

URGENT ACTION

DESPITE MEDICAL COMMITTEE, RAIF REMAINS AT RISK
Although Raif Badawi's scheduled public flogging on Friday 23 January was not carried out, the prison doctor who examined Raif Badawi that morning argued he was fit to be flogged. This is in direct contradiction to the recommendation of a medical committee only two days earlier. He continues to be at risk of receiving the remaining 950 lashes.

On Friday 23 February, **Raif Badawi** was taken from his cell and examined by a prison doctor he had not previously seen. This doctor found him fit to be flogged. It was brought to the doctor's attention that a medical committee had two days earlier recommended that Raif Badawi not be flogged. Only then did the doctor recommend that Raif Badawi be sent back to the medical committee for further examination, instead of signing the papers recommending that he be flogged.

On Wednesday 21 January Raif Badawi was taken to the King Fahd Hospital in Jeddah and was thoroughly examined by a medical committee of eight doctors. After hours of examinations, the committee concluded that he has high blood pressure and recommended to the authorities that he not be flogged.

However, it is clear that Raif Badawi remains at risk of further flogging as long as the sentence stands. This risk is aggravated by the fact that the medical committee's recommendation is not legally binding on the authorities.

Mass protests have recently been organized by activists around the world, including at many Saudi Arabian embassies, condemning the flogging of Raif Badawi and calling for his release. There have also been official appeals by a number of governments. The UN High Commissioner for Human Rights called the flogging "at the very least, a form of cruel and inhuman punishment... prohibited under international human rights law, in particular the Convention against Torture, which Saudi Arabia has ratified".

The Saudi Arabian authorities have yet to comment officially on Raif Badawi's flogging. The ambassador of Saudi Arabia to Germany tweeted on Wednesday that, "as far as I understood", Raif Badawi's flogging was cancelled indefinitely and that "I assume Badawi will not stay in prison for 10 years."

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

- Calling on the authorities to put a stop to any further flogging of Raif Badawi;
- Calling on them to release him immediately and unconditionally as he is a prisoner of conscience, detained solely for exercising his right to freedom of expression;
- Calling on them to ensure that his conviction and sentence are quashed.

PLEASE SEND APPEALS BEFORE 9 MARCH 2015 TO:

King and Prime Minister

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
 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 Excellence

And copies to:

Ministry 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 11 402 031

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 tenth update of UA 3/13. Further information:
<http://www.amnesty.org/en/library/info/MDE23/007/2015/en>

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ADDITIONAL INFORMATION

On 9 January Raif Badawi received 50 lashes in public, in front of al-Jafali Mosque in Jeddah. The second set of 50 were expected to take place the following Friday, but a doctor examined him and concluded that his wounds had not sufficiently healed and he could not withstand another round of lashes. Raif Badawi was sentenced by the Criminal Court in Jeddah on 7 May 2014 to 10 years in prison and 1,000 lashes, followed by a 10-year travel ban, a ban on using media outlets, and a fine of one million Saudi Arabian riyals (about US\$266,600). The conviction and sentence stemmed from Raif Badawi's creation of the Saudi Arabian Liberals website (which the court ordered to be closed) and the accusation that he had "insulted Islam". The Court of Appeal in Jeddah upheld the sentence on 1 September. The case is thought to have been referred to the Supreme Court in December.

Raif Badawi's trial began in July 2012 before the General Court in Jeddah. On 21 January 2013, the General Court sent the case to the Criminal Court in Jeddah, saying it did not have jurisdiction to examine the case because it did not find that Raif Badawi had insulted Islam and therefore an "apostasy" charge did not apply. The General Prosecutor, however, insisted that Raif Badawi should be tried for "apostasy". The case was then sent to an appeal court to determine whether it should be heard by the Criminal Court in Jeddah or another tribunal, in particular the General Court in Jeddah, which has jurisdiction over "apostasy" cases. The Court of Appeal in Jeddah referred the case to the Criminal Court and on 29 July 2013 Raif Badawi was sentenced to seven years in prison and 600 lashes. His lawyer appealed the decision arguing that the case had been dealt with by a temporary judge who was not impartial. On 11 December 2013 the Court of Appeal ruled that the case should be reviewed again and sent it back before the Criminal Court in Jeddah. On 25 December 2013, the judge in the Criminal Court ruled that he did not have jurisdiction to review the case, arguing that the charges related to "apostasy". The case was sent back to the Court of Appeal in Jeddah to decide whether to send the case back to the Criminal Court or to examine it itself. The Court of Appeal sent the case back to Jeddah's Criminal Court which sentenced Raif Badawi on 7 May 2014 to 10 years in prison, 1,000 lashes and a fine of 1 million Saudi Arabian riyals (about US\$266,600). Raif Badawi appealed, but on 1 September the Court of Appeal upheld the sentence.

The Saudi Arabian authorities have continued their widespread campaign to persecute civil society activists and human rights defenders with complete impunity, using both the courts and extrajudicial means such as the imposition of travel bans. On 6 July 2014, Raif Badawi's lawyer, prominent human rights defender Waleed Abu al-Khair, was sentenced by the Specialized Criminal Court to 15 years in prison to be followed by a 15-year travel ban. He was found 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". He was initially arrested on 15 April after appearing at the fifth hearing of his trial before the Specialized Criminal Court in the capital, Riyadh. Before that Waleed Abu al-Khair was sentenced to three months' imprisonment by the Criminal Court in Jeddah and had his sentence upheld on 6 February 2014 by the Court of Appeal in Mecca on similar charges (see UA 98/14, <http://www.amnesty.org/en/library/info/MDE23/016/2014/en>).

For more information on the most recent cases of crackdown on other peaceful activists in Saudi Arabia, see *Saudi Arabia: The authorities continue to punish activists for speaking up* (MDE 23/036/2014, <http://www.amnesty.org/en/library/info/MDE23/036/2014/en>).

Name: Raif Badawi
Gender m/f: m

Further information on UA: 3/13 Index: MDE 23/008/2015 Issue Date: 26 January 2015

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