

(Translated from Arabic)

1. Additional information and comments on the allegations:

The information contained in the allegations is inaccurate. The allegation that Yousef Musheikhas, Amjad al-Muebad, Mahdi al-Sayegh and Zaher al-Basri were convicted and sentenced to death on protest-related charges is false since those persons were found to have committed the following most serious offences:

- Yousef Musheikhas was a member of an armed terrorist group that carried out attacks on government facilities and the security forces, including several attacks on a police station in one of which two police officers were injured. He used automatic firearms to shoot at a police patrol and at police officers during the performance of their duties. He tracked the movements of police officers in order to attack them. He also participated in several riotous gatherings and harboured a group of persons wanted on criminal and security-related charges.
- Amjad al-Muebad was a member of an armed terrorist group that was planning to attack government facilities and security forces and, to that end, he trained with the group on a number of occasions, firing live ammunition from an automatic weapon and a pistol. He participated with them in attacks on a police station, during which he fired several shots from a pistol, and in attacks on police patrols during which he threw Molotov cocktails with intent to prevent the police from discharging the duties assigned to them. He helped to detonate a gas cylinder with a view to intimidating the police and spreading alarm and chaos. He participated in the attack on Qatif Court in which Molotov cocktails were thrown and public and private property was consequently burned and damaged. He also participated in several riotous gatherings in Qatif Governorate in which roads were blocked with burning tyres in order to prevent the security authorities from reaching the scene.
- Mahdi al-Sayegh fired shots at a police station and a police patrol, targeting police officers during the performance of their duties. He also threw Molotov cocktails on more than one occasion, including during the attack on Qatif Court, and helped to set fire to tyres in order to prevent the police from discharging their duties. He participated in riotous marches and was in possession of, and used, military equipment and Molotov cocktails. He also possessed two automatic weapons with 98 rounds of ammunition and a pistol with three rounds. He acted as an intermediary in the unlicensed purchase and sale of weapons and received firearms training together with a group of other persons. He also procured, sold and used narcotic drugs and stored prohibited material on two computers that he owned.
- Zaher al-Basri fired an automatic weapon at police officers on several occasions and also shot at a police station and police patrols at various times. He acted as a lookout and covered a group of persons while they were shooting at a police station. He harboured persons receiving weapons training for the purpose of disturbing public order and, together with others, he threw Molotov cocktails at police officers on a number of occasions. He also procured weapons, sold them to persons wanted by the security authorities, participated in riotous gatherings and set fire to tyres on public thoroughfares in order to prevent the police from performing their duties.

It is noteworthy that the death penalty can be imposed only for the most serious offences and subject to the strictest controls and death sentences are handed down and enforced only after completion of the judicial examination procedures at the various levels of jurisdiction. The Kingdom's regulations provide all the safeguards needed for fair trial proceedings in conformity with the Kingdom's international obligations in the field of human rights. Cases are heard by a panel of three judges in a court of first instance, after which the judgment is referred to a higher (appellate) court, even if it has not been appealed by any of the parties, and is examined by a criminal division of the appellate court



consisting of five judges. If the appellate court upholds the death sentence, it is automatically referred to the Supreme Court where it is once again examined by five judges. The upholding of a judgment by the Supreme Court marks the last phase in the process of judicial scrutiny and the judgment becomes final in accordance with article 210 of the Code of Criminal Procedure and, thereby, enforceable in accordance with article 212 thereof. Under the provisions of article 217, paragraph 1, of the said Code, death sentences also require the issuance of an order by the King or his authorized representative before they can be enforced.

All convicted persons, as well as their legal representatives and families, are informed of the judgments handed down against them. Under the provisions of article 64 of the Code of Sharia [Civil] Procedure, proceedings must be conducted in public unless the judge, at his own discretion or at the request of any of the parties, decides to hold them in camera in order to maintain order or protect public morals or family privacy. A similar provision is found in article 154 of the Code of Criminal Procedure. Article 164 of the Code of Sharia Procedure stipulates that the judgment must be delivered at a public hearing and article 181, paragraph 1, of the Code of Criminal Procedure adopts the same principle by requiring the judgment, signed by the bench, to be read out at a public hearing, even if the proceedings were conducted in camera, and the said hearing must be attended by the parties to the proceedings and by all the judges who rendered the judgment unless an impediment prevents any of them from attending.

