



To: Health Professional Network
From: Health and Human Rights Team
Date: 8 December 2008

Health Professional Action

Egyptian doctors sentenced to flogging in Saudi Arabia

Two Egyptian doctors, Raouf Amin al-Arabi and Shawqi Abd Rabbuh, have been sentenced in Saudi Arabia to, respectively, 15 and 20 years in prison, and 1,500 and 1,700 lashes. While Amnesty International does not have information on the exact formulation of the charges on which they were convicted, the doctors were alleged to have facilitated the addiction of an unnamed Saudi Arabian patient to morphine after prescribing the medicine for her pain relief following an accident.

The sentences were handed down to Raouf Amin al-Arabi, aged 52, and Shawqi Abd Rabbuh by a court in Jeddah over a year ago. However, very little information has been made public about their case, and they are believed to have been convicted and sentenced following an unfair trial. Some reports suggest that the two men have already been subjected to some lashes while other reports claim that the case is pending review by the Supreme Judicial Council.

Background

Flogging is mandatory in Saudi Arabia for a number of offences, including consumption of alcohol, and can also be used at the discretion of judges as an alternative or addition to other punishments. Sentences can range from dozens to thousands of lashes, and are usually carried out in instalments, at intervals ranging from two weeks to one month.

Amnesty International is opposed to the use of flogging as punishment in all circumstances, since the organization considers it to violate the absolute prohibition against torture and other cruel, inhuman or degrading treatment or punishment. This is a view shared by UN human rights experts. In commenting on corporal punishments like flogging, the UN Special Rapporteur on torture, for instance, has stated that "corporal punishment is inconsistent with the prohibition of torture and other cruel, inhuman or degrading treatment or punishment". Flogging contravenes Article 5 of the Universal Declaration of Human Rights, which states that "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment", as well as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Saudi Arabia is a state party.

Recommended action

Please write to the Saudi Arabian authorities below:

- explaining (if relevant) that you are a health professional concerned about human rights;
- expressing concern at the sentence of flogging imposed on Raouf Amin al-Arabi and Shawqi Abd Rabbuh, which Amnesty International considers to constitute torture;
- urging the King to commute the sentences of flogging against Raouf Amin al-Arabi and Shawqi Abd Rabbuh to a humane punishment;
- expressing concern that Raouf Amin al-Arabi and Shawqi Abd Rabbuh appear to have been convicted and sentenced after an unfair trial;
- calling on the authorities to review the case or send it for retrial and to ensure that any such procedures are undertaken in accordance with international fair trial standards;
- urging the authorities to stop the practice of judicial corporal punishments, with a view to abolishing them in law, so as to bring Saudi Arabian laws and practices into line with international laws and standards prohibiting torture and other ill-treatment, including the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Saudi Arabia is a state party.

Addresses

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: + 966 1 403 1185 (via Ministry of the Interior)
Salutation: Your Majesty

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 (please keep trying)
Salutation: Your Royal Highness

COPIES TO:

Mr Turki bin Khaled Al-Sudairy

President
The Human Rights Commission
P.O. Box 58889
King Fahad Road, Building No. 373
Riyadh 11515
Kingdom of Saudi Arabia
Fax: + 966 1 461 2061

Please also send copies to diplomatic representatives of Saudi Arabia accredited to your country.

If you receive no reply within six weeks of sending your letter, please send a follow-up letter seeking a response. Please send copies of any letters you receive to the International Secretariat, attention of Health and Human Rights Team, 1 Easton Street, London WC1X 0DW or e-mail: health@amnesty.org