

“ **TREAT
WOMEN
KINDLY!** ”

REPORT ON TORTURE OF WHRDS INSIDE SAUDI PRISONS

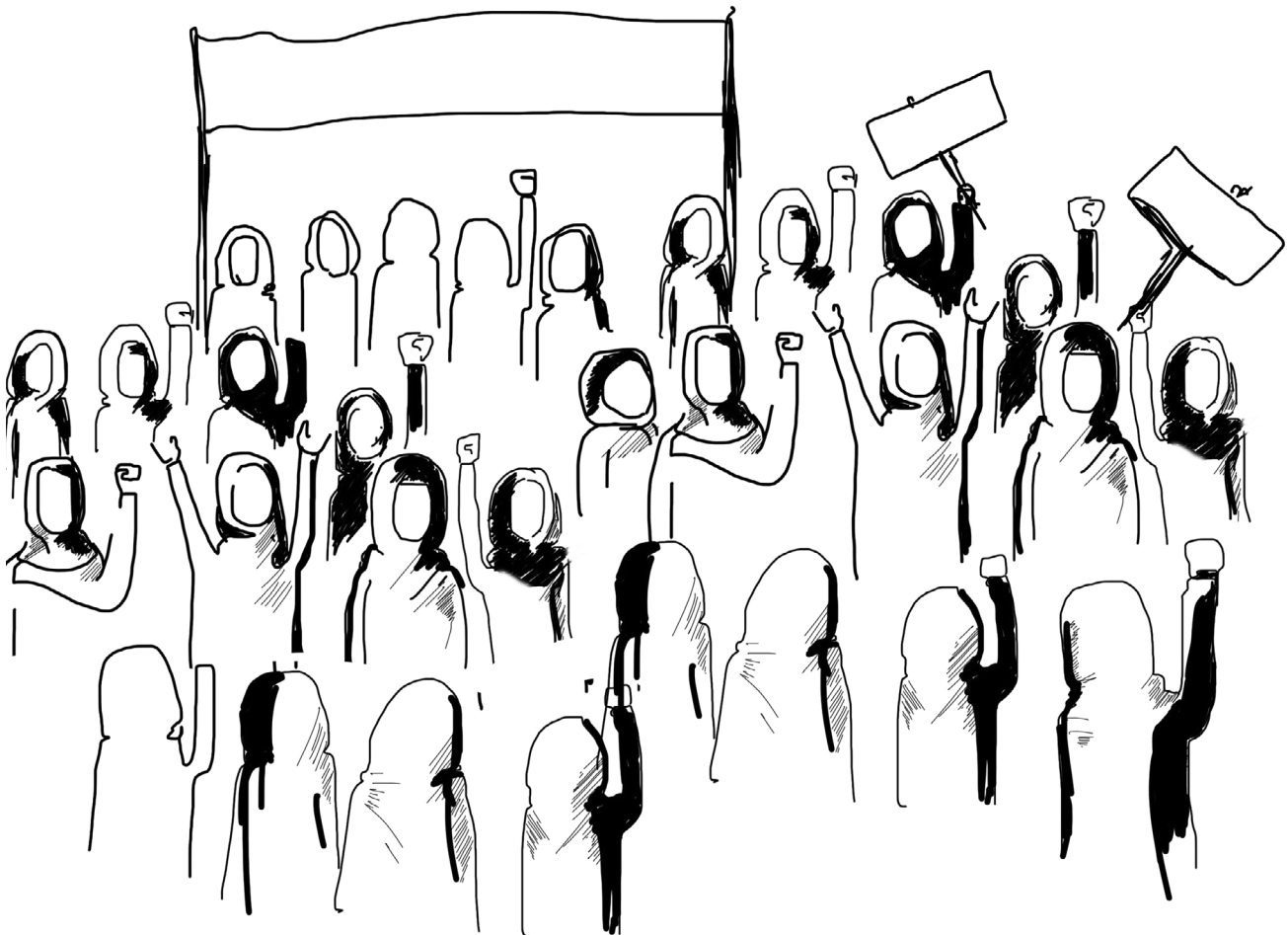


MARCH 2019

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I. INTRODUCTION

For decades, Saudi authorities have been attempting to mute the feminist and women's rights voices inside Saudi Arabia, especially those who dared to challenge the status quo and called for equality, including abolishing the guardianship system, and gender-based discrimination and segregation in the country. Since May 2018, a massive crackdown¹ on Women Human Rights Defenders (WHRDs) and women's rights activists has been carried out by the Saudi authorities in plain view of the international community. Twice in 2018, United Nations special procedures called for the release of women's rights defenders. On 27 June 2018, nine independent UN experts stated²: "In stark contrast with this celebrated moment of liberation for Saudi women, women's human rights defenders have been arrested and detained on a wide scale across the country, which is truly worrying and perhaps a better indication of the Government's approach to women's human rights." Shortly after, two more WHRDs were arrested, with more arrests in July and August, bringing the total to 21 men and women WHRDs known to have been arrested since mid-May 2018. There were likely more arrests that were not publicised by their families, and some detainees were held incommunicado. Six HRDs arrested in the same crackdown were released between May 2018 and January 2019.

