



INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

"Dedicated since 1952 to the primacy, coherence and implementation of international law and principles that advance human rights"

United Nations Human Rights Council

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ICJ Intervention on the adoption of the outcome document of the Universal Periodic Review of Saudi Arabia

10 June 2009

Mr. President,

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The International Commission of Jurists (ICJ) welcomes Saudi Arabia's interaction with the Council's Universal Periodic Review mechanism (UPR). It nevertheless regrets the last minute presentation of the Government's responses to the recommendations of the UPR Working Group, which has limited the effectiveness of the dialogue including discussion of the ensuing recommendations. Given the numerous credible reports of serious human rights violations, the ICJ urges the Government of Saudi Arabia to promptly implement all the recommendations of the UPR Working Group.

The ICJ regrets a lack of attention to the wide powers of the religious police, known as the Committee for the Propagation of Virtue and Prevention of Vice, tasked with enforcing a strict adherence to Islamic principles. This Committee is allegedly responsible for serious human rights violations, including torture and other ill-treatment, enforced disappearances and arbitrary detentions.

The ICJ also deplores a lack of attention to the fact that Saudi authorities have failed in holding fair and transparent elections in exercise of the right of the Saudi people to freely choose their representatives.

The Saudi Government must reform the Basic Law of Government (BLG) in order to reinforce the rule of law and human rights in the country. As requested in the recommendations no. 5, 19 or 24, freedom of religion or belief, freedom of opinion and expression, freedom from torture and other ill-treatment, freedom of association and assembly, and the right to a fair trial must be provided for in the BLG and fully guaranteed.

The Government should also incorporate in the BLG the principle of equality between men and women and the prohibition of the discrimination on the basis of sex, in accordance with Article 1 of the CEDAW, to allow women to work, travel, study, marry, access any public service, have equal standing before the courts, participate in public affairs and vote without any discrimination. Abolishing the discriminatory system of the male guardianship, as requested in recommendations no. 17 and 18, must become a matter of priority.

Mr. President,

The ICJ furthermore urges the Saudi Government to accede to the United Nations human rights treaties, including the ICCPR and ICESCR, to cooperate with the Council's Special Procedures, including by providing for the visits requested by the Special Rapporteurs on

torture, extrajudicial, summary or arbitrary executions and on freedom of religion or belief, and submit overdue reports to the UN treaty monitoring bodies.

The ICJ is concerned that Saudi Arabia has rejected a large number of recommendations related to the adherence to human rights and rule of law standards and compliance with the human rights instruments because those *"do not conform to its existing laws, pledges, and commitments or do not refer to existing practices in Saudi Arabia"*. The ICJ is of the view that no religious or cultural considerations, traditions or practices can justify serious human rights violations committed in Saudi Arabia, such as imposition of the death penalty, including against minors, torture and other ill-treatment, such as amputations and flogging. The Saudi Government must abolish the death penalty, particularly against juvenile offenders, and to ensure that in all judicial trials leading to the death penalty, all guarantees of a fair trial are scrupulously respected.

Executions of juvenile offenders are absolutely prohibited under customary international law and the Convention on the Rights of the Child, to which Saudi Arabia is a party. Saudi Government must end these executions and comply with the Committee on the Rights of the Child's recommendation *"to immediately suspend the execution of all death penalties imposed on persons for having committed a crime before the age of 18."*

Mr. President,

I thank you.