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SAUDI ARABIA DETAINEE WITH CANCER MUST GET MEDICAL CARE

The health of Dr. Mohammed al-Khudari (84) continues to deteriorate while in detention. He is being deprived of adequate medical treatment for his advanced prostate cancer. His and his son, Dr. Hani al-Khudari's prison sentences ended on 28 February, but they remain detained until the Supreme Court reviews the appealed sentences of all the defendants in the mass trial which both men are part of. Meanwhile, Dr. Mohammed al-Khudari's life is at serious risk in prison. Amnesty International urges the Saudi Arabian authorities to release both men immediately. Pending their release, they must be granted immediate access to adequate medical care.

The health situation of Dr. Mohammed al-Khudari (84) is rapidly deteriorating in detention in Abha prison, in Saudi Arabia's 'Asir Region, where prison authorities continue to deprive him of the urgent specialized medical care he requires for his advanced prostate cancer. Dr. Mohammed al-Khudari is now completely deprived of any cancer medication and has not seen a specialist for the past two years, since his transfer from Dahban prison to Abha prison, which lacks medical care for detainees. In addition, he urgently needs to see a cardiologist, a bone doctor and a dentist to treat his numerous ailments. Depriving him of adequate medical care is a violation of his right to health and puts his life at risk. His son, Dr. Hani al-Khudari also requires urgent medical care to remove kidney stones in addition to urgent dental care.

On 28 December 2021, the Specialized Criminal Court of Appeal in Riyadh recommended decreasing Dr. Mohammed al-Khudari's sentence from 15 to six years in prison; and sentenced Dr. Hani al-Khudari to three years in prison including time served. Based on this, both men finished their prison sentences on 28 February 2022. Yet they remain in detention since the case is still with the Court of Appeal and has not been sent to the Supreme Court for a final decision. The authorities have justified this delay by the bureaucratic work required for a mass trial which involves 68 defendants, among them Dr. Mohammed and Hani al-Khudari.

The Al-Khudari family submitted a request to the court in 2021 to release Dr. Mohammed al-Khudari on grounds of his old age and deteriorating health. Despite the request being approved in February 2022 by both the Specialized Criminal Court and the State Security, the Abha prison authorities have yet to grant Dr. Mohammed al-Khudari's release.

Write to the King urging him to:

- ensure that Dr. Mohammed al-Khudari is immediately transferred to the hospital to receive the urgent specialized medical care he needs, and that Dr. Hani al-Khudari is granted the adequate care he requires
- Drop the charges against Dr. Mohammed al-Khudari and Dr. Hani al-Khudari, quash their conviction and ensure that both men are released.

Write to:

King Salman bin Abdul Aziz Al Saud
The Custodian of the two Holy Mosques
Office of His Majesty the King
Royal Court, Riyadh
Kingdom of Saudi Arabia
Twitter: @KingSalman
Salutation: Your Majesty:

And copy:

Mr. Abdulaziz Mohammed H. Albadi
Chargé d'affaires, Royal Embassy of Saudi Arabia
201 Sussex Drive
Ottawa, ON K1N 1K6
Phone: 613 237 4100
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Additional information

Palestinian nationals Dr. Mohammed al-Khudari and Dr. Hani al-Khudari were arbitrarily arrested on 4 April 2019 and remained in detention without charges until 8 March 2020. Both men were subjected to gross human rights violations including enforced disappearance, arbitrary arrest and detention, being held incommunicado and in solitary confinement. Furthermore, both men were interrogated behind closed doors without the presence or participation of their lawyers. In November 2020, they were transferred to Abha prison, which lacks medical specialists and the standard care necessary.

On 8 March 2020, both men were charged before the Specialized Criminal Court with “joining a terrorist entity” - understood to be Hamas de facto authorities - as part a mass trial of 68 individuals. Dr. Mohammed al-Khudari was additionally charged with holding several leadership positions within the entity. This trial was marred by numerous and serious violations of their due process rights, including enforced disappearance, arbitrary arrest and detention, being held incommunicado and solitary confinement. On 8 August 2021, the Specialized Criminal Court in Riyadh sentenced Dr. Mohammed al-Khudari to 15 years in prison, with half the term discounted given his age; leaving him with seven and a half years to serve in detention; and sentenced Dr. Hani al-Khudari to three years in prison including time served, followed by deportation from Saudi Arabia. Following the appeal, on 28 December 2021, the Court of Appeal in Riyadh reduced the sentence of Dr. Mohammed al-Khudari to six years in prison, with half the term discounted given his age; and upheld Dr. Hani al-Khudari’s sentence. Based on this, both men should have been released from prison on 28 February 2022.

Dr. Mohammed al-Khudari suffers from prostate cancer and has lost mobility in his right arm due to the harsh sleeping conditions in his cell, and he has lost half of his hearing. Furthermore, he suffers dental problems on the left side of his mouth, resulting in teeth loss and difficulty eating. Consequently, Dr. Mohammed al-Khudari has significantly lost weight. Recently, the family reported to Amnesty International that Dr. Mohammed's health has further deteriorated, as he now suffers incontinence, herniated discs, knee pains, bone fragility and general frailty. Despite his life-threatening situation, Dr. al-Khudari has not been granted access to a cancer specialist nor to a dentist, even though he has been admitted to hospital a few times. Similarly, Dr. Hani al-Khudari, suffers anaemia and kidney stones, and has been refused adequate medical care. Furthermore, both men contracted COVID-19 in prison.

Dr. Mohammed and Hani al-Khudari's family is especially concerned given the history of death in detention in Saudi Arabian prisons. In April 2020, a leading Saudi human rights activist, Dr. Abdullah al-Hamid entered a coma and passed away after suffering a stroke in detention. Then, in October 2021, prominent Saudi cleric Musa al-Qarni was brutally beaten and murdered in prison by another inmate. "We are very concerned for their lives. We pleaded with the authorities to provide them with proper medical care, or place Dr. Mohammed under house arrest so that he can receive treatment, or expedite the release process, but no response so far... This is like a death sentence", a relative told Amnesty International.

The treatment and detention conditions have placed a great deal of stress and psychological pressure on both men, especially Dr. Mohammed al-Khudari. Such conduct violates the prohibition of torture and other ill-treatment. Furthermore, both men continue to be deprived of regular communication with their family, as prison authorities can simply cancel their weekly call or monthly family visit without explanation.

The arrests of the two Palestinian nationals is part of a wider crackdown by the Saudi Arabian authorities on Palestinian, Jordanian and Saudi Arabian nationals residing in Saudi Arabia with a perceived link to Hamas de facto authorities.

Amnesty International has documented the [Saudi Arabian authorities' use of the Specialized Criminal Court \(SCC\) since 2011 to systematically silence dissent](#), concluding that SCC judges have presided over grossly unfair trials, handing down prison sentences of up to 30 years and numerous death sentences under vague provisions of the counter-terror and anti-cybercrime laws.