



**Impunity for Human Rights Violations
in the Kingdom of Saudi Arabia: An
Ongoing Human Rights Crisis**

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Introduction

The Kingdom of Saudi Arabia's human rights violations have been well [documented](#), and yet impunity prevails. The government has long been accused of '[whitewashing](#)' its human rights violations, mainly by funding costly [sporting events](#) to garner international support. In line with this, Saudi Arabia launched the economic program [Vision 2030](#) in 2016 to strengthen its position in the international market. This political strategy has been dubbed as another attempt to [whitewash](#) its violations by attracting foreign investments and in turn consolidating diplomatic relations. Despite the evident attempt to conceal the realities of human rights violations in Saudi Arabia, many foreign governments remain silent in the face of blatant abuses. As a result, the international community plays a key role in the impunity for human rights violations in Saudi Arabia.

The Kingdom continues to not be transparent about its investigations of human rights violations, despite the numerous accusations of government partiality and pressure from organizations to take accountability. Saudi [human rights defenders](#) are systematically arbitrarily detained and depicted as enemies of the state. The government not only ignores human rights violations in the country but actively represses human rights defenders with its [2017 Law on Combating the Financing of Terrorism](#) and encourages unlawful punishments on its detainees behind closed doors. This contributes to the environment of impunity because, even though few foreign entities are able to witness these abuses, it is known globally and there are little to no repercussions.

The Saudi Human Rights Commission, which is meant to be impartial and independent, has been known to work closely with the government and [conspire](#) with them to censor appeals and reports from detainees. The lack of transparent monitoring systems allows for human rights violations to go unchecked. As a result, the Specialized Criminal Court, which is only meant to try terrorist-related cases, can convict innocent activists to lengthy sentences without the need to justify their decisions. Despite the international community pressuring the Kingdom to abolish the death penalty and the use of torture in its prisons, they continue to be widely practiced under the Specialized Criminal Court.

The most notable case of impunity occurring is the state-sanctioned murder of Jamal Khashoggi. To this day, the international community has been kept in the dark about the [court proceedings](#) of his case which led to eight unnamed people being convicted. At the same time, the former royal advisor [Saud al-Qahtani](#), the main suspect for masterminding this assassination, was never tried. As a result, the Saudi government was able to arrest lesser involved people while keeping those close to the Crown Prince untouched: a true act of impunity.

Saudi's repressive legal system

Given the limited [penal code](#) in Saudi Arabia, judges have discretionary power to interpret crimes under Sharia law and choose punishments as they see fit. This is the case for ta'zir crimes, which have no fixed punishments under Sharia. Judges are also [appointed](#) by the king and overseen by the Supreme Judicial Council, whose chairman is the justice minister. Therefore, there is very limited judiciary independence. Furthermore, judges are not obliged to publish explanations for their decisions, which is a clear violation of due process according to international standards. This has led to countless innocent people being arbitrarily arrested or given longer sentences. Despite pressure from international organizations to release named individuals, the legal system remains the same as there is not enough accountability on the Saudi government.

There is also clear discrimination in the legal system as showcased by the fact that a woman's [testimony](#) only counts for half of that of a man's. Additionally, judges are allowed to disregard the testimonies of anyone who is not an observant Sunni Muslim. This illustrates that both gender and religious discrimination are encoded in the legal system. Without everyone being treated equally before the law, it is evident that the rule of law is not being upheld. Given the discretionary power of judges, this discrimination heavily curtails the human rights of non-Sunni Muslims and women being tried by the Saudi legal system. As there is no independent governing body that monitors the system, the Kingdom can continue to violate human rights uncontrolled.

In addition to problems with Saudi Arabia's oppressive legal system, other international legal systems are also complicit in the Kingdom's impunity. This was particularly evident in one of the

many cases of missed accountability, where the US court sentenced former Twitter manager [Ahmad Abouammo](#) to 42 months in federal prison for using the platform to spy for Saudi Arabia in December 2022. The trial uncovered that the Kingdom was [bribing](#) insiders to illegally gain access to personal information about Twitter (now X) users. Despite the crime clearly originating from the government, it was not held accountable. This means that the government can continue with its business as usual because it has been made clear that there are no repercussions for its crimes, even when they [violate](#) international law.

