

**NATIONS UNIES**  
**HAUT COMMISSARIAT DES NATIONS UNIES**  
**AUX DROITS DE L'HOMME**

**PROCEDURES SPECIALES DU**  
**CONSEIL DES DROITS DE L'HOMME**

**UNITED NATIONS**  
**OFFICE OF THE UNITED NATIONS**  
**HIGH COMMISSIONER FOR HUMAN RIGHTS**

**SPECIAL PROCEDURES OF THE**  
**HUMAN RIGHTS COUNCIL**

**Mandates of the Working Group on Arbitrary Detention; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on freedom of religion or belief; the Special Rapporteur on the situation of human rights defenders; and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.**

REFERENCE: UA G/SO 218/2 G/SO 214 (67-17) Assembly & Association (2010-1) G/SO 214 (56-23) G/SO 214 (107-9) Minorities (2005-4) G/SO 214 (53-24)  
SAU 6/2014

5 May 2014

Excellency,

We have the honour to address you in our capacity as Chair-Rapporteur of the Working Group on Arbitrary Detention; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on freedom of religion or belief; Special Rapporteur on the situation of human rights defenders; and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment pursuant to Human Rights Council resolutions 24/7, 25/2, 24/5, 22/20, 25/18, and 25/13.

In this connection, we would like to draw the attention of your Excellency's Government to information we have received concerning the verdict against **Fadhel Maki Al Manasif** to 15 years imprisonment, subsequent 15-year travel ban and a fine of 100,000 Saudi Riyals (about 26,700 USD).

Mr. Al Manasif is a human rights activist, member of various local and regional human rights organizations, including the Arab Institute for Human Rights.

The Working Group on arbitrary detention and the Special Rapporteurs on the independence of judges and lawyers, the promotion and protection of the right to freedom of opinion and expression, the situation of human rights defenders, freedom of religion or belief, torture and other cruel, inhuman or degrading treatment or punishments sent an urgent appeal (see A/HRC/18/51, case no. SAU 5/2011) on 12 May 2011 concerning allegations of arbitrary arrest of and torture committed against Mr. Al Manasif. The Working Group on arbitrary detention and the Special Rapporteurs on the promotion and protection of the right to freedom of opinion and expression, the situation of human rights defenders, and the rights to freedom of peaceful assembly and of association further sent

an urgent appeal (see A/HRC/22/67, case no. SAU 9/2012) on 12 July 2012 concerning reported charges against a number of human rights defenders, including Mr. Al Manasif, and a series of restrictions to the right to freely associate.

We regret that no response was received to our communications to this date. The special procedures mandate holders consider responses to their communications as an important part of the cooperation of Governments, and urge the authorities to provide as soon as possible detailed responses to all the concerns raised in the present and previous communications.

According to the information received:

On 17 April 2014, the Specialized Criminal Court in Riyadh reportedly sentenced Mr. Al Manasif to 15 years imprisonment, subsequent travel ban of 15 years, and a fine of 100,000 Saudi Riyals (about 26,700 USD). Mr. Al Manasif's sentence is allegedly the result of his reports on discrimination against the Saudi Arabia's Shi'a Muslim community and for his participation in a peaceful protest in March 2009 calling for political reform and the end of such discrimination.

The court reported charges include "breaking allegiance to the ruler", "stirring sedition and sectarian division between citizens by inciting protests and marches", "communicating with foreign media to harm the Government, its people and national unity" and "founding a banned association".

Mr. Al Manasif has reportedly appealed the decision of the court. The final judgment is expected on 8 May 2014.

We express concern that the detention and sentencing of Mr. Al Manasif may be linked to his legitimate activities as a human rights defender. In addition we remain gravely concerned for the physical and psychological integrity of Mr. Al Manasif while in detention as expressed in the past urgent appeals referring to alleged torture and other forms of ill treatment of Mr. Al Manasif in detention.

While we do not wish to prejudge the accuracy of these allegations, the above alleged facts indicate a prima facie violation of the rights of Mr. Al Manasif to not be deprived arbitrarily of his liberty and to fair proceedings before an independent and impartial tribunal as set forth in the Universal Declaration of Human Rights (UDHR).

In addition, these allegations appear to be in contravention with the human rights standards related to the right to freedom of thought, conscience and religion and to not be subject to discrimination by any State, institution, group of persons, or person on the grounds of religion or other belief as set forth in UDHR and in 1981 United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

Moreover, these allegations indicate a prima facie violation of the rights of Mr. Al Manasif to freedom of opinion and expression, and of the right to freedom of association and of peaceful assembly, as recognized in the UDHR.

Additionally, these allegations appear to be in contravention with the prime responsibility and duty of the State to protect, promote and implement all human rights and fundamental freedoms set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

Furthermore, the past urgent appeals referring to alleged torture and other forms of ill treatment in detention of Mr. Al Manasif require competent authorities to undertake prompt and impartial investigations, and to prosecute suspected perpetrators of torture as set forth in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) and can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of Mr. Al Manasif in compliance with the above international instruments.

Moreover, as it is our responsibility under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters, when relevant to the case under consideration:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations.
2. Please indicate if a complaint has been lodged on behalf of Mr. Al Manasif.
3. Please provide full details of the legal grounds for the charges laid against Mr. Al Manasif and the sentences imposed on him by the Specialized Criminal Court in Riyadh, and how they are compatible with international norms and standards.
4. Please provide information on whether Mr. Al Manasif is protected from torture and other forms of ill treatment, and has access to family members, legal counselling, and medical personnel.
5. Please indicate what measures have been taken to ensure that the legitimate rights to freedom of association, assembly and expression are respected, and that human rights defenders and members of associations can operate freely in an enabling environment and carry out their legitimate activities without fear of harassment, stigmatization or criminalization of any kind.

6. Please provide detailed information on the measures taken to ensure the right to freedom of religion or belief, in particular, the freedom to have or adopt a religion or belief of one's choice and the freedom to manifest one's religion or belief, in line with aforementioned international human rights standards.

We undertake to ensure that your Excellency's Government's response will be available in the report we will submit to the Human Rights Council for its consideration.

While waiting for your response, we urge your Excellency's Government to take all necessary measures to guarantee that the rights and freedoms of Mr. Fadhel Maki Al Manasif are respected and, in the event that your investigations support or suggest the above allegations to be correct, the accountability of any person responsible of the alleged violations should be ensured. We also request that your Excellency's Government adopt effective measures to prevent the recurrence of these acts.

Please accept, Excellency, the assurances of our highest consideration.

Mads Andenas  
Chair-Rapporteur of the Working Group on Arbitrary Detention

Frank La Rue  
Special Rapporteur on the promotion and protection of the right to freedom of  
opinion and expression

Maina Kiai  
Special Rapporteur on the rights to freedom of peaceful assembly and of  
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Heiner Bielefeldt  
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