

**Rt Hon Liz Truss MP**  
**Secretary of State for Foreign, Commonwealth & Development Office**  
**Foreign, Commonwealth & Development Office**  
**King Charles Street**  
**London SW1A 2AH**

London, 16 March 2022

Dear Foreign Secretary,

**Open letter re ongoing executions and the death penalty for child defendants in Saudi Arabia**

The Bar Human Rights Committee of England and Wales (“**BHRC**”) utterly condemns the mass execution of 81 men by the Kingdom of Saudi Arabia on Saturday 12 March 2022.<sup>1</sup> BHRC is particularly concerned that Saudi Arabia continues to renege on promises made by Crown Prince Mohammed bin Salman to limit the use of the death penalty.<sup>2</sup>

The UK and BHRC share a longstanding opposition to the death penalty under all circumstances. International law requires countries that retain the death penalty, like Saudi Arabia, to limit its use to offences resulting in intentional killing only and where due process and fair trial rights have been stringently adhered to.<sup>3</sup> The mass execution on Saturday raises serious concerns that Saudi Arabia is not committed to its obligations arising out of international law, nor public statements that it intends to limit the use of the death penalty.

We are profoundly concerned by credible reports that at least 41 of the men executed on Saturday were members of the minority Shia population, who had participated in anti-government protests calling for reform and greater political participation.<sup>4</sup> The United Nations has noted that at least two of the men executed on 12 March 2022, Mr Mohammed al-Shakhouri and Mr Assad Shubbar, were sentenced to death for their attendance at protests, had raised credible reports that they were subjected to torture, and were denied a fair trial before the Specialised Criminal Court.<sup>5</sup>

We share in international concerns over Saudi Arabia’s use of counterterrorism laws and the Specialised Criminal Court as tools to curb the exercise of fundamental rights, including freedom expression, opinion, and assembly. Under no circumstances can the death penalty be applied for offences stemming from the exercise of fundamental and protected rights.

We are gravely concerned that children remain subject to capital punishment in Saudi Arabia, which is strictly prohibited under international law.<sup>6</sup> BHRC notes the worrying resentencing to death of Abdullah al-Howaiti, who was only 14 years old at the time of the alleged offence. The UN Working Group on Arbitrary Detention has called for his immediate release.<sup>7</sup>

Prime Minister Boris Johnson is visiting Saudi Arabia this week. The UK must commit to predicated ongoing trade and cooperation with Saudi Arabia on a firm guarantee that Saudi Arabia will bring its use of the death penalty within international law and make tangible improvements to its human rights record.

We call on the UK Government to issue an unequivocal statement condemning these executions. We also call on the Government to urge Saudi Arabia to immediately implement a moratorium on the death penalty and to make direct representations to Crown Prince Mohammed bin Salman for the immediate commutation of the death sentence for all defendants, including Abdullah al-Howati, convicted of offences said to have been committed while still a child.

Yours sincerely,



Stephen Cragg QC  
Chair, Bar Human Rights Committee of England and Wales (BHRC)

The Bar Human Rights Committee of England and Wales (BHRC) is the independent, international human rights arm of the Bar of England and Wales, working to protect the rights of advocates, judges, and human rights defenders around the world. BHRC is concerned with defending the rule of law and internationally recognised legal standards relating to human rights and the right to a fair trial. It is autonomous of the Bar Council. For more information on BHRC, visit our website at <http://www.barhumanrights.org.uk>

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<sup>1</sup> Reuters, "Saudi Arabia executes 81 men for terrorism, other offences," 12 March 2022, available at: <https://www.reuters.com/world/middle-east/saudi-arabia-executes-81-men-terrorism-other-charges-spa-2022-03-12/>

<sup>2</sup> Time Magazine, "Crown Prince Mohammed bin Salman Talks to TIME About the Middle East, Saudi Arabia's Plans and President Trump," 05 April 2018, available at: <https://time.com/5228006/mohammed-bin-salman-interview-transcript-full/>

<sup>3</sup> UN Human Rights Committee (HRC), General comment no. 36, Article 6 (Right to Life), 3 September 2019, CCPR/C/GC/35.

<sup>4</sup> UN Office of the High Commissioner for Human Rights, *Comment by UN High Commissioner for Human Rights Michelle Bachelet on the execution of 81 people in Saudi Arabia*, 14 March 2022, available at: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28280&LangID=E>

<sup>5</sup> Communication by the United Nations Special Procedures to the Government of Saudi Arabia in respect of Mohammed al-Shakhouri and Assad Shubbbar, available at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=26617>

<sup>6</sup> Saudi Arabia acceded to the UN Convention on the Rights of the Child, article 37 of which prohibits the application of the death penalty on all persons under the age of 18.

<sup>7</sup> UN HRC, *Opinions adopted by the Working Group on Arbitrary Detention at its ninety-second session, 15–19 November 2021 Opinion No. 72/2021 concerning Abdullah al-Howaiti* (Saudi Arabia), 28 January 2021, A/HRC/WGAD/2021/72, available at [https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session92/A\\_HRC\\_WGAD\\_2021\\_72\\_SA\\_AE\\_V.pdf](https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session92/A_HRC_WGAD_2021_72_SA_AE_V.pdf)