



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Committee against Torture

List of issues prior to submission of the third periodic report of Saudi Arabia*

Specific information on the implementation of articles 1–16 of the Convention, including with regard to the Committee’s previous recommendations

Issues identified for follow-up in the previous concluding observations

1. In its previous concluding observations, the Committee requested the State party to provide information on follow-up to its recommendations¹ on corporal punishment, including in the case of Ra’if Badawi, reprisals against human rights defenders and journalists, and the death penalty.² Noting that replies concerning the information sought by the Committee were received on 11 May 2017,³ and with reference to the letter dated 4 June 2019 from the Committee’s Rapporteur for follow-up to concluding observations, requesting information also about the murder, detention and torture of other human rights defenders, journalists and dissidents, the Committee considers that the recommendations in paragraphs 12–13 and 19–20 of the previous concluding observations have not yet been implemented. The recommendations contained in paragraphs 10–11 and 42–43 have been partially implemented.

Articles 1 and 4

2. With reference to the Committee’s previous concluding observations,⁴ please clarify if the State party intends to introduce the crime of torture, and the different forms of participation in acts of torture, into the national legislation, in compliance with the definition established in article 1 of the Convention, and with appropriate penalties that take into account the grave nature of the crime. If so, please clarify whether there is a timetable for the legislative reform. In addition, please indicate: (a) the criminal provisions and penalties that are most often applied to punish cases of torture; (b) whether statutes of limitation apply to such offences in criminal and civil proceedings; and (c) how the State party will ensure the non-derogability of the prohibition of torture and any cruel, inhuman or degrading treatment or punishment.

* Adopted by the Committee at its seventy-second session (8 November–3 December 2021).

¹ CAT/C/SAU/CO/2, para. 52; and CAT/C/SAU/CO/2/Corr.1.

² Ibid., paras. 10–11, 12–13, 19–20 and 42–43 respectively.

³ See

https://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/SAU/CAT_C_SAU_CO_2_Add-1_24759_A.pdf.

⁴ CAT/C/SAU/CO/2, paras. 5–6. See also CAT/C/CR/28/5, paras. 4 (a) and 8 (a).



Article 2⁵

3. Further to the Committee's previous concluding observations,⁶ please indicate whether the State party has taken any measures to ensure that the Human Rights Commission is in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).⁷ In particular, please indicate if the State party has taken measures to ensure (a) the independence of the Human Rights Commission from the executive branch; (b) that the Commission has an independent budget that is sufficient to carry out its mandate;⁸ and (c) that it is allowed unimpeded access to all places of deprivation of liberty. Please also indicate if the State party has considered ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and establishing a new independent institution to regularly monitor places of detention, as recommended by the Committee previously,⁹ or allowing non-governmental organizations to regularly monitor all places of detention to complement the monitoring undertaken by the Human Rights Commission. Please also provide statistical data, disaggregated by year and by age group (minor or adult), sex and ethnic origin or nationality of the victim, on the number of complaints of torture and ill-treatment received by the Human Rights Commission since 2016 and on the outcome of those complaints.

4. With reference to the Committee's previous concluding observations,¹⁰ and in light of the 2017 adoption of the Law on Combating Terrorism and its Financing, amended in June 2020, please clarify if the State party may consider repealing the provisions of the Code of Criminal Procedure and of the Law on Combating Terrorism and its Financing that allow investigators to hold detainees without charge for periods between six months and a year,¹¹ and to detain individuals without access to family members, legal counsel or habeas corpus for up to three months, and with the possibility of being extended indefinitely.¹² Please also provide information on any legislative amendments made by the State party during the reporting period to explicitly indicate that the rights of detainees to legal counsel and to contact their families following their arrest should be honoured from the outset of their deprivation of liberty. Please provide information about any other measures to ensure that all detainees enjoy in law and practice all fundamental legal safeguards from the outset of their deprivation of liberty, namely: (a) having unconditional access to a lawyer of their choice promptly following deprivation of liberty and in full confidentiality, or to free legal aid for those who do not have sufficient means to pay for legal representation; (b) being authorized to contact a family member or other person of their choice to inform him or her of their detention and whereabouts from the moment of deprivation of liberty; (c) being informed of the reasons for their detention, of the charges against them and about their rights, both orally and in writing, in a language that they understand and through interpretation if necessary; (d) being brought promptly – within 48 hours – before a judge who has the power to order their release, irrespective of the charges; and (e) being able to exercise, from the outset of their deprivation of liberty, the right to request and to obtain a confidential medical examination by an independent doctor or a doctor of their choosing. Please also indicate the measures

⁵ The issues raised under article 2 could also touch on issues raised under other articles of the Convention, including article 16. As stated in paragraph 3 of the Committee's general comment No. 2 (2007) on the implementation of article 2, the obligation to prevent torture in article 2 is wide-ranging. The obligations to prevent torture and other cruel, inhuman and degrading treatment or punishment under article 16 (1) are indivisible, interdependent and interrelated. The obligation to prevent ill-treatment in practice overlaps with and is largely congruent with the obligation to prevent torture. In practice, the definitional threshold between ill-treatment and torture is often not clear. See also chapter V of the same general comment.

