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Written statement* submitted by United Nations Watch, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.


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Candidature of Saudi Arabia for United Nations (UN) Human Rights Council Membership for 2021-2023

Saudi Arabia is running for election to the UN Human Rights Council (HRC) for the 2021-2023 term. Its candidacy should be rejected because Saudi Arabia does not meet the membership criteria set out in UN General Assembly (GA) Resolution 60/251.

Though one often hears the argument that it is normal for the United Nations to include all manner of countries on its Human Rights Council, even those who commit gross and systematic human rights abuses, the truth is that the presence of abusers on the Council undermines the Council's legitimacy and contradicts its own charter.

According to UNGA Resolution 60/251, which established the Council in 2006, General Assembly members are obliged to elect states to the Council by considering "the candidates' contribution to the promotion and protection of human rights and their voluntary pledges and commitments made thereto."

The resolution further provides that consideration ought to be given to whether the candidate can meet membership obligations (a) "to uphold the highest standards in the promotion and protection of human rights" and (b) to "fully cooperate with the Council."

As detailed below, Saudi Arabia is not qualified for membership in the Human Rights Council according to the above criteria.

Claims Versus Facts

Saudi Arabia has not yet made a campaign pledge, but its latest report to the UNHRC includes the following claims¹:

1. Claim: "The death sentence is only handed down for the most serious crimes and under strict conditions."

Facts: Saudi Arabia put to death 184 people in 2019—a record number for the kingdom.² The United States of America (U.S.) State Department reports that Saudi Arabia carries out the death sentence for offenses of apostasy, sorcery and adultery.³

2. Claim: "Civil society organizations work in partnership with the relevant bodies to prepare and monitor implementation of bills and draft regulations and assist with the publication of reports on human rights."

Facts: The Saudi government denies licenses to new organizations and disbands existing ones that "harm national unity," restricting many civil society groups and other non-governmental institutions.⁴ In 2016, the kingdom jailed nearly all the founders of the banned Saudi Civil and Political Rights Association (ACPRA).⁵ The country's terrorism tribunal convicted ACPRA activists Abd al-Aziz al-Shubaily and Issa al-Hamid to eight and nine years in prison respectively, in addition to lengthy travel bans based solely on their peaceful pro-reform advocacy.

¹ National report submitted in accordance with paragraph 15(a) of the annex to Human Rights Council resolution 5/1, Saudi Arabia, UN Doc. A/HRC/WG.6/31/SAU/1 (August 20, 2018).

² Saudi Arabia executed record number of people in 2019 – Amnesty, BBC (April 21, 2020), <https://www.bbc.com/news/world-middle-east-52358476>.

³ U.S. Department of State, Bureau of Democracy, H.R. and Lab., Country Reports on Human Rights Practices Saudi Arabia (2019), <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/saudi-arabia/>.

⁴ Global assault on NGOs reaches crisis point as new laws curb vital human rights work, Amnesty International (February 21, 2019), <https://www.amnesty.org/en/latest/news/2019/02/global-assault-on-ngos-reaches-crisis-point/>.

⁵ U.N. holds lavish NGO forum in Saudi Arabia while rights activists languish in prison, UN Watch (May 7, 2017), <https://unwatch.org/u-n-holds-lavish-ngo-forum-saudi-arabia-rights-activists-languish-prison/>.

3. Claim: “The laws of the Kingdom guarantee freedom of opinion and expression, on which there are no restrictions save those stipulated by law and the need to respect the rights and reputation of others, protect national security and safeguard public order, public health and public decency...”

Facts: Dissidents who dare speak out and advocate democracy or human rights are thrown into prison and tortured. Human rights activist and blogger Raif Badawi, who advocated for a more free society, was jailed in 2014 for “insulting Islam through electronic channels” and tried on several charges including apostasy. He has languished behind bars for more than seven years.

4. Claim: Saudi Arabia is “concerned with the promotion and protection of women’s rights and the empowerment of women.”

Facts: Saudi Arabia has carried out mass arrests of women’s rights activists, a number of whom have allegedly been sexually assaulted and suffered torture including whipping and electric shocks. The government jailed women’s rights activist Loujain al-Hathloul for calling on the government to lift the ban on women driving and end male guardianship laws.⁶

5. Claim: “The Kingdom is keen to comply fully with the provisions and rules of international humanitarian law and international human rights law. As such, it affirms that all military operations by the Coalition to Support Legitimacy in Yemen are conducted in a manner fully consistent with those provisions and rules.”

Facts: Saudi Arabia has committed war crimes as head of the coalition against the Houthi rebels in Yemen, where Saudi forces continue to bomb civilian areas and contribute to one of the world’s worst humanitarian crises.⁷

Human Rights Record of Saudi Arabia

- No democracy
- Death sentences for offences of apostasy, sorcery and adultery
- Corporal punishment, including flogging and amputation
- Judicial branch not independent
- Court testimonies by women, non-practicing Sunnis, Shiites and other minorities not considered equal before the law, and may be discounted at judge’s discretion
- Highest number of executions since 1995, often public
- Apostasy and blasphemy punishable by death
- Frequent arbitrary arrests of dissenters and minorities
- Restrictions on free speech
- Complete state censorship of media
- No freedom of assembly and association
- Limitation on academic freedom
- Restrictions on civil society
- Systematic violence and discrimination against women
- Persecution of human rights defenders

⁶ Joseph Hincks, “She’s Starting to Lose Hope.” Two years on, Sister of Jailed Saudi Women’s Rights Activist Pleads for Justice, Time (May 15, 2020), <https://time.com/5837473/loujain-al-hathloul-torture-saudi-arabia/>.

