

AI Index: PRE 01/248/2013  
28 May 2013

## **Saudi Arabia: Appeal for human rights defenders facing up to 11 years in jail**

Today's court appeal by two members of a prominent Saudi Arabian human rights organization is a bid for justice amid a broader crackdown on activism in the Gulf kingdom, said Amnesty International.

On 9 March the Criminal Court in Riyadh sentenced Mohammad al-Qahtani and Dr Abdullah al-Hamid to 10 and 11 years' imprisonment, respectively. The conviction related to their role as co-founders of the Saudi Civil and Political Rights Organization (ACPRA), for which they faced charges such as disobeying the ruler, founding an unlicensed organization, inciting disorder by calling for demonstrations, and harming the image of the state by disseminating false information to foreign groups.

Besides the lengthy prison terms, their sentences included travel bans of equivalent length following their release. In April, they were given only a month to appeal the convictions after receiving a more than 200-page combined written verdict dated the previous month.

"The charges levied against these men are founded on nothing but injustice and mark another attempt by the authorities to place a stranglehold on basic freedoms. The sentences must be overturned immediately", said Ann Harrison, Middle East and North Africa Deputy Programme Director at Amnesty International.

"These men are prisoners of conscience who should be released immediately and unconditionally. Their peaceful activism in campaigning against human rights violations is perceived by the authorities as a crime – the only guilty party here is the government."

The men's main defence lawyer, Abdul Aziz al-Hussan, decided to leave the country after being interrogated within 24 hours of tweeting about visiting his clients in prison in March. Arriving at the al-Malaz prison in Riyadh on 11 March, he found Mohammad al-Qahtani and Abdullah al-Hamid in handcuffs, which prison officials refused to remove.

The Saudi authorities later denied that the men had been shackled, but other people confirmed the lawyer's statement, including family members who had visited the two men the previous day. Soon afterwards, the two men were moved to the criminal section of al-Ha'ir prison, also in Riyadh.

Abdul Aziz al-Hussan told Amnesty International that he believes the case against his clients is purely political, adding that the Saudi Arabian government's executive branch continuously interferes in the affairs of the judiciary and that "even though there are independent judges, the judicial system is not independent".

Abdullah al-Hamid, who suffers from diabetes, has yet to receive adequate medical attention and was recently transferred to hospital for an operation on his eye.

Last week, the two men were able to talk to their other lawyer – Mohammad al-Qahtani reportedly told the lawyer, “the trials are purely political in nature, something which is very clear from the interrogations and the proceedings that were mainly about my tweets, media appearances and political views”.

“The ongoing persecution of human rights activists shows alarming contempt by the government towards independent organizations. The Saudi Arabian authorities must stop the harassment of activists, release prisoners of conscience, including Mohammad al-Qahtani, Dr Abdullah al-Hamid, Dr Abdulkareem Yousef al-Khoder and Mohammed Saleh al-Bajady, and allow human rights defenders to carry on with their legitimate work unhindered,” said Ann Harrison.

### **Ongoing harassment of ACPRA’s founders**

In its ruling in March, the court also ordered the disbanding of ACPRA, confiscation of its property and the shutting down of its social media accounts.

ACPRA was founded in 2009 and, although it had to operate without a licence, since then it had become one of the most prominent among Saudi Arabia’s very few independent human rights organizations. It has reported on human rights violations and helped many families of detainees held without charge to bring cases against the Ministry of Interior.

Fowzan al-Harbi, another co-founder and current vice president of the organization, has also been under investigation since 11 May 2013, facing similar charges to his colleagues. His continuing efforts to keep ACPRA going despite the court order to disband it could land him with an even heavier sentence. It is feared that he will soon be tried and imprisoned along with the others.

Dr Abdulkareem al-Khoder, another co-founder, was interrogated at the same time as the two appealing their conviction, and faces similar charges in an ongoing trial. On 25 April 2013 he was imprisoned for four months by an arbitrary court order after he had refused to attend his court session in protest against the judge blocking 10 women from entering.

The three detained men join the initial co-founder who was imprisoned following a secret trial in 2012.

Mohammed al-Bajady was arrested in March 2011. More than a year later, the Specialized Criminal Court – set up to try terrorism-related cases – sentenced him to four years’ imprisonment followed by a five-year travel ban. He was reportedly convicted of participating in the establishment of a human rights organization, harming the image of the state through the media, calling on the families of political detainees to protest and hold sit-ins, contesting the independence of the judiciary and having banned books in his possession.

During his trial he had no access to lawyers, and his sentencing took place behind closed doors. His family has not heard from him since last September, when he called them to inform them that he had gone on hunger strike. His lawyer, Fowzan al-Harbi, has submitted continuous requests to meet al-Bajady but has not been granted access.

Several other ACPRA members and founders have had travel bans imposed on them and are also under investigation.

### **Background**

The Saudi Arabian authorities’ move to dismantle ACPRA is part of a larger crackdown on human rights activists, bloggers and critics.

Political dissent and freedom of expression are severely curtailed and criticism of the state is not generally tolerated.

No human rights organizations are authorized by the government other than the Saudi Human Rights

Commission, a governmental body, and the National Society for Human Rights, which is also controlled by the state.

Some local human rights NGOs have attempted to register themselves but have not been permitted to do so and are forced to operate without a licence. Several have had their members arrested and detained under different pretexts.

Under the Universal Declaration of Human Rights everyone has the rights to freedom of association and freedom of expression as well as freedom of movement. Restrictions on these rights are not permissible unless they are provided by law, for the purpose of protecting certain public interests (national security, public order, public health or morals) or the rights of others, and, in each case, are demonstrably necessary and proportionate for the achievement of that purpose.

The right of all individuals to freedom of association with others includes founding and membership in organizations.

Moreover, the UN Declaration on Human Rights Defenders stresses that everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights, and that each state has a responsibility to ensure that everyone under its jurisdiction – individually and in association with others – is able to enjoy all those rights in practice.

**For further information, please see:**

<http://www.amnesty.org/en/news/saudi-arabia-court-orders-arbitrary-detention-human-rights-defender-2013-04-25>

<http://www.amnesty.org/en/library/asset/MDE23/015/2013/en/bb4f8782-e149-4aa7-bc14-58332f79d368/mde230152013en.pdf>