



General Assembly

Distr.
GENERAL

A/HRC/WG.6/4/SAU/1
4 December 2008

ENGLISH
Original: ARABIC AND ENGLISH

HUMAN RIGHTS COUNCIL
Working Group on the Universal Periodic Review
Fourth session
Geneva, 2-13 February 2009

**NATIONAL REPORT SUBMITTED IN ACCORDANCE WITH PARAGRAPH 15 (A)
OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1 ***

Saudi Arabia

* The present document was not edited before being sent to the United Nations translation services.

Introduction

1. The Kingdom of Saudi Arabia is presenting this report on the human rights situation in its territory pursuant to the provisions of United Nations General Assembly resolution 60/251 of 15 March 2006, in which it was decided to establish a Human Rights Council, and in conformity with the general guidelines provided for in Human Rights Council resolution 5/1 of 18 June 2007.
2. The Human Rights Commission prepared this report in collaboration with all the main governmental and non-governmental stakeholders and issued an information booklet explaining the review mechanism which was widely distributed, especially to those stakeholders.
3. Through this report, the Kingdom of Saudi Arabia is seeking to portray, in a true and transparent manner, the human rights situation and the ways in which human rights are effectively being promoted in its territory while, at the same time, highlighting the difficulties that it is facing in its endeavours to ensure more extensive enjoyment of such rights in the manner required. Reference is made to the measures that the Kingdom intends to take to promote and protect human rights in future, including a study of the question of accession to some instruments to which the Kingdom is not yet a party.
4. In keeping with the Kingdom's legislation derived from the Islamic Shari'a which guarantees all rights, in the light of the Kingdom's firm belief in the need to promote and give effect to human rights, and in view of the King's sense of responsibility as Head of State, a governmental Human Rights Commission was established which reports directly to the King, in his capacity as Prime Minister, while retaining full autonomy in spite of being funded by the Government, in addition to donations, contributions, endowments and other resources the acceptance of which is subject to approval by the Commission's Board. Its objective is to promote and protect human rights in accordance with international standards in this regard. It is required to submit to the King an annual report on its performance of the functions assigned to it, as well as another report on the human rights situation in the Kingdom. It is the body responsible for promoting greater awareness of human rights in coordination with the governmental sectors concerned, and also for monitoring implementation of the conventions to which the Kingdom has acceded, and for receiving complaints and communications and taking the requisite action thereon.
5. Given the Kingdom's belief that human rights are a universal human heritage to which all peoples are entitled, the Commission prepared a comprehensive plan for the dissemination and promotion of a culture of human rights in the obligatory implementation of which all the governmental agencies are participating since it covers all aspects of life, including education and health, etc.
6. While presenting this report, the Kingdom of Saudi Arabia emphasizes its commitment to cooperate fully with every institution seeking to safeguard, promote and enhance human rights. It is committed to the continuation and furtherance of purposeful and constructive dialogue at all levels, believing that this will guarantee the promotion and propagation of these rights among all mankind in accordance with the words of Almighty God: "And indeed we have honoured the sons of Adam" (verse 70 of the chapter of the Holy Qur'an entitled "The Night Journey"); "God commands you to render back your trusts to those to whom they are due; and, when you judge between people, judge with justice" (verse 58 of the chapter entitled "Women");

“O Mankind! Be dutiful to your Lord who created you from a single person” (verse 1 of the chapter entitled “Women”).

A. Methodology and process of report preparation

7. This process complied strictly with the need for transparency, objectivity and the fulfilment of numerous requirements, including:

- Involvement of all governmental and non-governmental agencies, departments and bodies in this process.
- Survey of all human rights-related statutes, regulations and laws for the preparation of the report.
- Identification of all the positive and negative aspects with full objectivity and transparency.
- Specification of the main national priorities and the initiatives that are being taken to overcome the challenges facing the Kingdom in its endeavours to improve the human rights situation.

B. Normative and institutional framework for human rights in the Kingdom

8. Since 1992 the Kingdom of Saudi Arabia has witnessed further human rights-related reforms, culminating in the promulgation of the Basic Law of Governance and updating of the Statutes of the Regions and the Consultative Council. The Basic Law of Governance is the Kingdom’s constitutional framework. The pace of these reforms increased with the promulgation of numerous laws consistent with the international instruments to which the Kingdom has acceded. A number of national structures, institutions and bodies including, in particular, the governmental Human Rights Commission, were also established to monitor and give effect to human rights at the highest national levels. The reform process is still under way since, although significant progress has already been made in this field, numerous other steps need to be taken to introduce further reforms for the purpose of ensuring fuller enjoyment of all human rights.

▪ The Basic Law of Governance

9. This Law, derived from the Islamic Shari’a, constitutes the quintessence of the Kingdom’s legislation insofar as it incorporates a number of constitutional principles to ensure protection of and respect for human rights. It enshrines, in particular, the principle of the equality of all citizens before the law: “Governance in the Kingdom of Saudi Arabia is based on justice, consultation and equality in accordance with the Islamic Shari’a” (art. 8). It also makes direct reference to the State’s obligation to protect human rights: “The State shall protect human rights in accordance with the Islamic Shari’a” (art. 26). Under the Law, governmental power is assigned to the judicial, executive and regulatory/legislative authorities, all of which must cooperate in the exercise of their functions, the King being the arbiter between these authorities. The Law emphasizes the independence of the judicial authority: “The judiciary shall be an independent authority and, in their administration of justice, judges shall be subject to no authority other than that of the Islamic Shari’a in the Kingdom” (art. 46).

10. Emphasis is also placed on the guaranteed equal right of all the Kingdom's citizens and residents to seek legal remedy: "The right to seek legal remedy shall be guaranteed, on an equal footing, to all citizens and residents of the Kingdom and the procedures required therefor shall be defined by law" (art. 47). It is further stipulated that: "Laws and international treaties, conventions and concessions shall be promulgated and amended by Royal Decrees" (art. 70).

11. The provisions of this Law reflect many of the rules that promote and protect human rights in numerous civil, political, economic, social and cultural fields. In this context, article 18 of the Law stipulates that: "The State shall guarantee the freedom and inviolability of private property rights. No one shall be deprived of his property except in the public interest and on condition that the owner receives fair compensation". Article 27 further stipulates that: "The State shall guarantee the rights of the citizen and his family in emergencies, sickness, disability and old age, shall support the social security system and shall encourage institutions and individuals to participate in charitable work". The right to work is guaranteed in article 28: "The State shall facilitate the provision of job opportunities for every person capable of working and shall enact laws to protect workers and employers". With regard to education, article 30 of the Law indicates that: "The State shall provide public education and shall be committed to combating illiteracy". In the health sector, article 31 stipulates that: "The State shall show concern for public health and shall provide health care for every citizen". On the subject of personal freedoms, article 37 indicates that: "Homes shall be inviolable and shall not be entered without permission from their occupants, nor shall they be searched except in the circumstances in which such is permitted by law". Under article 40: "Telegraphic, postal, telephone and other communications shall be confidential and shall not be censored, delayed, inspected or overheard except in the circumstances in which such is permitted by law". These freedoms are further protected by the provisions of other laws.

