

IN THE NAME OF ALLAH THE MOST MERCIFUL



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**SPEECH OF H.E. Dr. Bandar Bin Mohammed Al Aiban  
Chairman of the Human Rights Commission  
Kingdom of Saudi Arabia**

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**Sixth Item  
Twenty-fifth session of the Human Rights Council  
Discussion and Approval of Final Outcomes  
of the Review on KSA  
Within the Second Cycle of the UPR**

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**Geneva – 19-03-2014**

**Mr. President,**

**Ladies and Gentlemen,**

*Peace, Mercy and Blessings of God*

**Firstly, I am delighted to extend to you Mr. President, my congratulations on your assumption of the presidency of the Human Rights Council, and we are confident that - God willing - under your leadership, the Council will achieve the desired goals of the current session. I also take this opportunity to express my gratitude and appreciation to your predecessor, H.E. Ambassador Remigiusz Henczel for his wise leadership of the Council during the period of his presidency, I also expressed my sincere appreciation for the continuing efforts of the High Commissioner for Human Rights "Mrs. Navanethem Pillay" to promote and protect human rights. We thank all delegations for their participation in the meeting to adopt the outcomes of the review on the Kingdom of Saudi Arabia - in its second cycle - and look forward to a substantive and**

**constructive dialogue leading to more effective cooperation between us. I would also like to thank you for your cooperation and your interaction during the interactive dialogue about the review on the Kingdom, held within the seventeenth session of the Working Group on the Universal Periodic Review last October.**

**I also thank the Delegations of friendly States for submitting important recommendations to contribute to our quest for the protection and promotion of human rights in Saudi Arabia and the implementation of our obligations in the field of human rights.**

**I would like to take this opportunity to reiterate the commitment of the Government of the Kingdom of Saudi Arabia to its voluntary pledges presented before your esteemed Council, and to cooperate with the UPR mechanism and support it, as the mainstay and optimal tool of the Council's work to achieve the objectives which it was established for, notably the self-assessment of the state of human rights in order to promote universal respect for all human rights and fundamental**

**freedoms for all, without discrimination, and in a fair and equitable manner.**

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**Mr. President,**

**Ladies and gentlemen,**

**Two hundred and twenty-five recommendations were given to the Kingdom in more than twelve human rights areas. These recommendations received the greatest attention at different levels. They were first studied by the Council of the Human Rights Commission, and then a High Level Committee was formed out of thirteen (13) government entities to examine those recommendations. In parallel – and equally important – several meetings have been held in different provinces of the Kingdom with the participation of representatives of the National Human Rights and civil society institutions, academia and influential personalities – men and women - to debate on the recommendations and propose effective ways of implementation. Those meetings elaborated a**

**comprehensive national vision, and my country relied upon this vision to evaluate its position towards those recommendations.**

**The extensive consultations conducted in the Kingdom since last November have resulted in full or partial support for one hundred and eighty-eight recommendations and non-support for thirty-seven recommendations, and that was either due to conflict with constitutional, legal or cultural principles of the Kingdom or because they were in contradiction with the principles of the review or included erroneous allegations.**

**With respect to the implementation mechanism, a Royal Directive was issued to the concerned parties to take the necessary action for the application and enforcement of the recommendations supported by the Kingdom. The Human Rights Commission will work with all relevant parties to follow up the implementation of the said Directive.**

**It would like to stress that eighty-eight of the recommendations that were approved, either totally or partially, are currently implemented on the ground, or are under implementation.**

**With regard to accession to the Human Rights international instruments, the Kingdom has recently ratified the ILO Convention No. 138 regarding the Minimum Age for Admission to Employment. Accession to a number of human rights international instruments, of which the Kingdom is not yet part, is currently being considered.**

