

UA 327/99

**PALESTINIAN AUTHORITY Hussein Hashem Saleh Abu Nahel, aged 22**

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On 27 December 1999, Hussein Hashem Saleh Abu Nahel, a policeman, was sentenced to death by firing squad after being found guilty of murder. The trial, before a Higher Military Court in Gaza, was grossly unfair. Although his death sentence must now be ratified by President Yasser Arafat before it can be carried out, past executions have taken place soon after a conviction.

Hussein Abu Nahel, his brother, Saleh Hashem Saleh Abu Nahel, and a cousin, 'Imad Nu'man Saleh Abu Nahel, were tried in December 1999 for murdering their relative, Ayman Mahmud Abu Nahel, aged 23, in November, in what is believed to have been a family feud. His brother was sentenced to six months' imprisonment for illegal possession of weapons while his cousin was acquitted.

The men were represented by three police officers who were appointed by the court after two defence lawyers quit in protest at not being given enough time to prepare their case and the court then refused to accept a third defence lawyer. It is not known whether they were qualified as lawyers. No witnesses were apparently called. The Higher Military Court does not allow any appeal.

The Palestinian Authority has executed three people in the past two years, most recently on 26 February 1999. On each occasion trials were summary and grossly unfair, and those convicted were executed shortly after the trial.

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

**RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in Arabic or 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, however, which has never been shown to have a unique deterrent effect and which is brutalizing to all involved in its application;
- expressing concern that the trial before the Higher Military Court was unfair and allows no right of appeal in contradiction of the requirements of international human rights standards;
- urging President Yasser Arafat to commute the death sentence passed down to Hussein Hashem Saleh Abu Nahel and to order a retrial for him with full respect for fair trial standards enshrined in international law;
- urging that no more executions be carried out in the Palestinian Authority and that the government 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 2365 (when voice answers, please request 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  
State Security Court Attorney General  
Police Headquarters  
Gaza

**Telegrams: Khaled al-Qidreh, Police Headquarters, Gaza**  
**Faxes: + 972 7 282 2335**  
**Salutation: Dear Mr al-Qidreh**

**COPIES TO:**

Hasan Khreisheh  
Chairman of the Human Rights Committee  
Palestinian Legislative Council  
P O Box 1930 Ramallah  
Palestinian Authority  
**Faxes: + 972 2 298 7719**

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 14 February 2000.