



UPR COMPILATION OF GOVERNMENT PLEDGES – Saudi Arabia

What is the UPR?

The Universal Periodic Review (UPR) is a new UN human rights process which involves a review of the human rights records of all 192 UN Member States once every four years by the Human Rights Council, the UN's main Human Rights body. The stated objectives of this new mechanism include "the improvement of the human rights situation on the ground" and "[t]he fulfillment of the State's human rights obligations and commitments and assessment of positive developments and challenges faced by the State." (Human Rights Council Institution Building package (A/HRC/RES/5/1) at § 4(a) and (b)).

What are Alkarama's UPR Compilations and who are they for?

Alkarama has tried to make user-friendly compilations of the undertakings made by the Arab States examined under the Universal Periodic Review to try to make the UPR process meaningful in improving the human rights situation 'on the ground'. These compilations are designed to assist in the follow-up and monitoring of the Governments' undertakings and promises to the UN Human Rights Council.

Themes considered in this compilation for Saudi Arabia:

- A. General Human Rights policy
- B. International Human Rights conventions
 - (a) Ratifications/Accessions
 - (b) Measures taken to implement Human Rights instruments
 - (c) Mechanisms established to ensure the primacy of international human rights over domestic law
- C. National Human Rights protection mechanisms
 - (a) National oversight and monitoring bodies
 - (b) Coordination
- D. National Human Rights institutions
- E. Freedom of expression, opinion, assembly and association
- F. Independence of media
- G. NGOs/Civil society
- H. Judicial system
- I. Torture and other cruel, inhuman or degrading treatment or punishment
- J. Conditions of detention
- K. Death penalty
- L. Universal Periodic Review Process/Human Rights Council
- M. Special procedures of the Human Rights Council
- N. Protection of Human Rights while combating terrorism

Types of Government pledges (note, all made within the UPR process):

Affirmations: made by the State under Review during the 2009 UPR process

Voluntary Commitments: undertaken by Saudi Arabia to the UN HRC and the UN GA (made between 2006 and 2009)

Recommendations: made on 6 February 2009 by Member and Observer States on the HRC's UPR Working Group (the responses of Saudi Arabia will be included in the outcome report adopted by the Human Rights Council at its 11th session)

Source documents - UPR Documentation:

National report of Saudi Arabia (A/HRC/WG.6/4/SAU/1), dated 4 December 2008

Working Group Report (A/HRC/11/23), dated 4 March 2009

Saudi voluntary pledges made in view of the 2006 Human Rights Council elections (emitted as verbal notes by the Permanent Mission of Saudi Arabia to the United Nations, New-York, UN/HRC/2006/243), dated 19 April 2006

CHECKLIST OF GOVERNMENT PLEDGES MADE DURING THE UPR PROCESS 2008

A. General Human Rights Policy:

		Affirmation(s) made by the State under Review during the 2009 UPR process	Source
1.	<input type="checkbox"/>	The delegation of Saudi Arabia stressed the importance of mutual understanding in order to have a constructive dialogue on human rights (...)	Para. 80, Page 14, Working Group Report, A/HRC/11/23
2.	<input type="checkbox"/>	Normative and institutional framework for human rights in the Kingdom Since 1992 the Kingdom of Saudi Arabia has witnessed further human rights-related reforms, culminating in the promulgation of the Basic Law of Governance and updating of the Statutes of the Regions and the Consultative Council. The Basic Law of Governance is the Kingdom's constitutional framework. The pace of these reforms increased with the promulgation of numerous laws consistent with the international instruments to which the Kingdom has acceded.	Para. 8, Page 3, Saudi National Report, A/HRC/WG.6/4/SAU/1
3.	<input type="checkbox"/>	The Basic Law of Governance It also makes direct reference to the State's obligation to protect human rights: "The State shall protect human rights in accordance with the Islamic Shari'a" (art. 26).	Para. 9, Page 3, Saudi National Report, A/HRC/WG.6/4/SAU/1

		Voluntary commitment(s) undertaken by Saudi Arabia to the UN HRC and the UN GA (made between 2006 and 2009)	Source
4.	<input type="checkbox"/>	Saudi Arabia has a confirmed commitment with the defense, protection and promotion of human rights. (...) Furthermore, Saudi Arabia pursues the policy of active cooperation with international organizations in the field of Human Rights and fundamental freedoms.	Para. 2, Saudi voluntary pledges made in a view of the 2006 Human Rights Council elections, UN/HRC/2006/243
5.	<input type="checkbox"/>	While presenting this report, the Kingdom of Saudi Arabia emphasizes its commitment to cooperate fully with every institution seeking to safeguard, promote and enhance human rights.	Para. 6, Page 2, Saudi National Report, A/HRC/WG.6/4/SAU/1
6.	<input type="checkbox"/>	The reform process is still under way since, although significant progress has already been made in this field, numerous other steps need to be taken to introduce further reforms for the purpose of ensuring fuller enjoyment of all human rights.	Para. 8, Page 3, Saudi National Report, A/HRC/WG.6/4/SAU/1

