



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Kingdom of Saudi Arabia and welcome the constructive engagement of your Government during the 31<sup>st</sup> session of the UPR Working Group in November 2018.

As the final outcome report on the review of Saudi Arabia has been recently adopted by the Human Rights Council at its 40<sup>th</sup> session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Saudi Arabia – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years until the next cycle of the UPR. In identifying those areas, I have also considered the statements and/or recommendations made by 96 delegations, the presentation and responses made by the delegation of the Kingdom of Saudi Arabia and the actions taken by your Government to implement the 151 recommendations it had accepted during the second cycle of the UPR. The aforementioned areas cover a range of issues and appear in the Annex to this letter.

I appreciate the measures taken to promote and protect women's rights, including the decrees aimed at addressing inequalities between men and women before the law, and encourage their implementation, in line with human rights standards. I welcome the initiative to strengthen the national human rights institution, in 2016, by amending certain articles in the Law of the Human Rights Commission to ensure their compatibility with the Paris Principles. I encourage increasing the independence and effectiveness of the Commission, in keeping with those Principles. I am concerned, however, that persons have been prosecuted for exercising their rights to freedom of expression and peaceful assembly. I urge their release as well as the protection of human rights defenders and journalists.

I encourage Saudi Arabia to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas highlighted in the Annex to this letter and to facilitate the preparations for the Kingdom's fourth cycle of the UPR. My advice to Member States is to develop and implement national action plans in close consultation and cooperation with all stakeholders, in particular the national human rights institution and civil society organizations, and, where necessary, the support of international organizations, including the Office of the United Nations High Commissioner for Human Rights (OHCHR) and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

H E. Mr. Ibrahim Abdulaziz Al-Assaf  
Minister of Foreign Affairs  
Kingdom of Saudi Arabia

I acknowledge Saudi Arabia's declared intention to comprehensively follow up on the UPR and appreciate its commitment to involving the Parliament in the implementation of UPR recommendations requiring legislative action. I encourage Saudi Arabia to strengthen the National Committee for Reporting and follow up in order for it to be able also to ensure comprehensive follow-up in relation to recommendations received from all international and regional human rights mechanisms and treaty obligations, and linking this to the Sustainable Development Goals. I strongly recommend the use of the practical guide that my Office released on this topic, which is available at:

[http://www.ohchr.org/Documents/Publications/HR\\_PUB\\_16\\_1\\_NMRF\\_Practical\\_Guide.pdf](http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_Practical_Guide.pdf).

Please kindly note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting them with the implementation of the recommendations, following the review. An important measure that can contribute positively to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage the Kingdom of Saudi Arabia to consider submitting a mid-term report on follow-up to the third cycle of the review, by 2021.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1 paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

I look forward to discussing with you ways in which my Office may assist Saudi Arabia in relation to the areas identified in this letter and its Annex.

Please accept, Excellency, the assurances of my highest consideration.



Michelle Bachelet  
High Commissioner for Human Rights

cc: H.E. Dr. Bandar Al Aiban  
President of the Human Rights Commission  
Kingdom of Saudi Arabia

## Annex

### **Scope of international obligations and cooperation with international human rights mechanisms and bodies**

- Ratification of additional international treaties on human rights, particularly the International Covenant on Civil and Political Rights and its second Optional Protocol; the International Covenant on Economic, Social and Cultural Rights; the International Convention for the Protection of All Persons against Enforced Disappearance; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; the Convention on domestic workers of the International Labour Organization; the Convention relating to the Status of Refugees; the Protocol relating to the Status of Refugees; the Convention relating to the Status of Stateless Persons; the Convention on the Reduction of Statelessness; and the Rome Statute of the International Criminal Court as well as the Kampala amendments to the Rome Statute.
- Withdrawal of the reservations to the Convention on the Elimination of All Forms of Discrimination against Women, and review of all reservations to the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Racial Discrimination; allowing for the full applicability of Articles 20 and 21 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Implementation of concluding observations from human rights treaty bodies.
- Intensifying cooperation with Special Procedures mandate holders, including by issuing a standing invitation to the Human Rights Council Special Procedures mandate holders and responding positively to pending visit requests.
- Continuing working on amending and developing domestic laws in line with international human rights standards.

