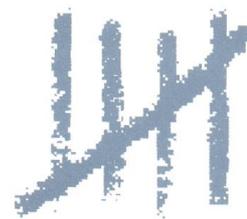


King Abdullah Bin Abdul Aziz Al Saud
Office of His Majesty the King
Royal Court
Riyadh
Kingdom of Saudi Arabia



BAR HUMAN RIGHTS
COMMITTEE OF
ENGLAND AND WALES

London, 19 January 2015

Open letter RE: Mr Raif Badawi sentenced to 1,000 lashes in Saudi Arabia

Your Majesty,

I am writing on behalf of the Bar Human Rights Committee of England and Wales (BHRC). The BHRC is the international human rights arm of the Bar of England and Wales. It is an independent body primarily concerned with the protection of the rights of advocates and judges around the world. The Committee is also concerned with defending the rule of law and internationally recognised legal standards relating to human rights and the right to a fair trial.

BHRC is contacting you regarding the ongoing treatment and imprisonment of the Saudi Arabian blogger Mr Raif Badawi. As you will be aware, on 7th May 2014 Mr Badawi was sentenced by the Criminal Appeals Court to 10 years in prison and 1,000 lashes, followed by a 10-year travel ban, a ban on using media outlets, and a fine of 1 million Saudi Arabian riyals. Mr Badawi received this sentence pursuant to charges that he insulted Islam on a liberal online forum he had created.

On Friday 9th January 2015 Mr Badawi received the first round of fifty lashes in a public flogging after Friday prayers, outside the Juffali Mosque in Jeddah and is to be subjected to the same procedure on a further nineteen occasions.

The BHRC respectfully draws the attention of the Government of Saudi Arabia to the United Nations Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, which Saudi Arabia ratified in September 1997. The flogging of Mr Badawi is in violation of Saudi Arabia's obligations under that convention, which prohibits any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as punishing him for an act he has committed. This prohibition is absolute and no exception to it can be justified.

The United Nations Committee against Torture, in its 2002 comment on Saudi Arabia's first and only report to the Committee, criticised,

“[t]he sentencing to, and imposition of, corporal punishments by judicial and administrative authorities, including, in particular, flogging and amputation of limbs, that are not in conformity with the Convention.”

The UN High Commissioner for Human Rights, Zeid Raad al-Hussein, confirmed in a statement on 15th January 2014 that flogging is “at the very least, a form of cruel and inhuman punishment” prohibited under international human rights law.

In our respectful view, affording freedom of speech to individual members of the public is a mark of tolerance and civilised society that is recognised by international human rights law. To prevent it through so severe a penalty is to deny human dignity.

The BHRC therefore respectfully requests the Government of Saudi Arabia to review the circumstances of Mr Badawi’s case and sentence, and in any event for Your Majesty, as final appellate authority, to immediately quash the sentence of 1,000 lashes and ten years’ imprisonment in compliance with Saudi Arabia’s commitment to uphold international human rights law. We further request that you consider Mr Badawi’s right to freedom of speech with a view to securing his release without fear of further arrest or ill treatment amounting to torture.

BHRC further calls upon the Saudi Arabian authorities to strengthen their commitment to international human rights law by implementing the prohibition against torture and other cruel inhuman or degrading treatment in relation to all Saudi Arabian citizens. To do so would preserve the rule of law and respect for the administration of justice in Saudi Arabia.

BHRC remains committed to support actions of Saudi Arabia against torture.

Yours sincerely,



Kirsty Brimelow QC

Chair, Bar Human Rights Committee of England and Wales (BHRC)

cc: Ambassador for Saudi Arabia to the UK

cc: Ministry of the Interior

cc: Human Rights Commission

The Bar Human Rights Committee of England and Wales (BHRC) is the international human rights arm of the Bar of England and Wales. It is independent of the Bar Council and works to protect the rights of advocates, judges and human rights defenders around the world. The Committee is concerned with defending the rule of law and internationally recognised legal standards relating to human rights and the right to a fair trial. The remit of BHRC extends to all countries of the world, apart from its own jurisdiction of England & Wales. This reflects the Committee's need to maintain its role as an independent but legally qualified observer, critic and advisor, with internationally accepted rule of law principles at the heart of its agenda.