

Saudi Arabia: end secrecy, end suffering — an Amnesty International briefing

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Amnesty International takes action against some of the gravest violations by governments of people's civil and political rights. The focus of its campaigning against human rights violations is to:

- _ free all prisoners of conscience. According to Amnesty International's statute, these are people detained for their political, religious or other conscientiously held beliefs or because of their ethnic origin, sex, colour, language, national or social origin, economic status, birth or other status – who have not used or advocated violence;
- _ ensure fair and prompt trials for all political prisoners;
- _ abolish the death penalty, torture and other ill-treatment of prisoners;
- _ end political killings and “disappearances”.

Amnesty International also seeks to support the protection of human rights by other activities, including its work with the United Nations and regional intergovernmental organizations, and its work for refugees, on international military, security and police relations, and on economic and cultural relations.

Amnesty International calls on armed political groups to respect human rights and to halt abuses such as the detention of prisoners of conscience, hostage-taking, torture and unlawful killings.

Amnesty International is independent of any government, political persuasion or religious creed. It does not support or oppose any government or political system, nor does it support or oppose the views of the victims whose rights it seeks to protect. It is concerned solely with the impartial protection of human rights.

Amnesty International is an international democratic, self-governing movement with more than a million members and supporters in over 140 countries and territories. It is funded largely by its worldwide membership and by donations from the public. No funds are sought or accepted from governments for Amnesty International's work in documenting and campaigning against human rights violations.

Secrecy and suffering

Imagine you are arrested and locked up, but you are not told why. You are not allowed to make a telephone call or contact anyone outside the prison. This would be terrifying enough by itself. Now imagine that your jailers begin torturing you. The only way to stop them is to sign a confession, which you eventually do. Then you are convicted on the basis of that “confession” after a summary trial that is held in secret. You have no access to a lawyer and you are not offered the opportunity to defend yourself. Finally, imagine you are living in a country where the punishment you might face after such summary justice could be death, amputation of a limb, or flogging.

Such terror and injustice is hard to imagine. Yet it is routinely suffered by people in Saudi Arabia — and the world's governments seem indifferent to their plight.

Fear and secrecy permeate every aspect of the state in Saudi Arabia.

The fear is maintained by:

- _ the constant risk of arbitrary arrest;
- _ harsh punishments for anyone who dares to criticize official policies;

- _ the mutawa'een (religious police) who have, in practice, unfettered powers to harass and detain anyone they believe has breached the strict moral codes;
- _ the knowledge that anyone who is arrested will be denied access to their family, to a lawyer and to medical assistance, and might be tortured;
- _ a range of punishments, from long prison sentences to amputation, flogging and beheading, after trials that make a mockery of justice.

The secrecy is maintained by:

- _ a government that is accountable only to itself;
- _ a government that allows no criticism of its policies;
- _ a ban on all political parties, elections, trade unions, independent legal associations and human rights organizations;
- _ a criminal justice system that operates behind closed doors;
- _ tight censorship of all local media;
- _ strict control of access to the Internet, satellite television and other forms of communication with the outside world;
- _ a government that allows no access to international non-governmental human rights organizations;
- _ the international community that remains silent about Saudi Arabia's appalling human rights record.

The victims who are particularly targeted or vulnerable to abuse include:

- _ political dissidents;
- _ activists promoting rights for the country's Shi'a minority;
- _ Shi'a Muslims, Christians and members of other minority religious communities who try to practice their faith;
- _ migrant workers, especially those from poorer parts of the world;
- _ people who break the country's strict moral codes.

[box]

Saudi Arabia

The Kingdom of Saudi Arabia was established in 1932.

Head of state : King Fahd bin 'Abdul-'Aziz

Population : 19 million

Royal capital : Riyadh

Administrative capital : Jeddah

Official religion : Sunni Islam

Land area: about 2 million square km

Currency : the riyal (US\$1 = 3.75 riyals)

[end box]

[quotation]

'I asked why I was being accused of this murder that I did not commit and then one of the officers yelled at me saying that if I did not obey, they would electrocute me and use a lie detector. I gave in and did not make any further objections and continued writing. After which, I was taken to court so they could prove that I was guilty of this crime.'

A letter from a prisoner held in Saudi Arabia, forwarded to Amnesty International by the family

[end quotation]

No dissent allowed

Anyone brave enough to voice dissent in Saudi Arabia is likely to end up in jail for a very long time and suffer other violations of their basic human rights. The reason is simple. The government does not allow any criticisms of its policies or any independent thought or activity that might challenge the status quo.

Political and religious opponents of the government and activists promoting rights for the country's minority Shi'a Muslim community are at constant risk of indefinite detention without charge or trial. They are often released only after pledging to stop their activities.

