

**OPINION No. 12/2006 (SAUDI ARABIA)**

**Communication: addressed to the Government on 26 January 2006.**

**Concerning: Mr. Abdurahman Nacer Abdullah al-Dahmane al-Chehri and  
Mr. Abdelghani Saad Muhamad al-Nahi al-Chehri.**

**The State is not a party to the International Covenant on Civil and Political Rights.**

1. (Same text as paragraph 1 of Opinion No. 38/2005.)
2. The Working Group regrets that the Government has not replied within the 90-day deadline.
3. (Same text as paragraph 3 of Opinion No. 38/2005.)

4. In the light of the allegations made, the Working Group would have welcomed the cooperation of the Government. In the absence of any information from the Government, the Working Group believes that it is in a position to render an opinion on the facts and circumstances of the cases, especially since the facts and allegations contained in the communication have not been challenged by the Government.
5. Mr. Abdurahman Nacer Abdullah al-Dahmane al-Chehri (hereinafter “Abdurahman al-Chehri”), a citizen of the Kingdom of Saudi Arabia, of 21 years of age (identity card No. 1072917427), is a university student usually resident in Riyadh.
6. According to the information received, on 23 November 2003, members of the intelligence services arrested Abdurahman al-Chehri, purportedly in order to interrogate him about certain acquaintances of his. Since then he has been in detention, currently at the Jeddah prison. He has not been formally charged with any offence, or been informed of the duration of his custodial order, nor been brought before a judicial officer, or been allowed to name a lawyer to act on his behalf, nor otherwise been provided the possibility to challenge the legality of his detention.
7. Mr. Abdelghani Saad Muhamad al-Nahi Al-Chehri (hereinafter “Abdelghani al-Chehri”), a citizen of the Kingdom of Saudi Arabia born on 30 October 1979 (identity card No. 1029492541), is a civil servant usually resident in Nassim Al- Gharbi, Riyadh.
8. On 17 June 2004, members of the intelligence services arrested Abdelghani al-Chehri, purportedly in order to interrogate him about his brother-in-law, Youssef al-Chehri, who is reportedly in United States custody at the Guantánamo Bay detention centre. After his arrest he was tortured and ill-treated during several weeks of detention in a secret detention facility. His health is since then seriously impaired. He has not been formally charged with any offence, nor been informed of the duration of his custodial order, nor been brought before a judicial officer, nor been allowed to name a lawyer to act on his behalf, nor otherwise been provided the possibility to challenge the legality of his detention. Abdelghani al-Chehri is currently detained at the Al-Alicha prison in Riyadh.
9. The source alleges that the detention of Abdurahman al-Chehri and Abdelghani al-Chehri is arbitrary. It argues that it is devoid of any legal basis. The men have not been informed of the charges against them; are denied access to a lawyer, and have not been brought before a judge in the, respectively, 26 and 19 months since their arrest. The authorities have so far failed to provide any decision justifying arrest and detention.
10. In the absence of a reply from the Government, the Working Group considers the allegations of the source convincing. The detention of both Abdurahman and Abdelghani al-Chehri served no other purpose than interrogating them. Abdelghani was moreover subjected to ill-treatment and threats.
11. These two persons have been denied the possibility to consult with a lawyer and continue to be detained without having been charged or presented to any judicial authority.

12. In the light of the foregoing, the Working Group renders the following Opinion:

The deprivation of liberty of Abdelghani Saad Muhamad al-Nahi al-Chehri and Abdurahman Nacer Abdullah al-Dahmane al-Chehri is arbitrary, being in contravention of articles 9 and 10 of the Universal Declaration of Human Rights and falls within category I of the applicable categories to the consideration of the cases submitted to the Working Group.

13. Consequent upon the Opinion rendered, the Working Group requests the Government to take the necessary steps to remedy the situation, and bring it in conformity with the standards and principles set forth in the Universal Declaration of Human Rights and to take the adequate initiatives with a view to becoming a State party to the International Covenant on Civil and Political Rights.

Adopted on 11 May 2006.