		Recommendation(s) made (on 6 February 2009) by Member and Observer States of the HRC's UPR Working Group	Source
7.	<input type="checkbox"/>	<i>Continue efforts and endeavours to improve overall human rights protection in the country (Azerbaijan, Oman, Russian Federation)</i>	Para. 87, Page 16, Working Group Report, A/HRC/11/23
8.	<input type="checkbox"/>	<i>persist on the path of the protection and elevation of human dignity, taking into account relevant international standards (Morocco)</i>	Para. 87, Page 16, Working Group Report, A/HRC/11/23
9.	<input type="checkbox"/>	<i>continue its efforts to take all measures to promote and protect the universal characteristic of human rights while protecting its historical, religious and civilizational specificity (Palestine)</i>	Para. 87, Page 16, Working Group Report, A/HRC/11/23

B. International Human Rights Conventions:

(a) Ratifications/Accessions:

		Affirmation(s) made by the State under Review during the 2009 UPR process	Source
10.	<input type="checkbox"/>	The Kingdom of Saudi Arabia , which was among the first States to participate in the drafting of the Universal Declaration of Human Rights, has ratified numerous international human rights instruments, including: (...) The Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment, ratified by Royal Decree No. M/11 of 4/4/1418 AH.	Para. 19, Page 6, Saudi National Report, A/HRC/WG.6/4/SAU/1
11.	<input type="checkbox"/>	The Kingdom acceded to this Convention (Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment) in 1997	Para. 43, Page 14, Saudi National Report, A/HRC/WG.6/4/SAU/1
12.	<input type="checkbox"/>	Saudi Arabia is a party to eight international human rights instruments.	Para. 2, Saudi voluntary pledges made in a view of the 2006 Human Rights Council elections, UN/HRC/2006/243

		Voluntary Commitment(s) undertaken by Saudi Arabia to the UN HRC and the UN GA (made between 2006 and 2009)	Source
		NIL	

		Recommendation(s) made (on 6 February 2009) by Member and Observer States of the HRC's UPR Working Group	
13.	<input type="checkbox"/>	<i>Go ahead with its intention to examine the ratification of some international human rights instruments, in particular ICCPR and ICESCR (Algeria)</i>	Para. 87, Page 16, Working Group Report, A/HRC/11/23
14.	<input type="checkbox"/>	<i>Undertake thorough and comprehensive studies of international instruments and conventions, including ICCPR and ICESCR, prior to its accession to those instruments (Malaysia)</i>	Para. 87, Page 16, Working Group Report, A/HRC/11/23
15.	<input type="checkbox"/>	<i>Consider the possibility of acceding to those international instruments it is not yet a party to, through the committee of the Human Rights Commission tasked to examine the compatibility of laws with international conventions and human rights treaties (Nicaragua)</i>	Para. 87, Page 16, Working Group Report, A/HRC/11/23
16.	<input type="checkbox"/>	<i>Continue with the reform process and ratify a number of its outstanding international instruments to provide full enjoyment of all human rights to its people (Nigeria)</i>	Para. 87, Page 16, Working Group Report, A/HRC/11/23
17.	<input type="checkbox"/>	Become a party to the ICCPR and ICESCR (Canada, New Zealand, Republic of Korea)	Para. 87, Page 16, Working Group Report, A/HRC/11/23
18.	<input type="checkbox"/>	Consider positively the ratification of the conventions on enforced disappearance (...) and the Optional Protocol to CAT (Mexico)	Para. 87, Page 16, Working Group Report, A/HRC/11/23
19.	<input type="checkbox"/>	Become party to the Rome Statute of the International Criminal Court (France, Mexico)	Para. 87, Page 16, Working Group Report, A/HRC/11/23

20.	<input type="checkbox"/>	<i>Abide by its commitments made through the ratification of international instruments (Chad)</i>	<i>Para. 87, Page 16, Working Group Report, A/HRC/11/23</i>
21.	<input type="checkbox"/>	<i>Continue its efforts in further developing the system of international treaties to combat international terrorism (Sudan)</i>	<i>Para. 87, Page 21, Working Group Report, A/HRC/11/23</i>

(b) Measures taken to implement international human rights instruments:

		Affirmation(s)	Source
22.	<input type="checkbox"/>	The Kingdom of Saudi Arabia has also promoted and protected human rights through the promulgation of numerous new laws and the amendment of existing laws in a manner consistent with the obligations ensuing from its accession to various international conventions.	Para. 12, Page 4, Saudi National Report, A/HRC/WG.6/4/SAU/1
23.	<input type="checkbox"/>	Although the Kingdom of Saudi Arabia is not yet a party to the International Covenants on Civil and Political and Economic, Social and Cultural Rights, in actual fact many of the provisions of these two Covenants are being implemented.	Para. 18, Page 6, Saudi National Report, A/HRC/WG.6/4/SAU/1