⁶ CAT/C/SAU/CO/2, paras. 28–29.

⁷ See also CERD/C/SAU/CO/4-9, paras. 9–10; CEDAW/C/SAU/CO/3-4, paras. 23–24; and A/HRC/WG.6/31/SAU/2, paras. 7–8. See A/HRC/40/4, para. 122.56; and A/HRC/40/4/Add.1, para. 9, accepting the recommendation.

⁸ See also CERD/C/SAU/CO/4-9, paras. 9–10.

⁹ CAT/C/SAU/CO/2, paras. 27 (b) and 33 (b).

¹⁰ CAT/C/SAU/CO/2, paras. 14–18 and 44–45. See also CAT/C/CR/28/5, paras. 4 (d) and (e) and 8 (e).

¹¹ See also A/HRC/WG.6/31/SAU/2, para. 14.

¹² See also A/HRC/WG.6/31/SAU/2, para. 14.

taken to ensure that registers contain full and detailed information, including on interrogations and incidents in detention, and medical records for each detainee, and that registers are accessible to the lawyers of detained persons at any time, with their client's consent, as recommended previously by the Committee.¹³ Noting that the Committee, in its previous concluding observations, welcomed the establishment of the Nafethah website,^{14, 15} which allowed families to obtain information on individuals detained by the General Intelligence Service (Al-Mabahith), please explain the reasons for taking it down. Please also indicate the control measures taken, including disciplinary sanctions, to ensure that law enforcement or other officials respect in practice, from the moment of deprivation of liberty, all fundamental legal safeguards of detained persons, including record keeping.

5. Bearing in mind the Committee's previous concluding observations,¹⁶ and the corroborating reports of widespread use of arbitrary¹⁷ and incommunicado detention, enforced disappearances and torture¹⁸ by officers of Al-Mabahith, which is now under the authority of the newly established Public Prosecution and State Security Presidency, and by members of the Commission for the Promotion of Virtue and the Prevention of Vice,¹⁹ and noting the reported existence of secret places of detention, please indicate whether the State party has opened investigations into these alleged practices, and about the existence of secret non-official detention places. If so, please describe the outcome of these investigations, and indicate whether those exercising effective control over unofficial places of detention have been brought to account and the type of discipline or punishment administered. Please also clarify whether the Commission for the Promotion of Virtue and the Prevention of Vice and the Public Prosecution and State Security Presidency are subject to ordinary judicial oversight. Please indicate the measures taken to monitor Al-Mabahith detention facilities and officers of the Commission for the Promotion of Virtue and the Prevention of Vice and the Public Prosecution and State Security Presidency, and clarify whether the above-mentioned officers have been requested to present individuals to a judge within a short period of time. Please indicate how many people were detained by Al-Mabahith and Public Prosecution and State Security Presidency agents per year for the period under review, in which detention centres they are currently located and how much time passed between their arrest and their presentation before a judicial authority.

6. In light of the Committee's previous concluding observations,²⁰ please provide information on the measures taken by the State party to combat all forms of violence against women and girls,²¹ including against female domestic workers,²² and to eradicate the involuntary sterilization of women with psychosocial or intellectual disabilities²³ – in particular with regard to cases that involve the actions or omissions of State authorities or other cases that engage the State party's international responsibility in accordance with the Convention. In particular, please clarify if the State party has taken any steps to: (a) criminalize all forms of violence against women, including rape, marital rape and forced marriage;²⁴ (b) reform the *kafalah* system to ensure that female migrant workers are not

¹³ CAT/C/SAU/CO/2, para. 45.

¹⁴ Ibid., para. 4 (e).

¹⁵ See A/HRC/40/4, para. 122.121; and A/HRC/40/4/Add.1, para. 9, accepting the recommendation.

¹⁶ CAT/C/SAU/CO/2, paras. 26–29 and 32–33.

¹⁷ See also Working Group on Arbitrary Detention opinion No. 33/2020, para. 99.

¹⁸ Working Group on Enforced or Involuntary Disappearances, General Allegation: Saudi Arabia, 121st session, 11–15 May 2020, available at <https://www.ohchr.org/Documents/Issues/Disappearances/Allegations/121-SaudiArabia.pdf>. See A/HRC/40/4, paras. 122.116–117; and A/HRC/40/4/Add.1, para. 9, accepting the recommendation.

¹⁹ See also CAT/C/CR/28/5, para. 8 (g).

²⁰ CAT/C/SAU/CO/2, paras. 36–41.

²¹ See also CEDAW/C/SAU/CO/3-4, paras. 19–20 and 31–32; and A/HRC/WG.6/31/SAU/2, paras. 51 and 59. See A/HRC/40/4, paras. 122.50, 122.64 and 122.129; and A/HRC/40/4/Add.1, para. 9, accepting the recommendation.