Inhumane treatment and the death penalty

Human rights defenders in Saudi Arabia are often subjected to unlawful arrests, arbitrarily [extended](#) sentences, [enforced disappearances](#), torture, or worse: the death penalty. These inhumane acts are in breach of the [Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment](#), which Saudi Arabia is party to. Despite Saudi's attempt to safeguard against torture with its [2001 Law on Criminal Procedures](#), which prohibits the use of "torture" and "undignified treatment", these acts remain a prominent tactic against detainees. Furthermore, as the terms of the law are vague and do not accord [criminal sanctions](#) to those who violate it, officials often fail to investigate these violations, leading to impunity.

While visiting Saudi Arabia in 2018, the [Special Rapporteur](#) on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Ben Emmerson, was made aware of the prevalence of coerced confessions. Not only is this a breach of Saudi's 2001 law, but it also violates [Principle 21 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment](#). This is aggravated by the fact that [coerced confessions](#) are accepted by officials, who use those as the basis for lengthy sentencing. As a result, detainees are routinely subjected to unfair trials.

The most significant consequence of the impunity for human rights violations in the Kingdom is that the death penalty continues to be used. Despite the Saudi Human Rights Commission [declaring](#) in May 2023 that the government would abolish the death penalty for ta'zir crimes, the European Saudi Organization for Human Rights proclaimed that at least 172 executions occurred in 2023. This figure accounts for [15%](#) of the total known global executions from 2023. In the

same year, over [70% of executions](#) were issued for non-severe charges. These statistics demonstrate that the Kingdom is continuing with its severe violations without any real accountability.

Although the death penalty is not prohibited under international law, there are safeguards and limitations in place. According to [Article 6 of the International Covenant on Civil and Political Rights](#), the death penalty should be abolished, but for the countries where it occurs, it should only be imposed for the most serious crimes. The UN General Assembly (GA) endorsed the [Safeguards Guaranteeing the Protection of the Rights of Those Facing the Death Penalty](#), which stipulates that the most serious crimes should be limited to those with lethal or other extremely grave consequences. Although these safeguards are not legally binding, the endorsement by the GA suggests that they are an international guideline that should be voluntarily followed.

In the case of Saudi Arabia, due process is often not followed leading to unfair trials. As a result, the death penalty is frequently sentenced for crimes ranging [from online activism to drug charges](#), which are not considered serious crimes by international standards. Therefore, not only is the Kingdom implementing a sentence that many human rights organizations deem inhumane, but it is also not following international due process when doing so.

The families and lawyers of the detainees are also frequently [not informed](#) when the Supreme Court authorizes the death penalty as the sentence. This is a violation of their rights because it means that they are not afforded proper legal assistance as their lawyers lack the facts to represent them correctly. Since the start of 2024, the Kingdom has [executed](#) 47 individuals, and the Ministry of Interior has not yet specified the nature of the sentences issued against them. The legal system uses secrecy and lack of transparency to hide its human rights violations, which leads to an environment of impunity. Saudi Arabia has continuously promised to abolish the death penalty, yet it continues to use it for ta'zir sentences.

The Commission on the Rights of the Child (CRC) repeatedly warned that the use of the death penalty against minors is prohibited under the [Convention on the Rights of the Child](#), to which Saudi Arabia is a party. Despite this and the [Juvenile Law in 2018](#), minors continue to be

sentenced to [death](#). The international community, including [Human Rights Watch](#), has recently called out Saudi Arabia for not delivering on its promise to abolish the death penalty on minors. Most notably, they are calling out [Hala Al-Tuwaijri](#), the head of the Saudi Human Rights Commission, for falsely claiming that the death penalty on minors had been abolished while there are still seven young men facing imminent executions for crimes committed as children. Despite the efforts of the CRC and international organizations, they have been unable to hold the Kingdom accountable for its crimes and put a stop to them.

Lack of independent monitoring authorities and transparency

Impunity in Saudi Arabia is a systemic issue that stems from the abuse of the rule of law and a lack of transparency in the country's legal system. These two factors, combined with a lack of an impartial and independent monitoring system, lead to impunity for human rights violations. Aside from the lack of judiciary independence, there are multiple entities and authorities in Saudi Arabia that have been set up as impartial and independent structures from the government to monitor human rights, yet they work closely together. The most notable examples are the Public Prosecutor's Office, the Saudi Human Rights Commission (SHRC), and the Specialized Criminal Court (SCC).

