

PUBLIC

AI Index: MDE 23/005/2007

1 February 2007

UA 23/07

Fear of torture and ill-treatment

SAUDI ARABIA/
YEMEN

Majid Ahmed al-Zahrani (m)]
Mohamed Misfir al-Qurashi (m)]
Mohsin Mubarek Bil'ed (m)]
Sa'eed Abdel Ghani al-Bulushi (m)]
Mohamed Falah al-Qahtani (m)]
At least seven unnamed men]

Saudi Arabian nationals

Three unnamed Yemeni nationals (m)

At least 15 men exchanged during a security cooperation exercise between Saudi Arabia and Yemen may be at risk of torture and ill-treatment. All were arrested upon arrival at their respective countries and have since been detained without regular access to families and lawyers. It appears that none of the detainees was given the opportunity to seek asylum, and that they were returned despite the risk to their safety in their native countries, in violation of international law.

Twelve of the fifteen detainees are Saudi Arabian nationals who were handed over to the Saudi Arabian authorities by the Yemeni government at the end of January 2007. They included Majid Ahmed al-Zahrani, Mohamed Misfir al-Qurashi, Mohsin Mubarek Bil'ed, Sa'eed Abdel Ghani al-Bulushi and Mohamed Falah al-Qahtani, who were tried in Yemen on vague charges relating to terrorism. The men's trial before Yemen's Special Criminal Court in the capital, Sana'a, began in February 2006, and they were finally acquitted in November 2006. They were believed to have been held incommunicado in pre-trial detention for several months following their arrest.

The names of the other seven Saudi Arabian men are not available to Amnesty International. The government of Yemen has not disclosed to Amnesty International any information about the dates of their arrests, reasons for their arrest or circumstances of their detention. All 12 Saudi Arabian nationals are reported to have been detained in undisclosed locations in Saudi Arabia following their return from Yemen.

The remaining three men are Yemeni nationals returned to their country by the Saudi Arabian government. The Saudi Arabian authorities have not disclosed any information about their arrest and detention in Saudi Arabia. The men were reported to have first been arrested by Saudi Arabian security forces in 2006. Amnesty International is not aware of their current place of detention in Yemen, although, as a rule, security suspects and political opponents of the government are invariably held in the Political Security prison in Sana'a. The three are not known to have been given access to families or lawyers.

Incommunicado detention is routine practice in both Yemen and Saudi Arabia, particularly during the initial period of detention, and it is a main factor facilitating and perpetuating torture and ill-treatment in both countries.

BACKGROUND INFORMATION

Detention without access to family or lawyers and the courts is a regular practice by the Yemeni and Saudi Arabian authorities, putting detainees at risk of torture and ill treatment. This pattern of human rights violations has been exacerbated by security policies adopted by the two countries on the "war on terror" and bilateral security agreements concluded between them in the wake of the attacks on the US on 11 September 2001. Both countries have been cooperating in their pursuit of security policies with total disregard for international human rights standards.

Dozens of people from both countries have been exchanged between the two governments in a process that is shrouded in secrecy, particularly since the two governments concluded a security agreement in 2003. Very little has been divulged about the exact numbers of people exchanged between the two countries and the circumstances surrounding their arrest, detention and wellbeing. Such a process facilitates and perpetuates torture and ill-treatment.

RECOMMENDED ACTION: Please send appeals to the authorities in Saudi Arabia and Yemen to arrive as quickly as possible, in Arabic or your own language:

- expressing concern for the 12 Saudi Arabian nationals and three Yemeni nationals being held in their native countries, who are at risk of torture or ill-treatment;
- asking the respective authorities to ensure that the men are protected from torture and ill-treatment and given regular access to family, lawyers and medical attention if necessary;
- seeking clarification of the names of the detainees and the exact reasons for their arrest and detention;
- asking for details of any charges against them and for information on any subsequent trial proceedings;
- calling on the authorities to ensure that detainees are given access to the courts to challenge the legality of their detention.
- calling for both countries to respect the rules of international law, which prohibits the forcible return of people to countries where they risk torture or ill-treatment.

APPEALS TO:

Saudi Arabian authorities

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

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 / 403 3614

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

Yemeni authorities

His Excellency General 'Ali 'Abdullah Saleh
President of the Republic of Yemen
Sana'a, Republic of Yemen

Fax: + 967 127 4147

Salutation: Your Excellency

His Excellency Dr Rashid Muhammad al-Alimi
Minister of Interior
Ministry of Interior

Sana'a, Republic of Yemen

Fax: + 967 1 332 511

Salutation: Your Excellency

Her Excellency Kadijah al-Haysami

Minister for Human Rights

Ministry for Human Rights

Sana'a, Republic of Yemen

Faxes: + 967 1 444 838

Salutation: Your Excellency

COPIES TO: diplomatic representatives of Saudi Arabia and Yemen accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 15 March 2007.