



Ref. No. 413/ 1740

Geneva, 29 January 2026

The Permanent Mission of the Kingdom of Saudi Arabia to the United Nations Office and Other International Organizations at Geneva presents its compliments to the Office of the High Commissioner for Human Rights, the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the independence of the judges and lawyers and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism , and has the honor to attach herewith the reply of the Kingdom of Saudi Arabia on the joint communication, REF: AL SAU 2/2025 dated 15th December 2025.

The Permanent Mission of the Kingdom of Saudi Arabia avails itself of this opportunity to renew to The Office of the High Commissioner for Human Rights; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the independence of the judges and lawyers and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism the assurances of its highest consideration.

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

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

- Saudi Arabia cooperates with all United Nations human rights mechanisms and responds to their inquiries and requests. It complies with its international obligations under the human rights treaties that it has ratified, and its actions are consistent with its obligations under international human rights law and with relevant international norms. It examines the allegations that it receives and clarifies all relevant facts.
- Attention is drawn to the points raised in previous replies to joint communications concerning the case of Mohammed al-Bajadi, and the refutation of the allegations made. It would have been more appropriate for the mandate holders to review and act upon those replies before sending the present joint communication, particularly as those replies explained the measures taken against the individual in question and the details of the court ruling issued against him.
- The information contained in the joint communication – ref. AL SAU 2/2025, dated 15 December 2025 – is inaccurate, being based as it is on unfounded and uncorroborated allegations and claims from the source. In the present context, the following response may be given.
 1. There is no truth to the claim that Mohammed al-Bajadi was retried on 27 October 2025 and that a fresh court ruling was handed down against him. He was not, in fact, retried on that date and no court ruling has been issued against him other than the previous final ruling handed down on 6 October 2022. He is currently serving his sentence under that ruling in the prison of the General Directorate of Investigations in the region of Qasim. This shows that the allegations made by the source are incorrect, mere fallacies and fabrications devoid of truth or evidence.
 2. Under the laws of Saudi Arabia, a case that has already been adjudicated cannot be reconsidered. In that regard, article 186 of the Code of Criminal Procedure states: “Once a conviction or acquittal has been issued against an accused person in a criminal case, no other criminal proceedings may be initiated against that person in respect of the same actions and facts as those upon which the judgment was rendered. If another criminal case is initiated, the previous judgment shall stand, whatever stage that case is at, and the court shall have due regard to the previous judgment even if it is not being invoked by the parties.”
 3. As previously stated, the individual in question was arrested on 9 Ramadan A.H. 1439 (24 May A.D. 2018) on the basis of evidence against him, and an arrest warrant was issued in accordance with the law on charges of committing terrorist crimes. He was detained by the

competent authority at the prison of the General Directorate of Investigations in the region of Qasim and the warrant for his detention was extended in accordance with the procedures and periods envisioned in the law.

4. The individual in question was made aware of the reasons for his arrest and of his legal rights, including the right to seek the assistance of a representative or lawyer in accordance with the law and to contact a person of his choice to inform them of the arrest. He signed to acknowledge that he had been thus informed, in accordance with article 22 of the implementing regulations of the Code of Criminal Procedure and provisions of other relevant laws.

5. The Public Prosecution Service transmitted his case file to the competent court (the Specialized Criminal Court), having first levelled criminal charges against him on the basis of ample existing evidence, including his own confession, the arrest and search records and the technical reports.

6. The case was heard by the competent court in a fair and public trial, attended by the prosecutor, the individual concerned and his legal representatives.

7. He had legal representatives of his own choosing to defend him and plead on his behalf.

8. A final ruling was handed down under which he was sentenced to a prison term of 25 years, effective from the date of his arrest. In fact, having examined the evidence presented and heard the statements and arguments made during the trial proceedings, the court found him guilty of committing a number of terrorist offences, including actions intended to undermine the security and stability of society, supporting terrorist ideology, communicating with terrorists via the Internet with intent to commit terrorist crimes and financing terrorism by receiving funds from one terrorist and transferring them to another. Such actions are penalized under articles 34, 43 and 47 of the Terrorist Crimes and Terrorism Financing Act.

