

(Translated from Arabic)

**Permanent Mission of the Kingdom of Saudi Arabia
to the United Nations in Geneva**

**Official response of the Kingdom to allegations of several special rapporteurs and the
Working Group on Arbitrary Detention and the Working Group on the issue of
discrimination against women in law and in practice**

Official REPAY to REF UASAU11/2018

Special Procedures Branch

**1. With regard to the request to provide additional information or comments on
the allegations in question:**

I. Ms. Israa bint Hassan Al-Ghomgham:

She was arrested on 24 Safar A.H. 1437 (6 December A.D. 2015) and is being held at the Mabahith [General Directorate of Investigation] prison in Damman, Eastern Province. An arrest warrant was issued against the above by the competent authority pursuant to article 4 of the Counter-Terrorism and Terrorism Financing Act (2013), which stipulates: "The Minister of the Interior may issue a warrant of arrest against anyone suspected of committing any of the crimes provided for in this Act." They were detained pursuant to article 2 of the Act, which stipulates: "Crimes of terrorism and terrorism financing are held to be major crimes requiring detention" and article 5, which stipulates: "The investigating body may detain any person accused of a crime provided for in this Act for a period or successive periods of not more than six months in total and may extend such period(s) for a further six months if required by the investigation. In cases requiring a longer period of detention, the matter shall be referred to the Specialized Criminal Court to decide on the extension."

She was arrested due to having been charged with the following crimes:

- Membership of a terrorist entity with links to a hostile, terrorism-supporting State that seeks to cause chaos, unrest and riot in the Kingdom; inciting sectarian strife; and receiving training courses in this hostile State in ways and means of achieving these goals;
- Production, transmission and storage of material that impinges on public order, punishable pursuant to article 6 (1) of the Anti-Cybercrime Act, which stipulates that "A penalty of up to five years' imprisonment and/or a fine not exceeding three million Saudi riyals (SRI) shall be imposed on any person who commits any of the following cybercrimes: 1) production, preparation, transmission or storage of material that impinges on public order, religious values, public morals or privacy, through the Internet or a computer";
- Criminal forgery, punishable pursuant to article 8 of the Criminal Forgery Act of 2013, which stipulates that "Any person who forges a document attributed to a public body or an employee thereof in his professional capacity, or to a subject of public international law or an employee thereof in his professional capacity shall be sentenced to a term of imprisonment of between one and five years and a fine of not more than SRI 500,000".

She was questioned by the competent body and, after making a confession, which was accepted as lawful by the court, she was charged and the case file was forwarded to the competent court by the public prosecutor, pursuant to article 15 of the Code of Criminal Procedure, which stipulates: "Pursuant to its law, the Bureau of Investigation and Public Prosecution shall have jurisdiction to initiate and pursue criminal actions before the competent courts." Article 126 of the same Act stipulates: "If, upon completion of the investigation, the Bureau of Investigation and Public Prosecution believes that there is sufficient evidence against the accused, the case shall be brought before the competent



court and the accused summoned to appear.” Article 26 of the Counter-Terrorism and Terrorism Financing Act (2013) stipulates: “If multiple interrelated crimes have been committed, one of which is a crime stipulated in this Act, the specialized court shall have jurisdiction to decide on all the crimes with which the accused is charged unless decided separately prior to being filed with the said court”. Article 3 (b), (c) of the Bureau of Investigation and Public Prosecution Act stipulates: “The Bureau shall have jurisdiction, in accordance with the law and as set out in the implementing regulations, to take action in respect of an investigation by bringing legal action or closing the case, and to prosecute cases before the courts”.

When the defendant appeared before the court the charges against her were read out and the public prosecutor asked the court to impose a prison sentence and a fine, together with confiscation of the means used in committing the crime. He did not seek the death penalty for her. She was provided with a copy of the bill of indictment in accordance with article 160 of the Code of Criminal Procedure, which stipulates that “During the hearing, the court shall inform the defendant of the charges against him, read out and explain the bill of indictment and provide him with a copy thereof and shall then call upon the defendant to plead thereto”. The defendant requested a recess to prepare her response to the bill of indictment, and she was informed of her right to avail herself of the services of a lawyer or legal representative to defend her in the case in accordance with article 4 (1) of the Code, which stipulates that “Every accused person has the right to seek the assistance of a lawyer or legal representative to defend him during the investigation and trial”. Defendants lacking the financial means to seek the assistance of a lawyer may ask the court to appoint one on their behalf, at State expense, in accordance with article 139 of the Code, which stipulates that: “In respect of major crimes, the accused shall personally appear before the court, without prejudice to his right to seek defence counsel. If he lacks the financial capacity to engage counsel, he may ask the court to appoint a lawyer to defend him at State expense, as stated in the regulations. An accused charged with other offences may be represented by an authorized representative or a defence attorney. In all cases, the court may issue an order for the accused to appear personally.” She requested that two representatives be appointed to defend her in this case and that the upcoming hearing be postponed for three months’ time so she could meet with her counsel. Her requests were granted, and the case is ongoing before the court.