²² See also CRC/C/OPSC/SAU/CO/1, paras. 20–21; CERD/C/SAU/CO/4-9, paras. 19–20; and CEDAW/C/SAU/CO/3-4, paras. 37–38.

²³ See also CRPD/C/SAU/CO/1, paras. 31–32.

²⁴ See also CEDAW/C/SAU/CO/3-4, paras. 31–32 and 63–64.

subjected to the risk of abuse in violation of the Convention;²⁵ (c) adopt labour legislation to provide legal protection to migrant domestic workers against exploitation, torture, ill-treatment and trafficking;²⁶ (d) guarantee in practice that women, including female migrant workers, who are victims of violence, ill-treatment or trafficking²⁷ are able to file complaints without the authorization of a male guardian,²⁸ or without the fear of being punished for adultery,²⁹ are not convicted of disobedience when fleeing their homes,³⁰ and have access to sufficient shelters, psychosocial support and legal aid;³¹ and (e) conduct awareness-raising campaigns and training for public officials and the general public to increase the understanding that violence against women constitutes a grave violation of the Convention.³² Please include statistical data, disaggregated by the age group (minor or adult) and ethnicity or nationality of the victims, on the number of complaints, investigations, prosecutions, convictions and sentences recorded in cases of gender-based violence, including trafficking,³³ torture, and involuntary sterilization of women with psychosocial or intellectual disabilities, since the consideration of the previous periodic report. Please also indicate whether the State party would consider decriminalization of abortion in order to ensure legal, safe and effective access to voluntary termination of pregnancy when the life or health of the pregnant woman or girl is at risk, and when carrying the pregnancy to term against her will would cause substantial harm or suffering to the pregnant woman or girl, especially in cases where the pregnancy is the result of rape or incest or when it is not viable.³⁴

Article 3

7. With reference to the Committee's previous concluding observations,³⁵ please clarify if the State party has adopted legislation explicitly regulating expulsion, refoulement and extradition in accordance with the principle of non-refoulement contained in article 3 of the Convention. Please also specify if the legislation provides for effective remedies in removal proceedings, including review by an independent judicial body, and if so, indicate with which authority appeals are filed, which procedure is applicable, and whether appeals and applications for asylum have a suspensive effect on expulsion and extradition decisions. Please indicate if the State party has set up mechanisms or protocols for the early identification and immediate referral of vulnerable asylum seekers, particularly minors at risk of being trafficked,³⁶ unaccompanied and separated children who may have been involved in armed conflicts abroad,³⁷ and victims of torture, as recommended previously by the Committee. Please also indicate if the State party will consider ratifying the Convention relating to the Status of Refugees, of 1951, the Protocol relating to the Status of Refugees, of 1967,³⁸ the Convention relating to the Status of Stateless Persons, of 1954, and the Convention on the Reduction of Statelessness, of 1961.

8. Please provide statistical information for the period under review, disaggregated by year and the sex, country of origin or nationality and age group (minor or adult) of the victim, on: (a) the number of asylum applications or requests for protection registered; (b) the number of applications for asylum or other forms of subsidiary protection approved and the number of asylum seekers whose applications were granted because they had been tortured or ran the

²⁵ See also [CEDAW/C/SAU/CO/3-4](#), paras. 37–38; and [A/HRC/WG.6/31/SAU/2](#), para. 68.

²⁶ See also [CEDAW/C/SAU/CO/3-4](#), paras. 37–38; [A/HRC/WG.6/31/SAU/2](#), para. 37; and [A/HRC/WG.6/31/SAU/2](#), para. 68. See [A/HRC/40/4](#), para. 122.195; and [A/HRC/40/4/Add.1](#), para. 9, accepting the recommendation.

²⁷ See also [CERD/C/SAU/CO/4-9](#), paras. 35–36; and [CEDAW/C/SAU/CO/3-4](#), paras. 35–36.

²⁸ See also [CEDAW/C/SAU/CO/3-4](#), paras. 19–20 and 31–32; and [A/HRC/WG.6/31/SAU/2](#), para. 51.

²⁹ See also [CEDAW/C/SAU/CO/3-4](#), paras. 33–34.

³⁰ See also [CEDAW/C/SAU/CO/3-4](#), paras. 31–32.

³¹ See also [CRC/C/OPSC/SAU/CO/1](#), paras. 20–21; and [CEDAW/C/SAU/CO/3-4](#), paras. 19–20. See [A/HRC/40/4](#), para. 122.133; and [A/HRC/40/4/Add.1](#), para. 9, accepting the recommendation.

³² See also [CRC/C/OPSC/SAU/CO/1](#), paras. 20–21.

³³ See also [CERD/C/SAU/CO/4-9](#), paras. 35–36; and [CEDAW/C/SAU/CO/3-4](#), paras. 35–36.

³⁴ See also [CEDAW/C/SAU/CO/3-4](#), paras. 47–48; and [A/HRC/WG.6/31/SAU/2](#), para. 37.

³⁵ [CAT/C/SAU/CO/2](#), paras. 46–47. See also [CAT/C/CR/28/5](#), para. 4 (g).

