

URGENT ACTION

JUVENILE OFFENDER'S DEATH SENTENCE UPHELD

An appeal court has upheld the death sentence against Abdulkareem al-Hawaj, a Shi'a man who was convicted of offences committed when he was 16 years old. The court appears to have based its sentence on forced "confessions".

Abdulkareem al-Hawaj, a young Shi'a Muslim man, had his death sentence upheld by the appeal division of the Specialized Criminal Court (SCC) in Riyadh on 10 July. On 27 July 2016, he was sentenced to death by the SCC for a range of offences related to his alleged involvement in anti-government protests in the country's Shi'a majority Eastern Province in 2012, when he was aged 16.

Abdulkareem al-Hawaj was arrested on 16 January 2014 at a security checkpoint in al-Awamiyya, a village in the al-Qatif region of Saudi Arabia's Eastern Province. He had no access to a lawyer during pre-trial detention and interrogations. According to information provided to Amnesty International, Abdulkareem al-Hawaj said that he was held incommunicado in solitary confinement for the first five months. He also added that he was tortured, including being beaten and threatened with the death of his family, during interrogations by officers of the General Directorate of Investigations (GDI or al-Mabahith) to make him write and sign a "confession". The court appears to have based its decision solely on this "confession". According to court documents, he was held without charge for over two years. He denies all charges against him and denies participating in any of the acts attributed to him by the prosecution.

Upon first appeal Abdulkareem al-Hawaj's case was reviewed by the SCC's appeal division and sent back to the court of first instance with recommendations. On 14 March the SCC first instance court confirmed the conviction and death sentence again and sent it back to the appeal court for its review. The SCC Court of Appeal upheld the sentence on 10 July.

Please write immediately in English, Arabic or your own language:

- Urging the authorities to quash the conviction of Abdulkareem al-Hawaj, and order a retrial in line with international fair trial standards without recourse to the death penalty;
- Calling on them to order an independent investigation into his allegation of torture and other ill-treatment;
- Reminding them that Saudi Arabia is a state party to the Convention on the Rights of the Child, which strictly prohibits the use of the death penalty for crimes committed by persons below the age of 18;
- Urging them to immediately establish an official moratorium on executions with a view to abolishing the death penalty in Saudi Arabia.

PLEASE SEND APPEALS BEFORE 28 AUGUST 2017 TO:

King and Prime Minister
His Majesty King Salman 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 Interior)
+966 11 403 3125 (please keep trying)
Twitter: @KingSalman
Salutation: Your Majesty

Minister of Interior
His Royal Highness Prince Abdul Aziz
bin Saud bin Naif
Ministry of the Interior, P.O. Box 2933,
Airport Road, Riyadh 11134
Kingdom of Saudi Arabia
Fax: +966 11 403 3125
Twitter: @MOISaudiArabia
Salutation: Your Highness

And copies to:

Human Rights Commission
Bandar Mohammed 'Abdullah al-Aiban
P.O. Box 58889, Riyadh 11515
King Fahd Road
Building No. 3, Riyadh
Kingdom of Saudi Arabia
Fax: +966 11 418 510

Also send copies to diplomatic representatives accredited to your country. His Royal Highness Prince Mohammed bin Nawaf bin Abdul Aziz - Ambassador of the Custodian of the Two Holy Mosques in London, Royal Embassy of Saudi Arabia, 30 Charles Street, Mayfair, London, W1J 5DZ tel: 020 7917 3000 or 02079173288, fax 02079173113 email: ukemb@mofa.gov.sa complete the webform here: <http://embassies.mofa.gov.sa/sites/uk/EN/ContactDiplomaticMission/Pages/ContactWithDiplomaticMission.aspx>; twitter: @SaudiEmbassyUK, Salutation: Your Royal Highness

Please check with your section office if sending appeals after the above date. This is the first update of UA 209/16. Further information: <https://www.amnesty.org/en/documents/MDE23/4801/2016/en/>

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ADDITIONAL INFORMATION

Saudi Arabians in the Kingdom's predominantly Shi'a Eastern Province have long complained of discrimination and harassment by the authorities. Inspired in part by protests that swept across the Middle East and North Africa in 2011, they organized demonstrations to protest at the harassment, arrest and imprisonment of members of the Shi'a community for such things as celebrating Shi'a religious festivals, breaching restrictions on building Shi'a mosques and religious schools, and expressing support for protesters in Bahrain.

The Saudi Arabian authorities have taken repressive measures against people they suspect of taking part in or supporting protests, or expressing views critical of the state. Protesters have been held incommunicado and without charge for days or weeks at a time, and some have said they were tortured and otherwise ill-treated. The security forces have killed at least 20 people connected with protests in the Eastern Province since 2011, and imprisoned hundreds. On 2 January 2016 Sheikh Nimr al-Nimr was executed along with 46 other prisoners. He was one of scores of people sentenced to death in connection with the 2011 and 2012 protests.

Court proceedings in Saudi Arabia fall far short of international fair trial standards. Defendants are rarely allowed formal representation by lawyers, 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 torture.

Abdulkareem al-Hawaj's trial and detention have followed a similar pattern. According to information received by Amnesty International, Abdulkareem al-Hawaj was arrested on 16 January 2014 at a security checkpoint in al-Awamiyya, a village in the al-Qatif region of Saudi Arabia's Eastern Province. He was taken to the General Directorate of Investigations prison in al-Qatif where he has said the prison guards beat him with their hands, shoes and sticks. After a week he was moved to the GDI prison in Dammam, eastern Saudi Arabia, where he was allegedly tortured to make him write and sign a "confession".

During the first five months, Abdulkareem al-Hawaj was detained incommunicado without access to his family or lawyer. His family looked for Abdulkareem al-Hawaj in the police stations and prisons of al-Qatif but were told by officials that he was not held in those locations. They only learnt of his whereabouts when an official from the GDI prison in Dammam telephoned them approximately five months after his arrest and told them they were holding him and that they could now visit. He was not permitted a lawyer throughout his pre-trial detention and interrogations.

Abdulkareem al-Hawaj was convicted of a range of offences including "throwing two Molotov cocktails", "participating in riots that resulted in the shooting of an armoured vehicle", "participating in illegal gatherings and chanting against the state" and using social media to share photos and videos of demonstrations in al-Qatif and Bahrain and to "insult the leaders". According to court documents, these acts were carried out during Ramadan in August 2012, when Abdulkareem al-Hawaj was aged 16.

Three others who remain on death row awaiting execution, were also arrested for offences committed when they were under 18 and have said that they were tortured to make them "confess". One of these three, Ali al-Nimr, is Sheikh Nimr al-Nimr's nephew. See Amnesty International's Urgent Actions: Death penalty for juvenile activist, 3 June 2014: <https://www.amnesty.org/en/documents/mde23/014/2014/en/> and: Juvenile offenders risk execution, 15 October 2015 <https://www.amnesty.org/en/documents/mde23/2671/2015/en/>.

Further information on UA: 209/16 Index: MDE 23/6744/2017 Issue Date: 17 July 2017