

PUBLIC

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12 May 2009

Further Information on UA 86/08 (MDE 23/019/2008, 3 April 2008) and follow-up (MDE 23/036/2008, 14 August 2008) - Death Penalty/Flogging

SAUDI ARABIA	Sultan Bin Khalid Mahmud al-Maskati (m), aged about 23]
	Yusef Bin Hassan Bin Salman al-Muwallad (m), aged 23]
	Qassim Bin 'Ali Bin Ibrahim Al-Nakhli (m), aged 23] executed
	Sultan Bin Sulayman Bin Muslim al-Muwallad (m), aged 20]
	'Issa Bin Muhammad 'Umar Muhammad (m), aged 21, Chadian national]
	Bilal Bin Muslih Bin Jabir al-Muwallad (m), aged 20	
	Ahmad Hamid Muhammad Sabir (m), aged 18, Chadian national	

Five of the seven men named above, including two who had been convicted of crimes they allegedly committed while aged 17, were executed on 10 May in the city of Madina. The remaining two men, Bilal Bin Muslih Bin Jabir al-Muwallad and Ahmad Hamid Muhammad Sabir, who were sentenced to flogging and imprisonment in the same case, are at risk of being flogged at any time.

All seven men were arrested in 2004 and charged with theft, robbery and assault. They were held incommunicado at police stations in the city of Madina, where they were allegedly beaten in an attempt to make them confess.

In February 2008, the General Court in Madina sentenced five of the men to death: Sultan Bin Khalid Mahmud al-Maskati, Yusef Bin Hassan Bin Salman al-Muwallad, Qassim Bin 'Ali Bin Ibrahim Al-Nakhli, Sultan Bin Sulayman Bin Muslim al-Muwallad and 'Issa Bin Muhammad 'Umar Muhammad. Two of the men – Sultan Bin Sulayman Bin Muslim al-Muwallad and 'Issa Bin Muhammad 'Umar Muhammad – were aged 17 at the time of their alleged crimes. The Court of Cassation in Makkah upheld all of their sentences in July 2008.

The General Court sentenced the two remaining men to “severe flogging” and 15 years’ imprisonment. Bilal Bin Muslih Bin Jabir al-Muwallad, who was 15 at the time of the alleged offences, was sentenced to 1,500 lashes. Ahmad Hamid Muhammad Sabir, who was 13 at the time of the alleged offences, was sentenced to 1,250 lashes. The “severe lashes” are to be administered in instalments at 10-day intervals in public at the scene of the offences.

BACKGROUND INFORMATION

Saudi Arabia is a state party to the Convention on the Rights of the Child, which expressly prohibits the execution of juvenile offenders – those convicted of crimes committed when they were under 18. It is also a state party to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which expressly prohibits the use of punishments such as flogging.

At least 158 people, including 76 foreign nationals, were executed by the Saudi Arabian authorities in 2007, and at least 102 people, including almost 40 foreign nationals, were executed in 2008. Since the beginning of 2009, a further 36 people are known to have been executed.

Saudi Arabia applies the death penalty for a wide range of offences. Court proceedings fall far short of international standards for fair trial. Defendants are rarely allowed formal representation by a lawyer, and in many cases 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. They may be convicted solely on the basis of confessions obtained under duress or deception.

In a recent report on the use of the death penalty in Saudi Arabia, Amnesty International highlighted the extensive use of the death penalty as well as the disproportionately high number of executions of foreign nationals from developing countries. For further information please see *Saudi Arabia: Affront to Justice: Death Penalty in Saudi Arabia* (Index: MDE 23/027/2008), issued on 14 October 2008: <http://www.amnesty.org/en/news-and-updates/report/saudi-arabia-executions-target-foreign-nationals-20081014>

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

- expressing dismay that the five men named above were executed;
- expressing particular concern that two of them, Sultan Bin Sulayman Bin Muslim al-Muwallad and 'Issa Bin Muhammad 'Umar Muhammad, had been convicted of crimes they allegedly committed while aged 17, and that, by executing them, Saudi Arabia had breached its obligations under the Convention on the Rights of the Child;
- calling for the sentences of flogging against Bilal Bin Muslih Bin Jabir al-Muwallad and Ahmad Hamid Muhammad Sabir to be commuted to a humane punishment, particularly given Saudi Arabia's obligations as a state party to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

APPEALS TO:

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

COPIES TO:

Mr Bandar Mohammed Abdullah Al Aiban

President

Human Rights Commission

P.O. Box 58889, King Fahad Road, Building No. 373

Riyadh 11515, Kingdom of Saudi Arabia

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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 23 June 2009.