9. He is currently serving his sentence at the prison of the General Directorate of Investigations in the region of Qasim.

10. As explained in previous replies, the Saudi Civil and Political Rights Association was established illegally and, for that reason, a court had ruled that it should be dissolved. That ruling – which did not constitute an infringement on freedom of opinion and expression, or freedom to join peaceful associations and groups established in accordance with the law – is consistent with articles 19, 20 and 29 of the Universal Declaration of Human Rights.

11. In the past, non-governmental associations and institutions could be established only in accordance with the regulations governing charitable associations and foundations, promulgated by Council of Ministers Decree No. 107 of 25 Jumada II A.H. 1410. Those regulations have since been superseded by the Civil Society Associations and Institutions Act of 2015. The licensing of such

associations grants them rights and places them under obligations, and any entity established outside that framework has no legal existence. This was the case with the organization in question which was, therefore, dissolved.

12. The Civil Society Associations and Institutions Act of 2015 includes a set of developmental and social goals designed to regulate, develop and protect non-governmental activities with a view to rendering them more effective and beneficial, contributing to national development and promoting citizen participation in the management and growth of society. In order to streamline processes, the Act provides that an association may be founded by 10 persons and may obtain authorization within 60 days of submission of the application papers.

13. Saudi Arabia supports societies and institutions that concern themselves with rights in general, as well as those that focus on specific rights, and it treats them as key partners in the promotion and protection of human rights. Examples of this partnership include 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 also participated in the drafting of the Child Protection Act and have been involved in the preparation of the reports of Saudi Arabia to treaty and non-treaty bodies.

14. One of the most prominent civil society organizations concerned with human rights is the [REDACTED] which issues reports on the human rights situation in Saudi Arabia. The reports – on the basis of complaints the [REDACTED] receives and infringements it detects – highlight shortcomings preventing the full realization of rights, analyse the causes thereof, assess any progress achieved and make recommendations. The [REDACTED] also undertakes research and issues press releases. Like many other associations and institutions 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.

15. The person in question was arrested by law enforcement officials, who are designated under the Code of Criminal Procedure to search for offenders and to gather the information and evidence necessary for conducting the investigation and bringing charges. This is fully consistent with principle 2 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment.

16. The procedures and safeguards applied in his case were in accordance with international standards of fair trial and due process.

17. Saudi Arabia respects human rights treaties and fulfils its obligations under the treaties to which it is a party.

18. National 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.

19. 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 Service is, according to its own Statutes, an independent body that is part of the judiciary, and no one has the right to interfere in its operation. These provisions serve to protect the rights and security of persons in detention.

20. All laws in Saudi Arabia uphold the rights of accused persons from the moment they are arrested until they are released. All accused persons have the right to bring a case before the courts to challenge the legality of their detention. This state of affairs is consistent with international human rights standards and with the country’s obligations under international human rights law, including article 8 of the Universal Declaration of Human Rights.

21. Saudi Arabia protects and upholds human rights through its application of the principle of legality. In fact, penalties are applicable to individuals and there can be no offence and no penalty save on the basis of sharia or statutory provisions; no penalty can be imposed save for acts committed subsequent to the enactment of a law.

22. Domestic law guarantees all accused persons the right to have their case examined in a fair and public trial before an independent court. In fact, the judiciary in Saudi Arabia enjoys complete independence in the exercise of its functions, meaning that it operates impartially and without external influence. No one has the right to intervene in the functioning of the courts, which judge on the basis only of compelling evidence. Moreover, no one may be sentenced to a criminal penalty save for an act that is prohibited by sharia or statutory law.

23. The laws of Saudi Arabia uphold the principle of the presumption of innocence and envisage a number of safeguards which regulate criminal proceedings, guarantee the rights of defendants and ensure that they are presumed innocent until found guilty under the terms of a final court judgment.

24. In addition, national laws guarantee freedom of opinion and expression for all persons unless such acts are deemed to breach or exceed the bounds of public order or the norms applicable to society, its members or its precepts. Such a restriction is consistent with the relative international

standards, including article 29 (2) of the Universal Declaration of Human Rights, which stipulates: “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.” It is also consistent with article 19 of the International Covenant on Civil and Political Rights, according to which all persons have the right to hold opinions without interference and the right to freedom of expression, the latter being subject to certain restrictions such as are necessary for respect of the rights or reputations of others and for the protection of national security or of public order, or of public health or morals.