³⁶ See also [CRC/C/OPSC/SAU/CO/1](#), paras. 20–21 and 36–37.

³⁷ See also [CRC/C/OPAC/SAU/CO/1](#), paras. 38 and 39 (a)–(c).

³⁸ See also [CERD/C/SAU/CO/4-9](#), paras. 33–34.

risk of being tortured if returned; (c) the number of persons who were returned, extradited or expelled, indicating the grounds on which they were returned, extradited or expelled and providing a list of the countries of destination; and (d) the number of appeals filed against expulsion decisions on the basis that the applicants could be in danger of being subjected to torture and ill-treatment in their countries of origin, and the results of those appeals.

9. Please indicate the number of returns, extraditions and expulsions carried out by the State party during the reporting period on the basis of the acceptance of diplomatic assurances or the equivalent thereof, as well as any instances where the State party has offered such diplomatic assurances or guarantees, and measures that have been taken in such cases with regard to subsequent monitoring.

Articles 5–9

10. Please provide information on any new legislation or measures that have been adopted to implement article 5 of the Convention. Please also indicate what measures have been taken by the State party during the period under review to comply with its obligation to extradite or prosecute (*aut dedere aut judicare*). In particular, please provide information on cases in which the State party has agreed to extradite a person for torture or related offences since 2016. Please also indicate whether the State party has rejected, for any reason, the request of a State party for the extradition of an individual suspected of having committed torture and whether it has started prosecution proceedings against such an individual as a result. If so, please provide information on the status and outcome of such proceedings. Please also inform the Committee of any extradition treaties concluded with other States parties and indicate whether the offences referred to in article 4 of the Convention are included as extraditable offences in such treaties. Please give details of the treaties or agreements on mutual legal and judicial assistance that the State party has entered into, and whether such treaties or agreements have led in practice to the transfer of any evidence in connection with prosecutions concerning torture or ill-treatment. If so, please provide examples.

Article 10

11. With reference to the Committee's previous concluding observations,³⁹ please provide detailed information on the training programmes for medical professionals and other public officials involved in work with persons deprived of their liberty, such as law enforcement officials, prison staff, judges and prosecutors, on detecting and documenting the physical and psychological sequelae of torture, including whether the programmes contain specific training with regard to the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol).⁴⁰ Please also indicate the training and guidelines adopted since 2016 on how to investigate and decide cases of rape and sexual violence and prosecute perpetrators. Please indicate whether these training courses are mandatory or optional and how often they are run.

12. Please provide information on educational programmes developed by the State party since 2016 to ensure that all public officials, in particular law enforcement officials, prison staff and immigration and border control officers: (a) are fully aware of the provisions of the Convention and the absolute prohibition of torture, and know that breaches will not be tolerated and will be investigated, and that any offenders will be prosecuted; (b) treat persons in situations of vulnerability appropriately;⁴¹ (c) are aware of legislation and procedures to guarantee the principle of non-refoulement and of the arrangements for the identification of victims of torture, including unaccompanied and separated children, who may have been involved in armed conflicts abroad,⁴² trafficking in persons⁴³ and gender-based violence; and (d) are trained on non-coercive investigation techniques. Please indicate whether those training courses are mandatory or optional, how often they are run, how many officials have already completed them in relation to the total number of law enforcement and prison

³⁹ CAT/C/SAU/CO/2, paras. 48–49. See also CAT/C/CR/28/5, para. 4 (j).

⁴⁰ See also A/HRC/WG.6/31/SAU/2, para. 9.

⁴¹ See also CRPD/C/SAU/CO/1, paras. 25–26; and CEDAW/C/SAU/CO/3-4, paras. 31–32 and 57–58.

⁴² See also CRC/C/OPAC/SAU/CO/1, paras. 38–39 (a).

⁴³ See also CRC/C/OPSC/SAU/CO/1, paras. 20–21.

personnel and what measures have been taken to train the remaining officials. Please also indicate whether the State party has developed a methodology to assess the effectiveness of training and educational programmes in reducing the number of cases of torture and ill-treatment.

Article 11

13. Taking note of the Committee's previous concluding observations,⁴⁴ please describe the measures taken since 2016 to increase the use of alternatives to imprisonment, both before and after trial, particularly in relation to juveniles, and to ensure prompt and regular judicial supervision of pretrial detention. In this regard, please indicate how the rate of application of alternative measures has evolved annually since 2016. Please also provide statistical data since 2016, disaggregated by year and by the sex, age group (minor or adult) and ethnic origin or nationality of the detained person, on the capacity and occupancy rate of all places of detention and the number of pretrial detainees and convicted prisoners. Please also indicate what steps have been taken to alleviate overcrowding in detention facilities, including through the increase in budgetary allocations to develop and renovate the infrastructure of prisons and other detention facilities.