The allegation that 47 persons were executed on 2 January 2017 after being sentenced to death on protest-related charges is false since those who were executed (on 2 January 2016) had been convicted of embracing, propagating and promoting the “*takfiri*” ideology by various means; belonging to terrorist organizations and implementing their criminal schemes by bombing the Al-Hamra, Vinnell and Ishbilial residential compounds, attacking the Arabian Petroleum Investments Corp (APICORP), Petroleum Center and Oasis compounds with hand grenades and various firearms; killing, injuring and mutilating the bodies of numerous citizens, security officers and foreign residents; attempting to bomb other residential compounds and poison public water supplies in various parts of the Kingdom; abducting a number of foreign residents with a view to killing them and mutilating their bodies; manufacturing explosives and smuggling them into the Kingdom; possessing locally made and imported weapons and bombs; possessing high-explosive substances; possessing various projectiles and missiles; bombing premises of the security and military authorities such as the Directorate General of Traffic, the Ministry of the Interior and the headquarters of the Special Emergency Forces in which a number of security personnel and citizens were killed; attempting to attack the King Khalid Air Base, the Prince Sultan Air Base and a civilian airport; attempting to abduct and kill numerous security personnel; encouraging armed confrontation with the security forces and inciting others to shoot and throw Molotov cocktails at them while they were performing their duty of protecting public security and public interests; supporting and encouraging acts of armed sabotage on public thoroughfares and in public facilities; and attempting to damage the national economy and harm the Kingdom’s standing, interests and relations with sister and friendly States by storming the United States Consulate, in which four security personnel were killed, attacking the Abqaiq refinery, in which two security personnel were killed, attempting to attack a number of foreign embassies and consulates, attempting to bomb the Saudi Aramco Company and a number of oil-processing facilities, and committing armed robberies in banks and commercial premises, in addition to acts of larceny by fraud or deception.

After being convicted on the charges brought against them, each of them was sentenced to death for the offences that he had committed. Their sentences were upheld by the competent appellate court and by the Supreme Court and royal orders were issued for their enforcement.

The allegation that 24 individuals were arrested in connection with pro-democracy protests is false since the occurrences at Qatif constituted riots and acts of terrorism and the individuals in question were sentenced to death after being convicted of very serious crimes, including the formation within the Kingdom of a terrorist cell which engaged in armed raids, undermined public security, used weapons to intimidate and assault peaceful citizens,

damaged public and private property and killed a member of the security forces and injured others after tracking their movements and firing shots and throwing Molotov cocktails at the location in which they were on duty. The cell also possessed automatic weapons, pistols, ammunition and Molotov cocktails, committed acts of armed robbery in which they seized large amounts of money from a number of commercial premises and an armoured cash-in-transit truck and, using vehicles stolen or taken from their owners at gunpoint, opened fire on a number of citizens, some of whom were killed and others wounded.

After being convicted, each of the said individuals was sentenced in the light of the criminal role that he played within the cell. It should be borne in mind that judicial sentences are delivered only after deliberation and consideration of the factual and presumptive evidence, the submissions and pleadings of the public prosecutor, the defendant and his legal representative and the confirmed statements and confessions of the defendant, in addition to the content of the arrest and search records, the testimonies of witnesses and the reports of experts. The sentences imposed on those individuals ranged from capital punishment to terms of imprisonment, confiscation and other penalties commensurate with the offences that they had committed.

The alleged birthdates of some of those members of the "Awamiyah 24 cell" were incorrect. For example, Hussein al-Rabee was born on 17/1/A.H. 1413 (17 July 1992), Abdullah al-Tarif was born on 29/4/A.H. 1411 (16 November 1990), Mohammed al-Nasser was born on 26/1/A.H. 1413 (26 July 1992), Mustafa Darwish was born on 15/5/A.H. 1414 (30 October 1993), Fadel al-Labad was born on 1/3/A.H. 1410 (30 September 1989) and Ahmad al-Rabee was born on 21/10/A.H. 1404 (20 July 1984).