25. No one in Saudi Arabia is detained for exercising their rights and freedoms. All citizens and residents, men and women, enjoy their rights and exercise their freedoms without discrimination, in accordance with national law. No group, regardless of its designation, is accorded precedence with regard to the exercise of those rights and freedoms. Any person whose rights are violated may lodge a complaint using the available legal remedies, and 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 violates a person’s rights, there are a number of mechanisms that provide effective safeguards. These include the courts and governmental and non-governmental human rights institutions.

26. Under the laws of Saudi Arabia, all accused persons are guaranteed to have their case examined by a competent and independent court in a fair and public trial during which they are given the possibility of defending themselves, of calling upon the assistance of lawyers and of challenging the court’s rulings against them. Those rulings are also subject to review before courts of a higher level.

27. The Specialized Criminal Court is an independent, specialized and impartial court which was set up by decree of the Supreme Council of the Judiciary which, under article 6 of the Statutes of the Judiciary, has the authority to establish courts, determine the type and geographical extent of their jurisdiction, merge them or abolish them. The Specialized Criminal Court – the creation of which has strengthened the administration of justice – is part of the country’s ordinary system of justice, it follows the same judicial procedures as those applied in other criminal courts, in accordance with the Statutes of the Judiciary, the Code of Criminal Procedure and the Code of Sharia Procedure. Judges in Saudi Arabia are appointed by decree of the Supreme Council of the Judiciary, endorsed by royal order, in accordance with article 47 of the 2007 Statutes of the Judiciary, which stipulates: “Appointment and promotion in the judiciary shall be by royal order, pursuant to a decree of the Supreme Judicial Council setting forth the formal requirements

applicable in each individual case.” Judges are not appointed unless in possession of accredited diplomas, and they are subject to certain conditions and are incorporated into the judiciary in accordance with articles 31 to 42 of the above-mentioned Statutes.

28. In fact, according to article 64 of the Code of Sharia Procedure, proceedings are to be public unless the judge, of his own volition or at the request of one of the parties, orders that they be held in camera in order to maintain order, observe public morals or protect family privacy. The same principle is enshrined in article 154 of the Code of Criminal Procedure. Under article 164 of the Code of Sharia Procedure, the sentence must be read out in public, a principle also reconfirmed in the Code of Criminal Procedure in article 181 (1), which states that the judgment – duly signed by those who issued it – must be read out in a public session, even if the case was heard in camera. The parties to the case must be present as must the judges issuing the judgment, unless one of them is prevented from attending.

29. **With respect to the request to provide information regarding the factual and legal basis for the new trial of Mohammed al-Bajadi, clarify the charges brought against him and explain how it is compatible with international human rights norms and standards, in particular on the observance of his right to a fair trial and his right to legal assistance**

30. It is important to reiterate that, contrary to the claim made in the joint communication, Mohammed al-Bajadi has not been retried, as explained above in paragraphs 1 and 2.

31. As already explained, the person in question was arrested on 9 Ramadan A.H. 1439 (24 May A.D. 2018) under an arrest warrant issued by the competent authority and was detained in the prison of the General Directorate of Investigations in the region of Qasim, which is a known and designated place of detention, under a detention order likewise issued by the competent authority. The warrants were based on legal provisions that admit the possibility of detention, as he stood accused of committing terrorist offences under the Terrorist Crimes and Terrorism Financing Act. His detention was subsequently extended in accordance with the law.

32. On the day of his arrest, the party concerned was immediately informed of the reasons for his arrest and detention. He duly signed a document to acknowledge that he had been informed of his legal rights, which include the right to seek the assistance of a defence lawyer or legal representative during the investigation and the trial, in accordance with article 4 (1) of the Code of Criminal Procedure and other relevant laws. He was also informed of the charges and of his right to make a call to a person of his choice to report his arrest and detention, as per articles 36 (1), 101 (1) and 116 of the Code of Criminal Procedure and article 22 of the implementing regulations of the Code.

