

EXTERNAL

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Death Penalty / Legal concern / Torture

2 July 1996

JORDAN Mustafa Sulaiman 'Abd al-Latif Abu Hamid

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Mustafa Sulaiman 'Abd al-Latif Abu Hamid will face imminent execution if his death sentence, confirmed by the Court of Cassation on 12 June 1996, is now ratified by King Hussain bin Talal. Mustafa Abu Hamid was convicted of murder and sentenced to death by the Criminal Court on 27 February. He alleges that he was tortured in pre-trial detention into confessing to the crime.

Following his arrest in April 1995, Mustafa Abu Hamid was held for one month in police custody without charge. He stated that he confessed to the crime after severe torture including being hung upside down from nails inserted into his ankles; he was then allegedly admitted to hospital under a false name for treatment. During the trial a complaint was lodged about the torture, but no medical reports were brought before the court and no investigation was ordered by the judge. This violates Article 5 of the Annex of the United Nations *Safeguards guaranteeing protection of the rights of those facing the death penalty* which states that: "capital punishment may only be carried out pursuant to a final judgement rendered by a competent court after legal process which gives all possible safeguards to ensure a fair trial...". It also includes the right to adequate legal assistance at all stages of the proceedings. Mustafa Abu Hamid was denied access to his lawyer for the first month after arrest.

Amnesty International does not condone crimes of violence, and recognizes the responsibility of governments to bring the perpetrators to justice. However, it opposes the death penalty in all cases as a violation of the right to life and of the right not to be subjected to cruel, inhuman or degrading punishment as specified in the Universal Declaration of Human Rights. Amnesty International has repeatedly expressed its concerns to the Jordanian authorities about the increase in the use of the death penalty over the last three years.

#### **BACKGROUND INFORMATION**

At least seven people have been executed in Jordan this year. There are believed to be tens of people awaiting execution on death row. Executions are usually by hanging at dawn at Swaqa Prison outside Amman.

The new Jordanian Government, appointed in January 1996, has stated that it is putting human rights on its agenda and it has recently established a Centre for the Study of Freedom and Democracy and Human Rights. However, this has not affected the imposition of the death penalty. Indeed, the scope of the death penalty has been extended by the execution, on 11 May, of Othman 'Ali and Sabri 'Abdullah for the crime of rape. They were the first defendants convicted of rape to be sentenced to death under the 1988 amendment to the Penal Code, making the rape of a girl under the age of 15 an offence punishable by the death penalty. Amnesty International is deeply concerned at the extension of the use of the death penalty that these executions represent.

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

- expressing sympathy of victims of violent crime and their families and acknowledging the right and duty of the government to bring to justice

perpetrators of such crimes, but stating opposition to the death penalty in all cases;

- urging that the death sentence imposed on Mustafa Sulaiman 'Abd al-Latif Abu Hamid by the Criminal Court on 27 February and ratified by the Court of Cassation on 12 June be commuted;
- referring to the UN Safeguards, call for a full investigation into his alleged torture;
- urging that the procedure and results of the investigation be made public and calling for a retrial if it is found that his confession was extracted under torture;
- urging that no further executions be carried out in Jordan.

**APPEALS TO:**

1) His Majesty King Hussein bin Talal  
King of the Hashemite Kingdom of Jordan  
The Royal Palace  
Amman, The Hashemite Kingdom of Jordan  
**Faxes: +962-6-634-755**  
**Telegrams: King Hussein, Amman, Jordan**  
**Salutation: Your Majesty**

2) His Excellency 'Abd al-Karim Kabariti  
Prime Minister  
Office of the Prime Minister  
PO Box 80  
Amman, The Hashemite Kingdom of Jordan  
**Faxes: +962 6 642 520**  
**Telegrams: Prime Minister, Amman, Jordan**  
**Salutation: Your Excellency**

3) His Excellency 'Abd al-Karim al-Dughami  
Minister of Justice  
Ministry of Justice  
Amman, The Hashemite Kingdom of Jordan  
**Telegrams: Justice Minister, Amman, Jordan**  
**Salutation: Your Excellency**

4) His Excellency Awad Khleifat  
Minister of the Interior  
Ministry of the Interior  
Amman, The Hashemite Kingdom of Jordan  
**Faxes: +962 6 606 908**  
**Telegrams: Interior Minister, Amman, Jordan**  
**Salutation: Your Excellency**

**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 25 August 1996.