The allegation that they were arrested in connection with pro-democracy protests is false. What actually happened was that a group of terrorists instigated riots and disturbances of the peace in which they used explosive devices, Molotov cocktails, firearms, military weapons and RPGs against the security forces, citizens and foreign residents, including women and children, in residential areas, thereby threatening the safety and endangering the lives of innocent persons insofar as their aim was to cause the largest possible number of casualties. However, notwithstanding the fact that a number of civilians and military personnel were killed or wounded and public and private property was damaged during those incidents, the security forces involved dealt with that group in a highly professional manner and with the maximum degree of self-control in order to protect the safety of all.

The allegation that confessions were extracted from them under torture during the investigation is false since they were not subjected to torture or ill-treatment. The said persons made confessions before the investigating authorities entirely of their own free will and, in conformity with article 101 of the Code of Criminal Procedure, confirmed their confessions to the charges brought against them during the court proceedings. Far from being based solely on those confessions, the court's judgment took account of the factual and presumptive evidence presented, the arrest and search records, the testimonies of witnesses and the cross-examinations and statements heard during the trial proceedings. Since those proceedings constitute the final stage of investigation, the court was empowered to hear witnesses, visit and inspect the scene of the incidents and seek the opinions of experts, including forensic physicians, in order to safeguard the rights of the parties involved in the case. Article 161 of the Code of Criminal Procedure stipulates that, if a defendant confesses at any time to the charges brought against him, the court must hear his statements in full and question him thereon. Evidence found to have been obtained as a result of torture is deemed to be incompatible with the provisions of the Islamic sharia and the Kingdom's relevant regulations and, as such, is inadmissible in accordance with article 187 of the Code of Criminal Procedure under which any procedure contrary to the provisions of the Islamic sharia and the regulations in force is deemed invalid.

The allegation that the said persons were denied access to medical care is false since they were provided with the requisite medical care in the same way as other detainees and prisoners. The allegation that Mojtaba al-Suweikat suffered a broken shoulder as a result of torture is false since a medical examination showed that he had been complaining of pain in his shoulder for five years, i.e. before his arrest, due to a sports activity. The allegation that Munir al-Adam had hearing and visual impairments due to an accident is likewise false

since he was not found to be suffering from any impairment. A medical examination showed that he was hard of hearing in one ear, which he attributed to an old traffic accident before his arrest, and he was provided with the requisite medical care. These allegations have already been answered.

The allegation that the said persons were denied access to legal counsel, and that they were not informed of the charges brought against them and of the evidence in the case, is false since, under the provisions of articles 4 and 65 of the Code of Criminal Procedure and article 10 of the Counter-Terrorism and Financing of Terrorism Act, they had a guaranteed right to appoint an attorney or legal counsel to defend them. They were handed a copy of the bill of indictment, in accordance with article 160 of the Code of Criminal Procedure, and the judges informed them of their right to answer the charges against them in person, either immediately by word of mouth or in writing, and to avail themselves of the services of an attorney or legal counsel to defend them. All of them appointed defence counsels and, in accordance with article 139 of the Code of Criminal Procedure, the Government paid the fees of the counsels appointed by those who were unable to afford the cost, such as the defendants Fadel al-Labad, Saeed al-Skafi, Salman al-Qureish, Munir al-Adam, [REDACTED] and Ahmad al-Rabee. All the defendants and their counsels attended the hearings of their respective cases. The total number of hearings held by the court of first instance amounted to more than 278, and not merely five as alleged.

The allegation to the effect that Ali al-Nimr, Dawood al-Marhoon and Abdullah al Zaher were under 18 years of age and were sentenced to death on the charge of participating in protests is false since they were convicted of very serious criminal offences. Anyone who is charged with a criminal offence is given a fair trial in public before an independent and impartial court the judgments of which respect all the human rights principles and rules that are consistent with the Islamic sharia. No offender lacking full legal capacity at the time of his commission of the offence can be sentenced to death. This is in conformity with the Kingdom's obligations as a party to the Convention on the Rights of the Child insofar as its court judgments determining a person's attainment of the age of legal majority are based on the presence of signs of sensory and perceptible maturity which endow such person with the capacity to fulfil religious obligations, engage in financial transactions and be held criminally accountable. As already indicated in previous replies to those allegations, the said persons were convicted of very serious criminal offences.