The SHRC was [established](#) in 2005 with the duty to promote and protect human rights in Saudi Arabia. Despite being a [National Human Rights Institution](#) (NHRI), it has not sought accreditation from the Global Alliance of National Human Rights Institutions (GANHRI), nor has there been an international assessment of its independence from the government. As a result, there is no monitoring system that can attest to the SHRC's work, other than the Saudi government. Given the government's reputation for human rights violations and misuse of the legal system, it is evident that the SHRC's lack of independence and impartiality is problematic.

The Saudi government has routinely [blocked](#) independent institutions and experts from investigating human rights violations and inspecting prisons and detention centers. Despite many human rights organizations calling out the government for the mistreatment of its prisoners, the Saudi Human Rights Commission has denied any abuses during its visits. Given that the Commission [investigates](#) human rights violations occurring in prisons in cooperation with the

government, it is clear that its claims are not impartial nor transparent. Furthermore, there were claims that prisoners were censored from submitting complaints to the SHRC, specifically for reports about [mistreatment](#). This shows that not only is the Commission working with the oppressive government it is meant to be holding accountable, but it is also permitting prisons to censor their prisoners by not reporting these abuses of power.

As per Saudi laws, court hearings should be [public](#), but the reality is different. When in 2023 foreign officials requested to attend trials of political prisoners or on human rights issues, the [Ministry of Foreign Affairs](#) denied their attendance. The lack of transparency is highly concerning, especially given that even the legal representatives of the accused were denied access to trials and were not notified of the status of trial proceedings. Detainees are routinely [denied](#) access to proper legal counsel by the Court. This extends the problem from a transparency issue to a problem of disregarding the rule of law. As a result, the lack of access and transparency is directly leading to the human rights of the detainees being violated because there is no monitoring authority or proper legal representation to defend them.

The Saudi Specialized Criminal Court (SCC)

The [SCC](#) was set up in 2008 to try terror-related crimes, but has since been co-opted as an establishment to try human rights defenders, under the Counterterrorism Law. Both the SCC and the Public Prosecutor's Office are requested to [coordinate](#) their decisions with government authorities, including with the King and Crown Prince. Given that they are advertised as being impartial and independent authorities, it is evident that the Court is operating under false pretenses.

The procedures and practices of the SCC are highly criticized, mainly for their lack of transparency and disregard of due process. Unlike other national courts, public information on how the SCC operates is [not available](#). There have been [reports](#) that the legal basis for the incarceration of many political prisoners is unknown. This lack of transparency means that these prisoners were likely wrongly imprisoned yet have to fulfill their lengthy sentences due to the international community's limited ability to intervene.

The appeal system for the SCC is also not transparent as the comments from the [SCC Appeal Court](#) go straight to the SCC for final judgment, without the defendant ever appearing before the Appeal Court. Furthermore, defendants are frequently not notified of the outcome. As a result, the SCC can continue to wrongfully sentence people as there is no independent monitoring system or accountability measure in place.

Under the Saudi legal system, many journalists and human defenders are arbitrarily imprisoned due to the practice of discretionary sentencing and the [2017 Combating Terrorism Crimes and their Financing Law](#). According to this law, a terrorist crime is any act that is done “[with the intention to disturb public order, destabilize national security or state stability, endanger national unity, \(...\) undermine state reputation or status](#)”. Given the broad definition, it has been heavily [criticized](#) by human rights organizations because it allows governments to persecute peaceful activists. Judges can [charge](#) individuals under the counterterrorism law for crimes that would otherwise not be considered legitimate under international law.

The Saudi Human Rights Commission has repeatedly stated that those tried before the SCC have committed a crime punishable by law, and that it is not “[for their exercise of freedom of expression or defense of human rights](#)”. However, it has been widely reported that the government uses the legal system to [silence dissidents](#).

On his visit in 2018, the [Special Rapporteur](#) on the promotion and protection of human rights and fundamental freedoms while countering terrorism, denied the claims from the President that the SCC was operating according to international standards. Despite the numerous reports of the SCC violating the human rights of detainees, it continues to try innocent activists under the anti-terrorist law.

The Case of Jamal Khashoggi

The murder of the late 59-year-old Jamal Khashoggi is an important case to exemplify the extent of Saudi Arabia’s impunity for human rights violations. He was [brutally killed](#) in the Saudi

Consulate in Turkey on 2 October 2018 while innocently trying to procure official documents. This case garnered extensive international attention due to its gross injustice.