		Voluntary Commitment(s)	
		NIL	

		Recommendation(s)	
24.	<input type="checkbox"/>	<i>Reinforce its efforts in the area of the implementation of obligations under international human rights law, in particular those pertaining to freedom of opinion and expression. (Mexico)</i>	<i>Para. 87, Page 16, Working Group Report, A/HRC/11/23</i>
25.	<input type="checkbox"/>	Modify the domestic legislation to be in accordance with the standards and requirements contained in the international human rights instruments (Chile)	<i>Para. 87, Page 16, Working Group Report, A/HRC/11/23</i>

(c) Mechanisms established to ensure the primacy of international human rights over domestic law:

		Affirmation(s)	
		NIL	
		Voluntary Commitment(s)	
		NIL	
		Recommendation(s)	
		NIL	

C. National Human Rights protection mechanisms:

(a) National oversight and monitoring bodies:

		Affirmation(s)	Source
26.	<input type="checkbox"/>	A number of national structures, institutions and bodies including, in particular, the governmental Human Rights Commission , were also established to monitor and give effect to human rights at the highest national levels.	Para. 8, Page 3, Saudi National Report, A/HRC/WG.6/4/SAU/1
27.	<input type="checkbox"/>	The Kingdom of Saudi Arabia (...) has established a number of national structures to promote and monitor the human rights-related objectives of its legislation.	Para. 21, Page 7, Saudi National Report, A/HRC/WG.6/4/SAU/1
28.	<input type="checkbox"/>	On 10 May 2006, the Human Rights Commission was established as a governmental commission reporting directly to	Para. 47, Page 17, Saudi National Report,

		the King in his capacity as Prime Minister. Its objective is to promote and protect human rights in conformity with international human rights standards in all fields.	A/HRC/WG.6/4/SAU/1
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		Voluntary commitment(s)	
		NIL	
		Recommendation(s)	
		NIL	

(b) Coordination:

		Affirmation(s)	
		NIL	
		Voluntary commitment(s)	
		NIL	
		Recommendation(s)	
		NIL	

D. National Human Rights Institutions:

		Affirmation(s)	Source
29.	<input type="checkbox"/>	The National Commission for human rights is in charge of harmonizing laws with international treaties and has to review about 6,000 laws and regulations.	Para. 82, Page 15, Working Group Report, A/HRC/11/23
30.	<input type="checkbox"/>	<p>The Human Rights Commission</p> <p>This Commission was established by Council of Ministers Decision No. 207 of 8/8/1426 AH, corresponding to 12/9/2005. It enjoys extensive powers to promote and protect human rights under the terms of its Statutes, article 1 of which stipulates that the Commission's objective is to promote and protect human rights in conformity with international human rights standards in all fields, to propagate awareness thereof, and to help to ensure their application in a manner consistent with the provisions of the Islamic Shari'a. The Commission, which is the governmental body competent to express opinion and offer advice on human rights issues, enjoys full independence in its exercise of the functions provided for in its Statutes, including:</p> <ul style="list-style-type: none"> • Ascertaining the implementation, by the governmental authorities concerned, of the human rights-related laws and regulations in force, and investigating abuses constituting violations of human rights. • Expressing opinion on draft legislation concerning human rights. • Monitoring the application by the competent governmental authorities of the international human rights instruments to which the Kingdom has acceded, and ensuring that those authorities have taken the measures needed to give effect to those instruments. • Inspecting prisons and places of detention at any time, without requesting permission from the authority concerned, and submitting reports thereon to the Prime Minister. 	Para. 24, Pages 7 and 8, Saudi National Report, A/HRC/WG.6/4/SAU/1

		<ul style="list-style-type: none"> • Receiving and investigating human rights complaints and taking the statutory action thereon. • Formulating general policy for the development of greater awareness of human rights. • Undertaking any other tasks for the purpose of promoting and protecting human rights. 	
31.	<input type="checkbox"/>	In 2005, the Human Rights Committee was established as a committee of the Consultative Council.	Para. 47, Page 16, Saudi National Report, A/HRC/WG.6/4/SAU/1
32.	<input type="checkbox"/>	<p>Formation of a committee in the Kingdom's Human Rights Commission to ascertain the compatibility of the laws with the international human rights treaties and conventions to which the Kingdom has acceded.</p> <p>A committee has been formed within the Human Rights Commission to examine the extent to which Saudi legislation is compatible with human rights instruments as a first step towards harmonization of the Kingdom's existing laws with its obligations under international treaties and conventions and amendment of any legal provisions that might be in conflict with those obligations. It is also studying the possibility of accession to instruments to which the Kingdom is not yet a party.</p>	Para. 62, Page 24, Saudi National Report, A/HRC/WG.6/4/SAU/1

