

URGENT ACTION

TV PRESENTER'S DEATH SENTENCE TO BE REVIEWED

The Supreme Court in Saudi Arabia's capital, Riyadh, has refused to ratify the death sentence on a Lebanese national for "sorcery" and has ordered the case to be reviewed by the original court.

'Ali Hussain Sibat, who is 46 and has five children, was a presenter on a TV show aired in Saudi Arabia via the Lebanese satellite TV station Sheherazade, where he gave advice and predictions about the future. He was arrested by the Mutawa'een (religious police) and charged with "sorcery", among other related offences, in May 2008 while he was in Saudi Arabia to perform a form of Muslim pilgrimage, the *umra*. He was convicted of these charges and sentenced to death by a court in Madina on 9 November 2009 after secret court hearings where he had no legal representation or assistance. Amnesty International concluded that he was sentenced solely for the peaceful exercise of his right to freedom of expression and that he was therefore a prisoner of conscience.

In January 2010, the Court of Appeal in Makkah accepted an appeal against his death sentence, on grounds that the verdict was premature, that all allegations against him had to be verified, and that if he had really committed the crime he should be asked to repent. However, on 10 March, a court in Madina upheld the death sentence. The judges in a statement said that he deserved to be sentenced to death because he had practised "sorcery" publicly for several years before millions of viewers and that his actions made him an "infidel". The Court of Appeal in Makkah subsequently upheld the death sentence in April and sent it to the Supreme Court for ratification.

The Supreme Court has, however, refused to ratify the death sentence, considering it to be inappropriate as, in its view, there was no proof that others were harmed as a result of his actions. The Supreme Court ordered the case to be referred back to the original court in Madina for a new set of judges to reconsider the sentence with a view to commuting the death penalty and ordering his deportation back to Lebanon.

PLEASE WRITE IMMEDIATELY in Arabic, English or your own language:

- Welcoming the decision of the Supreme Court not to ratify the death sentence against 'Ali Hussain Sibat, given Amnesty International's opposition to the death penalty in all circumstances;
- Reminding the authorities that the UN Safeguards guaranteeing protection of the rights of those facing the death penalty stipulate that "capital punishment may be imposed only for the most serious crimes, it being understood that their scope should not go beyond intentional crimes with lethal or other extremely grave consequences" and that the decision of the court in Madina due to retry the case must, as a minimum, ensure this safeguard is upheld;
- Calling on the authorities to release 'Ali Hussain Sibat immediately and unconditionally as he has been convicted solely for the peaceful exercise of his right to freedom of expression.

PLEASE SEND APPEALS BEFORE 23 DECEMBER 2010 TO:

King

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

Second Deputy Prime Minister and Minister of the Interior

His Royal Highness Prince Naif bin 'Abdul 'Aziz Al-Saud, 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

And copies to:

President, Human Rights Commission
Bandar Mohammed 'Abdullah al- Aiban
Human Rights Commission
P.O. Box 58889, King Fahad Road,
Building No. 373, Riyadh 11515
Kingdom of Saudi Arabia
Email: hrc@haq-ksa.org

Also send copies to diplomatic representatives of Saudi Arabia accredited to your country. Please check with your section office if sending appeals after the above date. This is the second update of UA 328/09. Further information: <http://www.amnesty.org/en/library/info/MDE23/036/2009> and <http://www.amnesty.org/en/library/info/MDE23/006/2010>

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ADDITIONAL INFORMATION

'Ali Hussain Sibat was a presenter on a TV show on the Lebanese satellite TV station Sheherazade, where he gave advice and predictions about the future. His lawyer in Lebanon believes that 'Ali Hussain Sibat was arrested because members of the Mutawa'een had recognized him from the show. After he was arrested, 'Ali Hussain Sibat's interrogators told him to write down what he did for a living, reassuring him that, if he did so, he would be allowed to go home after a few weeks. This document was presented in court as a "confession" and used to convict him.

Another man sentenced to death for "apostasy" in July 2009 by a court in Hail on grounds relating to "sorcery" may also still be at risk of execution.

The crime of "sorcery" is not defined in Saudi Arabia, and has been used to punish people for the legitimate exercise of their human rights, including the rights to freedom of thought, conscience, religion, belief and expression. The criminalization of apostasy is incompatible with the right to freedom of thought, conscience and religion as set out in Article 18 of the Universal Declaration of Human Rights.

At least 158 people were executed in 2007 in Saudi Arabia, and at least 102 in 2008. In 2009, 69 people are known to have been executed, including almost 20 foreign nationals. Since the beginning of 2010, at least 22 people have been executed.

Saudi Arabia applies the death penalty for a wide range of offences, including some with no lethal consequences. 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.

The Saudi Arabian authorities arrested scores of people for "sorcery" in 2009, and have continued to arrest people for "sorcery" this year. A number of them were arrested by the Mutawa'een (religious police), which is officially referred to as the Commission for Promotion of Virtue and Prevention of Vice. The last known execution for "sorcery" was that of Egyptian national Mustafa Ibrahim, on 2 November 2007. He was convicted of "sorcery" and "witchcraft" for allegedly casting spells to attempt to separate a married couple.

In a report issued in 2008 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), 14 October 2008: <http://www.amnesty.org/en/news-and-updates/report/saudi-arabia-executions-target-foreign-nationals-20081014>

Further information on UA: 328/09 Index: MDE 23/014/2010 Issue Date: 11 November 2010

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