12. The Kingdom of Saudi Arabia has also promoted and protected human rights through the promulgation of numerous new laws and the amendment of existing laws in a manner consistent with the obligations ensuing from its accession to various international conventions. These new and amended laws incorporate numerous positive additions needed to supplement the legislative and regulatory structure and ensure the enjoyment of human rights through, inter alia, the achievement of equality and measures to combat any manifestation of segregation or discrimination. In this connection, reference can be made to the following legislation:

- **The Statutes of the Judiciary and the Board of Grievances**

13. The most significant step taken by the Government of the Kingdom of Saudi Arabia to promote human rights consisted in its endeavours to reform the judicial system, this being the principal guarantee of justice which is one of the most important of those rights. The Statutes of the Judiciary deal not only with the procedural aspects of the judicial process; they also address the legally stipulated principles that must be applied. This step was taken following the Kingdom's accession to numerous international conventions and after certain observations were made concerning judicial procedures in the Kingdom. These diligent endeavours culminated in the project for the development of the judiciary which was announced in Royal Decree No. M/78 of 19/9/1428 AH, corresponding to 30/9/2007. The first phase began with the promulgation of new Statutes for the judiciary reconfirming the independence of the judiciary, specifying the guarantees enjoyed by judges and defining the spheres of jurisdiction and hierarchy of the courts, including the establishment of a Supreme (Constitutional) Court the functions of which

comprise, inter alia, monitoring the proper delivery and implementation of judgements and the legitimacy of the legislation enacted in the Kingdom. These Statutes define and regulate the spheres of jurisdiction and functions of the appellate courts and the courts of first instance and detail the rights and obligations of judges when hearing the cases brought before them. They also define the judicial inspection functions and the tasks and responsibilities of notaries public. The Statutes make provision for the establishment of courts of first instance, consisting of the general courts comprising specialized divisions, including enforcement and probate divisions, and equivalent criminal courts, courts of personal status, commercial courts and labour courts. This system was applied through the appointment of more than one enforcement judge in a number of the Kingdom's courts.

14. The Statutes of the Board of Grievances (the Administrative Judiciary) define the composition of the Board and the Council of the Administrative Judiciary and the division of the Board into Administrative Courts, the Administrative Court of Appeal and the Supreme Administrative Court. The Statutes also specify the functions of each of these courts and the rules governing the appointment and grades of the Board's judges. An amount of 7 billion riyals was allocated for the implementation of this project.

▪ **The Code of Shari'a (Civil) Procedure**

15. This Code, promulgated by Royal Decree No. M/21 of 20/5/1421 AH, corresponding to 20/8/2000, consolidates the main principles of the administration of justice for all litigants. It regulates the significant powers that the judge needs when hearing the parties involved in the cases brought before him. It defines, in particular, the court's juridical functions, procedures for the bringing of actions and the filing of suits, the rules governing the presence or absence of the parties, and the manner in which court proceedings should be regulated. It clearly stipulates that hearings should be conducted in public and specifies the circumstances in which a judge should disqualify himself from adjudication in order to ensure judicial impartiality vis-à-vis all the litigating parties.

▪ **The Code of Criminal Procedure**

16. This Code, promulgated by Royal Decree No. M/39 of 28/7/1422 AH, corresponding to 15/10/2001, constitutes one of the most significant legislative instruments recently enacted in the Kingdom since it directly addresses the most important human rights issues by clearly defining the procedures from the time of arrest until the accused is brought to trial. Article 3 of the Code indicates that the accused shall be presumed innocent until convicted and provision is made for comprehensive safeguards to protect this right to presumption of innocence. It is prohibited to subject an accused person to any form of physical or mental harm, torture or degrading treatment. Emphasis is placed on the right of the accused to avail himself of the services of legal counsel to defend him at the stages of investigation and trial. The provisions of this Code also specify all the procedures governing arrest, detention, the right of defence in both events, and protection of personal freedom by stipulating that no one may be arrested, searched, detained or imprisoned except in the circumstances defined by law. The right of everyone to inviolability of his person, dwelling, place of business and means of transport and communication is guaranteed. Any procedure contrary to the provisions of this Code is deemed invalid and the accused, if acquitted, is entitled to claim compensation in respect of any material detriment or mental anguish suffered.

▪ **The Code of Practice for Lawyers**

17. The Code of Practice for Lawyers, promulgated by Royal Decree No. M/38 of 28/7/1422 AH, corresponding to 15/10/2001, defines the practice of law and the conditions for engagement therein for the purpose of ensuring the triumph of justice. It sets forth the obligations of lawyers to promote justice and respect for their profession and to refrain from any act that would detract from its dignity, and also specifies their rights. The Code permits the exercise of this profession by non-Saudis in accordance with clearly defined rules conducive to the protection of human rights and consistent with the requirements of agreements concluded between the Kingdom and other States (art. 3(a) of the Code). Article 39 likewise permits non-Saudis to engage in consultancy work on a temporary basis in accordance with the conditions laid down in that article.

▪ **International human rights instruments ratified by the Kingdom**

18. Although the Kingdom of Saudi Arabia is not yet a party to the International Covenants on Civil and Political and Economic, Social and Cultural Rights, in actual fact many of the provisions of these two Covenants are being implemented. In the Kingdom, the first municipal elections were monitored by observers¹ who ascertained their fairness. In the field of economic, social and cultural rights, the Kingdom has achieved standards consistent with the provisions of the International Covenant on Economic, Social and Cultural Rights. Section D of this report contains a brief summary of the achievements from which the Kingdom's citizens have benefited in this regard.

19. The Kingdom of Saudi Arabia, which was among the first States to participate in the drafting of the Universal Declaration of Human Rights, has ratified numerous international human rights instruments, including:

- The Convention on the Rights of the Child, ratified by Royal Decree No. M/7 of 16/4/1416 AH.
- The International Convention on the Elimination of all Forms of Racial Discrimination, ratified by Royal Decree No. M/12 of 16/4/1418 AH.
- The Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment, ratified by Royal Decree No. M/11 of 4/4/1418 AH.
- The Convention on the Elimination of All Forms of Discrimination against Women, ratified by Royal Decree No. M/25 of 25/5/1421 AH.
- The United Nations Convention against Transnational Organized Crime, ratified by Royal Decree No. M/20 of 24/2/1425 AH, and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, ratified by Royal Decree No. M/56 of 11/6/1428 AH.
- The Convention on the Rights of Persons with Disabilities and its Optional Protocol of 2008.

20. The Kingdom is also a party to numerous regional, inter-Arab and Islamic instruments, including:

- The Covenant on the Rights of the Child in Islam of 2005.
- The Gulf Cooperation Council Convention against Terrorism, approved by Royal Decree No. M/52 of 2/9/1429 AH.
- The Riyadh Declaration on Human Rights in Peace and War of 2003.
- The Cairo Declaration on the Dissemination and Teaching of Human Rights of 2000.
- The Organization of the Islamic Conference Convention against International Terrorism of 1999.

C. Promotion and protection of human rights on the ground

❖ National bodies and institutions for the promotion and protection of human rights

21. The Kingdom of Saudi Arabia, believing the legislative framework to be insufficient in itself to promote human rights unless it is backed by national structures and institutions responsible for ensuring that legislative provisions are respected and implemented in actual practice, has established a number of national structures to promote and monitor the human rights-related objectives of its legislation. In this connection, reference can be made to the following structures and institutions:

▪ Private non-governmental organizations operating in the Kingdom

22. In keeping with the Qur'anic injunction "Help each other in righteousness and piety, but do not help each other in sin and transgression", believing in the principle of organized popular participation and purposeful and constructive cooperation, and with a view to helping to serve society and develop its institutions, the Kingdom's Government has endeavoured to ensure that civil society plays a role in this regard. Accordingly, authorization was granted for the establishment of a number of non-governmental organizations operating in numerous fields such as health, women and the family, children, and care of the disabled, etc. These organizations include the National Society for Human Rights in the Kingdom of Saudi Arabia, established on 18/1/1425 AH, corresponding to 9/3/2004, which has 41 members, including 10 women.

23. This Society enjoys financial and administrative autonomy and is not subject to the supervision or control of any governmental agency. Under the terms of its Statutes, its objectives are to defend human rights in and outside the Kingdom of Saudi Arabia, regardless of whether the person concerned is a citizen, a resident or a visitor, and to work together with governmental agencies, private associations and international organizations in and outside the Kingdom in such a way as to achieve the statutory objectives for which it was established.

▪ The Human Rights Commission

24. This Commission was established by Council of Ministers Decision No. 207 of 8/8/1426 AH, corresponding to 12/9/2005. It enjoys extensive powers to promote and protect

human rights under the terms of its Statutes, article 1 of which stipulates that the Commission's objective is to promote and protect human rights in conformity with international human rights standards in all fields, to propagate awareness thereof, and to help to ensure their application in a manner consistent with the provisions of the Islamic Shari'a. The Commission, which is the governmental body competent to express opinion and offer advice on human rights issues, enjoys full independence in its exercise of the functions provided for in its Statutes, including:

- Ascertaining the implementation, by the governmental authorities concerned, of the human rights-related laws and regulations in force, and investigating abuses constituting violations of human rights.
- Expressing opinion on draft legislation concerning human rights.
- Monitoring the application by the competent governmental authorities of the international human rights instruments to which the Kingdom has acceded, and ensuring that those authorities have taken the measures needed to give effect to those instruments.
- Inspecting prisons and places of detention at any time, without requesting permission from the authority concerned, and submitting reports thereon to the Prime Minister.
- Receiving and investigating human rights complaints and taking the statutory action thereon.
- Formulating general policy for the development of greater awareness of human rights.
- Undertaking any other tasks for the purpose of promoting and protecting human rights.

The Commission has begun to exercise these functions and has already made an effective contribution to the promotion of human rights.

▪ **The King Abdul Aziz Centre for National Dialogue**

25. The King Abdul Aziz Centre for National Dialogue was established by a Royal Decree promulgated on 24/5/1424 AH, corresponding to 23/7/2003. Its purpose is to provide an appropriate environment conducive to promotion of the concept of national dialogue among all members of society and the components of all social classes and communities in order to safeguard and further the national interest and ensure good relations among the whole spectrum of social groups.

The functions of the Centre include:

- Addressing national social, cultural, political, economic, educational and other issues through the mechanisms of intellectual dialogue.
- Establishing the concept and behavioural methodology of social dialogue as a way of life and a means to address all issues.

- Broadening the participation of members of society and social groups in national dialogue and promoting the role of civil society institutions in such a way as to ensure justice, equality and freedom of expression in conformity with the Islamic Shari'a.
- Strengthening channels of communication and intellectual dialogue with institutions and individuals abroad.

26. Since its establishment, the Centre has held seven meetings for dialogue at the national level on the topics of national unity; international relations and treaties; extremism and moderation: a comprehensive systematic overview; the rights, obligations and educational role of women; youth issues: present situation and future aspirations; we and others: a national view of relations with world cultures; education: present situation and means of development; and labour and employment: dialogue between society and labour institutions with the participation of the Ministers of the Civil Service and Labour. It has been decided that the topic of the next meeting will be human rights.

▪ **The National Strategy to Preserve Integrity and Prevent Corruption**

27. In keeping with the Kingdom's desire to ensure justice, eliminate corruption that impedes the course of development and progress, and contribute to the international community's endeavours to combat corruption, the National Strategy to Preserve Integrity and Prevent Corruption was approved by Council of Ministers Decision No. 43 of 1/2/1428 AH. Its objective is to:

- Ensure justice for all members of society.
- Preserve integrity and combat corruption in all its forms and manifestations.
- Protect Saudi society from corruption through religious, moral and educational values.
- Encourage citizens and residents to adopt proper modes of behaviour and respect the provisions of laws and regulations.
- Create an environment conducive to the success of the development plans, particularly in economic and social fields.
- Contribute to endeavours made to promote, develop and consolidate regional, inter-Arab and international cooperation to preserve integrity and combat corruption.

In order to monitor the implementation of this Strategy, determine, evaluate and review its results and formulate its programmes of action and mechanisms for their implementation, approval was granted for the establishment of a National Commission to Combat Corruption. The Kingdom has participated in all the international conferences and meetings held on this subject and, on 9/1/2004, signed the United Nations Convention against Corruption.

❖ **Commitments and cooperation with international human rights mechanisms**

28. The Kingdom of Saudi Arabia, being eager to fulfil its international commitments in the field of human rights, has endeavoured to cooperate with all the various international human rights mechanisms, such as treaty bodies, special rapporteurs, working groups and complaints procedures, in the following manner:

- By replying to all allegations received from the Office of the United Nations High Commissioner for Human Rights and its special rapporteurs. In this connection, it is noteworthy that, in the Kingdom, there are no cases that can be categorized as systematic; there are only individual cases involving incidents and circumstances that do not constitute a pattern.
- By facilitating the tasks of special rapporteurs wishing to visit the Kingdom, and responding to their requests in the light of the appointments and circumstances of the authorities concerned. For example, in the year 2003 the Kingdom was visited by Mr. Cumaraswami, the former Special Rapporteur on the independence of judges and lawyers. In 2008, the Kingdom was also visited by Ms. Yakin Ertürk, the Special Rapporteur on violence against women.
- By presenting the Kingdom's treaty-specific reports and discussing them before the committees concerned.
- By cooperating with non-governmental human rights organizations including, for example, Human Rights Watch which has visited the Kingdom three times during the last five years.
- By playing an active participatory role in its capacity as a member of the Human Rights Council.