		Voluntary commitment(s)	
33.	<input type="checkbox"/>	The Commission will also be assisting in the formation of a Saudi national committee on collective responsibility	Para. 63, Page 24, Saudi National Report, A/HRC/WG.6/4/SAU/1

		Recommendation(s)	
		<i>NIL</i>	

E. Freedom of expression, opinion, association and assembly:

		Affirmation(s)	Source
34.	<input type="checkbox"/>	Saudi Arabia appreciates the initiative taken by the Office of the High Commissioner for Human Rights in organizing a symposium in October 2008 on freedom of expression (...)	Para. 24, Page 5, Working Group Report, A/HRC/11/23
35.	<input type="checkbox"/>	The Basic Law of Governance: Under article 40 : "Telegraphic, postal, telephone and other communications shall be confidential and shall not be censored, delayed, inspected or overheard except in the circumstances in which such is permitted by law". These freedoms are further protected by the provisions of other laws.	Para. 11, Page 4, Saudi National Report, A/HRC/WG.6/4/SAU/1
36.	<input type="checkbox"/>	On 24 February 2003, the Commission of Saudi Journalists was established to protect the rights of journalists and regulate relations between media institutions and their personnel. On 7 June 2004, nine members of the Board of Directors of the Commission of Saudi Journalists were elected, including two women.	Para. 47, Page 17, Saudi National Report, A/HRC/WG.6/4/SAU/1
37.	<input type="checkbox"/>	On 17 July 2001, the Press and Publications Act was promulgated by Royal Decree No. M/32 of 30/9/1421 AH to provide greater scope for freedom of expression.	Para. 47, Page 17, Saudi National Report, A/HRC/WG.6/4/SAU/1

		Voluntary commitment(s)	
		NIL	
		Recommendation(s)	
38.	<input type="checkbox"/>	<i>remove obstacles to freedom of expression (...) (Norway)</i>	<i>Para. 87, Page 19, Working Group Report, A/HRC/11/23</i>

F. Independence of media:

		Affirmation(s)	
		NIL	
		Voluntary commitment(s)	
		NIL	
		Recommendation(s)	
		NIL	

G. NGOs/Civil Society:

		Affirmation(s)	Source
39.	<input type="checkbox"/>	In the Kingdom there are more than 1,000 civil-society and other institutions concerned with issues relating to the protection of human rights. The Consultative Council approved a legislative enactment regulating the activities of these institutions and guaranteeing their independent functioning.	Para. 14, Page 4, Working Group Report, A/HRC/11/23
40.	<input type="checkbox"/>	King Abdul Aziz Centre for national dialogue, established in 2003, is a unique experience as a reflection of the political and public will for participation of all sectors of the society in a manner leading to justice, equality and freedom of expression	Para. 83, Page 15, Working Group Report, A/HRC/11/23
41.	<input type="checkbox"/>	In 2004, the National Society for Human Rights was established as a civil society institution. It is an independent private association for the defence of human rights in general in the Kingdom.	Para. 47, Page 16, Saudi National Report, A/HRC/WG.6/4/SAU/1

		Voluntary commitment(s)	
42.	<input type="checkbox"/>	(...)(Cooperate) with non-governmental human rights organizations including, for example, Human Rights Watch which has visited the Kingdom three times during the last five years.(...)	Para. 28, Page 10, Saudi National Report, A/HRC/WG.6/4/SAU/1

		Recommendation(s)	
43.	<input type="checkbox"/>	<i>Allow all international human rights organizations wishing to do so to visit the country (Norway)</i>	<i>Para. 87, Page 17, Working Group Report, A/HRC/11/23</i>
44.	<input type="checkbox"/>	<i>Continue to engage with human rights organizations, and look to deepen and broaden its engagement it to include a wider representation of groups (New Zealand)</i>	<i>Para. 87, Page 17, Working Group Report, A/HRC/11/23</i>
45.	<input type="checkbox"/>	<i>Remove obstacles to (...) movement against human rights defenders, including all travel bans (Norway)</i>	<i>Para. 87, Page 19, Working Group Report, A/HRC/11/23</i>
46.	<input type="checkbox"/>	<i>With a view to a rapid ratification of the ICCPR, guarantee the rights of representatives of civil society and human rights defenders organizations to set themselves up and exercise their rights to freedom of expression (Switzerland)</i>	<i>Para. 87, Page 19, Working Group Report, A/HRC/11/23</i>

47.	<input type="checkbox"/>	<i>Swiftly promulgate the statute on civil societies, which will enable the civil society to perform its tasks effectively and in full autonomy (Bahrain)</i>	<i>Para. 87, Page 19, Working Group Report, A/HRC/11/23</i>
48.	<input type="checkbox"/>	<i>Enact and implement a Law of Association to guarantee the right to form civil society organizations and to protect those organizations from government interference (United Kingdom)</i>	<i>Para. 87, Page 19 and 20, Working Group Report, A/HRC/11/23</i>
49.	<input type="checkbox"/>	<i>Realize a law on associations and establishment of civil society to enable them to work in independence without being supervised by official authorities (Palestine)</i>	<i>Para. 87, Page 20, Working Group Report, A/HRC/11/23</i>

