

PUBLIC

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3 March 2008

Further information on UA 180/07 (MDE 23/027/2007, 10 July 2007) Death penalty

SAUDI ARABIA

**Haleema Nissa Cader (f), Sri Lankan national (note amended name)
Naushad (m) Indian national, her husband
KMS Bandaranaike (m), Sri Lankan national**

Sri Lankan national Haleema Nissa Cader, her husband Naushad, who is an Indian national, and Sri Lankan national KMS Bandaranaike are believed to have lodged an appeal against their death sentences, which were handed down on 11 June 2007.

The three are reported to have lodged an appeal with the Court of Cassation in the city of Makkah. It is not known how long the appeal process will take. If their appeal is unsuccessful, their death sentences would have to be ratified by the King before they could be carried out. If ratified, they could be executed within days.

They were sentenced to death after being convicted of participation in an armed robbery, during which they allegedly killed a woman at her home in Jeddah, in November 2005. They have had no legal assistance at any time, and are believed to have "confessed" under duress.

BACKGROUND INFORMATION

Saudi Arabia applies the death penalty for a wide range of offences, including offences with no lethal consequences, and it is imposed following trials which invariably fail to meet the most basic international standards of trial fairness. Court hearings are often held in secret and defendants are scarcely permitted formal representation by a lawyer. They may be convicted solely on the basis of confessions obtained under duress, torture or deception. In many cases defendants and their families are not informed of the progress of legal proceedings against them. Prisoners under sentence of death may not be informed of the date of execution until the morning when they are taken out and beheaded.

The rate of executions in 2008 is increasing fast. In 2007 the authorities executed at least 158 people, of whom 76 were foreign nationals. At least 30 people, of whom 11 were foreign nationals, and three were women, have been executed since 8 January 2008.

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

- noting reports that KMS Bandaranaike, Naushad and Haleema Nissa Cader have appealed against their death sentences;
- calling on the authorities to ensure that KMS Bandaranaike, Naushad and Haleema Nissa Cader have access to lawyers of their own choosing to present their appeals and are given an effective opportunity to exercise their right to defence and appeal against their death sentences in fair and transparent trial hearings;
- reminding the authorities that they are bound by international standards for fair trial in capital cases in particular, the United Nations safeguards guaranteeing the protection of the rights of those facing the death penalty, which guarantees adequate opportunity for defence, appeal and prohibits the imposition of the death penalty when there is room for alternative interpretation of the evidence;
- urging the King to commute the death sentences if they are upheld on appeal.

APPEALS TO:

Please note that you may experience difficulties sending faxes on Thursdays and Fridays, which is the weekend in Saudi Arabia.

His Majesty King Abdullah Bin 'Abdul 'Aziz Al-Saud
The Custodian of the two Holy Mosques
Office of His Majesty the King
Royal Court, Riyadh, Kingdom of Saudi Arabia

Fax: (via Ministry of the Interior) +966 1 403 1185 (please keep trying)

Salutation: Your Majesty

His Royal Highness Prince Naif bin 'Abdul 'Aziz Al-Saud
Minister of the Interior
Ministry of the Interior
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Airport Road, Riyadh 11134
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Fax: +966 1 403 1185 (please keep trying)

Salutation: Your Royal Highness

His Royal Highness Prince Saud al-Faisal bin 'Abdul 'Aziz Al-Saud
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Salutation: Your Royal Highness

COPIES TO:

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and 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 14 April 2008.