

PUBLIC

AI Index: MDE 23/027/2007

10 July 2007

UA 180/07

Death penalty

SAUDI ARABIA

Halemma Nissa Cader (f), Sri Lankan national
Naushad (m) Indian national, her husband
KMS Bandaranaike (m), Sri Lankan national

The three Indian and Sri Lankan nationals named above have been sentenced to death for their part in an armed robbery, during which they allegedly killed a woman at her home in Jeddah, in November 2005. They have had no legal assistance at any time, even during trial and are believed to have confessed under duress.

Halemma Nissa Cader, who is the mother of a young child, her husband Naushad and KMS Bandaranaike are believed to have been convicted on the basis of confessions, which were obtained during police interrogation under duress. None have had any legal representation whilst in detention or at any stage of the legal proceedings. Their case is now reported to be going to appeal, but they are still without any legal assistance. Amnesty International's concern is heightened given that appeals are heard in secret and that these individuals will be at risk of imminent execution if their sentences are upheld on appeal.

BACKGROUND INFORMATION

Saudi Arabia applies the death penalty for a wide range of offences. Court proceedings fall far short of international standards for fair trial, and often take place behind closed doors.

Defendants normally do not have 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, torture or deception. The rate of executions in Saudi Arabia has recently increased sharply, and the authorities have executed at least 103 people so far this year, although the true figure may be much higher.

Death sentences are usually carried out by beheading.

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

- acknowledging the right of the government to bring to justice those suspected of criminal offences, but expressing unconditional opposition to the death penalty;
- urging the King to commute the death sentences passed on KMS Bandaranaike, Naushad and Halemma Nissa Cader, if they are upheld on appeal;
- calling on the authorities to ensure that KMS Bandaranaike, Naushad and Halemma Nissa Cader have access to lawyers of their own choosing to present their appeals and are given an effective opportunity to exercise their right to defence and appeal against their death sentences in a transparent process;
- reminding the authorities that they are bound by international standards for fair trial in capital cases in particular, the United Nations safeguards guaranteeing the protection of the rights of those facing the death penalty, which guarantee adequate opportunity for defence, appeal and prohibits the imposition of the death penalty when there is room for alternative interpretation of the evidence.

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 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
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

COPIES TO:

Mr Turki bin Khaled Al-Sudairy
President
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 21 August 2007.