

EXTRA 90/00

Death penalty/Fear of imminent execution/unfair tr.PALESTINIAN AUTHORITY 'Alan Bani 'Odeh, labourer

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Labourer 'Alan Bani 'Odeh was sentenced to death by hanging for treason on 7 December, after an unfair trial. He is not entitled to appeal against the sentence. The sentence cannot be implemented without ratification by President Yasser 'Arafat. If the sentence is ratified 'Alan Bani 'Odeh could be executed at any time.

The Higher State Security Court also sentenced him to life imprisonment for causing the death of his relative Ibrahim Bani 'Odeh, a member of the *Izz al-Din al-Qassam*, the armed wing of the Islamist organization *Hamas*. Ibrahim Bani 'Odeh died when a device in the car he was driving exploded, on 23 November in Nablus in the Occupied Territories. The prosecution alleged during the trial that 'Alan Bani 'Odeh allowed Israeli agents to fit an explosive device in the car. The Israeli authorities had previously rejected these allegations. 'Alan Bani 'Odeh was arrested five days after the death of Ibrahim Bani 'Odeh.

'Alan Bani 'Odeh's trial lasted less than three hours. His lawyers requested an adjournment in order to organize his defence. The court granted them about 15 minutes to take instructions from 'Alan Bani 'Odeh before the trial continued.

Amnesty International is concerned that 'Alan Bani 'Odeh was not given sufficient time to organize his defence and is not entitled to appeal against the verdict to a higher court, in violation of international standards for fair trial. Any execution that follows an unfair trial is regarded as a violation of the right to life under international human rights law.

Although Amnesty International recognizes the role of governments in bringing the perpetrators of crime to justice, this must be done through a fair and just legal system. The organization is opposed to the death penalty as the ultimate form of cruel, inhuman and degrading treatment and a violation of the right to life.

This is the third death penalty imposed by the Higher State Security Court this year.

**BACKGROUND INFORMATION**

'Alan Bani 'Odeh has been sentenced to death at a time of increased tension in the Occupied Territories. Since 29 September, 300 people, the vast majority of them Palestinians, have been killed in Israel and the Occupied Territories. Most Palestinians have been killed by members of the Israeli security forces, many as a result of the use of excessive force.

**RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in Arabic, English 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;
- expressing unconditional opposition to the death penalty, which is the ultimate form of cruel, inhuman and degrading punishment and which is brutalizing to all involved in its application;
- expressing concern that 'Alan Bani 'Odeh received an unfair trial before the Higher State Security Court, as he was not given sufficient time to prepare

his defence and was denied the right to appeal against the sentence to a higher court, in violation of international human rights standards;

- urging President Yasser Arafat not to ratify the death sentence imposed on 'Alan Bani 'Odeh and to order a retrial, with full respect for the fair trial standards enshrined in international law;

- urging that no more executions be carried out in the Palestinian Authority and that the authorities work towards abolishing the death penalty.

**APPEALS TO:**

President Yasser Arafat  
Palestinian Authority  
Al-Muntada  
Gaza

Palestinian Authority

**Telegrams: President Arafat, Palestinian Authority, Gaza**

**Faxes: + 972 7 282 2366 (when voice answers, please ask for 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

**Telegrams: Justice Minister, Palestinian Authority, Gaza**

**Faxes: + 972 7 286 7109**

**Salutation: Dear Minister**

Mr Khaled al-Qidreh  
Attorney General for the State Security Courts  
Police Headquarters  
Gaza

Palestinian Authority

**Telegrams: Khaled al-Qidreh, Police Headquarters, Gaza, Palestinian Authority**

**Faxes: + 972 7 282 4253 (when voice answers, please ask for fax tone)**

**Salutation: Dear Mr al-Qidreh**

and to diplomatic representatives of the Palestine Liberation Organization accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 19 January 2001.