Sheikh Salman bin Fahd al-'Awda and Sheikh Safr 'Abd al-Rahman al-Hawali (above), both Sunni Muslims, were arrested in September 1994 for their political activities. They were kept in al-Ha'ir prison in Riyadh without being charged or tried until June 1999. The Ministry of the Interior stated: "Security forces have arrested... [them] after about one year of attempts to convince... [them] to repent their extremist ideas... which threaten the unity of the Islamic society in the Kingdom, or to stop giving such speeches, holding conferences and distributing tapes..."

Thousands of political detainees have been arbitrarily detained over the years. They have included individual critics and members of banned political and religious movements, as well as relatives and friends of such people. Today there are thought to be between 100 and 200 political prisoners in Saudi Arabia, including possible prisoners of conscience, most held without charge.

For example, Dr Sa'id bin Zua'ir, head of the Department of Information at Imam Muhammad Ibn Sa'ud University, was arrested in early 1995 at his home in Riyadh by members of al-Mabahith al-'Amma (General Investigations). He is believed to have been denied visits from his relatives and to have been pressured to sign an undertaking to cease political activities in exchange for his release. Nevertheless, he continues to be held in al-Ha'ir prison in Riyadh.

Waleed al-Sinani has reportedly been detained without trial since 1995. He may be a prisoner of conscience. His arrest appeared to be related to his political beliefs, in particular statements he made about the government and human rights.

The few political dissidents who are brought to trial face summary justice and harsh sentences, sometimes including judicial corporal punishments amounting to torture or cruel, inhuman or degrading punishment. Ibrahim 'Abd al-Rahman al-Hudhayf, for example, was sentenced in 1995 to 18 years' imprisonment and 300 lashes. He was among a group of political prisoners convicted of offences which included having links with the Committee for the Defence of Legitimate Rights, an organization based abroad. Details of the trial of the whole group remain secret to this day. Ibrahim 'Abd al-Rahman al-Hudhayf and others convicted with him were released in 1998 under an amnesty.

[captions]

Sheikh Safr 'Abd al-Rahman al-Hawali c.CDLR

Sheikh Salman bin Fahd al-'Awda c.CDLR

[end captions]

An unjust death

Abdul-Karim al-Naqshabandi, a Syrian, was executed in 1996. After a secret and summary trial he was convicted of witchcraft, a capital offence. In a letter to the court he protested his innocence and begged them to hear his defence.

"They did not give me a chance to defend myself... The investigation was carried out with me by one person only but they all... ratified what he had to say even though they had not heard what I said to him... he threatens me with beating.

"They tied me up like an animal... I had no option but to accept and sign in order to protect myself. I signed in the hope that I would find someone in the police who would want to listen to the truth, but I was surprised with a more severe treatment... the officer put his shoe in my mouth, beat me up, put me in a cell, and did not allow any visits.

"He threatened me with worse treatment if I refused to agree to the confession in court. Under these circumstances I ratified my confession in the hope that someone would listen to me in court."

Abdul-Karim al-Naqshabandi also pointed out facts, dates, names of witnesses and documents that threw considerable doubt on the accusation against him. He argued that he had been framed by his influential employer as revenge for refusing to help with a false testimony in a business deal.

It is not clear whether the court looked into any of these issues. What is clear is that he was denied the right to defend himself and that he was executed on 13 December 1996 without receiving any response to his detailed written defence. Like many before and since him, he was simply made to sign his life away with a confession that was extracted as he was tortured.

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c. Private
[end copyright]

A system of injustice

‘Lawyer!... There is no chance of having access to a lawyer. I didn't ask, everybody knows, you have no access to lawyers.’

A former detainee who was held in Riyadh in 1999 in connection with an alcohol-related offence

Anyone not in a position of power or influence is in danger in Saudi Arabia. If they are suspected of an offence, including breaking unwritten codes governing moral behaviour or religious practice, they may be snatched from their home, workplace or the street by a wide range of people who enjoy wide powers of arrest. Once caught in the web of the criminal justice system, there is only one guaranteed outcome — their basic human rights will be violated.

Government interference

In Saudi Arabia the independence and impartiality of the judiciary are undermined by the executive authority's role in the criminal justice system. Lack of judicial safeguards means that detainees are treated differently because of their social standing, religious or political beliefs, nationality and sex, so that justice cannot be done nor be seen to be done.

Saudi Arabia's criminal justice system subordinates the judiciary to the authority of the executive. The Supreme Judicial Council is responsible for interpreting Shari'a (Islamic law) and reviews all court verdicts imposing the death penalty, amputations and flogging. Its members are appointed by the King. The Ministry of the Interior is responsible for the whole process of arrest and detention, and decides on referrals to courts and indefinite detention. The judiciary is denied any role in supervising these processes.

