

AFFRONT TO JUSTICE

WHO ARE THE PEOPLE
BEING EXECUTED IN
SAUDI ARABIA?

AMNESTY
INTERNATIONAL



The rate of executions in Saudi Arabia has risen sharply in the last two years. There were at least 158 executions in the country in 2007, a fourfold increase from 2006, and at least 66 people were executed in the first six months of 2008. Death sentences are often imposed at the end of a largely secret and grossly unfair trial process that causes great suffering not only to those condemned but also to their families. Many of the defendants – scores of whom are executed – are sentenced after being convicted of non-violent or vaguely worded offences. They receive summary trials and often have no lawyer to defend them and almost no protection against miscarriage of justice. Those who are executed are usually beheaded, often in public.

NO PROTECTION FOR POOR MIGRANTS

More than half of all those known to have been executed in the past 23 years in Saudi Arabia – at least 830 people – were foreign nationals, mostly migrant workers from poor

and developing countries in Asia and Africa. All too often, when charged with capital offences, they received no legal advice or defence and their own governments failed to intervene adequately on their behalf to ensure that they received fair trials and to press for clemency. Migrant workers from poor countries are particularly vulnerable to the secretive and summary nature of the criminal justice process, and they are much less likely to receive a pardon than Saudi Arabian citizens who are sentenced to death. Often alone in a foreign land with no relatives to turn to for help, their trials are conducted in Arabic but often without the aid of interpreters leaving them uncertain about the proceedings. Some are not even aware that they have been sentenced to death at the end of their trials – indeed in some cases, those condemned to die learned of their sentence of death only on the morning of their execution.

Women, both foreign migrants and Saudi Arabian citizens, are also particularly vulnerable to discrimination. Amnesty

International's records show that at least 40 women have been put to death in Saudi Arabia since 1990. At least 40 per cent of them were convicted of offences that had no lethal consequences; the majority of them were migrant workers from developing countries. Despite severe gender segregation in Saudi Arabian society, women who come into conflict with the law are arrested, interrogated and judged by men in complete disregard of the intimidation, harassment and fear that this may involve.

Haleema Nissa Cader, a Sri Lankan woman, was arrested in November 2005. According to press reports, she was sentenced to death in June 2007 by a court in Jeddah along with her husband, Indian national Naushad Nissa Cader, and a Sri Lankan man, K.M.S. Bandaranaike. They were convicted in connection with the murder of a woman during a robbery at her home. Their case is said to be at the appeal stage but no further details are known and they may be at imminent risk of execution.

ISSA BIN MUHAMMAD 'UMAR MUHAMMAD



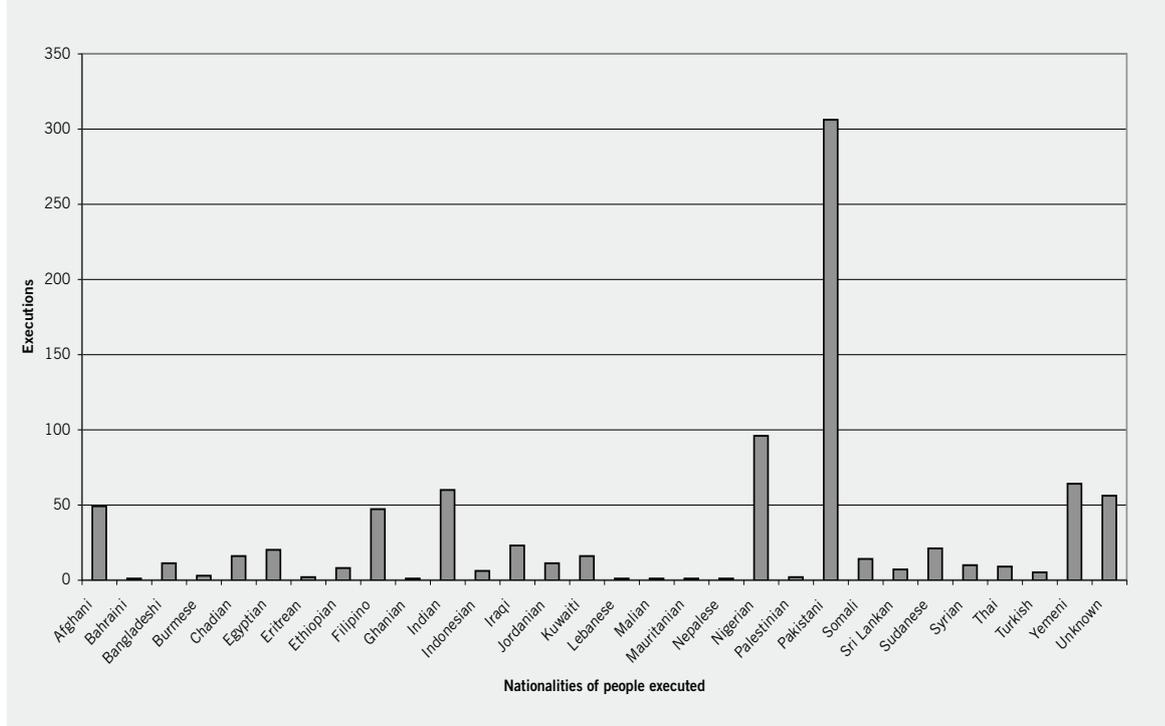
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Five young men were sentenced to death by the Madina General Court in February 2008 after being arrested and convicted on robbery and assault charges. According to the judgment, they were sentenced for offences which amounted to acts of "corruption on earth" under Shari'a law. Two of the five were under 18 at the time of their alleged crimes – Sultan Bin Sulayman Bin Muslim al-Muwallad, a Saudi Arabian national, and Issa Bin Muhammad 'Umar

