

Le Bâtonnier

**His Royal Highness Deputy Crown Prince  
Mohammad bin Naif bin Abdulaziz Al-Saud**  
Ministry of the Interior  
P.O.Box 2933, Airport Road, Riyadh 11134  
Kingdom of Saudi Arabia

Geneva, February 23th, 2015

**Re : grave concerns about the situation of Waleed Abu al-Khair**

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Your Royal Highness,

The Union Internationale des Avocats has reiterated recently its grave concern about the harsh sentence against our colleague and human rights activist Waleed Abu al-Khair. As a Geneva's Bar President and UIA member, I fully share the concerns of my organisation, the UIA.

On January 12, 2015, the Saudi Court of Appeals, on recommendation of the Specialized Criminal Court in Riyadh, increased the sentence against Mr. Abu al-Khair to a full 15 years' imprisonment allegedly because he refused to express remorse. In his original trial, on July 6, 2014, Mr Abu Al-Khair was found guilty on several charges, including: "attempting to overthrow legitimate authorities", "an attack against public order, the State and its authorities", "criticising and insulting the Justice system", "attacking the reputation of the Kingdom and inciting international organisations to be hostile to the Kingdom", "creating an unregistered organisation", and "violating Saudi law against cybercrimes". Mr. Abu al-Khair was sentenced to 15 years in prison with 5 years suspended. He was also sentenced to 15-year ban on travel abroad after the prison term is served and a large fine.

Mr. Abu al-Khair is a prominent human rights lawyer, founder of the NGO "Monitor of Human Rights in Saudi Arabia MHRSA), and recipient of the 2012 human rights Olof Palme Prize. He has provided legal representation to many victims of human rights violations. Among them, Raif Badawi, an online blogger and activist, whose sentence to 10 years' imprisonment, a heavy fine, and 1,000 lashes has drawn unanimous condemnation from around the world.

I draw your attention to the 1990 UN Basic Principles on the Role of Lawyers. This states that Saudi authorities have an obligation to ensure that lawyers can perform all of their professional functions without intimidation, hindrance, harassment or improper interference and that they do not suffer, or be threatened with, prosecution for any action taken while carrying out their duties (Principle 16).

Furthermore, according to Principle 23 *"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 of their membership in a lawful organization."*

I remind you that the UN Basic Principles were adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1990, have a normative value under customary international law, and should be respected by Saudi Arabia, which was present at the Congress and voted in favour of their adoption.

Therefore, and in light of the above, I respectfully urge the Saudi Arabian authorities to:

- comply with the standards set forth by the Basic Principles on the Role of Lawyers as well as their obligations under International Human Rights Law and immediately release Mr. Abu al-Khair and all human rights defenders who might have been arrested and detained only for peacefully promoting human rights observance in the Kingdom of Saudi Arabia.
- protect Mr. Abu al-Khair and all lawyers and human rights defenders in the Kingdom Saudi Arabia against any present or future harassment, intimidation and/or reprisal in the exercise of their legitimate human rights activities.

I thank you for your attention to this very serious and urgent matter. The UIA and I will continue to closely monitor this case.

Respectfully yours,



Jean-Marc Carnice