

URGENT ACTION

“SORCERY” DEATH SENTENCE UPHELD

A Lebanese national sentenced to death for “sorcery” in Saudi Arabia has had his death sentence upheld by a lower court. If the higher courts reject his appeal, he could be executed at any time.



'Ali Hussain Sibat © Private

'Ali Hussain Sibat, who is 46 and has five children, was a presenter on a TV show on the Lebanese satellite TV station Sheherazade, where he gave advice and predictions about the future. He was arrested by the Mutawa'een (religious police) on charges of “sorcery” in May 2008 while he was in Saudi Arabia to perform a form of Muslim pilgrimage, the *umra*.

'Ali Hussain Sibat was sentenced to death by a court in Madina on 9 November 2009 after secret court hearings where he had no legal representation or assistance. Amnesty International is concerned that the charge of “sorcery” and others arose solely from the peaceful exercise of his right to freedom of expression.

In January, the Court of Appeal in Makkah accepted an appeal against his death sentence, on grounds that it was a premature verdict. The Court of Appeal said that all allegations made against 'Ali Hussain Sibat had to be verified, and that if he had really committed the crime he should be asked to repent. But on March 10, a court in Madina upheld the death sentence. The judges in a statement said that he deserved to be sentenced to death because he had practised “sorcery” publicly for several years before millions of viewers and that his actions made him an infidel. The court said also that there would be no way to verify that his repentance, if he should repent, would be sincere and that imposing the death sentence would deter other people from engaging in “sorcery” at a time when, the court said, there is an increase in the number of “foreign magicians” entering Saudi Arabia. The case has been sent back to the Court of Appeal in Makkah for approval of the death sentence.

Another man sentenced to death for “apostasy” in July 2009 by a court in Hail on grounds relating to “sorcery” may also still be at risk of execution.

PLEASE WRITE IMMEDIATELY in Arabic, English or your own language:

- √ Urging the King to halt the execution of 'Ali Hussain Sibat and the man sentenced to death on “apostasy” charges in Hail in July 2009, if their sentences are upheld by the Supreme Court;
- √ Calling on the authorities to release 'Ali Hussain Sibat and the other man immediately and unconditionally if they have been convicted solely for the peaceful exercise of their right to freedom of expression;
- √ Urging the authorities to desist from charging and convicting people for “apostasy,” as it violates the legitimate exercise of the right to freedom of expression and freedom of religion.

PLEASE SEND APPEALS BEFORE 28 APRIL 2010 TO:

King and Prime Minister

His Majesty 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 (please keep trying)

Salutation: Your Majesty

Second Deputy Prime Minister and Minister of the Interior

His Royal Highness Prince Naif bin 'Abdul 'Aziz Al-Saud, Ministry of the Interior, P.O. Box 2933, Airport Road
Riyadh 11134
Kingdom of Saudi Arabia

Fax: +966 1 403 1185 (please keep trying)

Salutation: Your Royal Highness

And copies to:

President, Human Rights Commission
Bandar Mohammed 'Abdullah al- Aiban
Human Rights Commission
P.O. Box 58889, King Fahad Road,
Building No. 373, Riyadh 11515
Kingdom of Saudi Arabia

Fax: +966 1 461 2061

Email: hrc@haq-ksa.org

Salutation: Dear Mr al-Aiban

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date. This is the first update of UA 328/09. Further information: <http://www.amnesty.org/en/library/info/MDE23/036/2009/en>

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INTERNATIONAL**



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ADDITIONAL INFORMATION

'Ali Hussain Sibat was a presenter on a TV show on the Lebanese satellite TV station Sheherazade, where he gave advice and predictions about the future. His lawyer in Lebanon believes that 'Ali Hussain Sibat was arrested because members of the Mutawa'een had recognized him from the show. After he was arrested, 'Ali Hussain Sibat's interrogators told him to write down what he did for a living, reassuring him that, if he did so, he would be allowed to go home after a few weeks. This document was presented in court as a “confession,” and used to convict him.

The crime of “sorcery” is not defined, and has been used to punish people for the legitimate exercise of their human rights, including the rights to freedom of thought, conscience, religion, belief and expression. The criminalization of apostasy is incompatible with the right to freedom of thought, conscience and religion as set out in Article 18 of the Universal Declaration of Human Rights.

At least 158 people were executed in 2007, and at least 102 in 2008. In 2009, 69 people are known to have been executed, including almost 20 foreign nationals. Since the beginning of 2010, at least eight people have been executed.

Saudi Arabia applies the death penalty for a wide range of offences, including some with no lethal consequences. Court proceedings fall far short of international standards for fair trial. 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 duress or deception.

The Saudi Arabian authorities arrested scores of people for “sorcery” in 2009, and have continued to arrest people for “sorcery” this year. A number of them were arrested by the Mutawa'een (religious police), which is officially referred to as the Commission for Promotion of Virtue and Prevention of Vice. The last known execution for “sorcery” was that of Egyptian national Mustafa Ibrahim, on 2 November 2007. He had been arrested in May 2007 in the town of Arar, where he worked as a pharmacist, and accused of “apostasy” for having degraded a copy of the Qur'an.

In a report issued in 2008 on the use of the death penalty in Saudi Arabia, Amnesty International highlighted the extensive use of the death penalty as well as the disproportionately high number of executions of foreign nationals from developing countries. For further information please see *Saudi Arabia: Affront to Justice: Death Penalty in Saudi Arabia* (Index: MDE 23/027/2008), 14 October 2008: <http://www.amnesty.org/en/news-and-updates/report/saudi-arabia-executions-target-foreign-nationals-20081014>

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