33. Upon completion of the investigation, the Public Prosecution Service decided that there was sufficient evidence to charge him in accordance with article 126 of the Code of Criminal Procedure and referred him to the competent court (the Specialized Criminal Court) under article 15 of the Code and article 3 (b) and (c) of the Statutes of the Public Prosecution Service. The accused person was remanded to appear before the court, in line with article 135 of the Code of Criminal Procedure.

34. The individual in question attended the trial hearings accompanied by his legal representatives. The hearings were also attended by the public prosecutor. The memorandum of the charges was read out to him, and he was provided with a copy thereof in accordance with article 160 of the Code of Criminal Procedure. The court also informed him of his right to engage a lawyer or legal representative to conduct his defence, and he was told that if he did not have the financial wherewithal to engage a lawyer, he had the right to ask the court to appoint one on his behalf, at State expense, in accordance with article 139 of the Code. He duly appointed two legal representatives of his own choosing to defend him and plead on his behalf in the case.

35. The trial proceeded in the presence of the individual concerned, his legal representatives and the public prosecutor.

36. The lawyer of the party concerned was given sufficient time to prepare the case, and duly submitted a legal defence against the indictment and the evidence presented by prosecutors. In the preparation of the defence case, the lawyer was able to access and peruse all relevant information, files and documents.

37. A final ruling was handed down under which the individual in question was sentenced to a prison term of 25 years, effective from the date of his arrest. In fact, having examined the evidence presented and heard the discussions and statements made during the trial proceedings, the court found him guilty of committing a number of terrorist offences, including actions intended to undermine the security and stability of society, supporting terrorist ideology, communicating with terrorists via the Internet with intent to commit terrorist crimes and financing terrorism by receiving funds from one terrorist and transferring them to another. Such actions are penalized under the Terrorist Crimes and Terrorism Financing Act.

38. The court verified all the evidence against him, while fully respecting the international obligations of Saudi Arabia. All the facts and evidence relating to the crimes he was accused of having committed were fairly evaluated.

39. The individual concerned and his legal representatives were given a copy of the verdict and informed of their right to file a challenge within the period prescribed by law.

40. A challenge against the court ruling was filed by the public prosecutor as well as by the accused person and his legal representatives, who lodged an appeal before the Specialized Criminal Court.

41. The court of appeal held a number of sessions in the presence of prosecutors, the party concerned and his legal representatives, then ruled to uphold the verdict of the court of first instance, considering the accused person to be guilty of having committed a number of terrorist offences, as detailed above in paragraph 37.

42. A challenge against that ruling was filed by the public prosecutor as well as by the accused person and his legal representatives, who lodged an appeal before the Supreme Court in accordance with article 198 of the Code of Criminal Procedure.

43. The Supreme Court ruled to overturn the verdict handed down against the individual in question and to return the case to the court that had issued the previous ruling for it to reconsider the matter afresh.

44. The case file was duly reviewed by a different judicial bench at the Specialized Criminal Court of Appeal, which then handed down a verdict sentencing him to a prison term of 25 years, effective from the date of his arrest, pursuant to articles 34, 43 and 47 of the Terrorist Crimes and Terrorism Financing Act, deeming him to be guilty of having committed a number of terrorist offences, as detailed above in paragraph 37.

45. Neither of the two parties acted within the statutory time limit to challenge the appeal court ruling mentioned in paragraph 44 above, and the judgment therefore became final and enforceable.

46. The individual concerned is currently serving his sentence in the prison of the General Directorate of Investigations in the region of Qasim.

47. The measures and safeguards applied in this case are consistent with international fair trial and due process guarantees, as set forth in articles 10–12 and 19 of the Universal Declaration of Human Rights.