H. Judicial system:

		Affirmation(s)	Source
50.	<input type="checkbox"/>	With regard to the judiciary, the Code of Criminal Procedure underwent a comprehensive review after the promulgation of the new Statutes of the Judiciary in order to make its provisions consistent with the greater independence of judges and codify procedures before the appellate courts and the Supreme Court in such a way as to confirm the two levels of judicial proceedings and make judgments subject to review by specialized divisions of higher courts. Further emphasis was placed on the principle of the presumptive innocence of the accused and account was taken of the recommendations made by the Special Rapporteur on the independence of judges and lawyers during his visit to the Kingdom from 20 to 27 October 2002.	Para. 13, Page 4, Working Group Report, A/HRC/11/23
51.	<input type="checkbox"/>	Saudi Arabia has made great strides in order to implement quickly comprehensive developments in the judiciary reform. In the past decade, reforms have intensified and the new criminal procedure code and a law on lawyers were enacted in 2001. In 2005, a Royal decree was issued to completely revise the judiciary system, followed by a new law was enacted in 2007 by the Ombudsman's Office and 2 billion dollars were used to fund it.	Para. 85, Page 15, Working Group Report, A/HRC/11/23
52.	<input type="checkbox"/>	The Basic Law of Governance: The Law emphasizes the independence of the judicial authority : "The judiciary shall be an independent authority and, in their administration of justice, judges shall be subject to no authority other than that of the Islamic Shari'a in the Kingdom" (art. 46).	Para. 9, Page 3, Saudi National Report, A/HRC/WG.6/4/SAU/1
53.	<input type="checkbox"/>	The Basic Law of Governance: Emphasis is also placed on the guaranteed equal right of all the Kingdom's citizens and residents to seek legal remedy : "The right to seek legal remedy shall be guaranteed, on an equal footing, to all citizens and residents of the Kingdom and the procedures required therefor shall be defined by law" (art. 47).	Para. 10, Page 4, Saudi National Report, A/HRC/WG.6/4/SAU/1
54.	<input type="checkbox"/>	The Statutes of the Judiciary and the Board of Grievances: The most significant step taken by the Government of the Kingdom of Saudi Arabia to promote human rights consisted in its endeavours to reform the judicial system, this being the principal guarantee of justice which is one of the most	Para. 13, Pages 4 and 5, Saudi National Report, A/HRC/WG.6/4/SAU/1

		<p>important of those rights. The Statutes of the Judiciary deal not only with the procedural aspects of the judicial process; they also address the legally stipulated principles that must be applied. This step was taken following the Kingdom's accession to numerous international conventions and after certain observations was made concerning judicial procedures in the Kingdom. These diligent endeavours culminated in the project for the development of the judiciary which was announced in Royal Decree No. M/78 of 19/9/1428 AH, corresponding to 30/9/2007. The first phase began with the promulgation of new Statutes for the judiciary reconfirming the independence of the judiciary, specifying the guarantees enjoyed by judges and defining the spheres of jurisdiction and hierarchy of the courts, including the establishment of a Supreme (Constitutional) Court the functions of which comprise, inter alia, monitoring the proper delivery and implementation of judgements and the legitimacy of the legislation enacted in the Kingdom. These Statutes define and regulate the spheres of jurisdiction and functions of the appellate courts and the courts of first instance and detail the rights and obligations of judges when hearing the cases brought before them. They also define the judicial inspection functions and the tasks and responsibilities of notaries public. The Statutes make provision for the establishment of courts of first instance, consisting of the general courts comprising specialized divisions, including enforcement and probate divisions, and equivalent criminal courts, courts of personal status, commercial courts and labour courts.</p>	
55.	<input type="checkbox"/>	<p>The Code of Shari'a (Civil) Procedure:</p> <p>This Code, promulgated by Royal Decree No. M/21 of 20/5/1421 AH, corresponding to 20/8/2000 (...) regulates the significant powers that the judge needs when hearing the parties involved in the cases brought before him. It defines, in particular, the court's juridical functions, procedures for the bringing of actions and the filing of suits, the rules governing the presence or absence of the parties, and the manner in which court proceedings should be regulated. It clearly stipulates that hearings should be conducted in public and specifies the circumstances in which a judge should disqualify himself from adjudication in order to ensure judicial impartiality vis-à-vis all the litigating parties.</p>	Para. 15, Page 5, Saudi National Report, A7HRC/WG.6/4/SAU/1
56.	<input type="checkbox"/>	<p>The Code of Criminal Procedure:</p> <p>This Code, promulgated by Royal Decree No. M/39 of 28/7/1422 AH, corresponding to 15/10/2001, constitutes one of the most significant legislative instruments recently enacted in the Kingdom since it directly addresses the most important human rights issues by clearly defining the procedures from the time of arrest until the accused is brought to trial. Article 3 of the Code indicates that the accused shall be presumed innocent until convicted and provision is made for comprehensive safeguards to protect this right to presumption of innocence. (...) Emphasis is placed on the right of the accused to avail himself</p>	Para. 16, Page 5, Saudi National Report, A7HRC/WG.6/4/SAU/1

