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Sri Lankan woman at risk of execution in Saudi Arabia

A young Sri Lankan woman is at imminent risk of execution in Saudi Arabia for a crime she allegedly committed whilst under the age of 18, prompting Amnesty International to urge the country's King to prevent the sentence being carried out.

Rizana Nafeek, a domestic worker, has been held at Saudi Arabia's Dawadami Prison since 2005 on charges of murdering an infant in her care. She says she was 17 at the time.

"It would be outrageous if Rizana Nafeek were to be executed for this. It appears that she was herself a child at the time and there are real concerns about the fairness of her trial," said Philip Luther, Amnesty International's Middle East and North Africa Programme Director.

As a state party to the Convention on the Rights of the Child (CRC), Saudi Arabia is prohibited from imposing the death penalty on persons who were under 18 years old at the time of the offence for which they were convicted.

On 16 June 2007, Nafeek was sentenced to death by a court in Dawadmi, a town west of the capital Riyadh.

The passport Nafeek used to enter Saudi Arabia in May 2005 gives her date of birth as February 1982, but her birth certificate states she was born six years later, making her 17 years old at the time of the infant's death.

According to information gathered by Amnesty International, she was not allowed to present her birth certificate or other evidence of her age to the court during her trial in 2007. While she may have been able to do so in later legal proceedings, it appears not to have swayed the decision of the judges, who in Saudi Arabia have discretion to decide the age of majority for children.

Riyadh's Supreme Court upheld Nafeek's death sentence on 25 October 2010.

The case was then sent to King Abdullah for ratification of the death sentence. Recent media reports indicate that the family of the infant who died have refused to pardon her and her execution is now imminent.

Sri Lankan President Mahinda Rajapaksa has already appealed to the King to exercise clemency.

Nafeek had no access to lawyers either during her pre-trial interrogation or at her trial in 2007.

She initially "confessed" to the murder during interrogation, but has since retracted this account arguing she was forced to make the "confession" under duress following a physical assault. She argues that the baby died in a choking accident while drinking from a bottle.

It appears that the man who translated her statement was not an officially recognized translator and it appears that he may not have been able adequately to translate between Tamil and Arabic.

A disproportionate number of foreign nationals, mainly migrant workers from countries in the global South, have been executed in Saudi Arabia over recent years.

Amnesty International opposes capital punishment in all circumstances.