

*(Translated from Arabic)*

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

**1. With respect to the request to provide any additional information and any comment on the allegations.**

The allegations and claims made in the joint communication are untrue, since they are based on unfounded and uncorroborated information from the source. The Kingdom of Saudi Arabia has taken the following steps to investigate the allegations and to clarify all relevant facts, in line with its policy of cooperation with international human rights procedures.

**It is stated in the joint communication that Al Rabie was arrested while paying a visit to two of his brothers and had never received any information or notice before that he was being investigated or might have been wanted by the authorities.**

He was arrested for his ties to a number of wanted persons, one of whom he took to a house to hide from the security forces and provided with information on purchasing weapons. His arrest was conducted in accordance with legal procedures, as will be explained later.

**It is stated in the joint communication that Ali Al Rabie was reportedly interrogated without a lawyer and, while held in custody, allegedly tortured or subjected to ill-treatment, including sleep deprivation for days and exposure to poor hygiene and sanitation conditions.** This is not true. The right to a lawyer or representative is guaranteed to all accused persons during the investigation and trial stages, as stipulated in article 4 (1) of the Code of Criminal Procedure. The individual in question was able to appoint a number of legal representatives to defend him and plead on his behalf in this case. He was not tortured or subjected to ill-treatment. Under Saudi Arabian law, arrested persons may not be subjected to physical or mental harm or to torture or degrading treatment. The interrogation of accused persons is to be conducted in a manner that does not influence their will to make statements and they may not be required to take an oath or be subjected to coercive measures, as will be explained later.

**It is stated in the joint communication that he was forced to sign a pre-written self-incriminating statement, under threats.**

He confessed before the investigating authority entirely of his own free will and, in conformity with article 101 of the Code of Criminal Procedure, confirmed his confessions to the charges brought against him during the court proceedings. He did not plead before the court under duress.

**It is stated in the joint communication that Al Rabie was charged with participating in protests and demonstrations; attending the funeral of his cousin; chanting anti-government slogans; possessing weapons; and participating in shootings at the Al Awamiyah police station.**

He was arrested on a number of charges, including:

1. Participating, with an armed terrorist cell, in an attack on the Al-Awamiyah police station in Qatif and shooting police officers with the intention of killing them, providing shelter to a number of wanted persons, communicating with them and helping them escape.

2. Possession and participation in the use of three Kalashnikov rifles and 600 live rounds with the intent of undermining internal security.

**It is stated in the joint communication that in April 2019, Al Rabie's brothers, Ahmed and Hussein Ali Al Rabie, were reportedly executed along with 35 other individuals after having been sentenced to death following an allegedly unfair trial marred by torture allegations.**

On 23 April 2019, the death sentence was enforced against a number of persons in respect of whom final judicial rulings had been issued. Those individuals received a fair public trial before an independent court, during which they were afforded the rights and



guarantees provided for in Saudi law in accordance with international standards for a fair trial. They were able to defend themselves, had access to legal representation and were entitled to appeal the judicial rulings handed down against them, which were subject to judicial review before higher courts. The two men in question were convicted of participating in the formation of a terrorist cell inside the country which engaged in armed raids, undermined public security, used weapons to intimidate and assault peaceful citizens, damaged public and private property and killed a law enforcement officer 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 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.

The penalty imposed, such as the death penalty, imprisonment, confiscation or other penalties, depends on the nature of the offence committed. It should be noted that the death penalty is imposed only for the most serious crimes and in extremely limited circumstances. It is not imposed or implemented until judicial proceedings at all levels of jurisdiction have been completed. Saudi Arabian legislation provides all guarantees of a fair trial and due process that are consistent with the country's international human rights obligations. The case must be heard by a bench of three judges in the court of first instance. The judgment is then referred to the appeal court, even if no party has filed an appeal, and is reviewed by a criminal bench of five judges. If the appeal court endorses the death sentence, the case is referred to the Supreme Court and is reviewed by a bench of five judges. If the Supreme Court endorses the judgment, all stages of the proceedings have been completed and the judgment becomes final, pursuant to article 210 of the Code of Criminal Procedure. Judgments are also deemed to be final and enforceable pursuant to article 212 of the Code. The death penalty may not be executed against the convicted person until an order has been issued to that effect, in accordance with article 217 (1) of the Code.

