

King Abdullah 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

Brussels, 14 July 2014

Re: Concerns regarding the conviction of Mr Waleed Abu Al-Khair, a human rights lawyer

Your Majesty,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE), which, through the national Bars and Law Societies of the Member States of the European Union and the European Economic Area, represents more than 1 million European lawyers. In addition to membership from EU bars, it also has associate and observer representatives from a further thirteen European countries' bars.

The CCBE, through its Human Rights Committee, places great emphasis on respect for human rights and the rule of law. The CCBE is particularly concerned by the situation of human rights defenders in the world.

The CCBE previously wrote to you on 23 October 2013, 18 March 2014 and 5 May 2014 to express its serious concern over the situation of Mr Waleed Abu Al-Khair, a prominent human rights lawyer and founder of "Monitor of Human Rights in Saudi Arabia", who has been the target of multiple hostile acts over the past several years. In 2014, he was sentenced to a three months' imprisonment, and then again was arbitrarily detained on 15 April 2014 while attending the fifth session of an ongoing trial against him not related to his previous charges and convictions. During his detention at Al Hair prison, we understand that he was subjected to torture and ill-treatment and denied access to his lawyer and family.

Now the CCBE has been informed that on 6 July 2014, the first instance Specialised Criminal Court in Jeddah, which was set up in 2008 to try terrorism cases, sentenced Mr Al-Khair to 15 years' imprisonment, barred him from travelling for another 15 years after the completion of his prison term and fined him 200,000 Saudi riyal. The court also ordered the closure of all of his social media accounts.

Waleed Abu Al-Khair was sentenced on charges of "striving to overthrow the state and the authority of the King"; "criticising and insulting the judiciary"; "assembling international organisations against the Kingdom"; "creating and supervising an unlicensed organisation, and contributing to the establishment of another"; and, "preparing and storing information that will affect public security".

The judge ordered the suspension of five of the 15 years' imprisonment on the basis that he refrain from his human rights activity upon release.

The CCBE believes that the conviction of Mr Al-Khair is solely related to his peaceful and legitimate human rights activities and exercise of his profession as a lawyer.

In this context, the CCBE wishes to draw to your attention the following Articles of the United Nations Basic Principles on the Role of Lawyers (1990):

Article 16 states that:

Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Moreover Article 23 states that:

Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognized standards and ethics of the legal profession.

In view of the above, the CCBE respectfully urges your Majesty to take effective steps to ensure that the decision against Mr Mr Al-Khair is overturned and he is immediately and unconditionally released. The CCBE also asks you to ensure that human rights lawyers in Saudi Arabia are able to conduct their professional duties under all circumstances without fear of reprisal, intimidation or judicial harassment.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Aldo Bulgarelli', with a long vertical line extending downwards from the end of the signature.

Aldo BULGARELLI

CCBE President