

# Lawyers' Rights Watch Canada

*NGO in Special Consultative Status with the Economic and Social Council of the United Nations*

**Promoting human rights by protecting those who defend them**

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20 December 2016

The Honourable Stéphane Dion  
Minister of Foreign Affairs  
125 Sussex Drive  
Ottawa, Ontario K1A 0G2  
**Email: [stephane.dion@parl.gc.ca](mailto:stephane.dion@parl.gc.ca)**  
Dear Minister Dion:

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**Re: Request for Release of Waleed Abu al-Khair by Saudi Arabia**

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LRWC writes to request that you urge the Government of the Kingdom of Saudi Arabia (Saudi Arabia) to honour its international law obligations and to:

1. Immediately and unconditionally release Waleed Abu al-Khair;
2. Remove the 15-year travel ban prohibiting his travel outside Saudi Arabia;
3. Vacate the 200,000 SAR fine; and,
4. Ensure all other measures necessary to allow Waleed Abu al-Khair to travel to Canada to accept in person the Law Society of Upper Canada 2016 Human Rights Award at the award ceremony on 22 February 2017 in Toronto, Ontario, Canada.

On 15 November 2016 the Law Society of Upper Canada announced Waleed Abu al-Khair as one of the two recipients of its biennial 2016 Human Rights Award. Established in 2013, the award recognizes outstanding contributions to the advancement of human rights and/or the promotion of the rule of law provincially, nationally or internationally. It is granted every two years to individuals for their devotion to these principles over a long term, or for a single, outstanding act of service.

The Law Society of Upper Canada recognizes Waleed Abu al-Khair's

... extraordinary contributions to the advancement of human rights and promotion of democracy and the rule of law in Saudi Arabia over the course of his career as an advocate, made at high personal cost, [which] demonstrate the highest ideals of the legal profession.<sup>1</sup>

The Law Society of Upper Canada has invited Waleed Abu al-Khair to attend the award ceremony on 22 February 2017 in Toronto, Ontario, Canada to personally accept the award. As you are aware from our previous correspondence to you, Waleed Abu al-Khair is an internationally respected human rights lawyer, and democracy and human rights advocate, arbitrarily imprisoned by Saudi Arabia since 14 April 2014. In July 2014 he was sentenced to 15 years in prison, a 15 year travel ban prohibiting travel outside Saudi Arabia, and a 200,000 SAR fine. In 2015 the United Nations Working Group on Arbitrary Detention determined that Saudi Arabia's imprisonment of Waleed Abu al-Khair is arbitrary, not justified by law and in contravention of internationally protected rights to

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<sup>1</sup> Letter from Paul B. Schabas, Treasurer of the Law Society of Upper Canada to Waleed Abu al-Khair dated November 15, 2016.

freedoms of expression, association and peaceful assembly, rights to a fair and public trial before an impartial, independent and competent tribunal, and the right to have criminal charges defined with sufficient precision to allow both avoidance and defense.

The international human rights community agrees that there is no legal justification for the conviction, sentencing and imprisonment of Waleed Abu al-Khair and that his imprisonment constitutes a violation of international human rights laws and standards binding on Saudi Arabia. The assessment of the international human rights community is demonstrated in part by other human rights awards bestowed upon him. In 2012, he was awarded the Olof Palme Prize for

... his strong, self-sacrificing and sustained struggle to promote respect for human and civil rights for both men and women in Saudi Arabia. Together with like-minded citizens and colleagues, Waleed Sami Abu al-Khair does so with the noble goal of contributing to a just and modern society in his country and region.<sup>2</sup>

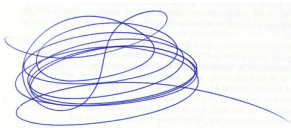
In 2015, Waleed Abu al-Khair was awarded the XX<sup>th</sup> Ludovic-Trarieux Human Rights International Prize<sup>3</sup> for his work as a human rights lawyer and as the founder of the Monitor of Human Rights in Saudi Arabia (MHRSA). The Ludovic-Trarieux award is Europe's most prestigious tribute to human rights activism and was initially bestowed upon Nelson Mandela.

Of the six illegitimate charges for which Waleed was sentenced to 15 years in prison, a 200,000 SAR fine and a 15-year travel ban, one charge—'running an unauthorized association and being its chairman speaking on its behalf and issuing statements and communicating through it.'—was based on the fact that he had sought and obtained registration of the MHRSA in and under the laws of the Province of Ontario. Waleed Abu al-Khair sought to register MHRSA in Ontario after the King of Saudi Arabia had declined approval for the human rights organization to be registered in Saudi Arabia. Given this Canadian connection and the facts and law requiring his release, we trust that Canada will act quickly to ensure his immediate and unconditional release from prison and removal of the travel ban and other impediments to Waleed Abu al-Khair travelling to Canada to attend the Law Society of Upper Canada 2016 Human Rights Award ceremony on 220 February 2017. .

LRWC is ready to provide such additional information as you may require about the facts and the applicable human rights law.

We look forward to your reply. Thank you.

Sincerely,



Gail Davidson, Executive Director, LRWC



Maya Duvage, LRWC member

Enclosures:

Law Society of Upper Canada 2016 Human Rights Award letter to Waleed Abu al-Khair dated 15 November 2016

Letter from LRWC to Saudi Arabia dated 20 December 2016

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<sup>2</sup> Olof Palmes Minnesfond, 2012, online: <<http://www.palmefonden.se/2012-radhia-nasraoui-och-waleed-sami-abu-alkhair-2/>>.

<sup>3</sup> The XXth "Ludovic-Trarieux" Human Rights International Prize 2015, online: <<http://www.ludovictarrieux.org/uk-page3.callplt2015.htm>>.

Copied to:

The Right Honourable Justin Trudeau  
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His Honourable Ambassador Naif Bin Bandir Alsudairy  
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