



The Specialized Criminal Court: How the Saudi Government Targets Human Rights Defenders

In 2008, the Government of Saudi Arabia established the Specialized Criminal Court (SCC) to prosecute [terrorism-related cases](#). In the seven years since its inception, however, the court has received heavy criticism from the international community for abusing anti-terrorism legislation to target human rights activists and government critics. In February 2014, Saudi authorities issued a new [Penal Law for Crimes of Terrorism and its Financing](#) to allow the SCC to prosecute anyone who "disturbs public order, shakes the security of society or subjects its national unity to danger, or obstructs the primary system of rule or harms the reputation of the state." Based on this broad criteria, the Saudi Ministry of Interior, through the SCC, has labeled the following peaceful reformists as terrorists:

Muhammad al-Bajadi: In April 2012, the court sentenced human rights activist [al-Bajadi](#) to four years in prison and prohibited him from travelling outside the country for an additional five years. The SCC claimed that al-Bajadi had established an illegal human rights organization, slandered the Kingdom's reputation in the media, incited rebellion among political detainees, and gained possession of restricted books. In fact, Mr. al-Bajadi was a founding member of the Saudi Association for Civil and Political Rights (ACPRA). [Founded in 2009](#), the ACPRA was an active human rights organization led by nonviolent activists who advocated for a constitutional monarchy and greater institutional transparency. Since 2011, a sustained government effort has led to the [imprisonment and sentencing](#) of the majority of its original members.

Waleed Abu al-Khair: In October 2013, the criminal court sentenced human rights lawyer and activist [Waleed Abu al-Khair](#) to three months in prison for signing a petition demanding a constitutional monarchy. Abu al-Khair's civil rights society, Monitor of Human Rights in Saudi Arabia (MHRSA), had called for the government to reform its operations, release political prisoners, and increase women's rights in the Kingdom. As an attorney, he had also defended Raif Badawi and Samar Badawi, two other prominent human rights defenders, in their respective criminal cases. The Ministry of the Interior was unsatisfied with the initial ruling and decided to re-try Waleed in the SCC in April 2014. The court used the new anti-terrorism law to [add the charges of](#) "speaking to the foreign media with the intention of harming the country's reputation, "breaking allegiance with the King," "inciting public opinion against the government," and "insulting the country's leaders and judiciary." Abu al-Khair was sentenced to 15 years in prison with the possibility of parole after 10 years, followed by a 15-year travel ban upon his release. He was also ordered to pay 200,000 Saudi riyals (\$53,300) and to close any and all websites connected to his human rights activity. The court [revoked](#) Abu al-Khair's parole on Monday 12 January 2015 after he refused to address the charges and acknowledge the court's legitimacy.

Mikhlif bin Daham al-Shammari: Mr. al-Shammari was likewise [sentenced](#) to two years in prison and 200 lashes in November 2014 for "stirring public opinion by sitting with the Shi'a," a religious minority in Saudi Arabia, and "violating instructions by the rulers [sic] by holding a private gathering and tweeting." Al-Shammari is a [human rights defender](#) who has been an outspoken promoter of equality between Sunnis and Shia in recent years. Authorities had previously charged him with visiting a Shia Muslim family in 2013 and tweeting his desire to worship in a Shia mosque. Al-Shammari had already been sentenced to five years in prison and a 10-year travel ban [earlier in 2013](#) for his activism on behalf of Saudi Shia. The SCC upheld its first sentence in June 2014 after the new anti-terrorism law took effect and has now added the second.

Three Critical Attorneys: The SCC also sentenced three lawyers, [Abdulrahman al-Subaihi](#), [Bandar al-Nogithan](#), and [Abdulrahman al-Rumaih](#), to between five and eight years in prison in October 2014 after they publicly criticized the judiciary on Twitter. The lawyers had previously been fined 1 million Saudi riyals (\$266,666) for the same offense. Under the new terrorism law, they were [charged](#) with "disobeying the ruler," "violating judicial integrity", "contempt of courts and judicial independence" and, [under article 6 of the 2007 Anti-Cyber Crime Law](#), "producing, preparing, sending or storing material that could endanger public order, religious values or public morals." All three activists have been banned from using social media.