



NGO: EUROPEAN CENTRE FOR LAW AND JUSTICE (ECLJ)

**UNIVERSAL PERIODIC REVIEW
45TH SESSION
2023**

**STATUS OF HUMAN RIGHTS IN THE KINGDOM OF SAUDI ARABIA
FOR THE 45TH SESSION OF THE
UNIVERSAL PERIODIC REVIEW**

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Introduction

1. The European Centre for Law and Justice (ECLJ) is an international, non-governmental organization dedicated to promoting and protecting human rights around the world. The ECLJ also holds Special Consultative status before the United Nations Economic and Social Council. The purpose of this report is to raise concerns regarding human rights violations in the Kingdom of Saudi Arabia (Saudi Arabia) for the 45th Session of the Universal Periodic Review (UPR).

Background

2. Saudi Arabia is located in the Middle East and has a population of approximately 35.9 million people.¹ The population is Muslim as non-Muslims are not allowed to have Saudi citizenship.² It is estimated that approximately 85-90% of the population identify as Sunni and 10-12% as Shia.³ In its 2023 World Watch List, Open Doors ranked Saudi Arabia as the 13th worst place for Christians to live in.⁴ This ranking stems from the fact that, in Saudi Arabia, only Muslims are permitted to practice their religion openly.⁵

3. Saudi Arabia's last review was held on November 5, 2018.⁶ As a result of the review, Saudi Arabia received 258 recommendations, 182 of which Saudi Arabia accepted.⁷ In particular, it was recommended by Myanmar, and supported by Saudi Arabia, that the government "[t]ake measures to protect people of religious minorities and ensure their rights to practise their beliefs are being protected."⁸ It was further recommended by Comoros, and supported by Saudi Arabia, that the government "[c]ontinue to allow non-Muslim residents the free expression of their religious practices while respecting the religious and cultural specificity of Saudi Arabia."⁹ It was also recommended by numerous countries, and supported by Saudi Arabia, that the government "[r]atify the International Covenant on Civil and Political Rights (Mexico) (France) (Morocco) (Latvia) (Estonia) (Portugal); [a]ccede to the International Covenant on Civil and Political Rights (Costa Rica) (Ukraine) (Romania); [b]ecome a party to the International Covenant on Civil and Political Rights (New Zealand)."¹⁰ It was further recommended by Ireland, but only noted by Saudi Arabia, that the government "[b]ring its law into line with international standards under the International Covenant on Civil and Political Rights for the exercise of the rights to freedom of expression, peaceful assembly and association."¹¹

Legal Framework

4. Under Article 1 of the Basic Law of Governance, "[t]he Kingdom of Saudi Arabia is a sovereign Arab Islamic State. Its religion is Islam. Its constitution is Almighty God's [Allah's] Book, The Holy Qur'an, and the Sunna (Traditions) of the Prophet (PBUH)."¹² Additionally, the Qur'an is the principal source of legislation in Saudi Arabia. As stated in Article 7 of the Basic Law of Governance, "[g]overnment in the Kingdom of Saudi Arabia derives its authority

from the Book of God [Allah] and the Sunna of the Prophet (PBUH), which are the ultimate sources of reference for this Law and the other laws of the State.”¹³ Further under Article 8, “[g]overnance in the Kingdom of Saudi Arabia is based on justice, shura (consultation) and equality according to Islamic Sharia.”¹⁴

5. Further, Saudi Arabia does not have a codified criminal code but relies on Sharia law based on the Qur’an and the Sunna (the Prophet Muhammad’s sayings and practices).¹⁵ Due to Sharia laws regarding blasphemy and proselytization, the public practice or observance of other religions is strictly forbidden.¹⁶ Defamatory speech against Islam, apostasy, and proselytization are punishable offenses.¹⁷ In order to enforce compliance with Sharia law, Saudi Arabia created an Islamic morality police, known as the Mutawa, in 1926.¹⁸

6. Although Saudi Arabia is a member of the United Nations, it is not a party to the most basic human rights treaty, the International Covenant on Civil and Political Rights (ICCPR).¹⁹ However, Saudi Arabia does have an obligation under the Universal Declaration of Human Rights (UDHR) to uphold the rights enshrined within. Under Article 18 of the UDHR:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.²⁰

Religious Persecution

7. Freedom of religion is practically non-existent in Saudi Arabia as the government restricts most forms of public religious expressions that are not consistent with Islam.²¹ While the majority of Christians in Saudi Arabia are foreign workers who live in the country temporarily, there are a few Saudis who have converted to Christianity from Islam.²² Non-Muslims can face serious punishments for violating Saudi Arabia’s strict ban on blasphemy, proselytization, and apostasy under Sharia law. Punishments include fines, lashing by a whip, prison time, and the death penalty.²³ In order to avoid scrutiny from the government, community, and even their own family members, small groups of Christians meet quietly for prayer and oftentimes pray alone.²⁴ Unfortunately, Christians even go so far as publicly denying their faith to avoid persecution.²⁵

