

## Saudi Arabia Must Implement UPR Recommendations Protecting Freedom of Expression

10 September 2018

Ms. Chrystia Freeland  
Global Affairs Canada  
125 Sussex Drive  
Ottawa, ON K1A 0G2 Canada

Dear Ms. Freeland,

We, the undersigned, are writing to you concerning Saudi Arabia's upcoming 3<sup>rd</sup> Cycle Universal Periodic Review (UPR) in November 2018 and ahead of the 39<sup>th</sup> Session of the United Nations (UN) Human Rights Council (HRC 39) in September. The UN HRC and the kingdom's UPR review are important opportunities to raise concerns about Saudi Arabia's abysmal human rights record and to press for urgently needed reforms. We thus call upon your government to publicly engage with Saudi Arabia during the forthcoming HRC as well as the UPR in November, to call for the release of detained writers and activists, and to issue strong recommendations to end restrictions on the right to freedom of expression.

During Saudi Arabia's 2<sup>nd</sup> UPR cycle in October 2013, the kingdom [received nine recommendations](#) pertaining to protecting and promoting the right to freedom of expression out of 225 total recommendations. Saudi Arabia fully accepted only four of these freedom of expression-related recommendations. Despite this commitment, the kingdom has failed to implement the recommendations, and we remain concerned over the continued criminalization of the right to freedom of expression and opinion as Saudi Arabia's UPR approaches in November.

Fundamentally, the Saudi government does not recognize the right to freedom of expression and opinion. Rather, the kingdom's *de facto* constitution – the [Basic Law](#) – grants authorities the power to “prevent whatever leads to disunity, sedition and division,” including peaceful criticism. It likewise proclaims that “mass and publishing media and all means of expression shall use decent language and adhere to State laws. Whatever leads to sedition and division, or undermines the security of the State or its public relations, or is injurious to the honor and rights of man, shall be prohibited.” [Subsequent laws](#) have enshrined further limitations on free speech, including 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 most recently, the November 2017 Penal Law for Crimes of Terrorism and Its Financing which explicitly criminalizes expression critical of the King and the Crown Prince.

This web of legislation empowers Saudi officials to arrest activists, journalists, writers, and bloggers who are accused of crimes related to religion, including blasphemy, atheism, and apostasy, as well as crimes filed under the counter-terror law related to speech critical of the royal family, government, or ruling structure.

Among those currently in prison for speech crimes related to religion and critical expression of the government are:

- Blogger [Raif Badawi](#), arrested in June 2012 on atheism charges for his writings and sentenced to 10 years in prison and 1,000 lashes;
- Palestinian poet [Ashraf Fayadh](#), arrested in January 2014 on charges of atheism and apostasy for his poetry and serving a sentence of eight year prison and 800 lashes– reduced from an initial death sentence;
- [Saleh al-Shehi](#), a columnist for *al-Watan*, arrested on 8 February 2018 and sentenced to five years in prison after he discussed corruption and the royal court on television;
- [At least 15](#) other journalists, including [Nadhir al-Majid](#), who was charged on 18 January 2017 with “slandering the ruler and breaking allegiance with him,” and [Wajdi al-Ghazzawi](#), the owner of religious satellite broadcaster Al-Fajr Media Group, who was sentenced on 4 February 2014 to 12 years in prison after he criticized the government and accused it of corruption.

The Saudi government has also arrested several women activists over their speech, including a number of prominent women human rights defenders arrested on 15 May 2018. [According](#) to nine UN Special Rapporteurs, although many of the women had advocated for gender equality and the lifting the ban on women driving, “reports state they were accused of engaging in suspicious communications with foreign groups allegedly working to undermine national security, and of trespassing against the country’s religious and national foundations.” In a demonstration of the kingdom’s attempt to silence women and activists, reports recently emerged that the government was [seeking the death penalty](#) against activist Israa al-Ghomgham, who was arrested in 2015 for her role in organizing protests and for calling for the release of political prisoners and an end to anti-Shia discrimination.

Saudi Arabia’s suppression of free expression demonstrates the kingdom’s failure to implement its 2<sup>nd</sup> Cycle UPR recommendations. We therefore see both the UN HRC session in September and the kingdom’s UPR in November as important and significant opportunities to raise concerns not only about ongoing restrictions on the right to freedom of expression, but also the kingdom’s failure to abide by its commitments to reform. To that end, we call upon your government to publicly urge Saudi Arabia to lift restrictions on free expression, call for the release of activists, journalists, and writers, urge implementation of its 2<sup>nd</sup> Cycle UPR recommendations, and offer serious follow-up recommendations during the 3<sup>rd</sup> Cycle UPR in November.

Signed,

AIQst  
Americans for Democracy & Human Rights in Bahrain (ADHRB)  
Asian Legal Resource Centre (ALRC)  
Association for Freedom of Thought and Expression (AFTE)  
Association for Human Rights in Ethiopia (AHRE)  
Bahrain Institute for Rights and Democracy (BIRD)

Bytes for All (B4A)  
Cartoonists Rights Network International (CRNI)  
Caucasus Civil Initiatives (CCIC)  
Center for Civil Liberties (Ukraine)  
Center for Media Freedom and Responsibility (CMFR)  
CIVICUS  
Committee to Protect Journalists (CPJ)  
Electronic Frontier Foundation (EFF)  
European Centre for Democracy and Human Rights (ECDHR)  
Freedom Forum  
Fundamedios - Andean Foundation for Media Observation and Study  
Independent Journalism Center (IJC)  
Index on Censorship  
Initiative for Freedom of Expression - Turkey  
International Publishers Association (IPA)  
International Service for Human Rights (ISHR)  
Karapatan (Philippines)  
Mediacentar Sarajevo  
Media, Entertainment and Arts Alliance  
Norwegian PEN  
PEN American Center  
Project on Middle East Democracy (POMED)  
Odhikar, Bangladesh  
South East Europe Media Organisation  
Syrian Center for Media and Freedom of Expression (SCM)  
Vigilance for Democracy and the Civic State