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Mohamed Kohail back in Saudi court

By Marian Scott

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MONTREAL – A 24-year-old West Island man who faces beheading in Saudi Arabia got his first day in court this week since being sentenced to death in March 2008.

But Mohamed Kohail was denied permission to speak during his five-minute appearance Monday before the three judges of the General Court in Jeddah, who looked bored and played with their cellphones, a Kohail family spokesman said this week.

Kohail and a friend, Muhanna Ezzat, both face execution for killing a 19-year-old student during a schoolyard brawl in January 2007.

Kohail's brother, Sultan, 18, was convicted of the same charge in juvenile court and sentenced to flogging and one year in prison.

He now faces a second trial in adult court, which could mete out a death sentence, however.

All three men insist they are innocent. The older Kohail has said he was tortured into confessing.

This week, Kohail family friend Mahmoud Al-ken said the judges' attitude during Monday's hearing leaves the family pessimistic about the chances of Mohamed's sentence being overturned.

"The only way to save these kids is by an immediate engagement of the Canadian government," said Al-ken, a Montreal human-resources manager who lives in Syria.

Al-ken said two upper courts in Saudi Arabia have sent the case back to the General Court a total of six times, but the lower court has so far refused to change its verdict.

"I think a phone call from Prime Minister (Stephen) Harper would solve everything. That is all we are asking," he said.

The Kohails, who are of Palestinian origin, immigrated to Canada in 2000 and became Canadian citizens in 2005. They moved temporarily to Saudi Arabia for the marriage of their daughter, who was found at the time to have diabetes.

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The Kohails have refused to offer a blood-money settlement to the victim's family, which has the power to spare Mohamed's life, because doing so would amount to an admission of guilt.

Al-ken said Mohamed is in poor health after almost three years in prison.

"He has lost his hair. He has back pain, which he requires surgery for and yet he has not received it."

Sultan is unable to sleep because he can't stop thinking about the gruesome fate that could await him, Al-ken added.

"It is a very traumatic experience for the whole family," Al-ken said. "They have been hardly living for three years."

Natalie Sarafian, press secretary to Foreign Affairs Minister Lawrence Cannon, said Canadian consular officials attended Monday's hearing.

"Canada has and will continue to pursue all avenues to assist Mohammed and Sultan Kohail," she said in a statement.

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