[Jamal Khashoggi](#) was a renowned Saudi journalist who had strong ties with the Saudi government. In his early life, he was an [active proponent](#) of Saudi Arabia as he believed that the Kingdom could do better, and openly tried to strengthen the country's ties with foreign powers, most notably with the United States. As part of his career, he was very active in Saudi media and was an advocate of human rights in the country. However, when in 2015 Mohammed bin Salman came to power, he began being [barred](#) from media appearances and being censored for openly criticizing the Kingdom for arbitrarily arresting human rights defenders. This prompted his [self-exilement](#) to the United States, due to concerns about his safety in Saudi Arabia, where he wrote for the Washington Post.

The Saudi government has routinely [refused](#) to involve international experts to lead impartial and independent investigations on this case. As part of this, the government is also denying international experts access to evidence of the case. Due to Saudi Arabia's secrecy about its investigations, the Special Rapporteur at the time, [Dr Agnes Callamard](#), initiated a human rights inquiry in January 2019 on the murder of Jamal Khashoggi. She established his execution as "[premeditated extrajudicial killing](#)" and condemned the Kingdom of Saudi Arabia.

A year after his murder, Saudi authorities [convicted](#) eight unnamed people in a closed trial, with not much more information being provided. Five of them were given 20 years in prison, while the other three only received 10 years for covering up the crime. The lack of transparency angered his family members, as well as the international community. As a result, Turkey decided to put 26 Saudi officials on [trial in absentia](#) to attempt to achieve justice for Khashoggi. However, on March 31, 2022, the judge accepted the prosecutor's request to halt the trial and hand it over to Saudi Arabia. It has been [speculated](#) that this decision was made to rebuild the relationship between the two countries, which had deteriorated after Khashoggi's murder. This handover coincided with when Turkish Foreign Minister Mevlut Cavusoglu told the news channel A Haber that "[judicial cooperation between the two countries had improved](#)". Since the

case was transferred to Saudi Arabia there have been no developments, supporting Human Rights Watch's concern that this would "[end any possibility of justice for him](#)".

Amongst the 26 men accused by Turkey was Saud al-Qahtani, the former royal advisor of Crown Prince Mohammed Bin Salman. Even though there were credible [reports](#) of al-Qahtani leading this operation over Skype, speculatively on behalf of the Crown Prince, he never stood [trial](#). The only known repercussions for him were being [fired](#) by royal decree, being [banned](#) from X (formerly Twitter) and from entering the US, UK, and other European countries. After disappearing from the public eye in 2019, the Saudi Deputy Public Prosecutor and spokesman [Shalaan al-Shalaan](#) said on the 23rd of December 2019 that al-Qahtani had been investigated but was not charged. The dismissal without a fair trial of this prime Saudi suspect due to his link to the Crown Prince is clear evidence of the impunity surrounding Khashoggi's case. According to social media, [al-Qahtani](#) resurfaced in Saudi Arabia back in June 2023, yet no known attempt has been made to hold him accountable for his crimes. This further demonstrates that having ties with the Saudi government can afford one immunity: even for the most heinous crimes.

Despite international outcry, there has been no concrete action by other governments to hold the Saudi authorities accountable. In response to Khashoggi's murder, the [Biden administration](#) announced sanctions and visa bans on Saudi citizens in 2021, but did not penalize the Crown Prince directly. There was a civil lawsuit against him filed by the fiancée of Khashoggi in 2022, however, the US State Department [ruled to dismiss](#) the case despite strong evidence against him because the Crown Prince had been named the country's Prime Minister. This demonstrates the Saudi government's [complicity](#) in the cover-up as the Crown Prince was strategically appointed as prime minister to accord him immunity in the lawsuit. This is another proof of the overwhelming impunity for human rights violations that occurred in Khashoggi's case.

[Dr. Agnès Callamard](#), the Secretary-General at Amnesty International and former Special Rapporteur in charge of the UN investigation into the assassination, has criticized the international community for prioritizing diplomatic relationships over justice. It is evident that for both the United States and Turkey, the search for justice and holding the Saudi government accountable was trumped by diplomatic priorities. This sets a precedent for repressive countries

like Saudi Arabia to keep committing, or at least being complicit in, crimes and human rights violations without being held accountable. The growing power that the Kingdom holds due to economic and political reasons severely threatens human rights and the safety of activists globally.

Universal Periodic Review: A Failed Tool of Accountability for Saudi Arabia

In Saudi Arabia's national report for the fourth Universal Periodic Review (UPR), the Saudi delegation declared to have endorsed the majority of the 2018 UPR recommendations. Yet, as this briefing paper has demonstrated, that is far from the reality as human rights violations prevail. Given that the delegation also praised the UPR for being a "[vital tool](#)" to promote human rights, its misleading reassurance of having taken the recommendations on board is a clear sign of deception, which breeds an environment of impunity.

