



# General Assembly

Distr.: General  
XX May 2019

English only

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## Human Rights Council

### Forty-first session

24 June–12 July 2019

Agenda item 3

**Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**

### **Written statement\* submitted by Conseil International pour le soutien à des procès équitables et aux Droits de l'Homme, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[28 May 2019]

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\* Issued as received, in the language(s) of submission only.

## **Saudi Arabia: Continued repression and impunity**

Saudi Arabia is a country known for documented gross, widespread and systematic violations of human rights. These violations include, but are not limited to, arbitrary detention, denial of due process and fair trials, torture and ill-treatment, violation of rights of women and children, and violations of international humanitarian law. As well Saudi Arabia maintains numerous restrictions on women's rights, civil society, and civic space, freedom of expression and opinion, and freedom of religion. Systemic targeting of human rights defenders (HRDs) including reprisals against defenders seeking to cooperate with UN human rights mechanism is the norm in the kingdom.

The government has been implementing systemic and administrative measures to silence dissents including, human rights defenders, academics, opposition political parties, and rights groups. Security forces and the judiciary carry out arbitrary arrests without due process and fair trials, and specialized criminal courts try civilians. In between September 2017 and January 2018 alone, more than 200 activists were arbitrarily detained under the pretext of "national security." The Working Group on Arbitrary Detention adopted several opinions on the climate of repression and arbitrary detention in Saudi Arabia which have fallen on deaf ears as many remain in detention to date.

Saudi Arabia has exhibited lack of will to bringing its laws and practices in line with international human rights standards time and again with complete impunity. Instead of creating safe space for civil society and human rights and political organizations, authorities have resorted to arresting many (HRDs) and systematically shuttered existing organizations. Additionally authorities maintain a tight grip on major broadcasting agencies, radio and television networks, and newspaper publications, censoring content deemed unacceptable and arresting violators of this policy. In Saudi Arabia, religious minorities are not recognized as official entities. In his rise to power, King Mohammad bin Salman claimed reformations that would reduce intolerance in the nation, yet the issue of systemic discrimination against religious minorities has not been met. Despite the fact that Shia Muslims comprise approximately 15% to 20% of the Saudi population. Shia Muslims face violence in the form of home raids, arrests, arbitrary sentencing and killings in the hands of government officers, in addition to the demolition of Awamiya, a historical Shia residential town with 400-years of heritage. Shia Muslims advocating for equal rights in their homelands are penalized harshly on the most basic human freedoms,

including but not limited to the freedom of religion, freedom of congregation, freedom of expression and freedom of speech.

The kingdom also uses its counter-terror rubric to systematically suppress and imprison human rights defenders and activists as well as Shia protesters and activists. Ten years ago, in 2008, Saudi Arabia established the Specialized Criminal Court (SCC) to allegedly try terrorists, including members of al-Qaeda, while only in late December 2013 – five years after the establishment of the SCC – the Saudi government passed its first counter-terror law. However, in an apparent paradox, already in 2014, the Saudi government began to use the SCC to convict human rights defenders and peaceful dissidents. In January 2016, authorities executed Sheikh Nimr al-Nimr, a Shia social justice activist on false terror charges. Now there are at least 33 people – mostly Shia – on death row for such charges, including Ali al-Nimr, Dawood al-Marhoon, and Abdullah al-Zaher. In every case, the government charged the activists with committing bogus terror crimes, including joining unlicensed organizations and distorting the reputation of the state, among other charges.

The constitution/basic law/, the 2000 Press and Publications Law, the 2007 Anti-Cybercrime Law, the 2014 Law on Terrorism and Its Financing, the 2015 Law on Associations, and the November 2017 Penal Law for Crimes of Terrorism and Its Financing<sup>1</sup> which explicitly criminalizes expression critical of the King and the Crown Prince comprise the legislative tools used by the Saudi authorities to target and arrest activists, journalists, writers, and bloggers. Raif Badawi, Ashraf Fayadh, Saleh Al-Shehi are just a few examples of those currently in prison for crimes related to freedom of expression. While under custody, several cases of torture and ill-treatment to extract confessions during investigations have been reported including, beatings, flogging, deprivation of food, and solitary confinement. Additionally, perpetrators of torture are not held accountable due to lack of check and balance in the justice system.

As well Saudi Arabia is sitting on the world's top executioners list as Saudi courts continue to issue death sentences for petty and non-violent crimes including apostasy. Since 2014, the kingdom has executed nearly 600 people. In 2017, it executed 143 people. In 2016, it executed 154 people. In 2015, it executed 157 people. The following under age individuals, Ali Al Nimr, Dawood Almarhoon, Abdullah Zaher, and Munir al-Adam, are sentenced to death for peaceful demonstrations. Equally concerning is the number of peaceful protesters currently on death row.

Moreover, in June 2018 the government officially lifted the ban, allowing women to drive without requiring they secure consent from their male guardian. The move

was widely heralded although it did not affect broader gender equality concerns, particularly surrounding male guardianship. Even as the government lifted the ban, officials warned women's rights activists against making public statements. Security forces also embarked on a coordinated campaign targeting the very women who had been so vocal in the struggle for women's rights over the years. The systematic targeting of women's rights defenders and activists signals the government's intent to continue to silence dissenting voices. Indeed, in the days before the government officially ended the driving ban, officials arrested a dozen women's rights defenders and rights activists. Since then, officials have continued to target women's rights activists. Israa al-Ghomgham is a woman repressive anti-terrorism law that contains an extremely vague definition of terrorism and criminalizes non-violent acts of criticism including rights that fall under freedom of expression, peaceful assembly and activist in prison since 2015, the public prosecutor's office is seeking a death penalty against her for calling for the release of political prisoners. As well women's rights activists Samar Badawi and Naseem Alsada are the most recent developments in the Saudi government's ongoing mission to silence peaceful dissidents. The targeting of these two women is indicative of a larger trend that began in late May, with the arbitrary arrests of almost a dozen women's rights defenders around the time the Saudi government lifted the women's driving ban. Despite women's new right to drive, Saudi policy is in direct contradiction with the actions taken by Saudi authorities to intimidate, harass, and detain women's rights activists.

In light of these vile human rights violations, we urge states to publicly call on Saudi Arabia to stop crackdown against dissidents and abide by its commitment to human rights and political reform including, lift restrictions on free expression, call for the release of activists, journalists, amend repressive legislations, urge implementation of 3<sup>rd</sup> cycle UPR recommendations. Most importantly we urge Saudi Arabia to enshrine the right to peaceful assembly, association, and expression in its domestic law, and to work with the international community to ensure the protection and promotion of human rights.