

PUBLIC

AI Index: MDE 23/019/2007

17 May 2007

UA 116/07

Death Penalty/Fear of imminent execution

SAUDI ARABIA

Dhahian Rakan al-Sibai'i (m), Saudi Arabian national  
Mohamed Kohail (m), aged 22, Canadian national  
Sultan Kohail (m), aged 16, Canadian national

---

The three named above, two of them child offenders, may all be at risk of imminent execution. Saudi Arabia is a state party to the Convention on the Rights of the Child (CRC) and has undertaken not to execute any offenders who were children when they committed the offence.

According to the newspaper *Okaz*, Saudi Arabian national Dhahian Rakan al-Sibai'i was sentenced to death for a murder committed while he was still a child. He was held in a juvenile detention facility until he was 18 years old, when he was moved to al-Taif Prison. He has appealed to the family of the victim to pardon him: if this fails, he could be executed within days. All death sentences must be ratified by the Supreme Judicial Council, headed by the King, before they can be carried out. However, under *Qisas* (retribution), which is a punishment under Shari'a law, relatives of the murder victim can pardon the offender without compensation, or they can demand *diyya* (blood money) in exchange for a pardon. When this happens, the death sentence is rescinded and the offender is often released.

Negotiation of a pardon in the western part of Saudi Arabia is often initiated or facilitated by the Pardon and Reconciliation Committee. The Committee is said to be mediating on behalf of Dhahian Rakan al-Sibai'i to secure a pardon and prevent his execution.

Canadian national Mohamed Kohail is also said to be facing execution for murdering a Syrian boy in January 2007. His 16-year-old brother Sultan Kohail is held with him in connection with the murder, but it is not clear whether he too has been sentenced to death. Mohamed Kohail was reportedly beaten to force him to sign a confession.

## BACKGROUND INFORMATION

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

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, torture or deception.

In January 2006 the Saudi Arabian authorities told the Committee on the Rights of the Child (which monitors states' implementation of the CRC) that no one had been executed for offences committed when they were under 18 years of age since the CRC came into force in the country, in February 1996. The Committee urged the authorities to ensure that no child offenders were sentenced to death.

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

- expressing concern at reports that Dhahian Rakan al-Sibai'I, who was a child at the time of the offence, and Mohamed Kohail, have been sentenced to death, and urging the authorities to ensure that these sentences are not carried out;
- expressing concern that Sultan Kohail, aged 16, may also be under sentence of death, and urging the authorities to commute his sentence if this is the case;
- pointing out that the execution of child offenders is expressly prohibited by the Convention on the Rights of the Child, to which Saudi Arabia is a state party;
- reminding Saudi Arabia of its assurances to the Committee on the Rights of the Child that no executions of child offenders have been carried out since the convention came into force in Saudi Arabia;
- calling on Saudi Arabia to take the necessary steps to halt the imposition of death sentences against child offenders, as recommended by the CRC Committee;
- expressing concern at the recent increase in the number of executions in Saudi Arabia, against UN calls for moratorium on the death penalty and the international trend to abolish the death penalty.

**APPEALS TO:**

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  
**Salutation: Your Majesty**

His Royal Highness Prince Naif bin 'Abdul 'Aziz Al-Saud  
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**  
**+ 966 1 403 3614**  
**Salutation: Your Royal Highness**

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 0645**  
**Salutation: Your Royal Highness**

**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 28 June 2007.