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SAUDI ARABIA: RECURRING PROSECUTION DEMANDS FOR EXECUTION OF ACTIVISTS AND RELIGIOUS CLERICS

The Saudi Arabian authorities have intensified their crackdown on dissent as manifested by the public prosecution's recent calls for the execution of religious clerics and protesters who are on trial before the Specialized Criminal Court (SCC), the country's counter-terrorism court. Next week, six individuals are scheduled to appear before the SCC for trial sessions, and may be at risk of being sentenced to death for charges related to exercising their peaceful rights to freedom of expression, association and assembly. This includes prominent religious cleric Sheikh Salman al-Awda and activist Israa al-Ghomgham. The Public Prosecution's recurring calls to resort to the death penalty in the past three months for at least eight individuals raises the alarm about the fate of dozens of activists who are currently detained without charge or trial and for those currently on trial before the SCC. Amnesty International calls on the Saudi Arabian authorities to immediately release those detained solely for peacefully exercising their rights to freedom of expression, association and assembly, drop any charges against them and drop any plans to hand those currently on trial the death penalty. The authorities must immediately halt all executions and commute existing death sentences as first steps towards abolition of the ultimate cruel, inhuman and degrading punishment.

RELIGIOUS CLERICS AT RISK OF THE DEATH PENALTY

Sheikh Salman al-Awda, who could face the death sentence following the Public Prosecution's call for his execution, is expected to appear before the SCC on 30 October for a third trial session.

In August 2018, Sheikh Salman al-Awda was brought to trial before the SCC in a secret session, where he was accused of 37 charges, including his affiliation with the Muslim Brotherhood, calls for government reforms and regime change in the Arab region.

Sheikh Salman al-Awda was detained incommunicado and in solitary confinement for the first five months of his detention, with no access to his family or a lawyer, except for one brief phone call a month after his arrest. In January, his family learnt that he was hospitalized as his health was deteriorating in detention. He was only allowed to call his family a month later. Sheikh Salman al-Awda's immediate family members are all banned from travelling abroad.

On 7 September 2017, state security officials arrested Sheikh Salman al-Awda from his home without a warrant, a few hours after he posted a tweet reacting to a news story about Saudi Arabia and Qatar possibly reconciling amid an ongoing diplomatic crisis. He wrote, "May God harmonize between their hearts for what is good for their people". According to his family, the authorities had asked Sheikh Salman al-Awda and other prominent figures to tweet in support of the Saudi government during the dispute with Qatar last year, but he had refused to do so. According to information received by Amnesty International, in November 2017, men in civilian clothing and men in balaclavas who were believed to be from the state security directorate searched his house without a warrant, confiscating electronic devices and books.

Sheikh Salman al-Awda, 61, is a prominent cleric who has called for political and democratic reforms in Saudi Arabia and other Arab states since the early 1990s. He was an advocate of a consultative "Shura" council, which was later institutionalized and expanded in Saudi Arabia. He had already been detained in 1994 without charge or trial for five years, and released in 1999, when he continued his calls for reform and the publishing of statements on co-existence and rights and freedoms within an Islamic framework. During the Arab popular uprisings of 2011, Sheikh Salman al-Awda published a book titled "Questions of revolution", calling on Arab states to address the root causes of these uprisings. Prior to his arrest last year, Sheikh Salman al-Awda had also repeatedly been banned from traveling, speaking and writing in the media.

Religious clerics **Dr Ali al-Omari** and **Sheikh Awad al-Qarni**, were also detained in the wave of arrests in September 2017 targeting religious figures, writers, journalists, academics and human rights defenders, and currently face the death penalty following the Public Prosecution's call for their execution. Dr Ali al-Omari is a prominent media figure and founder

of “4Shabab” satellite TV channel, which promotes religious values, as well as addresses historical, social and political issues in society. Sheikh Awad al-Qarni is a prominent religious cleric and writer on religious and societal issues.

According to information received by Amnesty International, **Dr Ali al-Omari** was allowed one brief phone call to his family about five months after his arrest, but has been detained incommunicado for over seven months since then with no access to his family or legal representation. According to state-aligned news sources, his secret trial began on 5 September and he was charged with, among 30 other accusations, “joining a terrorist entity inside the Kingdom (the Muslim Brotherhood) which works in complete secrecy and aims to sow discord, destabilize security and disobey the ruler”, “establishing Muslim Brotherhood-affiliated offices targeting youth in Arab countries” and “establishing a satellite TV channel in two Arab countries to spread the thought of the Muslim Brotherhood”. The dates for Dr Ali al-Omari and Sheikh Awad al-Qarni’s next trial sessions remain unknown.

The Public Prosecution’s recurring recourse to the death penalty in cases of a number of individuals detained for peacefully exercising their rights to freedom of expression, association and assembly is unprecedented in recent years, and raises the alarm about the fate of several others, including writers, journalists and human rights defenders who have been detained without charge or trial since September 2017.

