

# URGENT ACTION

## SRI LANKAN WOMAN EXECUTED IN SAUDI ARABIA

**Rizana Nafeek was executed on 9 January in Dawadmi, a town west of the Saudi Arabian capital Riyadh.**

Aged only 17 years at the time, Sri Lankan domestic worker **Rizana Nafeek** was arrested in May 2005 on charges of murdering an infant in her care. On 16 June 2007, she was sentenced to death by a court in Dawadmi. The sentence was subsequently upheld by the Court of Cassation and sent for ratification by the Supreme Judicial Council. However, it was sent back to the lower court for further clarification. The case went back and forth until on or around 25 October 2010, when the Supreme Court in Riyadh upheld the death sentence. The death sentence was then ratified by the King and Rizana Nafeek was executed in the morning of 9 January in Dawadmi.

Rizana Nafeek had no access to lawyers either during her pre-trial interrogation or at her trial in 2007. She initially “confessed” to the alleged murder during interrogation, but later retracted this account saying that she was forced to make the “confession” under duress following a physical assault and arguing that the baby died in a choking accident while drinking from a bottle. The man who translated her statement may not have been able to adequately translate between Tamil and Arabic. He has since left Saudi Arabia.

The passport Rizana Nafeek used to enter Saudi Arabia in May 2005 has her year of birth as 1982, but her birth certificate states she was born six years later, making her 17 at the time of the infant’s death. According to Amnesty International’s information, she was not allowed to present her birth certificate or other evidence of her age to the court during her trial in 2007. While she may have been able to do so in later legal proceedings, it appears not to have swayed the decision of the judges, who in Saudi Arabia have discretion to decide the age of majority for children.

**No further action is requested from the UA network. Many thanks to all who sent appeals.**

This is the fourth update of UA 175/07. Further information: <http://www.amnesty.org/en/library/info/MDE23/026/2007>, <http://www.amnesty.org/en/library/info/MDE23/006/2008>, <http://www.amnesty.org/en/library/info/MDE23/012/2010/en> and <http://www.amnesty.org/en/library/info/mde23/002/2013>

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### ADDITIONAL INFORMATION

Saudi Arabia is a state party to the Convention on the Rights of the Child (CRC), which expressly prohibits the imposition of the death penalty on juvenile offenders – persons who were under 18 years old at the time of the offence for which they were convicted. However, Saudi Arabia does execute juvenile offenders in breach of their obligations under the CRC.

In Saudi Arabia there have been disturbing patterns of discrimination against vulnerable individuals. Many of those executed over the past years were foreign nationals, mostly migrant workers from poor and developing countries. In 2012 Amnesty International recorded the execution of at least 79 people of which 27 were foreign nationals. In 2011 at least 82 executions took place, of which 28 were foreign nationals; this is more than triple the figure of 27 for 2010, of which five were foreign nationals. In 2009, at least 69 people are known to have been executed, of which 19 were foreign nationals; in 2008 at least 102, of which 39 were foreign nationals; and in 2007 at least 158, of which 76 were foreign nationals. Thus far in 2013, at least two people have been executed, both of whom were foreign nationals.

Saudi Arabia applies the death penalty for a wide range of offences. Court proceedings fall far short of international standards for fair trial. Defendants are rarely allowed 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 and/or deception.

Saudi Arabia is a state party to the Convention against Torture, which prohibits the use of evidence extracted under torture or other ill-treatment. Article 15 states: "Each State Party shall ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made."

In a report published in 2008 on the use of the death penalty in Saudi Arabia, Amnesty International highlighted the extensive use of the death penalty as well as the disproportionately high number of executions of foreign nationals from developing countries. For further information please see *Affront to Justice: Death Penalty in Saudi Arabia* (Index: MDE 23/027/2008): <http://www.amnesty.org/en/library/info/mde23/027/2008>

The Supreme Court began to function in February 2009 as the final court of appeal. This is part of a new court system introduced by the 2007 Law of the Judiciary. The Court of Cassation, which used to handle appeals, has since been replaced by courts of appeal. The Supreme Judicial Council continues to exist and has been allocated responsibilities such as the supervision of the organization of the Judiciary, including the appointment, promotion and disciplining of judges. For more information regarding the judicial reforms, please see *Saudi Arabia: Affront to Justice: Death Penalty in Saudi Arabia* (Index: MDE 23/027/2008) (see above).

Name: Rizana Nafeek

Gender m/f: f

Further information on UA: 175/07 Index: MDE 23/003/2013 Issue Date: 9 January 2013