Arbitrary arrest and detention

Al-Sayyid Munir al-Sayyid 'Adnan al-Khabaz, a cleric from al-Qatif, was reportedly arrested at Jeddah airport in December 1999 on his return from studying in Iran. His arrest was one of many arbitrary arrests reported over the years of people perceived to be political or religious opponents of the government on their return to Saudi Arabia from abroad. A similar welcome home was given to Suha al-Mas'ari when she arrived back from the United Kingdom, UK, in late 1998 after visiting her brother, Muhammad al-Mas'ari, a government opponent living in exile. She was arrested on her arrival in Jeddah, then detained in al-Ha'ir prison in Riyadh before being released without charge in December 1998.

Arbitrary arrests are routine in Saudi Arabia. They are facilitated and perpetuated by:

- _ the lack of meaningful safeguards to restrain the executive's interference in the processes of arrest and detention;
- _ the wide powers of arrest by numerous arresting authorities acting with no judicial accountability;
- _ vague laws;
- _ the denial of the basic rights associated with a fair trial.

Vaguely worded laws facilitate the arbitrary administration of justice, and the imprisonment of individuals on political or religious grounds. Fatwa (edict) No. 148, issued by the Council of Senior 'Ulama (religious scholars) in August 1988, prescribes a mandatory death penalty for the loosely defined crimes of "sabotage" and "corruption on earth". Such laws invite arbitrary arrests, which are often carried out with unnecessary use of violence.

Once arrested, detainees may be held indefinitely with no right to challenge the legality of their detention before a judicial authority. All are held incommunicado immediately after arrest, a practice which facilitates torture. Some are held in solitary confinement, denied any contact with fellow prisoners. All face interrogation until they sign confessions or, in the case of political prisoners, pledge to renounce or stop their political activities.

Secret and summary justice

Detainees are routinely denied their rights guaranteed by international fair trial standards. They are generally kept totally in the dark about their cases, sometimes to the point where they are unaware that they have been convicted. Such denial of information leads to unnecessary suffering, as prisoners may not know why they are in jail, for how long they will be imprisoned, or whether they face execution. Court hearings are secret and summary. They are generally held in camera (behind closed doors). This means that the families of defendants as well as the general public are denied their right to be present in court in order to know how justice is administered.

Court hearings generally last between five minutes and two hours. This applies even in the most serious cases involving capital crimes or offences punishable by flogging or amputation of limbs. The speed of court hearings is partly explained by the fact that defendants have no right to a lawyer or adequate opportunity to mount a defence. In cases known to Amnesty International, defendants have been denied the opportunity to call witnesses. Evidence that may have been gathered during the investigation of the case is hidden from the defendant.

Defendants can be and are convicted solely on the basis of confessions, which may have been extracted by torture, coercion or deception. In theory judges do not accept a confession when it is disputed by the accused on these grounds. However, in practice this safeguard is frequently undermined. Judges also fail to order medical examinations or other investigations to establish how the confession was obtained, as required under the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to which Saudi Arabia is a state party.

After such summary justice, prisoners then have no opportunity for effective exercise of their right of appeal, even in capital cases. As a result, people are suffering in prison in Saudi Arabia or are facing execution because they were forced to sign false “confessions”.

[quotations]

‘I was sitting in my living room eating a burger and the doorbell rang. I opened the door. As I opened it very slightly the whole thing came crashing down. There were seven mutawa’een [religious police] and two government policemen. They ran in and started kicking me. I was fighting back... Eventually they handcuffed me behind my back and gave me a [harsh] kicking... I was asking why. They were talking to each other in Arabic but not to me. I asked what was going on but they gave me no information whatsoever.’

A former detainee who was held in Riyadh in 1999

‘I was really so shocked to hear the verdict that I could not say anything. It was only a matter of minutes and right there they were able to give a verdict...’

Nieves, a Filipina, who was convicted of prostitution and sentenced to 60 lashes and 25 days' imprisonment in 1992

‘The judge started by reading the charges then he asked each one of us to speak. The whole process took about half an hour and he immediately delivered the verdict. I received five months' imprisonment and 120 lashes. I was shattered.’

’Emad ’Abd al-Raouf Mohamed Said, an Egyptian teacher, who was convicted of theft after being tricked into signing a confession in 1996

‘I was at my most vulnerable state when the police again pressured me to admit or else I would continue receiving the beating. ‘We will let you go if you sign this paper. If not, you may as well die here.’ Badly bruised and no longer able to stand another beating, I agreed to put my thumbmark on the paper not knowing what it was I was signing.’

