

PUBLIC

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30 October 2002

Further information on UA 45/02 (amended) (MDE 16/005/2002, 13 February 2002) - Death penalty/torture/unfair trial

JORDAN Raed Muhammad Hijazi (m), aged 33

Following an appeal by Raed Muhammad Hijazi's lawyers, the Court of Cassation ordered on 6 October a retrial before the State Security Court. Raed Muhammad Hijazi of dual Jordanian and US nationality, was sentenced to death in February by the State Security Court.

According to information received by Amnesty International, the Court of Cassation ruled that the possession of explosive materials, including nitric acid, was not enough to prove that Raed Muhammad Hijazi was making bombs. There was also no clear evidence that Hijazi possessed automatic weapons.

The Court of Cassation, however, upheld Raed Muhammad Hijazi's conviction of plotting with two other men to carry out a terrorist action against (Israeli) tourists in Jordan and attack buses which had transported them.

Raed Muhammad Hijazi was initially convicted on charges of plotting to carry out terrorist activities and the illegal production and possession of explosive materials. This was despite the fact that he withdrew his confessions in court, stating they were made under duress and that he had been tortured and ill-treated while held incommunicado.

Background

Amnesty International has frequently voiced its concern that the State Security Court, 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 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.

Since the beginning of the year, 11 people have been executed in Jordan.

FURTHER RECOMMENDED ACTION: Please send appeals in Arabic, English or in your own language:

- calling for Raed 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

Faris Nabulsi

Minister of Justice

PO Box 6040

Amman

The Hashemite Kingdom of Jordan
Telegrams: Justice Minister, Amman, Jordan
Fax: + 962 6 464 3197
Salutation: Your Excellency

Dr Fayez Tarawneh
Chief of the Royal Court
PO Box 80
Amman
The Hashemite Kingdom of Jordan
Telegrams: Chief of the Royal Court, Amman, Jordan
Fax: + 962 6 463 1452
Salutation: Dear Dr Tarawneh

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 11 December 2002.