8. Saudi Arabia’s prohibitions of proselytizing and blasphemy are extremely problematic and are clear violations of basic human rights. These bans are used by the government to silence and stifle anyone who professes a religion other than Islam. Under these bans, simply publicly professing that Jesus is the one true Son of God can be seen as blaspheming against Islam. Further, simply talking about Christian faith or giving someone a Bible is viewed as proselytizing and can result in threats by family members or even arrest by the government. Moreover, many faiths also call upon their adherents to go out to unbelievers and spread their message so that others may believe. In fact, tourists traveling to Saudi Arabia are warned not to bring a Bible and that simply displaying the Bible publicly can lead to arrest.²⁶ There have even been reports of Saudi Arabia’s religious police arresting shopkeepers simply for selling roses on Valentine’s Day, an activity that is not even religious but is associated with the so-called “Christian” west.²⁷

9. In one case, a man, nicknamed “Adam” for privacy, was found guilty of importing Bibles and was sentenced to receive 900 lashes.²⁸ He had received 400 of them by the time the Supreme Court abolished the practice of lashing in April 2020.²⁹ Adam also faced extreme pressure from his extended family after he helped his sister-in law flee the country after she converted to Christianity.³⁰ Adam’s wife’s family tried to convince her to divorce him, but she refused.³¹ In July, Adam’s wife and son fled the country so they would be safe.³² The very next month, Adam’s brother-in law gathered some men and attacked Adam, who was taken to hospital to receive treatment.³³ Adam was then taken to prison where he was forced to stay the night before being released.³⁴ Fortunately, Adam was able to flee Saudi Arabia and reunite with his family.³⁵

10. In a Twitter video, a Saudi convert talked about his conversion to Christianity and called on people to stop attacking him and his religion.³⁶ This video sparked an outrage, and many threatened him and even called upon the Saudi authorities to take action.³⁷

11. In an effort to appear more tolerant and promote economic growth, Saudi Arabia launched a program called Saudi Vision 2030. The program’s purpose was to create a sustainable and diverse economy and use Saudi Arabia’s strategic location to build its role as an important player in international trade and to connect three continents of Africa, Asia, and Europe.³⁸ The Saudi government is hoping that this will promote a more open and tolerant culture. However, it appears the government is only trying to appear tolerant without taking tangible steps that actually promote tolerance and religious freedom.

12. For example, in December 2022, a secular form of Christmas was allowed to be publicly celebrated in Saudi Arabia.³⁹ Where once Christians were forced to buy decorations in secret, now shops carried decorations such as Christmas trees, snowmen, and reindeer.⁴⁰ Secular Christmas music was even played in shops where it had once been banned.⁴¹ While this gesture purportedly displays tolerance for Christians, it clearly does not address the root of the problem as Christians are still prohibited from opening churches and peacefully living out their faith publicly.

13. In 2021, Saudi Arabia announced that it was planning to reform its legal system in order to align with international norms.⁴² Crown Prince Mohammed bin Salman announced that “[t]he new laws represent a new wave of reforms that will . . . increase the reliability of procedures and oversight mechanisms as cornerstones in achieving the principles of justice, [and] clarifying the lines of accountability.”⁴³ One of the reforms announced was a codified penal code of discretionary sanctions.⁴⁴ This piece of legislation is critical, as Saudi Arabia does not have a criminal code but instead relies on Sharia law. However, as of February 2023, no such legislation has been introduced.⁴⁵

14. One positive development that has taken place in Saudi Arabia is the decline of the morality police, Mutawa.⁴⁶ What was once a formidable organization that was present in public to enforce moral laws has now been relegated to simply working at a desk to create various awareness campaigns promoting good morals and health.⁴⁷

15. However, even with the decline of the Mutawa and Saudi Arabia’s goal of appearing tolerant to foster economic cooperation, non-Muslim religious groups are still prevented from opening their own churches and openly living out their faith. This is extremely troublesome as it violates the fundamental human rights of all non-Muslims. Even though Saudi Arabia is not

a party to the ICCPR, it is a member of the U.N. and thus is obligated to uphold the provisions of the UDHR, and must not violate the universal and fundamental right of freedom of religion.

Recommendations

16. Saudi Arabia must reform its laws so that they are in line with international norms, and guarantee the rights of everyone to freely adopt a religion of their choosing and practice that religion publicly. Religious freedom is a fundamental human right that is enshrined in numerous international documents, such as the UDHR, and Saudi Arabia has an obligation to protect this right. Saudi Arabia must allow for different religions to open and operate their own churches. No country should be permitted to forbid the peaceful practice of religion, a fundamental right. As many countries have previously recommended, we also ask that Saudi Arabia sign the ICCPR and begin protecting the rights enshrined within.

¹ *Saudi Arabia*, THE WORLD FACTBOOK, <https://www.cia.gov/the-world-factbook/countries/saudi-arabia/> (May 16, 2023).

² *Id.*

³ *Id.*

⁴ *World Watch List 2023*, OPEN DOORS, <https://www.opendoors.org/en-US/persecution/countries/> (last visited May 30, 2023).

⁵ *Saudi Arabia*, OPEN DOORS, <https://www.opendoors.org/en-US/persecution/countries/saudi-arabia/> (last visited May 30, 2023).

