

URGENT ACTION

SENTENCE AGAINST HUMAN RIGHTS DEFENDER UPHELD

Saudi Arabian human rights defender and lawyer Waleed Abu al-Khair has had his sentence upheld upon appeal and will be serving the full 15 years in prison. He is a prisoner of conscience.

Waleed Abu al-Khair, a prominent human rights defender and lawyer, has had his sentence upheld upon appeal by the Specialized Criminal Court (SCC) in Riyadh on 12 January. The judge has also ordered that he now must serve the full 15-year prison sentence because he has refused to apologize for his "offences". In his original trial, Waleed Abu al-Khair was sentenced to 15 years in prison, but was ordered to serve only 10. He continues to refuse recognizing the legitimacy of the SCC.

Waleed Abu al-Khair was sentenced on 6 July 2014 to 15 years in prison, a 15-year travel ban and a fine of 200,000 Saudi Arabian riyals (about US\$53,000). The Specialized Criminal Court, a special security and counter-terror court whose jurisdiction and internal laws are unspecified, had found him guilty of "disobeying the ruler and seeking to remove his legitimacy", "insulting the judiciary and questioning the integrity of judges", "setting up an unlicensed organization", "harming the reputation of the state by communicating with international organizations" and "preparing, storing and sending information that harms public order".

Waleed Abu al-Khair's trial before the SCC in Riyadh started on 6 October 2013. He was detained without any explanation on 15 April 2014 after appearing at the fifth hearing of his trial. He was initially taken to al-Ha'ir prison in Riyadh, where it is believed that he was placed in solitary confinement and deprived of sleep by constant exposure to bright lights. He was later moved to several detention centres and is now detained in Briman prison in the coastal city of Jeddah. He has complained of being physically and psychologically tortured during his detention.

Please write immediately in English, Arabic or your own language:

- Urging the authorities to release Waleed Abu al-Khair immediately and unconditionally as he is a prisoner of conscience held solely for peacefully exercising his rights to freedom of expression, association and assembly;
- Urging them to ensure that Waleed Abu al-Khair's conviction and sentence are quashed;
- Calling on them to ensure that he is protected from torture and other ill-treatment, and his allegations of torture and other ill-treatment are impartially and independently investigated.

PLEASE SEND APPEALS BEFORE 24 FEBRUARY 2015 TO:

King and Prime Minister

King Abdullah 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
Fax: (via Ministry of the Interior)
+966 11 403 3125 (please keep trying)
Salutation: Your Majesty

Minister of the Interior

His Royal Highness Prince Mohammed bin
Naif bin Abdul Aziz Al Saud
Ministry of the Interior, P.O. Box 2933,
Airport Road, Riyadh 11134
Kingdom of Saudi Arabia
Fax: +966 11 403 3125 (please keep trying)
Salutation: Your Excellency

And copies to:

Minister of Justice

His Excellency Sheikh Mohammed bin
Abdulkareem Al-Issa
Ministry of Justice
University Street, Riyadh 11137
Kingdom of Saudi Arabia
Fax: +966 11 401 1741
+966 11 402 0311

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the second update of UA 98/14. Further information:
<http://www.amnesty.org/en/library/info/MDE23/016/2014/en>

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ADDITIONAL INFORMATION

Waleed Abu al-Khair is a prominent human rights lawyer and the head of Monitor of Human Rights in Saudi Arabia, an independent human rights organization founded in 2008. He has provided legal representation to many victims of human rights violations. Among his clients is Raif Badawi, a well-known Saudi Arabian online activist who was sentenced on 7 May 2014 by the Criminal Court in Jeddah to 10 years in prison, 1,000 lashes and a fine of 1 million Saudi Arabian riyals (about US\$266,630) for creating and managing the Saudi Arabian Liberals website and insulting Islam. On 9 January, Raif Badawi was flogged in public in front of a mosque in Jeddah (see update to UA 3/13, <http://www.amnesty.org/en/library/info/MDE23/002/2015/en>).

Waleed Abu al-Khair first faced trial in late 2011 after signing a statement criticizing the authorities' persecution of 16 reformists. On 29 October 2013 he was sentenced to three months' imprisonment by the Criminal Court in Jeddah and on 6 February 2014 the Court of Appeal in Mecca upheld his sentence.

Three weeks before his sentencing by the Criminal Court in Jeddah, the public prosecution brought an almost identical list of charges against Waleed Abu al-Khair in front of the Specialized Criminal Court, a special security and counter-terror court that has recently handed down harsh sentences against a number of human rights activists and critics of the Saudi Arabian authorities. This case was apparently brought forth under a new anti-terrorism law that took effect in February, following its approval by the King. The new law extended the authorities' already sweeping powers to combat "acts of terror. It did not define terrorism but provided that words and actions deemed by the authorities to be, directly or indirectly, "disturbing" public order, "destabilising the security of society, or the stability of the state", "revoking the basic law of government", or "harming the reputation of the state or its standing" would be considered terrorist acts, opening their authors to prosecution as terrorists.

Waleed Abu al-Khair, has refused to recognize the legitimacy of the SCC. In a leaked video interview recorded before his arrest on 15 April 2014, he discusses his experience of dealing with the SCC, including when acting in the first case where he represented a client before the court. He explains how the court is controlled by the Ministry of Interior, from which the judge had to ask permission for Waleed Abu al-Khair to be able to represent his client. In the next court session, the judge read the orders from the Ministry of Interior allowing Waleed Abu al-Khair to represent his client.

Since his arrest on 15 April 2014, his wife Samar Badawi, a women's rights activist, has relentlessly been campaigning on his behalf. In September, she made an oral intervention at the Human Rights Council session in Geneva, where representatives of Saudi Arabia attempted to silence her by interrupting her talk a number of times. However, on 3 December she was prevented from travelling to Brussels to attend the 16th European Union NGO Forum on Human Rights. Security officers at the King Abdulaziz International Airport in Jeddah told her that the Ministry of Interior has issued a travel ban for an undetermined amount of time.

Name: Waleed Abu al-Khair

Gender m/f: m

Further information on UA: 98/14 Index: MDE 23/003/2015 Issue Date: 13 January 2015

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