**It is stated in the joint communication that Al Rabie's death sentence was reportedly recently upheld by the Supreme Court in a final judgment, not subject to appeal. It is reported that execution may be carried out at any time.**

This is not true, as the death sentence handed down against him was overturned by the Supreme Court. His case was referred to the court of first instance for consideration, in accordance with article 11 of the Code of Criminal Procedure, which states: "If the Supreme Court does not uphold the judgment before it, in accordance with article 10 of this Code, it overturns the sentence and returns the case to the court of first instance for reconsideration by different judges." This confirms the lack of credibility of the allegations contained in the reports.

**2. With respect to the request to provide detailed information on the factual and legal grounds for the arrest and detention of Ali Hassan Al Rabie and to clarify whether he was promptly brought before a judge and/or was afforded the opportunity to challenge the lawfulness of his arrest and detention/deprivation of liberty before a judicial authority.**

The individual in question was arrested pursuant to an arrest warrant and in accordance with article 2 of the Code of Criminal Procedure which reads: "No one may be arrested, searched, detained or imprisoned except as provided by law, and no one shall be detained or imprisoned except in places designated for that purpose, and for the period prescribed by the competent authority. A person under arrest shall not be subjected to any bodily or moral harm or subjected to any torture or degrading treatment." Article 35 of the Code states that "In cases other than flagrante delicto, no person shall be arrested or detained except on the basis of order from the competent authority". Given that he was accused of the offences listed earlier and investigated by the competent authority, he was arrested pursuant to an arrest warrant for a major crime that warrants arrest in accordance with article 112 of the Code. The right to challenge the legality of arrest or detention is a general principle of Saudi law and is set forth in article 115 of the Code of Criminal Procedure, which stipulates: "When an accused person is detained, the original detention order is to be delivered to the director of the detention centre, who is to sign a copy of the order as an acknowledgement of

receipt. Pretrial detainees may lodge a complaint against a detention order or a detention-extension order. The complaint is to be submitted to the head of the investigating body to which the investigator belongs, the head of the branch or the Public Prosecutor, as appropriate, and a decision is to be taken within five days of the date of submission.” The Public Prosecution is part of the judicial authority. As mentioned above, the individual in question had a number of legal representatives to defend him and plead on his behalf in this case. It should be noted that domestic laws prohibit any restriction of movement of individuals, detention or imprisonment save in accordance with the law. This is consistent with article 36 of the Basic Law of Governance, which guarantees the security of all citizens and residents on national territory.

**3. With respect to the request to explain whether the trial of Mr. Al Rabie was conducted in a manner that is consistent with international fair trial and due process standards.**

Under the law, all accused persons are guaranteed a fair and public trial before an independent court, and a series of legal safeguards are provided. For example, under article 38 of the Basic Law of Governance, no act may be regarded as criminal except on the basis of specific sharia or statutory provisions. For its part, article 3 of the Code of Criminal Procedure states that no one may be sentenced to a criminal penalty unless he or she is convicted of an act that is prohibited by sharia or statutory law. In this way, the law envisages a number of procedural safeguards which regulate criminal proceedings, guarantee the rights of defendants and ensure that the latter are presumed innocent until found guilty under a final court judgment.

Upon completion of the interrogation, the case was referred to the competent court, in accordance with article 15 of the Code, which stipulates: “The Public Prosecution Service shall, pursuant to its own Statutes, institute and pursue criminal proceedings before the competent court”, and in accordance with article 126 of the Code, which reads: “If the Public Prosecution Service is of the opinion, once the investigation has been concluded, that there is sufficient evidence against the accused, the case shall be referred to the competent court and the accused shall be summoned to appear.”