From a letter by Donato Lama, a Filipino who was arrested in October 1995, reportedly on suspicion of preaching Christianity. After a summary trial he was sentenced to 18 months' imprisonment and 70 lashes.

[end quotations]

[captions]

Women outside the Saudi Arabian embassy in Jakarta, Indonesia, protesting against the 1997 execution in Saudi Arabia of an Indonesian maid convicted of killing her employer

c. Reuters

Farzana Kauzar with her three children. They were reportedly arrested on 8 October 1997 at their home in Dhahran by members of al-Mabahith al-'Ammah and held as hostages in order to force the father to return to Saudi Arabia from abroad.

c. Private

[end captions]

Sarah Jane Demetera

'Mum, I really want to go home... I feel so helpless.'

'I'm always scared, especially on Fridays because that's the day when they execute those who are on death row.'

Sarah Jane Demetera was 19 years old when she arrived in Saudi Arabia in November 1992 from her native Philippines to work as a maid. Four days later she was arrested after her female employer was murdered. She has been in al-Dammam prison ever since and is under sentence of death. We know about her sentence. Sarah's letter to her mother in 1997 suggested that she did not:

"I am still not quite sure [about my fate] as they haven't summoned me to court yet. I am still not able to speak with the judge and in a matter of months it will be five years that I have been here."

Sarah's letters convey the terror and isolation of a young woman who came to Saudi Arabia to help her family and now languishes in prison for a crime she says she didn't commit.

It appears that the death sentence will remain pending for approximately 10 years until the youngest child of the murder victim reaches the age of 18 and decides whether to accept compensation instead of execution, grant Sarah a pardon, or ask for the execution to be carried out. These are the choices available under Islamic law to the heirs of murder victims.

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c. Kanlungan

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Women

Women in Saudi Arabia who walk unaccompanied, or are in the company of a man who is neither their husband nor a close relative, are at risk of arrest on suspicion of prostitution or other "moral" offences. Nieves, a Filipina who was working as a maid in Riyadh in 1992, was invited by a married couple to celebrate the wife's birthday at a restaurant. She and a female friend decided to go. At the restaurant they were joined by a male friend of the couple. A group of mutawa'een (religious police) entered the restaurant, saw the group and arrested them. They suspected Nieves of being there for an introduction to the male friend of the couple. Nieves denied the accusation, but was deceived into signing a confession written in Arabic which she understood was a release order. That confession was the sole basis of her conviction and sentence — 25 days' imprisonment and 60 lashes which were carried out. Women in Saudi Arabia, whether Saudi Arabian or foreign, emerge time and again as victims of discrimination and human rights violations because of the gender bias in law, social mores and traditions. While women have gained some ground in terms of economic rights, their civil and political rights are systematically violated.

Equal treatment for women and men is a fundamental principle of international human rights standards. Yet in Saudi Arabia discriminatory practices against women are not only prevalent, they are also in some cases required by law.

Strict segregation of the sexes, an integral part of Saudi Arabian society, has adverse and unequal effects on women, who are denied equal educational opportunities and may work only in certain vocations.

Women's freedom of movement is severely restricted. They may not travel abroad unless they have the written authorization of a male relative, usually their father or husband, and may have to be accompanied. Inside Saudi Arabia, they are forbidden to drive, a ban made official in 1990 by a Fatwa (edict) issued by the Council of Senior 'Ulama (religious scholars).

Some laws are applied in a discriminatory fashion. The offence of khilwa (being alone with a male who is not an immediate relative), for example, is punishable for both men and women, but it appears to be more frequently enforced on women.

Women who breach the strict dress code for women also face arrest. Margaret Madill, a Canadian nurse working in Saudi Arabia in 1993, took a taxi home with a female friend after a shopping trip in Riyadh. Suddenly a mutawa' jumped into the taxi and forced the driver to go to the headquarters of al-Mutawa'een. When they arrived, the women were locked in the taxi in the extreme heat for up to six hours. They screamed for help and were then beaten. They were accused of indecent dress and public intoxication. They were then transferred to al-Malaz prison and held for two days, before being released without charge.

States are forbidden to criminalize the lawful exercise of rights enshrined in international human rights standards, such as the right to freedom of movement. In addition, laws should never discriminate against a particular group or be applied in a discriminatory manner.

The abuse of women's rights in Saudi Arabia is not simply the unfortunate consequence of overzealous security forces and religious police. It is the inevitable result of a state policy which gives women fewer rights than men, which means that women face discrimination in all walks of life, and which allows men with authority to exercise their power without any fear of being held to account for their actions.

