

URGENT ACTION

CLERIC SENTENCED TO DEATH AFTER FLAWED TRIAL Prominent Saudi Arabian Shi'a Muslim cleric Sheikh Nimr al-Nimr has been sentenced to death on vague charges and after a deeply flawed trial. His conviction must be quashed and he should be released immediately in relation to these charges.

Sheikh Nimr Baqir al-Nimr was sentenced to death by the Specialized Criminal Court in Riyadh, the capital, on 15 October for a list of offences including "disobeying and breaking allegiance to the ruler", "calling to overthrow the regime", "calling for demonstrations", "inciting sectarian strife", "questioning the integrity of the judiciary", "meeting with and supporting wanted suspects", and "interfering in a neighbouring state's affairs" (in reference to Bahrain).

Evidence for the charges that Sheikh Nimr al-Nimr was convicted of came from religious sermons and interviews attributed to the cleric. Amnesty International's review of these texts confirms that he was exercising his right to free expression and was not inciting violence. A number of charges, including disobeying the ruler, should not be offences at all as they criminalize the peaceful exercise of the right to freedom of expression and other human rights. Other charges are vague and have been abused here to punish the exercise of human rights.

The trial that commenced at the Specialized Criminal Court on 25 March 2013 was also deeply flawed. The cleric was denied the most basic needs to prepare for his defence, including regular access to his lawyer and a pen and some paper to respond to the charges. Key eyewitnesses were allowed not to testify in court in violation of Saudi Arabian laws, and his lawyer was not informed of the dates of a number of court hearings.

Sheikh Nimr al-Nimr, who is the Imam of al-Awamiyya mosque in al-Qatif, eastern Saudi Arabia, was arrested without an arrest warrant on 8 July 2012 when security officers forced his car to stop and shot him when he refused to accompany them. He spent most of his detention in solitary confinement in military hospitals and in al-Ha'ir Prison in Riyadh. He has been paralyzed in one leg because of the incident leading to his arrest and needs urgent medical attention to remove a second bullet in his back.

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

- Calling on the Saudi Arabian authorities to quash the conviction and death sentence of Sheikh Nimr Baqir al-Nimr and release him immediately in relation to these charges;
- Urging them to provide him with adequate medical treatment;
- Urging them to establish immediately an official moratorium on all executions with a view to abolishing the death penalty in Saudi Arabia.

PLEASE SEND APPEALS BEFORE 12 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 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 0311
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.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Saudi Arabians in the Kingdom's predominantly Shi'a Eastern Province have long claimed discrimination and harassment against them by the authorities. Inspired in part by protests that swept the Middle East and North Africa region in 2011, they organized demonstrations to protest at the harassment, arrest, and imprisonment of members of the Shi'a community for, among other things, celebrating Shi'a religious festivals, breaching restrictions on building Shi'a mosques and religious schools, and expressing support to protestors in Bahrain.

The Saudi Arabian authorities have responded with repressive measures against those suspected of taking part in or supporting protests or expressing views critical of the state. Protesters have been held without charge and incommunicado for days or weeks at a time, some are reported to have been tortured and otherwise ill-treated. At least 20 people connected with protests in the Eastern Province have been killed since 2011 and hundreds have been imprisoned. In early and mid-2014, at least seven Shi'a activists detained in connection with the 2011 and 2012 protests were sentenced to death on vaguely worded security offences charges related to their activism. One of the seven, Ali al-Nimr, was 17 at the time of his arrest and was tortured to make him confess. He is the nephew of Sheikh Nimr al-Nimr.

Sheikh Nimr al-Nimr was himself arrested on 8 July 2012. The Ministry of Interior announced that the cleric was arrested as an "instigator of sedition" and was shot because "he and those with him resisted security forces at a check-point, opened fire at security forces and crashed into a car belonging to security forces as he sought to escape". The authorities released photos of him, lying in the back of a car with what appeared to be a gunshot wound to his leg.

Sheikh Nimr al-Nimr suffered from ill-treatment throughout the period of his detention, most of which he spent in solitary confinement either in military hospitals or at the al-Ha'ir Prison in Riyadh. He had irregular access to his family and lawyers and was not provided with adequate medical treatment, including the surgery he still needs to remove a bullet in his back and treatment for his right leg which remains paralyzed.

The trial of Sheikh Nimr al-Nimr commenced at the Specialized Criminal Court on 25 March 2013 and was deeply flawed. He was not provided with the most basic needs to prepare for his defence. He was only allowed a pen and some paper to respond to the prosecution's accusations after months of requesting them, and they were soon confiscated. His lawyer was not informed of important trial dates, was prevented from talking to the media on trial proceedings and was forced to sign a pledge not to share court documents. All at a time when media outlets controlled by the State continued to carry out a smear campaign against the cleric, referring to him as the "leader of the Awamiyya strife" and as illiterate or uneducated, depicted him as an advocate of violence, and reported that he lied to the judge.

Charges levelled against the cleric are overly broad and vague. Some of them, such as disobeying the ruler, calling for peaceful demonstrations, or expressing his view on the legitimacy of rulers in Saudi Arabia and neighbouring countries, or calling for peaceful change of regime are not recognizable criminal offences as per international human rights law. Evidence against the cleric came from two sources, the testimony of the security officers who arrested him and nine religious sermons and a number of interviews delivered by the cleric between in 2011 and 2012. However, the arresting officers were allowed not to testify or be cross-examined by the defence in court, in breach of Saudi Arabian laws. Amnesty International's review of the other evidence based on the cleric's nine sermons and other speeches indicates that he was merely exercising his right to free expression and was not inciting violence.

Name: Sheikh Nimr Baqir al-Nimr

Gender m/f: m

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