SHI’A PROTESTERS FACING THE DEATH PENALTY

Israa al-Ghomgham, an activist who was brought to trial before the SCC is expected to appear for her next trial session on 28 October 2018. She is the first Saudi woman who may face the death penalty for her participation in protests for greater rights and reforms in Saudi Arabia’s Shi’a majority Eastern Province. She was brought to trial before the counter-terrorism court with five other individuals, **Ahmed al-Matrood, Ali Ouwaisher, Mousa al-Hashim, Khalid al-Ghanim and Mujtaba al-Muzain**. According to court documents, the Public Prosecution called on the execution of five of the defendants, Israa al-Ghomgham, Ahmed al-Matrood, Ali Ouwaisher, Mousa al-Hashim and Khalid al-Ghanim for charges that include their participation in demonstrations, which is punishable under Royal Decree 44/A, a follow-up decree to the 2014 Law for the Crimes of Terrorism and its Financing, as well as travelling to Iran to receive theoretical training on how to organize and incite riots. Some of the defendants were also charged with providing moral support to rioters by participating in funerals of those killed during clashes with security forces in the Eastern Province. Ahmed al-Matrood, Ali Ouwaisher, Mousa al-Hashim and Khalid al-Ghanim were also charged with violating the 2014 Law for the Crimes of Terrorism and its Financing for receiving money to travel to Iran and Turkey. The Public Prosecution called for the maximum punishment under Royal Decree 44/A for Mujtaba al-Muzain, the sixth defendant, which amounts to up to 20 years in prison. Prior to the beginning of their trial, all six defendants were held in pre-trial detention for over three years.

Amnesty International has documented the cases of at least 34 Shi’a men convicted of and sentenced to death for protests and state security-related offences following grossly unfair trials which often hinge largely on “confessions” obtained through reported torture and other ill-treatment. Last year, **Yousuf al-Mushaikhass** was executed with three other men after they were convicted by the SCC of protest-related offences in connection to his participation in protests in the Eastern Province.

In February 2011 and in the consecutive years, thousands of Saudis of the country’s Shi’a minority took to the streets in towns and cities in the Eastern Province to protest their continued economic and political marginalization, and demand religious, political and social reforms. Their calls included the release of detainees held for prolonged periods without charge or trial and demanding their right to freedom of expression. Since then, the Saudi Arabian authorities have responded with repressive measures against those suspected of taking part in or supporting the protests, and for expressing views critical of the authorities.

The Saudi Arabian authorities are showing no sign of letting up in their recourse to the death penalty, which in addition to its use against a wide range of crimes such as murder and drug-smuggling, it continues to be deployed as a political weapon to punish members of Saudi Arabia’s Shi’a minority for daring to protest against their treatment and to force others into silence.

BEGINNING OF TRIALS OF ACTIVISTS BEFORE THE COUNTER-TERRORISM COURT

According to information received by Amnesty International, prominent entrepreneur and economic writer **Essam al-Zamil** was brought before the counter-terror court this month. He was accused of, among other things, destabilizing the social fabric and national cohesion in the country, sowing discord through his writings on twitter, criticizing the rulers’ foreign policy, communicating with Qatari authorities following the diplomatic crisis with Qatar and meeting with foreign diplomats and providing them with information and analysis about the Kingdom’s policies without informing the Saudi Arabian authorities.

Essam al-Zamel was detained in September 2017 along with over 20 religious clerics, writers, intellectuals and activists. He was held in pre-trial detention for over one year before his trial session began. Essam al-Zamel's next trial session date is unknown. Amnesty International calls on the Saudi Arabian authorities to drop all charges against him and release him immediately and unconditionally.

Essam al-Zamel is a writer and commentator on economic issues and reforms in Saudi Arabia. Prior to his arrest in 2017, he criticized Aramco's initial public offering, which was a large component of Saudi Arabia's Vision 2030. He is also the founder of Rimal Ventures, a company specialized in information technology.

UNKNOWN FATE OF ACTIVISTS AND FAMILY MEMBERS OF ACTIVISTS DETAINED WITHOUT CHARGE OR TRIAL SINCE MAY 2018

At least 12 activists remain detained without charge or legal representation since their detention following the most recent wave of arrests in May 2018. This includes prominent women human rights defenders **Loujain al-Hathloul, Iman al-Najfan and Aziza al-Yousef**, who were detained a month before the driving ban was lifted in Saudi Arabia. The three activists are leading campaigners for women's rights in Saudi Arabia, including the campaign to end the male guardianship system. All three women and two additional activists detained with them, **Dr. Ibrahim al-Modeimigh**, a lawyer and **Mohammad al-Rabea**, a youth activist, have faced accusations in state-aligned media which include violating Royal Decree 44/A through forming a "cell" and posing a threat to state security for their "contact with foreign entities with the aim of undermining the country's stability and social fabric". Amnesty International is concerned that all five may be charged and tried before the SCC.

According to the information available to Amnesty International, the Royal Decree 44/A of February 2014 was first invoked in the trial of human rights defenders Essam Koshak and Issa al-Nukheifi, who were sentenced earlier in 2018 to four and six years in prison respectively, for their activism and human rights work.

In August, prominent women human rights defenders **Samar Badawi** and **Nassima al-Sada** were also detained and remain in detention without charge. Others detained recently include women's rights activists **Nouf Abdulaziz** and **Mayaa al-Zahrani**, and activists who have previously been persecuted for their human rights work, such as **Mohammad al-Bajadi**, who is a founding member of the Saudi Civil and Political Rights Association (ACPRA) and human rights defender **Khalid al-Omeir**. **Hatoon al-Fassi**, a prominent women's rights activist and academic was also reportedly detained a few days after Saudi Arabia lifted the driving ban in June and continues to be detained without charge.

The Saudi Arabian authorities have also targeted family members of activists and human rights defenders since the beginning of the wave of arrests in May 2018. On 31 July, **Amal al-Harbi**, mother of two and wife of Fawzan al-Harbi, human rights defender and ACPRA founding member, was detained on 31 July. She remains in detention without charge and with no access to legal representation. Furthermore, **Ahmad al-Zahrani** and **Abdelmajeed al-Zahrani**, the brothers of Saudi Arabian activist Omar Abdulaziz who resides in Canada, were also detained in early August. It is believed that the reason of their arrest relates to their brother's online activism and outspoken criticism of the Saudi Arabian authorities. Omar Abdulaziz is a host of a satirical show on YouTube which is critical of the Saudi Arabian authorities.