14. Please indicate the measures taken since 2016 to improve sanitation, quality of food and the health services and facilities available to all detainees, particularly psychiatric and psychological care. Please also indicate whether medical examinations are routinely carried out upon admission to detention centres and describe the procedure by which medical personnel can document and report signs of ill-treatment without risk of reprisals. Please specify the measures taken to guarantee the principle of non-discrimination in according all required rights to persons in detention, including the practice of one's religion. Please also provide information on the State party's efforts to meet the particular needs of juveniles in detention, ensuring that the latter are always separated from adult prisoners. Please also indicate whether protocols are in place to meet the needs of other groups of prisoners, such as women, older persons, persons with disabilities⁴⁵ and lesbian, gay, bisexual, transgender and intersex persons.

15. Please provide information on the disciplinary system in places of detention, and indicate whether there is a procedure that guarantees due process and an independent body that reviews the disciplinary measures taken. Please also provide information on: (a) the maximum duration, in law and in practice, of solitary confinement; (b) the measures in place to ensure that solitary confinement is not imposed on children⁴⁶ and adolescents in conflict with the law or persons with psychosocial disabilities; and (c) whether a register of disciplinary penalties is kept in all places of detention and whether the proportionality of penalties is monitored.

16. Please provide annual statistical data regarding incidents of inter-prisoner violence and deaths in custody since 2018, including in police detention centres, disaggregated by place of detention, the sex, age and ethnicity or nationality of the injured person or deceased and the cause of injury or death (e.g. death resulting from violence between or against persons deprived of liberty, suicide, natural death, or disease), together with information on the number of deaths or cases of violence attributed to assaults committed or tolerated by public officials and the number of injuries or deaths due to the use of excessive force or to lack of timely medical assistance and treatment. Please indicate whether any criminal investigation was initiated ex officio with regard to instances of inter-prisoner violence and give details on any cases in which administrative inquiries and/or criminal investigations have been launched to determine whether public officials bore any responsibility for inter-prisoner violence or deaths, on the results of those investigations and on the measures taken to prevent similar cases from occurring in the future. Please indicate whether, in any of the cases, relatives of the deceased or injured person were awarded compensation, and if not, please state the reasons for denial of compensation.

⁴⁴ CAT/C/SAU/CO/2, paras. 30–31.

⁴⁵ See also CRPD/C/SAU/CO/1, paras. 25–26, 29 (a) and 30 (a).

⁴⁶ A/HRC/WG.6/31/SAU/2, para. 19.

17. Please provide information on the procedural and substantive guarantees that are applicable to the involuntary confinement of persons with psychosocial or intellectual disabilities⁴⁷ and of children and adolescents living in residential centres and institutions. Please also provide information on the measures in place to provide alternative family- and community-based care options for persons – including children – with psychosocial or intellectual disabilities.⁴⁸ Please clarify whether there is an independent mechanism for overseeing residential centres and institutions⁴⁹ and whether there are accessible channels for reporting, monitoring and remedying any ill-treatment that occurs within them.⁵⁰ In addition, please provide information on the use of physical and chemical means of restraint and other medical non-consensual coercive measures on persons admitted to psychiatric institutions.

18. Please describe the procedure and criteria used to assess the necessity and proportionality of placing asylum seekers and undocumented migrants in administrative detention and indicate the alternatives to administrative detention that exist. Please clarify whether decisions to impose administrative detention are periodically reviewed, and whether it is possible to challenge the lawfulness and proportionality of such decisions and the duration of the detention they impose. Please provide annual statistical data, disaggregated by the sex, age group (minor/adult) and nationality of detainees, on the number of persons detained for migration reasons since 2016, and the proportion of the total number of cases per year in which alternatives to detention were used. Please clarify if persons under administrative detention are separated from ordinary detainees and in which type of establishment they are held, including families with children and unaccompanied children.

Articles 12 and 13

19. With reference to the previous concluding observations,⁵¹ please indicate whether the State party has taken steps to ensure the complete independence of the Bureau of Investigation and Public Prosecution from the Ministry of the Interior, so that the Ministry of the Interior does not have the capacity to appoint, dismiss or discipline officials of the Bureau and also to ensure that there is no hierarchical or institutional link or conflict of interest between the suspected perpetrators and the inspectors. Please also indicate whether public officials under criminal or disciplinary investigation for allegedly having committed acts of torture or ill-treatment are immediately suspended from their duties and remain so throughout the investigation, subject to the observance of the principle of presumption of innocence. Please also explain if the State party has taken any measures to guarantee the confidentiality and independence of, and follow-up by, the system for receiving complaints of torture and ill-treatment, including in cases where victims are deprived of their liberty.⁵² In light of reports indicating that the authorities have threatened victims by preventing them from making complaints, please explain what mechanisms are in place to protect victims of torture and ill-treatment, members of their family, witnesses and investigators against any form of intimidation or reprisal arising as a consequence of complaints submitted. Please also clarify if the complaint mechanism has been made accessible and widely publicized in all detention facilities. Please indicate whether complainants and victims are duly informed of the progress and results of their complaint, and what judicial remedies are available to them should they disagree with a prosecutor's inaction.

