

NATIONS UNIES
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UNITED NATIONS
OFFICE OF THE UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS

PROCEDURES SPECIALES DU
CONSEIL DES DROITS DE L'HOMME

SPECIAL PROCEDURES OF THE
HUMAN RIGHTS COUNCIL

Mandates of the Working Group on Arbitrary Detention; the Special Rapporteur on the independence of judges and lawyers; the Special Rapporteur on extrajudicial, summary or arbitrary executions; and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

REFERENCE: UA G/SO 218/2 G/SO 214 (3-3-16) G/SO 214 (33-27) G/SO 214 (53-24)
SAU 4/2013

8 March 2013

Excellency,

We have the honour to address you in our capacity as Chair-Rapporteur of the Working Group on Arbitrary Detention; Special Rapporteur on the independence of judges and lawyers; Special Rapporteur on extrajudicial, summary or arbitrary executions; and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment pursuant to Human Rights Council resolutions 15/18, 17/2, 17/5, and 16/23.

In this connection, we would like to draw the attention of your Excellency's Government to follow-up information we have received regarding the risk of imminent execution of the following seven individuals:

1. Mr. **Sarhan b. Ahmad b. Abdullah Al Mashaikh** (دبع نب دم حأ نب ناحرس) (الله آل مشايخ), 92 dega, (tserra nopu 22 dega) 92 dega, 9041313301 .oN DI iduaS
2. Mr. **Saeed b. Hassan b. Ahmad Al Omari Al Zahrani** (سعید بن حسن بن أحمد), aged 29 (aged 22 upon arrest), Saudi ID No. 1059802510 (العمري الزهراني)
3. Mr. **Ali b. Mohamed b. Hazzam Al Shahri** (يرمشلا مازح نب دمحم نب يلع), aged 27 (aged 20 upon arrest), Saudi ID No. 1041770189
4. Mr. **Nasser b. Saeed b. Saad Al Qahtani** (دعس نب ديعس نب رصان) (القطاني), 13 dega, (tserra nopu 42 dega) 13 dega, 6536350101 .oN DI iduaS
5. Mr. **Saeed b. Nasser b. Mohamed Al Yaala Al Shahrani** (رسان نب ديعس) (بن محمد آل يعلی ال شهراني), 82 dega, (tserra nopu 12 dega) 82 dega, 1057361329 .oN DI iduaS
6. Mr. **Abdulaziz b. Saleh b. Mohamed Al Amri** (نب حل اص نب زيزعلا دبع) (ID No. 1037356358 محمد ال عمري), 03 dega, (tserra nopu 32 dega) 03 dega, iduaS
7. Mr. **Ali b. Hadi b. Saeed Al Qahtani** (يناطحقلا ديعس نب يده نب يلع), aged 31 (aged 24 upon arrest), Saudi ID No. 1041654524.

Messrs. Sarhan b. Ahmad b. Abdullah Al Mashaikh, Saeed b. Hassan b. Ahmad Al Omari Al Zahrani, Ali b. Mohamed b. Hazzam Al Shahri, Nasser b. Saeed b. Saad Al

Qahtani, Saeed b. Nasser b Mohamed Al Yaala Al Shahrani, Abdulaziz b. Saleh b. Mohamed Al Amri, and Ali b. Hadi b. Saeed Al Qahtani were the subjects of a previous communication, dated 04 March 2013, by the Chair-Rapporteur of the Working Group on Arbitrary Detention; Special Rapporteur on the independence of judges and lawyers; Special Rapporteur on extrajudicial, summary or arbitrary executions; and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment. A reply to this communication is still awaited from your Excellency's Government.

According to the new information received:

On 4 March 2013 the Saudi Royal Office announced a one-week postponement of the execution of Messrs. Sarhan b. Ahmad b. Abdullah Al Mashaikh, Saeed b. Hassan b. Ahmad Al Omari Al Zahrani, Ali b. Mohamed b. Hazzam Al Shahri, Nasser b. Saeed b. Saad Al Qahtani, Saeed b. Nasser b Mohamed Al Yaala Al Shahrani, Abdulaziz b. Saleh b. Mohamed Al Amri, and Ali b. Hadi b. Saeed Al Qahtani, which was initially scheduled to take place on 5 March 2013. The execution is currently scheduled to take place on 12 March 2013.

As mentioned in the previous communication, the aforementioned individuals were sentenced to death for organizing a criminal group, armed robbery and raiding and breaking into jewelry stores.

Without prejudging the accuracy of the information made available to us, we would like to reiterate our concern, expressed in our previous communication, dated 04 March 2013, that the death penalty may have been imposed and be carried out against Messrs. Sarhan b. Ahmad b. Abdullah Al Mashaikh, Saeed b. Hassan b. Ahmad Al Omari Al Zahrani, Ali b. Mohamed b. Hazzam Al Shahri, Nasser b. Saeed b. Saad Al Qahtani, Saeed b. Nasser b. Mohamed Al Yaala Al Shahrani, Abdulaziz b. Saleh b. Mohamed Al Amri, and Ali b. Hadi b. Saeed Al Qahtani, for offences that are not considered as most serious crimes under international law, and after proceedings which did not comply with international human rights law standards of fair trial and due process guarantees. We are also concerned that the said defendants were reportedly subjected to torture.

We would also like to refer to the international duties of your Excellency's Government as mentioned in the previous communication, with particular regard to the international human rights law provisions on most serious crimes and stringent respect of due process and fair trial guarantees in cases of death penalty.

In view of the irreversibility of the punishment of the death penalty, we urge your Excellency's Government to take all steps necessary to prevent their execution, which, if carried out, would be inconsistent with acceptable standards of international human rights law. We call upon your Excellency's Government not to execute them, and to commute without delay the death sentence imposed against all of them.

In view of the urgency of the matter, we would appreciate a response on the steps taken by your Excellency's Government to safeguard the rights of the above-mentioned persons in compliance with the international human rights standards.

We undertake to ensure that your Excellency's Government's response to this communication and our previous communication, dated 04 March 2013, is accurately reflected in the report we will submit to the Human Rights Council for its consideration.

While waiting for your response to this communication and our previous communication, dated 04 March 2013, we urge your Excellency's Government to take all necessary measures to guarantee that the rights and freedoms of Messrs. Sarhan b. Ahmad b. Abdullah Al Mashaikh, Saeed b. Hassan b. Ahmad Al Omari Al Zahrani, Ali b. Mohamed b. Hazzam Al Shahri, Nasser b. Saeed b Saad Al Qahtani, Saeed b. Nasser b. Mohamed Al Yaala Al Shahrani, Abdulaziz b. Saleh b. Mohamed Al Amri, and Ali b. Hadi b. Saeed Al Qahtani are respected and, in the event that your investigations support or suggest the allegations to be correct, the accountability of any person responsible of the alleged violations should be ensured. We also request that your Excellency's Government adopt effective measures to prevent the recurrence of these acts.

Please accept, Excellency, the assurances of our highest consideration.

El Hadji Malick Sow
Chair-Rapporteur of the Working Group on Arbitrary Detention

Gabriela Knaul
Special Rapporteur on the independence of judges and lawyers

Christof Heyns
Special Rapporteur on extrajudicial, summary or arbitrary executions

Juan E. Méndez
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment