



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Summary record of the 1402nd meeting

Held at the Palais Wilson, Geneva, on Friday, 22 April 2016, at 10 a.m.

Chair: Mr. Modvig

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 19 of the Convention (*continued*)

Second periodic report of Saudi Arabia (CAT/C/SAU/2; CAT/C/SAU/Q/2 and Add.1 and 2)

1. *At the invitation of the Chair, the delegation of Saudi Arabia took places at the Committee table.*
2. **Mr. Al-Shahrani** (Saudi Arabia) said that the second periodic report had been prepared in consultation with all relevant Government agencies and civil society. In 2015, a national standing committee, comprising several Government agencies, had been established to prepare reports for the human rights treaty bodies. The committee was intended to strengthen capacity to implement human rights conventions and recommendations, submit reports in a timely manner, coordinate data collection and analysis and consult civil society. The anti-torture strategy adopted by his Government was based on constitutional principles that stemmed from Islamic sharia and national and international law, including the Convention. The strategy was reinforced by an effective criminal justice system that encompassed monitoring and follow-up mechanisms.
3. Torture was criminalized and punished, among others, by Islamic sharia, Decree No. 43 of 1958, the Convention and the Code of Criminal Procedure, which were implemented through training programmes and procedures for investigations, prosecutions and trials. A new penal system was being developed to combat the abuse of power, which would include the definition of torture provided in the Convention. A pending national guide on the implementation of international conventions had been drafted under the Memorandum of Understanding on technical cooperation concluded with the United Nations High Commissioner for Human Rights. Recent activities under the Memorandum included a seminar on the Convention against Torture, while the plans for the period 2016-2017 included activities related to the Convention.
4. Efforts at the national level included the establishment of a specialist centre for complaints of domestic violence that was operated around the clock by an all-female team. The centre allowed rapid intervention in cases of abuse and coordinated with Government bodies and civil society. Places of detention were monitored through independent control mechanisms and were subject to the supervision of the judiciary, the Bureau of Investigation and Public Prosecution and the Human Rights Commission. Civil society played a role through the National Society for Human Rights, which could perform inspections and receive complaints, and the Shura Council, which monitored the performance of Government agencies.
5. The importance attached to developing the judiciary and reviewing national legislation to protect human rights was evident in the periodic report, the replies to the list of issues and the new Code of Criminal Procedure — which provided guarantees at all stages of investigation and trial, prohibited the torture or degrading treatment of defendants and required that detained persons were made aware of their rights, including the reason for their arrest or detention. A committee had been established to draft a Judicial (Fiqh) Decision Law that would record and codify the crimes and punishments provided for in Islamic sharia. The Saudi Lawyers Committee had been established in 2014 and would regulate the legal profession and strengthen the role of lawyers in protecting human rights and providing free legal assistance. A new statute of the Commission for the Promotion of Virtue and the Prevention of Vice had revised its mandate and set out the procedures for coordination with law enforcement agencies. The statute of the Human Rights Commission

had been amended to ensure that the Commission was directly affiliated with the King, which bolstered its independence and capacity to protect human rights.

6. **Ms. Gaer** (Country Rapporteur) drew attention to allegations that members and founders of human rights organizations in the State party had been deprived of their liberty and in some cases sentenced to prison. She welcomed the preparation of a draft penal law that would define and criminalize torture and asked for a copy of the text, in order to assess whether it fully incorporated article 1 of the Convention, and for information on the punishments for torture provided for in that bill and the time frame for its adoption.

7. She asked whether the Government had taken steps to remove corporal punishment as a penalty for criminal offences, since its use constituted a violation of the Convention. With respect to claims that the Government did not have the authority to remove corporal punishment as a penalty where it was required by sharia law, obligations under the Convention could not be eliminated by any exceptional, national or other measures. In addition, she wished to know why the State party continued to authorize corporal punishment for crimes other than those that it claimed required corporal punishment under sharia law. She highlighted the case of Raef Badawi, a human rights activist whose sentence included severe flogging that had been recognized as torture by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (A/HRC/31/57/Add.1). No response had been provided to the question in the list of issues on why Mr. Badawi had not been pardoned or had his sentence commuted, given the views of the Special Rapporteur on torture and the concern expressed by the Committee with regard to his case. She asked whether the State party would commit to pardoning persons sentenced to corporal punishment in order to adhere to the Convention.

8. Annex 9 to the report contained data on the abuse of authority, which was a broader category than torture and ill-treatment. Disaggregated information should therefore be provided on cases in which public officials were found to have inflicted severe pain or suffering on persons held in custody in order to obtain a confession or as a means of punishment. In the absence of that information, the delegation should provide details of a selection of cases referred to in annex 9 in which officials had been prosecuted and sentenced to prison, including the officials' rank, sentence and punishable conduct. Data should also be provided on the period since 2011, in particular examples of cases of public officials who had violated the Convention and the details of their sentences. She asked for information about the case of Waleed Abu al-Khair, who had allegedly been subjected to torture and ill-treatment at prisons in Riyadh and Jeddah.

9. The delegation should comment on allegations that detainees did not benefit from legal safeguards against torture within the first 48 hours of their detention due to the text of the Code of Criminal Procedure. Reports indicated that detainees were regularly interrogated without the presence of a lawyer and that lawyers required the approval of the Bureau of Investigation and Public Prosecution to represent clients. The delegation should describe efforts to ensure that the entitlement of all persons to access to a lawyer of their choice, with whom they could confer in confidence, and to contact a family member within 48 hours of their detention was set out clearly in law. She asked whether the Government intended to repeal the exception that permitted incommunicado detention for a period of up to 60 days. The delegation should provide the data requested in the list of issues on officials who had been disciplined for failing to provide legal safeguards against torture, including access to lawyers, family members and medical expertise.

10. Given that the Bureau could delay the initial presentation of a detainee to the judicial authorities for six months, she asked what measures had been taken to ensure that detainees enjoyed the right to appeal their detention and were promptly brought before a judicial authority competent to order their release. Information would be appreciated on successful

appeals for release from detention on the ground that it was arbitrary and cases where officials had been disciplined for failing to bring charges against detainees.

11. She asked whether the State party intended to include health information and information on interrogations in registers of detainees, whether any official had been disciplined for failing to keep appropriate registers and whether the information held in such registers was available to government officials and detainees' lawyers and family members. The delegation should clarify whether audiovisual footage of interrogations had been used in legal proceedings on torture and ill-treatment and who had access to that footage.

12. She asked the delegation to comment on the cases of Mohammad Salih al-Bajadi and Waleed Abu al-Khair and any investigation of allegations that they had been denied legal safeguards against torture, in particular access to their chosen counsel. She asked whether any officials had been disciplined or prosecuted for failing to provide legal safeguards in those cases.

13. The delegation should provide the information requested in the list of issues regarding the number of persons currently deprived of their liberty by the Al-Mabahith (the Ministry of the Interior's General Intelligence Service), the monitoring of Al-Mabahith detention facilities and disciplinary cases against Al-Mabahith officers for failing to provide legal safeguards or committing torture or ill-treatment. She highlighted the cases of Saud Mukhtar al-Hashmini and Sulaiman al-Rashoudi, and asked for information on the outcome of investigations into claims that they had been denied their rights to contact a lawyer and a family member.

14. She asked whether the State party was considering revising what appeared to be its troubling and excessively broad definition of a terrorist crime, which, under the Penal Law for Crimes of Terrorism and its Financing, was any act "intended to disturb public order or undermine the security of society and stability of the State or endanger national unity". In the same connection, she would appreciate clarification of whether the authorities believed that the conduct of Alaa Brinji, a journalist who had reportedly been given a 5-year prison sentence under the Penal Law for doing nothing more than tweeting in support of Saudi Arabian human rights activists and prisoners of conscience, qualified as terrorism. She wondered whether Mr. Brinji's case was being reviewed and whether any efforts were being made to ensure that non-violent human rights advocacy work, such as that done by Abdulkareem al-Khoder, who had allegedly been convicted of terrorist crimes for having called for demonstrations against the Government, was not mistaken for terrorism. Did the Government believe that monitoring and reporting on human rights was a threat to the security and stability of the State?

15. She said that it would also be interesting to know how many people had been convicted, not simply detained, under that counter-terrorism legislation. She wished to know whether the State party was considering amending the legislation to ensure that persons deprived of their liberty were afforded such safeguards as the right to consult a lawyer from the outset of their detention and the right to make prompt contact with family members. She would welcome information on whether the Saudi authorities had reviewed the convictions of Fadhil al-Manasif, Ali al-Nimr, Dawoud al Marhoun and Abdullah al Zaher, whose claims that their confessions had been coerced had been dismissed. She wondered whether the criminal courts had ever excluded evidence on the grounds that it had been obtained through torture and whether, given its shortcomings, any consideration had been given to abolishing the Specialized Criminal Court that had been set up to try terrorism cases.

16. She requested confirmation of the information that members of the Commission for the Promotion of Virtue and the Prevention of Vice did not have the authority to make

arrests or carry out identity checks. Answers to the questions that had been posed in paragraph 7 of the list of issues (CAT/C/SAU/Q/2/Add.1) would be especially welcome.

17. She asked how the members of the Human Rights Commission were appointed and how and by which authority they could be removed. It would also be interesting to learn how the 19 complaints of abuse investigated by the Commission in 2015 compared to the numbers investigated in earlier years, what exactly the complaints involved and what had happened with the single complaint that had been deemed sufficiently serious to forward to the Bureau of Investigation and Public Prosecution. In addition, she asked the delegation to elaborate on the contents of the 75 recommendations made by the Commission to promote and protect human rights and wondered whether its reports on its prison visits were made public. What measures were being taken to ensure that prisoners knew that they could submit complaints to the Commission?

18. **Mr. Zhang** (Country Rapporteur) said he welcomed the news that the preparation of the State party's reports involved not only all relevant public agencies but also civil society. He also welcomed a number of other developments. The State party's Ministry of Health, for example, was to be commended for training health practitioners to identify the physical signs of torture and other forms of violence. The training activities carried out by the Human Rights Commission were likewise commendable. He nonetheless wished to know whether training on the prohibition of torture was compulsory for all public officials likely to come into contact with persons subject to any form of detention, including military and intelligence personnel and members of the Commission for the Promotion of Virtue and the Prevention of Vice.

19. He asked whether it was true that, as reported by NGOs, pretrial detainees accounted for more than 65 per cent of the State party's prison population. He also asked whether the State party had any plans to record all interrogations of suspects, including in cases involving terrorism, and to ensure that detainees could confer in confidence with their lawyers. Was there a handbook for officials that explained their obligations under the Convention? Were there standard operating procedures for the conduct of interrogations?

20. He said that he would welcome additional information about the figures for prison visits and cases examined in the table in paragraph 59 of the replies to the list of issues (CAT/C/SAU/Q/2/Add.2). It would be interesting to know, for example, how many of the cases had involved allegations of torture, who had investigated them and what the outcome had been. He asked whether the State party intended to establish a fully independent prison monitoring system that, unlike the Bureau of Investigation and Public Prosecution, did not answer to the Ministry of the Interior.

21. He would appreciate an explanation of how military and intelligence personnel could be prosecuted for having committed acts of torture and an indication of the standards that were used to determine the responsibility of senior officers in the event that their subordinates committed acts of torture. More information about the follow-up to complaints submitted to the Board of Grievances would be welcome, as would a comment from the delegation on reports that neither the Human Rights Commission nor the National Society for Human Rights had been able to spur the authorities into any action after their visits to places of detention. Had the people who had remained in detention despite the Board's findings that their detention was arbitrary been awarded compensation?

22. He asked whether the State party could indicate the number of victims of torture who had been offered redress, including rehabilitation, during the reporting period. He also requested clarification of whether the compensation of such victims required a court order and whether they were able to obtain redress, including appropriate medical care, even if the alleged perpetrator was not found guilty.

23. Regarding article 15, he asked whether the State party intended to amend its Code of Criminal Procedure to state explicitly that evidence obtained through torture was inadmissible, what steps the authorities took to ensure that no statement that might have been made as a result of torture was invoked as evidence in any proceedings and what measures were taken when allegations of torture were made before the courts. In addition, he asked whether the delegation could indicate the number of cases where such allegations had been made.

24. He wished to know whether all detainees, including those being held on suspicion of terrorism, had access to a confidential complaints mechanism. He would welcome examples of actions taken by the State party after it had received complaints of mistreatment or poor prison conditions. Was the State party considering repealing article 119 of the Code of Criminal Procedure in order to end its reliance on incommunicado detention and solitary confinement? What steps were being taken to ensure that detainees had access to an independent physician from the outset of their detention?

25. In view of numerous reports of overcrowding in the State party's prisons, he asked whether the delegation could provide detailed figures on the average number of occupants per cell and the number of detainees awaiting trial in Khobar Prison, Buraiman Prison and others. Reports had also been received that the exercise of the right of free association was often viewed as a subversive act and penalized accordingly. He therefore asked whether the State party would consider taking steps to ensure respect for that right by releasing persons who had been detained for exercising it, in particular members of the Association for Civil and Political Rights. He would welcome an explanation of the reason for the apparent increase in the number of death sentences carried out in 2016, which was on course to exceed the figure for 2015.

26. **Mr. Bruni** asked whether the considerations that had led the State party to enter a reservation to article 20 of the Convention still applied and, if not, whether the reservation might be withdrawn; whether the possibility of recognizing the Committee's competence to consider individual communications under article 22 was on the agenda; and when the State party might ratify the Optional Protocol to the Convention.

27. Certain aspects of the State party's criminal legislation gave him cause for concern and required clarification. He would appreciate assurances, firstly, that the requirement established in article 34 of the Code of Criminal Procedure, pursuant to which investigating officers were required to hear arrested suspects' statements immediately, could not under any circumstances override the requirement that a lawyer be present, and, secondly, that article 102 of the Code, which authorized the interrogation of suspects outside police premises and thus, potentially, in isolated places or in vehicles, did not give interrogators leeway for abuse of power. With regard to article 38 of the Code of Criminal Procedure, establishing the right of detainees to submit written or verbal complaints to prison wardens, he would like to know whether independent redress mechanisms were in place to receive complaints of abuse of authority or ill-treatment when, as was often the case, the prison warden was the subject of the grievance. He would also like an explanation for the huge disparity between the 10-year prison term prescribed for acts of torture in Decree No. 43 of 1958 and the exceptionally lenient 6-month term prescribed in article 171 of the Internal Security Forces Act for military and civil officials who perpetrated acts of torture.

28. Drawing attention to an anomaly in the figures given in annex 1 of the periodic report for the number of visits made to prisons and places of detention by the Bureau of Investigation and Public Prosecution, he asked whether the delegation could provide more precise statistics; whether the Bureau had access to all categories of detainees, including those in solitary confinement; whether its visit reports and recommendations were publicly available; and what follow-up its recommendations received. He would welcome the delegation's comments as to the accuracy of NGO reports that the Bureau lacked

independence, notably because its Chairman was nominated by the Minister of the Interior, as well as details of any visits that the Bureau, or any other organization authorized to visit places of detention, had made to either `Ulaysha Prison in Riyadh or Al-Ha'ir Prison to the south of Riyadh. If such visits had taken place, he would like to know the findings and recommendations, and whether they had been made public.

29. **Ms. Belmir**, emphasizing the importance of clearly defined, legally established rules, roles and responsibilities in preventing torture, said that the standardization and codification of criminal legislation in Saudi Arabia had not yet reached levels sufficient to guarantee accountability. She urged the State party to harmonize and clarify criminal legislation so as to ensure that the practices employed by Al-Mabahith and other law enforcement agencies did not depart from the framework of the law. It was vital for all law enforcement officers to understand that human dignity and physical well-being were inviolable, whatever acts a person was thought to have committed.

30. It was regrettable that the State party was close to the top of the world rankings for executions. Of special concern was the fact that minors who engaged in criminal acts when 13 or 14 years old could be sentenced to death, detained until they reached maturity and then executed. Equally worrying was the possibility that persons sentenced to death for criminal offences committed while legally sane who had subsequently lost their mental capacity while in prison could face execution despite being legally insane. She would appreciate the delegation's comments on those concerns.

31. She would also like clarification as to how the State party ensured that the requirement to use all appropriate means to uncover the reasons for a person's silence that was imposed upon officers of the Directorate of Public Security did not serve as an invitation to torture; an explanation as to why it had been considered necessary to expel en masse around 4 million foreign workers deemed no longer to meet the conditions for employment in Saudi Arabia; and details of any measures in place to ensure adequate protection for female foreign workers employed under the *kafala* (visa sponsorship) system, which, according to reports, left many women entirely at the mercy of employers who could, if they so wished, refuse them permission to leave or even to contact their family or embassy. In that area, as in others, the State party needed to harness its copious resources and use them to formulate clearer rules and regulations that prevented abuse and guaranteed respect for human dignity.

32. **Mr. Hani** asked when the State party planned to incorporate the definition of torture contained in article 1 of the Convention into national legislation, noting that, as specified in paragraph 8 of general comment No. 31 of the Human Rights Committee, which applied to all United Nations human rights treaties, ratification of the Convention against Torture should not be viewed as an alternative to or substitute for domestic criminal or civil law. He would like also clarification as to whether the draft legislation on crimes of abuse of power and acts of torture to which Ms. Gaer had referred earlier would constitute part of the new penal law or would be a discrete act dealing exclusively with such offences.

33. Recalling that a number of treaty bodies in addition to the Committee against Torture had urged States parties that practised corporal punishment to review their position, he asked whether the State party's silence with regard to the interpretative declarations deposited by Luxembourg and the Netherlands in relation to article 1 of the Convention could be construed as a tacit acceptance of the principle that the term "lawful sanctions", as used in that article, should be considered to include only those sanctions that were lawful under both national and international law. On that assumption, he wondered whether the State party might consider following the path taken many years previously by a number of Islamic countries, including Morocco and Turkey, and replacing the penalties mandated under sharia law for *hudud* offences such as adultery and defamation with punishments that were accepted under international law. Noting that judges in Saudi Arabia had a tendency

also to apply *hudud* penalties in *qisa* and *tazir* cases for which such punishment was not prescribed under Islamic law, he wondered whether the State party's new penal law would reinforce the Islamic principle that reserved the use of *hudud* punishment solely for *hudud* offences. Up-to-date statistics on the use of corporal punishments such as amputation and flogging would be useful.

34. Echoing concerns previously raised by the Committee on the Rights of the Child about the application of corporal and capital punishment to minors, he asked what safeguards were in place to ensure that children in conflict with the law were adequately protected. With regard to capital punishment in particular, in view of the fact that the death penalty was increasingly being handed down in drug-related cases, he would appreciate an explanation of the criteria that guided decisions to impose a sentence that, pursuant to international law, should be reserved exclusively for the most serious crimes. He would also like to know what was being done to ensure that children did not witness public executions and, ultimately, to prohibit that practice altogether. Would such a prohibition be included in the new penal law?

35. He had been shocked to learn that national legislation on detention and arrest gave prison officers the authority to lash and shackle prisoners. He urged the State party to review those provisions, which ran counter to its reply to paragraph 2 of the list of issues, in which it stated that administrative authorities were not empowered to impose corporal punishment. A review of the legal provisions that authorized prison authorities to inter the bodies of deceased prisoners immediately if their families did not collect the corpse by the stipulated time was also required.

36. Lastly, he would like to know when the new law on the Commission for the Promotion of Virtue and the Prevention of Vice would enter into force and which body would be responsible for monitoring its implementation, especially in view of reports which suggested that the punishments imposed on those who infringed the new law would be determined by a special consultative committee rather than by the judicial authority.

37. **Mr. Touzé** said that the imposition of judicial sentences involving corporal punishment was incompatible with the State party's obligations under the Convention. Serious concern regarding such practices had been expressed by the High Commissioner for Human Rights, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Human Rights Committee, the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women. As the State party's response to question 2 of the list of issues challenged the very foundations of the Convention, he asked whether there was any prospect of conducting a constructive and interactive dialogue on the issue of corporal punishment.

38. The State party claimed that the Convention could be invoked by defendants before the country's courts. He requested information regarding specific cases in which it had been invoked and enquired about the response of the courts concerned. Were there cases in which judges had recognized that the defendants' rights had been violated?

39. **Ms. Pradhan-Malla** noted from the Human Development Report for 2015 that Saudi Arabia had been ranked among the countries with "very high human development". However, economic empowerment needed to be combined with commitment to the rule of law and to ensuring freedom for everyone, including non-citizens, from fear of torture and ill-treatment.