### **National human rights framework**

- Increasing the effectiveness and the independence of the Human Rights Commission in order to bring it in line with the Paris Principles.
- Establishment of a National Human Rights Plan, in close cooperation with line Ministries, state entities, and civil society organizations.
- Intensifying efforts to develop human rights education and strengthen the culture of human rights.
- Ensuring the implementation of sectoral national plans and policies designed to promote and protect human rights.
- Development of statistical indicators to enable measuring progress in the promotion and protection of human rights; and identification of challenges and gaps in the legislative and judicial system to ensure that laws and practices comply with international human rights standards.

## **Implementation of international human rights obligations, taking into account applicable international humanitarian law**

### **A. Cross-cutting issues**

#### *Equality and non-discrimination*

- Developing legislation countering discrimination and incitement to hatred in all of its forms.
- Increasing efforts in promoting gender equality, including by adopting a national strategy for gender equality and women's empowerment, as well as the corresponding plan of action.
- Ensuring women's equality with men before the law and their enjoyment of all human rights, including the rights to freedom of movement, education, employment, marriage and protection from violence in the home and family; and ensuring redress for violations of women's rights.

#### *Development, the environment, and business and human rights*

- Including measures aimed at ensuring increased efficiency and accountability of public service into the national development strategy.

#### *Human rights and counter terrorism*

- Ensuring that counter-terrorism legislation complies with international human rights norms, by reforming the laws on counter-terrorism, anti-cybercrime and associations as well as the law on press and publications.

### **B. Civil and political rights**

#### *Right to life, liberty and security of person*

- Working with other implicated parties to facilitate a permanent and peaceful end to the conflict in Yemen.
- Strengthening compliance with international humanitarian law in relation to military actions taken outside of Saudi Arabia, providing remedies and effective reparation to all victims of such actions and their families, and fully cooperating with the United Nations human rights mechanisms to investigate allegations of violations of international humanitarian and human rights law in Yemen.
- Abolition of the death penalty and, in the meantime, adoption of an official moratorium and commutation of all existing death sentences; introducing a legally-binding age of minority and amending legislation to prohibit the imposition of the death sentence on children, in accordance with the Convention on the Rights of the Child. Reviewing criminal legislation in order to reduce the crimes for which the death penalty can be applied.

- Amendment of the Juvenile Law in order to prohibit the death penalty for all persons under 18 at the time of committing the offence.
- Definition and criminalization of torture in line with the Convention against Torture, and adoption of further steps to prevent torture, cruel and degrading treatment in prisons and detention centres.
- Implementation of legal reforms to ensure a proper legal process and to prevent secret and indefinite detention.
- Abolition of all forms of corporal punishment for all persons, including children and detainees, in all settings and repealing laws that allow stoning, amputation, and flogging of children.

*Administration of justice, including impunity and the rule of law*

- Conducting a thorough, credible, transparent and prompt investigation into the killing of Jamal Khashoggi and fully cooperating with investigations related to his killing, by implementing legislation that holds to account Government officials who breach the law and ensuring full accountability of all those responsible for committing such heinous crime.
- Investigating all instances of torture and extrajudicial, summary or arbitrary executions, including such acts committed extraterritorially, and bringing all perpetrators to accounts, in accordance with international human rights law.
- Ensuring the independence to the judiciary which is an indispensable requirement to guarantee the rule of law.
- Intensifying training and awareness-raising programmes for judges on the principles and values of human rights.
- Putting an end to arbitrary detention practices; guaranteeing the safety of all those detained, uncovering their places of detention and informing them of the charges against them; guaranteeing their right to judicial due process and fair trial; and continuing the application of the principle of public trials and the right of the defendant to an attorney and other guarantees in accordance with the criminal procedures law.
- Restriction of the use of the Special Criminal Court to cases that fall within internationally accepted definitions of terrorism.
- Increase access to justice for women and girls who are victims of domestic violence.

