

PUBLIC

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Fear of torture or ill-treatment/Incommunicado Detention 22 December 2004

USA/
SAUDI ARABIA

Ahmed Abu 'Ali (m), aged 23, US national of Palestinian origin

US national Ahmed Abu 'Ali is believed to be held in incommunicado detention at *al-Ha'ir* prison in the Saudi Arabian capital, Riyadh, where he is at risk of torture or ill-treatment. It is unclear whether he has been charged with any crime. He does not have access to a lawyer and recently has not received any consular visits. He has also stopped contacting his family.

According to his family, the Director of *al-Ha'ir* Prison informed the US embassy in Riyadh that Saudi Arabia was ready to hand Ahmed Abu 'Ali over at any time to the US authorities if a request was made to this effect.

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. When initially arrested he was reportedly held in incommunicado detention for two months during which time he was allegedly tortured and ill-treated. Since then, he has called his family in the US every two weeks but they last heard from him on 20 November 2004. The family have contacted the State Department in the US and the US embassy in Riyadh, in order to determine Ahmed Abu 'Ali's fate. However, they have reportedly not received any assistance.

On 16 December 2004, a US District Court Judge, 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 were also allegedly involved in his interrogation and torture after his arrest. During an interrogation, Federal Bureau of Investigation (FBI) agents allegedly threatened him with either being declared an "enemy combatant" and sent to Guantánamo Bay, or a trial in Saudi Arabia where he would have no legal assistance, public hearing or appeal to a higher tribunal.

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. They also facilitate arbitrary arrest and "disappearance".

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

- expressing concern to both the US and Saudi Arabian authorities that US national of Palestinian origin Ahmed Abu 'Ali may be held in incommunicado detention in *al-Ha'ir* Prison in Riyadh;

- urging both the US and Saudi Arabian authorities to ensure that his safety be guaranteed following reports that he has allegedly been tortured and ill treated;
- calling on both the US and Saudi Arabian authorities to ensure that he is be given regular access to family, lawyers, consular visits and medical attention, if necessary;
- urging the Saudi Arabian authorities to release Ahmed Abu 'Ali immediately, if he is not to be charged with a recognizably criminal offence;
- if he is not to be released, ask the Saudi Arabian authorities for details of the exact charges against him and for information on any trial proceedings to be made public;
- calling on the US Secretary of State and US ambassador to Saudi Arabia to ensure that all efforts are being made to determine his legal status and well-being and to ensure that his family are kept fully informed.

APPEALS TO:

The Honorable Colin Powell
Secretary of State
U.S. Department of State
2201 C Street, N.W.
Washington DC 20520

Fax: + 1 202 261 8577

E-mail: Secretary@state.gov

Salutation: Dear Secretary of State

His Royal Highness Prince Naif bin Abdul Aziz Al-Saud
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 / 403 3614 (If someone answers ask for a fax line)

Salutation: Your Royal Highness

HE James C. Oberwetter
US Ambassador to Saudi Arabia
American Embassy
P.O. Box 94309
Riyadh 11693
Kingdom of Saudi Arabia

Fax: + 966 1 488 3989

Salutation: Your Excellency

COPIES TO: diplomatic representatives of Saudi Arabia/USA accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 3 February 2005