Migrant workers

'The police informed me that I will be kept in custody until I agreed to sign the [confession] prepared by them. To escape from unbearable assault, I agreed... Now I have completed more than two years and three months in jail without knowing anything about the punishment or my fate...'

A letter from Amaladasan, an Indian national, who was detained in Safwa in the Eastern province in 1994 on charges of having sexual intercourse with a woman who was not his wife. His subsequent fate is not known.

A Filipino returned to his home in mid-1999. Shortly afterwards, a colleague entered the room accompanied by two mutawa'een and a policeman. His colleague, a Christian like himself, was in handcuffs and said, "Brother, I am sorry." Before he could say more, one of the mutawa'een hit him in the face and told him to be quiet. Without explanation the mutawa'een and the policeman searched the room and found a Bible and other Christian material.

The Filipino was then taken without explanation to the office of the mutawa'een, where he was accused of being a preacher. When he denied the allegation, one of the mutawa'een became angry, put one of his wrists in handcuffs and beat him in the ribs. "He shouted in Arabic, 'Refute your God', and spat in my face." The accusation that he was a preacher turned out to be the nearest he ever came to knowing the reason for his detention.

Such testimonies highlight the vulnerability of foreign nationals to arbitrary arrest and detention, as well as a range of other human rights violations. Many of the foreign nationals living in Saudi Arabia — who now make up 25 per cent of the population — enjoy good salaries and working conditions. However, those who come into contact with the criminal justice system can often find that the dream of a better life working in Saudi Arabia has turned sour. They are vulnerable to abuse by their employers and there are no trade unions to defend them. Their rights as detainees are also violated and there are few legal safeguards to protect them. If arrested they may be tricked into signing a confession in Arabic, a language they may not understand, and be unable to contact anyone to intervene on their behalf, including consular staff. This is particularly true if they are nationals of developing countries, who know few people in Saudi Arabia in a position of authority.

James Rebenito, a Filipino, was convicted of murder and executed in June 1996. He was held incommunicado for over two years and no information about his case was made available to his family or the Philippine embassy until January 1995, when the Saudi Arabian Foreign Ministry informed the Philippine embassy that he had "confessed" to murder. Requests by the embassy to visit him, have access to his file and attend any trial proceedings, were all turned down. His wife, who was allowed to see him once before his execution, told Amnesty International that he proclaimed his innocence and said he had witnesses to prove it. There were apparently two witnesses near the scene of the murder and another person was with James Rebenito throughout the day of the crime. All were questioned by the police, but none was called to testify at the trial.

Foreign workers who try to practice religions other than the officially sanctioned Sunni Islam face arrest, detention, ill-treatment and deportation. Christians, Sikhs and members of other religious minorities have suffered such fates for holding informal private worship groups in their homes or for possessing religious literature.

Many foreign workers have been detained for prolonged periods and ill-treated simply for visa irregularities. Those accused of serious criminal offences face torture, including amputations and flogging, and the death penalty, always without the right to defence and sometimes without access to their consulate. Detainees who do not understand Arabic are sometimes denied interpreters and translations of legal documents. As a result, migrant workers may spend years in prison not knowing what charges are laid against them, what sentence they are serving or even that they face execution.

Culture of brutality

Many traumatized men and women have spoken to Amnesty International over the years about their suffering at the hands of the police. Their testimonies illustrate a culture of brutality, torture and ill-treatment in many police stations, prisons and detention centres across the country. Despite having acceded to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 1997, the Saudi Arabian government allows torture to continue unabated.

Torture methods range from techniques involving sticks, electric shocks, cigarette burns, nail-pulling and threats of sexual attack on the detainee or relatives, to beatings. Torture and ill-treatment are used to extract confessions and to enforce discipline. They are also inflicted apparently without reason — simply because it is the culture of the prison. Sometimes, prisoners die as a result.

Maitham al-Bahr, a 21-year-old Saudi Arabian, reportedly died in December 1996 in al-Dammam Central Hospital, allegedly as a result of torture. He was a university student from al-Qatif in the Eastern Province. He was reportedly detained during a wave of arrests after the 1996 bombing of the al-Khobar military complex. In November he was transferred from al-Mabahith al-'Amma headquarters in al-Dammam, where he was being detained, to the hospital. A post-mortem examination reportedly revealed that he had various ailments, including renal failure and swelling in several parts of his body, which were allegedly caused by torture.

Torturers in Saudi Arabia will continue torturing for as long as the criminal justice system fails to provide safeguards. Incommunicado detention, the lack of effective mechanisms for reporting torture, and the lack of investigations into allegations, all foster a climate of impunity. Amnesty International has over the years submitted many cases of allegations of torture to the government, but is not aware of any having been successfully investigated or of any perpetrator having been brought to justice.

