



# General Assembly

Distr.: General  
19 February 2021

English only

---

## Human Rights Council

Forty-sixth session

22 February–19 March 2021

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 Americans for Democracy & Human Rights in Bahrain Inc, 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.

[01 February 2021]

---

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



## **Ongoing Detention of Women’s Rights Defenders in Saudi Arabia**

Americans for Democracy & Human Rights in Bahrain Inc (ADHRB) welcomes this opportunity at the 46th session of the United Nations (UN) Human Rights Council (HRC) to draw attention to the ongoing imprisonment of women’s rights activists in Saudi Arabia. Since 2018 the Saudi government has targeted prominent women’s rights defenders with imprisonment and torture, and several remain in incarceration.

### **The Situation of Women’s Rights in Saudi Arabia and the Silencing of Dissent**

Saudi Arabia is home to the guardianship system, which creates both formal and informal laws with the primary aim of controlling and limiting the independence of women from their male relatives. This system manifests itself in the everyday lives of women by prohibiting them from independently making a variety of decisions without first obtaining the permission of their male guardian – whether it be their husband, brother, son, or other male relative.

Up until June 2018, these restrictions also extended to women’s ability to drive. While some have celebrated the lifting of the driving ban in Saudi Arabia as a positive step towards greater gender equality in the country, several events indicate that this is not the case. Before government officials officially lifted the ban, they warned many women’s rights activists to refrain from making public statements regarding this policy change. Since then the government has arrested several prominent women’s rights defenders without charge or on the basis of false accusations.

### **Detained Women’s Rights Defenders**

Many women’s rights defenders were incarcerated by Saudi government officials either prior to or soon after the lifting of the driving ban in 2018. These included Loujain al-Hathloul, Aziza al-Yousef, Nouf Abdelaziz, Samar Badawi, and Nassima al-Saada, among others. In March and April 2019, nearly a year after their initial arrest, many of the women were brought to trial – with charges including violating the country’s vague cybercrime law. Several of the women have been temporarily released but remain on trial. Samar Badawi and Nassima al-Saadda remain in detention. Loujain al-Hathloul was sentenced to five years in prison by the Specialized Criminal Court – a court established for the purposes of terrorism-related cases – in December 2020.

Concerns have also increased regarding the wellbeing of the remaining incarcerated women’s rights defenders as COVID-19 has not been contained in Saudi Arabia. Secrecy surrounding the wellbeing and health conditions of these women has caused a great deal of anguish for their families, who worry about an outbreak of the virus in the unsanitary conditions of Saudi prisons. Of particular concern is the demonstrated failure of prison authorities to provide basic medical care to inmates who fall ill. This was demonstrated in April when pro-democracy activist Abdullah al-Hamid died in jail after being refused life-saving treatment for his longstanding heart condition. The ongoing detention of these women is particularly concerning given the fact that Saudi Arabia has already released thousands of inmates in order to limit the spread of coronavirus amongst overcrowded prison populations with limited access to sanitation.

### **The Targeting of Samar Badawi and Loujain al-Hathloul**

Samar Badawi was arrested by Saudi government officials in July 2018 but was not referred to trial with the majority of imprisoned women’s rights defenders, whose trials began in March 2019 and who have been temporarily released. During the trials, the Saudi government classified the women as “foreign agents” due to their alleged communications

with foreign diplomats, Saudi human rights activists living abroad, international journalists, and international human rights organizations. They also face charges of the country's vague cybercrime law which prohibits the production or storing via an information network of materials which could harm public order, religious values, the sanctity of private life, and public morality. Saudi authorities have utilized this law to jail human rights activists and defenders who criticize the government's abuses online.

Badawi has been an ardent champion of women's rights since 2010 when she filed a lawsuit against the government challenging the country's guardianship system. Her tireless activism and courage have made her a prominent figure in the struggle for women's rights in Saudi Arabia. At the 27th session of the HRC in September 2014, Badawi partook in a panel on women's rights in Saudi Arabia and delivered an oral intervention in front of the Council focused on the human rights abuses in the country and called for the release of all political prisoners. In December 2014, Badawi was meant to fly to Brussels to partake in the 16th European Union - Non-Governmental Organizations Human Rights Forum but was banned from travelling and has since been unable to leave Saudi Arabia. In 2016, Badawi and her daughter were detained for protesting government restrictions on women's access to healthcare and travel. In 2017, she was again harassed by the authorities when they summoned her for questioning without cause and held her temporarily before releasing her.

Al-Hathloul was arrested in May 2018 and was among the leading figures in the campaign for the right of women to drive. She has been outspoken about the torture she has endured and embarked on a hunger-strike in October 2020 to protest her detention conditions. In November 2020, the Criminal Court transferred her case to the Specialized Criminal Court which convicted al-Hathloul of terrorism related offenses in December 2020.

### **Lack of Investigation into Claims of Torture**

In November 2018, human rights organizations reported that Saudi government officials had tortured at least four of the female detainees utilizing tactics such as electric shocks, whippings, and sexual assault. Some female detainees have been placed in prolonged solitary confinement. However, despite these egregious violations of these women's human rights, the Saudi government has failed to produce credible and effective investigations into these claims of torture and ill-treatment.

Prior to her sentencing, al-Hathloul, along with three other women, was held in solitary confinement where she endured abuse and torture including sexual assault, flogging, and electric shocks. During this time, she was offered a deal that would grant her freedom in exchange for her denying that she had been tortured. Al-Hathloul rejected this offer and has since been sentenced to five years in prison.

### **International Advocacy**

The international community has repeatedly made calls for the release of women's rights defenders in Saudi Arabia. In August 2018, Canada's Foreign Minister Chrystia Freeland called for the release of Badawi and other human rights activists. Saudi Arabia responded to this by expelling the Canadian Ambassador, suspending all new bilateral trade agreements, cancelling airline flights to Canada, and withdrew Saudi students from Canadian universities.

The Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) has repeatedly engaged with Saudi government officials, urged for the release of al-Hathloul and all women human rights defenders, and have expressed their grave concern over al-Hathloul's detention conditions. The UN Secretary General has also raised the cases of al-Hathloul and Badawi's detention in his annual reports on cooperation with the UN.

The UN High Commissioner for Human Rights has made repeated calls for the release of the women's rights defenders since their initial arrest in mid-2018. At the UN HRC, over 40 States from across the world have repeatedly called on Saudi Arabia to immediately

release all those detained for exercising their fundamental rights and in particular women's rights defenders.

### **Conclusion and Recommendations**

As a member of the UN HRC, it is imperative that Saudi Arabia be held high standards when it comes to its commitment to human rights. The incarceration of activists, particularly those advocating for human rights, is deeply concerning. Despite the few superficial measures taken to improve women's rights, these steps are meaningless if the Saudi government insists on escalating its crackdown on human rights defenders and activists.

Therefore, ADHRB urges the Government of Saudi Arabia to:

- Immediately drop all charges against women's rights defenders targeted for their activism;
  - Release all imprisoned women's rights defenders;
  - Release all human rights defenders and political prisoners currently detained and drop all charges against them; and,
  - Abolish the male guardianship system in its entirety.
-