

URGENT ACTION

RAIF BADAWI SENTENCE UPHELD, FACES FLOGGING

Raif Badawi's full sentence of 10 years in prison and 1,000 lashes has been upheld by Saudi Arabia's Supreme Court. He is a prisoner of conscience and at imminent risk of public flogging.

Saudi Arabian media reported on 6 June that the Supreme Court had upheld **Raif Badawi's** full sentence of 10 years in prison and 1,000 lashes, followed by a 10-year travel ban, a ban on using media outlets and a fine of 1 million Saudi Arabian riyals (about US\$266,600). Amnesty International was able to confirm from a separate source that the report was correct.

Raif Badawi had been sentenced on 7 May 2014 by Jeddah's Criminal Court, and his sentence was upheld on 1 September by the Court of Appeal. Although his case was referred to the Supreme Court in December, his sentence of weekly public flogging in front of the al-Jafali mosque in Jeddah began to be carried out on 9 January 2015, but was halted after that, initially on medical grounds, and has not resumed since. The latest and final decision of the Supreme Court, however, is irreversible and could mean that his public flogging will start again.

Mass protests have been organized by activists at Saudi Arabian embassies worldwide condemning the flogging of Raif Badawi and calling for his release. There have also been official appeals, by the European Parliament and a number of European Union member states, as well as the governments of the USA and Canada. The UN High Commissioner for Human Rights called the flogging "at the very least, a form of cruel and inhuman punishment... prohibited under international human rights law, in particular the Convention against Torture, which Saudi Arabia has ratified".

Raif Badawi was convicted of violating Saudi Arabia's cyber-security laws by creating the "Saudi Arabian Liberals Network" website (which the court ordered to be closed), and of "insulting Islam" in writing on the website and on his Facebook page.

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

- Calling on the authorities to put a stop to any further flogging of Raif Badawi;
- Calling on them to release him 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.

PLEASE SEND APPEALS BEFORE 20 JULY 2015 TO:

King and Prime Minister
Salman 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)
Twitter: @KingSalman
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:
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 11 402 031

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 13th update of UA 3/13. Further information:

<http://www.amnesty.org/en/library/info/MDE23/0016/2015/en>

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ADDITIONAL INFORMATION

Raif Badawi's trial began in July 2012 before the General Court in Jeddah. He was accused of various offences, including insulting Islam, and the General Prosecutor called for an "apostasy" charge to be levelled against him. The General Court sent the case to the Criminal Court in Jeddah on 21 January 2013, 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. The Court of Appeal ruled on 11 December 2013 that the case should be reviewed again and sent it back to the Criminal Court in Jeddah. The judge in the Criminal Court ruled two weeks later 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, but on 1 September the Court of Appeal upheld the sentence. In December, his case was reportedly referred to the Supreme Court and went back and forth between the criminal and appeal courts in Jeddah before being returned to the Supreme Court for its final decision.

Raif Badawi received his first 50 lashes in public on 9 January, in front of al-Jafali Mosque in Jeddah. The second set of 50 were expected to be administered a week later, but a doctor examined him and concluded that his wounds had not healed sufficiently, and he could not withstand another round of lashes. Raif Badawi was taken to King Fahad Hospital in Jeddah on 21 January and was thoroughly examined by a medical committee of eight doctors. After hours of examinations, the committee concluded that he had high blood pressure and recommended to the authorities that he not be flogged. However, on Friday 23 February he was taken from his cell and examined by a prison doctor he had not seen before. This doctor found him fit to be flogged. It was brought to the doctor's attention that a medical committee had recommended two days earlier that Raif Badawi not be flogged. Only then did the doctor recommend that Raif Badawi be sent back to the medical committee for further examination, instead of signing the papers recommending that he be flogged.

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. Raif Badawi's lawyer, prominent human rights defender Waleed Abu al-Khair, was sentenced by the Specialized Criminal Court (SCC) on 6 July 2014 to 15 years in prison, of which he will only serve 10 years, to be followed by a 15-year travel ban. He had been 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". His sentence was upheld on appeal by the SCC in Riyadh on 12 January 2015. The judge has also ordered that he must now serve the full 15-year prison sentence because he has refused to apologize for his "offences" (see UA 98/14, <http://www.amnesty.org/en/library/info/MDE23/003/2015/en>).

Name: Raif Badawi
Gender m/f: m

Further information on UA: 3/13 Index: MDE 23/1828/2015 Issue Date: 8 June 2015