

PUBLIC

AI Index: MDE 23/019/2009

18 June 2009

UA 157/09

Death Penalty/Alleged juvenile offenders

SAUDI ARABIA

Raid Halassa Sakit (m), aged about 20, Iraqi national
Abbas Fadil Abbas (m), aged 20, Iraqi national
Othman Ali (m), aged 20, Iraqi national
Aqil Matsher (m), aged 22, Iraqi national

The four Iraqi nationals named above are at risk of imminent execution for alleged offences reported to have been committed while they were below the age of 18. They were convicted and sentenced to death after unfair trials. All four were not given legal assistance or representation and they were sentenced after secret and summary trials. They all claim that they are innocent. They are held in Rafha prison, near the border with Iraq.

According to information received by Amnesty International, Raid Halassa Sakit was arrested and detained by the General Intelligence in the town of Rafha in 2005. He was charged and tried for drug-related offences and for links with armed groups in Iraq. He had been around 16 years old at the time of these alleged crimes. He was allegedly tortured by being subjected to electric shocks and then beaten until he signed a "confession" which, because he is illiterate, he could not read.

Raid Halassa Sakit was tried in secret without legal assistance by the Criminal Court in Rafha and was initially sentenced to five years' imprisonment. According to a report received by Amnesty International, when the judge announced the sentence Raid Halassa Sakit insisted on his innocence, to which the judge apparently replied, "You had signed", referring to the fact that he had signed a "confession". When Raid Halassa Sakit told the judge that he had signed because of the torture the judge told him, "Such talk is of no benefit to you now". When he was brought back to the same court two months later he was told that the Court of Cassation in Riyadh had increased the sentence to 20 years' imprisonment. A month later Raid Halassa Sakit was again brought back to the Criminal Court in Rafha and informed that he was sentenced to death.

Because of the secrecy of the criminal justice system in Saudi Arabia, Amnesty International has been unable to obtain extensive details about the cases of the other three men. However, the organization has received reports that they were all aged between 15 and 18 at the time of their alleged crimes. Othman Ali and Aqil Matsher were arrested in 2004 and would have been around 15 years and 17 years old respectively at the time. Abbas Fadil Abbas is also reported to have been under 18 at the time of his arrest.

Prisoners in Saudi Arabia may be put to death without a scheduled date for execution being made known to them or their families. The four alleged juvenile offenders could be executed at any time.

BACKGROUND INFORMATION

Saudi Arabia is a state party to the Convention on the Rights of the Child, which expressly prohibits the execution of juvenile offenders – those convicted of crimes committed when they were under 18. However, Saudi Arabia continues to execute alleged juvenile offenders in breach of their obligations under international law (see press release issued on 11 May 2009, *Saudi Arabia: Two juveniles executed by Saudi Arabian authorities among a group of five* at <http://www.amnesty.org/en/for-media/press-releases/saudi-arabia-two-juveniles-executed-saudi-authorities-among-group-five-2>).

At least 158 people, including 76 foreign nationals, were executed by the Saudi Arabian authorities in 2007, and at least 102 people, including almost 40 foreign nationals, were executed in 2008. Since the beginning of 2009, a further 42 people are known to have been executed.

Saudi Arabia applies the death penalty for a wide range of offences. Court proceedings fall far short of international standards for fair trial. 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 or deception.

In a recent report on the use of the death penalty in Saudi Arabia, Amnesty International highlighted the extensive use of the death penalty as well as the disproportionately high number of executions of foreign nationals from developing countries. For further information please see *Saudi Arabia: Affront to Justice: Death Penalty in Saudi Arabia* (Index: MDE 23/027/2008), published on 14 October 2008:

<http://www.amnesty.org/en/news-and-updates/report/saudi-arabia-executions-target-foreign-nationals-20081014>

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

- urging the authorities to halt the execution of Raid Halassa Sakit, Abbas Fadil Abbas, Othman Ali and Aqil Matsher, all of whom may have been under 18 at the time of their alleged crimes;
- calling on the authorities to commute the death sentences of Raid Halassa Sakit, Abbas Fadil Abbas, Othman Ali and Aqil Matsher, particularly given Saudi Arabia's obligations as a state party to the Convention on the Rights of the Child;
- reminding the authorities that they should act in accordance with international law, particularly Article 37 of the Convention of the Rights of the Child, and end the use of the death penalty against juvenile offenders.

APPEALS TO:

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

Second Deputy Prime Minister and 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 (please keep trying)**

Salutation: **Your Royal Highness**

COPIES TO:

Mr Bandar Mohammed Abdullah Al Aiban

President, Human Rights Commission

P.O. Box 58889, King Fahad Road, Building No. 373, Riyadh 11515, Kingdom of Saudi Arabia

Fax: **+966 1 461 2061**

Email: hrc@haq-ksa.org

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 30 July 2009.