

## URGENT APPEAL - THE OBSERVATORY

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**New information**  
**SAU 001 / 0118 / OBS 012.1**  
Arbitrary detention /  
Judicial harassment  
**Saudi Arabia**  
October 18, 2019

The Observatory for the Protection of Human Rights Defenders, a partnership of FIDH and the World Organisation Against Torture (OMCT), has received new information and requests your urgent intervention in the following situation in **Saudi Arabia**.

### **New information:**

The Observatory has been informed by reliable sources about the ongoing arbitrary detention and judicial harassment of Mr. **Mohamed Al-Otaibi**, co-founder of the Union for Human Rights<sup>1</sup>.

According to the information received, on October 15, 2019, Mr. Mohamed Al-Otaibi appeared before Riyadh's Specialised Criminal Court<sup>2</sup> over charges of "fleeing justice", "going to Qatar", "communicating with foreign entities", and "interfering in public affairs". A fifth charge, "participating in ACPRA<sup>3</sup>" was added, which Mr. Al-Otaibi rejected because he was a member and administrator of another NGO, namely the Union for Human Rights. However, the Prosecution said they had evidences of Mr. Al-Otaibi's participation in ACPRA, that they will bring during the next hearing. The charge sheet was handed to him, and Mr. Mohamed Al-Otaibi has until the next hearing (which date was not scheduled yet) to respond to it. No international observers were present for this new hearing in the trial against Mr. Al-Otaibi, which started on July 25, 2019.

The Observatory recalls that this is not the first time Mr. Mohamed Al-Otaibi is being judicially harassed by the Saudi authorities, and that Mr. Mohamed Al-Otaibi, who was sentenced to 14 years in jail in January 2018, remains detained at the Intelligence Prison in Al-Damam since May 2017 (see background information).

The Observatory strongly condemns the ongoing arbitrary detention and judicial harassment of Mr. Mohamed Al-Otaibi, which seem to be only aimed at punishing him for his legitimate human rights activities. The Observatory calls on the Saudi authorities to immediately and unconditionally release Mr. Al-Otaibi and put an end to any acts of harassment, including at the judicial level, against him and all the human rights defenders in Saudi Arabia.

<sup>1</sup> Founded in 2013, the Union for Human Rights' main objectives were to defend the rights of citizens, spread the culture of human rights, abolish the death penalty, and to strengthen the role of women in society. In 2015, the application to have the NGO officially registered under the Law on Associations and Foundations was rejected. While it was operating, the Union for Human Rights monitored trials of human rights defenders, released explanatory statements about the hearings, documented and published appeals on human rights violations.

<sup>2</sup> Set up in 2003, the Specialised Criminal Court was originally tasked with trying terrorism and national security cases in accordance with Sharia. However, the Court has been used as a tool to repress human rights defenders tried on charges affecting national security in the broadest sense. For more information, see Observatory Mission Report, Saudi Arabia: Condemned to Silence, the situation of women human rights defenders, January 2018.

<sup>3</sup> The Saudi Association for Civil and Political Rights (ACPRA) was created in 2009 by 11 human rights defenders and academics, with the mandate to promote and protect fundamental rights and freedoms in Saudi Arabia. While ACPRA was never legally recognised by the government, it was formally banned as an organisation in 2013. As of May 2016, all of its 11 members had been prosecuted and subjected to severe treatment by Saudi authorities for their human rights activism and cooperation with the United Nations human rights mechanisms. See Observatory Joint Open Letter, published on October 11, 2019 : <https://www.fidh.org/en/issues/human-rights-defenders/on-the-10th-anniversary-of-the-establishment-of-acpra-ngos-jointly>

## Background information:

Mr. Mohamed Al-Otaibi was first arrested on January 1, 2009, charged with “attempting to initiate a peaceful demonstration” to protest the Gaza war and subsequently sentenced on these charges to three years in prison. He served three years and seven months in prison before he was finally released on June 10, 2012.

In April 2013, Messrs. Mohamed Al-Otaibi and **Abdullah Al-Attawi** co-founded the Union for Human Rights in Riyadh and applied for registration. Less than a month after the first position papers<sup>4</sup> of the organisation were published on social networks by the Union for Human Rights, a criminal enquiry was launched against them. In May 2013, Saudi authorities rejected the application for registration of the Union for Human Rights and sought undertakings from the founders that they would dissolve the association and desist from carrying on its activities.

In March 2014, Messrs. Mohamed Al-Otaibi and Abdullah Al-Attawi were summoned by Saudi authorities and as a result both pledged to stop issuing statements, reports, or participating in TV interviews. Their case was then closed.

In 2015, following the publication of the Law on Associations and Foundations, Messrs. Mohamed Al-Otaibi and Abdullah Al-Attawi filed an application to register the Union for Human Rights. Their application was rejected and proceedings and general harassment by the Ministry of Social Affairs to dissolve the organisation continued.

On October 30, 2016, the case was re-opened and the trial of Messrs. Mohamed Al-Otaibi and Abdullah Al-Attawi opened before the Specialised Criminal Court on the basis of the charges related to their application to establish their NGO, brought against them in 2013.

In February 2017, Mr. Mohamed Al-Otaibi managed nonetheless to flee to Qatar. On May 24, 2017, on his way to Norway where he had been granted refugee status, he was arrested at Hamad International Airport in Doha and deported to Saudi Arabia the following day. He has been in prison ever since.