		of the services of legal counsel to defend him at the stages of investigation and trial. (...) Any procedure contrary to the provisions of this Code is deemed invalid and the accused, if acquitted, is entitled to claim compensation in respect of any material detriment or mental anguish suffered.	
57.	<input type="checkbox"/>	The Code of Practice for Lawyers: It sets forth the obligations of lawyers to promote justice and respect for their profession and to refrain from any act that would detract from its dignity, and also specifies their rights.	Para. 17, Page 6, Saudi National Report, A7HRC/WG.6/4/SAU/1

		Voluntary Commitment(s)	Source
58.	<input type="checkbox"/>	A new national plan was launched three weeks ago to reform the whole judicial system. The delegation mentioned that there are three important steps being finalized: the first is related to sentences. In this regard, a high level commission was set up in order to elaborate a code of sentences that would be referred to by all judges and would ensure that crimes and punishments are consistent in similar situations. The second aims at expanding the training of judges in accordance with the new project to improve the judiciary. The third is to establish a national commission for lawyers.	Para. 85, Page 15, Working Group Report, A/HRC/11/23

		Recommendation(s)	Source
59.	<input type="checkbox"/>	<i>Amend the Code of Criminal Practice to stipulate that only individuals aged over 18 will be tried as adults. As a result, the executions of any individuals who were less than 18 years old when they committed the crime should be commuted to a custodial sentence. (United Kingdom)</i>	Para. 87, Page 18, Working Group Report, A/HRC/11/23
60.	<input type="checkbox"/>	<i>Review its practice of imposing capital and corporal punishment and prohibit any form of corporal punishment (Germany, Austria)</i>	Para. 87, Page 18, Working Group Report, A/HRC/11/23
61.	<input type="checkbox"/>	<i>consider to end the use of corporal punishment for person under 18 and to establish a moratorium on executions of persons having committed crimes before the age of 18 (Austria)</i>	Para. 87, Page 18, Working Group Report, A/HRC/11/23
62.	<input type="checkbox"/>	<i>Strengthen the criminal procedural code and the code of practice of lawyers and ensure that they are in line with international standards (Lebanon)</i>	Para. 87, Page 19, Working Group Report, A/HRC/11/23
63.	<input type="checkbox"/>	<i>Amend its criminal procedural code to bring it in line with international human rights standards and conduct a systematic campaign among Saudi Arabian judges to apply this amended Code (France)</i>	Para. 87, Page 19, Working Group Report, A/HRC/11/23
64.	<input type="checkbox"/>	<i>Continue its efforts to reform the legal and judicial systems (Egypt)</i>	Para. 87, Page 19, Working Group Report, A/HRC/11/23
65.	<input type="checkbox"/>	<i>Consider the elaboration of specific legislative guidelines for codification of discretionary penalties and dissemination of such guidelines among all judges, lawyers and prosecutors concerned (Azerbaijan)</i>	Para. 87, Page 19, Working Group Report, A/HRC/11/23
66.	<input type="checkbox"/>	<i>Expedite the implementation of the legal guarantees to ensure the independence of the judiciary (Morocco)</i>	Para. 87, Page 19, Working Group Report, A/HRC/11/23
67.	<input type="checkbox"/>	<i>Take measures to make the juvenile justice system more effective, in particular by ensuring the separate detention of</i>	Para. 87, Page 19, Working Group Report,

		<i>juveniles as well as expeditious access of juveniles to legal counsels (Austria)</i>	<i>A/HRC/11/23</i>
68.	<input type="checkbox"/>	<i>Enhance its successful experience in the field of rehabilitation of suspected and imprisoned persons for terrorism and to expand it to other penal affairs and to exchange its experience in this field with other countries (Bahrain)</i>	<i>Para. 87, Page 21, Working Group Report, A/HRC/11/23</i>
69.	<input type="checkbox"/>	<i>intensify its successful endeavours to rehabilitate persons accused or imprisoned in cases involving terrorism, to extend these endeavours to persons accused of imprisoned or in other criminal cases and to engage in an exchange of experience in this field with other states (Uzbekistan)</i>	<i>Para. 87, Page 21, Working Group Report, A/HRC/11/23</i>

