

PUBLIC

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UA 21/07 Death penalty/torture and ill-treatment

JORDAN Sajida Rishawi Atrous (f), Iraqi national, aged around 37

Iraqi national Sajida Rishawi Atrous, who was sentenced to death for involvement in November 2005 suicide bombings, is now in imminent danger of execution. She was reportedly tortured severely to make her confess. An appeal to the Court of Cassation (which may only consider the trial procedures and not the substance of the case) was rejected on 25 January. The death sentence will now be passed to the king for ratification. If he ratifies it, she could be executed at any time. The king has the power to stop her execution.

The coordinated suicide bomb attacks on 9 November 2005 on three hotels in the capital, Amman, killed 60 people and injured many more. An Iraqi-based armed group led by Jordanian national Abu Mus'ab al-Zarqawi claimed responsibility.

Sajida Rishawi Atrous was convicted by the State Security Court (SSC) on 21 September 2006 along with six others who were tried in absentia. According to a report by the UN Special Rapporteur on torture, on his June 2006 visit to Jordan, she was held incommunicado at the General Intelligence Department (GID) detention centre in Amman for three months and 20 days. For the first month, "she reported that she was subjected to severe torture by the head of the GID's counter-terrorism unit together with other members of the unit. She clearly identified Colonel Ali Birjak, the head of the counter-terrorism unit, in a photo and testified that he had personally participated in the torture." According to this report, she was beaten every day with a stick covered in plastic tape, and was threatened with rape. Apparently she had bruising all over her body as a result. In February 2006, an Amnesty International delegate met with the GID and asked for details of the conditions Sajida Rishawi Atrous was held in. The GID responded that she had been referred to the Public Prosecutor after only one hour's interrogation, on the day she was arrested. She was apparently later transferred to Jweideh women's prison.

On 13 November 2005, King Abdullah announced that Sajida Rishawi Atrous had been arrested. The same day she made a televised confession to her role in the attacks. During her trial before the SSC, she reportedly alleged that she had made her confession under torture, but withdrew this claim shortly afterwards, saying that her interrogators had "shouted" at her. Her lawyer apparently asked permission for her to undergo a psychiatric assessment to assess her mental fitness to stand trial, which the court refused.

Amnesty International condemned the November 2005 attacks for which Sajida Rishawi Atrous has been sentenced to death in the strongest terms (see *Jordan: Attacks by armed groups show utter disregard for humanity*, MDE 16/007/2005). Amnesty International recognizes the right of governments to ensure that anyone suspected of involvement in criminal acts is brought to justice. However, the death penalty has never been shown to deter crime more effectively than other punishments. It can contribute little to alleviating the suffering of the families and friends of murder victims. It is irreversible, but can be inflicted on the innocent.

The government have made positive steps on the death penalty. In 2006, they drafted amendments to legislation which would reduce the number of capital offences and replace the death penalty with life imprisonment for crimes such as possession of weapons or explosives and drug-related offences. Parliament is still considering the amendments. That year, an Italian newspaper quoted King Abdullah as saying that "Jordan could soon become the first country in the Middle East without capital punishment." On 30 January, according to media reports, a spokesperson for the Jordanian Foreign Ministry announced that the government would examine the Special Rapporteur's report and respond. The Spokesperson was quoted as saying that "...not all [the Special Rapporteur's] information was accurate..."

The Special Rapporteur on torture concluded that “the practice of torture is routine at the GID” and that there is “institutionalised impunity” for perpetrators. His recommendations included criminal investigations of Colonel Ali Birjak, as he had been “clearly identified by a number of detainees as being personally involved in torture practice.”

BACKGROUND INFORMATION

Amnesty International is seriously concerned about trials before the SSC, where proceedings fall short of international standards for fair trial (see *Jordan: “Your confessions are ready for you to sign” - Detention and torture of political suspects*, MDE 16/005/2006). In 2006 the SSC heard at least 34 political security cases. In at least 18 of these cases defendants withdrew “confessions” they claimed had been made under torture. Amnesty International is not aware of adequate investigations into these claims. That year, at least four people were executed, including two men whom the SSC had sentenced to death in 2004 for involvement in the 2002 killing of US diplomat Laurence Foley. They alleged in court that they had confessed under torture. No investigation into these allegations is known to have been held. At the same time the Jordanian Criminal Court has also convicted people who were later executed despite claims they were tortured to make them confess. Bilal Musa was executed in 2000 for 11 murders, including that of a man called Najeh Khayat. He had alleged at his trial that he was tortured while held incommunicado by the Criminal Investigation Department. The court did not investigate. In May 2005, another man was sentenced to death for three murders, including that of Najeh Khayat. He was cleared on appeal of the murder of Najeh Khayat, but hanged in November 2005 for the other two murders (see *Jordan: Stop executions and investigate all allegations of torture made by detainees*, MDE 16/003/2005).

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

- expressing sympathy for the victims of the November 2005 bomb attacks and their families, and acknowledging that the government has a responsibility to bring those responsible to justice, but pointing out that the death penalty has never been shown to deter crime more effectively than other punishments;
- urging the king to commute Sajida Rishawi Atrous's death sentence;
- expressing grave concern at reports that Sajida Rishawi Atrous was tortured during interrogation, and urging the authorities to order an immediate independent judicial investigation, with the results made public and those responsible brought to justice;
- reminding the authorities that everyone has a right to a fair hearing in accordance with international standards for fair trial;
- welcoming the government's draft amendments which reduce the application of the death penalty and expressing the hope that this will be a step towards a moratorium on the death penalty, and eventually its complete abolition.

APPEALS TO:

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COPIES 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 March 2007.