

UA 35/01 Risk of Execution/Legal and Torture Concerns 6 February 2001

SAUDI ARABIA William Sampson, Canadian national
Alexander Mitchell, British national
Raf Schyvens, Belgian national, and others

The three men named above, and possibly others, are at risk of being sentenced to death and executed after a summary, secret and unfair trial.

On 4 February, the Minister of Interior, Prince Naif bin 'Abdul 'Aziz, announced on Saudi Arabian television that William Sampson, Alexander Mitchell and Raf Schyvens were under arrest and that they had "confessed" to bombings in Riyadh. The bombings on 17 and 22 November 2000 resulted in the death of one man and injury to many others. The announcement was followed by film footage of the three men showing William Sampson and Alexander Mitchell 'confessing' to having carried out the bombings, and adding that Raf Schyvens was also involved in one of the bombings. During the broadcast, Prince Naif bin 'Abdul 'Aziz is reported to have said that in total nine individuals, all foreign nationals, had been arrested, that they were involved in "security issues", and were currently being interrogated. On 5 February Prince Naif was reported in the Saudi Arabian press as saying that the three would be tried and punished in accordance with Shari'a law. He gave no start date for the trial.

The three, along with a number of others, were arrested some two months before they appeared on television. As far as Amnesty International is aware, they have not been granted access to legal assistance since their arrest. Detainees in Saudi Arabia are routinely denied the right to be formally represented by lawyers during their trial hearings. Confessions, even when obtained as a result of torture, may be accepted by the court as evidence, and may be the sole evidence on which a conviction is based.

Amnesty International considers the televised "confession" of the three as implying their guilt before any trial has taken place, and as such, is a breach of Article 11(1) of the Universal Declaration of Human Rights (UDHR) which states that 'Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees for his defence.'

BACKGROUND INFORMATION

It is common practice in Saudi Arabia for people to be sentenced to death and executed after summary and secret trials where they are invariably denied the most basic rights for fair trial. In 1996, four Saudi Arabian nationals were shown on Saudi Arabian television in similar circumstances "confessing" to having carried out the bombing of the Saudi Arabian National Guard training centre in Riyadh in November 1995. On the same day Prince Naif bin 'Abdul 'Aziz announced that the four would be tried and punished in accordance with the law, thereby suggesting that the four had not yet been tried. Their execution followed 40 days later (see EXTRA 80/96 (MDE 23/04/96, 28 May 1996, and MDE 23/06/96 31 May 1996).

Saudi Arabia applies the death penalty for a wide range of offences. In 2000, Amnesty International recorded 123 executions. For further information, see *Saudi Arabia: A secret state of suffering* (AI Index MDE

23/01/00) and *Saudi Arabia: A justice system without justice* (AI Index MDE 23/02/00).

It is rare for such trials to be announced in advance. Often Amnesty International only learns of executions after they have been carried out.

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

- seeking clarification of the exact charges against William Sampson, Alexander Mitchell and Raf Schyvens;
- seeking assurances that all detainees will be treated humanely, and urging that they be given immediate access to family, lawyers and medical care as necessary;
- urging that the 1984 UN Safeguards guaranteeing the protection of the rights of prisoners facing the death penalty must be adhered to immediately.

APPEALS TO:

King and Prime Minister, The Custodian of the Two Holy Shrines

His Majesty King Fahd bin 'Abdul 'Aziz Al-Saud

Office of H.M. The King, Royal Court, Riyadh, Kingdom of Saudi Arabia

Telegrams: King Fahd, Riyadh, Saudi Arabia.

Salutation: Your Majesty.

Minister of the Interior, His Royal Highness Prince Naif bin 'Abdul 'Aziz
Minister of the Interior, Ministry of the Interior

P.O. Box 2933, Airport Road, Riyadh 11134, Kingdom of Saudi Arabia

Fax: + 966 1 403 1185

Telegram: Minister of Interior, Riyadh, Saudi Arabia

Salutation: Your Royal Highness

Minister of Justice

His Excellency Dr. 'Abdullah bin Muhammad bin Ibrahim Al-Sheikh

Minister of Justice, Ministry of Justice, University Street, Riyadh 11137,
Kingdom of Saudi Arabia

Fax:+ 966 1 401 1741

Telegram: Minister of Justice, Riyadh, Saudi Arabia

Salutation: Your Excellency

COPIES TO: diplomatic representatives of Saudi Arabia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 20 March 2001.