20. Taking note of the Committee's previous concluding observations,⁵³ and in view of several corroborating reports of torture and ill-treatment committed mainly at the Criminal Investigation Department of the Ministry of the Interior and in the Al-Mabahith detention centres,⁵⁴ please provide annual statistical data for the period since 2016, disaggregated by the type of offence and by the gender, age group (minor or adult) and ethnic origin or

⁴⁷ See also [CRPD/C/SAU/CO/1](#), paras. 25–26 and 35–36.

⁴⁸ See also [CRPD/C/SAU/CO/1](#), paras. 35–36.

⁴⁹ See also [CRPD/C/SAU/CO/1](#), paras. 25–26.

⁵⁰ See also [CRPD/C/SAU/CO/1](#), paras. 27 (a), 28 (a), 29 (a) and 30 (a).

⁵¹ [CAT/C/SAU/CO/2](#), paras. 32–33 (a) and 35 (b).

⁵² See also [A/HRC/WG.6/31/SAU/2](#), para. 19. See [A/HRC/40/4](#), para. 122.185; and [A/HRC/40/4/Add.1](#), para. 9, accepting the recommendation.

⁵³ [CAT/C/SAU/CO/2](#), paras. 7–8.

⁵⁴ See also [A/HRC/WG.6/31/SAU/2](#), para. 19.

nationality of the victim, on: (a) the number of complaints received by prosecutors or any other competent authority, or investigation reports submitted, regarding offences such as the attempted or actual commission of acts of torture or ill-treatment, or complicity or participation in such acts, by public security officers or with the consent or acquiescence of those officers; (b) how many of the complaints led to a criminal or disciplinary investigation; (c) how many were dismissed; (d) how many resulted in prosecution; (e) how many led to a conviction; and (f) the penal and disciplinary sanctions that were imposed, specifying the length of any prison sentences. Please indicate, in particular, whether investigations have been conducted into the following allegations of torture and ill-treatment, some of them mentioned previously by the Committee: (a) of human rights lawyer Waleed Abu al-Khair in 2014, when he was in detention; and (b) for the alleged violations of the Convention committed by a member of the diplomatic corps while posted in India in 2015.

21. In light of the previous concluding observations,⁵⁵ please indicate the measures taken to ensure an impartial judiciary that is fully independent from the executive and to change the system of appointing judges, including by ensuring the independence of the Specialized Criminal Court from the Ministry of the Interior, so that the judiciary can address impartially issues of impunity, victim redress and due process in line with the Convention.

Article 14

22. Taking note of the Committee's previous concluding observations,⁵⁶ please indicate if the State party has reviewed its legislation to include explicit provisions on the right of all victims of torture and ill-treatment to redress, including fair and adequate compensation and rehabilitation. Please also indicate whether the State party has taken measures to ensure in practice that victims of torture or ill-treatment, including those who suffer from lifelong disabilities as a result of torture, may seek and obtain prompt, fair and adequate compensation and as full rehabilitation as possible, including in cases where the civil liability of the State party is involved. If so, please describe the procedure established and clarify whether the State party is legally responsible for the conduct of perpetrators of torture and ill-treatment and is therefore obliged to compensate the victims.

23. Please provide information on redress and compensation measures, including the means of rehabilitation, ordered by the courts or other State bodies and actually provided to the victims of torture and/or ill-treatment or their families since the consideration of the previous periodic report, including victims of ill-treatment in psychiatric settings and in residential homes,⁵⁷ and victims of involuntary sterilization,⁵⁸ of attacks against minorities, of trafficking and of domestic and sexual violence. This should include the number of requests for compensation that have been made, the number granted, and the amounts ordered and actually provided. Please also provide information on rehabilitation programmes for victims of torture and ill-treatment, and on the degree of cooperation with specialized non-governmental organizations in this area. Please also indicate the steps taken to investigate the allegations of torture committed against the late Munir al-Adam, and to provide redress to his family.⁵⁹

Article 15

24. With reference to the previous concluding observations⁶⁰ and the adoption of a new law on evidence, please indicate if the new law explicitly recognizes the inadmissibility of evidence obtained under torture, except when such confessions are evidence in a case against the alleged perpetrator of the torture or ill-treatment. Please also indicate the measures to ensure that all judges, in particular those at the Specialized Criminal Court, are made aware of their obligation to consider defendants' allegations that they were subjected to torture or

⁵⁵ CAT/C/SAU/CO/2, paras. 17–18 (c) and 21–22.

⁵⁶ CAT/C/SAU/CO/2, paras. 50–51.

⁵⁷ See also CRPD/C/SAU/CO/1, paras. 29 (b) and (c) and 30 (b) and (c).

⁵⁸ See also CRPD/C/SAU/CO/1, paras. 31–32.

⁵⁹ See CRPD/C/20/D/38/2016.

