

URGENT ACTION

HUMAN RIGHTS DEFENDER SENTENCED AGAIN

Outspoken human rights defender Mikhlif al-Shammari has been sentenced to two years in prison and 200 lashes in the second case brought against him in two years. Earlier this year, an appeal court upheld a five-year prison sentence against him in the other case. If imprisoned, Amnesty International will consider him a prisoner of conscience.

On 6 November the Criminal Court in al-Khobar, in the Eastern Province of Saudi Arabia, sentenced **Mikhlif bin Daham al-Shammari** to two years in prison and 200 lashes after he was found guilty on two key charges: “stirring public opinion by sitting with the Shi’a” and “violating instructions by the rulers by holding a private gathering and tweeting”.

The first charge stems from his visit in early 2013 to the father of a Shi’a Muslim protester killed in the Eastern Province, and a tweet where he mentioned his intention to pray in a Shi’a mosque. The second refers to a pledge he signed upon his release in February 2012 promising, among other things, to be a “good citizen” and “to refrain from talking to or writing in national and international media and on social media networks, and communicating with international organizations”.

Mikhlif al-Shammari had already been sentenced in a separate case to five years in prison, followed by a 10-year travel ban, by the Specialized Criminal Court (SCC) on 17 June 2013 on charges that included sowing discord, harming public order and the image of the state, violating the information technology law, questioning the integrity of state officials and defaming religious leaders. The court also banned him from writing in the press and on social media networks, and from appearing on television or radio. The appeal division of the SCC upheld the first sentence in June 2014.

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

- Calling on the authorities to quash Mikhlif bin Daham al-Shammari’s conviction and sentence and remove all restrictions imposed on him, as they are based solely on his peaceful exercise of his right to freedom of expression, including through his human rights work in Saudi Arabia and his criticism of the authorities;
- Urging them to end the harassment and persecution of those peacefully defending human rights in Saudi Arabia, and to safeguard the right of human rights defenders to carry out their peaceful human rights activities without fear of reprisal as set out in the 1998 UN Declaration on Human Rights Defenders.

PLEASE SEND APPEALS BEFORE 29 DECEMBER 2014 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 Justice
His Excellency Shaykh Dr 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
Salutation: Your Excellency

And copies to:
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)

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 first update of UA 169/13. Further information:
www.amnesty.org/en/library/info/MDE23/023/2013/en

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ADDITIONAL INFORMATION

Mikhlif al-Shammari has a long history of human rights activism in Saudi Arabia. Through his writings and activism he has advocated the rights of minorities, especially those of Saudi Arabia's Shi'a Muslims. His peaceful human rights activism has led the Saudi Arabian authorities to arbitrarily detain and try him on a number of occasions; he has also reported being tortured and otherwise ill-treated in custody. He was first detained in 2007 when he spent three months in prison without charge shortly after meeting a prominent Shi'a Muslim cleric.

On 14 June 2010 he was again arrested in al-Khobar after he published an article criticizing what he said was prejudice by Sunni religious scholars against members of the Shi'a community and their beliefs. He was charged with the "offence" of "annoying others". Two separate courts in the city of Dammam (the Court of First Instance and the General Court), however, refused to prosecute him, arguing that the case did not fall under their jurisdiction. He challenged the lawfulness of his long detention in a submission to the Board of Grievances, an administrative court with jurisdiction to consider complaints against the state and its public services, but his challenge was dismissed on 13 November 2011 on the basis that the Board did not have jurisdiction to hear his case since it was security-related and had been transferred to the Specialized Criminal Court (SCC). When the prosecution finally moved the case to the SCC, a court set up in 2008 to deal with security-related issues, it called for him to be executed for apostasy. The prosecution eventually withdrew the charge of apostasy, filing a list of charges against him including: sowing discord, harming public order and the image of the state, violating the information technology law, questioning the integrity of state officials and defaming religious leaders.

During his detention at the General Prison in Dammam, Mikhlif al-Shammari was reportedly tortured and otherwise ill-treated. He has said that he was suspended from the walls by his arms with his feet barely touching the floor for an hour each day and that, in July 2011, he was beaten unconscious by prison guards and woke up to find that they were making him drink a toxic cleaning product. He was taken to hospital where the staff were told that he had attempted to commit suicide, and when he was discharged he was placed in solitary confinement for around 15 days.

After spending 20 months in prison, Mikhlif al-Shammari was released on 29 February 2012 after he signed a pledge that "he will adhere to the rules and regulations set up by the rulers of the country, be a good citizen, attend his trial and investigations sessions, refrain from talking to or writing in national and international media outlets and refrain from communicating with external parties and representatives of foreign and international organizations inside and outside the Kingdom and refrain from hosting and attending social events, conferences and gatherings without prior permission". It was also made clear to him that if he did not comply with what he had pledged, he would be arrested again. His trial in front of the SCC, which led to the five-year prison sentence on 17 June 2013, began 16 days after his release.

Shortly after his trial started before the SCC, Mikhlif al-Shammari was presented with another list of charges and was brought to trial before the Criminal Court in al-Khobar. He was accused of breaching his pledge by, among other things, hosting a gathering which was attended by a number of reformists to celebrate his release, visiting the family of a Shi'a Muslim protester killed in al-Qatif in the Eastern Province and posting a tweet that reads "Out of my belief in the coexistence between the society's spectrums and tolerance between Muslims I will pray the Friday prayers in Hamza Mosque in Saihat" (referring to a Shi'a mosque in the Eastern Province).

Name: Mikhlif bin Daham al-Shammari

Gender m/f: m

Further information on UA: 169/13 Index: MDE 23/031/2014 Issue Date: 17 November 2014