

A draft UNGA resolution proposed by dissidents and human rights activists, as adopted in the Declaration of Dissidents for Universal Human Rights, at the We Have A Dream: Global Summit Against Discrimination and Persecution, United Nations, New York City, 22 September 2011. www.ngosummit.org

Draft Resolution for the United Nations General Assembly

Situation of human rights in the Kingdom of Saudi Arabia

The General Assembly,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights, and recalling the International Covenants on Human Rights and other relevant human rights instruments,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and the duty to fulfill the obligations they have undertaken under the various international instruments in this field,

Welcoming the 2009 Report of Yakin Ertürk, the Special Rapporteur on violence against women, on her mission to the Kingdom of Saudi Arabia, and in particular her recommendations regarding the incorporation in law of the principle of equality for women, the establishment of an independent national machinery for the advancement of women, the establishment of facilities and mechanisms for women's equal participation in all public and private institutions, and taking the necessary measures to enable women to exercise their right to vote and to stand for election in future elections,

Recalling its resolution 60/251 of 15 March 2006, particularly paragraph 8, which states that the General Assembly may suspend the rights of membership in the Human Rights Council of a member of the Council that commits gross and systematic violations of human rights,

1. *Decides* to suspend the rights of membership in the Human Rights Council of Saudi Arabia;
2. *Deplores* the situation of human rights in Saudi Arabia, where fundamental violations of human rights are woven into the social fabric, victimizing women and migrant workers in particular;
3. *Condemns* the Government of Saudi Arabia for its gross violations of the rights to freedom of expression and freedom of assembly, including the arrest of human rights activist Shaikh Mikhlif bin Dahham al-Shammari for criticizing Sunni clerics, the sacking of chief editor Jamal Khashoggi of Al-Watan newspaper for questioning Saudi Arabia's religious ideology, the sentencing of journalist Fahd al-Jukhaibid to imprisonment and lashes for writing an article, and the ban on books by prominent Saudi writer Abdo Khal;

4. *Calls upon* the Government of Saudi Arabia to guarantee the right to freedom of religion of all its citizens, to repeal legislation prohibiting the practice of all religions other than Islam, and to halt all intimidation, harassment, detention, and prosecution of individuals for practicing religions other than forms of Islam favoured by the Government of Saudi Arabia;

5. *Condemns* all abuses of freedom of religion in Saudi Arabia, and notes with particular concern the systematic persecution of Saudi Arabia's Shiite and Ismaili minorities, the imprisonment without trial of Shia human rights activist Munir Al Jassas, the arbitrary detention of Sunni human rights activist Makhlaf Daham al-Shammari for criticizing discrimination against Shiites, and the arrest in October 2010 of 12 Filipinos and a Roman Catholic priest in Riyadh by religious police;

6. *Strongly urges* the Government of Saudi Arabia to adopt a clear penal code consistent with its human rights obligations and to reform the judicial system accordingly, thereby ensuring due process and a fair trial for every Saudi citizen, and further urges the Government of Saudi Arabia to eliminate the use of torture, arbitrary detention, cruel and unusual punishment, and corporal punishment, and particularly the pervasive use of flogging, including the recent sentencing of a 13-year-old girl to 90 lashes, and the sentencing of a man to 500 lashes and five years imprisonment on charges of homosexuality;

7. *Calls upon* the Government of Saudi Arabia to investigate, prosecute, and punish all instances of intimidation, harassment, and violence against its lesbian, gay, bisexual, and transgender citizens;

8. *Condemns* the Government of Saudi Arabia for its systematic and endemic discrimination of women, for legally treating women as minors dependent on the approval of male guardians in relation to marriage, divorce, child custody, freedom of movement, work, study, and the undergoing of certain medical procedures, which leaves women at the mercy of men and exceptionally vulnerable to domestic violence, which takes place with impunity;

9. *Demands* that the Government of Saudi Arabia fulfill immediately its 2009 pledge to the Human Rights Council to dismantle the male guardianship system, to grant women equality with men before the law, to allow women to practice law, to lift all restrictions on the human rights and freedoms to which women are entitled as human beings, to end enforced segregation between women and men in public spaces, to enable women's full participation in public life, and to advance the status of women in Saudi society;

10. *Further demands that* the Government of Saudi Arabia protect women from all forms of violence and abuse, and to investigate, prosecute, and punish all instances of violence against women;

11. *Urges* the Government of Saudi Arabia to protect migrant workers from widespread abuse, particularly by eliminating legal dependence on their employers, and by investigating and prosecuting all allegations of abuse, and strongly urges the authorities to prosecute the employer who hammered 24 nails and needles into the body of Sri Lankan domestic worker LP Ariyawathie, and the employers of Indonesian domestic worker Sumiati Binti Salan Mustapa cut her face with scissors, burned her with an iron, and beat her extensively.