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PUBLIC STATEMENT

Palestinian Authority: Amnesty International shocked by the Palestinian Authority's first use of the death penalty

Amnesty International unequivocally condemns the Palestinian Authority's execution of two men on 30 August. Ra'ed and Muhammad Abu Sultan were executed after receiving a summary and unfair trial before a special military court, only three days after they were charged with committing two killings.

This case not only involved the violation of Ra'ed and Muhammad Abu Sultan's right to life, but also their right to a fair trial. We are shocked that the Palestinian Authority has chosen to execute two men the day after a summary trial, where they were represented by state-appointed lawyers and were denied any right to appeal.

Amnesty International is completely opposed to the death penalty. It considers this punishment to be the ultimate form of cruel, inhuman and degrading treatment and a violation of the right to life.

In this case a dispute reportedly arose between the al-Khalidi and Abu Sultan families in Deir al-Balah in the Gaza Strip on 27 August. Two men, Muhammad and Majdi al-Khalidi, were killed during the incident and another person was injured. Later that day, Yasser Arafat, the President of the Palestinian Authority, ordered the establishment of a special military tribunal to try those allegedly involved in the incident.

The trial of Ra'ed, Muhammad and Fares Abu Sultan, all members of the Palestinian *istikhbarat* (military intelligence) opened the following day, a Friday, when the courts do not usually sit. Human rights organizations and lawyers were not aware that the trial was opening and therefore had no opportunity to attend on the first day. Also, the accused were apparently not given the opportunity to be represented by lawyers of their choice. They were reportedly represented by lawyers from the Palestinian security forces, appointed by the prosecutor's office.

On 29 August the court sentenced the three accused to death. Ra'ed and Muhammad Abu Sultan were executed by firing squad the following afternoon at the Gaza Police Headquarters. President Yasser Arafat commuted the death penalty imposed on Fares Abu Sultan to life imprisonment.

Amnesty International also fears that the special military court convicted the three accused on insufficient evidence: the trial was extremely short and there was clearly not enough time for the Palestinian Authority to conduct a comprehensive investigation, including forensic tests, into the

circumstances of the killings in Deir al-Balah before trying Ra'ed, Muhammad and Fares Abu Sultan.

Amnesty International finally expresses its grave concern that Ra'ed, Muhammad and Fares Abu Sultan were denied the right to appeal the court verdict, as required by Article 14 of the International Covenant on Civil and Political Rights. There is no right of appeal against the decision of special military tribunals, as opposed to the Palestinian Authority's ordinary military courts.

Amnesty International is deeply disappointed that the Palestinian Authority has resisted the worldwide trend towards abolition of the death penalty by carrying out executions for the first time since it was established in 1994. We call on the Palestinian Authority to guarantee that the death penalty will not be employed in the future.

To date, the Palestinian Authority's State Security Court and military courts have issued about 20 death sentences, often after the accused received unfair trials. President Yasser Arafat has commuted most of these sentences to life imprisonment. ... \ ENDS