

URGENT ACTION

HALT THE IMMINENT EXECUTION OF YOUNG SAUDI

Mustafa al-Darwish, a young Saudi Arabian man, is at high risk of being executed imminently after his case was referred to the Presidency of State Security and his death sentence upheld by the Supreme Court. Mustafa Al-Darwish was arrested in 2015 for allegedly participating in anti-government riots in the Shi'a majority Eastern Province. According to court documents, he was subjected to prolonged pre-trial detention, torture and grossly unfair trial. Amnesty International urges King Salman not to ratify the death sentence and order the relevant judicial bodies to quash his conviction and re-try him in line with international fair trial standards.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

His Majesty King Salman bin Abdul Aziz Al Saud
Office of His Majesty the King
Royal Court, Riyadh, Kingdom of Saudi Arabia
Fax: +966 11 403 3125 (please keep trying)
Twitter: @KingSalman

Your Majesty King Salman bin Abdul Aziz Al Saud,

In the last week of May 2021, **Mustafa al-Darwish's** case was referred to the Presidency of State Security. In the absence of transparent information around judicial processes, it is Amnesty International's assessment that this referral could signal his imminent execution as soon as Your Majesty ratifies the death sentence. On 25 May 2015, Mustafa al-Darwish (born in 1994), was arrested by security forces and detained for two years in al-Mabahith prison in Dammam, the capital city of the Eastern Province in Saudi Arabia, before he was brought to trial. During his detention, he was placed in solitary confinement and incommunicado for the first six months of his detention, with no access to legal counsel until the beginning of his trial – all serious violations of his procedural rights and right to a fair trial, which have marred his trial leading to a death sentence.

On 28 March 2018, the Specialized Criminal Court sentenced Mustafa al-Darwish to death over charges relating to his participation in protests, including "participation in armed rebellion against the rulers, blocking roads and sowing discord" and "seeking to disrupt national cohesion through his participation in more than 10 riots". According to court documents, the aforementioned charges against Mustafa al-Darwish were based on his "confessions" or signed statement that he had participated in over 10 riots between 2011 and 2012, photos of him shooting at security patrols and a technical report of his phone which allegedly contained photos offensive to security officials. However, given that the official charge sheet doesn't specify the exact months of the alleged crimes, Mustafa al-Darwish could have been 17 or 18 at the time of his alleged participation in riots – therefore making it unclear as to whether Mustafa al-Darwish's case should be revised under the new juvenile law. Moreover, the "evidence" on which the death sentence is based had resulted from a seriously flawed due process which involved subjecting Mustafa al-Darwish to prolonged pre-trial detention for over two years, and according to his testimony to the judge, obtaining confessions from him under torture.

I urge you not to ratify the execution of Mustafa al-Darwish, and to quash his conviction, given the grave concerns about the fairness of his trial, and order a re-trial in line with international fair trial standards, without recourse to the death penalty. Furthermore, I call on you to order a prompt, impartial, independent and effective investigation into the allegations of torture and ill treatment and to immediately establish an official moratorium on executions with a view to abolishing the death penalty in Saudi Arabia.

Yours sincerely,

ADDITIONAL INFORMATION

On 28 March 2018, Mustafa al-Darwish was sentenced to death over charges including “participation in armed rebellion against the rulers, blocking roads and sowing discord”, “forming... an armed terrorist network and firing at security officials”, “seeking to disrupt national cohesion through his participation in more than 10 riots”, “making Molotov cocktails for the purpose of undermining state security and throwing them at security patrol” and violating Article 6 of the Anti-Cyber Crime Law by “storing information that prejudice public order”. He told the judge in one of his trial sessions that “my confession is not valid as I was threatened, beaten and tortured into giving a confession. I was also tortured in sensitive areas of my body that made me lose consciousness. I confessed in fear for my life.” Mustafa Al-Darwish also told the court that while confirming his confession before a judge, the judge also threatened him with further beating and torture if he didn’t sign the confession.

Amnesty International has documented the pattern of repression targeting the Shi’a community in Saudi Arabia, namely through the [Specialized Criminal Court](#) that has issued harsh prison sentences and death sentences following grossly unfair trials, marred by allegations of torture during detention which the prosecution has failed systematically to investigate.

In a [shocking execution spree](#) on 23 April 2019, Saudi Arabia executed 37 people convicted on “terrorism” charges by the Specialized Criminal Court, among them was a young Shi’a man who was convicted of a crime that took place while he was under the age of 18. Also among those executed was [Abdulkareem al-Hawaj](#) – a young Shi’a man who was arrested at the age of 16 and convicted of offences related to his involvement in anti-government protests. Under international law, the use of the death penalty against people who were under the age of 18 at the time of the crime is strictly prohibited.

The majority of those executed then were Shi’a men who were convicted after sham trials that violated international fair trial standards which relied on confessions extracted through torture. They were subjected to prolonged pre-trial detention and told the court that they were tortured or otherwise ill-treated during their interrogation to have ‘confessions’ extracted from them. Amnesty International understands that the families of the executed men were not informed about the executions in advance and were shocked to learn of the news.

Additionally, three young men from the Shi’a minority continue to be detained for crimes they committed when they were under 18, they are: Ali al-Nimr, Dawood al-Marhoon and Abdullah al-Zaher. The three men were on death row and at imminent risk of execution for over six years following grossly unfair trials, until the Specialized Criminal Court [commuted their death sentences](#) in February 2021, and re-sentenced them to 10-year prison terms inclusive of time served, meaning that they could be released in 2022.

It remains important to note that in April 2020, Saudi Arabia issued a Royal Order announcing plans to end its use of the death penalty for people under the age of 18 in discretionary cases not involving the counter-terror law. This follows the issuing of a 2018 Law on Juveniles, which prevents judges from imposing discretionary death sentences on those under 15 years old. These announcements must be followed by clear implementing regulations which do not exclude any minors from the reform.

The death penalty is a cruel, inhuman, and degrading punishment. Amnesty International always opposes the death penalty, regardless of who is accused, the crime, their guilt or innocence or the method of execution.

PREFERRED LANGUAGE TO ADDRESS TARGET: English, Arabic

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 2 August 2021

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Mustafa al-Darwish (he/him/his)

And copies to:

HIS EXCELLENCY HRH Prince Khalid Bin Bandar Bin Sultan Al-Saud
Royal Embassy of Saudi Arabia
30 Charles Street, Mayfair W1J 5DZ.
020 7917 3000