I. Torture and other cruel, inhuman or degrading treatment or punishment:

		Affirmation(s)	Source
70.	<input type="checkbox"/>	<p>The Code of Criminal Procedure:</p> <p>It is prohibited to subject an accused person to any form of physical or mental harm, torture or degrading treatment.</p>	Para. 16, Page 5, Saudi National Report, A/HRC/WG.6/4/SAU/1
71.	<input type="checkbox"/>	<p>The Kingdom acceded to this Convention (Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment) in 1997 and has taken a number of measures, including the following, pursuant to its obligation to implement the Convention:</p> <ul style="list-style-type: none"> • The Convention has been widely circulated to all the information media and executive authorities. • A special committee comprising representatives of a number of bodies, including the Ministry of Justice, has been established to investigate allegations of torture. • Several police officers found responsible for violations of the provisions of the Convention have been punished. • The Kingdom's reports to the Committee against Torture have been presented and discussed. • The articles of the Convention have been incorporated in the curricula of training courses for law-enforcement personnel. • The Kingdom's legislative measures to criminalize acts of torture include the provisions of article 2 of Royal Decree No. 43 of 29/11/1377 AH which stipulates that it is a punishable offence to exploit or misuse official authority or influence in the course of criminal proceedings or to violate human rights, particularly through torture. 	Para. 43, Pages 14 and 15, Saudi National Report, A/HRC/WG.6/4/SAU/1

		<ul style="list-style-type: none"> • Article 28 of the Imprisonment and Detention Act promulgated by Royal Decree No. M/31 of 21/6/1398 AH prohibits any form of aggression against prisoners or detainees and makes provision for disciplinary measures against civilian or military officials who commit any act of aggression against prisoners or detainees, without prejudice to any criminal penalties that might be imposed on them in cases in which the act of aggression constitutes a felony. All forms of torture are likewise prohibited under the terms of articles 2 and 35 of the Code of Criminal Procedure. 	
72.	<input type="checkbox"/>	<p>Under the Kingdom's legislation, victims of torture enjoy a guaranteed right to have their complaint investigated by an independent and impartial body, the Public Investigation and Prosecution Department, which by law has an obligation to conduct the investigation in accordance with the legally stipulated safeguards for the defence of accused persons or victims and to act therein in accordance with their stipulated functions and powers.</p>	Para. 44, Page 15, Saudi National Report, A/HRC/WG.6/4/SAU/1
73.	<input type="checkbox"/>	The Kingdom has almost completed the preparation of its second report to be presented to and discussed before the Committee against Torture.	Para. 45, Page 15, Saudi National Report, A/HRC/WG.6/4/SAU/1

		Voluntary commitment(s)	
		NIL	

		Recommendation(s)	Source
74.	<input type="checkbox"/>	<i>Follow-up on the recommendations from the treaty bodies in the areas of (...) torture and (...) (Mexico)</i>	<i>Para. 87, Page 17, Working Group Report, A/HRC/11/23</i>
75.	<input type="checkbox"/>	<i>Cease application of torture, other cruel, inhuman or degrading treatment or punishment, and corporal punishment of prisoners in accordance with Article 5 of the Universal Declaration of Human Rights and other international human rights treaties to which it is a party, including CAT (...) (Canada)</i>	<i>Para. 87, Page 18, Working Group Report, A/HRC/11/23</i>
76.	<input type="checkbox"/>	<i>identify and implement legal and procedural machinery to monitor and sanction cases of torture in keeping with national legislation and international commitments (Morocco)</i>	<i>Para. 87, Page 18, Working Group Report, A/HRC/11/23</i>

J. Conditions of detention:

		Affirmation(s)	Source
77.	<input type="checkbox"/>	<p><u>The Code of Criminal Procedure:</u></p> <p>The provisions of this Code also specify all the procedures governing arrest, detention, the right of defence in both events, and protection of personal freedom by stipulating that no one may be arrested, searched, detained or imprisoned except in the circumstances defined by law.</p>	Para. 16, Page 5, Saudi National Report, A/HRC/WG.6/4/SAU/1

78.	<input type="checkbox"/>	<p>Establishment of the National Commission for the Welfare of Prisoners, Former Prisoners and Their Families</p> <p>The Commission's function is to assist inmates of reformatories and prisons, overcome the financial and psychological problems faced by their families, provide them with the requisite services, improve the prison environment and propose appropriate alternatives.</p> <p>The Commission's activities include the provision of financial support for the families of prisoners and for former prisoners and helping them to find suitable employment so that they can reintegrate as respectable members of society.</p>	Para. 60, Page 24, Saudi National Report, A/HRC/WG.6/4/SAU/1
79.	<input type="checkbox"/>	<p>Formation of counselling boards for persons imprisoned or detained on security grounds.</p> <p>In keeping with its concern for its citizens and its firm belief that the motives for terrorism are fabricated and that young persons who are easily influenced could become embroiled therein, the Kingdom has made provision for advisory services to rectify erroneous concepts through the establishment of counselling boards for persons imprisoned or detained on security grounds. As a result of dialogues with these boards, a large proportion of such prisoners and detainees have renounced their dangerous ideologies. The boards also cater for the health, material and family-related needs of prisoners and detainees after their release.</p>	Para. 60, Page 24, Saudi National Report, A/HRC/WG.6/4/SAU/1