❖ **Measures taken to implement international human rights instruments**

▪ **The Convention on the Rights of the Child**

29. The Kingdom acceded to this Convention in 1996 and has taken numerous measures within its framework including, in particular:

- Large-scale dissemination of the articles of the Convention through the information media, at schools and among the governmental and judicial authorities.
- Presentation of the Kingdom's reports and their discussion before the Committee on the Rights of the Child.
- Formulation of a strategy on the rights of the child by the National Commission for Child Welfare.
- Formulation of strategies to prevent child labour and the exploitation of children for purposes of begging

- Accession to relevant international instruments, such as International Labour Convention No. 182 (worst forms of child labour). Numerous measures have been taken to give effect to this Convention, including prohibition of the employment of persons under 15 years of age.
 - **The International Convention on the Elimination of All Forms of Racial Discrimination**
30. Since the Kingdom's accession to this Convention in 1997, numerous measures have been taken to implement its provisions, including:
- Large-scale dissemination of the articles of the Convention through the information media, at schools and among the governmental and judicial authorities.
 - Enactment of the requisite legislation, such as the new Press and Publications Act promulgated by Royal Decree No. M/32 of 30/9/1421 AH, corresponding to 17/7/2001, which prohibits the establishment of organizations which are of a racist character or which support or advocate racial discrimination or propagate ideologies based thereon. The Act also stipulates that it is a punishable criminal offence for anyone to issue pamphlets or material inciting racial hatred or encouraging the funding of racist activities, which are contrary to the law.
 - The Implementing Regulation No. 2FSH/22530 of 17/7/1421 AH, corresponding to 15/10/2000, concerning use of the Internet in public places prohibits use of the web to incite discrimination or advocate or in any way encourage crime or aggression against any person. It also prohibits any form of calumny or defamation of individuals.
 - Accession to a number of international anti-discrimination conventions, including International Labour Conventions No. 100 (equal remuneration for men and women workers for work of equal value) and No. 111 (discrimination in respect of employment and occupation) and the Convention on the Elimination of All Forms of Discrimination against Women. The Kingdom has also ratified various related conventions concluded within a regional framework.
 - Issuance by the Ministry of Islamic Affairs of periodic circulars to the imams and preachers of mosques directing them to remind people, in their weekly sermons, of the ethics and magnanimous teachings of Islam and, in particular, the principles of justice, equality, tolerance and rejection of bigotry and all forms of racial discrimination.
 - Training of police and law-enforcement officers to combat all forms of discrimination. To this end, numerous specialized training courses to meet the needs of the security and military sectors have been organized by the Ministries of Defence and the Interior, the National Guard and criminal investigation departments, as exemplified by the courses held by the King Fahd Police Academy, the Higher Institute for Security Studies and a number of universities.

The Kingdom is preparing to present its second report to the Committee on the Elimination of Racial Discrimination.

- **Elimination of discrimination in education**

31. Under the terms of the Ordinance governing foreign schools in the Kingdom, promulgated by Council of Ministers Decision No. 26 of 4/2/1418 AH, corresponding to 10/6/1997, foreign communities residing in the territory of the Kingdom are permitted to open private schools to teach their children in accordance with the academic curricula applied in their countries.

32. During the current academic year there are 178 licensed foreign schools in the Kingdom, distributed among 16 regional and district educational authorities and attended by more than 100,000 male and female students.

33. The number of foreign curricula taught in the Kingdom amounts to more than 20, including British, American, French, Philippine, Australian, Pakistani, Indian, Portuguese, Guinean, Malian, Japanese, Korean, Swedish, Eritrean, Turkish, German, Indonesian, Ghanaian, Italian, Greek and Sri Lankan.

34. The number of non-Saudi male and female students attending government-run schools in the primary, intermediate and secondary stages of general education, in which education is provided free of charge, amounts to about 592,227.

- **Elimination of discrimination against migrant workers**

35. The Kingdom's Government is endeavouring to ensure an appropriate working environment for all male and female workers in its territory. To this end it has taken numerous measures and promulgated legislation to safeguard their rights. Article 47 of the Basic Law of Governance stipulates that: "The right to seek legal remedy shall be guaranteed, on an equal footing, to all citizens and residents of the Kingdom". Council of Ministers Decision No. 166 of 12/7/1421 AH regulating relations between migrant workers and their employers further stipulates as follows:

- Employers shall not retain the passports of migrant workers or the passports of members of their families.
- Migrants worker shall be entitled to freedom of movement within the Kingdom of Saudi Arabia provided that they hold a valid residence permit.
- Migrant workers may apply to governmental and other bodies to avail themselves of the services needed to ensure a decent life for themselves and their families, such as the issuance of driving licenses, the purchase of motor vehicles, telephone connections etc., without being obliged to obtain the consent of their employers.
- The term "sponsor" shall be invalid wherever it appears and shall be replaced by the term "employer".

- The Decision also makes provision for the establishment of a special committee to resolve any problems arising from its application.

36. The new Labour Law, promulgated on 23/8/1426 AH corresponding to 27/9/2005, contains clear and explicit provisions to safeguard the rights of workers. This Law does not differentiate between Saudi and non-Saudi workers or between males and females. Article 40 stipulates that the employer shall bear the costs of recruitment, the fees for the issuance and renewal of residence and work permits, the fees in respect of change of occupation, departure and return and other fees arising from the worker's transfer to a new employer, as well as the worker's travel expenses when he returns to his country on the termination of the contractual relationship between the two parties.

37. The Implementing Regulations for the Labour Law, promulgated on 29/2/1428 AH corresponding to 16/3/2007, contain extensive provisions to protect workers, and especially migrant workers. For example, paragraph 13 of article 14 of the Regulations stipulates that the contract concluded with the worker at his place of recruitment must contain the necessary details, such as the wage, other benefits, type and place of work and duration of the contract. Paragraph 14 further stipulates that recruitment agencies shall have no claim to any amounts, under any arrangement with the worker, in return for his recruitment since their fees shall be paid by the employer. Paragraph 17 places the recruitment agency under an obligation to inform the worker, before concluding a contract with him, of the living conditions and traditions observed in the Kingdom, as well as the regulations governing the recruitment and employment of non-Saudis in the Kingdom.

- **Additional measures taken to protect the rights of migrant workers**

- The Minister of Labour promulgated Ministerial Ordinance No. 738/1 of 16/5/1425 AH, corresponding to 4/7/2004, prohibiting all forms of human trafficking.
- The Minister of Labour promulgated Ministerial Ordinance No. 37 of 9/9/1427 AH, corresponding to 2/10/2006, stipulating that the employer must grant male and female workers equal remuneration for work performed under the same conditions and circumstances.
- The Minister of Labour promulgated Ministerial Ordinance No. 111/1 of 9/1/1428 AH, corresponding to 29/1/2007, under which enterprises that delay payment of the wages of workers for a period of two months are liable to a penalty and prohibition of recruitment for a period of one year.

- **Means of redress available to workers**

38. The Kingdom's Labour Offices comprise judicial commissions (Commissions of First Instance for the Settlement of Labour Disputes and Higher Commissions for the Settlement of Labour Disputes) which are responsible for hearing and issuing prompt rulings on labour-related cases brought before them in the Kingdom's various towns and districts. The procedures for the institution and conduct of proceedings are defined in the Labour Law. All categories of workers and employers, including domestic workers and maids, have the right to apply to these Commissions for redress

39. The Ministry of Labour has recently established a department known as the “Migrant Workers’ Welfare Department” to provide services for migrant workers, within the framework of the Labour Law, in the field of labour relations with a view to safeguarding their rights and protecting them from abuse.

40. They can also apply to the Civil Rights Centres and the Offices of the Regional Governors and have the right to lodge an appeal with the Board of Grievances against decisions taken by those authorities.

41. In order to clarify the rights of workers in general, and domestic workers in particular, the Ministry of Labour issues explanatory brochures detailing all the rights of workers and containing the telephone numbers of their countries’ embassies and the judicial bodies to which workers can resort if the need arises.

42. The formulation of draft regulations governing the employment of domestic workers and the like has now been completed. These regulations define the obligations of both employers and workers and specify the stipulations to be included in employment contracts, such as remuneration, working hours and leave, as well as the penalties for any infringements thereof that might be committed by employers.

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

43. The Kingdom acceded to this Convention in 1997 and has taken a number of measures, including the following, pursuant to its obligation to implement the Convention:

- The Convention has been widely circulated to all the information media and executive authorities.
- A special committee comprising representatives of a number of bodies, including the Ministry of Justice, has been established to investigate allegations of torture.
- Several police officers found responsible for violations of the provisions of the Convention have been punished.
- The Kingdom’s reports to the Committee against Torture have been presented and discussed.
- The articles of the Convention have been incorporated in the curricula of training courses for law-enforcement personnel.
- The Kingdom’s legislative measures to criminalize acts of torture include the provisions of article 2 of Royal Decree No. 43 of 29/11/1377 AH which stipulates that it is a punishable offence to exploit or misuse official authority or influence in the course of criminal proceedings or to violate human rights, particularly through torture.
- Article 28 of the Imprisonment and Detention Act promulgated by Royal Decree No. M/31 of 21/6/1398 AH prohibits any form of aggression against prisoners or

detainees and makes provision for disciplinary measures against civilian or military officials who commit any act of aggression against prisoners or detainees, without prejudice to any criminal penalties that might be imposed on them in cases in which the act of aggression constitutes a felony. All forms of torture are likewise prohibited under the terms of articles 2 and 35 of the Code of Criminal Procedure.

44. Under the Kingdom's legislation, victims of torture enjoy a guaranteed right to have their complaint investigated by an independent and impartial body, the Public Investigation and Prosecution Department, which by law has an obligation to conduct the investigation in accordance with the legally stipulated safeguards for the defence of accused persons or victims and to act therein in accordance with their stipulated functions and powers.

45. The Kingdom has almost completed the preparation of its second report to be presented to and discussed before the Committee against Torture.

• **Convention on the Elimination of All Forms of Discrimination against Women**

46. The Kingdom acceded to this Convention in the year 2000 and has submitted its combined initial and second reports thereon, which were considered at the 40th session of the Committee on the Elimination of Discrimination against Women. Numerous significant measures have been taken to implement the articles of the Convention, including:

- Large-scale dissemination of the Convention.
- With regard to female employment, the proportion of Saudi working women amounts to about 50 per cent of the number of male workers in all sectors.
- With a view to the promotion of female employment within the framework of so-called "positive discrimination", the Minister of Labour promulgated Ministerial Ordinance No. 793/1 of 22/5/1426 AH under which the exercise of certain commercial occupations is restricted to women.
- In the commercial sector the procedures for acquisitions by women have been facilitated, as a result of which more than 20,000 companies and institutions are currently owned by women, who also hold more than 21 per cent of all private investment portfolios.
- Dozens of specialized centres have been established to provide women with occupational training in banking and computer skills.
- The Ministries of Education and Higher Education have reserved senior posts for women.
- A Higher National Committee for Women's Affairs has been established in accordance with Council of Ministers Decision No. 63 of 11/3/1424 AH.
- The scope of scholarships awarded to female Saudi citizens to study abroad has been expanded to cover the medical, health and other fields in accordance with Royal Decree No. M/651 of 8/6/1422 AH.

- In 1425 AH (2004), the Council of Ministers approved a number of guidelines and measures to promote economic activity by women, the implementation of which will considerably expand the types and fields of economic activity in which women participate.
- Following discussion of the Kingdom's initial and second reports to the Committee on the Elimination of Discrimination against Women, approval was recently granted under the terms of Royal Decree No. MB/8382 of 28/10/1429 AH, corresponding to 28/10/2008, for adoption of the recommendations of the committee assigned to study the obstacles impeding access to the judiciary by women seeking to institute legal proceedings. These recommendations included, in particular:
 - (i) The need to benefit from the experiences of other countries that have introduced the system of family courts.
 - (ii) Establishment, in the courts and the offices of notaries public, of women's sections supervised by an independent women's department in the body exercising central control.
 - (iii) Introduction of procedures to remedy any delay prejudicial to the rights of women, to endeavour to prevent any violence to which they might be subjected as a result of their institution of proceedings, and to impose penalties if such acts of violence are found to have occurred.
 - (iv) The need to show greater concern for complaints lodged by women by establishing clearly defined procedures for the receipt, investigation and settlement of such complaints.

D. Achievements

47. In the light of the above, the principal achievements that the Kingdom has made in record time since the promulgation of its Basic Law of Governance can be summarized as follows:

- On 23 August 2003, the Centre for National Dialogue was established to promote popular participation and an exchange of opinions and ideas among leading personalities from all sections of society throughout the Kingdom during debates on important issues, the most recent of which was held in April 2008.
- In 2004, the National Society for Human Rights was established as a civil society institution. It is an independent private association for the defence of human rights in general in the Kingdom.
- In 2005, the Kingdom held its first free elections for the appointment of representatives of local municipalities.
- In 2005, the Human Rights Committee was established as a committee of the Consultative Council.

- On 10 May 2006, the Human Rights Commission was established as a governmental commission reporting directly to the King in his capacity as Prime Minister. Its objective is to promote and protect human rights in conformity with international human rights standards in all fields.
- On 24 February 2003, the Commission of Saudi Journalists was established to protect the rights of journalists and regulate relations between media institutions and their personnel. On 7 June 2004, nine members of the Board of Directors of the Commission of Saudi Journalists were elected, including two women.
- On 17 July 2001, the Press and Publications Act was promulgated by Royal Decree No. M/32 of 30/9/1421 AH to provide greater scope for freedom of expression.
- In 2006, the Pledge of Allegiance Commission was established to regulate the royal succession, procedures for the selection of the Crown Prince and the formation of a provisional Regency Council in the event of the demise or incapacitation of the King and the Crown Prince.
- In January 2003, the Kingdom of Saudi Arabia presented to the League of Arab States a proposal entitled "Covenant for Arab Reform" aimed at encouraging political and economic reform in the Arab World. The Covenant urged the Arab States to identify local community needs and provide scope for broader participation in the political process as an effective means to develop democracy in the Arab World. As a result, the Arab Summit held in Tunis on 23 May 2004 adopted the so-called "Tunis Declaration" which contained an undertaking to pursue endeavours to implement political and social reforms, promote democracy and broaden popular participation in the political process and the management of public affairs, in addition to ensuring respect for the rights of women. These principles were reaffirmed at the Arab Summit held in Algiers on 23 March 2005 and at the Riyadh Summit held in the Kingdom of Saudi Arabia on 28 March 2007.