The aforementioned has received her statutory rights, such as visits, contact with the outside world, health and medical treatment. She has received a number of visits, including those on the following dates:

1. 27 Rabi’ I A.H. 1437 (22 December 2015);
2. 15 Jumada I A.H. 1437 (24 February 2016);
3. 29 Jumada I A.H. 1437 (9 March 2016);
4. 28 Jumada II A.H. 1437 (6 April 2016);
5. 27 Rajab A.H. 1437 (4 May 2016);
6. 25 Sha’ban A.H. 1437 (1 June 2016);
7. 24 Rajab A.H. 1437 (29 June 2016);
8. 7 Dhu’l-Qa’dah A.H. 1437 (10 August 2016);
9. 15 Muharram A.H. 1438 (16 October 2016);
10. 23 Safar A.H. 1438 (23 November 2016);
11. 22 Rabi’ I A.H. 1438 (21 December 2016);
12. 20 Rabi’ II A.H. 1438 (18 January 2017);
13. 18 Jumada I A.H. 1438 (15 February 2017);
14. 16 Jumada II A.H. 1438 (15 March 2017);
15. 15 Rajab A.H. 1438 (12 April 2017);

16. 11 Sha'ban A.H. 1438 (7 May 2017);
17. 9 Ramadan A.H. 1438 (4 June 2017);
18. 29 Shawwal A.H. 1438 (23 July 2017);
19. 28 Dhu'l-Qa'dah A.H. 1438 (20 August 2017);
20. 18 Muharram A.H. 1439 (8 October 2017);
21. 16 Safar A.H. 1439 (5 November 2017);
22. 15 Rabi' I A.H. 1439 (3 December 2017);
23. 13 Rabi' II A.H. 1439 (31 December 2017);
24. 11 Jumada I A.H. 1439 (28 January 2018);
25. 9 Jumada II A.H. 1439 (25 February 2018);
26. 8 Rajab A.H. 1439 (25 March 2018);
27. 6 Sha'ban A.H. 1439 (22 April 2018);
28. 4 Ramadan A.H. 1439 (19 May 2018);
29. 6 Shawwal A.H. 1439 (20 June 2018);
30. 2 Dhu'l-Qa'dah A.H. 1439 (15 July 2018);
31. 14 Dhu'l-Hijjah A.H. 1439 (25 August 2018);
32. 29 Dhu'l-Hijjah A.H. 1439 (9 September 2018);
33. 24 Muharram A.H. 1440 (4 October 2018);
34. 5 Safar A.H. 1440 (14 October 2018);
35. 6 Safar A.H. 1440 (15 October 2018);
36. 10 Rabi' I A.H. 1440 (18 November 2018);
37. 16 Rabi' II A.H. 1440 (23 December 2018);
38. 19 Rabi' II A.H. 1440 (26 December 2018).

She has also made numerous telephone calls, including those on the following dates:

1. 5 Safar A.H. 1440 (14 October 2018);
2. 12 Safar A.H. 1440 (22 October 2018);
3. 26 Safar A.H. 1440 (4 November 2018);
4. 3 Rabi' I A.H. 1440 (11 November 2018);
5. 10 Rabi' I A.H. 1440 (18 November 2018);
6. 17 Rabi' I A.H. 1440 (25 November 2018);
7. 24 Rabi' I A.H. 1440 (2 December 2018);
8. 2 Rabi' II A.H. 1440 (9 December 2018);
9. 9 Rabi' II A.H. 1440 (16 December 2018);
10. 16 Rabi' II A.H. 1440 (23 December 2018);
11. 23 Rabi' II A.H. 1440 (30 December 2018);
12. 30 Rabi' II A.H. 1440 (6 January 2019);
13. 8 Jumada I A.H. 1440 (14 January 2019).

She continues to communicate with her relatives to date.

II.