⁶⁰ CAT/C/SAU/CO/2, paras. 18 (c) and (d) and 23–24.

ill-treatment by investigators for the purpose of obtaining confessions.⁶¹ Please also provide, for the period since 2016, statistical data on the number of cases in which criminal defendants have alleged that their confessions were extracted through torture or ill-treatment, the number of cases dismissed by the courts owing to the introduction of evidence or testimony obtained through torture or ill-treatment, and the number of complaints or allegations made by criminal defendants in court indicating that they were tortured that have been investigated and the outcome of those investigations, including sentences handed down to those found guilty and redress and compensation granted to victims. Please also clarify if the State party has reviewed the convictions of Alaa Brinji and Abdulkareem al-Khoder, as recommended by the Committee previously,⁶² and has opened investigations into the claims of torture allegedly made by Hussein Abo al-Kheir, Abdullah al-Howaiti and the late Mustafa Hashem al-Darwish during their court hearings held between 2017 and 2019, and who were sentenced to death on the basis of forced confessions.

Article 16

25. Bearing in mind the Committee's previous concluding observations,⁶³ the State party's follow-up report,⁶⁴ the letter of the Rapporteur for follow-up to concluding observations,⁶⁵ and the decision of April 2020 of the general commission for the Supreme Court to ban flogging as a form of punishment imposed by judges (known as *ta'zir*), please indicate if the State party has taken the legislative measures necessary to explicitly prohibit corporal punishments in all settings,⁶⁶ including the imposition by judicial and administrative authorities of other forms of corporal punishment, such as amputation of the limbs (known as *hudud* punishments). Please also clarify if the State party has reviewed the cases of all individuals already sentenced to lashing and any other form of corporal punishment, with a view to, at a minimum, invalidating any aspect of their sentences involving corporal punishment. Please clarify the status of Ra'if Badawi, and whether he has received medical care and redress.

26. With regard to the Committee's previous concluding observations,⁶⁷ the State party's follow-up report,⁶⁸ the letter of the Rapporteur for follow-up to concluding observations,⁶⁹ and the announcement of 26 April 2020 by the President of the Human Rights Commission on the abolition of the death penalty for individuals convicted of crimes committed when they were minors,⁷⁰ please indicate if the State party will reconsider establishing a moratorium on all executions, commuting all existing death sentences to imprisonment sentences,⁷¹ and becoming a party to the International Covenant on Civil and Political Rights and, in particular, its Second Optional Protocol aiming at the abolition of the death penalty.⁷² Please also provide the Committee with data disaggregated by the gender, age at the time of the offence and nationality of the victim, on the number of individuals still on death row, on the number executed per year since 2016, detailing the offences, and on the number whose sentence has been commuted, and whether any minors or persons with psychosocial or intellectual disabilities have been sentenced to death and/or executed since 2016.⁷³ Please

⁶¹ See also [A/HRC/WG.6/31/SAU/2](#), para. 28.

⁶² [CAT/C/SAU/CO/2](#), para. 18 (d).

⁶³ *Ibid.*, paras. 10–12. See also [CAT/C/CR/28/5](#), paras. 4 (b) and 8 (b).

⁶⁴ See

https://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/SAU/CAT_C_SAU_CO_2_Add-1_24759_A.pdf.

⁶⁵ Letter of 11 December 2018.

⁶⁶ See also [CRPD/C/SAU/CO/1](#), paras. 11 (b), 12 (b), 27 (a) and 28 (a); and [A/HRC/WG.6/31/SAU/2](#), paras. 20 and 60.

⁶⁷ [CAT/C/SAU/CO/2](#), paras. 42–43.

⁶⁸ See

https://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/SAU/CAT_C_SAU_CO_2_Add-1_24759_A.pdf.

⁶⁹ Letter of 11 December 2018.

⁷⁰ See also [A/HRC/WG.6/31/SAU/2](#), para. 16.

⁷¹ See [A/HRC/40/4](#), para. 122.107; and [A/HRC/40/4/Add.1](#), para. 9, accepting the recommendation.

⁷² See also [CERD/C/SAU/CO/4-9](#), paras. 17 and 18 (g); and [A/HRC/WG.6/31/SAU/2](#), para. 16.

⁷³ See also [CRPD/C/SAU/CO/1](#), paras. 17–18.

describe the conditions of detention of prisoners on death row and clarify if they are subjected to more stringent detention conditions than the rest of the prison population.

