

Human Rights Award Selection Committee
c/o Ekuu Quansah
The Law Society of Upper Canada
130 Queen Street West
Toronto, ON M5H 2N6

June 13, 2016

Dear Human Rights Award Selection Committee Members,

It is my great honour to provide this letter in support of the nomination of Waleed Abu al-Khair for the Law Society of Upper Canada's Human Rights Award.

I take note of the Award criteria that the recipient must have demonstrated an "outstanding contribution to human rights and/or the promotion of the rule of law where the service is in accordance with the highest ideals of the legal profession." There is absolutely no question that Mr. Abu al-Khair is a stellar representative of those ideals. And his conviction and bravery in staying true to standing up for human rights and advancing the rule of law, despite repression and great personal sacrifice, is nothing short of inspirational.

Summary

Waleed Abu al-Khair is a Saudi Arabian human rights lawyer who has devoted his legal career to defending countless others who have had their human rights denied. And now he is serving a 15-year prison sentence for his defence of human rights. He received the sentence in 2014, charged with fabricated and baseless terrorism-related crimes. Amnesty International has declared him to be a prisoner of conscience and our members and supporters worldwide have been campaigning for his immediate and unconditional release.

Defending those whose rights are under attack

Waleed's life and legal career has been devoted to calling on the Saudi Arabian government to respect human rights. In 2008 he founded one of the few local human rights organisations operating in the country, the Monitor of Human Rights in Saudi

Arabia. He has provided legal representation to many victims of human rights violations in Saudi Arabia, including activists charged with forming 'unlicensed' human rights organisations.

In 2009, the authorities banned him from representing specific defendants in courts, but Waleed refused to obey them, continuing to support and represent human rights activists challenging the authorities. One of his cases before his own imprisonment was the blogger Raif Badawi, currently imprisoned for a decade, who made international headlines when he was publicly flogged in early 2015 for running a website that promoted debate on social and political topics. Mr. Badawi's case is of great concern to Canadians as his wife and young children live in Sherbrooke, Quebec.

Years of harassment

Waleed was harassed, interrogated, kept under surveillance and banned from travelling by the Saudi Arabian authorities for four years before his detention.

In October 2013 he was arrested for holding a 'diwanniya' – an informal gathering at his home to discuss human rights issues and reform. Later that month he was sentenced to three months in prison for 'ridiculing' or 'offending' the Saudi Arabian judiciary, and harming the image of the state by communicating with international organisations. He was banned from travelling by Saudi Arabia – and prevented from traveling abroad to participate in human rights conferences or to receive international human rights prizes he had been awarded.

Jailed for defending human rights

On 6 July 2014, Waleed was sentenced to 15 years in prison, a 15-year travel ban and a fine of 200,000 Saudi Arabian riyals (over CDN\$50,000) as punishment for his human rights activities – including holding discussions about human rights in his home, defending those who have been punished for speaking out, and signing a letter that criticised authorities for imprisoning a group of activists who had peacefully advocated democratic reform.

Waleed was found guilty of numerous charges by a judge in a security and counter-terror court, including disobeying the ruler and seeking to remove his legitimacy; insulting the judiciary and questioning the integrity of judges; setting up an unlicensed

organisation; harming the reputation of the state by communicating with international organizations and preparing, storing and sending information that harms public order.

Very courageously, Waleed refused to accept the charges put to him by the Saudi Arabian authorities throughout his trial, which began in October 2013, or to recognise the legality of the court he was being tried in. Halfway through his trial, in February 2014, Saudi Arabia brought in new anti-terrorism law, which the courts applied to Waleed's case. He was the first human rights activist to be tried and sentenced under the new law, which extended existing laws used by courts to crack down on free speech through overly vague definitions of 'terrorism' – and legitimised and ramped up the punishment against human rights activists like Waleed.

Waleed's sentence was upheld at an appeal court on 12 January 2015, where the appeal judge told Waleed that he would serve the full 15 years in prison, rather than a reduced sentence of ten years, as he had refused to apologise for his alleged offences.

Treatment in detention

When Waleed was arrested in April 2014, he was initially taken to al-Ha'ir prison in Riyadh, where he says he was kept in solitary confinement and deprived of sleep through constant exposure to bright lights. He has stated that he has been beaten in prison and denied food. He also suffers from diabetes, for which he needs special treatment and a special diet, which have not been provided by the authorities.

Waleed was beaten by another prisoner in April. When he complained to prison authorities about it, his cell was raided. Recently, on June 7, Waleed began a hunger strike in the Jeddah prison where he's being kept, to protest against the prison authorities' refusal to provide him with medical care he needs and his ongoing ill-treatment.

Waleed has a young daughter who was born while he was in prison. He first saw her during his trial.

Conclusion

Given his unwavering commitment to lawyering for human rights and constantly standing up for the rule of law, Waleed Abu al-Khair would be a deserving recipient of the Human Rights Award regardless of his personal circumstances or the country where he resides. Given that he has maintained this dedication to rights and justice in the

midst of the arbitrary and fundamentally unjust Saudi Arabian justice system and has continued that commitment despite tremendous personal cost, he could not be a more deserving recipient.

To grant him this award would most certainly bolster his spirits tremendously and would send a powerful message to other Saudi human rights lawyers and activists that they are admired and supported by the international community.

Sincerely,

A handwritten signature in black ink that reads "Alex Neve". The signature is written in a cursive, flowing style.

Alex Neve, O.C., LL.D., LL.M.
Secretary General
Amnesty International Canada