With regard to the case of Abdelkareem al-Hawaj, he was arrested on the charge of membership of an armed terrorist cell which was inciting and provoking sedition and riots, using firearms to attack members of the security forces and throwing Molotov cocktails at government facilities. He spread alarm and terror among passers-by and peaceful citizens by committing the following offences:

1. Participating, in association with others, in the commission of criminal acts of terrorism by firing automatic weapons at members of the security forces with intent to murder them during their performance of their official duty of maintaining order;
2. Obstructing traffic, disturbing public order, terrorizing peaceful citizens and preventing the security forces from performing their duties by setting fire to tyres in public thoroughfares;
3. Participating, in association with others, in the throwing of two Molotov cocktails which set fire to the General Court in Qatif Governorate, which constitutes an offence punishable under article 15 of the Explosives and Fireworks Act;
4. Producing, storing and transmitting material prejudicial to public order, which constitutes an offence punishable under article 6 of the Anti-Cybercrime Act.

With regard to the allegation that he was held in solitary confinement, an investigating official is empowered by law, in the interests of the investigation, to prevent a detained suspect from communicating with third parties for legally specified periods of time. The allegation that he was subjected to acts of torture is false since such acts are prohibited under the Code of Criminal Procedure which stipulates that "it is prohibited to subject an arrested person to physical or mental harm, torture or degrading treatment" (art. 2), "persons who are arrested or remanded in custody shall be treated in a manner

conducive to the preservation of their dignity and shall not be harmed physically or mentally” (art. 36) and “any procedure contrary to the provisions of the Islamic sharia or the regulations derived therefrom shall be deemed invalid” (art. 187). In this regard, the Kingdom is respecting its international obligations as a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

With regard to his trial proceedings, his case file was referred to the competent court of first instance in which it was examined by a panel of three judges. When the court’s judgment was handed down, he exercised his right to lodge an objection thereto, within 30 days from the date of his receipt of a copy thereof, in accordance with article 192, paragraph 1, of the Code of Criminal Procedure. After considering the objection, the court confirmed its judgment and, in accordance with article 196 of the Code, referred the entire case file to the appellate court in which it was examined by a division consisting of a panel of five judges in conformity with article 15, paragraph 1, of the Statute of the Judiciary. The appellate court upheld the judgment which, in accordance with articles 10 and 198 of the Code of Criminal Procedure of 2013, was then referred to the Supreme Court where it was carefully examined by a panel of five judges in accordance with article 10, paragraph 4, and article 11, paragraph 1, of the Statute of the Judiciary. The Supreme Court’s endorsement of the judgment marked the last phase in the process of judicial scrutiny and the judgment became final in accordance with article 210 of the Code of Criminal Procedure and, thereby, enforceable in accordance with article 212 thereof. Under the provisions of article 217, paragraph 1, of the said Code, death sentences also require the issuance of an order by the King or his authorized representative before they can be enforced.

With regard to the case of Jaber al-Marhoon, he was sentenced to death under the terms of a final judgment after being convicted of participating, in association with others, in the commission of acts of terrorism, firing automatic weapons and two pistols on more than 11 occasions at a number of police vehicles and a prison building, receiving weapons training with other persons, and possessing firearms which he used in those criminal acts intended to disrupt internal security.

