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Written statement* submitted by Organization for Defending Victims of Violence, 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.

[21 January 2019]

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

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Item 6: Human rights in Saudi Arabia

The monarchy of Saudi Arabia has made the country to be enlisted among the abusers of human rights. International human rights organizations repeatedly accused Saudi Arabia of gross violation of fundamental and basic rights in their reports and news. The Saudi authorities severely restrict freedoms of expression and assembly, unfairly detain human rights defenders, execute Shi'a activists, commit torture and other ill-treatments, and discriminate against women. The Saudi-led coalition continue to commit serious violations of international law in Yemen.

The authorities continue to repress peaceful activists and dissidents, harass writers, online commentators and others who exercised their right to freedom of expression by criticizing government policies.¹ Jamal Khashoggi's death is not a surprise and for those who have been able to leave the kingdom after speaking out, it has now become overwhelmingly clear that even in case of living outside the Saudi Arabia they need to be extremely careful.²

Three years after the law on association was passed in the Kingdom, no new independent human rights organizations is established under its provisions. Independent human rights organizations that were forcibly shut down, including the Saudi Civil and Political Rights Association (ACPRA), the Union for Human Rights, the Adala Center for Human Rights, and the Monitor for Human Rights in Saudi Arabia, remained inactive. Almost all their members were convicted and sentenced, fled the country, or were brought to trial.³

In October 2017, the authorities passed a new Counter-Terrorism Law replacing the 2014 law, introducing specific penalties for "terrorist" crimes, including the death penalty. The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism shared concerns about the unacceptably broad definition of terrorism, and the use of the 2014 counter-terrorism law and other national security provisions against human rights defenders, writers, bloggers, journalists and other peaceful critic⁴

Despite the government's promised social reforms, women and girls continue to face systemic discrimination both in law and practice. A number of leading women's rights activists and campaigners have been detained for their peaceful human rights work.⁵ By male guardianship system, women face barriers when attempting to make decisions or take action without the presence or consent of a male relative. Saudi Arabia continues to discriminate against women and girls by denying them the same opportunities to exercise and play sports as men and boys.⁶ They also remained inadequately protected against sexual and other forms of violence.⁷

Courts continue to impose death sentences for a range of crimes, including drug offences or for conducts that should not be criminalized under international law. Saudi Arabia is the only country that carries out beheadings as a form of capital punishment.⁸ Many defendants are sentenced to death after unfair trials by courts that convict them without adequately investigating allegations of coerced "confessions", including under torture.⁹

¹ <https://www.amnesty.org/en/countries/middle-east-and-north-africa/saudi-arabia/report-saudi-arabia/>

² <https://www.theguardian.com/commentisfree/2018/oct/15/saudi-arabia-human-rights-jamal-khashoggi-disappearance>

³ <https://www.amnesty.org/en/countries/middle-east-and-north-africa/saudi-arabia/report-saudi-arabia/>

⁴ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21584&LangID=E>
Also: <https://www.hrw.org/news/2017/05/26/saudi-arabia-counterterrorism-apparatus-targets-rights-activists#>

⁵ <https://www.amnesty.org/en/latest/news/2018/08/saudi-arabia-two-more-women-human-rights-activists-arrested-in-unrelenting-crackdown/>

⁶ <https://www.hrw.org/world-report/2018/country-chapters/saudi-arabia#>

⁷ <https://www.amnesty.org/en/countries/middle-east-and-north-africa/saudi-arabia/report-saudi-arabia/>

⁸ <https://www.businessinsider.com/saudi-arabia-human-rights-violations-atrocities-before-jamal-khashoggi-2018-10#beheadings-and-public-executions-4>

⁹ <https://www.amnesty.org/en/countries/middle-east-and-north-africa/saudi-arabia/report-saudi-arabia/>

Members of the Shi'a Muslim minority continue to face discrimination, limiting their right to express religious beliefs and their access to justice, and arbitrarily restricting other rights, including the right to work and to state services. Saudi Arabia systematically discriminates against Muslim religious minorities, notably Twelver Shia and Ismailis, including in public education, the justice system, religious freedom, and employment. Government-affiliated religious authorities continue to disparage Shia and Sufi interpretations, versions, and understandings of Islam in public statements and documents.¹⁰

As the leader of the nine-nation Coalition that began military operations in Yemen on March 26, 2015, Saudi Arabia committed numerous violations of international humanitarian and human rights law. Office of the High Commissioner for Human Rights (OHCHR) has counted a total of 17,640 civilian casualties in Yemen, including 6,872 dead and 10,768 injured. The majority of these casualties – 10,852 – resulted from airstrikes carried out by the Saudi-led Coalition.¹¹ According to the Yemen Data Project, Saudi and Emirati aircrafts have conducted over 18,500 air raids on Yemen since the war began—an average of over 14 attacks every day for over 1,300 days.¹² The war has been prompting one of the largest humanitarian crises in the world. Beyond the perils of war, Saudi Arabia has been accused of war crimes that have deeply worsened the humanitarian crisis in Yemen.¹³

Recommendations

1. Following the war crimes and violations committed by Saudi Arabia, it seems that membership of the Kingdom would undermine the credibility of the Human Rights Council and should be suspended immediately.
2. Organization for Defending Victims of Violence (ODVV) calls on Saudi Arabia to end all forms of discrimination against the Shia Muslim Minority.
3. ODVV urges Saudi Arabia to limit the legal definition of terrorism in its law.
4. ODVV calls on the international community to increase their support for the people of Yemen.
5. ODVV urges on the United States of America, France, the United Kingdom of Great Britain and Northern Ireland and other arms exporting countries to stop selling weapons to Saudi Arabia and taking part in war crimes being committed in Yemen.
6. DVV calls on Special Rapporteurs of the “human rights to water and sanitation”, “Right to Food”, and “promotion and protection of human rights while countering terrorism” to investigate and record the humanitarian side effects of the Yemen blockade.
7. ODVV urges the Saudi Arabia to invite the Rapporteur on torture to study all allegations of torture in Saudi Arabia prisons.
8. ODVV urges the Special Rapporteurs on freedom of expression and torture to demand the Kingdom to make clarifications on Jamal Khashoggi’s murder.
9. ODVV urges the Saudi Arabia to fully cooperate with the UN human right mechanisms to investigate allegations of violations of international humanitarian and human rights law in Yemen.

¹⁰ <https://www.hrw.org/world-report/2018/country-chapters/saudi-arabia#>

¹¹ <https://news.un.org/en/story/2018/11/1025431>

¹² <https://foreignpolicy.com/2018/11/08/saudi-arabia-and-the-united-arab-emirates-are-starving-yemenis-to-death-mbs-khashoggi-famine-yemen-blockade-houthis/>

¹³ <https://edition.cnn.com/2018/04/03/middleeast/yemen-worlds-worst-humanitarian-crisis-un-intl/index.html>