27. With reference to the previous concluding observations,⁷⁴ the State party's follow-up report⁷⁵ and the letters of the Rapporteur for follow-up to concluding observations,⁷⁶ please indicate if the State party has reviewed, or envisages reviewing, the cases of Abdulkareem al-Khodr, Waleed Abu al-Khair, Omar al-Sa'id, Abdulaziz al-Shobaily, Mohammed Saleh al-Bajady and Ra'if Badawi, mentioned in the previous concluding observations, and if it is considering releasing individuals arbitrarily detained solely for peaceful criticism or human rights advocacy related to violations of the Convention. In this regard, please indicate if the State party will implement the decisions of the Working Group on Arbitrary Detention regarding the release of Saud Mukhtar Al-Hashimi, Sulaiman Al-Rashoudi, Khaled Al-Rashed, Mohammad Abdullah Al Otaibi,⁷⁷ Ahmad Khaled Mohammed Al Hossan,⁷⁸ Mohammad Al Qahtani and Waleed Abulkhair⁷⁹ and the decision of the Committee on the Rights of Persons with Disabilities regarding the release of Safar bin Abdulrahman Al Hawali. Please comment on continued reports of intimidation and harassment, arbitrary detention and acts of torture by State officials against human rights defenders, journalists and persons participating in peaceful criticism of the authorities, and describe the measures taken since 2016 to ensure effective protection against these practices.⁸⁰ Please also provide the Committee with information on progress made in the investigations, prosecutions, trials and penalties of the following alleged cases of torture of human rights defenders, journalists and persons perceived as critical of the authorities, some of whom were already mentioned in the letters of the Rapporteur for follow-up to concluding observations:⁸¹ (a) the torture and extrajudicial execution on 2 October 2018 of the journalist Jamal Khashoggi, reportedly by high-level officials in the State party's consulate in Istanbul;⁸² (b) the alleged arbitrary detention and torture at Dhahban Prison of the human rights defenders Loujain al-Hathloul, Iman al-Nafjan, Aziza al-Yousef, Samar Badawi, Nassina al-Sada, Mohammad al-Rabe'a and Ibrahim al-Modeimigh; (c) the alleged arbitrary detention and torture of Ali al-Nimr, Abdullah al-Zaher and Dawood al-Marhoon; (d) the alleged torture in 2014 of the 13-year-old Murtaja Algariras by Al-Mabahith officers, to force him to confess to participating in peaceful demonstrations; (e) the torture of Khaled Al-Rashed in 2006 at an Al-Mabahith centre, causing severe damage to his health; (f) the detention of Salman Alodah on 7 September 2017, who has been held in solitary confinement since his arrest, deprived of medical care, and subjected to severe physical and psychological torture; (g) the abduction and disappearance of the religious scholar Sulaiman Al-Dowaish in 2016, reportedly by State security forces; (h) the secret detention in 2018 of Abdulrahman Al-Sadhan, who was subjected to severe torture methods and sexual harassment while in detention, by Al-Mabahith security forces; (i) the detention by Al-Mabahith officers of Saudi journalist Turki Al-Jasser in March 2018, whose whereabouts remain unknown; and (j) the detention by officers of the State security forces of university graduate Abdullah Jelan in May 2021, whose whereabouts remain unknown. Finally, please indicate if the State party will consider revising the definition of terrorism in the 2017 Law on Combating Terrorism and its Financing, so that its criminalization provisions are as narrow as possible and cannot serve as a basis for prosecuting individuals engaged in non-violent expression and advocacy,⁸³ especially in

⁷⁴ CAT/C/SAU/CO/2, paras. 19–20.

⁷⁵ See

https://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/SAU/CAT_C_SAU_CO_2_Add-1_24759_A.pdf; and CAT/C/SAU/FCO/2, paras. 1–8.

⁷⁶ Letters of 11 December 2018 and 4 June 2019.

⁷⁷ Working Group on Arbitrary Detention opinion No. 68/2018.

⁷⁸ Working Group on Arbitrary Detention opinion No. 22/2019.

⁷⁹ Working Group on Arbitrary Detention opinion No. 10/2018.

⁸⁰ See also CRC/C/OPSC/SAU/CO/1, paras. 18–19; CEDAW/C/SAU/CO/3-4, paras. 25–26; and A/HRC/WG.6/31/SAU/2, para. 22.

⁸¹ Letters of 11 December 2018 and 4 June 2019.

⁸² See A/HRC/40/4, paras. 122.166–167, 122.169–170, 122.175–176, 122.178–179, 122.181, 122.183, 122.186–187 and 122.189; and A/HRC/40/4/Add.1, para. 9, accepting the recommendations.

⁸³ See also A/HRC/WG.6/31/SAU/2, para. 34; and OL SAU 12/2020, available at <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25726>.

defence of human rights, as recommended previously by the Committee⁸⁴ and accepted by the State party during the universal periodic review.⁸⁵

Other issues

28. Given that the prohibition of torture is absolute and cannot be derogated from, including within the framework of measures related to states of emergency and other exceptional circumstances, please provide information on any steps taken by the State party during the COVID-19 pandemic to ensure that its policies and actions comply with its obligations under the Convention. In addition, please specify the measures taken in relation to persons deprived of their liberty and in other situations of confinement, such as in homes for the elderly, hospitals or institutions for persons with psychosocial or intellectual disabilities.

General information on other measures and developments relating to the implementation of the Convention in the State party

29. Please provide detailed information on any other relevant legislative, administrative, judicial or other measures taken since the consideration of the previous periodic report to implement the provisions of the Convention or the Committee's recommendations. Such measures may include institutional developments, plans or programmes. Please indicate the resources allocated and provide statistical data. Please also provide any other information that the State party may consider relevant.

⁸⁴ [CAT/C/SAU/CO/2](#), para. 18 (a).

⁸⁵ See [A/HRC/40/4](#), paras. 122.90–91 and 122.93; and [A/HRC/40/4/Add.1](#), para. 9, accepting the recommendations.