⁶ *Universal Periodic Review – Saudi Arabia*, OHCHR, <https://www.ohchr.org/en/hr-bodies/upr/sa-index> (last visited May 30, 2023).

⁷ *Saudi Arabia Infographic 31st*, OHCHR, https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session31/SA/SAUDI_ARABIA_Infographic_31st.pdf (last visited May 30, 2023).

⁸ OHCHR, UPR of Saudi Arabia (3rd Cycle – 31st Session): Thematic List of Recommendations, https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session31/SA/UPR31_Saudi_Arabia_Thematic_list_of_Recommendations_E.docx (last visited May 30, 2023).

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² BASIC LAW OF GOVERNANCE art. 1, <https://www.saudiembassy.net/basic-law-governance>.

¹³ *Id.* art. 7.

¹⁴ *Id.* art. 8.

¹⁵ Evan Dyer, *The Roots of Saudi Arabia's Harsh System of Justice*, CBC NEWS (Jan. 16, 2016), <https://www.cbc.ca/news/politics/saudi-arabia-law-rights-1.3402678>.

¹⁶ Nouer Eltigani, *The Land of One Faith: Christians Living in Saudi Arabia, the Home of Islam*, EGYPTIAN STREETS (Mar. 21, 2019), <https://egyptianstreets.com/2019/03/21/the-land-of-one-faith-christians-living-in-saudi-arabia-the-home-of-islam/>.

¹⁷ *Id.*

¹⁸ Kali Robinson, *Iran Isn't the Only Country With Morality Police*, COUNCIL ON FOREIGN RELATIONS (Jan. 11, 2023), <https://www.cfr.org/in-brief/iran-isnt-only-country-morality-police>.

¹⁹ *Ratification Status for Saudi Arabia*, OHCHR, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=152&Lang=EN (last visited May 30, 2023).

²⁰ G.A. Res. 217 (III) A, Universal Declaration of Human Rights, art. 18 (Dec. 10, 1948).

²¹ THE WORLD FACTBOOK, *supra* note 1.

²² *Saudi Arabia: Full Country Dossier*, OPEN DOORS (Jan. 2022), <https://www.opendoors.org/en-US/research-reports/country-dossiers/Full-Country-Dossier-Saudi-Arabia-2022.pdf>.

²³ *National Laws on Blasphemy: Saudi Arabia*, BERKLEY CENTER FOR RELIGION, PEACE & WORLD AFFAIRS, <https://berkeleycenter.georgetown.edu/essays/national-laws-on-blasphemy-saudi-arabia> (last visited May 30, 2023).

²⁴ *Scholarly Analysis: Christian Responses to Persecution in Saudi Arabia*, UNIVERSITY OF NOTRE DAME (Aug. 2022), <https://ucs.nd.edu/learn/saudi-arabia/>.

²⁵ *Id.*

²⁶ Michael Gryboski, *Christians Risk Arrest if They Display Bible in Saudi Arabia, Persecution Watchdog Group Warns*, CHRISTIAN POST (Oct. 16, 2019), <https://www.christianpost.com/news/christians-risk-arrest-if-they-display-bible-in-saudi-arabia-persecution-watchdog-group-warns.html>.

²⁷ Michael Gfoeller and David H. Rundell, *Blasphemy No Longer: Celebrating Christmas in Saudi Arabia*, NEWSWEEK (Jan. 4, 2023), <https://www.newsweek.com/blasphemy-no-longer-celebrating-christmas-saudi-arabia-opinion-1771291>.

²⁸ *Saudi Arabia: Christian Convert Flees After Constant Persecution*, CHURCH IN CHAINS (Sep. 23, 2021), <https://www.churchinchains.ie/news-by-country/middle-east/saudi-arabia/saudi-arabia-christian-convert-flees-after-constant-persecution/>.

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² *Id.*

³³ *Id.*

³⁴ *Id.*

³⁵ *Id.*

³⁶ *Saudi Young Man Attacked After Converting to Christianity*, ALBAWABA (Jul. 18, 2021), <https://www.albawaba.com/node/saudi-convert-christianity-live-online-1439019>.

³⁷ *Id.*

³⁸ *Saudi Vision 2030*, VISION 2030, <https://www.vision2030.gov.sa/v2030/overview/> (last visited May 30, 2023).

³⁹ Gfoeller, *supra* note 27.

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² *Crown Prince Mohammed bin Salman Says He Plans a Complete Overhaul of Saudi Legal System*, THE NEW ARAB (Feb. 9, 2021), <https://www.newarab.com/news/saudi-arabia-plans-complete-overhaul-legal-system>.

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ *A New Low: Human Rights in Saudi Arabia in 2022*, ALQST (Feb. 2023), <https://alqst.org/uploads/a-new-low-human-rights-in-saudi-arabia-en.pdf>.

⁴⁶ *Changing Times for Saudi's Once Feared Morality Police*, FRANCE 24 (Jan. 14, 2022), <https://www.france24.com/en/live-news/20220114-changing-times-for-saudi-s-once-feared-morality-police>.

⁴⁷ *Id.*