In the health sector: The Kingdom's Government has shown equal concern for the health of its citizens and foreign residents and has made this one of the top priorities of its development plans since human health, being the cornerstone and basic objective of development, is a strategic goal and a vital social requirement. Large amounts of money have been spent to this end and, in record time, the Kingdom has made great progress in preventive and therapeutic health and has modernized and developed health care and medical treatment throughout its territory. It has succeeded in establishing an integrated and comprehensive health structure for the provision of diagnostic and therapeutic health services free of charge and using the most modern medical equipment and appliances.

There are currently 378 government hospitals with 53,519 beds. The number of health centres increased from 1,824 in 2003 to 1,925 in 2007 and a further 150 centres are being opened during the present year, thereby bringing the total number to 2,075. A large national project is under way for the establishment of further health centres in four stages. The private sector is also helping to provide health care in its 127 private hospitals containing 12,950 beds and in its health centres and clinics, the number of which amounted to 1,057 in 2008. The Kingdom has taken numerous measures in this field by, inter alia:

- Obliging companies, institutions and employers to provide health insurance for their employees, regardless of whether the latter are citizens or foreign residents.
- Applying the cooperative social security scheme to all foreign residents working in its territory.
- Licensing the 23 health insurance companies, the total number of which is expected to rise to 30 by the end of 2010.
- Studying the establishment of the standards needed to classify providers of health care services.

The Ministry of Health has not confined its efforts to quantitative improvement consisting in consolidation of the infrastructure and the construction of more health facilities. On the contrary, it is currently endeavouring to introduce the system and culture of family and community medicine (family physicians) to replace primary health care with a view to the provision of high-quality services that meet the aspirations of their beneficiaries. The Ministry has prepared a comprehensive study on the development of the Kingdom's health system (Balsam Health Care) which makes provision for the establishment of a State-run national health insurance fund for citizens which would be funded from the public budget. This study has been submitted for royal approval.

In the education sector: The Kingdom has shown considerable concern for general and higher education and the teaching process in accordance with the objectives specified in the development plans. Education is provided free of charge at all stages and male and female students pursuing higher educational studies are paid monthly allowances. Financial assistance is also granted to all students residing in remote areas.

The Kingdom diligently provides educational opportunities for all its citizens in all administrative areas, including remote villages. There are 14,790 schools for boys and 17,329 schools for girls covering all stages of general education. The Kingdom lays emphasis on the compulsory nature of primary education. The total number of male and female students amounts to 5,991,080.

The rapid expansion of general education in the Kingdom and the socio-economic development that has accompanied it has led to increased demand for higher educational institutions. The Kingdom's Government has responded to this demand by providing more extensive higher educational services and constructing and opening more universities, faculties and institutes. The Kingdom's universities and higher educational institutions currently comprise 334 faculties attended by 600,000 male and female students.

Educational opportunities outside the Kingdom have also been expanded through the scholarship programme sponsored by the Custodian of the Two Holy Mosques, King Abdullah bin Abdul Aziz. This programme, which has been implemented during the last four years, is the largest that the Kingdom has witnessed since foreign scholarship programmes were first introduced in the 1960s. To date, more than 50,000 scholarships have been awarded under the programme for male and female students to study abroad in all fields of specialization, in which due regard is shown for labour market needs and the requirements of development plans.

An amount of 13 billion Saudi riyals has been allocated for the implementation of this programme and it has recently been announced that, under the terms of a Royal Decree, the monthly allowances paid to holders of these scholarships will be increased by 50 per cent with effect from 3 November 2008.

In addition to general education for boys and girls, the Government is implementing educational programmes for other categories, such as:

- Children with special needs.
- Gifted persons of both sexes, whose talents the Government is endeavouring to discover and develop at an early stage.
- Illiterate adults.

These programmes also cover rural and remote areas.

Royal approval has been granted for the implementation of the King Abdullah bin Abdul Aziz Project for the Development of General Education, to which an amount of 9 billion riyals has been allocated for the purpose of:

- Developing educational curricula in their broad sense in order to keep pace with modern scientific and technological progress and meet educational, academic, occupational, mental, physical, intellectual and livelihood-related needs.
- Retraining male and female teachers to perform their educational functions in a manner conducive to achievement of the objectives of the updated educational curricula.
- Enhancing the educational environment and adapting its curricula for the introduction of digital technology.
- Developing the inherent capacities, skills, creativity, talents and hobbies of students and satisfying their personal aspirations.

The foundation stone has recently been laid for the Princess Noura bint Abdul Rahman University for Girls which is designed to receive 40,000 students by the year 2010, thereby becoming the world's largest university campus for girls.

In the labour sector: The Kingdom's Government is endeavouring to provide employment opportunities for all its citizens in accordance with article 28 of the Basic Law of Governance ("The State shall facilitate the provision of job opportunities for every person capable of working") and in keeping with its belief that the right to work is a basic human right.

During the present year, the rate of unemployment in the Kingdom fell to 6.90 per cent for men and 24.90 per cent for women after reaching 9.10 per cent for men in 2006 and 26.60 per cent for women in 2007.

In the housing sector: The Kingdom has taken diligent steps to ensure the availability of appropriate housing for its citizens. It has facilitated home ownership through the establishment, under the terms of Royal Decree No. M/23 of 11/6/1392 AH, of the Real Estate Development Fund the purpose of which is to extend long-term interest-free personal and investment loans to individuals and institutions for the implementation of private or commercial real estate projects.

In the event of their death, all persons, whether male or female, are exempted from payment of all the remaining personal real estate development loan instalments due from them. Partial exemption is also granted to persons who consistently pay their instalments on time.

There are numerous foundations endeavouring to provide appropriate housing for needy persons in the Kingdom's various regions, such as the Foundation for Developmental Housing established by King Abdullah bin Abdul Aziz, in honour of his parents, which provides appropriate dwellings for the most needy categories in Saudi society as a means to enable them to become productive members of society capable of contributing to the development of their immediate local environment as part of the Kingdom's comprehensive development, and the Prince Sultan bin Abdul Aziz Charitable Housing Foundation. The Ministry of Social Affairs is also supervising low-cost housing projects in all the Kingdom's regions which, in their first phase, will comprise 16,000 housing units for which a budget of around 2.4 billion Saudi riyals has been allocated.

The draft Statutes of the Public Housing Authority were approved by Decree No. 136 of 22/4/1428 AH. These Statutes make provision, in particular, for: the provision of appropriate housing on the basis of options consistent with the needs of citizens and in accordance with programmes drawn up by the Authority; facilitation of the acquisition by citizens, at an appropriate time, of a dwelling of a quality within the limits of their income; increasing the proportion of homeowners among citizens; the formulation, development and structuring of comprehensive housing strategies in the Kingdom; and the proposal of laws, regulations, policies and plans for housing operations.