The allegation that 15 persons were denied access to legal counsel throughout their pretrial detention and at trial is incorrect since they were enabled to appoint legal counsels who attended their trial. The court ensured that the defendants received a fair trial and were able to submit all their pleas, responses, rebuttals and petitions by giving them long respites between hearings. More than 150 hearings were held and the court granted requests for postponement of the hearings of some of the defendants so that they could sit academic examinations or because of the circumstances of their legal counsels. Separate hearings were held for each defendant at all stages of the proceedings in order to give him adequate time and full freedom to make whatever statements he wished in court. Each of them was permitted to appoint an attorney of his own choosing and the total number of male and female attorneys appointed in this case amounted to more than 100. In conformity with article 139 of the Code of Criminal Procedure, the court agreed to assign attorneys at the State’s expense to plead on behalf of any defendants wishing to appoint legal counsels but who could not afford their fees. The court requested the authorities at the detention facilities to enable all those attorneys and legal counsels to meet with their clients in their places of detention and transmit whatever they wished to the court. Furthermore, during its hearing of some of the defendants’ responses, the court looked into assertions made to the effect that they had been unable to meet with their legal counsels and had not been provided with the means to write their responses in the detention facilities. After writing to the competent authorities and requesting them to answer those assertions, the court received a large number of official replies, many of which were entered in the records of the hearings and all of which were added to the case files. Those replies affirmed that the authorities at the detention facilities had provided each of the defendants with the means needed to write their responses and had enabled the attorneys and legal counsels to meet with their clients within the detention facilities. On numerous occasions, the court also permitted the attorneys and legal counsels to meet and sit with their clients in the courtroom outside the times scheduled for the hearings and, if they so requested, they were given access to the case files and provided with copies of the records of the hearings. They were never denied entry to the court to consult a case file or present submissions, pleas or petitions. Even after a statutory time limit had expired, the court informed defendants that they could still

present supplementary submissions during the proceedings prior to the closure of the pleadings and no one was prevented from presenting written submissions and clarifications after the closure of the proceedings, which were reopened whenever the court found cause to give the defendant an additional opportunity to have his submissions considered and debated. Since the hearings were public, anyone was allowed to attend and the court gave each of the defendants useful information in connection with a number of requests made in their responses which were unrelated to the pleadings.

The allegation that the death sentences imposed on Hussein Abu al-Kheir (a Jordanian national), Ashraf Fayyad (a Palestinian national) and Haydar al-Leif (a Saudi national) were overturned is false. The cases of Hussein Abu al-Kheir and Haydar al-Leif are still being considered by the courts and, on the completion of the consideration of his case, Haydar al-Leif was sentenced in a final and definitive judgment to a term of 8 years' imprisonment.

The allegation that Haydar al-Leif was arrested for involvement in a shooting incident at Awamiyah police station, kept in solitary confinement for two months and subjected to acts of torture and ill-treatment under which he was forced to sign a confession written by his interrogators is false. In fact, he was arrested on the following charges:

1. Shooting at members of the security forces, their vehicles and their workplace on several occasions with homicidal intent;
2. Participation, in association with others, in attacks on members of the security forces in which Molotov cocktails and stones were thrown at them with a view to preventing them from performing their duty of preserving public order;
3. Participation, in association with others, in the use of automatic weapons to block a road, terrorize passers-by and open fire on Awamiyah police station;
4. Participation in riots at Awamiyah (a town in Qatif Governorate) and in the blocking of public thoroughfares by piling up and burning tyres and setting fire to waste containers;
5. Possession of an unlicensed automatic weapon with ammunition for the purpose of disrupting public order and undermining internal security, which constitute criminal offences punishable under article 34 (b) of the Weapons and Ammunition Act;
6. Fabrication, possession and use of Molotov cocktails, which constitute criminal offences punishable under article 15 of the Explosives and Fireworks Act.

With regard to the allegation that he was kept in solitary confinement for two months, during and in the interests of the investigation he was prevented from contacting third parties for 51 days, which is within the time limit prescribed in article 119 of the Counter-Terrorism and Financing of Terrorism Act.

There is no truth to the allegation that he was subjected to torture or ill-treatment in order to extract confessions from him. In court, he confirmed his confessions to the charges brought against him and did not claim to have been coerced. The Kingdom is committed to the human rights instruments to which it has acceded, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which form part of its legislation.

