

USAHani El-Sayegh

Amnesty International is concerned that Hani El-Sayegh faces imminent forcible repatriation to Saudi Arabia, where he would be at serious risk of torture in incommunicado detention, unfair trial and execution.

If returned to Saudi Arabia Hani El-Sayegh is expected to face arrest and trial in connection with the 1996 bombing of a US military complex in Dhahran, which killed 19 US servicemen.

Hani El-Sayegh was arrested in connection with the bomb attack in Canada in March 1997. In June 1997 he was deported to the USA. It was reported at the time that the US authorities had agreed that in return for his cooperation in the investigation of the bombing he would face lesser charges and receive a guarantee that he would not be returned to Saudi Arabia. Hani El-Sayegh applied for asylum in the USA and his lawyer filed a petition for protection under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which the USA is a state party.

However, on 4 October 1999 Deputy Attorney General Eric Holder issued a written statement in which he said, "Last week, after a thorough review of his claims, the Justice Department determined that El-Sayegh was not entitled to remain in this country and that his removal to Saudi Arabia was appropriate." The US government has said that it has received assurances from the Saudi Arabian government that Hani El-Sayegh will not be tortured. However no details of these assurances have been made public.

Hani El-Sayegh's lawyer has filed petitions to halt his deportation at courts in Washington and Atlanta. The Washington court has turned down the petition on the grounds that the matter is outside its jurisdiction. The court in Atlanta has yet to respond. Unless the court grants a stay of removal the US Immigration and Naturalization Service is expected to deport Hani El-Sayegh on 8 October.

Amnesty International recognises the right of states to bring to justice those found responsible for criminal offences. However, the organization supports the internationally-recognised principle of *non-refoulement*, under which states are obliged not to return any person to a country where they would risk serious human rights violations, and opposes the use of torture and the death penalty in all cases.

BACKGROUND INFORMATION

Incommunicado detention, torture, unfair trials and the death penalty are routinely used in Saudi Arabia. Detainees arrested in connection with political offences are routinely denied access to lawyers, doctors and their families, and Amnesty International has documented many cases of torture. The death penalty is imposed after trials which fail to meet the most basic of international standards, including the right to a defence and to an appeal. In 1996 four prisoners were executed 40 days after giving televised "confessions" in which they admitted carrying out the bombing of the National Guard training centre in Riyadh in November 1995. Throughout their detention they had no access to defence lawyers and their trial was held *in camera*.

Human rights violations in Saudi Arabia have been documented in detail by the US government. The 1998 US State Department Report on Human Rights Practices

states, "Ministry of Interior officials are responsible for most incidents of abuse, including beatings and sleep deprivation. In addition, there were allegations of torture...Political detainees who are arrested by the General Directorate of Investigation (GDI), the Ministry of Interior's security service, commonly are held incommunicado in special prisons during the initial phase of an investigation, which may last weeks or months." The report goes on to describe the judicial system: "Defendants usually appear without an attorney before a judge...Public defenders are not provided...Most trials are closed."

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English or your own language:

- expressing grave concern that Hani El-Sayegh would face possible torture in incommunicado detention and execution after unfair trial if returned to Saudi Arabia;
- calling on the US government to immediately halt his deportation;
- reminding the US government of its obligations under the Convention against Torture not to repatriate anyone to a country where they would be at risk of torture;
- reminding the US government of its own statements on human rights violations in Saudi Arabia, as contained in several State Department reports;
- stating your unconditional opposition to the use of the death penalty.

APPEALS TO:

President Clinton
The White House
Office of the President
1600 Pennsylvania Avenue
Washington, DC 20500, USA
Faxes: + 1 202 456 2461
Salutation: Dear Mr President

The Honorable Madeleine Albright
Office of the Secretary of State
2201 C Street, N.W.
Washington, DC 20520, USA
Faxes: + 1 202 647 1533
Salutation: Dear Secretary of State

The Honorable Janet Reno
Attorney General
Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530, USA
Faxes: + 1 202 514 4371
Salutation: Dear Attorney General

COPIES TO: diplomatic representatives of the USA accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 4 November 1999.