



A Summary of the UN Committee Against Torture's Review of Saudi Arabia

"Prisons may deprive liberty, but they should never deprive human rights." – Mr. Abdelwahab Hani, Committee Against Torture (Review of Saudi Arabia, 57th Session of the Committee Against Torture)

Upon completion of Saudi Arabia's review before the UN Committee Against Torture on Monday 25 April, ADHRB expresses concern over the ongoing and systematic practices of torture, ill and degrading treatment and punishment in the Kingdom of Saudi Arabia.

On Friday, 22 April 2016, the UN Committee Against Torture raised its questions and its concerns over the [report](#) presented by Saudi Arabia during the 57th Session of the Committee Against Torture. The government report was presented by a Saudi delegation of over 20 persons, who lauded the Kingdom's laws banning torture, the measures taken to restructure the country's controversial 'religious police' – the Commission for the Promotion of Virtue and the Prevention of Vice (CPVPV) – and the Draft Judicial Rulings Code that was in progress, which the government cited to be 'more than just a criminal code'. As highlighted by Committee member Ms. Felice Gaer, the report by Saudi Arabia was also 14 years overdue, since parties to the Convention Against Torture, as stipulated by Article 19, are required to submit periodic reports to the Committee every 4 years.

During the session, the UN Committee Against Torture raised a number of issues with the Saudi delegation, requesting it to provide further information and justification of its compliance with the UN Convention Against Torture, to which Saudi Arabia acceded in 1997.

Regarding **the situation of civil society in the country**, the Committee expressed concern over restrictions on space for civil society, demonstrated by the reprisals against human rights defenders like Waleed Abu Al-Khair, Abdulkareem Al-Khoder, Abdelrahman Al-Khoder and Mohamed Salah Al-Bjadi. In 2002, the Committee had recommended that Saudi Arabia open space for civil society. On the contrary, Saudi law restricts activities of civil society and criminalizes all forms of dissent. [ADHRB's shadow report](#) to the Committee also highlights the various cases in which prominent members of civil society, such as Abdulkareem Al-Khoder, were sentenced under Saudi Arabia's 2014 Law Against Terrorism and its Financing.

On **Saudi Arabia's criminal justice system**, the Committee expressed concern over the independence of judges in the Kingdom. In particular, Ms. Felice Gaer of the Committee highlighted the case of blogger Raif Badawi, suggesting that his sentence of 10,000 lashes for crimes relating to his freedom of expression did not give the Committee confidence in the impartiality of judges. Members of the Committee also expressed their concern over the government report's lack of statistics on authorities accused of perpetrating torture who had been sanctioned for these practices. They emphasized that without these



numbers alternative reports suggesting that ‘a culture of impunity’ existed in the Kingdom might seem to them as accurate information. Indeed, ADHRB’s shadow report found that there is a lack of independent processing and adjudication of complaints of torture in Saudi Arabia

The Committee also expressed concern over an **increase in executions** in the country. In 2015, the Kingdom of Saudi Arabia carried out at least 157 executions in 2015, and at least 86 since the beginning of 2016. Committee member Ms. Essadia Belmir also expressed concern in particular over the execution carried out against Sheikh Nimr Baqir Al-Nimr, claiming that his horrific sentence was neither in compliance with Sharia nor the Convention Against Torture. The Head of the Saudi delegation denied prolifically the validity of her statement, claiming that no sentence such as the one described had been carried out against Sheikh Nimr and that the reports upon which she was basing her information were false. He further emphasized that such claims were making the delegation question their ‘trust’ in the Committee and would not make for a productive dialogue. However, ADHRB has closely documented the series of violations that were carried out against Sheikh Nimr, including authorities’ excessive use of force during his arrest, refusal to provide him adequate medical care, due process violations and the arbitrary death sentence that was executed on 2nd January of this year.

On Saudi Arabia’s **Anti-Terror Laws**, the Committee attested that while terrorism was a problem that all countries face, on reviewing Saudi Arabia’s 2014 Law of Terrorism and its Financing they did not find this law’s broad definition to be in compliance with upholding human rights guaranteed by the Convention. Ms. Felice Gaer of the Committee further expressed concern over reports that this law was being utilized to criminalize peaceful dissent. She also asked the Saudi delegation whether they were considering to abolish the Specialized Criminal Court, charged with prosecuting terror crimes.

The Committee also expressed concern over reports of **torture** in the Kingdom, including Special Procedures’ documentation regarding sentences handed down to individuals on the basis of coerced confessions. While the Head of the Saudi delegation inaugurated his replies to the Committee by claiming “the worst enemy of the truth is torture,” ADHRB has documented cases against individuals such as Ali Al-Nimr, Dawood Al-Marhoon and Abdullah Al-Zaher in which sentences were indeed handed down on the sole basis of tortured confessions. Committee members further questioned Saudi Arabia’s commitment to combatting torture, citing that the Kingdom had ‘sufficient economic resources’ to comply with obligations concerning the rehabilitation of victims of torture. Other members pointed to Saudi Arabia’s zero contribution to the UN Voluntary Fund for the Victims of Torture. Committee Member Mr. Abdelwahab Hani further expressed shock over prison officials administering lashings against detainees, citing its lack of compliance with the Convention. He asked whether measures would be taken to withdraw this practice. This question was unaddressed by the Saudi delegation.

On **prison conditions** in the Kingdom, the Committee referred to the government report citing that 91 visits had been made by independent delegations from 2011, and that ‘no complaints were made’ by these delegations on the conditions of detention. Ms. Felice Gaer of the Committee expressed scepticism over the independence of these delegations, claiming that in her experience, ‘there is always room for improvement’, and that she had never heard of prison visits resulting in zero complaints.



Concerns were also expressed by the Committee in relation to **human trafficking** in the Kingdom. Citing the United States State Department Report on International Human Trafficking, Ms. Felice Gaer of the Committee expressed concern over Saudi Arabia's ranking as a country where human trafficking occurs regularly. Equally, the Committee expressed its concern over the **situation of migrant workers** in the Kingdom, citing the discriminatory *kafala* system as allowing for serious cases of ill treatment to occur.

On the **situation of women in detention**, the Committee asked Saudi Arabia what measures were being taken to protect women in detention. The Saudi delegation pointed to guarantees for pregnant women in detention, and the fact that in general women in detention were 'well-treated' in the Kingdom. However, ADHRB's report finds that even prior to detention women are not treated equally before the law. In cases of rape, ADHRB found that the victim herself can be found guilty of and sentenced to a prison term for 'mingling with men'.

The Committee finally expressed its disappointment over Saudi Arabia's **lack of cooperation with Special Procedures**, claiming that they had read the replies provided by Saudi Ambassador Mr. Faisal bin Hassad Trad to the Procedures and found them to avoid addressing specifically the cases and concerns presented by the procedures.

The review of Saudi Arabia by the UN Committee Against Torture demonstrates the ongoing and widespread human rights violations in the Kingdom. ADHRB calls on the Kingdom of Saudi Arabia to immediately take measures to ensure its full compliance with the Convention Against Torture and to address all the concerns that have been raised by the Committee Against Torture thus far.