A hearing scheduled to take place on July 12, 2017 was postponed to August 8, 2017 and further to January 25, 2018.

On January 25, 2018, Section 12 of the Specialised Criminal Court sentenced Messrs. Mohamed Al-Otaibi and Abdullah Al-Attawi to fourteen and seven years in prison respectively, under a series of charges, including: “participating in setting up an organisation and announcing it before getting an authorisation”, “dividing national unity”, “spreading chaos and inciting public opinion by preparing, drafting and publishing statements that are harmful to the reputation of the Kingdom and its judicial and security institutions”, “opposing judicial decisions”, “formulating data aimed at disrupting security”, “participating in a hunger strike”, and “publishing information about their interrogations despite signing pledges to refrain from doing so”.

Mr. Mohamed Al-Otaibi was facing additional charges of “disseminating information about an investigation”, “abusing the Kingdom via Twitter”, “calling to change the basic system of governance” as well as “spreading harmful information about Saudi Arabia via a satellite channel”.

<sup>4</sup> The position papers were detailing the objectives of the Union for Human Rights.

### **Actions requested:**

Please write to the authorities in Saudi Arabia, urging them to:

- i. Guarantee in all circumstances the physical integrity and psychological well-being of Mr. Mohamed Al-Otaibi, as well as of all human rights defenders in Saudi Arabia;
- ii. Immediately and unconditionally release Mr. Mohamed Al-Otaibi and all detained human rights defenders in Saudi Arabia, as their detention is arbitrary since it only seems to aim at punishing them for their legitimate human rights activities;
- iii. Respect in all circumstances Mr. Mohamed Al-Otaibi's right to a fair trial;
- iv. Put an end to all forms of harassment, including at the judicial level, against him and all human rights defenders in Saudi Arabia, and ensure that they are able to carry out their activities without hindrance;
- v. Comply in all circumstances with all the provisions of the United Nations Declaration on Human Rights Defenders, in particular its Articles 1 and 12.2;
- vi. More generally, ensure in all circumstances the respect for human rights and fundamental freedoms in accordance with international human rights standards and instruments ratified by Saudi Arabia.

### **Addresses:**

- His Majesty, King Salman bin Abdulaziz Al Saud, King of Saudi Arabia and Custodian of the two Holy Mosques, Fax: (via Ministry of the Interior) +966 11 403 3125; Email: info@moi.gov.sa; Twitter: @KingSalman
- His Excellency, Mohammad Bin Salman Al Saud, Crown Prince of Saudi Arabia, Fax: (via Ministry of the Interior) +966 11 403 3125; Email: info@moi.gov.sa
- H.E. Waleed bin Mohammad Al Samaani, Minister of Justice, Kingdom of Saudi Arabia, Fax: + 966 11 405 7777; Email: info@moj.gov.sa
- His Royal Highness Prince Abdulaziz Bin Saud Bin Naif Bin Abdulaziz, Minister of Interior, Kingdom of Saudi Arabia. Fax: + 966 11 401 1111 / + 966 11 401 1944 / + 966 11 403 1125; Email: info@moi.gov.sa
- H.E. Adel bin Ahmed El Jubeir, Minister of Foreign Affairs, Fax: + 966 11 403 0645 ; Email: info@mofa.gov.sa
- H.E. Abdulaziz Alwasil, Ambassador, Permanent Mission of the Kingdom of Saudi Arabia to the United Nations Office in Geneva, Switzerland. Fax: +41 22 758 00 00. Email: saudiamission@bluewin.ch
- H.E. Abdulrahman bin Soliman Al-Ahmed, Ambassador, Embassy of Saudi Arabia in Brussels, Belgium. Fax: +32 2 6468538. Email: beemb@mofa.gov.sa

Please also write to the diplomatic missions or embassies of Saudi Arabia in your respective country as well as to the EU diplomatic missions or embassies in Saudi Arabia.

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Paris-Geneva, October 18, 2019

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

*The Observatory for the Protection of Human Rights Defenders (the Observatory) was created in 1997 by FIDH and the World Organisation Against Torture (OMCT). The objective of this programme is to intervene to prevent or remedy situations of repression against human rights*



The Observatory  
for the Protection  
of Human Rights Defenders

*defenders. FIDH and OMCT are both members of [ProtectDefenders.eu](https://www.protectdefenders.eu), the European Union Human Rights Defenders Mechanism implemented by international civil society.*

To contact the Observatory, call the emergency line:

- E-mail: [Appeals@fidh-omct.org](mailto:Appeals@fidh-omct.org)
- Tel and fax FIDH + 33 1 43 55 25 18 / +33 1 43 55 18 80
- Tel and fax OMCT + 41 22 809 49 39 / + 41 22 809 49 29

The logo for FIDH (International Federation for Human Rights) features the lowercase letters 'fidh' in a white, sans-serif font, centered within a dark purple rectangular background.

fidh

The logo for OMCT (Organisation mondiale contre la torture) features the acronym 'OMCT' in a bold, black, sans-serif font. A red diagonal line crosses through the 'M'. Below the acronym, the text 'SOS-Torture Network' is written in a smaller, red, sans-serif font.

**OMCT**  
SOS-Torture Network