

Amnesty International Women's Rights Action 2000

Women's Rights are Human Rights
The Struggle Persists

SAUDI ARABIA
A Woman Migrant Worker Sentence to Death

AI Index: MDE 23/13/00

[BOX]

“Many women face additional barriers to the enjoyment of their human rights because of such factors as their race, language, ethnicity, culture, religion, disability or socio-economic class or because they are indigenous people, migrants, including women migrant workers, displaced women or refugees. They may also be disadvantaged and marginalised by a general lack of knowledge and recognition of their human rights as well as by the obstacles they meet in gaining access to information and recourse mechanisms in cases of violation of their rights.”

Beijing Platform for Action, Strategic Objective I, paragraph 225.

[end BOX]

Sarah Jane Dematera was 19 years old when she arrived in Saudi Arabia in November 1992 from the Philippines to work as a domestic helper. Four days later she was arrested for the murder of her female employer, a crime she continues to deny after seven years in prison.

Throughout her ordeal, Sarah is reported to have appeared before a judge in court only twice. From a letter to her mother in 1997 it is clear that Sarah was unaware of the implications of these appearances or of her sentence:

“In my last letter, I wrote that they had told me that I have to stay here for one more year, so altogether five years. But I am still not quite sure as they haven't summoned me to court yet. I am still not able to speak with the judge and in a matter of months it will be five years that I have been here”

Sarah's trial remains shrouded in secrecy. Like many others, she has had no access to legal assistance, either following her arrest or during trial proceedings. With no knowledge of Saudi Arabia's laws or of Arabic, she could not have been able to mount an effective defence. The exact status of her sentence is not clear, but it appears that the death sentence will remain pending for approximately 10 years until the youngest child of the murder victim reaches the age of 18 and decides whether to accept compensation instead of execution, grant Sarah a pardon, or ask for the execution to be carried out. The Saudi Arabian legal system gives relatives of murder victims the right to grant a pardon freely or ask for compensation or the execution of those found guilty.

People without access to resources like money and influence, such as foreign migrant workers in low income jobs, are particularly vulnerable to human rights violations in Saudi Arabia under the secret and summary nature of the criminal justice system. Foreign women, particularly those working as domestic workers like Sarah Dematera, are especially vulnerable because of the restrictions many have to work under. These include restrictions on their freedom of movement. Foreign workers, who may lack knowledge of Arabic, an understanding of the law and traditions and influential contacts, are

particularly vulnerable when they come into contact with the law. If arrested, they may be tricked into signing a confession in Arabic, a language they may not understand. They may be unable to contact anyone to intervene on their behalf, including consular staff. They may not be able to inform their families of their fate. If sentenced to death for murder they may not be able to effectively pursue a pardon as both influence and money may be beyond their reach.

[BOX]

The wider picture of discrimination against women in Saudi Arabia.

In Saudi Arabia, women, both as citizens and foreign nationals, are vulnerable to discrimination based on their gender under the country's existing laws, social norms and traditions. While Saudi Arabian women have gained some rights in the economic field - they have been able to establish companies and charitable institutions - their rights in the civil, political and social fields are systematically violated. For example, women's freedom of movement is severely curtailed. A woman needs permission from a male relative to travel abroad. Not only is she not allowed to drive a car, but if she walks unaccompanied or in the company of a man who is neither her husband nor a close relative, she is at risk of arrest on suspicion of prostitution or other "moral" offences. With these restrictions on freedom of movement alone, a woman's enjoyment of many other rights is severely curtailed. A range of fields are still closed to women, particularly in education and work. In Saudi Arabia, there are no women judges and while participation in political life is restricted for most citizens, it is completely closed to women.

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In one of her letters to her family, written from al-Dammam prison in 1993, Sarah describes her fear of what is going to happen to her:

"I'm always scared, especially on Fridays because that's the day when they execute those who are on death row... I'm asking you to help me. I can't take my life here anymore... I'm always scared thinking that I may be executed next."

TAKE ACTION!

Please write to the Government of Saudi Arabia, and ask them to:

- Commute Sarah Dematera's death sentence and offer her the opportunity of fair judicial review.
- Ratify and implement without delay the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol.

Please send letters to:

King and Prime Minister
The Custodian of the Two Holy Shrines
His Majesty King Fahd bin 'Abdul 'Aziz
Office of H.M. The King
Royal Court
Riyadh
Telegram: King Fahd, Riyadh, Saudi Arabia
Salutation: Your Majesty

Crown Prince, Deputy Prime Minister & Commander of the National Guard
His Royal Highness Prince ‘Abdullah bin ‘Abdul ‘Aziz Al-Saud
Royal Court
Riyadh
Telegram: Crown Prince Abdullah, Riyadh, Saudi Arabia
Salutation: Your Royal Highness

Minister of Justice
His Excellency Dr. ‘Abdullah bin Muhammad bin Ibrahim Al-Sheikh
Minister of Justice
Ministry of Justice
University Street
Riyadh 11137
Fax: (1) 401 1741
Telegram: Minister of Justice, Riyadh, Saudi Arabia
Salutation: Your Excellency

Send copies to the Saudi Arabian embassy in your own country.

Write to your own government asking them to raise your concerns about this case with the Saudi Arabian authorities.

Photo caption:
Sarah Jane Dematera © Kanlungan.

Amnesty International, International Secretariat, 1 Easton Street, London WC1X 0DW, United Kingdom