

# URGENT ACTION

## RAIF BADAWI'S SENTENCE UPHELD

**Raif Badawi will serve 10 years in prison and receive 1,000 lashes, as the Court of Appeal has upheld his sentence. He is a prisoner of conscience.**

The Court of Appeal in Jeddah upheld on 1 September the sentence imposed on **Raif Badawi** on 7 May. He must now serve 10 years in prison and be subjected to 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".

Now that his sentence has become final, it is feared that the first set of lashes may be imposed on Raif Badawi within weeks. According to the final court decision, he should receive no more than 50 lashes per session, with a break of no less than a week between sessions. The flogging is to be carried out in public after Friday prayers in front of al-Jafali mosque in Jeddah.

Raif Badawi was initially charged with "apostasy", a crime that carries the death penalty in Saudi Arabia. He has been detained since 17 June 2012 in a prison in Briman, in Jeddah. His lawyer, Waleed Abu al-Khair, is himself in prison, serving a 15-year sentence for his peaceful activism.

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

- Calling on the authorities to release Raif Badawi 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;
- Calling on them not to carry out any punishment of flogging, which would violate the prohibition on torture and other cruel, inhuman or degrading treatment in international law.

### **PLEASE SEND APPEALS BEFORE 13 OCTOBER 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 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:**

President, Human Rights Commission  
Bandar Mohammed 'Abdullah al-Aiban  
Human Rights Commission  
PO Box 58889, Riyadh 11515  
King Fahad Road  
Building No.373, Riyadh  
Kingdom of Saudi Arabia  
Fax: +966 11 461 2061  
Email: hrc@haq-ksa.org

### **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 fifth update of UA 3/13. Further information:  
<http://amnesty.org/en/library/info/MDE23/012/2014/en>

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### ADDITIONAL INFORMATION

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 and 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>).

Scores of other Saudi Arabian human rights activists, including members of the Saudi Civil and Political Rights Association (ACPRA), have borne the brunt of the authorities' repression. ACPRA, set up in October 2009, has reported on human rights violations and helped many families of detainees held without charge to bring cases against the Ministry of Interior before the Board of Grievances, an administrative court with jurisdiction to consider complaints against the state and its public services. Most of its members are either under interrogation, detained, on trial or serving lengthy prison sentences.

Fadhel Maki al-Manasif, another activist, 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 (see UA 304/11, <http://www.amnesty.org/en/library/info/MDE23/008/2014/en>).

Name: Raif Badawi  
Gender m/f: m

Further information on UA: 3/13 Index: MDE 23/023/2014 Issue Date: 1 September 2014