1. Samar bint Muhammad Badawi:

She was arrested on 17 Dhu'l Qa'dah A.H. 1439 (30 July A.D. 2018) and is being held at the Mabathith [General Directorate of Investigation] prison in the Mecca area, governorate of Jeddah.

2. Nassima bint Daoud Al-Sadah:

She was arrested on 17 Dhu'l Qa'dah A.H. 1439 (30 July A.D. 2018) and is being held at the Mabathith [General Directorate of Investigation] prison in Dammam, Eastern Province.

3. Nouf bint Abdulaziz al-Jariwi:

She was arrested on 23 Ramadan A.H. 1439 (7 June A.D. 2018) and is being held at the Mabathith [General Directorate of Investigation] prison in Riyadh.

4. Mayya bint Ahmad Al-Zahrani:

She was arrested on 26 Ramadan A.H. 1439 (10 June A.D. 2018) and is being held at the Mabathith [General Directorate of Investigation] prison in the Mecca area, governorate of Jeddah.

5. Hatoon bint Ajwad al-Fassi:

She was arrested on 7 Shawwal A.H. 1439 (21 June A.D. 2018) and is being held at the Mabathith [General Directorate of Investigation] prison in Riyadh.

They were arrested pursuant to detention orders, after arrest warrants had been issued against them by the competent authorities in accordance with article 5 of the Counter-Terrorism and Financing of Terrorism Act, which states that "the Public Prosecution Service shall issue a summons or an arrest warrant against anyone suspected of having committed any of the offences stipulated under the present Act". They are being held under article 2 of the Act, which states that "offences stipulated under the present Act are deemed to be serious offences necessitating detention".

They were charged with contacting, cooperating with and communicating with persons, States and organizations hostile to Saudi Arabia and a criminal offence punishable pursuant to article 6 (1) of the Anti-Cybercrime Act, which stipulates that: "A penalty of up to five years' imprisonment and/or a fine not exceeding SRI 3 million shall be imposed on any person who commits any of the following cybercrimes: 1) production, preparation, transmission or storage of material that impinges on public order, religious values, public morals or privacy, through the Internet or a computer." Article 9 of the Act stipulates that: "Anyone who instigates or assists others or conspires with them to commit any of the offences defined in this Act shall be subject to the following penalties: if the offence was committed as a result of such instigation, assistance or conspiracy, he or she shall be punishable by up to the maximum penalty prescribed for that offence; if the offence was not committed, he or she shall be punishable by up to half the maximum penalty prescribed for the principal offence."

Indictments were also brought against Samar Badawi, Nassima Al-Sadah, Nouf Abdulaziz and Hatoon Al-Fassi for incitement to participate in criminal activities punishable under Royal Order No. 44A of 3 Rabi' II A.H. 1435 and against Hatoon Al-Fassi for offences under article (2) of the Anti-Money Laundering Act, by providing material support for groups suspected of committing acts of terrorism, through the illegal collection of funds and receipt of remittances from organizations and groups abroad that engaged in terrorist acts. These cases are still under investigation.

The individuals in question have been provided all required guarantees and enjoy the same legal rights as other detainees, including the right to health care, since all detainees and prisoners receive a medical examination upon arriving at the prison. They also enjoy their rights to visits and to contact with the outside world pursuant to the executive regulations of the Mabathith prisons, as detailed below.

- Samar bint Muhammad Badawi has had a number of visits, including those on the following dates:

1. 6 Muharram A.H. 1440 (16 September 2018);
2. 15 Safar A.H. 1440 (24 October 2018);
3. 6 Rabi' I A.H. 1440 (14 November 2018);
4. 20 Rabi' I A.H. 1440 (28 November 2018);
5. 6 Rabi' II A.H. 1440 (13 December 2018);
6. 12 Rabi' II A.H. 1440 (19 December 2018);
7. 26 Rabi' II A.H. 1440 (2 January 2019);
8. 30 Rabi' II A.H. 1440 (6 January 2019).

