

AI Index: PRE 01/202/2013
25 April 2013

Saudi Arabia court orders arbitrary detention of human rights defender

An arbitrary court order to detain a university professor for four months after he co-founded a human rights organization is the latest blow to freedom of expression and assembly in the Gulf kingdom, Amnesty International said today.

On Thursday a criminal court in Buraydah – 350km north of the capital Riyadh – ordered the detention of Dr Abdulkareem Yousef al-Khoder. The 48-year-old is a founding member of the Saudi Civil and Political Rights Organization (ACPRA) and a professor of comparative jurisprudence at the Faculty of Islamic Jurisprudence at Qassim University.

No reasons were given for the detention order against al-Khoder, which came after a judge arbitrarily blocked a group of around 10 women from accessing the court to observe his trial. Following his ruling, the judge refused to meet with al-Khoder or his lawyer, and the professor has since been held in Buraydah prison.

He had been on trial since January 2013 on charges including disobeying the ruler, inciting disorder by calling for demonstrations, disseminating false information to foreign groups, and taking part in founding an unlicensed organization.

“This trial should never have happened, and the charges against Dr al-Khoder appear to be based solely on his legitimate human rights work with ACPRA,” said Philip Luther, Middle East and North Africa Programme Director at Amnesty International.

“Dr Abdulkareem Yousef al-Khoder is a prisoner of conscience. He must be released immediately and unconditionally and the authorities should drop the case against him.”

It is unclear why the judge blocked the women from attending the court session. No law in Saudi Arabia prevents women from being present during trials, and the Justice Ministry last October issued a statement acknowledging that women lawyers would be allowed to plead cases in court. The country’s first female lawyer is currently in training.

Although al-Khoder’s trial had been open to the public, a large number of heavily armed security forces were present.

On 10 April, al-Khoder had submitted a request to remove the judge presiding over his case, to no avail. Al-Khoder argued that the judge had publicly expressed negative opinions about him before the trial and was therefore not impartial.

Prior to his trial opening in January 2013, al-Khoder had circulated a petition asking for a fact-finding committee to investigate arbitrary detentions and repression of peaceful activists by Saudi Arabia’s

Ministry of Interior. He had also written an article on 20 ways of enhancing the success of peaceful demonstrations, and called the Saudi Arabian state a police state.

Harassment of ACPRA's founders

On 9 March, the Saudi Arabian authorities ordered the complete disbanding of ACPRA and confiscation of its property. Founded in 2009, ACPRA had become one of the most prominent among the country's very few independent human rights organizations.

It reported on human rights violations and helped many families of detainees held without charge to bring cases against the Ministry of Interior. ACPRA's social media accounts were shut down on the same day.

Also on 9 March, two other ACPRA co-founders – Dr Abdullah bin Hamid bin Ali al-Hamid, 66, and Mohammad bin Fahad bin Muflih al-Qahtani, 47 – were sentenced to 10 and 11 years' imprisonment, respectively, to be followed by travel bans of equal duration.

They were charged with a list of offences similar to those levelled against al-Khoder.

Amnesty International considers both to be prisoners of conscience, imprisoned solely on account of their peaceful exercise of their rights to freedom of expression and association, including in relation to their human rights activities.

In April 2012, Mohammed Saleh al-Bajady, another of the organization's co-founders, was sentenced by a special counter-terrorism court to four years' imprisonment followed by a five-year travel ban. He was reportedly convicted of charges relating to involvement in the establishment of an unlicensed organization, harming the image of the state through the media, calling on the families of political detainees to protest and hold sit-ins, contesting the independence of the judiciary and having banned books in his possession.

Al-Bajady went on hunger strike in prison in September 2012 and has not been heard from since.

On 24 March 2013, his lawyer, Fawzan al-Harbi, submitted a written request to and attempted to meet the director of the al-Ha'ir prison where al-Bajady is reportedly being detained. He has yet to be granted a visit to his client nor has he received a reply to his written request to do so.

Earlier, on 6 January 2013, al-Harbi met Saudi Arabia's Attorney General and asked to visit al-Bajady. He also attempted to hand the Attorney General a written request for a visit and a complaint about his client's detention conditions. But the Attorney General refused to receive the complaint and told the lawyer that he will follow up on the matter – and there has been no development in the case since then.