

EXTERNAL

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Risk of execution/Legal and Torture Concerns 28 May 1996

SAUDI ARABIA 'Abd al-'Aziz Naser al-Mi'tham, businessman, aged 24
Riyad Suleyman Is-Haq al-Hajri, aged 24
Muslih Ali 'A'idh al-Shamrani, former state employee, aged 28
Khalid Ahmad Ibrahim al-Sa'id, businessman, aged 24
and possibly others

Amnesty International fears that the four prisoners named above, and possibly others, are at risk of being sentenced to death and executed following trials which fall far short of international standards for fair trial of prisoners facing capital punishment. The process leading to such a grossly unfair trial has already begun.

On 22 April, the Minister of Interior, Prince Naif bin 'Abdul 'Aziz, announced on the Saudi Arabian Television that four people arrested by security forces had confessed to having carried out the bombing of the Saudi Arabian National Guard training centre in Riyadh in November 1995 which resulted in the death of five Americans and two Indians. Shortly after the Minister's announcement, the four prisoners were shown on television 'confessing' to having carried out the bombing. The Minister did not specify the exact date of their arrest, but, according to reports received by Amnesty International, the four were arrested about two months before they were shown on television. They are said to have been held in incommunicado detention since their arrest and to have been tortured. In their 'confessions', the four state that they had provided their interrogators with the names of people with whom they were involved as members of a religious movement. Hundreds of political suspects are reported to have been detained following the arrest of the four. They are said to be Islamists, including foreign nationals, who had taken part in wars in Afghanistan and Bosnia before they went or returned to Saudi Arabia.

The Minister stated in his announcement on television that an investigation into the cases of the four had been completed, their confessions registered and that they would be tried and punished in accordance with the law. This implies two grave risks for the prisoners. Firstly, they will face the death penalty which is the punishment prescribed for offences such as the one with which they are reportedly to be charged. Secondly, it is unlikely that their trial hearings will be conducted in accordance with the 1984 UN safeguards guaranteeing the protection of the rights of those facing the death penalty.

Such prisoners in Saudi Arabia are routinely denied the right to be formally represented by lawyers during their trial hearings. In addition, confessions in such trials, even when obtained under torture, are accepted by the court as evidence, and may be the sole evidence on which conviction is based. In recent years, hundreds of people have been sentenced to death and executed after such trials, including 192 recorded by Amnesty International in 1995 alone.

The risk of these four, and possibly other, prisoners being sentenced to death and executed is further heightened by their appearance on television and by the official press' presentation of them as guilty before trial. Such descriptions of the four defendants was also reported to have been made by the United States ambassador to Saudi Arabia, who was quoted in a Reuters report on 22 April 1996 as having said: *'The People, the government and the embassy of the United States of America are extremely gratified that the government of Saudi Arabia has arrested four people responsible for the bombing'*. While Amnesty International recognizes the right of states to bring to justice anyone

suspected of committing a recognizable criminal offence, the organization opposes any compromise of such suspects' right to a fair trial in accordance with international standards for fair trial, irrespective of the gravity of the offence with which they are charged. In this respect, Amnesty International considers the description of the four prisoners by government officials and by the US ambassador as guilty before any trial has taken place to be a gross breach of Article 11(1) of the Universal Declaration of Human Rights which states that *'Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees for his defence.'*

RECOMMENDED ACTION: Please send urgent appeals by telegram, telex, fax, express or airmail letters, in English, Arabic or your own language to:

1) Head of State, Saudi Arabia

The Custodian of the Two Holy Shrines
His Majesty King Fahd bin 'Abdul 'Aziz
Office of H.M. The King
Riyadh, Kingdom of Saudi Arabia

Telegrams: King Fahd, Riyadh, Saudi Arabia

Salutation: Your Majesty

- calling for the public withdrawal of the confessions and the treatment of the above mentioned prisoners as guilty before their trial;
- calling for allegation of torture to be investigated and for any evidence obtained as a result of it to be disregarded;
- calling for fair trial for the prisoners in accordance with international standards;
- urging that the death penalty should not be invoked against the defendants and calling for commutation if such a sentence is passed.

2) Head of State, USA

President Bill Clinton
Office of the President, 1600 Pennsylvania Ave,
Washington DC 20500

Fax: +001 202 456 2461

Tel: +001 202 456 1414

Telex: ITT 440074

Salutation: Dear Mr President

- calling for clarification of the USA's position on the reported statement by the ambassador to Saudi Arabia in which he appeared to back the unfair trial procedure, and urging the public withdrawal of the statement.

COPIES TO: diplomatic representatives of Saudi Arabia and the United States accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 25 June 1996.