She has also made numerous telephone calls, including those on the following dates:

1. 6 Muharram A.H. 1440 (16 September 2018);
2. 7 Safar A.H. 1440 (16 October 2018);
3. 8 Safar A.H. 1440 (17 October 2018);
4. 13 Safar A.H. 1440 (22 October 2018);
5. 20 Safar A.H. 1440 (29 October 2018);
6. 27 Safar A.H. 1440 (5 November 2018);
7. 4 Rabi' I A.H. 1440 (12 November 2018);
8. 11 Rabi' I A.H. 1440 (19 November 2018);
9. 18 Rabi' I A.H. 1440 (26 November 2018);
10. 25 Rabi' I A.H. 1440 (3 December 2018);
11. 27 Rabi' I A.H. 1440 (5 December 2018);
12. 3 Rabi' II A.H. 1440 (10 December 2018);
13. 4 Rabi' II A.H. 1440 (11 December 2018);
14. 10 Rabi' II A.H. 1440 (17 December 2018);
15. 17 Rabi' II A.H. 1440 (24 December 2018);
16. 24 Rabi' II A.H. 1440 (31 December 2018);
17. 1 Jumada I A.H. 1440 (7 January 2019);
18. 8 Jumada I A.H. 1440 (14 January 2019).

She continues to communicate with her relatives to date.

Her medical examination [REDACTED]

Appointments have been scheduled for her at specialized clinics, and she has visited such clinics, including on the following dates:

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]
5. [REDACTED]
6. [REDACTED]

7.

8.

9.

- Nassima bint Daoud Al-Sadah had several visits including the following:

1. 6 Muharram A.H. 1440 (15 October 2018);
2. 12 Safar A.H. 1440 (21 October 2018);
3. 28 Rabi' I A.H. 1440 (6 December 2018);
4. 30 Rabi' II Safar A.H. 1440 (6 January 2019);
5. 9 Jumada I A.H. 1440 (15 January 2019).

She has also made numerous telephone calls, including those on the following dates:

1. 19 Dhu'l-Qa'dah A.H. 1439 (1 August 2018);
2. 25 Dhu'l-Qa'dah A.H. 1439 (7 August 2018);
3. 8 Dhu'l-Hijjah A.H. 1440 (19 August 2018);
4. 7 Safar A.H. 1440 (16 October 2018);
5. 16 Safar A.H. 1440 (25 October 2018);
6. 13 Rabi' I A.H. 1440 (27 November 2018);
7. 25 Rabi' I A.H. 1440 (3 December 2018);
8. 3 Rabi' II A.H. 1440 (10 December 2018);
9. 10 Rabi' II A.H. 1440 (17 December 2018);
10. 17 Rabi' II A.H. 1440 (24 December 2018);
11. 19 Rabi' II A.H. 1440 (26 December 2018);
12. 24 Rabi' II A.H. 1440 (31 December 2018);
13. 1 Jumada I A.H. 1440 (7 January 2019);
14. 8 Jumada I A.H. 1440 (14 January 2019).

She continues to communicate with her relatives to date and has enjoyed her right to health by receiving a medical examination which found her to be in good health.

- Nouf Bint Abdulaziz al-Jariwi has had several visits including those on the following dates:

1. 26 Shawwal A.H. 1439 (10 July 2018);
2. 5 Safar A.H. 1440 (14 October 2018);
3. 20 Rabi' I A.H. 1440 (28 November 2018);
4. 19 Rabi' II A.H. 1440 (26 December 2018).

She has also made numerous telephone calls, including those on the following dates:

1. 3 Dhu'l-Qa'dah A.H. 1439 (16 July 2018);
2. 9 Dhu'l-Qa'dah A.H. 1439 (22 July 2018);
3. 12 Dhu'l-Qa'dah A.H. 1439 (25 July 2018);
4. 17 Dhu'l-Qa'dah A.H. 1439 (30 July 2018);
5. 24 Dhu'l-Qa'dah A.H. 1439 (6 August 2018);
6. 25 Dhu'l-Hijjah A.H. 1439 (5 September 2018);
7. 2 Muharram A.H. 1440 (12 September 2018);

8. 16 Muharram A.H. 1440 (26 September 2018);
9. 23 Jumada I A.H. 1440 (3 October 2018);
10. 28 Muharram A.H. 1440 (8 October 2018);
11. 6 Safar A.H. 1440 (15 October 2018);
12. 13 Safar A.H. 1440 (22 October 2018);
13. 20 Rabi' II A.H. 1440 (29 October 2018);
14. 2 Jumada I A.H. 1440 (8 January 2019);
15. 4 Rabi' I A.H. 1440 (5 November 2018);
16. 11 Rabi' I A.H. 1440 (19 November 2018);
17. 18 Rabi' I A.H. 1440 (26 November 2018);
18. 25 Rabi' I A.H. 1440 (3 December 2018);
19. 3 Rabi' II A.H. 1440 (10 December 2018);
20. 11 Rabi' II A.H. 1440 (18 December 2018);
21. 16 Rabi' II A.H. 1440 (23 December 2018);
22. 23 Rabi' II A.H. 1440 (30 December 2018);
23. 30 Rabi' II A.H. 1440 (6 January 2019);
24. 4 Jumada I A.H. 1440 (10 January 2019);
25. 7 Jumada I A.H. 1440 (13 January 2019).

