**Saudi Arabia does not honour its commitment with the UN safeguards guaranteeing the protection of the rights of those facing the death penalty, in this case the execution of minors.** Safeguard n. 3 Economic and Social Council Resolution 1984/50 25th May 1984 & EU Guidelines on the Death Penalty. Minimum Standards Paper – D.

REPECAP- Academicsforabolition- Spain

State of the Matter

Seven youths were children under the age of 18, and one of them was only 12 years old at the time of the alleged offenses. They were also denied legal assistance during the entire period of detention pending trial. Between March 2022 and March of following year, an appeals court upheld their death sentences.

After unfair trials marred by "confessions" obtained under torture, six of them were convicted on terrorism charges, the seventh on charges of armed robbery and murder. Furthermore, the youngsters belong to the *minority shi´i* what implies suspicions of discriminatory treatment contrary to International Law. <https://www.washingtoninstitute.org/policy-analysis/saudi-arabias-shii-opposition-background-and-analysis>.

In 2022, the Kingdom of Saudi Arabia executed 196 people, the highest annual number of executions recorded in the country in the last 30 years. This is three times the number of executions carried out in 2021 and at least seven times the number carried out in 2020.  The country remains an exception in a general trend around the world of receding executions. The tally for 2022 includes the mass execution of 81 persons in one day surpassing, the 63 people executed in one day in 1980, a year after militants seized the Grand Mosque in Mecca, and the 47 people, including prominent Shi'ite Muslim cleric Nimr al-Nimr, who were executed in a single day in 2016.

The execution of minors not only is a breach of the promise of Saudi Arabia government but implies a deceptive interpretation of first, - the adoption in 2018 of Juvenile Act, which provided for a maximum penalty of 10 years' imprisonment for anyone under 18 convicted of an offense punishable by an optional Islamic law punishment. The optional punishments of Islamic law, to which the seven youths were sentenced, are not specified in *The Sharia* and, therefore, the extent of the punishment is left to the*discretion* of the judges. Second, - a Royal Decree issued in 2020 also prohibited judges from imposing the optional death penalty on persons under the age of 15 at the time of the commission of the offense. These legislative instruments were adopted after the international uproar for the at least 11 people initially detained when they were children that were executed since 2015.

Six of the seven youths were convicted of terrorism offenses for acts such as participating in anti-government protests or attending the burial of people killed by security forces. According to sources disclosed to *Amnesty International*, one of the condemned was convicted of several charges, including "destabilizing the social fabric and national cohesion, and participating and promoting participation in sit-ins and protests that disrupt the cohesion and security of the state". UN experts have persistently condemned the overly broad definition of “terrorism” under Saudi law, which facilitates the qualification of civil disobedience and critical views of the Government as “terrorist” acts.

His relatives claimed that they were not allowed to see or visit him until six months after his arrest, during which time they claim he was held in solitary confinement. The appeals court upheld his conviction in March 2023. Allegations of mistreatment and abuse at medical facilities during detention were dismissed without a proper investigation.

Another significant setback was that the moratoria of the death penalty for drug crimes issued in January of 2020 in line with the spirit of safeguard n.1 was reversed in November of 2022, resuming executions.

Finally,  the feeling of distrust for the strong divergence in the numbers of executions recorded by the Arabian Commission of Human Rights <https://www.hrc.gov.sa/website>, and those reported by the Saudi Press Agency, <https://www.spa.gov.sa/en>.

For all of the above, we urge the Saudi Government to reinstate the moratoria for crimes committed by persons under the age of 18, and to limit the application of the death penalty to crimes of blood, and to honour the commitment after rising to power, Crown Prince Mohammed bin Salman, Saudi's de-facto ruler, promised to modernise the Kingdom, and suggestions during an interview that his country, a key Western ally, was trying to "minimise" its use of the death penalty.

References:

[Red para la Abolición de la Pena de Muerte y las Penas Crueles - REPECAP (academicsforabolition.net)](https://www.academicsforabolition.net/%22%20%5Ct%20%22_blank)

Young Saudis Are Still Being Sentenced to Death Despite Supposed Legal Reforms <https://dawnmena.org/young-saudis-are-still-being-sentenced-to-death-despite-supposed-legal-reforms/>. Last consulted. 15th march 2024.

<https://documents.un.org/doc/undoc/gen/g23/232/30/pdf/g2323230.pdf?token=pvfuJZLe4lnj0tGJ8f&fe=true>.

[Safeguards guaranteeing protection of the rights of those facing the death penalty | OHCHR](https://www.ohchr.org/en/instruments-mechanisms/instruments/safeguards-guaranteeing-protection-rights-those-facing-death)

<https://time.com/5228006/mohammed-bin-salman-interview-transcript-full/>.

--

[antanasinternacional.wordpress.com](http://antanasinternacional.wordpress.com/)