

**November 8, 2013**

## **Joint Letter to King Abdullah bin Abdulaziz Al Saud on Candidacy for the Human Rights Council**

**King Abdullah bin Abdulaziz Al Saud**

**Royal Court**

**Riyadh, Kingdom of Saudi Arabia**

Your Majesty,

With elections to the United Nations Human Rights Council quickly approaching, and with Saudi Arabia standing as a candidate, we are writing to urge Your Majesty's government to take concrete, visible steps to meet its obligation to "uphold the highest standards in the promotion and protection of human rights," as set forth in UN General Assembly Resolution 60/251. In advance of the November 12 elections, Saudi Arabia should signal its willingness to address ongoing human rights concerns by releasing all human rights and civil society activists jailed in 2013 solely on the basis of their peaceful exercise of freedoms of expression and association, including Abdullah al-Hamid, Mohammed al-Qahtani, Abd al-Karim al-Khudr, and Raif Badawi.

We also urge the Saudi authorities to stop ongoing prosecutions of human rights activists Mikhlif al-Shammari, Waleed Abu al-Khair, and Fadhel al-Manasif.

Saudi Arabia has increased repression of independent activists in 2013, pursuing prosecutions on vague catch-all charges, such as "breaking allegiance with the ruler," "trying to distort the reputation of the kingdom," and "participating in setting up an unlicensed organization." Several nonviolent activists, including al-Shammari, Abu al-Khair, and al-Manasif, face closed trials before Saudi Arabia's terrorism tribunal, the Specialized Criminal Court, which has a poor record of ensuring the right to an adequate defense.

In addition, dozens of others in 2013 have faced harassment, intimidation, threats of prosecution, and bans on foreign travel in response to their peaceful activism.

The continued prosecution of human rights defenders directly contradicts Saudi Arabia's claims of support for human rights and is inconsistent with a presence on the Human Rights Council. Halting the crackdown on independent activists would indicate Saudi Arabia's willingness to improve its human rights record as it campaigns for a seat on the Council.

Saudi Arabia should also set timetables for passing long-awaited legislation, such as a written criminal penal code and an associations law that comply with international standards. Though these laws have been under discussion since 2009, to the

knowledge of Human Rights Watch, authorities have taken no action toward passing them in 2013.

In the absence of a written penal code, individual prosecutors and judges have wide latitude to define and punish alleged criminal behavior based on individual interpretations of Islamic law, allowing for prosecutions on broad politicized charges such as “distorting the reputation of the kingdom.”

Saudi Arabia also lacks an associations law, forcing independent non-charity organizations to operate illegally, and leaving activists liable for criminal prosecution for “setting up an unlicensed organization.”

### **Cooperate with the Human Rights Council**

UN General Assembly Resolution 60/251 also calls for all members of the Human Rights Council to fully cooperate with the council, including with its special procedures. Earlier this week, more than 40 civil society groups wrote to you and all other UN member states emphasizing the importance of this commitment, and their expectations for states seeking elections to the Council.

Saudi Arabia has the following outstanding visit requests by special procedures:

1. Special rapporteur on freedom of expression and opinion (requested in 2004)
2. Special rapporteur on trafficking (requested in 2005)
3. Working Group on Arbitrary Detention (requested in 2008)
4. Special rapporteur on extrajudicial summary or arbitrary executions (requested in 2005, 2008)
5. Special rapporteur on freedom of religion (requested in 2006, reminder in 2008 and 2009)
6. Special rapporteur on torture (requested in 2006, 2007, and 2010)
7. Special rapporteur on human rights defenders (requested in 2012)

Saudi Arabia should immediately agree to these visits and schedule them for as soon as possible.

Saudi Arabia should also accept key recommendations made during the interactive debate of the seventeenth session of the Universal Periodic Review on October 21, 2013, including those recommending an end to the discriminatory male guardianship system, accession to major international human rights treaties such as the International Covenant on Civil and Political Rights, ending the death penalty, especially for children, and ensuring adequate human rights protections and redress mechanisms for migrant workers.

The Human Rights Council election provides an important moment for Saudi Arabia to demonstrate a commitment to addressing human rights concerns, and we appreciate Your Majesty’s consideration of those mentioned in this letter.

Sincerely,

**Hossam Bahgat**

Executive Director

Egyptian Initiative for Personal Rights

**Maja Daruwala**

Director

Commonwealth Human Rights Initiative

**Philip Lynch**

Director

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