

URGENT ACTION

SAUDI ARABIAN PRISONER OF CONSCIENCE ON TRIAL

Saudi Arabian activist Issa al-Nukheifi was brought to trial before the counter-terror court on 21 August, where he first learned of the charges against him. The charges and the trial are connected to his human rights activism and social media posts. He is a prisoner of conscience and should be released immediately.

Issa al-Nukheifi's trial at the Specialized Criminal Court (SCC), Saudi Arabia's counter-terrorism court in the capital, Riyadh, began on 21 August. The court charged him with a number of offences including, "insulting the rulers, government and security forces", "communicating with foreign groups that are hostile to the Kingdom and receiving funding from them" and violating Article 6 of the Anti-Cyber Crime Law. The charges were mainly based on Issa al-Nukheifi's posts on Twitter, which notably called for the release of prisoners of conscience and demanded the establishment of a democratic parliament and representative government. He was also accused of communicating with and supporting other human rights defenders.

Issa al-Nukheifi was arrested on 18 December 2016 when he arrived at al-Nozha police station in Mecca, in western Saudi Arabia, for questioning. This followed a summons he received from the Criminal Investigation Department (CID) the previous day. According to information provided to Amnesty International, The Bureau of Investigation and Prosecution (BIP) interrogated him multiple times since his arrest without a lawyer about his human rights activism and contact with international human rights organizations. On 30 December 2016, Issa al-Nukheifi was transferred to Mecca General Prison where he is currently detained.

Issa al-Nukheifi was previously arrested, tried and sentenced to prison for similar offences. He was initially detained on 15 April 2012 and was subsequently sentenced by the SCC to three years and eight months in prison for "inciting disobedience to the ruler and questioning his legitimacy"; "questioning the judiciary and the integrity of its procedures"; "ridiculing the committee of senior religious scholars"; and violating Article 6 of the Anti-Cyber Crime Law. The court also ordered that his Facebook and Twitter accounts be closed down. He was released on 6 April 2016 only to be rearrested eight months later.

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

- Urging the Saudi Arabian authorities to release Issa al-Nukheifi immediately and unconditionally as he is a prisoner of conscience detained solely for the peaceful exercise of his right to freedom of expression;
- Urging them to ensure that, pending his release, he is protected from torture and other ill-treatment, and is granted prompt and receives effective legal representation;
- Calling on the authorities to ensure that, while he is detained, his due process rights are upheld and that legal proceedings against him conform to international fair trial standards.

PLEASE SEND APPEALS BEFORE 19 OCTOBER 2017 TO:

Minister of Interior

His Royal Highness Prince Abdul Aziz bin Saud bin Naif
Ministry of the Interior, P.O. Box 2933,
Airport Road, Riyadh 11134
Kingdom of Saudi Arabia
Fax: +966 11 403 3125
Twitter: @MOISaudiArabia
Salutation: Your Highness

Minister of Justice

His Excellency Dr Walid bin Mohammed bin Saleh Al-Samaani
Ministry of Justice
University Street,
PO Box 7775, Riyadh 11137
Kingdom of Saudi Arabia
Fax: +966 11 401 1741 / 402 031
Salutation: Your Excellency

And copies to:

Human Rights Commission

Bandar Mohammed 'Abdullah al-Aiban
P.O. Box 58889, Riyadh 11515
King Fahd Road
Building No. 3, Riyadh
Kingdom of Saudi Arabia
Fax: +966 11 418 510

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 fourth update of UA 35/15. Further information:

<https://www.amnesty.org/en/documents/mde23/5526/2017/en/>

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ADDITIONAL INFORMATION

Issa al-Nukheifi is a human rights activist and supporter of the independent human rights organization the Saudi Civil and Political Rights Association (ACPRA), which was forcibly closed down by the Saudi Arabian authorities in March 2013. At least 12 founding and active members of the organization have since been imprisoned or sentenced to lengthy prison terms.

According to court documents, Issa al-Nukheifi was charged in relation to tweets which, among other things, called for “the creation of a parliament elected by the people to monitor and supervise the government and public spending”, stated that “people who violate Royal Decrees will be arrested” because Saudi Arabia “lacks institutions of civil society and an elected representative government” and “spoke of his previous detention for three years and eight months in 2012, describing the Kingdom’s prisons as the prisons of injustice”. The Public Prosecutor called for Issa al-Nukheifi to be given the maximum punishment for his “offences”. Violating the Anti-Cyber Crime Law carries a sentence of up to five-years’ imprisonment and Royal Decree 44/A dated 3 February 2014 imposes up to 20-years’ in prison for, among other things, “affiliation with religious and intellectual extremist groups or groups that are classified as terrorist organizations nationally, regionally or internationally.”

The authorities had previously harassed Issa al-Nukheifi for his long history in exposing corruption within State institutions. Local activists claim that the authorities’ treatment of Issa al-Nukheifi during his detention in 2012 was a result of his refusal to keep silent on the country’s gross human rights violations. In 2009, Issa al-Nukheifi single-handedly documented the aftermath of the forced eviction of nearly 12,000 Saudi Arabian residents of Jazan, on the border with Yemen. He argued that the authorities not only illegally confiscated large areas of land and property belonging to Saudi Arabian border residents, but that they sold parts of the confiscated land and embezzled large amounts of money allocated to compensate those who had been forcibly displaced since 2009. He was arrested on 15 September 2012, three weeks after he appeared on a TV channel accusing the local authorities in Jazan of corruption and numerous human rights violations.

Since 2012, the Saudi Arabian authorities have been targeting civil society activists and human rights defenders, using both the courts and other administrative measures, such as the imposition of travel bans, as a means to harass, intimidate and impede their work in the defence of human rights. Also on 21 August 2017, Essam al-Koshak, another human rights defender, was charged with a list of offences related to his activism. He has been detained since 8 January 2017. On 31 July 2017, Abdulaziz al-Shubaily was informed by the SCC that his sentence of eight years in prison, to be followed by an eight-year travel ban and a ban from writing on social media, had been upheld. He is now at risk of being imprisoned at any time to start serving his sentence. Abdulaziz al-Shubaily has acted as the legal representative of nine of the other 11 ACPRA members who have been prosecuted since December 2012. He is one of the last active founding members of ACPRA to be sentenced.

Name: Issa al-Nukheifi

Gender m/f: m

Further information on UA: 35/15 Index: MDE 23/7039/2017 Issue Date: 7 September 2017