad Hijazi (m)

On 8 December 2003 Ra'ed Muhammad Hijazi was sentenced to death for the third time by the State Security Court (SSC), apparently on charges including plotting to carry out "terrorist" activity; illegal possession of explosive material and an unlicensed automatic weapon. Ra'ed Muhammad Hijazi's lawyers will reportedly appeal to the Court of Cassation (appeal court) against this decision.

In June 2003, the Court of Cassation overturned the death sentence against Ra'ed Muhammad Hijazi following an appeal against the SSC decision to sentence him to death in January 2003. According to reports the Court of Cassation's decision was based on its assertion that the SSC had not followed correct procedures in not addressing the Court of Cassation's decision when issuing its verdict. Apparently the Court of Cassation had also asked the SSC to look at whether Ra'ed Muhammad Hijazi's case should not have benefited from a Royal Amnesty in 1999.

Amnesty International has on numerous occasions expressed grave concerns at reports that Ra'ed Muhammad Hijazi has been condemned to death after "confessions" apparently made under torture and following an unfair trial.

BACKGROUND INFORMATION

Amnesty International has repeatedly voiced its concern that the SSC, which almost invariably uses military judges and a military prosecutor, does not provide the same guarantees of independence and impartiality provided by the ordinary courts. The UN Human Rights Committee expressed concern in 1994 that "the State Security Court continues to exercise special jurisdiction" and recommended that consideration be given to its abolition.

Seven people have been executed in Jordan this year and at least 15 sentenced to death.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Arabic or English or your own language:

- urging King =Abdallah bin Hussein to commute the death sentence against Ra'ed Muhammad Hijazi if upheld by the Court of Cassation;
- expressing concern at the use of the death penalty in Jordan and urging that no more executions be carried out and that the Government works towards abolishing the death penalty;
- calling for Ra'ed Muhammad Hijazi to be re-tried before an ordinary criminal court according to international standards for fair trials;
- reminding the Jordanian authorities that "confessions" made under duress are inadmissible;
- calling for an immediate and independent investigation into the torture allegations;
- noting that governments have not only a right but also an obligation to bring those who plan or perpetrate violent crimes to justice, but that this should be done in accordance with international standards for fair trials.

APPEALS TO:

His Majesty King =Abdallah bin Hussein
Office of H.M. the King

Royal Palace
Amman
The Hashemite Kingdom of Jordan
Telegrams: King >Abdallah bin Hussein, Amman, Jordan
Faxes: + 962 6 462 7421
Salutation: Your Majesty

Saleh al-Bashir
Minister of Justice and Minister of State for Cabinet Affairs
PO Box 6040
Amman
The Hashemite Kingdom of Jordan
Telegrams: Justice Minister, Amman, Jordan
Fax: + 962 6 464 3197
Salutation: Your Excellency

Samir Rifai
Minister for the Royal Hashemite Court
PO Box 80
Amman
The Hashemite Kingdom of Jordan
Telegram: Minister for the Royal Hashemite Court, Amman, Jordan
Fax: + 962 6 463 1452
Salutation: Your Excellency

COPIES TO:

Her Majesty Queen Rania
President of the Royal Commission on Human Rights
Office of her Majesty the Queen
Royal Palace
Amman
The Hashemite Kingdom of Jordan
Salutation: Your Majesty

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 22 January 2004.