Despite stating that they [endorsed](#) the recommendations regarding the ratification of the International Covenant on Civil and Political Rights, Saudi Arabia has yet to do so. The Kingdom also claimed to have endorsed Belgium's recommendation to "[release anyone imprisoned solely for exercising their rights to freedom of expression and association and to peaceful assembly](#)" and that peaceful activities are "[safeguarded under national law](#)". However, under the counter-terrorism law, the authorities hold the power to categorize peaceful activities as a breach of national security and public order, meaning that they can then legally detain innocent activists. As a result, the Kingdom has built its national law with loopholes that allow it to breach its citizens' human rights, while still claiming to abide by international human rights standards.

Saudi Arabia has previously [claimed](#) to support recommendations emphasizing the need to ensure due process and prevent the abuse of the legal system, yet the government continues to allow abuses in its criminal justice system. The lack of accountability despite countries insisting that the Kingdom needs to do better demonstrates the extent of the human rights crisis occurring

there. It is evident that the current monitoring and accountability systems, most notably the UPR, are insufficient to solve Saudi Arabia's impunity.

Other than the Kingdom neglecting recommendations, the UN member states have also failed to address important violations. Only the [United Kingdom of Great Britain and Northern Ireland](#) recommended restricting the jurisdiction of the Specialized Criminal Court. Given the torture, unlawfully lengthy sentences, and improper procedures the Court has been accused of, more countries should have held Saudi Arabia accountable for these abuses.

Concluding Remarks

The impunity for human rights violations in Saudi Arabia is a systemic issue that must be solved promptly. This problem mainly stems from the rule of law not being upheld and an abusive legal system, which is made worse by the lack of transparency about its violations.

Saudi Arabia's oppressive legal system criminalizes innocent human rights defenders and arbitrarily detains them. Detainees are subjected to inhumane treatment and are unprotected under vague safeguarding laws. As a result, the abusers are not held accountable and can continue to torture individuals. As part of this, coerced confessions remain a prevalent tool to silence dissent and sentence people for acts that are not considered criminal under international standards.

The death penalty continues to be used despite promises from the government that it should be banned, especially for children. These sentences are being carried out without following due process, such as holding fair trials, and are being given for non-serious crimes. Despite the international community being aware of this abuse of power and inhumane sentence, Saudi Arabia continues to not be held accountable.

The Saudi government and monarchy have control over most of the authorities in the country, including the Saudi Human Rights Commission (SHRC) and the Specialized Criminal Court (SCC), which should be independent. As a result, most human rights violations in the country go

unchecked and unreported, leading to impunity. Even with international mechanisms such as the Universal Periodic Review, the violations in Saudi Arabia continue to prevail as there is no punishment for breaches of Conventions and international standards.

The case of Jamal Khashoggi is emblematic of the impunity problem in the Kingdom, and the international community's complicity. Despite widespread international condemnation and calls for justice, the Saudi government's response has been marked by secrecy, lack of transparency, and an apparent disregard for accountability. The international community's response has been disappointingly inadequate, with diplomatic considerations often outweighing the pursuit of justice.

The impunity for human rights violations in the Kingdom of Saudi Arabia is an immense threat to human rights. Every year, thousands of people are affected by the Kingdom's oppressive legal system and are arbitrarily sentenced and tortured. Without the cooperation of the international community, this systemic issue will prevail.

Recommendations

Given the dire situation of the impunity for human rights violations in Saudi Arabia, the following recommendations should be taken into consideration by the government:

1. Create an independent and impartial monitoring human rights commission that can hold the government accountable for its actions.
2. Prisoners must be allowed to report mistreatment without needing permission from prison authorities.
3. Saudi Arabia must share its investigations about the execution of Jamal Khashoggi with human rights organizations and the UN.
4. The Saudi Arabian government must amend its 2017 Law on Combating the Financing of Terrorism to avoid arbitrary detentions of innocent human rights defenders.
5. Saudi Arabia should issue a standing invitation for country visits by United Nations special procedure mandate holders to allow for independent and impartial reviews.

6. Saudi Arabia must ratify the International Covenant on Civil and Political Rights to protect human rights.
7. Judges should be appointed by an independent Court and should be given less discretionary power.