

URGENT ACTION

PRISON TERM UPHELD FOR SAUDI ARABIAN DEFENDER

Saudi Arabian human rights defender Abdulaziz al-Shubaily was informed on 31 July that his eight-year prison sentence has been upheld by the Court of Appeal in Riyadh. He is now at risk of being imprisoned at any time to start serving his sentence. If imprisoned he will be a prisoner of conscience.

On 31 July, **Abdulaziz al-Shubaily**, a Saudi Arabian human rights defender and founding member of the Saudi Civil and Political Rights Association (ACPRA), was informed by the Specialized Criminal Court (SCC) in Riyadh 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, was upheld by the Court of Appeal. This decision followed a back and forth between the SCC first instance court and appeal court. Abdulaziz al-Shubaily was not informed of the exact date on which his sentence was upheld. He could be imprisoned at any time to start serving his sentence.

The Court of Appeal confirmed the SCC sentence issued on 29 May 2016. Abdulaziz al-Shubaily was then convicted of, among other charges, “insulting the integrity of the judicial system and the judges”, “violating Article 6 of the Anti-Cyber Crime Law” by “inciting public opinion against the rulers of this country and signing statements that were published online that call on people to demonstrate”, and “insisting to not abide by the judicial decision to abolish ACPRA”. Abdulaziz al-Shubaily was also ordered to sign a pledge to not return to his activism. These charges are politically motivated as they relate to his human rights work with ACPRA, including reports published by the organization and tweets accusing the Ministry of Interior of gross and systematic human rights violations.

Abdulaziz al-Shubaily was called for interrogation in November 2013 and formally charged in July 2014, before his trial at the SCC began on 24 September 2014. In March 2015, he was presented with additional charges of “communicating with foreign organizations” and providing information to Amnesty International for use in two of its reports. The prosecution and the court have ignored Abdulaziz al-Shubaily’s repeated requests to be shown the evidence regarding this charge.

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

- Calling on the Saudi Arabian authorities to ensure that Abdulaziz al-Shubaily’s conviction is quashed and that he is not imprisoned, as he is sentenced solely for the peaceful exercise of his rights to freedom of expression and association;
- Calling on sites to ensure that the criminal justice system is not used to target, intimidate or harass human rights defenders.

PLEASE SEND APPEALS BEFORE 10 OCTOBER 2017 TO:

King and Prime Minister

His Majesty King 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 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:

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

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, fax 02079173113 email: ukemb@mofa.gov.sa complete the webform here:

<http://embassies.mofa.gov.sa/sites/uk/EN/ContactDiplomaticMission/Pages/ContactWithDiplomaticMission.aspx>; twitter: @SaudiEmbassyUK, Salutation: Your Royal Highness

Please check with your section office if sending appeals after the above date. This is the first update of UA 139/16. Further information: <https://www.amnesty.org/en/documents/mde23/4272/2016/en/>

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ADDITIONAL INFORMATION

Abdulaziz al-Shubaily has acted as the legal representative of nine of the 11 ACPRA members who have been prosecuted since December 2012. He is one of the last active founding members of ACPRA to be sentenced.

Since 2012, the Saudi Arabian authorities have been targeting civil society activists and human rights defenders, including members of the 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.

Since February 2014, the authorities have used the new counter-terror law to further target human rights defenders and dissidents. At least two ACPRA members have seen their trials reopen under the counter-terror law at the SCC, a special security and counter-terrorism court whose jurisdiction and procedures are unspecified, years after they had been sentenced and while serving their sentences on the same charges under other laws or by other courts. Three other ACPRA members were brought to trial before the SCC after the counter-terror law was introduced.

Members of ACPRA have borne the brunt of this persecution. Seven of the organization's 11 founding members are currently serving lengthy prison terms. Abdulaziz al-Shubaily and Issa al-Hamid have been sentenced but not yet imprisoned. Issa al-Hamid, also a founding member of ACPRA, was sentenced by the SCC in Riyadh on 24 April to nine years in prison, followed by a nine-year travel ban. His brothers, Dr Abdulrahman al-Hamid and Dr Abdullah al-Hamid, are also founding members of ACPRA who were sentenced to nine years and ten years in prison, respectively, to be followed by travel bans of equal duration. See Amnesty International's Urgent Actions: Human rights activist jailed after unfair trial, 15 October 2015 (<https://www.amnesty.org/en/documents/mde23/2663/2015/en/>); NGO founders jailed for activism, dissent, 11 March 2013 (<http://www.amnesty.org/en/library/info/MDE23/010/2013/en/>).

Another ACPRA co-founder, Dr Mohammad al-Qahtani, was sentenced alongside Dr Abdullah al-Hamid on 9 March 2013 to 11 years' imprisonment followed by a travel ban of equal duration. Issa al-Nukhaifi, also a member of ACPRA, was rearrested on 18 December 2016, just eight months after he was released from prison having completed a three-year sentence for his activism. Since his re-arrest he has been interrogated multiple times about his human rights activism and contact with international human rights organizations, as well as his role in setting up "Saudi Popular Parliament", a Twitter account set up on 10 December 2016 aimed at promoting democracy in Saudi Arabia. Mohammed al-Bajadi, another founding ACPRA member, was released in 2016 after completing his four-year prison sentence that was handed down by the SCC in a secret trial on 10 April 2012. Dr Abdulkareem Yousef al-Khoder, also a founding member of ACPRA, was sentenced by the SCC on 19 October 2015 to 10 years in prison, followed by a travel ban of equal duration. In November 2014, Fowzan al-Harbi, also an ACPRA founding member, was informed that an appeal court in Riyadh had increased his earlier sentence of seven years in prison to 10 years. He was detained soon after. ACPRA activist Abdulaziz al-Sunaidi was sentenced on 13 October 2015 to eight years in prison followed by an eight-year travel ban by the SCC. Suliaman al-Rashudi, another ACPRA founding member, former president of the organization and former judge, was sentenced on 22 November 2011 to 15 years in prison followed by a 15-year travel ban.

Further information on UA: 139/16 Index: MDE 23/6940/2017 Issue Date: 29 August 2017