She continues to communicate with her relatives to date and has enjoyed her right to health by receiving a medical examination which found her to be in good health.

- Mayya Al-Zahrani has had several visits including those on the following dates:

1. 2 Muharram A.H. 1440 (12 September 2018);
2. 29 Safar A.H. 1440 (7 November 2018);
3. 27 Rabi' I A.H. 1440 (5 December 2018);
4. 13 Rabi' II A.H. 1440 (20 December 2018).

She has also made numerous telephone calls, including those on the following dates:

1. 2 Dhu'l-Qa'dah A.H. 1439 (15 July 2018);
2. 9 Dhu'l-Qa'dah A.H. 1439 (22 July 2018);
3. 10 Dhu'l-Qa'dah A.H. 1439 (23 July 2018);
4. 11 Dhu'l-Qa'dah A.H. 1439 (24 July 2018);
5. 17 Dhu'l-Qa'dah A.H. 1439 (30 July 2018);
6. 12 Dhu'l-Hijjah A.H. 1439 (23 August 2018);
7. 24 Dhu'l-Hijjah A.H. 1439 (4 September 2018);
8. 30 Dhu'l-Hijjah A.H. 1439 (10 September 2018);
9. 7 Muharram A.H. 1440 (17 September 2018);
10. 14 Muharram A.H. 1440 (24 September 2018);
11. 21 Muharram A.H. 1440 (1 October 2018);
12. 28 Muharram A.H. 1440 (8 October 2018);
13. 6 Safar A.H. 1440 (15 October 2018);
14. 13 Safar A.H. 1440 (22 October 2018);

15. 20 Safar A.H. 1440 (29 October 2018);
16. 27 Safar A.H. 1440 (5 November 2018);
17. 4 Rabi' I A.H. 1440 (12 November 2018);
18. 11 Rabi' I A.H. 1440 (19 November 2018);
19. 18 Rabi' I A.H. 1440 (26 November 2018);
20. 25 Rabi' I A.H. 1440 (3 December 2018);
21. 3 Rabi' II A.H. 1440 (10 December 2018);
22. 11 Rabi' II A.H. 1440 (18 December 2018);
23. 16 Rabi' II A.H. 1440 (23 December 2018);
24. 23 Rabi' II A.H. 1440 (30 December 2018);
25. 30 Rabi' II A.H. 1440 (16 January 2019);
26. 4 Jumada I A.H. 1440 (10 January 2019);
27. 7 Jumada I A.H. 1440 (13 January 2019).

She continues to communicate with her relatives to date and has enjoyed her right to health by receiving a medical examination which found her to be in good health.

- Hatoon al-Faasi has had several visits including those on the following dates:

1. 7 Safar A.H. 1440 (16 October 2018);
2. 20 Safar A.H. 1440 (29 October 2018);
3. 25 Rabi' I A.H. 1440 (3 December 2018);
4. 2 Jumada I A.H. 1440 (8 January 2019).

She has also made numerous telephone calls, including those on the following dates:

1. 21 Muharram A.H. 1440 (1 October 2018);
2. 28 Muharram A.H. 1440 (8 October 2018);
3. 6 Safar A.H. 1440 (15 October 2018);
4. 13 Safar A.H. 1440 (22 October 2018);
5. 15 Safar A.H. 1440 (24 October 2018);
6. 16 Safar A.H. 1440 (25 October 2018);
7. 6 Rabi' I A.H. 1440 (14 November 2018);
8. 13 Rabi' I A.H. 1440 (21 November 2018);
9. 5 Rabi' II A.H. 1440 (12 December 2018);
10. 10 Rabi' II A.H. 1440 (17 December 2018);
11. 17 Rabi' II A.H. 1440 (24 December 2018);
12. 24 Rabi' II A.H. 1440 (31 December 2018);
13. 29 Rabi' II A.H. 1440 (5 January 2019);
14. 2 Jumada I A.H. 1440 (8 January 2019).

She has enjoyed her right to health by receiving a medical examination upon entering the prison which found her to be in good health.

