

PUBLIC

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UA 84/08 **Fear of amputation/ Torture and other ill-treatment**

SAUDI ARABIA	Muhammad Hamid Ibrahim Sulayman (m),]
	Hassan Bashir (m),]
	Muhammad Salih (m),] All Chadian nationals
	Jamila Muhammad Tijani (f)]

The four people named above were arrested in January 2007 in the al-Suwaidi area of Riyadh on suspicion of robbing a jewellery shop. Most, if not all, of them were subjected to lengthy incommunicado detention and allegedly beaten in order to force them to confess to the charges against them. Muhammad Hamid Ibrahim Sulayman was reportedly kicked and punched during his arrest, which resulted in him sustaining injuries to his mouth that required hospital treatment.

Following their arrest, all four were subsequently tried before a criminal court in Riyadh with no legal assistance or representation. Their trial was reportedly concluded at the end of March 2008. The three men were reportedly sentenced to amputation of the right hand. Hassan Bashir is currently being held in Madina Prison, while Muhammad Salih and Muhammad Ibrahim Sulayman are held in al-Hair Reform Prison in Riyadh. Their case is being reviewed by the Court of Cassation.

Jamila Muhammad Tijani received a sentence of one year's imprisonment, but has been released on bail until her case is reviewed by the Court of Cassation. Both the Court of Cassation and the Supreme Judicial Council, which subsequently has to ratify the sentence, have the power to amend her punishment, so that she also risks being sentenced to corporal judicial punishment, including amputation.

BACKGROUND INFORMATION

Punishment by amputation is enforced in Saudi Arabia for offences mainly limited to cases of theft, for which the sentence is amputation of the right hand, and highway robbery, which is punished by cross amputation. Under international human rights standards the use of these punishments is contrary to the prohibition of torture and other cruel punishments.

Amnesty International recognizes the right and responsibility of all governments to bring to justice those guilty of recognizably criminal offences. However, Amnesty International considers the cruel, inhuman and degrading punishment of judicial amputation to be a form of torture. The organization is committed to defending all people against the violations of these fundamental and internationally recognized rights, in line with Articles 3 and 5 of the Universal Declaration of Human Rights.

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

- urging the Saudi Arabian authorities to ensure that all four Chadian nationals be given appropriate medical attention, and access to lawyers and interpreters;
- expressing grave concern that Muhammad Hamid Ibrahim Sulayman, Hassan Bashir and Muhammad Salih have been sentenced to amputation;
- expressing concern that Jamila Muhammad Tijani is at risk of also being sentenced to corporal judicial punishment, including amputation;
- stating that Amnesty International recognizes the right and responsibility of governments to bring to justice those suspected of criminal offences, but opposes punishments, such as amputation, which constitute cruel, inhuman and degrading treatment amounting to torture;
- calling for the sentences of amputation to be commuted regardless of the offence for which they have been handed down;
- calling on the authorities to halt all amputations immediately, as the use of such punishment constitutes cruel, inhuman and degrading punishment, in violation of Saudi Arabia's obligations as a state party to CAT and Article 5 of the Universal Declaration of Human Rights, which states: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment".
- expressing concern at reports that the four Chadian nationals have been subjected to torture or other ill-treatment and urging the authorities to open a full, impartial and independent investigation into them;
- calling on the authorities to take immediate measures to protect the detainees from being subjected to further torture or other ill-treatment.

APPEALS TO:

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

Salutation: Your Majesty

His Excellency Dr Abdullah bin Muhammad bin Ibrahim Al-Sheikh
 Minister of Justice
 Ministry of Justice
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Fax: + 966 1 401 1741

Salutation: Your Excellency

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

The President
The Human Rights Commission
PO Box 58889, Riyadh 11515
King Fahad Road
Building No.373
Riyadh
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 14 May 2008.