

URGENT ACTION

PALESTINIAN DETAINED PAST SENTENCE EXPIRY

Palestinian national Dr. Hani al-Khudari continues to be detained in Saudi Arabia despite the expiry of his sentence on 28 February 2022. During his arrest and detention, Dr. Hani al-Khudari was subjected to a series of gross human rights violations, including enforced disappearance, arbitrary detention incommunicado and in solitary confinement, and denied access to adequate medical care. His father, Dr. Mohammed al-Khudari was released in October 2022, seven months after the expiry of his sentence and following three years of arbitrary detention. Amnesty International urges the Saudi Arabian authorities to release Dr. Hani al-Khudari immediately. Pending his release, he must be granted immediate access to adequate medical care.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

*King Salman bin Abdul Aziz Al Saud
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Kingdom of Saudi Arabia
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Your Majesty King Salman bin Abdulaziz Al Saud,

*I am alarmed to learn that **Dr. Hani al-Khudari** is still in detention in Abha prison in Saudi Arabia's 'Asir Region despite the expiry of his prison sentence on 28 February 2022, and despite the UN Working Group on Arbitrary Detention (WGAD) decision 34/2021, issued in October 2021, which found that his fundamental human rights have been violated with such gravity that it renders his detention arbitrary, and called for his 'immediate and unconditional' release.*

On 28 December 2021, the Specialized Criminal Court of Appeal in Riyadh recommended decreasing Dr. Hani al-Khudari's sentence to three years in prison including time served. Based on this, Dr. Hani al-Khudari finished his prison sentence on 28 February 2022.

Additionally, Dr. Hani al-Khudari requires urgent medical care to remove gallbladder stones in addition to urgent dental care. According to his family, the prison hospital cannot perform the surgery to remove his gallbladder stones so must be released in order to receive medical care. He has previously been refused access to the adequate medical care he requires. The treatment and detention conditions have placed a great deal of stress and psychological pressure on him. Such conduct violates the prohibition of torture and other ill-treatment.

*We welcome the news that Dr. Hani al-Khudari's father, **Dr. Mohammed al-Khudari** was released from prison in October 2022, albeit an overdue release, seven months after the expiry of his sentence on 28 February 2022.*

We call on Your Majesty to ensure that Dr. Hani al-Khudari is released immediately and that his conviction and sentence are quashed. Pending his release, we urge you to grant Dr. Hani al-Khudari the adequate care he requires.

Yours sincerely,

ADDITIONAL INFORMATION

Palestinian nationals Dr. Mohammed al-Khudari and Dr. Hani al-Khudari were arbitrarily arrested on 4 April 2019 and remained in detention without charges until 8 March 2020. Both men were subjected to gross human rights violations including enforced disappearance, arbitrary arrest and detention, being held incommunicado and in solitary confinement. Furthermore, both men were interrogated behind closed doors without the presence or participation of their lawyers. In November 2020, they were transferred to Abha prison, which lacks medical specialists and the necessary standard of care.

On 8 March 2020, both men were charged before the Specialized Criminal Court with “joining a terrorist entity” - understood to be Hamas de facto authorities - as part a mass trial of 68 individuals. Dr. Mohammed al-Khudari was additionally charged with holding several leadership positions within the entity. This trial was marred by numerous and serious violations of their due process rights, including enforced disappearance, arbitrary arrest and detention, being held incommunicado and solitary confinement. On 8 August 2021, the Specialized Criminal Court in Riyadh sentenced Dr. Mohammed al-Khudari to 15 years in prison, with half the term discounted given his age; leaving him with seven and a half years to serve in detention; and sentenced Dr. Hani al-Khudari to three years in prison including time served, followed by deportation from Saudi Arabia. Following the appeal, on 28 December 2021, the Court of Appeal in Riyadh reduced the sentence of Dr. Mohammed al-Khudari to six years in prison, with half the term discounted given his age; and upheld Dr. Hani al-Khudari’s sentence. Based on this, both men should have been released from prison on 28 February 2022. Although Dr. Mohammed al-Khudari was released in October 2022, his son Dr. Hani al-Khudari remains in detention.

Dr. Hani al-Khudari, suffers anaemia and requires urgent medical care to remove gallbladder stones which he was diagnosed with two years ago, in addition to urgent dental care. According to his family, if Hani’s gallbladder stones are not removed, this may cause serious implications to his liver. The prison hospital is unable to perform the surgery and therefore needs to be released in order to receive medical care and has been refused adequate medical care. Furthermore, he had previously contracted COVID-19 in prison.

On 19 October 2021, the UN Working Group on Arbitrary Detention (WGAD) issued [decision 34/2021](#) which classified the detention of Dr. Mohammed al-Khudari and Dr. Hani al-Khudari as arbitrary. In its decision, the WGAD urged the Saudi authorities to immediately and unconditionally release both men, so that they may receive the required urgent medical care, in accordance with article 25 of the Universal Declaration of Human rights and rules 24 to 35 of the Nelson Mandela rules, and to accord both men an enforceable right to compensation and other reparations, in accordance with international law.

The arrests of the two Palestinian nationals is part of a wider crackdown by the Saudi Arabian authorities on Palestinian, Jordanian and Saudi Arabian nationals residing in Saudi Arabia with a perceived link to Hamas de facto authorities.

Amnesty International has documented the [Saudi Arabian authorities’ use of the Specialized Criminal Court \(SCC\) since 2011 to systematically silence dissent](#), concluding that SCC judges have presided over grossly unfair trials, handing down prison sentences of up to 30 years and numerous death sentences under vague provisions of the counter-terror and anti-cybercrime laws.

PREFERRED LANGUAGE TO ADDRESS TARGET: Arabic/English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 6 January 2023

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Dr. Mohammed al-Khudari, Dr. Hani al-Khudari (both him/his)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/mde23/5307/2022/en/>