

Sri Lankan migrant in Saudi Arabia: Statement on the execution of Rizana Nafeek

Friday 11 January 2013, by [Collective / Multiple signers](#) (Date first published: 11 January 2013).

We, the undersigned, condemn in the strongest terms the beheading of Rizana Nafeek – the Sri Lankan domestic migrant worker convicted aged 17 in 2005, for the accidental death of an infant – in Saudi Arabia on the morning of 09 January 2013.

We are shocked at the decision of Saudi Arabia's Interior Ministry, under Prince Mohammed bin Nayef bin Abdul Aziz, to expedite and carry out Nafeek's execution despite repeated appeals by the Government of Sri Lanka, local civil society, the international human rights community, and members of her family.

We express our sincere condolences to the family of Rizana Nafeek in this time of national grief, and call upon the Government of Sri Lanka to swiftly extend them assistance in dealing with the aftermath of this tragedy.

We deplore the inadequacy of the Sri Lankan embassy in the Kingdom of Saudi Arabia, and the lethargy of relevant state authorities including, but not limited to, the Ministry of External Affairs, the Ministry of Foreign Employment Promotion and Welfare, and the Sri Lanka Bureau of Foreign Employment, to assist Rizana Nafeek during the process of arrest, detention and court trial which she underwent without suitable legal counsel and proper interpretation; and the anaemic efforts of the authorities to obtain her release and safe return to Sri Lanka during her seven years on death row.

The Kingdom of Saudi Arabia ratified the UN Convention on the Rights of the Child in 1996 which categorically states that no child shall be subjected to torture and that neither capital punishment nor life imprisonment without possibility of release can be imposed for offences committed by persons below eighteen years of age.

We denounce the Government of Saudi Arabia for reneging its duties and commitment under the Child Rights Convention to protect all children under its jurisdiction without discrimination on any grounds and for sentencing a child of 17 years to death. We consider Rizana's seven years of imprisonment, prior to execution, as ongoing psychological torture.

The Convention on the Rights of the Child also guarantees that any child accused of committing an offence is guaranteed legal or other appropriate assistance in the preparation and presentation of their defence, not be compelled to confess guilt, and to have the free assistance of an interpreter if the child cannot understand or speak the language used.

We call to account the Saudi Arabian police authorities which failed to provide the underage Rizana Nafeek with legal assistance and interpretation facilities when obtaining a confession and during Nafeek's first appearance in Court when she was warned to repeat the confession, which she later withdrew as having been made under duress.

We demand that the Sri Lankan government enact and implement laws and policies on international labour migration which ensure the adequate protection of all migrant workers, especially women domestic migrant workers, as set out in the International Convention on the Protection of the Rights of All Migrant Workers and their Families which Sri Lanka ratified in 1995. All agreements signed with host country governments should be legally binding and include the human and labour rights of all migrant workers in keeping with the provisions, obligations, and spirit of the Migrant Workers Convention.

We demand changes in law and policy on human trafficking to strengthen the regulatory framework of foreign employment agencies, expand the definition of trafficking, and impose severe penalties on all those who engage in this heinous trade.

The Government of Sri Lanka should immediately summon the Ambassador of the Kingdom of Saudi Arabia in Colombo to formally protest the death of Rizana Nafeek; it should ban labour migration to Saudi Arabia and other countries which do not adhere to international human rights and labour standards, and are not willing to enter into legally binding agreements regarding the protection of migrant workers, and incorporate those rights in their domestic legal system.

At least now, late as it is, the Government of Sri Lanka should proactively resolve the situation of Sri Lankan migrant workers languishing in detention camps and prisons across all host countries, including in Saudi Arabia, some of whom are also under sentence of death.

We urge local and international stakeholders in the labour migration process including governments, private employment agencies, national human rights institutions, and civil society organisations, to combine their efforts to protect the rights of migrant workers, ensure their equal and humane treatment, and stop trafficking, to avert future miscarriages of justice such as the judicial killing of Rizana Nafeek on 9 January 2013.

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