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Saudi Arabia: Failure to Clarify Fate of Imprisoned Pakistani Children

The Government of Saudi Arabia should immediately clarify the fate of seven Pakistani children arrested for drug offences along with eight women and four men -- all of whom may face the death penalty, Amnesty International said today.

The human rights organization is also calling on the Government of Pakistan not to shirk its responsibility towards these children who are currently being held in Saudi Arabian jails and to ensure that they are not sentenced to death.

It is unknown whether the 19 Pakistanis, who were arrested on 19 January 1997 at Jeddah airport for allegedly concealing heroin on their bodies, have been tried, convicted and sentenced to death -- the mandatory punishment for anyone convicted of drug trafficking -- or if they have been permitted legal counsel during trial. The places and conditions of their detention also remain unclear. The Government of Saudi Arabia has so far failed to respond to Amnesty International's appeals to clarify their legal status.

No news has emerged either about a Saudi Arabian response to a reported appeal on 26 June by Pakistan's Minister for the Interior and Narcotics Control, Chaudry Shujaat Hussain, to his Saudi Arabian counterpart, Prince Naif bin Abdul Aziz, for clemency for the women and children, some of whom are infants.

Amnesty International unconditionally opposes the death penalty in all cases, however heinous the crime. The death penalty is a cruel, inhuman and degrading punishment and violates the most fundamental right -- the right to life.

"Under no circumstances should the death penalty be imposed on children," Amnesty International said. "They lack the understanding of the criminality of acts such as drug trafficking and therefore cannot be held criminally responsible,"

The exact number of children at risk of the death penalty may be higher as other arrests, involving several women and children, were reportedly made in October 1996 and in early January 1997.

Human rights groups in Pakistan have pointed out that if the detained women, at least one of whom is reportedly pregnant, are indeed found guilty of drug trafficking, they may not be fully culpable as they are not free to independently make decisions: In the patriarchally structured society of their home region of North West Frontier Province, they have no real option but to carry out their male relatives' directions -- even if this involves criminal activities.

Both Pakistan and Saudi Arabia have ratified the Convention on the Rights of the Child, which guarantees to the child the inherent right to life and states that *“neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age”*.

Amnesty International is calling upon the Government of Saudi Arabia to firmly act on the commitment it made when ratifying the Convention, and also urges the authorities in Pakistan to take seriously its responsibility towards its minor citizens in detention in Saudi Arabia.

Background

According to Amnesty International’s records, Pakistani nationals constitute the largest number of foreign nationals executed in Saudi Arabia in recent years. For example, in 1995, 48 Pakistani nationals were among a total of 192 people executed that year. On 23 June 1997 a Pakistani drug smuggler was beheaded in Riyadh. According to reports, he was the eighth Pakistani to be executed in a month. Pakistani Minister for the Interior, Chaudhry Shujaat Hussain, recently said before the National Assembly that hundreds of Pakistanis are currently being held in Saudi Arabia on drug charges. Death sentences in Saudi Arabia are often passed and carried out after trials in which international standards for fair trial are completely ignored.

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