*Fundamental freedoms*

- Bringing national legislation in line with international human rights standards, by amending or adopting legislation with regard to freedom of expression and opinion and freedom of the press, and protecting journalists and human rights defenders from intimidation, threats and arbitrary arrests.
- Revision of all legislation that restrict the right to freedom of association and peaceful assembly as well as freedom of religion, belief, opinion and expression to bring it into full conformity with international law and standards.

- Elimination of all legal and practical obstacles to the freedom of expression and conscience of human rights defenders, and ensuring a safe and enabling environment for all human rights defenders, in particular for women human rights defenders and journalists.
- Releasing anyone imprisoned solely for exercising their rights to freedom of expression and association and to peaceful assembly, including human rights defenders and journalists, in particular women.
- Strengthening the independence of civil society organizations which guarantees their ability to more effectively contribute in promoting and protecting human rights.

*Prohibition of all forms of slavery*

- Continuing the efforts made to combating trafficking in human beings, particularly the exploitation of children and women and by ensuring accountability for those engaged in trafficking in persons, assisting the victims and developing and enhancing the national capabilities.

*Right to family life*

- Adopting provisions relating to personal status, including those regulating legal capacity, marriage and divorce, and inheritance in line with international standards.

**C. Economic, Social and Cultural Rights**

*Right to work and to just and favourable conditions of work*

- Adopting further measures in promoting and protecting the rights of domestic service workers.

*Right to an adequate standard of living*

- Pursuing efforts to improve the living standards of the population with the implementation of Saudi Vision 2030.

*Right to health*

- Increasing efforts to strengthen maternal and child health services; and advancing women's and girls' sexual and reproductive health and rights.
- Adoption of a national strategy for abandoned children and their inclusion into the education and health-care system.

*Right to education*

- Enhancement of the education system for all and ensuring the rights to education for children facing discrimination on the grounds of gender, religion and the legal nature of their parents' relationship.
- Pursue efforts to strengthen the quality of education and combat early dropout.



## **D. Rights of specific persons or groups**

### *Women*

- Intensifying efforts to prevent and combat all forms of violence and discrimination against women; further criminalizing all forms of violence against them; and implementing effective programmes for the protection of victims of these crimes.
- Adopting further measures for promoting the rights of women.
- Ensuring reforms to improve women's social and economic empowerment and to achieve gender equality between men and women.
- Repealing the system of guardianship.
- Pursuing reforms aimed at reducing the gaps between the rights of women and men, including with regard to citizenship.
- Promoting further the role of women in society.

### *Children*

- Enactment of legislation establishing a minimum age for marriage of boys and girls and adoption of a national strategy to support gender equality by expanding social protection systems for women.
- Repealing legal provisions that provide for criminal responsibility of minors and strengthen the legal protection for juveniles.

### *Persons with disabilities*

- Strengthening the promotion and protection of the rights of persons with disabilities through relevant national mechanisms so that they participate in the country's development.
- Implementation of inclusive policies to allow children with disabilities to receive adequate education and the support they require in schools.

### *Minorities*

- Taking measures to protect persons belonging to religious minorities and ensure their rights to practice their belief are protected.

### *Migrants*

- Increasing efforts in enhancing the protection and promotion of migrant workers' rights, including women and girls.
- Enforcing strict measures to protect migrant workers and members of their families against abuses by employers.
- Guaranteeing at all times their fundamental civil, judicial, social and economic rights, and continuing taking steps in providing effective access to justice and remedy to them.
- Ensuring effective access to complaint mechanisms and enhancing the welfare of migrant workers as well as providing them appropriate and timely consular notification to the sending states of any legal case.
- Thoroughly reviewing the sponsorship system for migrant workers, in conformity with international human rights standards.

### *Stateless persons*



- Allowing children born to Saudi mothers and non-Saudi fathers to obtain Saudi citizenship, thus ensuring equal treatment of men and women under the law, as well as compliance with the Kingdom's obligations under the Convention on the Rights of the Child.