		Voluntary commitment(s)	
		NIL	
		Recommendation(s)	
		NIL	

K. Death Penalty:

		Affirmation(s)	Source
		NIL	
		Voluntary commitment(s)	
		NIL	

		Recommendation(s)	
80.	<input type="checkbox"/>	<i>Protect the rights of those facing the death penalty, including through strengthened application of international safeguards in the use of the death penalty (New Zealand)</i>	Para. 87, Page 18, Working Group Report, A/HRC/11/23

L. Universal Periodic Review Process/Human Rights Council:

		Affirmation(s)	
		NIL	

		Voluntary Commitment(s)	Source
81.	<input type="checkbox"/>	Saudi Arabia attaches great importance to the work of the Human Rights Council and intends to make every endeavour to contribute to its deliberation (of the HRC) and activities for the protection and promotion of Human Rights.	Para. 2, Saudi voluntary pledges made in view of the 2006 Human Rights Council elections, UN/HRC/2006/243

		Recommendation(s)	
		NIL	

M. Special Procedures of the Human Rights Council:

		Affirmation(s)	
		NIL	

		Voluntary commitment(s)	Source
82.	<input type="checkbox"/>	<p>The Kingdom of Saudi Arabia, being eager to fulfil its international commitments in the field of human rights, has endeavoured to cooperate with all the various international human rights mechanisms, such as treaty bodies, special rapporteurs, working groups and complaints procedures, in the following manner:</p> <ul style="list-style-type: none"> • By replying to all allegations received from the Office of the United Nations High Commissioner for Human Rights and its special rapporteurs. In this connection, it is noteworthy that, in the Kingdom, there are no cases that can be categorized as systematic; there are only individual cases involving incidents and circumstances that do not constitute a pattern. • By facilitating the tasks of special rapporteurs wishing to visit the Kingdom, and responding to their requests in the light of the appointments and circumstances of the authorities concerned. For example, in the year 2003 the Kingdom was visited by Mr. Cumaraswami, the former Special Rapporteur on the independence of judges and lawyers. (...) • By presenting the Kingdom's treaty-specific reports and discussing them before the committees concerned. (...) • By playing an active participatory role in its capacity as a member of the Human Rights Council. 	Para. 28, Page 10, Saudi National report, A/HRC/WG.6/4/SAU/1

		Recommendation(s)	Source
83.	<input type="checkbox"/>	<i>Continue to strengthen cooperation with international mechanisms, through a favourable response to the special procedures that have requested to visit the country (Mexico)</i>	Para. 87, Page 17, Working Group Report, A/HRC/11/23

N. Protection of Human Rights while combating terrorism:

		Affirmation(s)	Source
84.	<input type="checkbox"/>	The Kingdom has accepted the principle that compensation is due in respect of any miscarriage of justice in connection with antiterrorism operations, such as detention when the detainee is subsequently proved to be innocent.	Para. 16, Page 5, Working Group Report, A/HRC/11/23

85.	<input type="checkbox"/>	The Government is implementing a number of programmes to support its anti-terrorism endeavours and intensify its campaign against extremists through, inter alia, the establishment of a special security court to try suspected terrorists in which general safeguards are applied to ensure that the court, far from acting as a military tribunal, operates in conformity with the law and the judicial practices in force.	Para. 68, Page 25, Saudi National Report, A/HRC/WG.6/4/SAU/1
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		Voluntary commitment(s)	Source
86.	<input type="checkbox"/>	The Kingdom has sought to achieve a balance between the requirements of the campaign against terrorism and the need to respect human rights.	Para. 16, Page 5, Working Group Report, A/HRC/11/23
87.	<input type="checkbox"/>	In this context, the Kingdom has proposed the establishment of an international agency or centre to coordinate with the United Nations on the development of mechanisms for an exchange of information and expertise among States in the field of counter-terrorism and for the interlinkage of national counter-terrorism agencies through a database that would enable them to rapidly exchange data on terrorists and terrorist groups.	Para. 70, Page 25, Saudi National Report, A/HRC/WG.6/4/SAU/1

		Recommendation(s)	Source
88.	<input type="checkbox"/>	<i>Further its efforts to fight terrorism and protect human rights at the same time, especially the support to the conclusion of a comprehensive international treaty to combat terrorism (Algeria)</i>	Para. 87, Page 20, Working Group Report, A/HRC/11/23
89.	<input type="checkbox"/>	<i>Continue to seek support to establish an international centre or agency, in collaboration with the United Nations, in the field of combating terrorism (Kuwait)</i>	Para. 87, Page 21, Working Group Report, A/HRC/11/23