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Saudi Arabia: Prominent human rights activist and lawyer latest victim of state repression

The Saudi Arabian authorities must immediately quash the conviction and sentence of one of the country's most prominent human rights defenders and unconditionally release him, Amnesty International said today in the wake of yesterday's sentence against prisoner of conscience Waleed Abu al-Khair.

On Sunday 6 July, the Specialized Criminal Court in Jeddah sentenced Waleed Abu al-Khair to 15 years in prison, a travel ban of equal duration and a fine. The court also ordered him to shut down all websites and social media pages related to him after it 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 (Monitor of Human Rights in Saudi Arabia)", and "participating in establishing another organization (the Saudi Civil and Political Rights Association, ACPRA)", "harming the reputation of the state by communicating with international organizations", and "preparing, storing and sending information that harms public order."

Saudi Arabia, which currently holds a seat at the United Nation's Human Rights Council, has continuously touted improvements in the human rights situation in the country. In March 2014, its representatives at the 25th session of the Human Rights Council's Universal Periodic Review claimed that freedom of expression is guaranteed in Saudi law, at the same time that the country's authorities were ruthlessly targeting Saudi Arabian activists who dared to criticize the country's woeful human rights record.

By imprisoning Waleed Abu al-Khair, the Saudi Arabian authorities have demonstrated that they do not tolerate any form whatsoever of public dissent and criticism. The clear message is that the only place in the country for independent human rights activists is in overcrowded prison cells.

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 and co-founder of the "Saudi Arabian Liberals" website, who was sentenced to 10 years in prison, 1,000 lashes and a fine of 1 million Saudi riyals (about US\$266,631) by Jeddah's Criminal Court on 7 May 2014.

The Saudi Arabian authorities have used judicial and extra-judicial means to harass and intimidate Waleed Abu al-Khair for many years. He was notified of the current case against him in front of the Specialized Criminal Court three weeks before the Criminal Court in Jeddah sentenced him to three months' imprisonment on 29 October 2013. The charges he faced in the Specialized Criminal Court are similar to the ones he was convicted of at the Criminal Court, raising speculation that the

authorities were expecting a relatively lenient sentence from the Criminal Court and as such decided to prosecute him in the Specialized Criminal Court.

The Specialized Criminal Court is a security and counter-terrorism related court whose rules and procedures remain secret, and which activists claim is under the direct control of the Interior Ministry, which enjoys extensive and unchecked powers. Many activists, including Waleed Abu al-Khair, have refused to recognize the legitimacy of the court.

In his verdict on Sunday, the judge cited article 21 of a recently passed counter-terror law even though the law was not at first invoked when Waleed Abu al-Khair was charged in October 2013, but was only used by the judge in April 2014 to justify the arbitrary detention of Waleed Abu al-Khair after the latter's fifth session at the court.

The Law for the Crimes of Terrorism and its Financing, which took effect on 1 February 2014 falls far short of international standards and drew wide-scale condemnation from human rights organizations. Among the law's numerous flaws is its broad and vague definition of a terrorist crime as any act that directly or indirectly aims to "disturb the public order of the state", "destabilize the security of society, or the stability of the state", "endanger its national unity", "revoke the basic law of governance or any of its articles", or "harm the reputation of the state or its standing". Similar charges had been used to imprison human rights activists before the law was passed.

Waleed Abu al-Khair is the first prominent human rights activist to be sentenced under the new counter-terrorism law, confirming fears expressed by Amnesty International earlier this year that the law "will entrench existing patterns of human rights violations and serve as a further tool to suppress peaceful political dissent".

Since March 2013, the Saudi Arabian authorities have sentenced and imprisoned almost all prominent human rights activists, including members of ACPRA. Two ACPRA co-founders, Dr Abdullah al-Hamid and Dr Mohammad al-Qahtani, were sentenced on 9 March 2013 to 10 and 11 years' imprisonment respectively, to be followed by travel bans of equal duration. Dr Abdullah al-Hamid's brother Dr Abdulrahman al-Hamid, himself a founding member of ACPRA, was arrested on 17 April 2014 by the Criminal Investigation Department in Buraydah, in the central province of al-Qassim. He was held incommunicado for a month before being moved to a prison in Buraydah where he is currently detained without charge or trial.

A fourth founding member of ACPRA, Fowzan al-Harbi, was sentenced on 25 June to seven years in prison and a travel ban of equal duration by the Criminal Court in Riyadh. His trial started on 4 December 2013 and he was arbitrarily detained on 26 December. He was released on 23 June 2014, two days before his conviction, but only after the judge insisted that he signs a pledge not to publish anything on social media or socialize with other people until the sentence is considered final after the appeal.

Omar al-Hamid al-Sa'id, the youngest member of ACPRA at age 22, was sentenced on 12 December by a criminal court in Buraydah to four years in prison and 300 lashes. He was also handed a four-year travel ban to be enforced after he has served his sentence.

Fadhel Maki al-Manasif a founding member of the independent Adala Center for Human Rights, was sentenced by the Specialized Criminal Court in Riyadh on 17 April to 15 years' imprisonment, to be followed by a travel ban of 15 years, and a fine of 100,000 Saudi Arabian riyals (about US\$26,600). The charges are related to his activism and his reporting and documentation of discrimination against Saudi Arabia's Shi'a Muslim population. He is understood to have been tortured and otherwise ill-treated in detention.