

PUBLIC

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Death Penalty/Fear of imminent execution

PALESTINIAN AUTHORITY

Tha'er Mahmoud Husni Rmailat (m), aged 23

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Military Intelligence officer Tha'er Mahmoud Husni Rmailat was sentenced to death by a military court in the city of Jenin on 6 April 2008. He may now appeal; if this is unsuccessful his sentence must be ratified by President Mahmoud Abbas before it can be carried out.

Tha'er Mahmoud Rmailat was sentenced to death for the murder of a National Security Forces officer in the northern West Bank city of Tulkarem on 22 October 2006, the day before the major Islamic holiday of Eid al-Fitr.

Tha'er Rmailat's lawyer has said that he was only given one day's notice of the hearing. Under the Palestinian Authority (PA) Basic Law, he should have been given at least 72 hours in which to prepare a defence.

#### **BACKGROUND INFORMATION**

Since the PA was established, in 1994, more than 60 Palestinians have been sentenced to death, and 10 have been executed. Several others were unlawfully killed either in prison or after escaping.

Many of these death sentences were handed down by the State Security Court, which has since been abolished, whose proceedings were notoriously unfair. A decree issued by President Abbas on 22 June 2005 ordered that all those who had been sentenced to death by the State Security Court should be retried by civilian courts. However, this decree did not impose any kind of ban or limit on the use of the death penalty.

The last known execution in the Palestinian Authority took place on 27 July 2005 when Ra'ei Khalil al-Mughrabi was hanged at Gaza central prison. He had been sentenced to death for murder in 2001, by a criminal court.

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

- urging President Mahmoud Abbas not to ratify the death sentence imposed on Tha'er Mahmoud Husni Rmailat, and to institute a moratorium on the death penalty in the Palestinian Authority;
- urging the PA to abolish the death penalty;
- acknowledging that it is the right and responsibility of the PA to bring to justice those suspected of criminal offences, but pointing out that no convincing evidence has ever been produced that the death penalty is a more effective deterrent than any other punishment.

**APPEALS TO:**

President

President Mahmoud Abbas  
Office of the President  
Ramallah  
Palestinian Authority

**Fax:** +972 2 2409648  
**E-mail:** plo-sg@palnet.com  
**Salutation:** Dear President Abbas

Prime Minister

Dr Salam Fayyad  
Prime Minister's Office  
Ramallah  
Palestinian Authority

**Fax:** +972 2 295 0979  
**E-mail:** diwan@pmo.gov.ps  
**Salutation:** Dear Prime Minister

Minister of Justice

Dr Ali Khashaan  
Ministry of Justice  
Ramallah  
Palestinian Authority, via Israel

**Fax:** +972 2 297 3264  
+972 2 295 0979  
**Salutation:** Dear Minister

**COPIES TO:** diplomatic representatives of the Palestinian Authority accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 28 May 2008.