

Saudi Arabia: Justice must be seen to be done

The decision of the Saudi Arabian authorities to hold the trial of three men arrested in March in public is a very welcome move in the advancement of human rights in the country. However, their failure to allow organizations like Amnesty International (AI) to send delegates to the trial casts a shadow over their initiatives. By denying independent observers the opportunity to verify the fairness of these trials, the Saudi authorities are denying themselves the opportunity to show how they are advancing human rights.

The trial of Dr Matrouk al-Falih, Dr Abdullah al-Hamid and Mr Ali al-Deminy, which was postponed on Monday, provides a case in point. The Saudi Arabian authorities failed to permit AI's delegate, Mr Hachemi Jegham, to observe the trial of the three men. While the authorities have the right, and the responsibility, to ensure order during trial proceedings, the fact that there was no independent observation of the reported incidents in the court, which led to the postponement, makes them impossible to verify.

The rare public trial in Saudi Arabia of the three men, who were arrested in March after they called for a constitutional monarch and criticised the political establishment to demand reforms, was apparently postponed after the judge declared that court rules were being disrespected. Press reports have said that supporters of the men interrupted the trial chanting pro-reform slogans.

The date of the postponed hearing has not been made public. The Saudi Arabian authorities have failed to grant a visa for the trial to AI's choice of observer, Mr Hachemi Jegham, a Tunisian national and a lawyer.

The three men were among at least 11 people arrested in March. Eight of these were released in April and May after they signed pledges agreeing to seek the government's permission before carrying out any future public political activity. Dr Matrouk al-Falih, Dr Abdullah al-Hamid and Mr Ali al-Deminy refused to sign the pledges. The three have since been detained in the General Intelligence (*al-Mabahith al-'Amma*) in 'Ulaysha, in Riyadh.

However, despite the concerns about this trial, the fact that it was held publicly contrasts with another, far less public, case involving the detention of three men from the Zua'ir family. Dr Sa'id bin Al Zua'ir was detained in April 2004 in connection with his criticisms of the government and his calls for political reforms in Saudi Arabia. His two sons, Sa'd bin Sa'id Al Zua'ir and Mubarak bin Sa'id Al Zua'ir, were arrested in July 2002 and June 2004 respectively in connection with their public campaigning to highlight their father's detention and demanding his release.

All three have been held in *al-Hair* prison in Riyadh without charge. Dr Sa'id bin Al Zua'ir was first arrested in May 1995 and has been detained for over seven years. He is on a hunger strike in prison, protesting against the government's refusal to allow another of his sons, Abdullah bin Sa'id Al Zua'ir, to act as his legal representative.

Sa'd bin Sa'id Al Zua'ir's family have not received any information about his status since his detention in 2002, while Mubarak bin Sa'id Al Zua'ir has been detained for almost 60 days. Neither man has been allowed access to lawyers or family visits.

Anyone detained without charge should either be charged without delay with a recognizably criminal offence or released immediately. The authorities should make known the exact charges against Dr Sa'id bin Al Zua'ir, Sa'd bin Sa'id Al Zua'ir and Mubarak bin Al Zua'ir.

All six men must be given a prompt and fair trial in accordance with international standards of fairness and the Saudi Arabian authorities should facilitate organizations like Amnesty International acting as observers. Furthermore, all of the men must be protected from torture and ill-treatment and given regular access to lawyers of their choosing, family visits and medical assistance if necessary.

AI believes that they might be prisoners of conscience, held solely for the non-violent exercise of their right to freedom of expression and association. The organization calls on the Saudi Arabian government to release, immediately and unconditionally, anyone held solely for calling for political reforms in Saudi Arabia.

If the criminal justice system in Saudi Arabia is to offer human rights protection, procedures must be shown to fall into line with international human rights standards and be applied equally to all. AI has made repeated requests to the Saudi Arabian authorities to visit the country. Up to this day, it has not received any reply. As a result, the authorities are denying themselves the opportunity to prove that they are making progress on improving human rights in their country.