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The Permanent Mission of the Kingdom of Saudi Arabia to the United Nations Office and Other International Organizations at Geneva presents its compliments to the Office of the High Commissioner for Human Rights, (the Secretariat of the Human Rights Council Advisory Committee), and would like to refer to the letter received regarding the call for inputs on patterns, policies and processes leading to incidents of racial discrimination and on advancing racial justice and equality. In that regard, the Permanent Mission has the honor to attach herewith contribution of the Kingdom of Saudi Arabia to the afore-mentioned request.

The Permanent Mission of the Kingdom of Saudi Arabia avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights (the Secretariat of the Human Rights Council Advisory Committee) the assurance of its highest consideration.





**Saudi Arabia's Submission to the call for inputs on patterns, policies, and processes leading to incidents of racial discrimination and on advancing racial justice and equality**

**1. Is there a working definition or understanding of (systemic, structural or institutional racism) in your country/by your government/your organisation?**

Since Saudi Arabia is a party to CERD and CEDAW, and its laws prohibit all forms of racial discrimination, as the Basic Law of Governance includes basic principles and provisions aimed at promoting and protecting human rights, which, in their entirety, represent the legal framework for human rights. Article (26) of the Basic Law of Governance stipulates "the State shall protect human rights in accordance with Sharia", the law also affirmed a number of fundamental rights, including: the right to justice and equality, where Article (8) stipulates "Governance in the Kingdom of Saudi Arabia shall be based on justice, shura, and equality in accordance with Sharia", and the prohibition of all forms of racial discrimination in Saudi laws include the systemic, structural or institutional racism.

**2. Is systemic, structural or institutional racism a prominent issue in your country? Is there any official acknowledgement that systemic/structural/institutional racism exists; and that it is a problem? In what sectors does systemic/structural/institutional racism occur - for example, access to justice, access to services, enjoyment of socio-economic cultural rights? (Refer to decided cases by national courts where relevant.)**

Structural or institutional discrimination is not one of the challenges that the Kingdom faces, Since the laws in the Kingdom are constantly reviewed in line with the Kingdom's international and regional commitments. Since there is an awareness raising with regard to combating all forms of racism and racial discrimination, the Human Rights Commission holds seminars, workshops and training courses - continuously - aimed at defining the provisions contained in the International Convention on the Elimination of All Forms of Racial



Discrimination, and exploring the best ways to promote its implementation on ground in line with Saudi Arabia's obligations, which is directed to judges, members of the Public Prosecution, law enforcement officers, and other stake holders, including representatives of civil society institutions. It should be noted that training programs were held within the framework of the Memorandum of Technical Cooperation concluded between the Kingdom of Saudi Arabia represented by the Human Rights Commission and the Office of the High Commissioner for Human Rights in 2012, which reached more than (98) programs, included introducing the human rights treaties to which Saudi Arabia became a party, including the International Convention on the Elimination of All Forms of Racial Discrimination, and exploring the best ways to implement them on ground.

3. **What legal measures, if any, has your country put in place to address systemic, structural or institutional racism? (These could be constitutional provisions, anti-discrimination legislation, policies/strategies/national action plans, administrative measures, or the establishment of institutions such as equality bodies.)**

In addition to what was mentioned in the answer to question (1) and (2), amendment of the Labor Law under Royal Decree No. M/134 dated 30/07/2019, to ensure equality of all on rights, duties, and work conditions. Article 3 of the Labor Law states that work is a right of all citizens, and prohibits discrimination on the basis of sex, disability, age or any other form which include the racial discrimination. Article 155 was also amended to prohibit the dismissal or dismissal notice of a female worker during her pregnancy and her maternity leave, including the period of her illness due to either of them.

