

(Translated from Arabic)

1. With regard to the request to provide any additional information and any comment you may have on the above-mentioned allegations:

The allegations are false inasmuch as the Communications Centre of the Social Protection Unit received a communication from the parents of the person concerned to the effect that she had subjected them to psychological violence. Action was immediately taken on the communication in order to assess the situation and to hear their statements, for instance concerning a threat to kill her mother and to spray gas at her. The case was investigated by the Social Protection Committee, which is the governmental body responsible for combating diverse forms of domestic violence, affording protection against various types of physical, verbal, sexual or psychological abuse within the family, and providing social, psychological and health-care assistance, treatment, shelter and care. The case was addressed in accordance with the Protection from Abuse Act and its implementing regulations, including article 7 of the Act and article 2 of the implementing regulations. The parents welcomed the reform and reconciliation within the family.

Her father subsequently submitted a report to the police concerning his daughter's disobedience and her subjection of her parents to psychological violence. She was placed in a Care Centre for Girls, in accordance with article 12 of the Code of Criminal Procedure and article 3 of the Regulations of the Girls' Welfare Foundation concerning the duty to investigate girls within the Foundation. She was questioned by the Bureau of Investigation and Prosecution, in accordance with article 13 of the Code of Criminal Procedure and an order for her release was issued on 3/2 A.H. 1438, in accordance with article 34 of the Code. The necessary measures were taken to ensure her safety and to prevent any abuse. Her relatives cooperated with the Girls' Welfare Foundation so that her case could be monitored by a social and psychological specialist. A decision to dismiss the case was issued in accordance with article 124 of the Code.

With regard to the case filed against her brothers for subjecting her to threats and slander and compelling her to withdraw the charges, she filed the suit against two of her brothers. Investigations were conducted and the Bureau of Investigation and Prosecution issued a decision to dismiss the case against the first brother because of insufficient evidence, in accordance with article 124 of the Code of Criminal Procedure. She was informed of the outcome of the investigation and of her entitlement, if she so wished, to exercise a private right of action before the competent court, in accordance with article 16 of the Code. With regard to her case against the second brother, the investigation led to a charge being filed against him and all the relevant documents were referred to the competent court, in accordance with article 126 of the Code.

2. With regard to the request for information concerning the legal grounds for the arrest and detention of Maryam al-Otaibi:

As mentioned above, the said person was arrested on the charges mentioned in the reply to question No. 1.

3. With regard to the request to indicate what measures your Government intends to take to ensure that human rights defenders, particularly women human rights defenders, are able to carry out their legitimate work in a safe and enabling environment without fear of threats or acts of intimidation and reprisals of any kind:

All citizens and residents enjoy their rights and exercise their freedoms indiscriminately, in accordance with the legislation in force in the Kingdom. No group, regardless of its designation or nomenclature, enjoys preferential treatment in the enjoyment of such rights and the exercise of such freedoms. They may do so without fear of threats, intimidation or any comparable acts. Any person whose rights are violated may file a complaint in accordance with the legally available remedies. The Kingdom's legislation requires all State authorities to guarantee justice to all, regardless of their religion, race,



gender or nationality. If any such authority or its representative violates any right, the victim is entitled to resort to competent mechanism to seek redress.

The State assigns priority to the promotion and protection of human rights. Article 26 of the Basic Law of Governance stipulates that the State shall protect human rights in accordance with the Islamic sharia, and article 36 of the Law stipulates that the State shall provide security for all its citizens and for all residents in the Kingdom that no person's actions may be restricted, nor may he be detained or imprisoned, save in accordance with the provisions of the law. In addition, article 2 of the Code of Criminal Procedure stipulates that no person shall be arrested, searched, detained or imprisoned save in cases specified by the law. No act may be criminalized save on the basis of existing sharia or statutory provisions, in accordance with article 38 of the Basic Law of Governance. The Civil Associations and Foundations Act sets out developmental and social objectives such as: organization, development, protection and enhancement of the benefits of non-governmental employment; participation in national development; promotion of the participation of citizens in the administration and development of society; development of a voluntary work culture among the general public; and achievement of social solidarity. Pursuant to the Act, 10 persons may establish an association and obtain licences within 60 days of the date of submission of the support material for the application in order to facilitate the procedures.

The Kingdom supports associations and foundations that seek to promote and protect human rights or who operate in associated areas. It has in fact recognized them as essential partners in human rights work. Examples of this partnership include: the promulgation of the Protection from Abuse Act, which was drafted by civil society association; participation in the preparation of the Child Protection Act; involvement of a number of NGOs and civil society associations in the preparation of the Kingdom's reports to the treaty bodies and other reports, including its report for the second cycle of the universal periodic review. Some of them also attended the Human Rights Council meeting at which the Kingdom was reviewed.