In the field of environmental protection: The Kingdom is eager to protect the environment in view of its direct effect on human beings. The Environmental Protection Act and its Implementing Regulations, promulgated by Royal Decree No. M/34 of 28/7/1422 AH, corresponding to 16/10/2001, reaffirmed the Kingdom's concern in this regard. Its aim is to preserve, protect and develop the environment, prevent its pollution, protect public health from the hazards of environmentally detrimental acts and activities, conserve natural resources, make environmental planning an integral part of comprehensive development planning in all fields, raise the level of awareness of environmental issues and promote a feeling of individual and collective responsibility for preservation of the environment. The Meteorology and Environmental Protection Administration is monitoring the implementation of the Act.

In the field of social security and social welfare: Under the Kingdom's social security scheme, approved by Royal Decrees Nos. 18 and 19 of 1393 AH (1963), the State aims to contribute to comprehensive social development programmes, provide financial and in-kind assistance for low-income members of society, improve the residential environment of needy families, and transform the category of recipients of assistance into productive and self-reliant citizens through production programmes.

Monthly social security benefits are paid to the following categories: orphans, persons incapacitated from work, the elderly, women without providers (divorcees, widows, widows with orphaned children, spinsters, and women whose provider is absent), families without providers, and categories that do not qualify for the acquisition of Saudi nationality, namely:

- Children of a Saudi mother and a non-Saudi father, and foreign women married to Saudis or who are their widows and who have children by them.

Holders of free transport passes, who are medically certified as suffering from a physical, sensory or mental disability and who are over 18 years of age, widows with orphaned children or orphans, are also entitled to benefits..

Social security benefits (pensions and assistance) began to be paid in the year 1382 AH (1963) at the annual rate of 360 riyals for a provider and 1,540 riyals for a family. These rates have increased steadily and, in accordance with Council of Ministers Decision No. 11 of 1429 AH (2008), currently amount to a maximum of 34,210 riyals per year for a family and a minimum pension of 6,000 riyals.

Welfare of persons with special needs: Royal Decree No. M/37 of 23/9/1421 AH stipulated that the Ministry of Social Affairs would be responsible for coordinating the provision of medical, social, educational, psychological and vocational services for persons with special needs and facilitating their social adaptation by opening shelters for the severely disabled, operating rehabilitation and employment centres for others, and providing prosthetic appliances.

Children and orphans: In accordance with Ministerial Ordinance No. 19583 of 22/6/1422 AH, a special department has been established in the Ministry of Social Affairs to process applications for the fostering of children of unknown parentage with a view to providing shelter for such children. The Ministry operates a large number of welfare institutions for male and female juveniles and also caters for the welfare of elderly persons at 20 institutions in various regions of the Kingdom.

Protection from harm: The Kingdom has been studying a bill of law to protect persons from various types of harm through preventive measures, the provision of assistance, treatment, shelter and the requisite social, psychological, health and legal services, and adoption of the legislative measures needed to call to account and punish the culprits. This bill of law is currently in the final stages of approval and adoption.

The Kingdom is intensifying its efforts to eliminate all forms of violence against women. Its social development commissions are implementing numerous counselling and awareness programmes for women in which symposia, meetings and courses are held for the discussion of all issues of concern to Saudi women and families. Many awareness and counselling programmes on women's rights are also organized for men. Two bills of law on child abuse and domestic violence have also been drafted.

Promotion of a culture of human rights: The Human Rights Commission has begun the implementation of a comprehensive national plan of action for the promotion of a culture of human rights with a view to:

Developing and enhancing awareness of human rights among members of society and endeavouring to enable them to exercise these rights.

- Ensuring compliance with the laws, directives and procedures for the protection of human rights by creating an environment conducive thereto in all fields.
- Drawing attention to, and warning of, the gravity of violations of human rights.
- Establishing genuine partnerships with governmental bodies and local, national, regional and international institutions seeking to promote a culture of human rights.
- Ensuring that the human rights-related provisions of the Basic Law of Governance and some of the legislative acts promulgated pursuant thereto, such as the Code of Criminal Procedure and the Code of Shari'a (Civil) Procedure, are put into actual practice.
- Ensuring that regulations, procedures and the professional conduct of persons engaged in public service are consistent with the principles and concepts of human rights.
- Promoting public awareness of ways and means to help to protect human rights.

E. Pledges and voluntary commitments

48. Financial support has been provided for the following United Nations mechanisms:

- US\$150,000 in annual support for the budget of the Office of the High Commissioner for Human Rights with effect from 2008.
- US\$25,000 for the Contingency Fund of the Office of the High Commissioner.
- US\$25,000 for the Universal Periodic Review Trust Fund.
- US\$25,000 for the Voluntary Fund for Victims of Torture.
- US\$25,000 for the Voluntary Trust Fund on Contemporary Forms of Slavery.

49. A comprehensive bill of law prohibiting and criminalizing human trafficking and prescribing specific penalties for such crimes has been drafted and is in the final stages of adoption.

50. The Kingdom is carefully studying the question of accession to the two International Covenants on human rights.

51. The study of the question of accession to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women is in its final stages.

F. Best practices

❖ Dialogue between followers of religions and civilizations

52. On the initiative of the Custodian of the Two Holy Mosques, a World Conference on Dialogue was convened at Madrid during the period 16-18 July 2008 and, at the request of the Government of the Kingdom of Saudi Arabia, the General Assembly of the United Nations held a high-level meeting on dialogue from 12 to 13 November 2008. These initiatives were taken within the framework of the Kingdom's policy of promoting international peace and security and fostering a spirit of tolerance among all peoples.

53. As part of its positive contribution at the international level during the food crisis that affected the whole world, and particularly the poorer countries, in 2008 the Kingdom of Saudi Arabia made an unconditional donation of US\$ 500 million to the United Nations World Food Programme.

54. The Kingdom also established an Energy Fund for the Poor to which it contributed US\$ 500 million to help developing countries to obtain energy and implement development projects (Jeddah Energy Meeting, 2008).

55. The Government of the Kingdom of Saudi Arabia, believing that poverty has adverse effects and repercussions on the full enjoyment of human rights, has provided aid and assistance for the most poverty-stricken countries and support for organizations seeking to alleviate poverty worldwide. During the last three decades, the total assistance and non-recoverable and soft development loans provided by the Kingdom amounted to more than US\$ 84 billion. The Kingdom is also an important source of foreign exchange for the developing countries and, at the global level, ranks second in regard to the volume of its foreign exchange transfers. It is supporting institutions and organizations that are implementing specialized programmes of concern to the international community, such as the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the United Nations Development Programme, the United Nations Industrial Development Fund, the Arab Gulf Programme for United Nations Development Organizations (AGFUND), the Arab Fund for Technical Assistance to African Countries, and the United Nations Children's Fund.

56. In 1991, the Kingdom waived official debts, amounting to about US\$ 6 billion, due to it from a number of developing countries so that those countries could meet the requirements for a decent life.

57. The total relief assistance that the Kingdom has provided amounts to more than US\$9.486 billion, not including the Kingdom's pledge of US\$1 billion to support the reconstruction of Iraq.

58. The Kingdom's endeavours to eliminate poverty in general are ongoing and are having a tangible effect at the local and international levels. In 2008, this prompted the World Food Programme to award the Custodian of the Two Holy Mosques the title of "Champion in the Fight against Poverty" which the WFP confers on leaders who contribute to the fight against poverty.