4. **What extra-legal measures, if any, has your country put in place to address systemic, structural or institutional racism? (These could be educational, awareness-raising, measures related to racial equality in sport, access to and quality of healthcare, etc.)**



1. establishment of the Family Affairs Council and its statute by Council of ministers Resolution No. 433 dated 25/07/2016, which stipulates in Article (6) of the statute establishment a number of committees, including the "Committee for the Elderly"; a national committee that develops preventive plans and projects and awareness programs that aim to meet the requirements of the elderly, formulate the general policy for elderly care in the Kingdom of Saudi Arabia, and propose laws and regulations for the elderly that guarantee them a dignified social life, enhance their status, and raise awareness of the elderly's conditions and issues to guarantee their family and social status, and enhances their positive role, encourages and strengthens the family's role in caring for the elderly, researches the development of care methods and services provided to the elderly in cooperation with regional and international organizations and bodies working in this field, proposes programs and projects for the elderly in line with their experiences and tendencies, conducts studies and research, and holds seminars and conferences on various issues of elderly in cooperation with universities, centers and organizations specialized in this aspect
2. The issuance of Anti-Harassment Law by Royal Decree No. (M/96) on 31/05/2018. It aims to combat the crime of harassment, prevent its occurrence, apply penalties to its perpetrators, and protect the victim. The purpose of that is to protect the privacy, dignity, and personal freedom of the individual, which are guaranteed by the provisions of Islamic Sharia and laws.
3. Several measures were taken to empower and support women contribution in the development. In the recent years, the Kingdom achieved huge progress in this regard, including: Increasing women's participation in the labor market from 22% to 30%, increasing Saudi females' economic participation from 17% in 2017 to 35.6% by the end of 2021, increasing women's management positions (high and middle) from 28.6% in 2017 to 39% in 2021, women's first contribution in security works during Hajj of 2021 in the Ministry of Interior, such as civil defense, passports, and public security. In addition, approval of



- various reforms supporting women's participation without any discrimination between both genders as obtaining financing services, salaries, jobs, working hours as well as the prevention of women dismissal during pregnancy and ensuring the payment of salaries during maternity leave, and participation in the sports system.
4. The Family Affairs Council launched Women's TALA Project (2020) aiming to the empowerment and support of women and find solutions through various projects in a number of fields by reaching all regions of the Kingdom, and the involvement of the society's segments in designing and developing solutions through developmental projects. The project, in its 1st session, recruited (430) project ideas from all regions and governorates of the Kingdom; (160) of such projects' owners were trained to develop such projects and (26) projects got opportunities to be funded by the SDB.
  5. As a result of the measures taken to empower women, the percentage of issuing commercial register to businesswomen grew to 112% during the last 6 years (2015-2021), as the percentage of businesswomen registered with commercial registers in the Kingdom reached 817,930 women. The year of 2021 witnessed the highest percentage of businesswomen registration with commercial registers, reaching 139,754 registers, compared to 65,912 registers in 2015.
  6. The Public Prosecutions attracting qualified women to work as members in the Public Prosecution as the male public prosecutors. In Jan, 2018, the Public Prosecution announced vacancies for women to work as members under the same conditions applying to male applicants, as the number of female public prosecutors reached (200) women, in addition to (282) Public Prosecution employees and (238) trainees until the end of 2021. The General Directorate of Public Security has announced the admission and registration in a number of military jobs for women.
  7. The number of female employees in the Ministry of Justice has increased, reaching 3782 until the date of September 14, 2022. The number of female lawyers' licenses has also increased compared to 2019, as their number was (618) to reach (1364) female lawyers at the beginning of 2021. Women were empowered to obtain notarization license to practice certain powers of public notaries.



8. The Kingdom's efforts continue to raise the level of health service provided to the beneficiaries taking, into account the principle of equality, and depending mainly on the principle of need. Such efforts focused on several fields, including: The fields of maternity care, childhood, immunization and health care programs for persons with disabilities, and the elderly, healthcare for males and females students, mental health, healthcare in accidents, emergencies, disasters, control of infectious and epidemic diseases, treatment of incurable diseases, and organ transplantation and other elements of comprehensive healthcare, in addition to the supporting infrastructure in this field. It is worth noting that the budget allocated to the Ministry of Health reached, in 2020, approximately (USD 20 billion). At the regional and international level, the Kingdom, in the field of humanitarian aid and relief, addressed the health sector in several countries, by providing various aids supporting the health filed, where the total value of Saudi Kingdom's health programs' provided support reached, until Jan, 2022, an amount of (USD 8,125,082,717), including health aids provided through the King Salman Humanitarian Aid and Relief Center until Jan, 2022 with an amount of (USD 1,010,200,444) by 604 projects.
9. Interest in the education in light of "Saudi Vision 2030" has led to a number of rapid developments and reforms, including; provision of sustainable education opportunities for everyone, promotion of equal opportunity, free education, and equality in education, development of curriculum, observation of teachers' performance and educational supervision, school buildings and equipment, development of evaluation and measurement tools and means, educational guidance and counseling programs, caring for people with visual, hearing, intellectual disabilities and autism disorders, and mandatory enrollment of males and females with disabilities in education. The budget allocated for the Ministry of Education, universities, and the Technical and Vocational Training Corporation reached SAR (192) billion in 2020, as the number of students reached (3,119,505) female students representing (49.4%) of the total students.
10. Issuance of Minister of Education Decision on 11/07/2017, starting the application of the physical education program in girls' schools as of the academic year (2017/2018). This decision implements one of the objectives