**Concerning legislative and legal reforms, and enhancing criminal justice, amendments have been recently made to the Criminal Procedure Code and the legal and Board of Grievances proceedings systems as part of our efforts to develop the judicial system and in continuation of the Kingdom's vision, since its foundation, to consolidate Right and Justice, through and independent judiciary that provides sufficient guarantees to establish fairness and protect rights of**

every one, through accountability according to fair and impartial laws. The Kingdom was keen to find a comprehensive approach to reach the goals in the field of Human Rights, by issuing several specialized regulations which complete the above mentioned three regulations, and they include the anti-human trafficking law, the regulation on the protection against abuse, etc. The Kingdom reiterates, in this context, that its judicial system is bound by the incrimination and punishment principle, as stipulated in Article 38 of the Basic Law of Governance: *“Punishment shall be carried out on a personal basis. There shall be no crime or punishment except on the basis of a Shari‘ah or a statutory provision, and there shall be no punishment except for deeds subsequent to the effectiveness of a statutory provision.”*

The Judicial system gives great attention to the principle of public hearings, as it is considered as one of the most important factors for achieving justice, which is the ultimate goal of the Judiciary institution. It should be noted that the principle of public hearings is

provided for in the Criminal Procedure Code and the legal proceedings regulation, unless the court decides – exceptionally - otherwise, for reasons of security or maintenance of public morality or when it is necessary for the emergence of the truth, which is consistent with international standards for the conditions of a fair trial. In furtherance of this principle, the Human Rights Commission continues to attend trial sessions, which are also attended by representatives of the National Society for Human Rights and the media.

In the area of judicial capacity-building, the Ministry of Justice has cooperated with a number of government agencies and academia such as the Higher Judicial Institute, the Human Rights Commission, and other academic bodies inside and outside the Kingdom, to organize and hold several training courses and workshops, focused on different judicial aspects, including seminars and workshops in the field of human rights in different parts of the kingdom, and workshops in the area of strengthening the role of the judiciary.



**The implementation of the Memorandum of Understanding signed between the Kingdom of Saudi Arabia, represented by the National Human Rights Commission, and the High Commissioner for Human Rights has been initiated. The Memorandum aims to strengthen the capacity of national competencies working in the field of human rights, and in this context, a training program on international mechanisms for human rights in the framework of the Memorandum of Understanding has been organized for a large number of representatives of different governmental entities, in addition to a number of lawyers, journalists and human rights advocates.**

**In the area of women's and children's rights and the fight against domestic violence crimes, many measures have been taken, most importantly, the issuance of the regulation on "protection from abuse," which aims to protect members of society from exploitation and maltreatment, especially women and children, and other categories such as the elderly, and to**

**monitor and document any cases of violence. It should be noted that employees who impede the receipt of complaints of domestic violence are held accountable and can be questioned under this regulation.**

**Based on the Directive of the Custodian of the Two Holy Mosques King Abdullah bin Abdul Aziz on enabling women to participate in municipal election as candidates and voters, women will be participating in the coming municipal elections, which will contribute to the promotion of their role in political, economic and social life, allowing her to participate in decision making.**

**Our government is taking action to promote and strengthen the role of civil society - as institutions of civil society are key partners in the implementation of its responsibilities towards the protection and promotion of human rights - through approval of the establishment of several institutions and public associations working in many Human Rights areas, supporting and enabling them to operate with full**

**independence and propose several regulations that were adopted by the legislative authority. To support this role and ensure its effectiveness, a draft project on "civil society organizations" is under study to ensure that it reflects the views of all the project's stakeholders.**

**In the area of disseminating the culture of human rights, a comprehensive national plan has been prepared with the participation of all relevant government agencies and civil society organizations. The aim of this plan is to raise the level of awareness of human rights at several levels so as to contribute to the implementation of the Kingdom's obligations under the agreements signed or acceded to, in addition to launching programs aimed at raising awareness of the rights of the most vulnerable groups, such as women, children, migrant workers, the elderly and the handicapped.**

