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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Alsalam Foundation, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[13 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Arbitrary Detention of Waleed Abu al-Khair in Saudi Arabia

Peaceful activist and human rights lawyer Waleed Abu al-Khair has borne the brunt of the Saudi governments renewed fight against terrorism. On 13 January 2015, an appellate court ruled that Mr. Abu al-Khair must serve the remainder of a 15-year prison sentence, denying him any opportunity for parole after he refused to apologize for his prior activism.[1]

Before his imprisonment, Mr. Abu al-Khair founded and directed the Monitor of Human Rights in Saudi Arabia (MHRSA). In addition to his human rights advocacy, Abu al-Khair's legal practice brought him into direct conflict with Saudi authorities as he sought to protect defendants suffering the curtailment of their basic freedoms. He previously represented, among others, the blogger Raif Badawi, who received a sentence of ten years in prison, 1,000 lashes, and a one-million riyal fine for "insulting Islam" by creating an online forum for social debate.[2]

Officials first brought charges against Mr. Abu al-Khair in 2013. After the criminal court levied a light sentence against him,[3] he was charged by the Specialized Criminal Court,[4] the tribunal responsible for processing terrorism-related cases. On 6 July 2014, the Specialized Criminal Court in Jeddah invoked recently-enacted anti-terrorism legislation to convict him of "publicly slandering the judiciary," "founding an unlicensed organization," and "making international organizations hostile to the kingdom."[5] He was sentenced to 15 years in prison (initially with an opportunity for parole), a 15 year travel ban, and a fine equivalent to $53,000.

We, the undersigned human rights organizations, call on the Human Rights Council to engage the Government of Saudi Arabia to:

- Release Waleed Abu al-Khair from prison and vacate all charges against him;
- Revoke his travel ban and rescind his fine;
- Reform anti-terrorism legislation so that it cannot be used to threaten the liberty of human rights defenders; and
- Offer stronger guarantees that the Saudi Ministry of Interior will not unduly interfere with legitimate civil society organizations..

[1] http://www.reuters.com/article/2015/01/13/us-saudi-court-rights-idUSKBN0KM0SX20150113
[2] http://www.amnesty.org/en/news/thousand-lashes-and-10-years-prison-online-saudi-arabian-activist-2014-05-07
[3] https://frontlinedefenders.org/node/24109
[4] http://www.amnesty.org/en/news/saudi-arabia-waleed-abu-al-khair-2014-04-16
[5] http://www.hrw.org/news/2014/07/07/saudi-arabia-15-year-sentence-prominent-activist