When the defendant appeared before the court in the presence of the public prosecutor, the charges brought against him were read out to him and he was provided with a copy of the bill of indictment in accordance with article 160 of the Code, which reads: “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 judge duly informed him that he had the right to seek the help of a lawyer or legal representative to defend him, in accordance with article 4 (1) of the Code of Criminal Procedure, which states: “Any accused person has the right to avail him or herself of the services of a legal representative or lawyer to defend him or her during the investigation and trial stages.” According to article 139 of the Code: “Defendants charged with serious offences shall appear personally before the court, without prejudice to their right to seek defence counsel. If they lack the financial means to seek the assistance of a lawyer, they may ask the court to appoint one to defend them, at the State’s expense.” The defendant requested more time to enter a plea to the charges and requested the appointment of legal representatives to defend him and plead on his behalf in this case, as previously stated. His request was granted. The hearings continued, and the court issued its judgment only after it had heard the statements of all the parties, after the submission of all the oral and written pleas and confirmation by the parties that they did not wish to make any additions thereto, after considering the reports on the gathering of evidence, after the closing arguments had been made in the presence of the defendant and after examining the case file. This was in accordance with article 172 of the Code, which stipulates that “Any of the parties may provide the court with written information regarding the case for inclusion in the case file”, and article 173 of the Code, which stipulates that “The court shall first hear the prosecutor’s indictment and then the plea by the defendant or his or her legal representative or lawyer. Each of the parties shall be entitled to comment on the statements of the other parties, the defendant being the last to address the court. The court may prohibit any party from continuing if its submissions are irrelevant or repetitive. The court shall then deliver its judgment, either of acquittal or of conviction with the imposition of a penalty, and in both

instances the court shall also rule on the petition of the civil party.” His case was heard by three judges in the court of first instance, in accordance with article 20 of the Statutes of the Judiciary, which reads: “The criminal courts shall be composed of the following specialized divisions: divisions dealing with *qisas* and *hudud* cases [which carry, respectively, retaliatory and predetermined penalties], divisions dealing with *ta’zir* cases [which carry discretionary penalties] and divisions dealing with cases involving juveniles. Each division is composed of three judges, with the exception of cases specified by the Supreme Judicial Council, which are to be examined by a single judge.”

The court of first instance handed down a *ta’zir* death penalty against the accused person and granted him the right to challenge the judgment by filing a memorandum of appeal within 30 days of receiving a copy of that judgment. This is consistent with article 192 (1) of the Code of Criminal Procedure, which reads: “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. The court must inform them of that right when it delivers its judgment.” The challenge was filed but the judges of the court of first instance upheld their original judgment. The case file was then referred to the Court of Appeal pursuant to article 196 of the Code of Criminal Procedure, which stipulates: “The division that rendered the contested judgment shall examine the grounds on which the challenge 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 memorandum of appeal, to the Court of Appeal. If it amends the judgment, all the parties to the case shall be so informed and the normal procedural rules apply. The law provides that, in cases involving the death penalty, the case file is submitted to the Court of Appeal as a matter of course, even if none of the parties to the case lodges an appeal, in line with article 194 of the Code, which stipulates that the time limit for filing an appeal or a request for review is 30 days. If no appeal is filed during that period, the right of appeal and review shall expire. In cases involving the death penalty, the case is submitted to the Court of Appeal as a matter of course, even if none of the parties to the case lodges an appeal”. The division of the Court of Appeal which deals with such cases is composed of five judges as required under article 15 (1) of the Statutes of the Judiciary which states: “Each region shall have at least one court of appeal, which conducts its activities via specialized divisions, each composed of three judges, with the exception of the criminal division dealing with cases involving the death penalty, which is composed of five judges.” Several hearings were held at the Court of Appeal, which were attended by the public prosecutor and the defendant, in accordance with article 197 (1) of the Code of Criminal Procedure, which states that “The Court of Appeal shall schedule a session to consider the petition for appeal or scrutiny and, if it decides to hear submissions, it shall notify the parties concerned to attend that session.” The Court then examined the case file and heard the statements of all the parties involved, in accordance with article 197 (2) of the Code of Criminal Procedure, which reads: “The Court of Appeal shall consider the petition for appeal or scrutiny on the basis of the documents contained in the case file and on the basis of new pleadings and information presented by the parties to support their challenge, as per the memorandum of appeal. Having heard from the parties in the petition for appeal or scrutiny (if it has decided to hear submissions), the Court rules either to uphold the judgment or to overturn it, either fully or in part, and it issues its own judgment in that regard.” The Court of Appeal upheld the judgment, which was submitted to the Supreme Court in accordance with article 10 of the Code, which states that: “Death sentences ... issued or upheld by the Court of Appeal shall not be final until being confirmed by the Supreme Court.” Article 198 of the Code also stipulates: “The convicted party, the public prosecutor or the civil party may make an application for cassation before the Supreme Court against judgments or rulings issued or upheld by the Courts of Appeal.” The section of the Supreme Court that reviews death sentences is composed of five judges, in accordance with article 10 (4) of the Statutes of the Judiciary, which reads: “Without prejudice to the provisions of article 13 of this Code, the work of the Supreme Court is carried out by specialized chambers, according to need, each chamber being composed of three judges with the exception of the criminal chamber dealing with cases involving the death penalty, ... which is composed of five judges. Each chamber has its own head.” The death sentence handed down against the defendant was overturned by the Supreme Court and returned to the court that issued the judgment for reconsideration by another judicial chamber. Similar proceedings will be conducted.