2. Information on measures taken to prevent arbitrary execution of the individuals referred to, which may be unlawful under international law because, inter alia, several of the persons sentenced to death were under 18 years of age or their cases do not seem to meet the requirements for a fair trial:

Discretionary or statutory death sentences imposed on perpetrators of criminal acts that constitute "most serious crimes" and threaten national security cannot be regarded as arbitrary since they are subject to stringent legal safeguards. Under the Kingdom's legislation, death sentences are regulated by a number of mandatory procedures to ensure that defendants receive a fair trial and that judgments meet the standards of due process from the time when they are handed down by the court of first instance until they become final. In the courts of first instance, cases are heard by a panel of three judges and, after the judgment has been handed down, the defendant has the right to lodge an objection against it

within 30 days from the date on which he receives a copy of the judgment. Article 196 of the Code of Criminal Procedure stipulates as follows: “The division that rendered the challenged judgment shall examine the grounds on which the objection is based without hearing submissions, unless necessary, and may amend or uphold the judgment as it sees fit. If it upholds the judgment, it shall refer the case, together with copies of all its records and documents, including the statement of objection, to an appellate court. If it amends the judgment, all the parties to the case shall be so informed and the normal procedural rules shall apply.” If the judgment is upheld, the case file is referred to an appellate court in accordance with article 192 of the Code which stipulates that “the convicted person, the public prosecutor or the civil claimant may, within the legally prescribed time limit, appeal or request scrutiny of judgments rendered by courts of first instance”. Under the provisions of article 194 of the Code, whenever a death sentence is imposed the case file must be referred to an appellate court even if none of the parties has lodged an appeal. The division of the appellate court which is competent to hear such cases is composed of five judges as required under article 15, paragraph 1, of the Statute of the Judiciary which stipulates that “the appellate courts shall comprise various specialized divisions, each consisting of three judges, with the exception of the criminal division hearing cases involving the death penalty which shall consist of five judges”. If the appellate court upholds the judgment, it must refer the case to the Supreme Court in accordance with article 10 of the Code of Criminal Procedure (“Death sentences imposed or upheld by an appellate court shall not be final until they have been confirmed by the Supreme Court”) and article 198 of the Code (“The convicted person, the public prosecutor or the civil claimant may lodge an objection in cassation with the Supreme Court against judgments or rulings delivered or upheld by an appellate court”). Death sentences upheld by an appellate court are reviewed by five judges in accordance with article 10, paragraph 4, of the Statute of the Judiciary (“The Supreme Court shall exercise its functions through requisitely specialized divisions, each division being composed of three judges with the exception of the criminal division hearing judgments involving the death penalty which shall be composed of five judges”) and article 11, paragraph 1, of the said Statute (“Judgments or rulings involving a death penalty that are delivered or upheld by an appellate court shall be reviewed”). Such judgments are not enforceable until they have become definitive in accordance with article 212 of the Code of Criminal Procedure under which “criminal judgments shall not be enforced until they have become final”. Under article 210 of the Code, “final judgments are those which have not been challenged within the legally prescribed time limit or which have been upheld or delivered by the Supreme Court”. The enforcement of a death penalty also requires an order from the King or his authorized representative pursuant to article 217, paragraph 1, of the Code of Criminal Procedure which stipulates that “death penalties shall be enforced only by order of the King or his authorized representative”. It is evident from the above-mentioned and other statutory provisions that the Kingdom has duly promulgated regulations and legislation under which defendants are guaranteed a fair trial at all stages of criminal proceedings until a judgment is handed down by a specialized and independent judicial body.

The allegation concerning the imposition of death sentences on persons under 18 years of age has ready been answered in section 1 above.

3. Measures taken to ensure that allegations concerning the extraction of confessions under torture are duly investigated and that the burden of proof in such cases is placed on the prosecution and not on the victim:

Under the Kingdom’s legislation, all forms of torture and other cruel, inhuman or degrading treatment are designated as criminal offences. The Code of Criminal Procedure stipulates that “it is prohibited to subject an arrested person to physical or mental harm, torture or degrading treatment” (art. 2), “persons who are arrested or remanded in custody shall be treated in a manner conducive to the preservation of their dignity and shall not be harmed physically or mentally; they shall be informed of the reasons for their arrest and shall have the right to contact anyone whom they wish to notify” (art. 36) and “the interrogation must be conducted in a manner that does not affect the voluntary nature of statements made by the suspect, who shall neither be required to take an oath nor subjected to any means of coercion; the suspect shall not be interrogated outside the offices of the investigating authority unless the investigator deems such to be necessary.” (art. 102).

