

PUBLIC

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Further Information on UA 340/04 (AMR 51/183/2004, 22 December 2004) - Fear of Torture and ill-treatment/Incommunicado detention

SAUDI ARABIA Ahmed Abu 'Ali (m), aged 23, US national

The US State Department has reportedly asked the Government of Saudi Arabia to charge Ahmed Abu 'Ali and bring him before a court or else facilitate his return to the United States. Amnesty International does not know if there has been any official response to the request which was allegedly made last week.

Ahmed Abu 'Ali has been detained in Saudi Arabia since 11 June 2003, following his arrest in the city of Medina while taking an exam at *al-Madina* University. At the time of his initial arrest Ahmed Abu 'Ali was reportedly held in incommunicado detention for two months, when he was allegedly tortured and ill-treated. He was then able to telephone his family in the US every two weeks until 20 November 2004, when they last heard from him.

On 16 December 2004, US District Court Judge John D Bates, in a lawsuit brought by Ahmed Abu 'Ali's family, stated that there was "considerable evidence" that the US were complicit in his capture. In addition, the US consul in Saudi Arabia did not visit Ahmed Abu 'Ali for almost a month after his arrest. US federal agents are also alleged to have been involved in his interrogation and torture. During an interrogation, Federal Bureau of Investigation (FBI) agents allegedly threatened Ahmed Abu 'Ali with being declared an "enemy combatant" and sent to Guantánamo Bay, or tried in Saudi Arabia where he would have no legal assistance, public hearing or the right of appeal to a higher tribunal.

Judge John D Bates is said to have scheduled a hearing for 11 February 2005 to determine the process for deciding what information the US Government should disclose about their role in Ahmed Abu Ali's detention. If the US Government is found to have called for his detention in Saudi Arabia, Ahmed Abu Ali may be given the right to challenge the legality of his detention in the US Courts.

BACKGROUND INFORMATION

The impact of the so called "war on terror" on human rights in the Gulf and the Arabian Peninsula has been profound and far reaching. Governments in the region, such as Saudi Arabia's have treated nationals and residents of the Gulf region with a disturbing disregard for the rule of law and fundamental human rights standards. The results have been mass arrests, prolonged detention without charge or trial, incommunicado detention, torture and ill-treatment, strict secrecy surrounding the fate and whereabouts of some detainees, and apparent extra-judicial killings. These human rights violations have had profound effects not only on individual victims but also on their relatives and the general human rights situation in the region.

Throughout the "war on terror" US authorities have also shown a blatant disregard for the rule of law. The administration has turned a blind eye to, acquiesced in, or directly authorized human rights violations. Examples include the detention conditions at Guantánamo Bay which for hundreds of detainees have amounted to cruel, inhuman or degrading treatment, interrogation techniques that violate the USA's obligations under international human rights and humanitarian law, and the use of secret detention and prolonged incommunicado detention. The latter practices not only facilitate torture and ill-treatment but can amount to such treatment in themselves June 92. They also facilitate arbitrary arrest and "disappearance".

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

- noting reports that the US State Department has asked the Government of Saudi Arabia to charge Ahmed Abu 'Ali and bring him before a court or else facilitate his return to the United States;
- urging the Government of Saudi Arabia to put an end to the detention without charge or trial of Ahmed Abu Ali;
- requesting that all efforts are being made to determine his legal status and well-being and to ensure that his family are kept fully informed;
- seeking assurances that he is be given regular access to family, lawyers, consular visits and medical attention, if necessary;
- expressing concern that US national Ahmed Abu 'Ali may be held in incommunicado detention in *al-Ha'ir* Prison in Riyadh;
- seeking assurances that his safety be guaranteed following reports that he has allegedly been tortured and ill treated.

APPEALS TO:

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 (If someone answers ask for a fax line)

Salutation: Your Royal Highness

Minister of Foreign Affairs

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 0159 (it may be difficult to get through, please keep trying)

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

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 18 March 2005.