His case was reviewed by another judicial chamber, and he attended the hearings. He was asked to plead in response to the charges that were presented. He requested the appointment of a lawyer at the expense of the State in accordance with article 139 of the Code of Criminal Procedure. His request was granted, and a lawyer was appointed at the State's expense to defend him and plead on his behalf in this case. His case is still under judicial consideration.

The measures and safeguards taken in this case are in line with international standards for a fair trial and due process as well as with the international standards that protect the rights of persons facing the death penalty, including those set out in United Nations Economic and Social Council resolution 50/1984 of 25 May 1984.

**4. With respect to the request for information about the conditions of detention of Mr. Al Rabie, including the material conditions in which he was detained, and with regard to contacts with other prisoners, his family and lawyer, and how these conditions were and are consistent with the provisions of the Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).**

He is being held on charges of terrorist offences, as already stated in reply to question 1. His case is still pending judicial consideration, as described in the reply to question 3. He has legal representatives who attend his trial hearings, is provided with all services in the detention facility and able to carry out all activities, and enjoys his rights to receive visits and communicate regularly like other detainees and prisoners. He has received the following visits:

No.	Relationship	Date	No.	Relationship	Date
1	[REDACTED]	[REDACTED]	1	[REDACTED]	[REDACTED]
2	[REDACTED]	[REDACTED]	2	[REDACTED]	[REDACTED]
3	[REDACTED]	[REDACTED]	3	[REDACTED]	[REDACTED]
4	[REDACTED]	[REDACTED]	4	[REDACTED]	[REDACTED]
5	[REDACTED]	[REDACTED]	5	[REDACTED]	[REDACTED]
6	[REDACTED]	[REDACTED]	6	[REDACTED]	[REDACTED]
7	[REDACTED]	[REDACTED]	7	[REDACTED]	[REDACTED]
8	[REDACTED]	[REDACTED]	8	[REDACTED]	[REDACTED]
9	[REDACTED]	[REDACTED]	9	[REDACTED]	[REDACTED]
10	[REDACTED]	[REDACTED]	10	[REDACTED]	[REDACTED]
11	[REDACTED]	[REDACTED]	11	[REDACTED]	[REDACTED]
12	[REDACTED]	[REDACTED]	12	[REDACTED]	[REDACTED]
13	[REDACTED]	[REDACTED]	13	[REDACTED]	[REDACTED]
14	[REDACTED]	[REDACTED]	14	[REDACTED]	[REDACTED]
15	[REDACTED]	[REDACTED]	15	[REDACTED]	[REDACTED]
16	[REDACTED]	[REDACTED]	16	[REDACTED]	[REDACTED]
17	[REDACTED]	[REDACTED]	17	[REDACTED]	[REDACTED]
18	[REDACTED]	[REDACTED]	18	[REDACTED]	[REDACTED]
19	[REDACTED]	[REDACTED]	19	[REDACTED]	[REDACTED]
20	[REDACTED]	[REDACTED]	20	[REDACTED]	[REDACTED]