**Mr. President,**

**Ladies and Gentlemen;**

**The Kingdom appreciates the role of migrant workers and their respective countries and contribution to the overall development witnessed and experienced in the country, thus the KSA was keen to create an appropriate and convenient working environment; through establishing laws and regulations and developing mechanisms and procedures to define their rights and their duties, without discrimination between categories or nationalities, so as to preserve their rights, and ensure them a decent safe life. And the most recent development in this respect was the "regulation of domestic workers and the like," which sets - clearly - the relationship between the employer and the domestic worker, and the rights and duties of both.**

**In this context, the Ministry of Labor has launched, at the beginning of this week the "Musaned" Awareness Program, which aims to introduce this regulation, highlight the rights and duties of domestic workers and employers, and educate them on how to lodge complaints and find remedies. The "wage protection" program was also launched recently, which is an**

**electronic system for monitoring the extent of commitment of the companies to pay the workers in accordance with the time and amount agreed upon in the contract without any delays. The data provided by this system will be used as an official reference that is accurate and transparent in dealing with complaints related to worker wages and employment benefits, which will contribute in addressing labor issues.**

**In order to preserve the rights of foreign labor and for security, economic and social considerations, the Kingdom established a number of rules and procedures to correct the status of the violators of residency and labor laws. The statistics show that the campaign conducted for this purpose has achieved great success in enabling a great number of offenders to benefit from the grace period and the facilities given, by issuing legal work and residency permits so they can rectify their status and continue legal work in the country. The number of work permits issued during the grace period reached three million eight hundred and ninety thousand and nine hundred and sixteen 3.890,916. The**

number of workers who changed jobs during the same period was two million four hundred and twenty three thousand and seven hundred and seventy nine 2.423.779. Those who changed employer were two million six hundred and fifteen thousand and two hundred and eighty 2.615.280 workers. On the other hand, the departure of the remaining violators to their home countries was facilitated while ensuring their rights.

Ladies and gentlemen, please allow me – at the end of this part of my speech to emphasize that the promotion and protection of human rights is a strategic choice of the Kingdom, it is the backbone of the holistic development policy adopted by the State. That the efforts to protect human rights in the Kingdom reveal its determination to consolidate those rights internally and to support all Regional and international efforts towards this objective, within the consideration and respect of the different communities values and customs. The achievements of the Kingdom in the field of human rights protection and education will not mean

**the end of the journey and be contented with the status quo, it will rather drive and motivate us more to intensify the continuous national action to preserve what was achieved nationally and set the right mechanisms to further consolidate the culture, values and principles of human rights and their protection.**

**I thank you for listening and look forward to your valuable views for a constructive and fruitful dialogue.**

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***FINAL SECTION OF THE RECOMMENDATION***

**Mr. President,**

**Ladies and Gentlemen,**

**The success of the UPR mechanism depends on several key factors, and particularly, objectivity, which can contribute in achieving the goals of the Review and help States promote and protect human rights internally. Persistence is another important factor in the success of the review mechanism; the more we persist, the closer we get to the desired goals and aspirations,**

**and this requires all of us to support this mechanism and prevent any attempts to defeat it. Another factor to take into account is the cultural diversity of all countries, as the difference between cultures of the world is an undeniable fact and an inevitable reality and the attempts to impose certain cultures on communities in matters of human rights brings more harm than good to those same human rights. Hence, it is necessary to take into account the cultural diversity and reinvest it in the protection and promotion of human rights, and that this should be considered as part of the concept of "universal human rights."**

**Finally,**

**The Government of the Custodian of the Two Holy Mosques King Abdullah bin Abdul Aziz is committed to the protection and promotion of human rights at the national level, and to contributing also at the regional and international level. The Kingdom's cooperation with the UPR mechanism, the acceptance of most of the recommendations arising from the review, our**



**determination to implement them and our submission of objective recommendations to the States under review, is an expression of that commitment. In our collective efforts to develop the UPR mechanism, in response to the changing environments, my government stresses on the importance of adherence to the principles contained in Resolution 5/1, and particularly, to conduct the Review in an objective, transparent and constructive manner, non-confrontational, non selective and non-politicized.**

**Thank you Mr. President,**

**Thank you all for listening,**

**And Peace be upon you.**

