

URGENT ACTION

LAWYERS SENTENCED OVER 'OFFENSIVE' TWEETS

A special court sentenced three Saudi Arabian lawyers to between five and eight years in prison over tweets deemed offensive to the Ministry of Justice. If imprisoned Amnesty International will consider them prisoners of conscience.

On 27 October the Specialized Criminal Court (SCC) in Riyadh, the capital, sentenced **Dr. Abdulrahman al-Subaihi**, 39, to eight years in prison to be followed by a 10-year travel ban, **Bander al-Nogaithan**, 36, and **Abdulrahman al-Rumaih**, 32, each to five years in prison to be followed by a seven-year travel ban on charges related to the peaceful exercise of their right to freedom of expression. The court also banned all three for an unspecified period of time from talking to or giving interviews to media outlets, and from posting on social media.

The SCC, which is set up to deal with security and terrorism cases, found all three guilty of violating Article 6 of the cyber-crime law by "impinging on public order" in their tweets, and convicted them on a list of offences including "criticising the ruler's decisions"; "criticising the judiciary and describing some judicial decisions as unjust"; "accusing a court in Riyadh of losing files"; "blaming the Ministry of Justice for lying and violating the law"; "interfering in the independence of the judiciary by criticising a trial and accusing the Minister of Justice of being behind it"; and "accusing the Supreme Judicial Council of prosecuting upright judges and exonerating corrupted ones". All three lawyers are expected to appeal the decision by the end of November.

Prior to their convictions, the three lawyers were fined to a combined total sum of 1,250,000 Saudi Arabian riyals (about US\$333,000) and banned from using social media by a committee in the Ministry of Culture and Information on 1 June 2014; and on 21 September the Lawyers Disciplinary Committee at the Ministry of Justice revoked their licenses to practice law after finding them guilty of interfering in the judicial system and questioning the credibility of the Ministry.

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

- Calling on the Saudi Arabian authorities to ensure the convictions and sentences imposed on Dr Abdulrahman al-Subaihi, Bander al-Nogaithan and Abdulrahman al-Rumaih are quashed, as they are based solely on their peaceful exercise of their rights to freedom of expression, and ensure that their licenses to practice law are reinstated;
- Urging them to end the harassment and persecution of those peacefully exercising their rights to freedom of expression, association and assembly, including those calling for reforms.

PLEASE SEND APPEALS BEFORE 23 DECEMBER 2014 TO:

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:

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.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

The recent sentencing of Dr Abdulrahman al-Subaihi, Bander al-Nogaithan and Abdulrahman al-Rumaih is part of the widespread campaign launched by the Saudi Arabian authorities to silence all forms of peaceful dissent within state institutions and civil society. Since 2012, the authorities arrested and imprisoned all those whom they could not intimidate into silence, including the country's prominent human rights defenders and most visible civil society activists. They also sought to counter the growing role of online activism and social media, either by banning outright or subjecting to monitoring all encrypted social networking applications (such as Skype, WhatsApp, Viber and Line). Executive decrees banning judges and lawyers from discussing judiciary-related issues on social media soon followed, and by early 2014 were consolidated in anti-terrorism legislation that effectively criminalized all forms of peaceful dissent and considered them acts of terror.

In the meantime, the authorities summoned or arrested founders of websites, bloggers and online activists and questioned them about comments they had made or retweeted with the aim of intimidating and silencing online expression. Another pattern of sinister intimidation emerged in the form of the authorities threatening activists, human rights victims and their families not to contact international organizations such as Amnesty International and the international media, and to shut down their social media accounts through which they reported human rights violations.

Many activists, including most founding members of the independent Saudi Civil and Political Rights Association (ACPRA), were partly targeted for criticizing the numerous violations committed by the Ministries of Interior and Justice in the arrest, detention and sentencing of hundreds of people on suspicions of terrorism. This came at a time when the authorities were reporting "significant achievement" in reforming the country's notoriously unfair judicial system.

It is against this backdrop that the three lawyers were first targeted in October 2013 after they posted tweets criticizing the slow pace of reforms in the Kingdom's judicial system, and highlighting with cases and facts the failure of the Ministry of Justice to uphold justice. The Ministry of Justice in return accused them of harming the reputation of the judiciary and brought a case against them before committees both in the Ministry of Justice and the Ministry of Culture and Information.

The tweets for which Bandar al-Nogaithan was targeted and eventually sentenced are the following: "Lawyers are monitoring the catastrophic performance of the Ministry of Justice, [a performance] wrapped in lies and fraudulent media reports unique in the history of Saudi Arabian ministries", "Honourable lawyers will not stand idle to the actions of the Ministry of Justice against the judicial system", "Is it in the competence of the Ministry to terrorise judges this way, this is an unprecedented distortion to the judiciary", "To the Ministry of Justice, your childish threats do not scare us and we will keep shedding the light on all your excesses".

These and similar tweets led the committee in the Ministry of Culture and Information, set up to deal with media-related issues, to fine the three lawyers a total of 1,250,000 Saudi Arabian riyals (about US\$330,000) on 1 June 2014 and to ban them from using social media for a year. The three lawyers were also ordered to apologize to the Minister of Justice. Despite several requests, the lawyers never received a copy of this decision, and therefore were never able to appeal it. On 21 September, the Lawyers Disciplinary Committee in the Ministry of Justice revoked the licenses of the three lawyers after finding them guilty of "interfering in the affairs of the Supreme Judicial Council and criticising its decisions" and "offending the justice system and questioning its credibility" and revoked their practicing licences. Again, the committee never gave the lawyers a copy of this decision and therefore they could not submit their appeal.

Name: Dr Abdulrahman al-Subaihi, Bander al-Nogaithan and Abdulrahman al-Rumaih

Gender m/f: m

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