48. **With respect to the request to explain why charges related to terrorist acts have been levied against Mohammed al-Bajadi and indicate how this complies with the obligation to pursue counter-terrorism obligations consistent with international law 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) and the model definition of terrorism provided by the mandate of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism**

49. As previously stated, this individual was convicted of committing terrorist crimes, including actions intended to undermine the security and stability of society, supporting terrorist ideology, communicating with terrorists via the Internet with intent to commit terrorist crimes and financing terrorism by receiving funds from one terrorist and transferring them to another. The conviction was based on evidence presented in court and on the statements and arguments made during the trial proceedings. The court verified all the evidence against him, while fully respecting the international obligations of Saudi Arabia. Moreover, the facts and evidence, and the crimes he was accused of having committed, were fairly and individually evaluated.

50. The crimes of which the person in question was convicted constitute extremely serious terrorist offences and cannot be regarded as a legitimate exercise of the right to freedom of opinion and expression. To consider the use of social media and the financing of terrorism as an exercise of the right to freedom of opinion and expression is both unacceptable and perplexing, as it clearly disregards the fact that such crimes – even if committed using electronic means – constitute a violation of both national and international security and public order. It is important for the mandate holders to bear in mind that the rights enshrined in the Universal Declaration of Human Rights are not absolute but are subject, in their exercise, to specific limitations set forth in the Declaration itself. In addition to this, Security Council resolution 2178 (2014), dated 24 September 2014, underlines the need for Member States – given the increased use by terrorists and their supporters of communications technology for the purpose of radicalizing to terrorism, recruiting and inciting others to commit terrorist acts, including through the Internet – to act cooperatively to prevent terrorists from exploiting technology, communications and resources to incite support for terrorist acts, while respecting human rights and fundamental freedoms and in compliance with other obligations under international law.

51. Saudi Arabia has enacted fair and effective laws in the realm of criminal justice, and those laws constitute the main bulwark underpinning the country's strategy to combat terrorism and the financing of terrorism.

52. According to Security Council resolution 1377 (2001) of 12 November 2001, acts of international terrorism constitute a challenge to all States and to all of humanity. Such acts or their financing, planning or preparation, or other form of support, are also contrary to the purposes and principles of the Charter of the United Nations.

53. Saudi Arabia considers all forms and manifestations of terrorism, whoever commits them, wherever they are committed and whatever the motive behind them to be among the gravest threats to international peace and security. The same point is made in international treaties, instruments and

resolutions, including General Assembly resolution 60/288 of 8 September 2006 concerning the United Nations Global Counter-Terrorism Strategy.

54. In its efforts combat terrorism and the financing of terrorism, Saudi Arabia has helped protect many other countries around the world from the threat of terror operations, providing accurate intelligence that has helped thwart attacks and save thousands of innocent lives.

55. **With respect to the request concerning any measures taken by the Government to review and amend the Terrorist Crimes and Terrorism Financing Act to ensure full compliance with the principles of legality, necessity, proportionality and non-discrimination; also, the request to indicate the manner in which it protects other fundamental rights and freedoms, including the right to freedom of opinion and expression**

56. The Saudi Criminal Code clearly and precisely defines criminal acts and their prescribed penalties. The purpose of this is to ensure that individuals are aware of the law and thus able to avoid committing criminal offences due to a lack of clear understanding. The aim is to achieve justice as, in fact, national law prohibits the punishment of any individual for committing an act that was not previously defined and forbidden by law. In general, legal texts must be understandable to the public at large, and this itself promotes the principle of “legal certainty” and upholds the rights of accused persons while avoiding any possibility of ambiguity that may result in unfair applications of the law. All of this is a reflection of the commitment of Saudi Arabia to achieve criminal justice and to uphold individual rights.

57. The laws of Saudi Arabia are formulated with sufficient clarity and accuracy. They contain no ambiguities or equivocal phrases. They are published on governmental and other websites, and anyone can consult them, understand them and regulate their behaviour accordingly. Saudi Arabia remains committed to the human rights treaties to which it is a party, and its laws are continually reviewed and updated in line with developments and changes at the local and international levels. The law provides for the criminalization of terrorism and the prosecution of perpetrators. In fact, the Terrorist Crimes and Terrorism Financing Act contains a clear definition of the crime of terrorism that is consistent with international norms and with the country’s international obligations. The Act sets out the procedures for handling such cases, including with regard to arrest, detention, provisional release, appointment of legal counsel and the courts competent to hear terrorism cases. It also defines the relevant crimes and punishments, and includes provision for the establishment of specialized centres for the re-education of persons detained and convicted in relation to terrorist offences and for the creation of correctional and rehabilitation facilities to help integrate such persons back into society. This shows that “legal certainty” is a fundamental principle that national

legislators have integrated into criminal law, including into the Terrorist Crimes and Terrorism Financing Act.