40. According to the reply to question 16 of the list of issues, no request from a State for extradition of a person suspected of having committed an offence of torture had been rejected. She requested information regarding the number of requests received.

41. According to the reply to question 17, the Kingdom's diplomatic personnel did not enjoy immunity from prosecution. She enquired about cases in which legal action had been taken against diplomats.

42. According to paragraph 19 of the Basic Principles on the Independence of the Judiciary, judges should be subject to suspension or removal only for reasons of incapacity or behaviour that rendered them unfit to discharge their duties. In the State party, however, the King could dismiss the Chief Justice by royal decree and a judge had been dismissed in 2013 because he had acquitted a defendant in a terrorism case. She asked whether any reforms to the judiciary were being contemplated that would enhance its independence from the executive and ensure that judges were not subject to disciplinary action or prosecution for action taken in their judicial capacity.

43. Welcoming the frequent visits by the Human Rights Commission and the National Society for Human Rights to prisons and detention facilities, she asked whether they had resulted in any recommendations and, if so, whether recommendations had been implemented by the authorities.

44. She enquired about measures to protect women from violence in prisons and detention facilities and about arrangements for attending to their special needs.

45. According to the Special Rapporteur on violence against women, its causes and consequences (A/HRC/11/6/Add.3), women migrants, refugees and asylum seekers were frequently victims of physical, sexual and verbal abuse, and domestic workers were sometimes locked up in the house where they were employed. She asked whether any action had been taken to address those issues.

46. Welcoming the information that rape and domestic violence were criminalized, she asked whether any steps had been taken to criminalize rape in marriage. She also wished to know how many complaints of violence against women filed in recent years had resulted in investigations, prosecutions and convictions.

47. Noting that the delegation was headed by the Deputy President of the Human Rights Commission, she queried the Commission's independence from the executive and its compliance with the Paris Principles.

48. **The Chair** commended the State party on its acceptance of the vast majority of recommendations submitted during its appearance in 2013 before the Working Group on the Universal Periodic Review (A/HRC/25/3). For instance, it had accepted the recommendation by the State of Palestine that Saudi Arabia should accelerate the issuance of civil society regulations to activate civil work in the areas of protecting and promoting human rights, develop the capacities of workers in that area and guarantee their freedom and independence. He asked whether civil society could play a role in documenting human rights violations such as torture and ill-treatment by public officials, and whether it could monitor detention facilities and make recommendations aimed at bolstering the protection of detainees.

49. As many problems encountered in detention facilities related to health issues such as access to health care, mental health problems, inadequate hygiene and nutritional shortcomings, he asked whether persons with medical expertise and the ability to detect signs of torture and ill-treatment were included in the teams that visited places of detention.

50. **Ms. Gaer** noted that the Bureau of Investigation and Public Prosecution examined extradition requests with a view to ascertaining that the person to be extradited would not be subjected to torture. She asked whether it had recently denied any requests for extradition on that ground.

51. While the Committee welcomed the State party's admission of large numbers of Syrian and Yemeni refugees as well as Rohingya refugees from Myanmar, it was concerned about reports that many other refugees were being summarily deported to countries such as Somalia if they engaged in public action that was prohibited by the State party or if they had signed a contract requiring them to refrain from exercising certain inalienable rights. She requested statistics on the number of deportations to Somalia, South Sudan and Eritrea in recent years.

52. She asked whether the State party had considered acceding to the Convention relating to the Status of Refugees and the Protocol thereto.

53. She noted with concern that Saudi Arabia had received a low ranking in the 2015 Trafficking in Persons Report issued by the United States Government. Children from Yemen, Nigeria, Pakistan, Afghanistan, Chad and the Sudan were allegedly trafficked to the country and subjected to forced labour as beggars and street vendors governed by criminal gangs. In addition, some police officers reportedly continued to arrest, detain and charge runaway illegal migrant workers who might be trafficking victims. She asked whether procedures were being developed to identify the perpetrators of trafficking crimes and their victims at an early stage.