- of the "Kingdom's Vision 2030" which include increasing the percentage of sports practitioners in the society.
11. The Saudi Federation of Mass Participation empowering members of society, including women and girls, to engage in sports activities and empowering women to participate in the Olympic Games.
  12. Launching the "Lifelong Learning Initiative" (Estidama), an initiatives of the National Transformation Program (NTP) stemming from the Vision ٢٠٣٠, which aiming at eradicate illiteracy and enable individuals to benefit from various learning and training opportunities, targeting adults of both men and women aged (٥٠-١٥ years).
  13. The Human Capability Development Program is one of the newly refreshed Vision 2030 programs. It was created to develop citizens' capabilities, prepare them for the future, and support them to seize opportunities, build a lifelong learning journey, improve equal access to education, improve fundamental learning outcomes.

**5. How has the ongoing COVID-19 pandemic brought to the surface and exacerbated systemic, structural or institutional racism in your country?**

Several measures contributed to combating COVID-19 have been taken through two parallel tracks: Reducing the spread of this pandemic, providing high-quality healthcare to those infected, and addressing the economic and social impact of COVID-19. The measures taken by the Kingdom are based on a Human Rights -based approach. This is manifested in the fact that these measures are based on the principle of equality and non-discrimination, and the practical realization of the principle that all human rights are indivisible and interdependent stipulated in the Vienna Declaration and Program of Action 1993, through the protection and fulfillment of other rights affected by the Covid-19. The social and economic reforms have not stopped during this crisis

6. **To what extent is disaggregated data gathered by state and non-state actors in your country to identify systemic, structural or institutional racism, and to track progress in the measures adopted to address systemic/structural or institutional racism? Is any other data gathering tool used specifically to capture date related to systemic/structural or institutional racism? (Please provide details; refer to quantitative and qualitative data-gathering methodologies, where relevant.)**



The Kingdom has worked to establish databases that contribute to measuring the progress made in the promotion and protection of human rights, and this includes fulfilling the Kingdom's obligations under the human rights conventions to which it a party, including (CERD). It should be noted that the Human Rights Commission is the entity concerned with following up on the implementation of human rights conventions to which the Kingdom a party. In coordination with the General Authority for Statistics and other concerned entities, to carry out the roles entrusted to each entity with regard to data collection, analysis, publication and facilitation. Obtaining it through administrative records and in a systematic scientific manner.

- 7. In your country, which government agency has the mandate of combating and preventing racial discrimination? To what extent does the agency take issues into account related to systemic, structural or institutional racism in its mandate? (Please provide the most recent annual reports of this agency.)**
1. Every ministry, or any government entity must, according to competence, ensure justice for any person with violated human rights, and prevent the repetition of such violation. This shall not prevent any person from receiving the judicial remedy, as the Council of Ministers issued its resolution No. (662), dated June 16, 2020, which provides for the approval of all the human rights-related missions that are assigned to legal departments in government entities. Such missions include the detection of abuses and violations constituting human rights violations, and taking the necessary measures against such violations.
  2. It is the right of every person to claim that he/she was discriminated against in any forms, and initiate and pursue a criminal lawsuit before the competent court in accordance with Article (16) of Law of Criminal Procedure, in addition to the Public Prosecution's power to initiate and investigate a criminal lawsuit by itself, if seems to serve a public interest in accordance with Article (17) thereof. In addition to the role played by the civil society institutions, including the National Society for Human Rights (NSHR) that receives complaints relating to human rights, including racial discrimination complaints, and informs the competent authorities about such complaints for their legal action.





