

PUBLIC

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Death penalty/unfair trial

19 August 2005

SAUDI ARABIA

Abdullah Fandi al-Shammari (m)

Abdullah Fandi al-Shammari was sentenced to death by the Cassation Court for a murder committed 23 years ago. Amnesty International believes he was unfairly tried and should have his sentence commuted by King Abdullah who has the final decision in whether to ratify or commute the sentence.

In 1989 Abdullah Fandi al-Shammari was tried and found guilty of manslaughter, on the basis that he did not intend to kill the victim. He was ordered to pay blood money to the family of the victim, and was then released. However, three years later, he was rearrested and retried for the same crime and was sentenced to death in 1992. His case was heard and determined in one session; neither he nor his lawyer had access to the file, and were not able to appeal against the sentence before it was ratified by the Cassation Court.

According to reports in *al-Watan* newspaper, the facts of the case in the second trial differed from the first. For example, in the second trial he was accused of using an iron bar when he attacked the victim, while in the first trial it was reported that he used a wooden stick. Abdullah Fandi al-Shammari's case is believed to have also been adopted by the Saudi Arabian, National Human Rights Association.

BACKGROUND INFORMATION

Saudi Arabia applies the death penalty for a wide range of offences. Court proceedings often fall far short of international standards for fair trial, and take place behind closed doors. Defendants do not have the right to formal representation by a lawyer, and in many cases are not informed of the progress of legal proceedings against them. They may be convicted solely on the basis of confessions obtained under duress, torture or deception.

At least 60 people are known to have been executed in Saudi Arabia so far this year including two women. The actual figure may be much higher.

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

- calling for the execution of Abdullah Fandi al-Shammari to be stayed and the death sentence to be commuted;
- calling on the authorities to investigate any reported irregularity in Abdullah Fandi al-Shammari's case, including the reported variations in the facts, and ensure that he is allowed to appeal against the decision;
- acknowledging the right of the government to bring to justice those responsible for criminal offences, but expressing unconditional opposition to the death penalty;
- reminding the authorities of international standards for fair trial in capital cases, including the right to seek an appeal, pardon or commutation of the sentence.

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 (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

King and Prime Minister

The Custodian of the Two Holy Shrines
His Majesty King Abdullah
Office of His Majesty The King
Royal Court, Riyadh
Kingdom of Saudi Arabia

Salutation: Your Majesty

COPIES TO: 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 30 September 2005.