

PUBLIC

AI Index: MDE 23/048/2008

26 November 2008

UA 324/08

Imminent execution

SAUDI ARABIA

'Abdullah Fandi al-Shammari (m)

Amnesty International has received information that 'Abdullah Fandi al-Shammari is due to be executed within the next 20 days. According to an appeal issued by his family, his execution was scheduled for around 15 November but, following an intervention by Crown Prince Sultan bin 'Abdul Aziz, he was granted a 30-day reprieve to enable his family a last chance to seek pardon from the family of the person he was convicted of killing.

'Abdullah Fandi al-Shammari's execution is said to be planned to take place in the city of Hail, in the northern governorate of the same name, where he is imprisoned. He was sentenced to death for a killing committed in 1981 or 1982. Amnesty International believes he was unfairly tried and is appealing to King 'Abdullah to commute the sentence. As head of the Supreme Judicial Council, the King has the final decision on whether to ratify the sentence.

In 1988, 'Abdullah Fandi al-Shammari was tried before a court of first instance in Hail and found guilty of manslaughter, on the basis that he did not intend to kill the victim. He was ordered to pay blood money to the family of the victim. The ruling was confirmed on appeal in 1989, but he was later released. In 1990 the Supreme Judicial Council returned the case to the court of first instance for a retrial and he was subsequently rearrested, retried for the same crime and sentenced to death in 1992. His case was heard and determined in one session; he had no access to the file or to any legal assistance, and was not able to appeal against the sentence before it was ratified by the Court of Cassation.

According to 'Abdullah Fandi al-Shammari's court file, the facts of the case presented by the prosecution in the second trial differed from those in the first. For example, in the second trial he was accused of using an iron bar when he attacked the victim, while in the first trial it was reported that he used a wooden stick.

'Abdullah Fandi al-Shammari's case is believed to have been raised with the authorities by Saudi Arabia's National Human Rights Association.

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. 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.

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

- welcoming the intervention by Crown Prince Sultan bin 'Abdul Aziz to grant 'Abdullah Fandi al-Shammari a 30-day reprieve;
- calling for the execution of 'Abdullah Fandi al-Shammari to be stayed and the death sentence to be commuted;
- calling on the authorities to investigate any reported irregularity in 'Abdullah Fandi al-Shammari's case, including the reported variations in the facts, and ensure that he is allowed to appeal against the decision;

- 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 of international standards for fair trial in capital cases, including the right to seek an appeal, pardon or commutation of the sentence.

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: diplomatic representatives of Saudi Arabia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.