3. The Human Rights Commission, as a regulatory body of a complete independence, promotes and protects every person's human rights without discrimination, and receives complaints relating to human rights, takes legal action thereon, and undertakes monitoring and awareness-raising measures in this regard and the like. Human Rights Commission further ensures that the relevant government entities implement laws and regulations related to human rights and detects any breaches, and takes the necessary regulatory measures therefor.
4. The Kingdom is a Party in a number of international human rights treaties addressing the prohibition all forms of discrimination including: International Convention on the Elimination of All Forms of Racial Discrimination (CERD) acceded by Royal Decree No. (M/12), dated August 20, 1997, and the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) acceded by Royal Decree No. (M/25), dated 28/08/2000. The Kingdom's accession to such Conventions makes such Conventions part of the Kingdom's national laws. The Kingdom's commitment to any provisions grants such provisions the power of the Kingdom's laws, as the legal tool issued such accession to the Convention (Royal Decree) is the same tool issuing the Kingdom's laws, whereas. Article (70) of the Basic Law of Governance states that "laws, treaties, international agreements, and concessions shall be issued and amended by royal decrees". Paragraph (1), Article (11) of the Procedures for Concluding International Agreements issued by the Council of Ministers Resolution No. (287), dated 26/07/2010 provided for the relevant entities shall take, when the Convention enters into force, the necessary measures to ensure the fulfillment of all the Kingdom's resulting obligations.
8. **How are systemic patterns of racial discrimination addressed within the framework of the Sustainable Development Goals (SDGs) 2030 agenda? In your view, do the SDGs contribute to advance racial justice and equality? (Refer to eg SDGs 1, 3, 4, 5, 6, 7, 8, 10, 11 and 16.)**

Saudi Arabia "Vision 2030 was based on values and principles that represent an impenetrable fence that prevents trends leading to racial segregation, including social exclusion in all its forms and manifestations, which is



practically consistent with the SDGs 2030 and its slogan "Leave No One Behind". In addition to Saudi Arabia's Laws and policies that combine to prevent any form of racial segregation and apartheid, as the Basic Law of Governance and its emanating laws guarantee all human rights and fundamental freedoms for all equally, and have prohibited racial discrimination in all its forms and manifestations. Article (12) of the Basic Law of Governance stipulates "promoting national unity is a duty, and the State shall prevent what may lead to disunity, sedition, and division", and Article (22) of the same law stipulates "economic and social development shall be accomplished according to a sound and just plan".

**9. Is the existing international framework, for example as it relates to the governance of international organisations, sufficient to deal with systemic, structural or institutional racism?? If not, what more can be done?**

We suggest to develop an international instrument in the form of "guideline instrument" for the fundamentals to be contained in the national laws, in order to prohibit all forms of racial discrimination, including structural discrimination.

**10. Is the existing national legal and human rights framework, if any, sufficient to deal with systemic, structural or institutional racism? If not, what more can be done?**

Yes, see the answers for questions (1), (2), (3) and (4).

**11. What are the responsibilities of key stakeholders (UN agencies, states, NHRIs, civil society organisations, technical community and academia, private sector) in addressing systemic, structural or institutional racism and racial discrimination? (Elaborate on what they can do to address systemic patterns of racial inequality.)**

Entities should work together to prohibit racial discrimination, including structural and institutional discrimination, on the ground, by taking legislative or structural measures to eliminate any manifestations of racial discrimination, provide appropriate remedies to address these issues and promote the dissemination and education of human rights culture through holding seminars, workshops, and training courses for judges, members of the Public Prosecution, law enforcement officials, other stakeholders and representatives of civil society institutions. Supporting educational institutions



in dissemination and education of human rights culture, including teaching human rights concepts in academic curricula. As well as raising awareness of human rights by participating in international days such as the International Day for the Elimination of Racial Discrimination (March 21), and promoting these days with multiple and varied activities aimed at raising awareness of human rights and indicating the seriousness of their violation, and introducing the means of remedy, reparation and assistance.

**12. To what extent are private actors responsible for systemic patterns of racial discrimination in your country?**

All forms of racial discrimination shall be prohibited in all entities of KSA, including the private sector, as the Labor Law, which is concerned with the protection of workers in the private sector, stipulates to ensure equality between everyone in rights, duties, and conditions of service, and its recent amendments included the amendment of Article (3) to affirm that work is the right of every citizen and that all citizens are equal in the right to work without discrimination on the basis of gender, disability, age, or any other form of discrimination, whether during their performance of work, at the time of employment.

