



LAWYERS WITHOUT BORDERS
AVOCATS SANS FRONTIERES
ABOGADOS SIN FRONTERAS
Canada

Quebec City, April 28, 2017

Mr. Ben Emmerson
United Nations Special Rapporteur on Human rights and Counter-terrorism
Office of the United Nations High Commissioner for Human Rights (OHCHR)
Palais Wilson
52 rue des Pâquis
CH-1201 Geneva, Switzerland

Re: Your Upcoming Visit to Saudi Arabia / Mr. Raif Badawi

Dear Sir:

It has recently been brought to the attention of Lawyers Without Borders Canada (LWBC), an international non-government organisation devoted to the promotion of access to justice for the most vulnerable, that you will be visiting Saudi Arabia from April 30th to May 4th 2017, in the context of your role as United Nations Special Rapporteur on human rights and counter terrorism. We hope that this rare opportunity for dialogue with the Saudi authorities will lead to constructive results.

LWBC wishes to bring to your attention the case of Saudi blogger Raïf Badawi, who has been imprisoned in Saudi Arabia since June 2012 as a result of being condemned, under a Saudi Arabian law against cybercrime, of creating and administering a web page and publishing comments on his Facebook page that "infringe on religious values".

For close to five years now, Mr. Badawi has been serving a sentence which includes 10 years in prison, a fine exceeding \$200,000 USD and 1,000 lashes. In a brief jointly prepared by LWBC and the Québec Bar, it is demonstrated, based on Saudi law and the international law binding on Saudi Arabia, that:

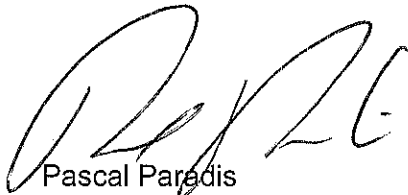
- a. Saudi Arabia failed to comply with its national and international legal obligations relating to Mr. Badawi's right to a fair trial due the irregularities which tainted the legal proceedings that led to Mr. Badawi's conviction.
- b. By convicting Mr. Badawi for making comments on his website and Facebook page that "infringe on religious values", Saudi Arabia violated his right to opinion and his right to free expression.
- c. By sentencing Mr. Badawi to flogging sessions, which constitute acts of torture and cruel, inhuman or degrading treatment, Saudi Arabia has breached its international undertakings pertaining thereto.

You will find the brief in question appended hereto, in Arabic, in English and in French.

LWBC is especially concerned by Mr. Badawi's case since his wife and their children have found refuge in Canada, where they have been awaiting the return of their loved one for many years now.

During your trip to Saudi Arabia, you will surely have the opportunity to meet influential political decision makers, including representatives of Ministry of Justice as well as the Public Prosecution. In these occasions, we urge you to raise Mr Badawi's case and Saudi Arabia's failure to comply with its international undertakings and very own national laws. We also exhort you to enquire about Mr. Badawi's whereabouts and detention conditions. We hope that you can thus contribute to press Saudi Arabia to do the right thing: release Mr. Badawi forthwith.

I remain available for any questions or comments you may have and wish to extend, Mr. Emmerson, my sincere regards.

A handwritten signature in black ink, appearing to read 'P. Paradis', written in a cursive style.

Pascal Paradis
Executive Director
Lawyers Without Borders Canada