In their letter, the Special Rapporteurs expressed their concern over the arrest of defenders of human rights for their peaceful expression of their legitimate right to expression, assembly and association, as well as concern over the severe sanctions against Ms. Israa Al-Ghomgham and Ms. Nassima Al-Sadah due to their belonging to the Shiite sect.

This concern is unwarranted inasmuch as the Special Rapporteurs' information is based on unsubstantiated allegations. The Kingdom is examining the allegations and clarifying all relevant facts in line with its policy of cooperation with international human rights mechanisms.

With regard to the freedom of expression, the Kingdom's legislation guarantees freedom of opinion and expression for all persons, unless such freedom is deemed to violate or undermine public order, or society or its members or infrastructure. This restriction has a legal basis at the national level. In fact, article 39 of the Basic Law of Governance stipulates that all means of expression shall use decent language and adhere to State laws. They shall contribute towards educating the nation and supporting its unity. Whatever leads to sedition or division, or undermines the security of the State shall be prohibited. This restriction is consistent with relevant international standards, in particular article 29 (2) of the Universal Declaration of Human Rights, which stipulates that: "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." Furthermore, article 43 of the Basic Law of Governance stipulates that: "The Royal Council and the Council of the Crown Prince shall be open to all citizens and to anyone with a complaint or grievance. All persons shall have the right to contact the public authorities regarding matters affecting them."

Regarding discrimination, all citizens of the Kingdom are equal and there is no discrimination between them. The Kingdom's legislation and regulations do not contain or refer to discriminatory provisions against anyone. In fact, discrimination is prohibited and prosecuted pursuant to article 8 of the Basic Law of Governance, which stipulates that: "Governance in the Kingdom of Saudi Arabia shall be based on justice, consultation and equality, in accordance with the Islamic sharia." Article 12 of the Law stipulates that: "The consolidation of national unity is a duty. The State shall prohibit any activity that leads to disunity, sedition and discord." Article 26 of the Law stipulates that: "The State shall protect human rights, in accordance with the Islamic sharia." Saudi Arabia complies with human rights conventions to which it is party, including the International Convention on the Elimination of All Forms of Racial Discrimination.

With regard to the right to freedom of assembly: The Kingdom's legislation prohibits any gathering that may undermine the security and stability of society and its national capacity. The Kingdom's Government considers that such gatherings can achieve their goals by safer and more effective means than holding demonstrations and fomenting riots and chaos. The Kingdom's legislation and regulations lay the foundations for the achievement of the desired goals. In particular, the Basic Law of Governance guarantees what may be regarded as the best practice in this regard. Article 43 stipulates that: "The Royal Council and the Council of the Crown Prince shall be open to all citizens and to anyone with a complaint or a grievance. All persons shall have the right to contact the public authorities regarding matters affecting them."

Regarding the formation of associations, the Civil Associations and Organizations Act (2015) contains a set of development and social goals designed to regulate, develop and protect non-governmental work with a view to increasing the benefit thereof, contributing to national development and promoting citizen participation in the management and development of society. The Act underpins the vision of transition from a pastoral to a developmental approach and seeks to foster the culture of voluntary work among members of society and achieve social solidarity. To simplify procedures, it states that an association may be founded by 10 persons and obtain a licence within 60 days of submitting the application documents. The failure to respond to an application to form an association within this period of time shall be construed as an approval to form the association.

The Kingdom supports societies and institutions that promote and protect human rights in general or particular aspects thereof. In fact, it treats them as key partners in the field of human rights. Examples of this partnership include promulgation of the Act on Protection from Abuse, which was drafted by a civil society organization, the draft Child Protection Act and the involvement of a number of non-governmental and civil society organizations in preparing the Kingdom's contractual and non-contractual reports.

One of the most prominent human rights organizations is the National Society for Human Rights, which publishes reports dealing with the human rights situation in the Kingdom. Based on its own observations and the complaints and reports of violations it receives, these reports highlight the shortcomings that frustrate full implementation of human rights and the causes thereof. The Society evaluates progress achieved and presents the appropriate conclusions and recommendations. In addition, it prepares studies and issues press statements. In partnership with several other human rights societies and organizations, the Society prepares studies and reports and organizes seminars, interactive activities and media events designed to protect and promote specific human rights. The law ensures the independence of its activity and guarantees unfettered exercise of its duties and responsibilities.

