

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Mission Permanente du Royaume
d'Arabie Saoudite auprès
des Nations Unies
Genève



الوفد الدائم للمملكة العربية السعودية
لدى المقر الأوربي للأمم المتحدة
جنيف

Ref. No: 11/25/774

Geneva, 14 May 2012

The Permanent Mission of the Kingdom of Saudi Arabia to the United Nations Office and other International Organizations at Geneva presents its compliments to the Office of the High Commissioner for Human Rights and has the honour to refer to communication UA G/SO 218//2 G/SO 214 (67-17) G/SO 214 (107-9) of 27 July 2011 from the Chair-Rapporteur of the Working Group on Arbitrary Detention, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the situation of human rights defenders concerning information received regarding the arrest and detention of Mr. Yusef Abdullah Al-Ahmad.

In this connection, the competent authorities in the Kingdom of Saudi Arabia have indicated as follows:

1. The facts as set forth in the allegations are inaccurate for the following reasons:

The person in question is an Assistant Professor in the Shari'a Faculty of Imam Muhammad bin Saud Islamic University in Riyadh. He has personally confirmed that he is not a member of any domestic or external organization.

He was arrested on the following grounds:

- Aiding and abetting proponents of the ideology and methodology of the Al-Qaeda terrorist organization, and describing the State's security and judicial institutions as being unjust and overstepping the limits in their treatment of persons accused or convicted of acts of terrorism.
- Possession of books, video and audio clips and documents on the Al-Qaeda organization and ways to fabricate explosives.
- Production, storage and propagation through the Internet of material detrimental to public order, which is an offence punishable under the terms of article 6 of the Repression of Cybercrime Act.

Office of the High Commissioner for Human Rights
Palais des Nations
CH-1211 GENEVA 10

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Recipients :.....S.P.D.....
P.D. (Encl)

2. His son, his legal representative and some members of his family have lodged complaints.

3. The said person was arrested at his father's house in the city of Dammam, on the basis of a warrant issued by the Public Investigation and Prosecution Department in accordance with article 35 of the Code of Criminal Procedure, on the above-mentioned charges. All the rights and safeguards specified in articles 35 and 116 of the Code were respected, including his right to be shown the arrest warrant and to be informed of the reason for his arrest. He was permitted to make a number of telephone calls to persons whom he wished to notify and was treated in a manner conducive to the preservation of his dignity.

His computer and mobile telephone were not confiscated. They were merely impounded for safekeeping in accordance with article 80 of the Code of Criminal Procedure. His car keys were not confiscated or impounded but were merely searched in accordance with article 42 of the Code. His house in the city of Riyadh was also searched after an authorization was issued, in conformity with article 41 of the Code, for the seizure of any items that would help to establish the true facts. A search report containing a precise description of the items seized and recording all the measures taken in this regard was duly drawn up in accordance with article 47 of the Code. No personal documents were seized.

He was taken to the city of Riyadh which, being his place of domicile, had territorial jurisdiction in accordance with articles 110 and 131 of the Code.

He was questioned, in accordance with article 109 of the Code, within 24 hours following his arrest and, in accordance with article 101 thereof, was informed of the charges brought against him.

He was referred to the competent court on 19 October 2011.

4. No disciplinary or administrative sanctions have been imposed on the persons who carried out the arrest and interrogation procedures since the said procedures were not found to have been breached in a manner that would justify such sanctions, bearing in mind the fact that the accused or his lawyer have the right to challenge the legality and consequences of any procedure before the competent authorities.

5. The said person has been and is continuing to be treated in accordance with the Kingdom's judicial regulations, including the Code of Criminal Procedure and the Code of Shari'a (Civil) Procedure under which all the rights of the accused are guaranteed in conformity with international human rights rules, standards and principles. The said procedures are consistent with international practices and with the national laws, customs and domestic regulations.

The Permanent Mission of the Kingdom of Saudi Arabia avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.