



## WORKING GROUP ON ENFORCED OR INVOLUNTARY DISAPPEARANCES

### COMMUNICATION FORM

#### 1. INFORMATION CONCERNING THE DISAPPEARED PERSON

- (a) \* **Family name(s)**: BADAWI
- (b) \* **Given names(s)**: SAMAR MOHAMMAD
- (c) Pseudonyms or other forms besides given name, by which he or she may be known: .....
- (d) Sex:  male /  female      (e) Occupation/profession.....
- (f) father's name: ..... mother's name.....
- (g) Date of birth: 28 JUNE, 1981      (h) Place and country of birth: SAUDI ARABIA
- (i) Was the person below 18 years-old at the moment of the disappearance?  yes /  no
- (j) Identity document (passport, national identity card, voter's card or any other relevant national identity card)  
type..... number.....  
date of issue: ..... place and country of issue: .....
- (k) Nationality or nationalities: SAUDI ARABIAN
- (l) Address of usual residence:
- (m) Any other place of residence at the moment of the disappearance:
- (n) Marital status:      (o) Indigenous:  yes /  no      (p) Pregnant:  yes /  no

#### 2. INFORMATION CONCERNING THE FACTS

- (a) \* **Date of arrest, abduction or disappearance** (at least month and year):  
30 July 2018.
- (b) \* **Place of arrest, abduction or where the disappearance occurred** (be as precise as possible. Indicate street, city, province or any other relevant information)  
Samar Badawi was arbitrarily arrested and forcibly disappeared at her home, in Jeddah, Saudi Arabia.
- (c) \* **Date when the person was last seen** (at least month and year), if different from date of arrest or abduction (for example: if seen in a prison months after the initial arrest or abduction):

Samar Badawi was [reportedly](#) last seen at the Specialized Criminal Court in Riyadh on 27 June 2019 for [charges](#) under the Cyber Crimes Law, carrying up to 20 years in prison, per the European-Saudi Organisation for Human

Rights and the Gulf Centre for Human Rights. No international observers, media or diplomats were allowed in court, nor is there any indication that legal representation was present. Prior to this reported appearance, Samar Badawi was last seen on 30 July 2018, the date of her arbitrary arrest and initial enforced disappearance.

(d) \* **Place where the person was last seen** (if different from place of arrest or abduction. For example: if seen in a prison months after the initial arrest or abduction. Please, be as precise as possible. Indicate street, city, province or any other relevant information):

On 27 June 2019, Samar Badawi reportedly appeared in a closed trial at the Specialized Criminal Court in Riyadh, Saudi Arabia. Prior to this reported appearance, Ms. Badawi was last seen at her home, on 30 July 2018, the date of her arbitrary arrest.

(e) **Please, provide a full description of how the disappearance took place** (attach one page if necessary. Please note that, although this is not a required element, providing a description as detailed as possible of the circumstances of the disappearance will enhance the possibilities to find the person)

On 30 July 2018, Saudi authorities entered Samar Badawi's apartment building and stood outside her apartment door. Ms. Badawi asked to see an arrest warrant, at which point the authorities stated that they were state security forces and had directions from Crown Prince Mohammed bin Salman to take her away. The men filmed the search of Ms. Badawi's apartment, and instructed her to telephone her child's grandmother, who arrived to pick up Ms. Badawi's daughter, Jood, at approximately 2:15am. At 2:50am, Ms. Badawi was arbitrarily arrested. Approximately one month prior to her arrest, Saudi authorities imposed a travel ban on her. Saudi security forces also conducted surveillance of her apartment by installing security cameras at her apartment building. Following her arrest, she was held in solitary confinement in a prison that is controlled by the State Security Presidency, Dhahban Prison, Jeddah. However, following the June 27, 2019 court appearance, her fate and whereabouts are unknown.

(f) \* **State or State-supported forces believed to be responsible for the disappearance.** If the perpetrators are believed to be State agents, please specify and indicate who and why they are believed to be responsible. Be as precise as possible (military, police, persons in uniform or civilian clothes, agents of security services, unit to which they belong, rank and functions, identifications presented, etc.)

The Saudi authorities self-described as state security forces operating under the directions of Crown Prince Mohammed bin Salman initially arrested Samar Badawi. The authorities were male; some were masked and some were wearing civilian clothes; two men had visible weapons on their person. She was then transferred to Dhahban Prison in Jeddah, under the control of the State Security Presidency.

(g) If identification as State agents is not possible, please indicate why you believe that Government authorities, or persons linked to them, may be responsible for the incident: N/A

(h) If there are witnesses to the incident, please provide their names and relation to the victim. If they wish to remain anonymous, indicate if they are relatives, by-standers, or others. If there is evidence, please specify:

The grandmother of Samar Badawi's child is a witness to the arrest as she arrived at Ms. Badawi's home 35 minutes prior to Ms. Badawi's arbitrary arrest and enforced disappearance.

