

URGENT ACTION

ACADEMIC HELD IN SECRET AT RISK OF FLOGGING

Khalid al-Zahrani, a university academic, was arrested by security forces on his return to Saudi Arabia on 30 June. His place of detention has not been disclosed. He was sentenced in November 2007 to 600 lashes and eight months' imprisonment after being convicted of forming a relationship with a female academic and influencing her divorce. He is a prisoner of conscience and risks being flogged.

In November 2007, Biochemistry lecturer Khalid al-Zahrani and a female academic were sentenced after an unfair trial to be flogged and imprisoned after being convicted on charges that do not correspond to recognizable criminal offences. He lodged an appeal and then travelled to Egypt in July 2008. When he returned to Saudi Arabia he was arrested on arrival as his appeal had failed. Khalid al-Zahrani is a prisoner of conscience and should be released immediately.

Khalid al-Zahrani was accused of establishing a relationship with a female academic whose work he was supervising in 2004, and influencing her to divorce her husband. The female academic was accused of being Khalid al-Zahrani's "accomplice" as she acquired a divorce. Both were convicted in November 2007 by a court in the town of al-Mandaq in the al-Baha region of western Saudi Arabia. The female academic received a sentence of 350 lashes in addition to a four-month prison sentence; it is not known if her sentence has yet been carried out. Their trial proceedings failed to comply with international fair trial standards; Khalid al-Zahrani was not given adequate opportunity to challenge the evidence presented against him.

PLEASE WRITE IMMEDIATELY in Arabic, English or your own language:

- calling on the authorities not to carry out Khalid al-Zahrani's sentence of flogging and imprisonment;
- asking the authorities to ensure that Khalid al-Zahrani is being treated humanely and given access to his family, lawyers, and any medical attention he may require;
- stating that Khalid al-Zahrani is a prisoner of conscience and urging the authorities to release him immediately and unconditionally and withdraw the charges against him and the female convicted with him;
- reminding them that Saudi Arabia is a state party to the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), and that their responsibilities under the CAT are inconsistent with the imposition of heavy flogging sentences;
- urging the authorities to bring Saudi Arabian laws and practices into line with international laws and standards against torture, flogging and arbitrary imprisonment.

PLEASE SEND APPEALS BEFORE 11 AUGUST 2009 TO:

His Majesty, The Custodian of the two Holy Mosques
King 'Abdullah Bin 'Abdul 'Aziz Al-Saud
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

Minister of the Interior
His Royal Highness Prince Naif bin 'Abdul 'Aziz Al-Saud
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

Minister of Justice
His Excellency Shaykh Dr Mohammed bin Abdulaziz Al-Issa
Ministry of Justice
University Street
Riyadh 11137
Fax: + 966 1 401 1741
Salutation: Your Excellency

And copies to: President of the Human Rights Commission Mr Bandar Mohammed Abdullah Al Aiban, P.O. Box 58889, King Fahad Road, Building No. 373, Riyadh 11515, Kingdom of Saudi Arabia, Fax: + 966 1 4612061

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

This is the second update of UA 95/08: MDE 23/028/2008

Further information:

<http://amnesty.org/en/library/info/MDE23/028/2008/en>

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ADDITIONAL INFORMATION

Whilst in Egypt, Khalid al-Zahrani published a book about his case in which he criticised the Saudi Arabian authorities. He decided to go back to Saudi Arabia, and was arrested upon arrival at the airport in the Saudi Arabian city of Jeddah.

The female academic was not given the opportunity to attend the trial, examine the evidence against her or call witnesses. She was represented in court by her father; as a woman, she was not allowed, on account of her gender, to represent herself in court.

Khalid al-Zahrani's sentence was upheld by the Court of Cassation in July 2008. No further information is known about the female academic's appeal who was sentenced in the same case, or whether she has been imprisoned and subjected to the flogging sentence imposed on her.

Freedom from arbitrary interference with privacy and family, including consensual relationships between adults, is protected under international law and standards, including Article 12 of the Universal Declaration of Human Rights. As such, should the sentence of imprisonment be carried out, Amnesty International would consider the defendants to be prisoners of conscience.

Flogging is mandatory in Saudi Arabia for a number of offences, including consumption of alcohol, and can also be used at the discretion of judges as an alternative or addition to other punishments. Sentences can range from dozens to thousands of lashes, and are usually carried out in instalments, at intervals ranging from two weeks to one month.

In commenting on corporal punishments like flogging, the UN Special Rapporteur on Torture stated that "corporal punishment is inconsistent with the prohibition of torture and other cruel, inhuman or degrading treatment or punishment." The imposition of large numbers of lashes, as in these cases, is in particular violation of the prohibition of torture. Saudi Arabia is a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which prohibits torture.

Further Information UA: 95/08, Index: MDE 23/021/2009, Issue Date: 30 June 2009

