

PUBLIC

AI Index: MDE 23/012/2008  
8 April 2008

Further information on UA 116/07 (MDE 23/019/2007, 17 May 2007) and follow-ups (MDE 23/030/2007, 2 August 2007; MDE 23/016/2008, 31 March 2008) - Death Penalty/Fear of imminent execution

SAUDI ARABIA

Mohamed Kohail (m), aged 23, Canadian national  
Sultan Kohail (m), aged 17, Canadian national  
Mehanna Sa'd (m), aged 22, Jordanian national

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Sultan Kohail was sentenced to 200 lashes and one year's imprisonment on 5 April, in connection with the murder of a Syrian boy, who died in a schoolyard brawl in January 2007. His sentence will be sent for review to the Court of Cassation, which can recommend that he be retried by a General Court. This court would have the power to sentence him to death, even though he is 17 years old.

He was arrested with his brother Mohamed Kohail and Jordanian national Mehanna Sa'd, who were sentenced to death in March. Both men have appealed to the Court of Cassation, and will be in imminent danger of execution if their appeals are rejected. Their trial was reportedly unfair; after arrest they were held incommunicado for about a month and a half, and beaten in an attempt to make them confess. Their trial before the Jeddah General Court took place over nine sessions, of which their lawyer was allowed to attend only the last one or two, where he was not allowed to challenge the evidence brought against them.

#### BACKGROUND INFORMATION

Saudi Arabia applies the death penalty for a wide range of offences, and does so following trials which invariably fall short of the most basic international standards. Hearings are often held in secret, and defendants are rarely permitted any formal legal representation. They may be convicted solely on the basis of confessions obtained under duress or deception. In many cases defendants and their families are not informed of the progress of legal proceedings against them. Prisoners under sentence of death may not be informed of the date of execution until the morning when they are taken out and beheaded.

Saudi Arabia is a state party to the Convention on the Rights of the Child (CRC) and so has undertaken not to execute anyone for crimes committed when they were under 18.

In 2007 the authorities executed at least 158 people, of whom 76 were foreign nationals. At least 37 people, 13 of them foreign nationals, have been executed so far this year.

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

- calling on the authorities to commute the sentences of flogging imposed on 17-year-old Sultan Kohail to a humane punishment, as Saudi Arabia is a state party to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- expressing concern that Sultan Kohail remains at risk of being sentenced to death, and asking the authorities to guarantee that this will not happen, as Saudi Arabia is a state party to the Convention on the Rights of the Child;
- calling on the authorities to ensure that in their appeal Mohamed Kohail and Mehanna Sa'd are able to address the irregularities of their trial and death sentence in fair and transparent hearings;
- urging the King to commute the death sentences if they are upheld on appeal;

#### APPEALS TO:

**Please note that you may experience difficulties sending faxes on Thursdays and Fridays, which are the weekend in Saudi Arabia.**

His Majesty King Abdullah Bin 'Abdul 'Aziz Al-Saud  
The Custodian of the two Holy Mosques  
Office of His Majesty the King  
Royal Court, Riyadh, Kingdom of Saudi Arabia  
**Fax: (via Ministry of the Interior) +966 1 403 1185 (please keep trying)**  
**Salutation: Your Majesty**

His Royal Highness Prince Naif bin 'Abdul 'Aziz Al-Saud  
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 (please keep trying)**  
**Salutation: Your Royal Highness**

His Royal Highness Prince Saud al-Faisal bin 'Abdul 'Aziz Al-Saud  
Minister of Foreign Affairs  
Ministry of Foreign Affairs  
Nasseriya Street  
Riyadh 11124  
Kingdom of Saudi Arabia  
**Fax: +966 1 403 0645**  
**Salutation: Your Royal Highness**

**COPIES TO:**

Mr Turki bin Khaled Al-Sudairy  
President  
Human Rights Commission  
PO Box 58889, Riyadh 11515  
King Fahad Road, Building No.373  
Riyadh  
Kingdom of Saudi Arabia  
**Fax: +966 1 4612061**

and 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 May 2008.