Judicial corporal punishments

"I was brought to the whipping area. They tied me to a post. My hands were handcuffed and they also shackled my legs. I was wearing a T-shirt and jogging pants... The whip was one and a half metres long... with a heavy lead piece attached to the tip. It was terrible. Some fell on my thighs and my back. I would fall when the whip reached my feet but the prison guard would raise me up to continue the whipping. It was terrible. I was amazed to find myself still alive after the 70th lash was given. It lasted about 15 minutes... my back was bleeding. I cried."

Donato Lama was still distraught when he described to Amnesty International the flogging he had received in Saudi Arabia two years earlier. A Filipino employee of an airline company in Riyadh, he had been arrested for allegedly preaching Christianity because a photograph showed him participating

in a secret Roman Catholic service in Riyadh. He was tortured into signing a confession and sentenced to 18 months' imprisonment and 70 lashes. The lashes were administered in a single session a month before his release in May 1997. Like other victims of flogging, Donato Lama received no medical treatment for his injuries.

Nieves (see page 6) described the flogging she received:

“I thought it will be fast but no, it was done one at a time... [The policeman] really takes his time before striking. I started counting and when it reached 40 I thought I could not make it... I prayed so hard... At last it reached 60... I could not explain the pain experienced. The stick he used was like a bamboo, round but hard.”

Flogging and amputation of limbs are used extensively in Saudi Arabia as judicial punishments. They are prescribed by Saudi Arabian law despite the fact that such punishments contravene the UN Convention against Torture. They are applied to many offences, ranging from alcohol and “sexual offences” to theft, and can be handed down by courts with little regard to fair trial procedures.

Men, women and children are flogged in prisons as well as in public squares throughout the country.

Flogging has almost unlimited scope of application and there appears to be no upper limit on the number of lashes judges can impose despite the severe physical and psychological consequences.

The most lashes in a single case recorded by Amnesty International is 4,000. These were imposed on Muhammad 'Ali al-Sayid, an Egyptian national who was convicted of robbery in 1990. The sentence was carried out at a rate of 50 lashes every two weeks. Each time he received the lashes he was left with bruised or bleeding buttocks, unable to sleep or sit for three or four days afterwards.

Judicial amputations are still being carried out with disturbing frequency in Saudi Arabia — at least 90 have been recorded by Amnesty International in the past 18 years, including at least five cases of cross amputation (right hand and left foot).

[quotations]

‘I told my investigators... ‘What crime do you have against me?’... Their answer was nothing else but beating me.’

A political prisoner held in a prison in al-Taif in 1996

‘The time when they are investigating me I am facing the wall with handcuffs at the back [and] with ankle chain... When they feel that my answer is not... connected to what they are asking me I have received a lot of slapping on my ear and... pushing my face on the wall so sometimes I had bleeding in my nose and my mouth... When they are hitting me in my ribs sometimes I fall down and they used to kick me again with a steel toe... so I had to get up to receive a kicking... At the same time they are showing me a baseball bat... and they say ‘if you didn't tell us the truth tonight or today we are going to break your bones’. So I am very, very scared...’

Roger Cortez, a Filipino, was arrested in August 1997 in connection with murder. It is not known what crime he was convicted of, but he received 250 lashes. He was released in October 1999.

[end quotations]

[caption]

A man being flogged by police in the main square in Riyadh

c. Camera Press

[end caption]

Who arms the torturers?

“They also used other forms of ill-treatment and torture, including... beatings all over the body and being jolted by an electrified rod.”

These are the words of an Iraqi refugee in Saudi Arabia, who was tortured in 1992. His experience is not unique. Gulam Mustapha, a Pakistani, was tortured while detained in a centre for drug offenders in Jeddah in 1994. The torture he suffered included insertion of a metal stick or rod into his anus and electric shocks, which apparently left him bleeding and unable to walk.

Other former prisoners held in Saudi Arabia have described the devastating effect of the use of leg restraints such as shackles and chains contrary to UN regulations for the treatment of prisoners. Some reported that the restraints were stamped “Hiatts”, a UK company, or “Smith & Wesson”, a US company.

The level of secrecy surrounding international defence and security sales makes it extremely hard to know exactly which companies have supplied what equipment to whom. What is known is that despite Saudi Arabia’s appalling human rights record, foreign governments have been willing to supply the country with equipment that could be used to torture or ill-treat prisoners.