Muhammad, a Chadian national, were both aged 17. They were sentenced to death despite Saudi Arabia's obligations under the UN Convention on the Rights of the Child, which prohibits the execution of those under 18 at the time of the crime.

Issa Bin Muhammad 'Umar Muhammad (left) was 17 years old when he was sentenced to death.

FOREIGN NATIONALS EXECUTED IN SAUDI ARABIA 1985-MAY 2008



CHILDREN ARE NOT SPARED

Saudi Arabia does not have unequivocal safeguards preventing the use of the death penalty against children. Judges have the power to decide the age of majority for children and thereby the age of criminal responsibility, and such level of discretion can have serious consequences.

Sultan Kohail was arrested alongside his brother Mohamed – both Canadian nationals – and another man for the murder of a Syrian boy who died in a schoolyard brawl in January 2007. Elder brother Mohamed Kohail, aged 23, was allegedly punched and kicked by his interrogators and later confessed. He was convicted of murder and is at risk of execution.

“My son... being a poor, uneducated person and having no knowledge of Arabic, was unaware of the proceedings and was having no means or knowledge to defend himself and convince the court of his innocence... [He] is the sole bread winner of a large family consisting of myself who is sick and aged, his wife and his four-year-old daughter... [we] are solely dependent on him for our livelihood.”

The mother of a prisoner sentenced to death on a drug-related crime writing an appeal for clemency to King Abdullah of Saudi Arabia, 2007

Seventeen-year-old Sultan Kohail was tried as a juvenile by a court with no jurisdiction to impose the death penalty and was sentenced to flogging and one year’s imprisonment in April 2008. However, as the case is ongoing,

it may be still referred to retrial by a court that can impose the death penalty. There is a real danger that Sultan Kohail might be sentenced to death.

Amnesty International calls on the Saudi Arabian government to declare an immediate moratorium on executions and bring the country's legal and judicial practices into line with international standards.

TIME FOR A CHANGE

Saudi Arabia continues to make prolific use of the death penalty. It is a result of the country's harsh penal policy; its largely secret and summary criminal justice system; its discriminatory use of the death penalty against vulnerable disadvantaged members of society; and its continued use of this most extreme form of punishment against juvenile offenders. All these practices defy international standards and trends on the death penalty. In light of these serious violations of international law, Amnesty International reiterates its call to the Saudi Arabian government to declare a moratorium on executions and take immediate steps to bring the country's legal and judicial practices into line with international standards.

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HADI SAIIEED AL-MUTEEF

In 1994, Hadi Saieed Al-Muteef, a Saudi Arabian national, was arrested for apparently making comments that were deemed contrary to Islam and Shari'a law. He was given a death sentence in 1997. Ten years later, in January 2007, Amnesty International received information that the authorities were considering a complete pardon; by the following July, such hopes were dashed as it became clear that he was still under sentence of death. Today, 14 years after his arrest, and 11 years after he was put under a death sentence for a vaguely worded offence, Hadi Saieed Al-Muteef is still uncertain as to his fate. Now held at Najran Central Prison in southern Saudi Arabia he has yet to



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learn whether he is to face execution or not.

Hadi Saieed Al-Muteef was sentenced to death in 1997.

RECOMMENDATIONS

AMNESTY INTERNATIONAL CALLS ON THE SAUDI ARABIAN GOVERNMENT TO:

- impose an immediate moratorium on executions as called for by the UN General Assembly in December 2007;
- immediately cease using the death penalty against children in compliance with Article 37(a) of the Convention on the Rights of the Child;
- reduce progressively the number of offences which can incur the death penalty and bring all death penalty laws and practices into conformity with the UN Safeguards guaranteeing the protection of the rights of those facing the death penalty (United Nations Economic and Social Council Resolution 1984/50 of 25 May 1984); and
- review the cases of all prisoners currently under sentence of death with the aim of commuting their sentences.

Amnesty International is a global movement of 2.2 million people in more than 150 countries and territories, who campaign on human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights instruments. We research, campaign, advocate and mobilize to end abuses of human rights. Amnesty International is independent of any government, political ideology, economic interest or religion.

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