The National Society for Human Rights publishes reports on the human rights situation in the Kingdom, in which citizens highlight shortcomings that impede the full enjoyment of any human rights and their causes, drawing information from complaints they have received and infringements that they have observed. The reports assess progress achieved and present appropriate conclusions and recommendations. The Society also prepares studies and issues press releases concerning specific cases. Many associations and foundations that are active in areas relating to human rights prepare studies and reports, and organize seminars, interactive activities and media events aimed at protecting and promoting the rights that they support, while preserving their independence. The law guarantees protection and remedies in the event that any of their rights are violated.

The Human Rights Commission organizes many courses, conferences, seminars and workshops, occasionally in cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR), with a view to building the technical capacities of (governmental and non-governmental) human rights activists so that they can operate objectively in the area of human rights, basing their work on international criteria and the provisions of Islamic sharia, and supporting civil action to ensure that it is scrupulous, knowledgeable and objective.

4. With regard to the request to indicate what measures have been taken by your Government to ensure that victims of domestic violence in the Kingdom of Saudi Arabia are able to safely report abuses without fear of reprisals, particularly when denouncing abuse at the hands of designated male guardians:

The Protection from Abuse Act and its implementing regulations and associated measures help to suppress all forms of violence against women. The provisions of the Act are designed to address behavioural phenomena in society. It requires any person who becomes aware of a case of abuse to report it forthwith. A specific provision requires any civil servant, military official or private-sector employee who becomes aware of a case of abuse — in the performance of his duties — to inform his employer thereof. The employer must inform the competent authority or the police of the case of abuse on receiving the

report. In addition, the Act stipulates that the identity of the informant of a case of abuse should be revealed only with his consent or in cases specified by the implementing regulations of the Act. The following are the main procedures for implementing the Act and its regulations:

- The obligation of all public or private authorities to inform the Ministry [the Ministry of Labour and Social Development] or the police about cases of abuse as soon as they become aware of them or receive a report;
- The establishment of a centre to receive reports of cases of abuse;
- Immediate action on reports by investigating the case, assessing its seriousness, conducting a medical assessment if necessary, and taking all necessary and appropriate measures to address the case;
- Action to ensure that the police and other competent law enforcement authorities respond immediately to a request from the social protection unit to enter any site, and to ensure full protection for the protection unit staff and for the case.

Article 11 of the Practice of Health-care Professions Act also requires health-care professionals to report any injury that could constitute a criminal offence.

In addition, action to deal with cases of violence and abuse in health-care facilities called for the establishment of committees and working groups on protection against violence. The main tasks of these committees and working groups are: to provide for immediate medical intervention on admission of cases of violence and abuse; to develop treatment plans and appropriate rehabilitation programmes; and to inform the social protection committee of cases of domestic violence within a period of not more than 48 hours.

A unit for protection against violence and abuse has been created in health-care facilities. Its main tasks are: to monitor the performance of the committee and working groups on protection against violence and abuse in all health-care facilities; to compile and study statistics concerning cases of violence; and to develop training courses.

The Ministry of Labour and Social Development has specified on its website the authorities and mechanisms entitled to receive reports. They include: the General Directorate for Social Protection; regional social protection committees; regional governorates; the Human Rights Commission; the National Society for Human Rights; the National Family Safety Programme; public and private hospitals; police stations; educational establishments; and charity organizations.

The mechanisms for receiving complaints of violence have been reinforced by various means (telephone lines, websites, social media programmes, fax services, etc.). A centre run by women has been established to receive reports of domestic violence 24 hours a day on hotline number 1919, and protective teams have been created to receive communications in all regions and governorates.

A number of social protection units, child protection centres, charity organizations for social protection and social protection committees have been established for the purpose of sheltering and hosting cases. With regard to voluntary measures, the Act and its implementing regulations have been disseminated widely through the traditional media, the social media and other channels. Training workshops have been held to familiarize specialists and other interested parties with the Act and its implementing regulations, and to provide them with the skills required to implement the provisions. The Ministry of Labour and Social Development has held workshops on the implementing regulations attended by numerous specialists from governmental bodies and civil society institutions and other interested parties. Publications on protection have been issued to raise public awareness of abuse and the Human Rights Commission has held seminars and training courses on domestic violence.

5. With regard to the request to indicate what steps the Government is taking to follow through on its commitments to end the discriminatory male guardianship system and ensure compliance with its international obligations under the Convention on the Elimination of All Forms of Discrimination against Women:

Guardianship does not undermine women's rights. On the contrary, it promotes general human rights principles. Moreover, it does not affect a woman's personal independence in financial terms or her legal capacity to exercise her rights. Guardianship means that the male or female entrusted with guardianship acts on behalf of a person who is incompetent or only partially competent. The responsibilities of guardianship include the administration of financial and other affairs, the aim being to protect and promote rights and to prevent violations. If the aim is not fulfilled and the person concerned suffers damages, guardianship is withdrawn and transferred to another person with a view to achieving its aim.

The Kingdom has submitted reports concerning its international obligations, in particular concerning its compliance with the Convention on the Elimination of All Forms of Discrimination against Women, which may be consulted on the OHCHR website. It described the legal and other measures taken to empower women and to promote and protect their rights in the Kingdom.