In 1993, for example, the UK government granted two licences for the transfer of electro-shock weapons to Saudi Arabia. Since 1984 the US Department of Commerce has authorized over a dozen licences for similar weapons, and between 1980 and 1993 the US government authorized licences worth \$5 million under the category OA82, which includes thumb cuffs, leg irons, shackles, handcuffs and other police equipment.

Saudi Arabia is one of the largest procurers of defence equipment in the world. According to one study, its total defence spending was estimated at US\$ 18.2 billion in 1997 alone. Companies in the USA, UK, France, Germany, Canada, Italy and Belgium are among those that have benefited.

The majority of this trade has been in weaponry such as fighter aircraft that has not been proved to be used in human rights violations. However, the secrecy surrounding the deals means that the public can never be sure what is actually being provided.

It appears that the lure of profitable business with Saudi Arabia has led foreign governments to ignore their moral and legal obligations to human rights, both by allowing the Saudi Arabian authorities to receive equipment that facilitates torture and ill-treatment, and by remaining silent about the country’s human rights record.

It is time that stringent national and international controls were enforced for the arms and security industry to guarantee public accountability and ensure that weapons never fall into the hands of those likely to use them for torture or other human rights abuses.

[caption]

Leg cuffs produced by the UK company Hiatts. Former prisoners held in Saudi Arabia have reported that their restraints were stamped “Hiatts”.

c. AI

[end caption]

The death penalty

Two people will probably be executed in Saudi Arabia the week you read this document, if the rate of recorded executions in 1999 continues. Most of those who are executed are beheaded in public.

Saudi Arabia has one of the highest rates of executions in the world in both absolute numbers and per capita. The death penalty applies to a wide range of non-violent activities such as apostasy and “witchcraft”, “sexual offences”, acts deemed to amount to “corruption on earth”, and crimes such as drug dealing.

More than 1,100 people have been executed in the past 20 years, according to reports received by Amnesty International, although the true total is probably far higher. It is almost certain that all were sentenced to death after secret and summary hearings and with no meaningful appeal.

Often, the first warning prisoners have of their imminent execution is when they are taken out of their cell in handcuffs on a Friday, the day executions are normally carried out. They are taken to a public square, blindfolded and forced to kneel. The executioner raises a sword, then brings the blade down across the prisoner’s neck. Sometimes more than one stroke is needed to sever the head. A doctor certifies that the prisoner is dead, then the body and head are removed and buried.

Amnesty International does not know whether condemned prisoners are given tranquillizers. It does not know whether they are allowed to see a representative of their religious faith, or whether an appropriate religious ceremony is conducted before, during or after death. What it does know is that foreign nationals are rarely if ever allowed to see their loved ones before they are executed and are never given advance warning of their execution.

For those awaiting execution, the psychological torment is extreme. Sa'ad al-Din 'Izz al-Din Muhammad, a Sudanese national, was executed in 1996 for a murder he denied having committed. A cellmate described his anguish:

“He is in a frenzy every Thursday afternoon, Friday morning in anticipation of execution... All his family have been told that he is already executed. But he is still inside.”

A woman currently awaiting execution wrote to a former cellmate:

“I cannot stop asking you to help me because here they do not give us the date of execution. Early in the morning they come and take you to a big square and cut your head off. Afterwards they inform your family and your embassy. This is why I am scared.”

Bucking world trends

Contrary to UN calls for progressive reduction in the number of capital crimes, Saudi Arabia has continued to expand the scope of the death penalty.

International human rights standards encourage abolition of the death penalty and set stringent criteria for its imposition and use, restricting the offences punishable by death to the most serious crimes. In Saudi Arabia, people are being executed for “crimes” such as “black magic”, possession of “soft” drugs and “sexual offences” after blatantly unfair trials.

[box]

No excuse for executions

Amnesty International totally and unconditionally opposes the death penalty everywhere on the grounds that it is the ultimate cruel, inhuman and degrading punishment and violates the right to life. Its opposition to all executions is also based on the fact that such irreversible punishment is inflicted despite the risks of human fallibility. The risks inherent in capital cases are compounded in Saudi Arabia by the structural defects of the criminal justice system.

Saudi Arabian officials claim that the use of the death penalty has been a unique deterrent to crime in their country, particularly with regard to drug offences. However, Amnesty International's statistics on executions undermine this claim as the trend is towards more executions in Saudi Arabia.

[end box]

[caption]

A photographer records a public execution in Jeddah from behind the bars of a window

c. Rex Features

[end caption]

[quotations]

‘Madam... I ask you in the name of God and humanity... to help me because I have no one who could help me here in Saudi Arabia. My poor family has done everything they could but I believe they have lost hope... In this prison...we cannot have contact with the outside world, we cannot defend ourselves...’

A letter sent in 1999 to a former cellmate from a woman currently held on murder charges and possibly under a sentence of death.

