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Saudi Arabia: Dr 'Abdullah al-Hamid and his brother 'Issa must not be punished for human rights activities

Dr 'Abdullah al-Hamid, a writer and former professor of contemporary literature at Imam Muhammad bin Sa'ud University, Riyadh, has been summoned to appear before a court in Buraida, in al-Qassim, north of Riyadh, on 10 September 2007. Amnesty International fears that he will not be given a fair trial and receive a harsh punishment because he asked police to justify their request to search the home of his relative with a warrant in accordance with Saudi Arabia's Code of Criminal Procedures. The organization's concerns are based on the circumstances surrounding the trial and a pattern of persecution of Dr 'Abdullah al-Hamid.

The trial is reported to be based on charges brought by the office of the Bureau of Investigation and Prosecution (BIR), the institution in charge of investigation and prosecution of crimes, following his detention from 19 to 23 July 2007 in connection with a protest held by a group of women against the prolonged detention on political grounds and without trial of their male relatives, some of them since their arrest in 2003.

The women protesters were also arrested at the same time and held for nearly one week then released without being charged or tried. Dr 'Abdullah al-Hamid is said to have been arrested after he challenged police to show arrest and search warrants when they arrived at the house of his relative, Rima al-Jareesh, to arrest her as one of the women protesters and wife of Muhammad al-Hamil who is reported to have been in detention without charge or trial since his arrest in 2004.

One of the charges brought against Dr 'Abdullah al-Hamid is reported to have been formulated as interference in or "obstruction" of police work. He is also reported to have been charged with inciting the women to stage the protest against the detention of their relatives. 'Issa al-Hamid, brother of Dr 'Abdullah al-Hamid, is also reported to have been summoned to appear before the same court on the same charges. The prosecution is reported to have asked for a severe punishment against Dr 'Abdullah al-Hamid and his brother 'Issa al-Hamid.

Amnesty International does not believe Dr 'Abdullah al-Hamid request for the search and arrest warrants against Rima al-Jareesh together with the women's protest amount to recognizably criminal offences. They appear to be activities related solely to the peaceful exercise of his conscientiously held beliefs and similar to past activities for which he was persecuted and Amnesty International considered him a prisoner of conscience. He was arrested several times between 1993 and 1995 in connection with the Committee for the Defence of Legitimate Rights (CDLR) founded in Saudi Arabia in 1993 by him and other prominent religious scholars and professionals but was not tolerated by the government.

Each time he was detained for several months then released. More recently, in March 2004, he was arrested and arbitrarily detained in prison along with a number of advocates of political and legal reforms and sentenced to seven years' imprisonment after a trial which failed to meet the most basic standards for fair trial. He spent about 16 months in prison and was released following a royal amnesty granted by King 'Abdullah bin Abdul 'Aziz Al-Sa'ud after his accession to the throne in August 2005.

The forthcoming trial of Dr 'Abdullah al-Hamid may be just another excuse to punish him for his defence of the rights of the women protesters in their search for fair trial or release of their relatives who are reported to be detained on political grounds and denied all access to lawyers and the judiciary. Amnesty International opposes any trial of Dr 'Abdullah al-Hamid and his brother on such grounds. However, if they are to be charged with recognizably criminal offences the organization would urge that they be given fair trial, including their right to legal assistance, public hearing, and time and facility to examine any evidence against them. This is the only way to ensure that they are not punished for human rights work

and the peaceful exercise of the right to freedom of expression and association.

Background

Critics of the state and suspected political opponents of the authorities are invariably subjected to gross violations of their rights with complete disregard for international human rights standards and Saudi Arabia's own laws. Upon arrest, detainees are often subjected to lengthy incommunicado detention with all the risks of torture and other ill-treatment this involves, indefinite detention without charge or trial, and denial of access to lawyers and the courts to challenge the legality of their detention. They may be released only after undertaking not to repeat what they were suspected of, even when this relates solely to the peaceful exercise of the right to freedom of expression and association. Political trials are rare, and invariably fall far short of international human rights standards for fair trial.

Defendants are, generally, denied legal assistance, and in many cases they and their families are not informed of the progress of legal proceedings against them. Court hearings are often held behind closed doors. This pattern of human rights violations has been exacerbated by Saudi Arabia's pursuit of the "war on terror" policy with total disregard for international human rights standards and the rule of law, which has resulted in thousands of people being subjected to arrest and detention over the last six years. Some of those arrested in the pursuit of the "war on terror" are said to include relatives of the women protestors. Amnesty International does not know how many are currently held, but according to reported statement by a Ministry of Interior source there are at least 3,000 political detainees currently held without charge or trial. The Ministry is also reported to have disclosed that 9,000 political detainees have been arrested since 2003.