

PUBLIC

AI Index: MDE 23/007/2005

21 June 2005

Further Information on UA 323/04 (MDE 23/016/2004, 26 November 2004) Fear of death sentence/ unfair trial and new concern: Flogging

SAUDI ARABIA	Abbas Majood Akanni (m)]	
	Murtala Amao Oladele (m)]	
	Abbas Azeez Oladuni (m)]	
	Nurudeen Owoalade (m)]	
	Nurudeen Sani (m)]	
	Mohammed Abdulahi Yussuf (m)]	Nigerian nationals, aged 20-30
	Wahid Elebyte (m)]	
	Ahmed Abbas Alabi (m)]	
	Suliamon Olyfemi (m)]	
	Mafiu Obadina (m)]	
	Samiu Hamud Zuberu (m)]	
	Kasim Afolabi Afolabi (m)]	
	Abdullamim Shobayo (m)]	

Suliamon Olyfemi is believed to have been sentenced to death. At a sentencing hearing on 16 May the other men named above, who had been tried with him, say they were told that he was to suffer the death penalty. It is usual in Saudi Arabia for condemned prisoners not to be told of their sentence until they are taken from their cells to be executed.

The other twelve men were sentenced on 16 May to five years' imprisonment and 500 lashes. For reasons unclear, Abbas Majood Akanni was not taken to court to hear his sentence.

The thirteen had received an unfair trial, without any legal representation, conducted entirely in Arabic, which they do not speak. No interpretation or translation of the proceedings was provided. During interrogation they had been told to put their fingerprints, which can act as a signature, on statements written in Arabic, which they could not read. It is possible that these statements were used as evidence against them during the trial proceedings.

Staff from the Nigerian consulate in Jeddah attempted to visit the men in prison on 19 May, but were not allowed to see them.

In early April 2005, six Somali nationals were executed without being told that they had been sentenced to death. They had been sentenced to five years' imprisonment, but actually spent six years in prison before they were taken out and beheaded. They spoke to their families by telephone two hours before their execution, at which point they did not know what was about to be done to them. Amnesty International is therefore concerned that all 13 of these men may be facing the death penalty.

BACKGROUND INFORMATION

Saudi Arabia applies the death penalty for a wide range of offences, including murder. Court proceedings fall far short of international standards for fair trial, and take place behind closed doors.

Defendants do not have the right to formal representation by a lawyer, and in many cases are not informed of the progress of legal proceedings against them. Defendants may also be convicted solely on the basis of confessions obtained under duress, torture or deception.

At least 19 people are known to have been executed in Saudi Arabia so far this year. The true figure may be much higher.

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

- recognising the right and responsibility of the government of Saudi Arabia to bring to justice those guilty of recognizably criminal offences, but urging them to ensure that Suliamon Olyfemi is not sentenced to death,
- expressing concern that his 12 co-defendants have been sentenced to flogging, and calling for the sentences to be commuted regardless of the offence for which they have been handed down;
- stating that you consider the use of flogging as punishment to be cruel, inhuman and degrading treatment amounting to torture, contrary to Article 5 of the Universal Declaration of Human Rights, which states: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."
- asking what charges the 13 faced, and asking for details of the trial proceedings.

APPEALS TO:

Minister of the Interior

His Royal Highness Prince Naif bin >Abdul >Aziz,
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 (it may be difficult to get through, please keep trying)

Salutation: Your Royal Highness

Minister of Foreign Affairs

His Royal Highness Prince Saud al-Faisal bin >Abdul >Aziz Al-Saud,
Minister of Foreign Affairs, Ministry of Foreign Affairs,
Nasseriya Street,
Riyadh 11124, Kingdom of Saudi Arabia

Fax: + 966 1 403 0159 (it may be difficult to get through, please keep trying)

Salutation: Your Royal Highness

Minister of Justice

His Excellency Dr. >Abdullah bin Muhammad bin Ibrahim Al-Sheikh
Minister of Justice, Ministry of Justice
University Street,
Riyadh 11137, Kingdom of Saudi Arabia

Fax: + 966 1 401 1741

Salutation: Your Excellency

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

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 2 August 2005.