No.	Relationship	Date	No.	Relationship	Date
20	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
21	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
22	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
23	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
24	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
25	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
26	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
27	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
28	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
29	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
30	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
31	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
32	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
33	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
34	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
35	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
36	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
37	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
38	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
39	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
40	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
41	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
42	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

No.	Relationship	Date	No.	Relationship	Date	No.	Relationship	Date
1	1	1	1	1	1	1	1	1
2	2	2	2	2	2	2	2	2
3	3	3	3	3	3	3	3	3
4	4	4	4	4	4	4	4	4
5	5	5	5	5	5	5	5	5
6	6	6	6	6	6	6	6	6
7	7	7	7	7	7	7	7	7
8	8	8	8	8	8	8	8	8
9	9	9	9	9	9	9	9	9
10	10	10	10	10	10	10	10	10
11	11	11	11	11	11	11	11	11
12	12	12	12	12	12	12	12	12
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14	14	14	14	14	14	14	14	14
15	15	15	15	15	15	15	15	15
16	16	16	16	16	16	16	16	16
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26	26	26	26	26	26	26	26	26
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28	28	28	28	28	28	28	28	28
29	29	29	29	29	29	29	29	29
30	30	30	30	30	30	30	30	30
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32	32	32	32	32	32	32	32	32
33	33	33	33	33	33	33	33	33
34	34	34	34	34	34	34	34	34
35	35	35	35	35	35	35	35	35
36	36	36	36	36	36	36	36	36
37	37	37	37	37	37	37	37	37
38	38	38	38	38	38	38	38	38
39	39	39	39	39	39	39	39	39
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42	42	42	42	42	42	42	42	42
43	43	43	43	43	43	43	43	43
44	44	44	44	44	44	44	44	44
45	45	45	45	45	45	45	45	45
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49	49	49	49	49	49	49	49	49
50	50	50	50	50	50	50	50	50





He [REDACTED] He had an  
on 13 January 2021 in [REDACTED] He has visited [REDACTED]  
[REDACTED]

He was not tortured. He confessed before the investigating authority entirely of his own free will and confirmed his confession during the court proceedings without coercion, as mentioned above in the reply to question 1. The court took the necessary measures to verify the allegations he made, but they were not proven to be true.

The laws of Saudi Arabia prohibit and punish torture and contain a series of guarantees and measures aimed at ensuring that no detainee or prisoner is subjected to torture, ill-treatment or other cruel, inhuman or degrading treatment. Article 2 of the Code of Criminal Procedure stipulates that no person may be arrested, searched, detained or imprisoned except where provided for by law, and that a person may be detained or imprisoned only in a location designated for such purposes and for the period prescribed by the competent authority. Moreover, arrested persons may not be subjected to physical or mental harm or to torture or ill or degrading treatment. Article 36 of the Code also requires that arrested persons be treated in a manner that preserves their dignity and that they should not be subjected to physical or mental harm. They are to be informed of the reasons for their detention and have the right to contact anyone they wish. Article 102 of the Code of Criminal Procedure requires the interrogation of accused persons to be conducted in a manner that does not influence their will to make statements. They must not be required to take an oath or subjected to coercive measures, and they may not be interrogated outside the premises of the investigating authority unless the investigator deems such action to be necessary. Article 28 of the Prison and Detention Act prohibits any kind of assault against prisoners or detainees and stipulates that disciplinary measures must be taken against military or civilian personnel who commit such acts, without prejudice to any criminal penalties to which they might also be liable. Moreover, article 2 (8) of Royal Decree No. 43 of 1958 prohibits the use – during the course of public duties – of ill-treatment or coercion such as torture, cruelty, confiscation of assets or denial of personal liberties, including exemplary punishment, imposition of fines, imprisonment, exile, mandatory residence in a certain place and illegal entry into private dwellings. The penalty for such offences is imprisonment for up to 10 years.