The Human Rights Commission organizes numerous courses, conferences, forums and workshops designed to enable human rights workers (both governmental and non-governmental) to acquire the technical capacities to equip them to engage in substantive work in the field of human rights on the basis of international standards and in the light of Islamic sharia.

Regarding the claim of detention in secret locations, this claim is not true, and there are no secret detention sites within Saudi Arabia. As stated previously, the locations where the above individuals are being detained have been identified. All prisons and detention centres in Saudi Arabia are subject to judicial, administrative, health and social inspection in accordance with article 5 of the Imprisonment and Detention Act. Additionally, article 2 of the Code of Criminal Procedure stipulates that: "No one may be arrested, searched, detained or imprisoned except as provided by law. Persons shall be detained or imprisoned only in the facilities designated for such purpose and for the period prescribed by the competent authority." Article 37 of the Code further stipulates that "No one shall be detained or imprisoned except in prisons or detention facilities legally designated for that purpose. The administration of a prison or detention facility shall not admit any person thereto without a substantiated order signed by the competent authority and specifying the duration of the detention, beyond which the said person shall not be retained therein". Article 40 thereof stipulates that "Anyone who becomes aware of a prisoner or detainee being held illegally or in a location not legally designated for imprisonment or detention may inform the Bureau of Investigation and Public Prosecution. Upon being informed of such a case, the competent officer of the Bureau (Public Prosecution) shall visit the location where the prisoner or detainee is being held, conduct an investigation, and order the release of the prisoner or detainee if his or her imprisonment or detention is illegal. The officer of the Bureau shall prepare a report on the incident and submit it to the competent entity in order to pursue any legal action against the persons responsible." Prisons and detention centres are subject to the control and oversight of the Public Prosecution pursuant to its Statute, article 3 of which stipulates that the Bureau shall have the authority to oversee and inspect prisons, detention centres and any other place in which criminal sentences are served. It also has the authority to hear complaints from prisoners and detainees, ascertain the legitimacy of their imprisonment or detention and of their remaining in the prison or detention centre after the expiry of the specified term, take the necessary steps to ensure the release of those imprisoned or detained without lawful cause and enforce the law against those responsible.

Under article 5 (6) of its charter, the Human Rights Commission may organize visits to prisons and detention centres at any time without the permission of the competent body. Under articles 5 and 11, the Commission receives complaints relating to human rights, investigates possible violations, refers these to the competent bodies for the appropriate statutory measures to be applied and monitors action taken.

The National Society for Human Rights (a civil society organization) also visits prisons and detention centres, interviews prisoners and detainees, receives complaints and monitors possible violations, which it follows up with the competent authorities.

In addition to the offices of the Bureau of Investigation and Public Prosecution situated inside prisons, offices have been allocated to the Human Rights Commission and National Society for Human Rights in several prisons in order to facilitate the exercise of

their oversight mandate, which includes receiving complaints from prisoners and detainees, ascertaining their veracity and addressing them promptly and directly.

It should be noted that there were recently some queries from some of the Special Rapporteurs on human rights from working groups of the United Nations, such as the Working Group on Enforced or Involuntary Disappearances, regarding the locations where certain individuals in the letter from the Rapporteurs were being detained, and these queries were answered at the time.

2. Regarding the query to provide detailed information on the arrest and detention of Ms. Al-Ghomgham, Ms. Badawi, Ms. Al-Sadah, Ms. Abdulaziz, Ms. Al-Zahrani, and Ms. Al-Fassi with regard to Saudi Arabia's international human rights obligations.

In the reply to query number 1, information was provided on the reasons for the arrest and detention of the individuals in question and it was explained how the procedures taken against them are in keeping with the Kingdom's human rights obligations.

The laws of the Kingdom prohibit the restriction of anyone's freedom of movement or detention or imprisonment save under the provisions of the law, pursuant to article 36 of the Basic Law of Governance, which affirms that all citizens and residents on the Kingdom's territory shall enjoy security.

3. Regarding the query to indicate the factual and legal basis for denying Ms. Al-Ghomgham, Ms. Badawi, Ms. Al-Sadah, Ms. Abdulaziz, Ms. Al-Zahrani, and Ms. Al-Fassi access to their families and legal counsel:

The aforementioned enjoy the rights and guarantees granted to them by law during their detention, including the right to visits and to contact with the outside world, pursuant to the implementing regulations of the Mabathith [General Directorate of Investigation] prisons. This was explained above in the reply to query number 1, with regard to legal counsel. The aforementioned have the right to appoint an attorney of their own choosing to defend them pursuant to article 21 of the Counter-Terrorism and Terrorism Financing Act, which stipulates: "Without prejudice to the right of the accused to engage an attorney or agent to defend him, the public prosecutor may, at the investigation stage, limit this right if required in the interests of the investigation." The cases against the individuals in question remain in the investigative phase.

