

PUBLIC

AI Index: MDE 16/05/00

UA 290/00

Death penalty/Torture/Unfair Trial

20 September 2000

JORDAN

Khader Abu Hoshier

Usama Husni Kamel Sammar

On 18 September eight people were sentenced to death, six *in absentia*, and 14 to imprisonment by the Jordanian State Security Court. Some of these had been held in prolonged incommunicado detention and had allegedly been tortured. Amnesty International is concerned that Khader Abu Hoshier and Usama Husni Kamel Sammar are at risk of execution.

Khader Abu Hoshier and Usama Husni Kamel Sammar were sentenced to death for their alleged involvement with *al-Qa'eda* (the Base), an organization supposedly linked to Usama ben Laden. Among other things, they were convicted of plotting to carry out bomb attacks in Jordan, manufacturing explosives and recruiting people to carry out attacks on Jewish and American targets. The sentences are subject to appeal to the Court of Cassation, and, if upheld, must be approved by the King.

During the same trial, six people, who have fled the country, were sentenced to death *in absentia*. Three people were sentenced to life imprisonment and 11 people were sentenced to terms of imprisonment ranging from seven and a half to 15 years. Six people were acquitted.

Throughout the trial period, which began in April, serious restrictions were imposed on communication between the defendants and their lawyers, allowing them to meet only in the presence of the security forces. The defendants were also reportedly beaten, and at least three defendants were moved from dormitories into solitary confinement for up to two months, apparently as a punishment.

Those who stood trial were arrested by the Jordanian security forces in December 1999 and held in incommunicado detention for up to three months at the General Intelligence Department's detention centre. Their bodies reportedly showed marks of torture when relatives and lawyers saw them for the first time. During the trial, Khader Abu Hoshier stated that he had been subjected to "very tough interrogation methods", and that other defendants were "tortured and terrorised" into testifying against him. Other defendants, including those acquitted, also stated that they had been subjected to prolonged torture and ill-treatment, and that confessions had been extracted under duress. The methods of torture reportedly used include severe beatings with shackled feet and *Falaga* (beatings of the soles of the feet). To Amnesty International's knowledge, no medical examinations or investigations into the torture allegations have been ordered.

BACKGROUND INFORMATION

Amnesty International has previously criticised Jordan's use of prolonged incommunicado detention, which may allow torture. Amnesty International has also criticised State Security Court trials on the grounds that this court does not offer the same guarantees of justice as a normal criminal court, since the judges are almost invariably military.

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

- calling for the death sentence on Khader Abu Hoshier and Usama Husni Kamel Sammar to be commuted;
- calling for the allegations of torture and ill-treatment to be investigated, and for anyone found to have used torture to be brought to justice;
- expressing concern that detainees were held in prolonged incommunicado detention, contrary to United Nation human rights standards such as the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, which state that those detained should be given prompt access to lawyers and family;
- noting that governments have not only 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.

APPEALS TO:

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COPIES TO:

Her Majesty Queen Rania
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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 1 November 2000.