

BY AIRMAIL

King and Prime Minister
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

Fax: +966 11 403 3125

Amsterdam, 5 May 2014

Subject: Arrest of Waleed Abu al-Khair

Your Majesty,

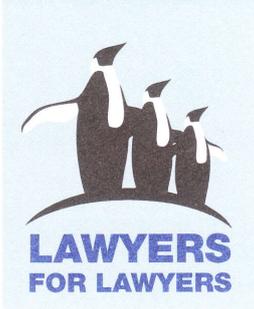
We write to you on behalf of The Dutch Lawyers for Lawyers Foundation ('Stichting Advocaten voor Advocaten'), an independent foundation wholly funded by donations from lawyers, which supports lawyers around the world who are not able to perform their work properly because of harassment and/or improper interference by their governments.

The reason for this letter is our grave concern about the arrest of our colleague, human rights lawyer Waleed Abu al-Khair. Waleed Abu al-Khair is a human rights lawyer, also known as the head of Monitor of Human Rights in Saudi Arabia and 2012 Olof Palme Prize-winner. He has provided legal representation to many victims of human rights violations.

Waleed Abu al-Khair is currently being prosecuted for "breaking allegiance to and disobeying the ruler", setting up an unlicensed organization (Monitor of Human Rights in Saudi Arabia) and "participating in establishing another organization (the Saudi Civil and Political Rights Association)". According to our information, the case of mr. Waleed Abu al-Khair is only one of several cases in which human rights lawyers are facing similar charges. This seems to demonstrate the existence of a structural pattern of obstructing defence lawyers in politically sensitive cases, which may lead to lawyers feeling intimidated and to preventing them from exercising their legitimate professional activities in the best possible way.

According to our information, Waleed Abu al-Khair has been arrested on 15 April after he appeared at the fifth court hearing of his trial before the Specialized Criminal Court in Riyadh. The judge at this trial has refused to provide an explanation for his arrest. After his arrest, Waleed Abu Al-Khair was taken to al-Ha'ir prison in Riyadh, where he is understood to have been placed in solitary confinement and ill-treated. On 17 April he was allowed only a brief phone call to his wife, who has been denied to visit him.

We strongly object to the way mr Waleed Abu al-Khair is treated. Lawyers need to be able to provide legal representation to victims and/or activists of human rights, without being prosecuted or even arrested by the Saudi Arabian authorities. In this context, we call on the Saudi Arabian government to recognize the valuable role played by human



rights lawyers and to promote and support their work in line with the Basic Principles on the Role of Lawyers, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1990, that provides for a number of rights and responsibilities for lawyers acting in their professional capacity.

In particular paragraphs 16 and 17 of the United Nations Basic Principles on the Role of Lawyers, apply. According to paragraph 16, the government is under an obligation "to ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference". Paragraph 17 states that "where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities".

It follows from paragraph 23 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."

These principles are universally applicable. The arbitrary arrest of Waleed Abu al-Khair is in violence with these principles. Therefore, we respectfully urge you to ensure the immediate release of mr Waleed Abu al-Khair **if he has been arrested solely for his lawful human rights activities and his lawful activities as a lawyer;**

We call on the Saudi Arabian authorities to honour Saudi Arabia's international human rights obligations, to ensure the personal and professional safety of mr Waleed Abu al-Khair and to enable them to carry out their professional duties while not being intimidated and hindered in doing so.

We would like to thank you for your attention for this very important matter. We will continue to closely monitor this case and I kindly request you to keep me informed on any developments on the threats made against Waleed Abu al-Khair.

On behalf of the board of Lawyers for Lawyers,

Sincerely,

Lawyers for Lawyers

Adrie van de Streek
Executive director

Letters concerning the same topic were also sent to:

- Minister of the Interior - Prince Mohammed bin Naif bin Abdul Aziz Al Saud
- Minister of Justice - Sheikh Mohammed bin Abdulkareem Al-Issa
- Ambassador in The Hague - Professor Walid Abdul Karim Khereiiji
- Consul in Geneva - Mr Nabil Ben Mohamed Al-Saleh