



Human rights in Saudi Arabia and the detention of opponents of the regime

Briefing for Westminster Hall debate at 1:30pm, Thursday 18 July 2019

This briefing has been prepared by [ALQST](#) (pronounced 'al-kist', meaning 'justice'), a UK-based human rights organisation that advocates for human rights in Saudi Arabia.

Summary

[ALQST](#) has monitored a significant deterioration of the human rights situation in Saudi Arabia in recent years. Repression of all forms of dissent has intensified under the rule of King Salman and his son Crown Prince Mohammad bin Salman (commonly known as MBS).

The brutal extrajudicial killing of Saudi journalist Jamal Khashoggi in October 2018 shone a light on Saudi Arabia's total crackdown on dissent. Since then it has continued unrelentingly, including with the ongoing [detention and torture of human rights activists](#), notably women, waves of new [arrests of activists](#), and the recent [mass execution](#) of 37 men.

Today's debate, which follows the recent [UN report](#) into the killing of Jamal Khashoggi, is an important opportunity for Members of Parliament to continue to call on the UK government to stand up for human rights in Saudi Arabia.

We make four specific calls on the UK government:

1) To support the UN Special Rapporteur's call for a UN-led criminal investigation into the murder of Jamal Khashoggi

On 26 June the UN Special Rapporteur on extrajudicial, arbitrary or summary killings, Agnes Callamard, presented her [report](#) into the murder of Jamal Khashoggi. It concluded that Khashoggi was the "victim of a premeditated extrajudicial execution... overseen, planned and endorsed" by high-level officials including the Crown Prince. As such, the killing constitutes an "international crime" meriting international action.

Since the trial taking place in Saudi Arabia falls short of basic international standards, Ms Callamard has called for the UN to lead a [criminal investigation](#) determining individual liability. It is vital that the UK, which has expressed its desire for accountability for

Khashoggi's killing – a point emphasised at its [Global Conference for Media Freedom](#) – supports and leads such efforts, as well as reveals the findings of its own investigation, the details of the trial in Saudi Arabia it is attending, and sanctions high-level officials.

2) To support a UN Human Rights Council resolution that establishes a monitoring mechanism over the human rights situation in Saudi Arabia

ALQST welcomed the [joint statement](#) signed by 36 states (including the UK) during the 40th session of the UN Human Rights Council in March calling, inter alia, for the release of women human rights defenders detained in Saudi Arabia.

This pressure had some positive effects, including the women being brought to trial and some of them being [provisionally released](#). However, the women are still facing trial, and the human rights situation on the ground has deteriorated markedly on other fronts, including through increased use of the death penalty and the authorities' continuing crackdown on freedom of expression.

ALQST is one of [40 human rights organisations](#) now calling on UN Member States to establish a mechanism to monitor ongoing human rights violations in Saudi Arabia. We envisage a resolution being implemented at the next UN Human Rights Council session in September, but it will require support from the UK.

3) To end surveillance technology and arms sales to Saudi Arabia

Following the High Court judgement on [20 June](#) which ruled that UK arms sales to Saudi Arabia for use in Yemen are unlawful, we expect the government to take steps to halt existing arms sales and stop issuing new arms exports licences.

4) To issue public statements calling on Saudi Arabia to:

- Immediately and unconditionally release all individuals, including women human rights defenders, detained for exercising their fundamental freedoms, and to drop all charges against them
- Conduct prompt, effective and credible investigations into all allegations of torture, hold perpetrators accountable, and provide victims with effective remedy in line with international standards
- Establish a moratorium on the use of the death penalty with the aim of working towards its abolition
- Immediately abolish the male guardianship system, repealing laws and ending practices that discriminate against women

Key human rights issues currently

The harassment, prosecution and conviction of anyone for peacefully exercising their rights to freedom of expression, association or assembly has been systematic

- Leading human rights defenders, lawyers and journalists are serving prison terms of between six and 15 years, including members of the Saudi Civil and Political Rights Association (ACPRA) such as Mohammad al-Qahtani, Abdullah al-Hamid and Abdulkarim al-Khoder, human rights defenders Waleed Abu al-Khair, Fahad al-Fahad and Essam Koshak, blogger Raif Badawi, journalist Alaa Brinji, cleric Mohammed al-Hudaif, and economist Essam al- Zamel
- Leading women human rights defenders were arrested between May and July 2018, including Loujain al-Hathloul, Aziza al-Yousef, Eman al-Nafjan, Samar Badawi and Nasima al-Sadah; they have faced months of detention, being subjected to torture and ill-treatment, and several are now facing trial on charges relating to their human rights activism.
- At least [fourteen more activists](#) were arrested in April 2019 in connection with their support or links to the women human rights defenders detained since May 2018.

