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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 and The Secretariat of the United Nation International Independent Expert Mechanism mandated to advance racial justice and equality in the context of law enforcement, and would like to refer to the letter received regarding the call for inputs on “**advance racial justice and equality in the context of law enforcement**”. In that regard, the Permanente Mission has the honor to attach herewith contribution of the Kingdom of Saudi Arabia to the afore-mentioned request.

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 and The Secretariat of the United Nation International Independent Expert Mechanism on advance racial justice and equality in the context of law enforcement, the assurance of its highest consideration.





**This report was prepared at the request of the United Nations High Commissioner for the International Independent Expert Mechanism to advance "racial justice and equality in the context of law enforcement".**

1. The Kingdom derives all its laws from the Islamic Sharia, which has ordained equality and prohibited injustice and racism. Equality is considered one of the principles upon which governance in the Kingdom is based. Article (8) of the Basic Law of Governance provides: "The governance in the Kingdom of Saudi Arabia shall be based on justice, shura (consultation), and equality in accordance with the Islamic Sharia." Additionally, Article (47) provides: "The right to litigation is guaranteed equally for citizens and residents in the Kingdom." Consequently, all laws of the Kingdom related to human rights are based on the principle of equality, criminalize all forms of racial discrimination defined in Article (1) of the Convention, and oblige all relevant state agencies to promote, protect, and uphold human rights, regardless of their descent, colour, ethnicity or national or ethnic origin.
- The Kingdom's internal regulations and procedures on the use of force by law enforcement officers are in line with relevant international standards, such as those contained in the "Code of Ethics for Law Enforcement Officials" adopted by a United Nations General Assembly resolution in 1979 and the "Basic Principles on the Use of Force and Firearms by Law Enforcement Officials" adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1990.
- Every ministry or government agency or authority is obliged, within the scope of its competence, to grant justice to any person subjected to a human rights violation, including racial discrimination, and to work to prevent the recurrence of such violation. This does not preclude obtaining judicial redress, as the Council of Ministers' Resolution No. (662) dated 16 June 2020 approved the human rights-related tasks assigned to the legal departments within government authorities. These tasks include detecting violations and contraventions that constitute human rights violations and taking necessary actions in this regard.



- There are numerous governmental and non-governmental institutions that work to ensure that victims of human rights violations, including racial discrimination, obtain redress by receiving complaints and reports and taking necessary legal actions to achieve redress. These institutions include the Human Rights Commission, the Violence Reporting Center affiliated with the Ministry of Human Resources and Social Development, the Child Helpline affiliated with the Family Safety Program, and the National Society for Human Rights.
  - The Law of Provinces, enacted by Royal Order No. A/92 dated 02/03/1992, stipulates in paragraph (c) of Article (7) that it is the responsibility of the Governors of Provinces to guarantee the rights and freedoms of individuals and not to take any action that violates these rights and freedoms except within the limits prescribed by Sharia and law.
  - Article (2) of Law of Protection from Abuse, enacted by Royal Decree No. (M/52) dated 19/9/2013 also ensures the provision of protection from abuse in all its forms, providing assistance and treatment, working to provide necessary shelter, social, psychological, and health care, taking necessary statutory measures to hold the perpetrator accountable and impose punishment, raising awareness among members of society about the concept of abuse and its consequences, addressing behavioral phenomena in society that indicate the existence of an environment conducive to the occurrence of abuse cases, and establishing scientific and practical mechanisms for dealing with abuse.
  - The Human Rights Commission, by virtue of its Statute, ensures that the concerned government authorities implement the applicable laws and regulations related to human rights, uncover violations of the laws in force in the Kingdom that constitute human rights violations, and take necessary statutory actions.
2. The Kingdom of Saudi Arabia has given great attention to the crime of abuse of authority, where a number of prescribed penalties have been organized. These were included under the concept of "abuse of influence":
- Article (2), paragraph (a) of the Royal Decree No. 43 dated 06/06/1958 stipulates that (a) if an employee is proven to have committed the crime of abusing the influence of their position, inside or outside the department in which he/she work, for his/her personal interest, such employee shall be punished by imprisonment for a period not exceeding ten years or a fine not exceeding SAR twenty thousand.
  - Paragraph (8) of this Article stipulates the same punishment for anyone who coerces or mistreats in the name of his/her position, such as cruelty, torture, confiscation of money, and deprivation of personal freedoms. This also includes persecution, fines,



- banishment, imprisonment, forced residence in a specific area, illegal entry into homes, coercion into leave, secondment, sale, or purchase, and the collection of taxes exceeding the legally due amounts.
- Article (3) of the Decree also stipulates that a convicted person shall be ordered to pay appropriate compensation to the aggrieved party, and all amounts taken unlawfully shall be returned to their owners. This Decree is considered the first regulation that clarified these crimes, defined their nature, and specified their penalties in general terms.
  - With the issuance of the Civil Service Law in 1977, it explicitly criminalized and penalized the abuse of authority. Article (12/1) of this Law prohibits any employee from abusing official authority. Furthermore, paragraph (b) prohibits the exploitation of influence. Article (12/1) of the Implementing Regulations of this Law also prohibits any employee from using his/her official authority and influence for his/her personal interests. All these provisions clarified the punishment for abuse of authority and distinguished it from crimes of exploitation of influence.
  - Article (2) of the Law of Criminal Procedure, enacted by Royal Decree No. (M/2) dated 26/11/2013, provides: "No person shall be arrested, searched, detained, or imprisoned except in cases provided for by law, and detention or imprisonment shall only be in designated places for each and for the duration determined by the competent authority." Article (36) of the Law stipulates the necessity of treating a detainee in a manner that preserves their dignity and prohibiting physical or moral harm.
  - Article (28) of the Prison and Detention Law, enacted by Royal Decree No. M/31 dated 29/5/1978), prohibits the assault of prisoners or detainees in any form, and required disciplinary action against military and civilian employees who commit any aggression against prisoners or detainees.