

PUBLIC

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EXTRA 13/01

Death Penalty / Unfair trial

13 February 2001

PALESTINIAN AUTHORITY Hasan Muhammad Hasan Musallam, aged 53, police officer

Hasan Muhammad Hasan Musallam has been sentenced to death after an unfair trial by a military court.

On 11 February a military court in Hebron sentenced Hasan Muhammad Hasan Musallam to death by firing squad after convicting him of collaborating with the Israeli authorities. After the trial, the court issued a press statement saying "Hasan Muhammad Hasan Musallam had held three meetings with Israeli agents after being recruited by the intelligence services in 1994 and had received money for his information".

Hasan Muhammad Hasan Musallam's trial reportedly fails to meet international fair trial standards: he was sentenced after two days of closed proceedings, and his defence counsel was a military lawyer appointed by the court. He has got two weeks in which to appeal against his sentence. The sentence will then be sent to President Yasser Arafat for ratification. A recent sentence was carried out within days of being ratified.

BACKGROUND INFORMATION:

Since the beginning of the current intifada on 29 September 2000, the Palestinian Authority has sentenced to death four other people convicted of collaborating with the Israeli authorities, two of whom were executed last month. All were condemned to death after summary and unfair trials before the Higher State Security Court. As recent as 13 January 2001, 'Alan Bani 'Odeh and Majdi Makawi were executed by firing squad in Nablus. Majdi Makawi had been sentenced to death on 11 January after being found guilty of collaborating with the Israeli authorities, thereby contributing to the deaths of Jamal 'Abd al-Razeq, and three others, who were killed by the Israeli Defence Force on 22 November 2000.

Amnesty International opposes the death penalty in all cases as the ultimate form of cruel, inhuman and degrading treatment, and as a violation of the fundamental right to live as enshrined in the Universal Declaration on Human Rights. International human rights standards, to which the Palestinian Authority has said it will adhere to, state that in countries which retain the death penalty, it should only be imposed for the most serious crimes, namely for crimes with lethal or extremely grave consequences.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in Arabic, English or your own language

- urging President Yasser Arafat not to ratify the death sentence imposed on Hasan Muhammad Hasan Musallam;
- expressing concern that his trial was reportedly unfair, and urging that a retrial be carried out in accordance with international fair trial standards;
- acknowledging the right of governments to bring criminals to justice in trials that meet international fair trial standards, but expressing your unconditional opposition to the death penalty as the ultimate form of cruel, inhuman and degrading punishment, pointing out that it is brutalizing to all involved in its application;
- 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 8 282 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 8 286 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 8 282 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 13 March 2001.