(i) Additional Information on the case. Please indicate any other relevant information that could be useful to find the person:

Samar Badawi was originally arrested against a backdrop of an unprecedented crackdown on women's rights defenders in Saudi Arabia, and specifically along with Nassima al-Sadah, a women's rights activist from Saudi Arabia's Eastern Province, and Amal al-Harbi. Saudi authorities arrested dozens of women's rights defenders who campaigned against the driving ban, promoted women's rights and called for easing the guardianship laws. The Saudi press branded the activists as "traitors." The crackdown began just weeks before the lifting of the driving ban on women on June 24, 2018. Given this pattern, currently detained women's rights activists, including Samar Badawi, are at a heightened risk of torture or enforced disappearance in light of the recent [reforms](#) to the guardianship system, which have begun to take effect [today](#).

Moreover, in November 2018, it was widely reported that some of the women's rights defenders held at Dhahban Prison, Samar Badawi included among them, were [subjected](#) to severe and brutal sexual harassment and [torture](#), including electrocution, flogging and [waterboarding](#).

### 3. INFORMATION CONCERNING ACTIONS TAKEN AFTER THE DISAPPEARANCE

\* **Indicate any action taken** (police inquiries, jail, human rights commission, habeas corpus petition etc.) **taken by the relatives or others to locate the person.** You are required to state the following: *when*, by *whom*, and before *which organ* the actions were taken.

(a) **Complaints** (*when*, by *whom*, and before *which organ/s*):

On 10 October 2018, a [Joint Urgent Appeal](#) (UA SAU 11/2018) was issued by the Special Procedures Branch in the United Nations Office of the High Commissioner for Human Rights concerning the arbitrary arrest and detention of several Saudi human rights defenders, including Samar Badawi.

(b) **Other steps taken** (*when*, by *whom*, and before *which organ/s*):

On 02 August 2018, Canadian Foreign Minister Chrystia Freeland called for Samar Badawi's release. On August 3, 2018, Global Affairs Canada, via tweet, urged Saudi authorities to immediately release Samar Badawi. On October 12, 2018, 10 UN Special Procedures [called](#) for the immediate and unconditional release of Samar Badawi and four other women rights defenders and urged "Saudi authorities to immediately make the whereabouts of these five human rights defenders known and to grant them access to their families and lawyers."

On 07 March 2019, during the 40<sup>th</sup> Regular Session of the UN Human Rights Council, Iceland presented the joint statement of 36 states [calling](#) on Saudi Arabia to release all individuals detained for exercising their fundamental freedoms, including ten women human rights defenders, Samar Badawi included. On 13 February 2019, the European Parliament issued a [joint resolution](#) calling on Saudi Arabia to immediately and unconditionally release Samar Badawi, and others. On 04 June 2019, 40 civil society organizations published a [letter](#) sent to 48 ministries of Foreign Affairs from all regional groups at the UN urging the Saudi government to immediately and unconditionally release all those arbitrarily detained, which includes Samar Badawi.

(c) If no action was taken, please explain why: N/A

### 4. PERSON OR ORGANIZATION SUBMITTING THE COMMUNICATION

**\* Person submitting the communication**

(a) Family name: COTLER

(b) First name: IRWIN

(c) Relationship with the disappeared person: International legal counsel to her brother, Raif Badawi, and ex-husband, Waleed Abulkhair

(d) Contact details (address, telephone, fax, email)

4770 Avenue de Kent, Suite 205, Montreal, QC, H3W 1H2, Canada; [irwincotler@rwchr.org](mailto:irwincotler@rwchr.org); (+1)5147358778

**\* Organizations submitting the communication (if applicable)**

(e) Contact details (address, telephone, fax, email):

1. RAOUL WALLENBERG CENTRE FOR HUMAN RIGHTS, of which IRWIN COTLER is the Chair and Founder, is located and can be reached at: 4770 Avenue de Kent, Suite 205, Montreal, QC, H3W 1H2, Canada; [irwincotler@rwchr.org](mailto:irwincotler@rwchr.org); (+1)5147358778
2. LAWYERS' RIGHTS WATCH CANADA, of which GAIL DAVIDSON is the Executive Director, is located and can be reached at: 3220 West 13th Avenue, Vancouver, BC CANADA, V6K 2V5 Tel: [+1-604 736-1175](tel:+16047361175)  
Fax: [+1-604 736-1170](tel:+16047361170) Email: [lrwc@portal.ca](mailto:lrwc@portal.ca)

**5. CONFIDENTIALITY REQUEST**

Please state whether you would like your identity to be kept confidential

Yes, keep my identity confidential: \_\_\_\_\_ No request for confidentiality:

\* **Date:** August 23, 2019

\* **Place:** Montreal, Quebec, Canada

\* **Signature of author:**