All prisons and detention facilities in the country are supervised and inspected, and steps are taken in the event of any violation. Moreover, members of the Public Prosecution Service supervise the professional conduct of law enforcement officers pursuant to article 25 of the Code of Criminal Procedure. In the interest of further enhancing oversight and of safeguarding in turn the rights of prisoners and detainees, the Human Rights Commission, pursuant to article 5 (6) and (7) of its Statute, may visit prisons and detention centres at any time without authorization from the competent authority, receive and verify human rights-related complaints, and take corresponding legal measures. The National Society for Human Rights, which is a civil society association, also visits prisons and detention facilities and receives complaints. Offices of the Public Prosecution Service have been opened in several prisons, together in some cases with offices of the Human Rights Commission and the National Society for Human Rights, so that prison conditions can be closely monitored and complaints received on the spot. Under Saudi laws, all State agencies are required to treat individuals fairly, irrespective of religion, race, gender or nationality. Where any such agency, its representative or an individual fails to enforce a right, there are mechanisms in place for providing effective human rights safeguards in accordance with legal procedures. Such mechanisms include the judicial authorities and human rights institutions, both governmental and non-governmental.

Saudi Arabia is committed to the human rights treaties to which it is a party – including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment – which are deemed to constitute part of national law.

**6. With respect to the request to provide information on the existing procedures for persons sentenced to death to seek clemency or a pardon, and provide detailed information on how they can access such procedures.**

Litigants are entitled to submit a request for a review of final judgments imposing penalties in the circumstances specified in article 204 of the Code of Criminal Procedure and article 200 (1) of the Code of Sharia Procedure.

It is therefore clear from the foregoing that the allegations and claims contained in the joint communication are untrue. The measures taken in relation to the case of this individual

have been explained and they are consistent with international human rights standards, including articles 3, 5, 7, 8, 9, 10, 11, 12, 18, 19 and 20 of the Universal Declaration of Human Rights, articles 5, 6, 13 and 27 of the Arab Charter on Human Rights, and articles 2, 15 and 16 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Saudi Arabia wishes to draw the attention of the special procedures mandate holders of the Human Rights Council who authored the joint communication to the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council adopted by resolution 5/2 on 18 June 2007, in particular the need to abide by the following:

1. Give the information provided due consideration in the fulfilment of their mandates, in accordance with article 6 (a) of the Code of Conduct;
  2. Take comprehensive account of the information Saudi Arabia has provided in relation to the case in question, in line with article 6 (b) of the Code;
  3. Evaluate all information, particularly the allegations received from the sources, in the light of internationally recognized human rights standards relevant to the mandate of the special rapporteurs, and of international conventions to which the State concerned is a party, in accordance with article 6 (c) of the Code;
  4. Ensure that the communications submitted regarding the case are not manifestly unfounded or politically motivated, in accordance with article 9 (a) of the Code;
  5. Ensure that the person or group of persons submitting the communication are acting in good faith in accordance with principles of human rights, and free from politically motivated stands or contrary to the provisions of the Charter of the United Nations, and claiming to have direct or reliable knowledge of those violations substantiated by clear information, in accordance with article 9 (d) of the Code;
  6. Ensure that the communication is not exclusively based on reports disseminated by mass media, in accordance with article 9 (e) of the Code;
  7. Bear in mind the need to ensure that their personal political opinions are without prejudice to the execution of their mission, and base their conclusions and recommendations on objective assessments of human rights situations, in accordance with article 12 (a) of the Code;
  8. In implementing their mandate, therefore, show restraint, moderation and discretion so as not to undermine the recognition of the independent nature of their mandate or the environment necessary to properly discharge the said mandate, in accordance with article 12 (b) of the Code;
  9. Give a fair, credible and not prejudicially cursory indication of the replies submitted by Saudi Arabia, in line with article 13 (a) of the Code of Conduct;
  10. Ensure that their declarations on the human rights situation in the country concerned are at all times compatible with their mandate and the integrity, independence and impartiality which their status requires, and which is likely to promote a constructive dialogue among stakeholders, as well as cooperation for the promotion and protection of human rights, in accordance with article 13 (b) of the Code.
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