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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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3220 West 13th Avenue, Vancouver, B.C. CANADA V6K 2V5

The Registrar
IBA Human Rights Award 2015
Via e-mail: hr@int-bar.org
Friday, May 29, 2015

Re: Nomination of Waleed Abu Al-khair for the 2015 IBA Human Rights Award

Nominators

Lawyers for Lawyers
P.O. Box 71
1007 JC AMSTERDAM
The Netherlands

Lawyers' Rights Watch Canada
3220 West 13th Avenue,
Vancouver, BC, Canada V6K 2V5

Nominee: Waleed Abu Al-khair

Date of birth: 17 June 1979
Nationality: Saudi Arabian
Address of usual residence: Saudi Arabia, Jeddah

Dear Sir/Madam,

In accordance with the request of the International Bar Association for nominees for the 2015 IBA Human Rights Award, Lawyers for Lawyers and Lawyers' Rights Watch Canada wish to recommend and nominate human rights lawyer Waleed Abu Al-khair of Saudi Arabia, for the abovementioned award.

Waleed Abu Al-khair is one of the best-known advocates for democratic and human rights reform in Saudi Arabia. He has used the written and spoken word coupled with his legal knowledge to fearlessly advocate for reforms to improve the lives of all in Saudi Arabia by calling on the Government of Saudi Arabia to allow its citizens to enjoy internationally protected rights to freedom of expression, association, assembly and the right to participate directly and indirectly in public affairs. He has done this work through writing and public speaking, by representing causes and clients unpopular with the Government of Saudi Arabia, by providing a safe space for peaceful discussion of issues of public concern and by providing people with an example of responsible advocacy for justice for all. At the risk of his own personal and professional safety and security Waleed Abu Al-khair persisted in using his training and skills as a lawyer to be an outspoken advocate for an elected parliament, an independent judiciary, a constitutional monarchy and recognition of human rights. He has also advocated on behalf of prisoners of conscience and written many articles identifying human rights abuses and the need for legal reform. He recommended reliance on the law and legal procedures to effect reform and settle disputes and differences of opinion and never advocated or used violence as a means of opposition. 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.”¹

Details of Waleed Abu Al-khair's 'outstanding contributions to the promotion, protection and advancement of the human rights of all people in Saudi Arabia and their right to live in a fair and just society under the rule of law' are provided in the Curriculum Vitae enclosed with this letter.

¹ Olof Palmes Minnesfond, 2012. <http://www.palmefonden.se/2012-radhia-nasraoui-och-waleed-sami-abu-alkhair-2/>

The Government of Saudi Arabia responded to this peaceful human rights advocacy on 1 April 2012 by banning him from traveling outside Saudi Arabia. In 2013 he was charged with a variety of vague and over broad offences having to do with his advocacy for recognition of human and democracy rights. When these offences resulted in a sentence of only three months, the Government of Saudi Arabia re-charged him with similar offences which resulted in a prison sentence of 15 years.

On 15 April 2014, the Nominee was arrested while appearing at the fifth session of his trial before the Specialized Criminal Court in Riyadh. On 28 May, at the seventh session of the Petitioner's trial before the Specialized Criminal Court, Judge Yousef Al-Ghamdi stated that the Petitioner was charged under the *Penal Law for Crimes of Terrorism and its Financing*, Royal Decree No. 44 (12/2013). On 26 June 2014, during the eighth session of the trial before the Specialized Criminal Court, the Nominee stated that he would not attempt to further defend or respond to the charges and accusations, citing persistent refusal by the prosecution and court to properly consider the defenses raised.

On 6 July 2014 the Nominee was convicted of: seeking to discredit state legitimacy; abuse of public order in the state and its officials; Inciting public opinion and insulting the judiciary; publicly defaming the judiciary and discrediting Saudi Arabia through alienating international organizations against the Kingdom and making statements and documents to harm the reputation of the Kingdom; adopting an unauthorized association and being its chairman speaking on its behalf and issuing statements and communicating through it; preparing, storing and sending what would prejudice public order. The charges all arose from the Nominee's engagement in peaceful activities associated with his work as a lawyer and a human rights defender: activities protected by the *Universal Declaration of Human Rights* and many other instruments including the *Declaration on Human Rights Defenders*, the *Basic Principles on the Role of Lawyers* and the *International Covenant on Civil and Political Rights*.

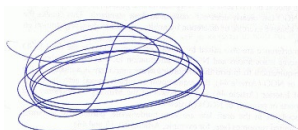
The arrest, prosecution and imprisonment of the Nominee by the Government of Saudi Arabia contravene the *Universal Declaration of Human Rights* guarantees of liberty, freedom from arbitrary detention, right to be presumed innocent until proven guilty according to law and right to an effective remedy. Waleed Abu Al-khair has vigorously advocated for the recognition of human rights and democratic reform in Saudi Arabia. Through this personal endeavor he has made an outstanding contribution to the promotion of human rights, protection and advancement of the human rights of all with respect to their right to live in a fair and just society under the rule of law. He has done so in an unforgiving environment of undemocratic state rule, uncodified law and an inconsistent judiciary. His contribution to the recognition of human rights, democratic reform and an independent judiciary has led to his own prosecution and imprisonment. There he, even more so then before, experienced firsthand the full destructive power of a failed legal system with no actual checks and balances and no regard to basic human rights.

The Nominee is an example for other advocates of human rights all over the world, to endure everything that comes their way and still persevere in the pursuit of equal rights for all especially with regard to their right to live in a fair and just society under the rule of law.

The latest news with regards to the Nominee is that he has been beaten in detention. I refer the Bar to his Curriculum Vitae for a list of his work and contribution to the human rights situation for all people in Saudi Arabia.

The nominators are most proud to recommend Waleed Abu Al-khair as the recipient of the 2015 IBA Human Rights Award in recognition of his extraordinary and selfless advocacy to promote, protect and advance human and democracy rights for all in Saudi Arabia.

Sincerely,



Gail Davidson, Executive Director,
Lawyers Rights Watch Canada
Enclosure: Curriculum Vitae, Waleed Abu Al-khair



M.J. Paffen
On behalf of Lawyers for Lawyers