In their investigative functions, criminal investigation officers are subject to supervision by members of the Public Prosecution in accordance with the provisions of article 25 of the Code of Criminal Procedure.

In conformity with article 5 of the Prison and Detention Regulations, all prisons and detention facilities in the Kingdom are inspected to ensure that they meet judicial, administrative, health and social requirements and, under the terms of article 3 of its Statute, the Public Prosecution has a duty to supervise and inspect prisons, detention facilities and any other places in which criminal judgments are enforced; hear complaints of prisoners and detainees and verify the lawfulness of their imprisonment or detention or the legality of their retention in the prison or detention facility after the expiration of its prescribed duration; take the necessary measures to secure the release of anyone who is imprisoned or detained without a valid reason; and bring the full force of the law to bear on the persons responsible for those violations.

In addition to these control mechanisms for the protection of the rights of prisoners and detainees, pursuant to article 5, paragraphs 6 and 7, of its Statute, the Human Rights Commission pays unannounced visits to prisons and detention facilities, without the need to request permission from the bodies responsible therefor, and submits reports on those visits to the King. It also receives and checks the validity of human rights complaints and takes the statutory measures in regard thereto. The National Society for Human Rights, which is a civil society organization, is also empowered to pay visits to prisons and detention facilities and receive complaints. The Ministry of the Interior has opened offices within the prisons for the Public Prosecution, the Human Rights Commission and the National Society for Human Rights so that they can monitor the situation of prisoners and receive their complaints on site.

4. Information on the procedures for persons sentenced to death to seek a pardon, and the manner in which they can access such procedures:

The cases of all persons found to be involved in State security offences are referred by the Public Prosecution to the Specialized Criminal Court together with bills of indictment, containing the legally categorized criminal charges brought against them in respect of their violation of the Kingdom's laws and regulations, and any civil claims brought in respect of the inalienable rights of victims pursuant to the provisions of article 147 of the Code of Criminal Procedure which stipulates that "any person who has suffered detriment as a result of an offence — or his heirs after him — shall be entitled to file a civil claim for damages before the court hearing the criminal case at any stage of the proceedings, even if the claim was not deemed admissible during the investigation". The court duly determines the appropriate penalty in the light of the offences committed and, after passing through all the levels of jurisdiction, its judgment becomes final and enforceable. The pardon procedure, which varies depending on whether the penalty imposed is of a retaliatory, doctrinally mandatory or discretionary nature, is governed by the provisions of the Islamic sharia and the Kingdom's regulations and directives.

5. Information on the fate and whereabouts of the 17 men, including one Iranian and one Afghan national, arrested between February and March 2013 and charged with committing acts of espionage against the Kingdom on behalf of Iran:

These 17 persons were arrested and detained on the charge of high treason and engagement in acts of espionage on behalf of a hostile State which is supporting terrorism and endeavouring to provoke sedition and schism within the Kingdom. They are currently detained in the *Mabahith* [General Directorate of Investigation] prison in the city of Dammam. The prisoners [REDACTED] are also being held in the *Mabahith* prison in Dammam and have undergone the investigation and trial procedures. [REDACTED] was sentenced to a term of four years' imprisonment. In the case of [REDACTED], the court dismissed the Public Prosecution's demand for his conviction and punishment on the ground that the charges brought against him were unsupported by sufficient factual and presumptive evidence. The judges informed the defendants who had been sentenced to imprisonment for a lesser term than they had already spent in detention that, when the judgment became final, they would be entitled to file suit

for compensation, in accordance with article 215 of the Code of Criminal Procedure and article 25 of the Counter-Terrorism and Financing of Terrorism Act, in respect of the excessive period of detention. All the parties were informed that they had a right to lodge an objection against the judgment.

