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Written statement* submitted by the Organization for Defending Victims of Violence, 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.

[10 February 2016]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).



Shia Minority Rights in Saudi Justice System

According to International law, minority rights should be protected once they are in contact with a criminal justice system and discrimination against them in such a system is prohibited.

Within the Saudi judicial system, the Shia face various cases of discrimination including: arbitrary arrests, denial of access to justice, discriminatory verdicts and religiously motivated charges. In January 2, 2016 Saudi Arabia's authorities demonstrated their disregard for human rights by executing 47 people in a single day. Those put to death included prominent Shi'a Muslim cleric Sheikh Nimr Baqir al-Nimr, whose death stirred up widespread discontent.

The human rights organizations consider his trial to have been political and "grossly unfair" and his charges to be vague, based largely on his peaceful criticism of Saudi officials. The organizations accuse Saudi of using death sentences in name of "counter-terror" in order to crush and silence dissidents.

Sheikh Nimr al-Nimr was a vocal critic of the Saudi Arabian government and among seven activists whose death sentences were upheld earlier in 2015. They had all been arrested for participating in Shia protests in 2011, and for calling for political reform.

While activists such as Sheikh Nimr urge the Saudi government to eliminate discrimination against minorities, the kingdom prefers to react with death sentences rather than making efforts to recognize the minority rights and providing them with opportunities equal to the majority.

The Shia minority suffer from various sorts of breaches to their rights, including the right to worship in mass, repair and maintain places of worship, equal job opportunities, freedom of expression and belief and their right to equal treatment by the police and the judicial system.

The Shia are usually faced with police violence while peacefully exercising their human rights. Government offices ban Shia religious observations and policemen prevent Shia from enjoying their rights of worship. Members of religious police attack the belief system of Shia, stating that they are considered infidels.

Members of the Shia minority who protest the discrimination are arrested in Saudi and face arbitrary arrests, arbitrary and flawed trial, denial of access to justice, discriminatory verdicts, religiously motivated charges, torture, and the prospect of execution for terrorism.

Another aspect of discrimination against the Shia in the judicial system can be seen in the scarcity of Shia Judges. The number of Shia judges in the Judiciary is extremely limited and there are few Judges who rule only in the Shia cities of the kingdom.

Considering the systematic discrimination against Shia minorities by the Saudi police force and the monarchy's justice system, Organization for Defending Victims of Violence (ODVV) urges Saudi Arabia, as a HRC member State, to meet all its commitments under international human rights law, especially intensify its efforts to protect minority rights, especially Shia rights. We also call on the Kingdom to cooperate with HRC thematic rapporteurs to address the cases of minority rights violations.

ODVV calls on the Special Rapporteur on freedom of religion and belief to study and assess the cases of minority rights violations especially discrimination against Shia in Saudi Arabia.

ODVV also urges the forum of minority Issues to study the alleged cases of discrimination against the Shia in Saudi Arabia including the reports of the alleged human rights violations in the legal and Judicial System, offering practical recommendations.

Since oppression against minorities and violence against them brings about more violence, ODVV calls on the Saudi government to seriously address all cases of violence against the Shia minority and bring perpetrators to justice.

Considering the fact that sectarian rhetoric, especially advocacy of hatred towards the Shi'a, which has been on the rise in Saudi, fuels the flames of sectarian violence, ODVV urges the Saudi government to seriously discourage the expression of hatred toward the Shia minority.

ODVV urges the Monarchy to abide by the international human rights law and take practical steps to eliminate the longstanding discriminations against the Shia minority.