❖ **Establishment of the National Commission for the Welfare of Prisoners, Former Prisoners and Their Families**

59. This Commission, which was established in accordance with Council of Ministers Decision No. 2 of 1/1/1422 AH, has its headquarters in the city of Riyadh and branches in all the country's regions.

60. The Commission's function is to assist inmates of reformatories and prisons, overcome the financial and psychological problems faced by their families, provide them with the requisite services, improve the prison environment and propose appropriate alternatives. The Commission's activities include the provision of financial support for the families of prisoners and for former prisoners and helping them to find suitable employment so that they can reintegrate as respectable members of society.

❖ **Formation of counselling boards for persons imprisoned or detained on security grounds**

61. In keeping with its concern for its citizens and its firm belief that the motives for terrorism are fabricated and that young persons who are easily influenced could become embroiled therein, the Kingdom has made provision for advisory services to rectify erroneous concepts through the establishment of counselling boards for persons imprisoned or detained on security grounds. As a result of dialogues with these boards, a large proportion of such prisoners and detainees have renounced their dangerous ideologies. The boards also cater for the health, material and family-related needs of prisoners and detainees after their release.

❖ **Formation of a committee in the Kingdom's Human Rights Commission to ascertain the compatibility of the laws with the international human rights treaties and conventions to which the Kingdom has acceded**

62. A committee has been formed within the Human Rights Commission to examine the extent to which Saudi legislation is compatible with human rights instruments as a first step towards harmonization of the Kingdom's existing laws with its obligations under international treaties and conventions and amendment of any legal provisions that might be in conflict with those obligations. It is also studying the possibility of accession to instruments to which the Kingdom is not yet a party.

63. In fulfilment of its responsibility to promote greater awareness and knowledge of the concepts of all forms of human rights, the Kingdom's Human Rights Commission has participated in a study of "draft international standards of collective responsibility", which would greatly facilitate its tasks. The Commission will also be assisting in the formation of a Saudi national committee on collective responsibility

G. Challenges and constraints

64. The Kingdom of Saudi Arabia, like other States, has faced numerous challenges and constraints in its endeavours to ensure justice for all. The main challenge has been posed by extremist groups committing acts of terrorism in and outside its territory. The Kingdom strongly believes that international cooperation will be a decisive factor in the campaign against

terrorism. Although the will and determination to embark on this campaign should first be manifested at home, the national will should subsequently be expanded to become a global collective determination since no State can afford to remain neutral. The Kingdom is in favour of the adoption of a comprehensive global convention against international terrorism which, unfortunately, is still facing many obstacles due to political disputes between States concerning its role and content, particularly in regard to the definition of terrorism, the distinction between terrorism and legitimate resistance, and the concept of State terrorism.

65. The Kingdom has organized international gatherings at which it has advocated the planning and structuring of collective international action to combat terrorism. In February 2005, it organized a Counter-Terrorism International Conference which issued numerous important recommendations including, in particular, the Kingdom's call for the establishment of an international counter-terrorism centre. A web site has been created containing details of the Conference's activities, together with its Final Declaration and all the related documents (www.ctic.org.sa).

66. Since the Islamic Shari'a categorically forbids all forms and types of terrorism (which is a profane phenomenon), advocates a spirit of cooperation and brotherly love among people and prohibits acts of iniquity and devastation, the Standing Committee for Scholarly Research and Legal Opinions (Fatwas) in the Kingdom of Saudi Arabia issued a declaration proscribing terrorism and calling for the application of those noble precepts.

67. The Kingdom of Saudi Arabia has repeatedly emphasized that the information media should refrain from publishing or broadcasting anything that might encourage deviant behaviour, fanaticism, extremism or terrorism. It has also stressed the importance of public safety and security. In this connection, the Kingdom reaffirms its condemnation of the disparagement and defamation of religions that some States permit in the name of freedom of expression and which is helping to incite religious extremism in the Islamic World.

68. The Government is implementing a number of programmes to support its anti-terrorism endeavours and intensify its campaign against extremists through, inter alia, the establishment of a special security court to try suspected terrorists in which general safeguards are applied to ensure that the court, far from acting as a military tribunal, operates in conformity with the law and the judicial practices in force.

69. As part of its anti-terrorism campaign at the international level, the Kingdom ratified the Organization of the Islamic Conference Convention on Combating International Terrorism of 1999 and has acceded to and ratified all the 13 international conventions against terrorism. It is cooperating and coordinating with many friendly States in the fight against terrorism.

70. In this context, the Kingdom has proposed the establishment of an international agency or centre to coordinate with the United Nations on the development of mechanisms for an exchange of information and expertise among States in the field of counter-terrorism and for the interlinkage of national counter-terrorism agencies through a database that would enable them to rapidly exchange data on terrorists and terrorist groups.

71. The Kingdom is hosting more than seven million foreign expatriates holding more than 180 different nationalities and coming from a variety of cultural, social and economic

backgrounds in all parts of the world. This large group, forming approximately one third of the Kingdom's population, constitutes a tremendous challenge and burden in view of the need to meet the health, educational and other service-related requirements of their presence in its territory. The Kingdom is providing most of these services virtually free of charge, as a result of which these developmental services, although expanding year by year, are coming under increasing pressure in their efforts to meet the requirements of a decent life for all.

72. In addition, the Kingdom hosts more than three million pilgrims of various nationalities from all parts of the world in the annual pilgrimage season during which it is responsible for ensuring their protection, safety and comfort and providing all the facilities needed for their performance of the rituals. However, the services that the Kingdom provides in this regard are not confined solely to the pilgrimage season; they extend throughout the year since more than six million persons visit the Kingdom at other times of the year for the performance of other religious ceremonies (minor pilgrimage, visit to the Prophet's Mosque). This undeniably necessitates the full deployment of resources and capacities at all levels and in all fields in order to ensure the safety and security of these guests whom the Kingdom is honoured to serve.

73. Some inherited customs and traditions that are still prevalent in the Kingdom, and which could have an adverse effect on sustainable growth and the development process, require particular types of adaptation and might take a long time to accept and adjust to change. Although the Islamic religion might frown on some such customs and traditions, human nature needs time to gradually adapt and it is sometimes difficult to abandon, all at once, the inherited customs and traditions of tribal societies. Customs are inherited and not imposed.

74. The extensive geographical area of the Kingdom and the fairly recent introduction of modern education should also be borne in mind. Although tremendous progress has been made in modern education, it is still a relatively new phenomenon and the lives of societies are measured in centuries, not in years. This poses a further challenge in regard to the mingling of different cultures and its effect on social mobility.

Note

¹ On page 35 of its final report on the monitoring of the municipal elections, the National Society for Human Rights stated that the report ultimately led to the decisive and important conclusion that the official authorities in the Kingdom of Saudi Arabia did not interfere directly or indirectly in the electoral process in any way that could have affected its fair and transparent nature. The observers from the National Electoral Commission likewise saw no sign of any irregular interference in the conduct of the electoral process that could be attributed to the official authorities.