6. Information on the procedures followed prior to and after an execution takes place, including the period of notice provided to family members before the execution and for the return of the body to them, and explanation of the reasons for not returning the remains of executed persons to their families for burial:

Convicted persons and their families are notified of death sentences and also of the approval of their enforcement by the King or his authorized representative in accordance with article 217, paragraph 1, of the Code of Criminal Procedure. The authority responsible for their enforcement follows the prescribed procedures by, in particular, ensuring that the person carrying out the execution meets a number of requirements, including probity, knowledge and skill, in accordance with articles 155 and 161 of the implementing regulations of the Code of Criminal Procedure. The execution is witnessed by a committee consisting of representatives of the authorities concerned, who are required to be knowledgeable in regard to the manner in which it should be carried out and one of them must be a qualified physician, in accordance with article 156 of the implementing regulations. Prior to the execution, the person sentenced to death is notified thereof and informed of his right to have his last will and testament drawn up by a personal status court, in order to record his assets, liabilities and bequests, in accordance with article 158 of the Code.

The person sentenced to death is brought to the place of execution without the use of force or the infliction of any mental or physical harm and, before the execution is carried out, the committee witnessing it is required to verify the person's identity from official documents, a comparison of fingerprints, or by any other means, in accordance with article 160, paragraphs 1 and 2, of the implementing regulations. The body of the executed person is not removed from the place of execution until his death has been confirmed and certified by the qualified physician.

7. Information about measures taken to revise legislation that criminalizes the legitimate exercise of the rights to freedom of expression and freedom of association and bring it into line with international human rights standards:

The Kingdom's legislation guarantees every person's right to freedom of opinion and expression provided that such freedom is not prejudicial or detrimental to public order or to society, its members or its firmly established values. This limitation has a national constitutional basis insofar as article 39 of the Basic Law of Governance stipulates that "all means of expression must observe the rules of courtesy, respect the regulations of the State and help to educate the nation and consolidate its unity; and anything which is conducive to subversion or schism or prejudicial to State security shall be prohibited by law." Such limitation is consistent with the relevant international standards including, in particular, article 29, paragraph 2, of the Universal Declaration of Human Rights under which "in the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare ...". Article 43 of the Basic Law of Governance further stipulates that "public audiences held by the King and the Crown Prince shall be open to all citizens and to anyone who might have a complaint or grievance; everyone has the right to address the public authorities on any matters of concern to him."

With regard to freedom of association, the Private Associations and Foundations Act makes provision for social development objectives through the regulation, promotion and protection of non-governmental activities with a view to increasing the benefits derived therefrom, contributing to national development and ensuring greater participation by citizens in community management and development. Under the Act, which is the best proponent of a shift from a welfare-based to a development-oriented society through the promotion of a culture of voluntary work by members of the community and the achievement of social solidarity, an association can be established by a minimum of 10

individuals and the process is facilitated by the issuance of a licence therefor within 60 days from the date of completion of the application procedures.

The Kingdom supports associations and foundations seeking to promote and protect human rights or specific aspects thereof and treats them as active partners in this field. This partnership is illustrated by the promulgation of the Protection against Abuse Act, which was drafted by a civil society organization. A number of non-governmental associations and civil society organizations have also participated in the drafting of the Child Protection Act and the preparation of the Kingdom's reports to treaty and other bodies.

One of the most prominent civil society organizations concerned with human rights is the National Society for Human Rights. The Society issues reports on the human rights situation in the Kingdom in which it highlights shortcomings preventing the full realization of any human rights, as well as the causes thereof, on the basis of the complaints that it receives and the infringements that it observes. It also assesses the progress made in this field, presents its findings and recommendations thereon and issues press releases. Like many other associations and foundations working in human rights-related fields, it prepares studies and reports and organizes symposiums and interactive media events designed to promote and protect the rights with which it is concerned. Its freedom to engage in its activities and perform its functions in an independent and unrestricted manner is guaranteed by law.

The Human Rights Commission also organizes numerous courses, conferences, symposiums and workshops designed to endow governmental and non-governmental personnel working in the field of human rights with the technical and thematic capabilities needed to operate effectively in that field in conformity with international human rights standards and the provisions of the Islamic sharia.

All the measures taken by the Kingdom in this regard are consistent with international human rights standards.