**13. What role do you consider new emerging technologies, such as artificial intelligence based on algorithms, play in eradicating or sustaining systemic patterns of racial inequality?**

Using the artificial intelligence to deliver awareness messages aimed at prohibiting all forms of racial discrimination, is one of the most important means that keeps pace with technical progress at the international level, so working to activate it may have an effective role in targeting different age groups.

**14. Are there any other 'good practices' by your State or other stakeholders (such as business or civil society organisations) that advance racial justice and equality, and address systemic, structural or institutional racism? If yes, could you please share these practices?**

1. The laws and regulations of Saudi Arabia are combined to prohibit all forms of racial discrimination, the following is a brief description of the legal frameworks that affirm the principle of equality and prohibit racial discrimination:



- Article (26) of the Basic Law of Governance stipulates “the State shall protect human rights in accordance with Sharia”, Article (8) stipulates “Governance in the Kingdom of Saudi Arabia shall be based on justice, shura, and equality in accordance with Sharia”, and Article (47) stipulates " The right of litigation shall be guaranteed equally to citizens and residents in the Kingdom".
- Article (1) of the Civil Service Law issued under Ministerial Resolution No. (49), 27 June 1977 stipulates “merit is the basis for selecting employees to occupy public positions”, and thus there is no legal impediment preventing any citizen from occupying a public position or senior positions in the Kingdom.
- Article (3) of the Labor Law issued by Royal Decree No. (M/51), dated 27/9/2005 and amended by Royal Decree No. (M/134), dated 30/7/2019 that work is the right of every citizen, and all citizens are equal in the right to work without discrimination on the basis of gender, disability, age, or any other form of discrimination, whether during their performance of work, at the time of employment, or at the time of advertising.
- Article (2) of the Health Law issued by Royal Decree No. (M/11), dated 4/6/2002 stipulates “This Law aims to ensure the provision and regulation of comprehensive and integrated health care for the entire population in a fair and accessible manner.
- Article (5) of the Law of Practicing Healthcare Professions issued by Royal Decree No. (M/59), dated 6/12/2005 stipulates “the healthcare practitioner shall practice its profession for the benefit of the individual and society within the respect for the human right to life, safety and dignity, taking into account the customs and traditions prevailing in the KSA, avoiding exploitation”. Paragraph (16.1) of Article (16) of its executive regulations included that a healthcare practitioner may not refrain from treating a patient for reasons based on different religion, color, sex, or race.



- Article (2) of High Order No. (43), dated 17/06/1985 included punishment for abuse of power, abuse of authority in criminal proceedings, violation of human rights, abuse or coercion using the job, or accepting a bribe or commission.
  - Article 5 of the audio-visual media Law included not being exposed to anything that would stir up strife, division and hatred among citizens, incite violence, and threaten societal peace.
  - The High Order No. 26458, dated (07/03/2017) affirmed that government and private entities shall emphasize their employees to avoid everything that incites sports fanaticism or spread abuse in the various media, and to keep away from everything that leads to that.
2. The principles, objectives, and programs emanating from the "Vision 2030" contribute to promoting the principles of equality, tolerance and moderation, and included that Islam and its teachings is a way of life, and it is our reference in our decisions and the principle for our work to achieve our vision. The values of moderation, tolerance, perfection, discipline, justice and transparency will be our main pillars for achieving success.
  3. The Human Rights Commission, in accordance with its regulation, ensures that the relevant government entities implement the applicable laws and regulations related to human rights, detects violations of the laws applicable in KSA, which constitute a violation of human rights, and takes the necessary legal measures in this regard. It also follows up on the governmental authorities to implement the relevant international human rights instruments to which the Kingdom has acceded, including this agreement, and to ensure that those authorities take the necessary measures to implement them.
15. **Do you have any recommendations to any stakeholder that you think would advance efforts to address systemic, structural or institutional racism either at the national or international level? Please share those.**
- A (guideline) should be developed for the fundamentals to be contained in the national laws to prohibit all forms of racial discrimination, including structural discrimination, as well as effective remedies to guarantee the rights of those subject to forms of racial discrimination.

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