

PUBLIC

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EXTRA 30/03

Death penalty/unfair trial

PALESTINIAN AUTHORITY

Rani Darwish Khalil Shaqqura (m), aged 27

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Sergeant Rani Darwish Khalil Shaqqura, a member of the Palestinian security services from Jabalya refugee camp in the Gaza Strip, was sentenced to death by firing squad on 17 May. His death sentence must be ratified by President Yasser Arafat, after which he could be executed at any time.

Rani Darwish Khalil Shaqqura who is currently held in Gaza Central Prison, was found guilty of the murder on 15 April 2003 of another member of the Palestinian security services, Captain Hani 'Atiya al-Madhoun. The killing was the result of an ongoing feud between the families of Hani 'Atiya al-Madhoun and Rani Darwish Khalil Shaqqura.

Amnesty International is concerned that the court proceedings failed to meet international standards for fair trials. Military courts in the Palestinian Authority are convened following a presidential decree to hear cases of security service employees in connection with offences committed during or as part of their work. However, in this case, the killing was not carried out in the context of Rani Darwish Khalil Shaqqura's work in the security services and there was no legal basis for convening a military court to try the case. The charge sheet was not presented to the prosecutor until the court reconvened for the second time, on 26 April, and did not bear the signature and stamp of the civilian general prosecutor who had carried out the investigation, making it invalid. The defence lawyer objected to these and other irregularities, but the court overruled all the points he raised and he withdrew from the case in protest. The court immediately appointed two security officers to act as defence lawyers for Rani Darwish Khalil Shaqqura. The two have a law degree but are not registered with the Bar Association and do not practice law. They received the documents relating to the case only hours before the hearing and did not appear to be entirely familiar with the case. According to reports, no witnesses were called to testify in Rani Darwish Khalil Shaqqura's defence.

#### **BACKGROUND INFORMATION**

Amnesty International recognizes the need to bring the perpetrators of crime to justice, but this must be done in proceedings which meet international standards for fair trials. The organization is opposed to the death penalty in all cases as the ultimate form of cruel, inhuman and degrading treatment and a violation of the right to life.

Amnesty International has repeatedly expressed concerns about the use of the death penalty in the Palestinian Authority. During 2002, 14 people were sentenced to death in the Palestinian Authority following unfair and summary trials. Three of them, who were convicted of common law criminal offences, were executed.

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

- expressing concern that Rani Darwish Khalil Shaqqura was sentenced to death in an unfair trial before a special military court;
- calling on President Arafat not to ratify the death sentence and expressing unconditional opposition to the death penalty as the ultimate violation of the right to life;
- urging that no more executions be carried out and that steps be taken to abolish the death penalty.

#### **APPEALS TO:**

President Yasser Arafat

The President's Office, Gaza  
Palestinian Authority  
via Israel

**Fax: + 972 8 282 2366 (if someone answers, please ask to send a fax)**

**Salutation: Dear President Arafat**

Mahmoud Abbas  
Prime Minister and Minister of Interior  
Negotiations Affairs Department – PLO  
Nablus Road  
al-Balou'  
al-Bireh  
PO Box 2245  
Ramallah  
Palestinian Authority  
via Israel

**Fax: + 972 2 295 9648**

**Salutation: Dear Minister**

'Abd al-Karim Abu Salah  
Minister of Justice  
PO Box 1012  
Gaza City, Gaza Strip,  
Palestinian Authority  
via Israel

**Fax: + 972 8 282 9197**

**Salutation: Dear Minister**

**COPIES TO:** Diplomatic representatives of Palestinian Authority accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.**