

# Human Rights Watch

## Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://www.hrw.org/news/2022/03/04/saudi-arabia-alleged-child-offender-again-sentenced-death>

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Supreme Court Overturned First Conviction; New Sentence Violates Promises

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(Beirut, March 4, 2022) A [Saudi](#) man who was 14 at the time of his alleged crime and whose previous death penalty conviction was overturned by the Saudi Supreme Court was sentenced to death again on March 2, 2022, by a lower criminal court, Human Rights Watch said today. The ruling flouts the international ban on the child death penalty and Saudi authorities own promises that no child offenders will be executed.

Saudi authorities arrested Abdullah al-Huwaiti, now 20, when he was only 14 on charges of murder and armed robbery. A criminal court sentenced him to death three years later following [a grossly unfair trial that Human Rights Watch documented in detail](#). Al-Huwaiti was sentenced alongside five others who received 15-year sentences even though all six defendants told the judge that interrogators coerced their confessions through torture or the threat of it. The court ignored the authorities own evidence that al-Huwaiti had an alibi, basing its verdict almost entirely on his and other defendants confessions.

In a fair justice system, Abdullah al-Huwaiti would most likely have never faced a night in jail, much less execution, said [Michael Page](#), deputy Middle East director at Human Rights Watch. Despite Saudi leaders brazen attempts to launder the countrys bloody image and to portray themselves as a modernizing force, this young man is spending a sixth year in prison, separated from family and friends and facing the death penalty yet again.

Saudi Arabias Supreme Court [overturned](#) al-Huwaitis first death sentence on the basis of a false confession and insufficient evidence, his mother said. Under Saudi law, an overturned conviction means the case goes back for retrial. A criminal court in the northern province of Tabuk again sentenced al-Huwaiti to death on March 2, this time under the Islamic law principle of qisas, which are retributive justice offenses, usually for murder.

In 2018, four months after the beginning of al-Huwaitis first trial at the criminal court in Tabuk, Saudi Arabia introduced the Juvenile Law, which sets a maximum penalty of 10 years in prison for anyone who committed a crime before they turned 18 and was convicted under tazir, which gives judges wide discretion to determine punishments in individual cases. In April 2020, Saudi Arabia introduced a royal decree allowing the laws provisions to be applied retrospectively.

On February 8, 2021, [the Saudi governments Human Rights Commission announced](#) that the authorities had reduced the [death sentences](#) against [three men arrested while children](#) for protest-related crimes to 10-year prison terms. On October 28, 2021, Saudi Arabia [finally freed](#) one of the men, Ali al-Nimr, after he spent nearly 10 years in prison. Saudi prosecutors are also no longer seeking the death penalty for [another group of Saudi men arrested while children](#) and on trial for protest-related crimes.

Despite [statements by Saudi Arabias Human Rights Commission](#) claiming that no one in Saudi Arabia will be executed for a crime committed as a child, the provision does not apply to *qisas*, on which al-Huwaiti second conviction is based or *hudud*, serious crimes defined under the countrys interpretation of Islamic law that carry specific penalties and the category under which al-Huwaiti was sentenced to death the first time.

In contrast, under international law, children may be detained only as a last resort and for the shortest appropriate period of time, and sentencing a child to death is absolutely prohibited.

Human Rights Watch has repeatedly criticized rampant abuses in Saudi Arabias criminal justice system. People accused of crimes, including children, commonly face systematic violations of due process and fair trial rights, including arbitrary arrest. Human Rights Watch has documented egregious due process violations in the court and criminal justice system against defendants in criminal cases. These include long periods of detention without charge or trial, a lack of legal assistance, pressure to sign confessions and accept predetermined prison sentences to avoid prolonged arbitrary detention, and ineffective or pernicious translation services for defendants.

Human Rights Watch has also [repeatedly criticized](#) Saudi courts reliance on torture-tainted confessions as the sole basis of conviction in certain cases.

As part of [a slew of legal reforms](#) announced on February 8, 2021, the countrys first written penal code for discretionary crimes crimes under Islamic law that have not been defined in writing and that do not carry predetermined punishments is being prepared, though apparently without any consultation with civil society. The crown prince said the changes are meant to increase the level of integrity and efficiency of judicial institutions.

Details are yet to be published and it is unclear how closely these laws will comply with international standards. In particular, Saudi and international human rights groups have raised concerns that many arbitrary charges will simply be codified as wide-ranging, catch-all offenses that criminalize the rights to freedom of expression, association, and assembly, among other rights.

Given that Abdullah al-Huwaitis second conviction contradicts Saudi Arabias own much-touted promises prohibiting the death penalty for all child offenders, there can be little confidence that these announced criminal justice changes are as transformational as the Saudi justice system needs them to be, Page said.

**3/7/2022:** This version of the press release reflects that a Saudi criminal court sentenced Abdullah al-Huwaiti to death on March 2, 2022, under the Islamic law principle of *qisas*. While Saudi Arabias Human Rights Commission made statements in 2020 claiming that no one in Saudi Arabia will be executed for a crime committed as a child, Saudi Arabias 2018 juvenile law only prohibits the use of the death penalty against child offenders convicted under *tazir*.

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