⁷ Saudi-UAE coalition carries out air raids on Yemen’s Sanaa, Al-Jazeera (March 30, 2020), <https://www.aljazeera.com/news/2020/03/houthis-saudi-uae-coalition-carried-air-raids-sanaa-200330113705140.html>.

- Discrimination and violence against lesbian, gay, bisexual, transgender and intersex persons (LGBTI)

Saudi Arabia is governed by an absolute monarchy and theocracy. Citizens have no ability to influence government through democratic practices. The judiciary is highly influenced by the government and is dictated by Sharia law.⁸

The government and courts systematically deny freedoms of expression and the media, prosecuting and imprisoning dissenters and peaceful critics of government policies or the Islamic religion. Raif Badawi, a Saudi blogger, was convicted in 2014 for insulting Islam and was sentenced to ten years in prison. He was publicly flogged 50 times.⁹ There is also no religious freedom in Saudi Arabia.¹⁰

In 2019, Saudi Arabia carried out a record 184 executions, many for non-violent crimes like drug offences.¹¹ Apostasy and blasphemy are also punishable by death. In April 2019, there was a mass execution of 37 people who had been convicted of “terrorism” based on confessions extracted through torture.¹²

Same-sex sexual conduct is a crime punishable by death in Saudi Arabia. It is also illegal for a man to have “feminine behavior.”¹³ Because of severe discrimination and violence, Saudi Arabia has no organizations to promote LGBTI rights.

Saudi Arabia has one of the most restrictive male guardianship systems in the world that denies women freedom to make basic choices about their lives without approval of a male guardian. Though the system was reformed in August 2019, allowing women over 21 to obtain passports without approval of their guardians, guardians still can file cases of “disobedience” and “absence” and have women arrested.¹⁴ Moreover, many aspects of the guardianship system remain intact, including the requirement for permission to marry.¹⁵

Saudi Arabia heads the coalition against the Houthi rebels in Yemen. Since March 2015, more than 100,000 Yemenis have been killed and 3.6 million displaced.¹⁶ More than 11 million Yemenis struggle to find food and nearly 2 million children are suffering from acute

⁸ Freedom in the World 2020: Saudi Arabia, Freedom House (2020), <https://freedomhouse.org/country/saudi-arabia/freedom-world/2020>.

⁹ Saudi blogger Raif Badawi gets 10 year jail sentence, BBC (May 8, 2014), <https://www.bbc.com/news/world-middle-east-27318400>; Saudi Arabia: Free Blogger Publicly Flogged, HRW (January 10, 2015), <https://www.hrw.org/news/2015/01/10/saudi-arabia-free-blogger-publicly-flogged>.

¹⁰ U.S. Department of State, Bureau of Democracy, H.R. and Lab., Country Reports on Religious Freedom Saudi Arabia (2018), <https://www.state.gov/reports/2018-report-on-international-religious-freedom/saudi-arabia/>.

¹¹ Death penalty 2019: Saudi Arabia executed record number of people last year amid decline in global executions, Amnesty International (April 21, 2020), <https://www.amnesty.org/en/latest/news/2020/04/death-penalty-2019-saudi-arabia-executed-record-number-of-people-last-year-amid-decline-in-global-executions/>.

¹² Id.

¹³ Laura Begley Bloom, 20 Most Dangerous places for Gay Travelers (And The 5 safest), Forbes (November 25, 2019), <https://www.forbes.com/sites/laurabegleybloom/2019/11/25/most-dangerous-places-safest-lgbtq-gay-travelers/#6c2485761169>.

¹⁴ Loopholes riddle Saudi reforms on ‘guardianship’ of women: Report, Al Jazeera (October 23, 2019), <https://www.aljazeera.com/news/2019/10/loopholes-riddle-saudi-reforms-guardianship-women-report-191023062306285.html>.

¹⁵ Marwa Rashad, Saudi Arabia women’s rights reforms may still be thwarted by custom, Reuters (August 5, 2019), <https://www.reuters.com/article/us-saudi-women-guardianship/saudi-arabia-womens-rights-reforms-may-still-be-thwarted-by-custom-idUSKCN1UV1Q4>.

¹⁶ Adel Al-Khadhir, Ahmed al-Ansi, Displaced and scared: Yemenis still in Limbo after almost five years of war, Reuters (January 15, 2020), <https://www.reuters.com/article/us-yemen-security/displaced-and-scared-yemenis-still-in-limbo-after-almost-five-years-of-war-idUSKBN1ZE0RO>.

malnutrition.¹⁷ In the first week after a cease fire was declared in April 2020, the Saudi coalition carried out 106 air strikes in Yemen.¹⁸

UN Voting Record

Negative: Saudi Arabia abstained on a resolution in the General Assembly that spoke out for human rights victims in the Islamic Republic of Iran, although it supported the ones on the Democratic People's Republic of Korea and the Syrian Arab Republic. Saudi Arabia backed human rights abusers through a resolution denying the right to sanction such governments. At the Human Rights Council, Saudi Arabia abstained on resolutions supporting human rights victims in Belarus and Ukraine and voted against a resolution on gay rights.

¹⁷ A passion to save children suffering from malnutrition, United Nations Children's Fund (June 26, 2019), <https://yemen.un.org/en/19065-passion-save-children-suffering-malnutrition>.

¹⁸ Bel Trew, Saudi-led coalition bombs Yemen 'dozens' of times, Independent (April 17, 2020), <https://www.independent.co.uk/news/world/middle-east/coronavirus-yemen-coalition-bombs-saudi-ceasefire-news-a9470801.html>.