

PUBLIC

AI Index: MDE 16/001/2003

09 January 2003

Further Information on UA 45/02 (MDE 16/005/2002, 13 February 2002) and follow-up (MDE 16/016/2002, 30 October 2002) - Death penalty/Torture/Unfair trial

JORDAN

Ra'ed Muhammad Hijazi (m)

On 5 January 2003, following a re-trial the State Security Court (SSC) upheld its decision to sentence Ra'ed Muhammad Hijazi to death. The decision follows an appeal against his death sentence handed out by the SSC on 11 February 2002. His defence lawyers will again appeal the decision before the Court of Cassation, (appeal court).

In February, the SSC convicted Ra'ed Muhammad Hijazi on charges of plotting to carry out "terrorist" activities and the illegal production and possession of explosive materials. The case was again referred to the SCC after the Court of Cassation ruled that the possession of explosive materials, including nitric acid, was insufficient to prove that Ra'ed Muhammad Hijazi was making bombs.

Ra'ed Muhammad Hijazi who holds dual Jordanian and US nationality reportedly confessed to the crimes after being tortured during interrogation. Amnesty International have expressed grave concerns at reports that Ra'ed Muhammad Hijazi has been condemned to death after confessions apparently made under duress and following an unfair trial.

BACKGROUND INFORMATION

Amnesty International has repeatedly 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^a and recommended that consideration be given to its abolition.

Since the beginning of 2002 some 14 people have been executed in Jordan.

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

- urging the authorities to commute the death sentence passed against Ra'ed Muhammad Hijazi, if upheld by the Court of Cassation;
- calling for Ra'ed Muhammad Hijazi to be re-tried 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 not only have 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;
- expressing concern at the recent executions in Jordan and urging that no more executions be carried out and that the government work towards abolishing the death penalty.

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 20 February 2003.