

## Human Rights Defenders and Political Prisoners in Saudi Arabia, the United Arab Emirates, and Bahrain

### Dr. Abdulkareem Al Khoder: Saudi Human Rights Defender Imprisoned Under Counterterrorism Law

Dr. Abdulkareem Al Khoder is a co-founder of the Saudi Civil and Political Rights Association (ACPRA), an independent human rights NGO in Saudi Arabia, and a former professor in the Faculty of Islamic Jurisprudence at al-Qassim University.

In April 2013, Al Khoder was arrested as part of the Saudi government's crackdown on ACPRA and its members. Al Khoder was originally tried in a regular criminal court and sentenced to eight years in prison in 2013. In 2014, his case was overturned only to be retried in Saudi Arabia's terrorism-focused Specialized Criminal Court (SCC). In October 2015, Al Khoder was convicted under the country's revised anti-terror law and sentenced to ten years in prison, followed by a foreign travel ban, on charges stemming from his nonviolent human rights work with ACPRA.

#### THE MISUSE OF COUNTERTERRORISM LAWS IN SAUDI ARABIA

Saudi Arabia routinely manipulates its penal code, in particular its revised 2014 anti-terror law, to criminalize and deter peaceful dissent. Under the new anti-terror law, ACPRA members including Al Khoder have had their trials reopened years after they were originally sentenced. They have also been subjected to duplicative charges under the anti-terror law while serving sentence on the same charges under other laws or by different courts.



The Saudi 2014 anti-terror law raises serious due process concerns, as it limits defendants' access to a lawyer and gives the SCC the authority to hear evidence out of the presence of the defendant or the defendant's lawyer.

Since the implementation of the revised anti-terror laws, many civil society organizers and human rights defenders have seen their trials transferred to the SCC, where they receive even harsher sentences for nonviolent activities than they would have before ordinary criminal courts. For example, women's rights activists Loujain Al Hathloul and Maysa Al Amoudi were arrested in early December and referred to the special tribunal on terrorism-related charges simply for trying to drive to their homes in Saudi Arabia from the UAE border. They were released from prison after 73 days.

As of the end of 2015, six other members of ACPRA were serving lengthy sentences, all on vague and

overbroad charges imposed under the anti-terror law and other laws.

The authorities have used these laws not only to punish individual dissidents for legitimate and speech-related activity, but also to quiet nonviolent forms of expression more broadly. Those who would otherwise elect to speak out refrain from doing so out of fear that they could face criminal charges for virtually any form of political expression. The very real threat of prosecution without due process protections and long and disproportionate sentences casts a long shadow over Saudi public discourse.

### **THE U.S. APPROACH TO HUMAN RIGHTS AND COUNTERING VIOLENT EXTREMISM**

The United States has recognized that stronger democratic institutions, free speech, and civil society are all crucial for combating violent extremism. The use of counterterrorism laws to punish free speech undermines genuine attempts to combat terrorism by conflating peaceful expression—a tool to combat violent extremism—with the violent acts that human rights defenders seek to prevent.

The United States should encourage Saudi Arabia, as an ostensible ally against the spread of terrorism and violent extremism, to strengthen its respect for independent civil society and free peaceful expression. To this end, Saudi Arabia should halt the prosecution of human rights defenders under the anti-terror law and in special courts intended to prosecute terrorism-related offenses; repeal the vague and overbroad provisions of the anti-terror law; and lift the politicized sentences already imposed on human rights defenders under the anti-terror law.