

URGENT ACTION

SHEIKH NIMR AL-NIMR AT RISK OF EXECUTION

A prominent Saudi Arabian Shi'a Muslim cleric has had his death sentence upheld by the Supreme Court. Sheikh Nimr al-Nimr has exhausted his appeals and will be at imminent risk of execution as soon as the King has ratified his death sentence.

Sheikh Nimr Baqir al-Nimr has now had his death sentence upheld, first by the appeal division of the Specialized Criminal Court (SCC) in the capital, Riyadh, and then by the Supreme Court. He will be at imminent risk of execution as soon as the king has ratified his death sentence.

His trial, which began at the SCC on 25 March 2013, was deeply flawed. He was denied access to the court documents and evidence against him, so could not respond adequately to them. He was not allowed to see his lawyer in pre-trial detention and at critical periods during the trial, and was deprived of adequate time and facilities to prepare his defence. His lawyer was also not informed of key trial dates.

Evidence to justify the charges of which Sheikh Nimr al-Nimr was convicted came from religious sermons and interviews attributed to him. Amnesty International's review of these texts confirms that he was exercising his right to freedom of expression and was not inciting violence. A number of the 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.

Sheikh Nimr al-Nimr, who is the Imam of al-Awamiyya mosque in al-Qatif, Eastern Province, was arrested without a warrant on 8 July 2012 when security officers forced his car to stop and shot him when he refused to go with them. He was detained, mainly in solitary confinement in military hospitals and in al-Ha'ir Prison in Riyadh. He has been paralysed in one leg because of the incident leading to his arrest and is still in need of medical attention.

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

- Calling on the Saudi Arabian authorities to quash the conviction and death sentence handed down to Sheikh Nimr Baqir al-Nimr and release him immediately in relation to the charges of which he was convicted;
- Urging them to provide him with any medical attention he may require;
- 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 8 DECEMBER 2015 TO:

King and Prime Minister

His Majesty 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 Interior

His Royal Highness Prince Mohammed bin Naif bin Abdul Aziz Al Saud
Minister of Interior
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 Fahd Road
Building No. 3, Riyadh
Kingdom of Saudi Arabia
Fax: +966 11 418 5101
Email: info@hrc.gov.sa

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 first update of UA 271/14. Further information:
www.amnesty.org/en/documents/mde23/028/2014/en/

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ADDITIONAL INFORMATION

Saudi Arabians in the Kingdom's predominantly Shi'a Eastern Province have long complained of discrimination and harassment by the authorities. Inspired in part by protests that swept the Middle East and North Africa 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 for protestors in Bahrain.

The Saudi Arabian authorities have taken repressive measures against people they suspect 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, and some are reported to have been tortured and otherwise ill-treated. The security forces have killed at least 20 people connected with protests in the Eastern Province since 2011, and imprisoned hundreds. Sheikh Nimr al-Nimr and at least six other people have been sentenced to death in connection with the 2011 and 2012 protests. Of the seven, three were arrested when they were below 18 years of age and have reported that they were tortured to make them "confess". One of these three, Ali al-Nimr, is Sheikh Nimr al-Nimr's nephew (See UA 143/14, <https://www.amnesty.org/en/documents/mde23/014/2014/en/> and UA 229/16, <https://www.amnesty.org/en/documents/mde23/2671/2015/en/>).

Sheikh Nimr al-Nimr was himself arrested on 8 July 2012. The Ministry of Interior announced that the cleric had been arrested as an "instigator of sedition" and shot because "he and those with him resisted security forces at a checkpoint, 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 was ill-treated throughout the time he was detained, most of which he spent in solitary confinement either in military hospitals or at the al-Ha'ir Prison in Riyadh. He had only occasional access to his family and lawyers and was not provided with adequate medical treatment: the removal a bullet lodged in his back was delayed, as was treatment for his right leg which is still paralysed.

His trial before the SCC was deeply flawed. His lawyer was prevented from talking to the media about trial proceedings and was forced to sign a pledge not to share court documents. This was at a time when media outlets controlled by the state were carrying out a smear campaign against the cleric, referring to him as the "leader of the Awamiyya strife" and as illiterate or uneducated, depicting him as an advocate of violence, and claiming that he had lied to the judge.

The charges levelled against Sheikh Nimr al-Nimr were overly broad and vague. Some of them, such as "disobeying and breaking allegiance to the ruler" or "calling for demonstrations", unlawfully criminalize the peaceful exercise of human rights. Evidence against the cleric came from two sources, the written testimony of the security officers who arrested him and nine religious sermons and a number of interviews delivered by the cleric 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 freedom of expression and was not inciting violence.

Name: Sheikh Nimr Baqir al-Nimr
Gender m/f: m

Further information on UA: 271/14 Index: MDE 23/2749/2015 Issue Date: 27 October 2015