58. Necessity and proportionality are the two basic principles legislators in Saudi Arabia use when drafting criminal legislation, in such a way that the penalty is proportional to the gravity of the offence committed and reflects the necessity to protect human rights and to maintain the security and stability of society.

59. As explained in paragraph 21 above, Saudi Arabia protects and upholds human rights through its application of the principle of legality. This is consistent with article 11 (2) of the Universal Declaration of Human Rights.

60. As explained in paragraph 24 above, national laws guarantee freedom of opinion and expression for all persons unless such acts are deemed to breach or exceed the bounds of public order or the norms applicable to society, its members or its precepts. Such a restriction is consistent with the relevant international standards, including article 29 (2) of the Universal Declaration of Human Rights.

61. No person is held in detention in Saudi Arabia for exercising their rights and freedoms. All citizens and residents, men and women, enjoy their rights and exercise their freedoms without discrimination, in accordance with national law. No group, regardless of its name or designation, is accorded precedence with regard to the exercise of rights and freedoms.

62. **With respect to the request to indicate whether Mohammed al-Bajadi had the opportunity to seek a review or appeal of the decision imposing a travel ban and restrictions on his freedom of opinion and expression; also, to explain the procedures available for such review, and how these measures comply with international human rights standards, including the rights to freedom of movement, freedom of opinion and expression and to participate in public affairs, as enshrined in articles 13, 19 and 21 of the Universal Declaration of Human Rights and articles 14, 24 and 32 of the Arab Charter on Human Rights**

63. As explained above in paragraphs 40 and 42, the individual in question was able to challenge the court ruling issued against him and he filed appeals with courts of higher levels. He is currently serving his sentence in the prison of the General Directorate of Investigations in the region of Qasim.

64. A travel ban may be imposed only by order of the courts, the Minister of the Interior or the Head of State Security – depending upon the circumstances – for specific security reasons and for a specified period of time. In all cases, the person banned from travelling must be duly notified within one week from the date on which the order is handed down and is entitled to lodge an administrative grievance following the procedures envisaged by law. This is in line with the

country's international human rights obligations. In addition, anyone against whom a travel ban has been issued may launch a challenge against it, following the appeal procedures envisaged by law.

65. No restrictions are placed on freedom of movement in Saudi Arabia or freedom to leave the country other than those that are provided for by law, without discrimination, for the purpose of protecting national security, public order, public health, public morals or the rights and freedoms of others. These restrictions are in keeping with internationally recognized norms.

66. Under the law of Saudi Arabia, there are no restrictions on the right of individuals to travel abroad save for those applied in exceptional circumstances defined by law, as dictated by necessity and required to achieve legitimate purposes. Such restrictions are provided for by law, and the law defines the criteria for imposing them. When establishing restrictions, the State abides by the principle that they should not affect the essence of the right. The State applies precise criteria and does not grant officials unfettered freedom to impose a ban at their own discretion. The State also abides by the principle of proportionality; such restrictions must be proportionate to the protective function that they are intended to serve and to the interest that they are designed to protect.

67. **With respect to the request to provide the details and, where available, the outcome of any investigation, and judicial or other inquiries carried out in relation to allegations of incommunicado detention as well as reports of breaches of fair trial standards, and if no inquiries have taken place, or if they have been inconclusive, to explain why**

68. Throughout every stage of the proceedings – from arrest to investigation to trial – the individual in question has enjoyed all the rights and safeguards envisaged under Saudi law, which are consistent with the relevant international standards.

69. He is being well treated, in a manner that preserves his dignity and guarantees all his rights, on an equal footing with other detainees and prisoners.

70. He is able to exercise his right to receive visits and calls on a regular basis, just like other detainees and prisoners. In all, he has received 37 visits and engaged in 262 calls.

71. Under the law, investigators can prohibit an accused person from communicating with others for a specified period, in exceptional cases in which the investigation so requires. This is without prejudice to the right of accused persons to contact their relatives or legal representatives. This procedure is consistent with international standards, including the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and principle 16 (4) of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment. Moreover, persons can always have the possibility of challenging the legality of their detention.

72. The prohibition on accused persons from communicating with others is subject to strict controls. National law, moreover, criminalizes and punishes acts of torture. According to the Terrorist Crimes and Terrorism Financing Act, accused persons cannot be prohibited from communicating with others save in exceptional circumstances that are specified in law, and this does not prejudice the right of the relatives of an accused person to be informed of the arrest of their loved one. Under article 20 of the Act, the competent authority can order that an accused person should have no calls or visits for a period of up to 90 days, if the investigators so require. If such a circumstance transpires, then any detainee or prisoner has the right to file a complaint, under article 39 of the Code of Criminal Procedure, which stipulates: “Prisoners and detainees have the right to submit, at any time, a written or verbal complaint to the warden of the prison or detention centre and request that it be conveyed to a member of the Public Prosecution Service. The warden must accept the complaint and forward it at once, after recording it in a special register. The prisoner or detainee must receive acknowledgement of receipt. The administration of the prison or detention centre is required to allocate a separate office for members of the Public Prosecution Service from which they can monitor the conditions of prisoners and detainees.”

73. The Prosecutor General has laid emphasis on the importance of not routinely isolating accused persons from their fellows and has stated that such a step should be taken only in exceptional cases and for the shortest possible duration. Isolation, moreover, should be subject to certain conditions, including the seriousness and gravity of the crime involved and the necessities of the investigation. The requirement for isolation is to be assessed by the chief prosecutor of the local region or by the Prosecutor General, as appropriate. Furthermore, its duration must not exceed the period specified in the Code of Criminal Procedure and it must be imposed without prejudice to the right of accused persons to contact their legal representative or lawyer. Prosecutors, who are responsible for overseeing prisons and detention centres, are tasked with ensuring compliance with these provisions, while instances where detention must be extended for more than 15 days from the date of arrest are to be referred to the Prosecutor General, regardless of the circumstances of the case.

74. The measures and safeguards applied in the case under consideration were consistent with international fair trial and due process guarantees.

75. **With respect to the request to indicate what measures have been taken to ensure that human rights defenders and civil society organizations in Saudi Arabia are able to carry out their peaceful and legitimate work in a safe and enabling environment without fear of threats or acts of intimidation and harassment of any kind**

76. National 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, and with article 13 of the Universal Declaration of Human Rights.

77. As explained in paragraphs 24 and 25 above, national laws protect and promote the right to freedom of opinion and expression. No person is held in detention in Saudi Arabia for exercising their rights and freedoms.

78. From all the information given above, it is clear that the allegations and claims contained in the joint communication are untrue. Moreover, all the measures taken in this case have been shown to be valid and consistent with international human rights standards and with the country's obligations under international human rights law.

79. In conclusion, Saudi Arabia wishes to state that it replies to communications, appeals and reports, and clarifies all relevant facts in a spirit of cooperation with international human rights mechanisms.

80. Saudi Arabia also wishes to remind the thematic special procedures mandate holders of the Human Rights Council, co-signatories of the joint communication, of the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council issued under Human Rights Council resolution 5/2 of 18 June 2007. In particular, it wishes to draw attention to the fact that mandate holders should:

- (a) Always seek to establish the facts, particularly the allegations received from the sources, based on objective, reliable information emanating from relevant credible sources, that they have duly cross-checked to the best extent possible, in accordance with article 6 (a) of the Code of Conduct.
- (b) 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.
- (c) 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.
- (d) Ensure that the communications submitted regarding the case are not manifestly unfounded or politically motivated, in accordance with article 9 (a) of the Code.
- (e) 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.

- (f) Ensure that the communication is not exclusively based on reports disseminated by mass media, in accordance with article 9 (e) of the Code.
 - (g) 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.
 - (h) 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.
 - (i) 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.
 - (j) 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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