54. The former First Secretary at the Saudi Embassy in New Delhi, Mr. Majed Hassan Ashoor, had allegedly held two Nepali women captive and subjected them to sexual abuse. She asked whether the allegations had given rise to investigations and judicial proceedings.

55. Welcoming the measures taken by the National Society for Human Rights to prevent domestic violence and the establishment of a hotline centre to which victims had access around the clock, she enquired about the number of prosecutions since domestic violence had been declared a criminal offence.

56. She noted that the National Society for Human Rights had undertaken 31 prison visits in 2014 and that 368 complaints of abuse or unlawful treatment had been received since 2004. She asked how many complaints had given rise to criminal investigations and prosecutions and how many had constituted violations of the Convention.

57. Referring to question 27 of the list of issues, she noted that although diplomatic bodies and international delegations had conducted 91 visits to prisons between 2012 and 2016, no complaints had been filed. As that was highly unusual, she enquired about the nature and quality of the diplomatic visits and international delegations.

58. The Committee had enquired in question 11 of the list of issues about the disbanding of the Civil and Political Rights Association and the arrest and imprisonment of a long list of human rights defenders. At least six of the persons listed had been prosecuted in 2015 or had their prison sentences confirmed. The Committee had also been informed that the State party had denied licences to operate human rights organizations and had disbanded the Al-Adalah Centre for Human Rights, the Union for Human Rights and the Monitor of Human Rights. She enquired about the reasoning that had led to such action and requested the State party to reaffirm its respect for the work of human rights defenders and its recognition of the legitimacy of peaceful criticism. She also recommended that the State party should review the aforementioned cases with a view to releasing anyone who was detained solely on the ground of criticizing the State.

59. **Mr. Hani**, referring to the statement in the State party's reply to question 35 of the list of issues that the rehabilitation of victims of torture or abuse was guaranteed by the Kingdom's health laws, asked whether the State party contributed to the United Nations Voluntary Fund for Victims of Torture, which promoted rehabilitation at the international level.

60. Article 6 of the Imprisonment and Detention Regulations issued in 1977 provided for the establishment of a higher council for prisons. He asked whether such a council existed and, if so, whether it was taking steps to improve the situation in detention facilities. Article 13 of the Regulations stipulated that pregnant detainees should benefit from favourable treatment. He enquired about the definition of the word “favourable” in that context and asked whether any relevant statistics were available. Article 17 stipulated that Muslim detainees should be allowed to practise their religion. He asked whether similar facilities were provided for non-Muslims. Lastly, he enquired about cases in which article 28, which prescribed sanctions for all forms of aggression against detainees, had been applied.

61. If the State party was genuinely concerned about guaranteeing acceptable conditions in detention facilities, he failed to understand why, according to its reply to question 12 of the list of issues, it had “no intention” of acceding to the Optional Protocol to the Convention. He asked whether it might reconsider that position in the future.

The meeting was suspended at 12.45 p.m. and resumed at 12.55 p.m.

62. **Mr. Al-Shahrani** (Saudi Arabia) said that the Code of Criminal Procedure had been published in Arabic, English, French and other languages and was made available on arrest to all detainees. They were also informed at every stage of the proceedings of their rights and obligations. Investigations were not conducted by the police and law enforcement officers but by the independent Bureau of Investigation and Public Prosecution. Arrestees remained in police custody for a maximum of 48 hours and they were entitled to the services of legal counsel.

63. Some provisions of the Imprisonment and Detention Regulations were outdated and had been amended by the Code of Criminal Procedure. New regulations had been drafted and would be enacted in due course.

64. Complementary monitoring of prison facilities was conducted by governmental bodies, civil society organizations and foreign diplomatic representatives. Parliamentary oversight also existed. Where human rights violations were ascertained, the perpetrators were invariably held accountable.

65. As already noted, the Kingdom had criminalized torture in 1958, 26 years before the adoption of the Convention, thereby demonstrating its political will to combat all forms of torture and ill-treatment perpetrated by any actors, particularly public officials. The Code of Criminal Procedure guaranteed that perpetrators would be held accountable and that victims would be compensated.

66. He drew attention to the fact that Saudi Arabia had never declared a state of emergency during which rights were suspended, notwithstanding the fact that it had faced serious challenges on many occasions.

The meeting rose at 1 p.m.