

PUBLIC

AI Index: MDE 23/022/2008

02 May 2008

UA 120/08 Imminent risk of flogging/ Possible prisoner of conscience

SAUDI ARABIA Dr Muhammad 'Ali Abu Raziza (m), Saudi Arabian national

Dr Muhammad 'Ali Abu Raziza has been sentenced to eight months' imprisonment and 150 lashes on a charge of *khilwa*. Prince Khalid Al-Faisal Bin Abdul Aziz Al-Saud, the Governor of Makkah Province, is deciding whether the sentence will be carried out. Dr Muhammad 'Ali Abu Raziza is at imminent risk of imprisonment and flogging. If he is detained, Amnesty International would consider him to be a prisoner of conscience, detained for actions that should not be within the reach of the state.

Dr Muhammad 'Ali Abu Raziza, a professor of psychology at the University of Um al-Qura in the city of Makkah, (also known as Mecca), was arrested by officials from the Committee for the Propagation of Virtue and Prevention of Vice (also known as the religious police) after meeting with a young woman in a coffee shop. He was arrested on *khilwa* charges. Under Shari'a law, it is an offence known as *khilwa* to be alone in the company of a member of the opposite sex who is not an immediate relative.

According to press reports, Dr Muhammad 'Ali Abu Raziza had upset officials from the Committee who were his students, during an argument in one of his classes. These students also failed to pass their final exams and were said to be upset with Dr Muhammad 'Ali Abu Raziza. He later received a telephone call from a woman asking him to meet her at a coffee shop to discuss a problem. He was said to have agreed to the meeting on the condition that she brings a male guardian. Upon arrival at the coffee shop, Dr Muhammad 'Ali Abu Raziza found the woman alone.

He was sentenced to imprisonment and flogging by a Criminal Court in Makkah on 3 March. The sentence was upheld on appeal by the Court of Cassation in Makkah at the end of April. He has also been prevented from teaching classes and doing other jobs involving direct contact with members of the public.

BACKGROUND INFORMATION

Flogging is mandatory in Saudi Arabia for a number of offences, including consumption of alcohol, and can also be used at the discretion of judges as an alternative or addition to other punishments. Sentences can range from dozens to thousands of lashes, and are usually carried out in instalments, at intervals ranging from two weeks to one month.

In commenting on corporal punishments like flogging, the UN Special Rapporteur on Torture stated that "corporal punishment is inconsistent with the prohibition of torture and other cruel, inhuman or degrading treatment or punishment." Saudi Arabia is a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which prohibits torture.

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

- expressing concern that Dr Muhammad 'Ali Abu Raziza has been convicted and sentenced to imprisonment and flogging on a *khilwa* charge and requesting the authorities to either charge him with a recognizably criminal offence or release him;
- calling on the authorities not to carry out the sentences against Dr Muhammad 'Ali Abu Raziza;
- reminding them that Saudi Arabia is a state party to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- urging the authorities to bring Saudi Arabian laws and practices into line with international laws and standards

against torture, flogging and arbitrary imprisonment.

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 Highness Prince Khalid Al-Faisal Bin Abdul Aziz Al-Saud
Governor of Makkah
Al-Mukaramah
Makkah
Kingdom of Saudi Arabia

Fax: + 966 2 660 5242

Email: info@makkah.gov.sa

Salutation: Your Royal Highness

COPIES TO:

Mr Turki bin Khaled Al-Sudairy
The President
The Human Rights Commission
PO Box 58889, Riyadh 11515
King Fahad Road
Building No.373
Riyadh
Kingdom of Saudi Arabia

Fax: + 966 1 4612061

and 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 12 June 2008.