

UA 175/07

Death sentence

SAUDI ARABIA

Rizana Nafeek (f), aged 19, Sri Lankan national

Domestic worker Rizana Nafeek was sentenced to death on 16 June for a murder committed while she was 17 years old. Saudi Arabia is a state party to the Convention on the Rights of the Child (CRC), which expressly prohibits the execution of offenders for crimes committed when they were under 18 years old. Rizana Nafeek is believed to have appealed against her sentence, but if her appeal is unsuccessful she could be executed within days.

She was arrested in May 2005 in Jeddah on charges of murdering an infant in her care. She had no access to lawyers either during interrogation or at her trial and was believed to have confessed to the murder during police questioning. She has since retracted her confession.

She apparently told the authorities that she was born in February 1988, but they seem to have ignored this on the basis that her passport indicated that she was born in February 1982. According to information available to Amnesty International no medical examination is believed to have been carried out to ascertain her age, nor was she given the opportunity to present her birth certificate, which reportedly shows that she was born in 1988.

BACKGROUND INFORMATION

Saudi Arabia applies the death penalty for a wide range of offences. Court proceedings fall far short of international standards for fair trial, and take place behind closed doors.

Defendants normally do not have 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, torture or deception. The rate of executions in Saudi Arabia has recently increased sharply, and the authorities have executed at least 100 people so far this year, although the true figure may be much higher. Death sentences are usually carried out by beheading.

Saudi Arabia assured the Committee on the Rights of the Child (who monitor states' implementation of the CRC) in January 2006 that no children had been executed in the country since the CRC came into force in Saudi Arabia in 1997. This is a weaker commitment than is required by the CRC, which demands that no one is executed for crimes committed when they were under 18, no matter how old they are now.

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

- urging the King to intervene and commute Rizana Nafeek's death sentence;
- pointing out that the execution of juvenile offenders is expressly prohibited by the Convention on the Rights of the Child, which Saudi Arabia ratified in 1997;
- calling on the Saudi Arabian authorities to ensure that Rizana Nafeek has access to a lawyer of her choice to present her appeal and is given an effective opportunity to exercise her right to defence and appeal against her death sentence in a transparent process;
- acknowledging the right of the government to bring to justice those responsible for criminal offences, but expressing unconditional opposition to the death penalty;
- reminding the authorities that they are bound by international standards for fair trial in capital cases

APPEALS TO:

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

Salutation: Your Majesty

His Royal Highness 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
Salutation: Your Royal Highness

His Royal Highness Prince Saud al-Faisal bin ‘Abdul ‘Aziz Al-Saud
Minister of Foreign Affairs
Ministry of Foreign Affairs
Nasseriya Street
Riyadh 11124
Kingdom of Saudi Arabia
Fax: +966 1 403 0645
Salutation: Your Royal Highness

COPIES TO:

Mr Turki bin Khaled Al-Sudairy
President
Human Rights Commission
PO Box 58889, Riyadh 11515
King Fahad Road, Building No.373
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Kingdom of Saudi Arabia
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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 16 August 2007.*****