

URGENT ACTION

HUMAN RIGHTS DEFENDER'S PRISON SENTENCE UPHELD

The Specialized Criminal Court in Riyadh has upheld Saudi Arabian human rights defender Issa al-Hamid's 11-year prison sentence. It is feared that he could be detained at any time to start serving his sentence. If detained he will be a prisoner of conscience.

Issa al-Hamid, a founding member of the Saudi Civil and Political Rights Association (ACPRA), an independent human rights organization, learned on 28 February that his 11-year prison sentence has been upheld by the appeal division of the Specialized Criminal Court (SCC) in the capital, Riyadh. The exact date of the decision is unknown but on 18 January the case was sent back to the Ministry of Interior for implementation of his sentence. He could be taken into custody at any time to start serving his sentence. If detained Amnesty International would consider him a prisoner of conscience.

Issa al-Hamid was initially sentenced by the SCC on 24 April 2016 to nine years in prison, to be followed by a nine-year travel ban. However, upon appeal, the case was sent back to the SCC's first instance division with a recommendation to increase the sentence. On 1 December 2016, the SCC added two years to the prison sentence, bringing the total prison term Issa al-Hamid is to serve to 11 years, followed by an 11-year travel ban, and imposed on him a fine of 100,000 Saudi Arabian riyals (approximately US\$27,000). The sentence is final.

Issa al-Hamid was charged in June 2014 with: "defaming the Council of Senior Religious Scholars"; "insulting the judiciary"; "participating in the establishment of an unlicensed organization" (understood to be ACPRA); "communicating false information to international organizations in order to harm the image of the state"; and "violating Article 6 of the Anti-Cyber Crime Law". The charges relate to a number of statements published online between 2007 and 2011 under ACPRA's name on a range of issues, including the right to peaceful assembly and "the Ministry of Interior's repression of families of political prisoners". He was initially summoned for interrogation by the Bureau of Investigation and Prosecution in November 2013 and was investigated for several months before his trial before the SCC in Riyadh began on 12 June 2014. He was denied access to a lawyer and said he was subjected to ill-treatment throughout the investigation.

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

- Calling on the Saudi Arabian authorities to quash Issa al-Hamid's conviction, ensuring that he is not detained, as he has been sentenced solely for the peaceful exercise of his rights to freedom of expression and association;
- Calling on them to conduct a prompt, impartial, independent and effective investigation into his allegations of ill-treatment while in custody;
- Calling on them to ensure that the criminal justice system is not misused to target or harass human rights defenders.

PLEASE SEND APPEALS BEFORE 17 APRIL 2017 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
Twitter: @M_Naif_AlSaud
Salutation: Your Excellency

And copies to:

Chairman of the National Society for Human Rights
Dr Mufleh Al-Qahtani
Al Gemaha Center – 4th Floor
Muhamadiyah District
P.O.Box: 1881, Riyadh 11321
Kingdom of Saudi Arabia
Fax: +966 11 21 02202
Email: ryd@nshr.org.sa

Also send copies to diplomatic representatives accredited to your country. His Royal Highness Prince Mohammed bin Nawaf bin Abdul Aziz - Ambassador of the Custodian of the Two Holy Mosques in London, Royal Embassy of Saudi Arabia, 30 Charles Street, Mayfair, London, W1J 5DZ

tel: 020 7917 3000 or 02079173288, email: ukemb@mofa.gov.sa twitter: @SaudiEmbassyUK, Salutation: Your Royal Highness

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HUMAN RIGHTS DEFENDER'S PRISON SENTENCE UPHeld

ADDITIONAL INFORMATION

Since 2012, the Saudi Arabian authorities have been targeting civil society activists and human rights defenders, including members of the Saudi Civil and Political Rights Association (ACPRA), 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.

Issa al-Hamid's brothers, Dr Abdullah al-Hamid and Dr Abdulrahman al-Hamid, who are also founding members of ACPRA, are currently being detained for their peaceful human rights activism. Dr Abdulrahman al-Hamid was sentenced on 13 October 2015 to nine years in prison followed by a nine-year travel ban, and a fine of 50,000 Saudi Arabian riyals (about US\$13,300); see: <https://www.amnesty.org/en/documents/mde23/2663/2015/en/>. Dr Abdullah al-Hamid and another ACPRA co-founder, Dr Mohammad al-Qahtani, were sentenced on 9 March 2013 to 10 and 11 years' imprisonment respectively, to be followed by travel bans of equal duration. They had been convicted of a list of offences, including "breaking allegiance to and disobeying the ruler", "questioning the integrity of officials", "seeking to disrupt security and inciting disorder by calling for demonstrations", "disseminating false information to foreign groups", "violating Article 6 of the information technology law" and "forming an unlicensed organization" (understood to be ACPRA); see: <https://www.amnesty.org/en/documents/MDE23/010/2013/en/>. The court also ordered the disbanding of ACPRA, confiscation of its property and the closure of its social media accounts.

Since February 2014, the authorities have used the new counter-terror law, the Law for the Crimes of Terrorism and its Financing, to further target human rights activists and peaceful dissidents. At least six ACPRA members have been brought to trial before the SCC since the new counter-terror law was introduced.

More recently two other human rights defenders Mohammad al-Otaibi and Abdullah al-Attawi, both co-founders of the Union for Human Rights, a Saudi Arabian human rights organization, were brought to trial before the SCC in Riyadh on 30 October 2016. Both men were presented with a list of charges that included, among other things: "participating in setting up an organization and announcing it before getting an authorization"; "dividing national unity, spreading chaos and inciting public opinion by preparing, drafting and publishing statements that are harmful to the reputation of the Kingdom and its judicial and security institutions"; and "publishing information about their interrogations despite signing pledges to refrain from doing so". Mohammad al-Otaibi was also accused of "publishing and retweeting tweets that are offensive to the Kingdom, the ruler and Arab countries", "inciting international organizations against the Kingdom"; "adopting the constitutional monarchy project"; "participating in two media interviews"; and "inciting people to protest". Their trial is ongoing.

On 8 January 2016, Essam Koshak, another human rights defender, was detained after being called for interrogation and questioned about his Twitter account, which he mainly used to highlight human rights issues in Saudi Arabia including the detention of human rights defenders and activists. On 18 December Saudi Arabian authorities detained Issa al-Nukheifi, also a human rights activist. He was questioned on several occasions about his human rights work, in particular about his online activism, which included tweets he had sent out in support of members of ACPRA and other detainees, as well as his role in setting up "Saudi Popular Parliament", a Twitter account established on 10 December 2016 and aimed at promoting democracy in Saudi Arabia. Both men are still detained in Mecca General Prison.

Further information on UA: 86/16 Index: MDE 23/5809/2017 Issue Date: 6 March 2017