‘I use a sword to kill male criminals... and firearms, specifically pistols, to kill female criminals. I think firearms are used to spare the woman, as to be executed by sword would mean uncovering her head and exposing her neck and some of her back.’

Sa'id bin Abdullah bin Mabrouk al-Bishi, a Saudi Arabian executioner

[end quotations]

Campaigning for justice

Amnesty International is campaigning to expose and combat the widespread human rights violations in Saudi Arabia. In particular, it is putting pressure on the Saudi Arabian authorities to take steps that

would make the criminal justice system conform with international human rights standards. It is calling on the Saudi Arabian authorities to ensure, among other things, that:

- _ every detainee has access to a lawyer from the moment of arrest to final appeal;
- _ every detainee has prompt access to their family, and medical attention as required;
- _ torture is clearly banned in law and practice, and all allegations of torture are promptly investigated and the perpetrators brought to justice;
- _ trials are public and fair;
- _ all detainees who do not speak Arabic are provided with interpreters and translations;
- _ discrimination in law and practice is ended;
- _ executions and cruel, inhuman or degrading punishments are not imposed.

What you can do:

- _ Write to the Saudi Arabian authorities asking them to implement the steps outlined on the left. Send your letters to:

The Custodian of the Two Holy Shrines,
His Majesty King Fahd bin 'Abdul 'Aziz al-Saud,
Office of H.M. The King,
Royal Court, Riyadh,
Saudi Arabia

- _ Write to the Saudi Arabian consulate in your country expressing dismay that Saudi Arabia keeps its doors closed to human rights monitors, including Amnesty International, and calling on the authorities to reverse this policy.

- _ Write to trade unions and medical, legal or other professional associations, asking them to raise awareness about the human rights situation in Saudi Arabia.

- _ Send the text of the postcard below to your government.

[box]

This Amnesty International briefing is part of a series of documents produced by Amnesty International during its 2000 campaign against human rights violations in Saudi Arabia. Other documents include: three reports covering patterns of human rights violations, the criminal justice system, and women; appeal case leaflets; and theme leaflets.

If you live in one of the many countries where there is a section of Amnesty International, you can obtain these materials from the section. Otherwise, please contact:

Amnesty International,
International Secretariat,
Marketing & Supply Team,
1 Easton Street,
London WC1X 0DW,
United Kingdom.

Texts of other major documents on the human rights situation in Saudi Arabia and many other countries of the world can be found on Amnesty International's website: www.amnesty.org

[end box]

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Dear governments of the world,

Responsibility for the dire human rights situation in Saudi Arabia lies not just with the Saudi Arabian government, but also with you. You have subordinated the human rights of the 19 million people living in the country to your economic and strategic interests in Saudi Arabia. It appears that you have been so dazzled by the country's vast oil reserves and enormous spending power that you have forgotten about human rights.

- _ Some of you have allowed businesses based in your countries to set up joint ventures in Saudi Arabia without ensuring that the human rights of even their own employees are protected.
- _ Some of you have benefited from huge military contracts without ensuring that your goods and services would not be used to commit or facilitate human rights violations.
- _ Some of you have accepted large amounts of economic aid from Saudi Arabia while keeping silent about abuses committed against nationals of your own country working in Saudi Arabia.
- _ Some of you have forcibly returned home Saudi Arabian asylum-seekers, knowing that they would be at risk of serious human rights violations.
- _ Most of you, by your silence about human rights violations in Saudi Arabia, have helped the Saudi Arabian government maintain the secrecy about its appalling human rights record.
- _ Most of you have let intergovernmental organizations such as the UN avoid the issue of human rights violations in Saudi Arabia. The UN Commission on Human Rights, which has criticized the human rights record of a wide range of countries in all regions of the world, has yet to publicly address the serious human rights situation in Saudi Arabia.

It is time for you to act now!

- _ Publicly condemn human rights violations in Saudi Arabia.
 - _ Ensure that military, security and police transactions with Saudi Arabia do not contribute to human rights violations.
 - _ Put pressure on the Saudi Arabian authorities to take urgent steps to end human rights violations.
 - _ Take steps to protect nationals of your own country who are living in Saudi Arabia, particularly those who are arrested.
 - _ Support Amnesty International's call for Saudi Arabia to cooperate with thematic mechanisms of the UN Commission on Human Rights, to ratify additional international human rights treaties, and to allow access to human rights organizations to monitor the human rights situation in the country.
- [end box]

Saudi Arabia: end secrecy, end suffering — an Amnesty International briefing

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Front cover: A photographer records a public execution in Jeddah from behind the bars of a window c. Rex Features

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