

PUBLIC

AI Index: MDE 23/021/2007

24 May 2007

UA 122/07

Torture/Death penalty

SAUDI ARABIA

Abdullah Abdel Aziz al-Migrin (m), Saudi Arabian national
Ahmed Abdel Aziz al-Migrin (m), Saudi Arabian national
Khaled al-Kurdi (m), Saudi Arabian national
Mohamed Ali Hassan Zein (m), Saudi Arabian national
Ali Issa Umar (m), Chadian national
Khalid Ali Tahir (m), Chadian national
'Amir Abdul Hamid Al-Sa'di (m), Saudi Arabian national
Muhammad Fatehi Al-Sayyid (m), Egyptian national

The eight men named above have been shown on Saudi Arabian television "confessing" to planning terrorist acts. Amnesty International is concerned that they may have been tortured to force them to confess, and that they are at risk of further torture and also of being sentenced to death after unfair trials, and executed.

The "confessions" of the first four, whom the Ministry of Interior referred to in the press as "the Oil Cell", were shown on Saudi Arabian television, the News Channel and Channel One on 14 May. They were shown saying that they were planning to attack oil installations in Saudi Arabia and neighbouring Gulf countries, and that their plans were supported by Osama Bin Laden, the head of al-Qa'ida. One of the four was also shown admitting that the cell had provided logistical support to the people responsible for a foiled suicide attack on Abqiq oil installation facilities in the Eastern Province on 24 February 2006.

The other four were among at least eight detainees referred to by the authorities as the "Khaldiya Apartment Cell", after the apartment in Mecca where they were reportedly discovered and attacked by the security forces in July 2003. The four were shown describing planned attacks, including one on Ruwais Prison in Jeddah, where they allegedly intended to free others who had been jailed as suspected terrorists.

The eight are among hundreds of people arrested in Saudi Arabia as suspected members or sympathisers of al-Qa'ida since 2003: during April 2007, the authorities claim they arrested 172. Most have been subjected to lengthy incommunicado detention and denied access to legal assistance.

The authorities have said that the detainees will shortly be referred for trial, because they have confessed. Gross trial irregularities, which have begun with the televised confessions, will make it easier to sentence them to death. The televised confessions threaten the men's right to be presumed innocent, as required by international law and standards, including Article 11(1) of the Universal Declaration of Human Rights which states: "Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees for his defence".

The court proceedings are unlikely to meet international standards for fair trial, including the 1984 UN safeguards guaranteeing protection of the rights of those facing the death penalty. None of the defendants is known to have been offered legal assistance. 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 torture, duress or deception in violation of Article 15 of the Convention against Torture, to which Saudi Arabia is a state party.

Four men shown on television "confessing" to similar offences in 1996 were summarily executed 40 days later (see Extra 80/96, MDE 23/04/96, 19 June 1996). The Ministry of Interior announced at the time that the four were going to face trial on the basis of their confessions, just as they have done in this case.

BACKGROUND INFORMATION

The Saudi Arabian authorities make extensive use of the death penalty, and the rate of executions in the country has recently increased sharply. The range of offences punishable by death is very wide, and court proceedings fall far short of international standards for fair trial. Confessions obtained as a result of torture may be accepted as evidence, and may be the sole evidence on which a conviction is based.

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

- expressing concern that the eight men (naming them) have been shown on television confessing to terrorist offences, and urging the authorities to ensure that these confessions, if extracted under duress, are not admitted as evidence in any legal proceedings;
- expressing concern that the eight are at risk of being sentenced to death and executed after unfair trials, and urging the authorities to ensure that they do not face the death penalty;
- urging the authorities to ensure that the eight men are being treated humanely, protected from torture and ill-treatment, and given access to lawyers of their choosing and any medical attention they may require;
- asking for details of all detainees held on security or prevention of terrorism grounds, including their names, places of detention and details of any legal proceedings;
- reminding the authorities that Saudi Arabia is a state party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which expressly forbids the use in evidence of confessions made under torture and that they are also bound by the Universal Declaration of Human Rights, which requires that all defendants are presumed innocent;
- expressing concern at the recent sharp increase in the number of executions in Saudi Arabia, regardless of calls for a moratorium on the death penalty and the international trend to abolish the death penalty.

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. Check with the International Secretariat, or your section office, if sending appeals after 5 July 2007.