Torture and ill-treatment in detention, with numerous allegations of the use of torture to extract false confessions, and no credible investigation or accountability for perpetrators

- Several of the women human rights defenders arrested in 2018, including Samar Badawi, Shadan al-Onezi, Aziza al-Yousef, Eman al-Nafjan, Loujain al-Hathloul, and Nouf al-Dosari, and male activist Mohammed Al-Bajadi, were subjected to brutal torture, including electric shocks, beatings, sexual assault and psychological torture.
- Those detained in the Ritz Carlton hotel in November 2017 were subjected to coercive interrogation, incommunicado detention and often brutal physical torture, including Saudi-American doctor [Walid al-Fitaihi](#).
- Furthermore, prisoners of conscience are commonly ill-treated, including being placed in solitary confinement, given narcotics, and denied family contact and visits, there is routine brutality toward prisoners and detainees by junior security and prison officers, including beatings.

Repressive laws are used to harass, prosecute, and convict anyone peacefully exercising their rights to freedom of expression, association or assembly

- The Counterterrorism Law of 2014, amended in 2017, defines terrorism so broadly as to criminalise a wide spectrum of acts of peaceful expression. The Specialised Criminal Court, set up in 2008 to hear terrorism cases, is regularly used to prosecute human rights defenders and dissidents under this law.
- The Anti-Cybercrime Law (2007) criminalises freedom of expression online. This vaguely worded law is what the women's rights activists face charges of violating.

The targeting of dissidents abroad

- The Saudi authorities did not accept calls to comply with the independent UN-led investigation into the killing of journalist Jamal Khashoggi in October 2018.

- Travel bans have been issued against family members of dissidents including Salman al-Odeh, Ali Hashim, Saeed bin Nasser al-Ghamidi and Ahmed bin Rashid Saeed.

Arbitrary detention and enforced disappearances

- There has been a rise in the practice of enforced disappearance, including of Yemeni writer and journalist [Marwan al-Muraisy](#), cleric Sulaiman al-Dowaish and humanitarian worker [Abdulrahman al-Sadhan](#), all disappeared for over a year.
- Over [2000 people](#) have been detained for more than six months without charge, and detainees are often denied access to a lawyer and family contact and visits.

Use of the death penalty

- Saudi Arabia retains its position as one of the world's leading executioners, executing approximately 150 in 2018 and on track to surpass this number in [2019](#).
- On 23 April 2019, [37 individuals](#), most of them from the minority Shia community, were put to death in the country's largest mass execution since 2 January 2016, when 47 were executed.
- The Public Prosecution is currently calling for the death penalty for clerics and scholars including Salman al-Odeh, Awad al-Qarni, Ali al-Omri, and Hassan al-Maliki
- Amendments to the Counterterrorism Law in 2017 allowed the death penalty to be applied for certain hazily defined "terrorist acts". The death penalty is often applied on the basis of "ta'zir" – at the discretion of a judge without reference to any legal text prescribing the death penalty.

Lack of rights and protection for women

- There are numerous laws and practices that discriminate against women and fail to provide them with adequate protection against violence. The male guardianship system prevents women from fully enjoying their basic human rights: they need permission from a male guardian to work, travel, study, marry and access health care.
- There have recently been some well-publicised cases of women fleeing the country and their families, such as [Rahaf Mohammed](#) and the al-Subaie sisters.

Discrimination against minorities, migrant workers and stateless persons:

- The banning of Shia religious rituals and anti-Shia rhetoric in the education system, media and religious sermons.
- The kafala system makes millions of migrant workers vulnerable to exploitation.
- Saudi Arabia does not take in refugees as refugees but rather mostly as migrants.

This briefing was produced by [ALQST](#). For more information, you can visit our [website](#), read our latest [Annual Report](#) on the human rights situation, or contact ALQST's Deputy Director Josh Cooper at joshuacooper5446@gmail.com.