4. Regarding the query to indicate the whereabouts of Ms. Badawi, Ms. Al-Sadah, Ms. Abdulaziz, Ms. Al-Zahrani, and Ms. Al-Fassi:

It was stated above in the reply to query number 1 that Ms. Samar Badawi and Ms. Mayya Al-Zahrani are detained at the Mabathith prison in the Mecca area, governorate of Jeddah, Ms. Nouf Abdulaziz and Ms. Hatoun Al-Faasi are being detained at the Mabathith prison in Riyadh and Ms. Nassima Al-Sadah is being detained at the Mabathith prison in Dammam, Eastern Province.

5. Regarding the query to indicate what measures have been taken to ensure that Ms. Al-Ghomgham, Ms. Badawi, Ms. Al-Sadah, Ms. Abdulaziz, Ms. Al-Zahrani, and Ms. Al-Fassi receive fair and independent hearings in conformity to international law:

The laws of the Kingdom guarantee the right of an accused person to a fair trial, providing numerous statutory assurances, beginning with the provisions of Islamic sharia, which require the ruler to judge among people with fairness (God commands that ... when you judge among people, you do so with fairness – Quran IV: 58). The Basic Law of Governance affirms many of these principles. For example, article 26 stipulates: "The State shall protect human rights in accordance with Islamic sharia." Article 3 of the Code of Criminal Procedure states that no criminal penalty may be imposed on any person unless he is convicted of an act forbidden by sharia or statutory law after a lawful trial. The law contains numerous procedural assurances to regulate the progress of a criminal case, guarantee the rights of the accused and ensure that the fundamental presumption of innocence is abandoned only after guilt is lawfully established pursuant to a final verdict and the sharia and statutory requirements set out in this and other laws relevant to the

nature of the case have been observed. All procedures and guarantees applicable to trials in Saudi Arabia are in accordance with international law.

6. Regarding the query to provide information on why charges related to “participating in the protests in the Qatif region” “incitement to protest,” “chanting slogans hostile to the regime,” “attempting to inflame public opinion,” “filming protests and publishing on social media,” and “providing moral support to rioters” have been levied against Ms. Al-Ghomgham at the Specialized Criminal Court that deals with terrorism related crimes. Please indicate how this complies with United Nations Security Council resolution 1373, and a strict understanding of the definition of terrorism as elucidated by international law norms including but not limited to United Nations Security Council resolution 1566 (2004):

The acts attributed to the individuals in question, as explained in the reply to query number 1, are crimes of terrorism subject to a specialized criminal court pursuant to article 1/7 of the Counter-Terrorism and Terrorism Financing Act.

The incidents in the Eastern Province were not peaceful demonstrations. In fact, a group of terrorists took hostages and spread anarchy and insecurity through the use of explosive devices, Molotov cocktails, firearms and military-grade weapons such as rocket-propelled grenades against security forces and citizens and residents, including women and children in residential areas. These acts represented a threat to the lives and safety of others and sought to cause the greatest number of casualties among both security forces and civilians. There were as a result numerous civilian and military casualties and fatalities as well as destruction of public and private property.

7. With regard to the question concerning measures taken to ensure that human rights defenders in the Kingdom are able to carry out their legitimate work in a safe and enabling environment without fear of threats or acts of intimidation and harassment of any sort:

No person is being detained because of the exercise of their rights or freedoms. All citizens and residents enjoy their rights and exercise their freedoms in accordance with the legislation in force in the Kingdom. No group, regardless of its designation, is accorded precedence in regard to exercise of those rights and freedoms. Any person whose rights are violated may lodge a complaint in accordance with the available legal remedies. State institutions have a legal obligation to ensure that all individuals are treated fairly, regardless of their religion, race, gender or nationality. If any of those institutions or their representatives fail to respect this obligation, the person whose rights have been violated can avail himself of any of the mechanisms for legal redress.

The laws of the Kingdom prohibit the restriction of anyone’s freedom of movement or detention or imprisonment save under the provisions of the law, such as article 36 of the Basic Law of Governance, which affirms that all citizens and residents on the Kingdom’s territory shall enjoy security.