Currently detained women's rights defenders who were arrested in 2018 include **Loujain Al-Hathloul, Aziza Al-Yousef, Eman Al-Nafjan, Nouf Abdelaziz, Dr. Hatoon Al-Fassi, Samar Badawi, Nassima Al-Sadah, Mohammed Al-Bajadi, Amal Al-Harbi, and Shadan Al-Anezi**. Others cannot be named.

Despite the calls³ made by over 179 international and regional human rights organisations, civil society organisations (CSOs) and groups to release WHRDs and hold Saudi Arabia accountable for its human rights violations, the kingdom ignored the protests while continuing to carry out severe acts of violations against the human rights community. The death under torture following the disappearance⁴ of the prominent Saudi journalist **Jamal Ahmad Khashoggi** raised eyebrows on the extent of the impunity Saudi Arabia enjoys. The murder of Khashoggi in the Saudi Consulate in Istanbul on 2 October 2018 confirms the institutionalised violations committed by the Saudi authorities inside and outside the country.

Saudi Arabia has never been reputed to show tolerance and respect for human rights, but there were hopes that as Crown Prince Mohammed Bin Salman rolled out his economic plan (Vision 2030), and finally allowed women to drive, there would be a loosening of restrictions on women's rights and freedom of expression and assembly. However, prior to the driving ban being lifted in June, women's rights defenders received phone calls warning them to remain silent. As [the Vision 2030 plan started, it began to prove the thesis of GCHR's Report that WHRDs in Saudi Arabia would cease to exist](#).

While international NGOs and UN experts continued to echo the valid concerns pertaining to the safety and well-being of the Saudi WHRDs inside prisons, the Kingdom's state of denial during their 3rd cycle of the Universal Periodic Review (UPR) confirmed on social media and through media propaganda was shocking. This alarmed NGOs to push for further pressure and to consolidate efforts to hold the kingdom accountable for violations perpetrated with the utmost impunity and through obvious neglect of its international obligations under the international law. Nonetheless, Saudi Arabia continues to retain its stature and to hold international positions such as a seat on the UN Human Rights Council.

The Gulf Centre for Human Rights (GCHR) increased its advocacy on Saudi Arabia at the UN, issuing two reports, two UN submissions and one oral statement while holding several events at the UN HRC focusing on WHRDs detained in Saudi Arabia⁵. GCHR has been working tirelessly with a coalition of partner NGOs including two online campaigns to free Saudi WHRDs and end the sale of arms to the Kingdom. GCHR has also conducted two joint advocacy missions in New York and Geneva while strategising and implementing various activities to ensure that Saudi women are safe, protected, and will ultimately be freed; while continuing to demand their rights to freedom, equality and justice.

GCHR received reports confirming torture of WHRDs inside the Saudi prisons mid-November 2018. Yet, the dilemma of victims' consent and for ethical considerations, the GCHR preferred to advocate bilaterally with allies and international actors; until to confirm that these women won't be in further risk and are not subjected to further torture for revealing this newly obtained information. Therefore, GCHR in coalition with partners NGOs working on the Saudi WHRDs advocacy continued to lobby through various forms of diplomacy on different levels to gain support and plan for a pressure that can be put on the Saudi authorities internationally to set an end to the ongoing violations, release WHRDs and other human rights defenders and activists and ensure that accountability is blanket and unexclusive process.

This report aims at drawing on the reports received by GCHR and other human rights organisations on the torture of WHRDs. It also reflects briefly on the legacy of the Kingdom of Saudi Arabia's use of torture as an institutionalised and systematic reprisal mechanism. This brief report archives the torture cases of WHRDs based on the first-hand reports received by GCHR, as well as facts confirmed by the family members of WHRDs, and reports by partners including ALQST and international NGOs.

¹ GCHR (May 2018) Saudi Arabia: URGENT: Human rights defenders including women's rights activists arrested. See: <https://www.gc4hr.org/news/view/1865>

² OHCHR (June, 2018) Saudi Arabia must immediately free women human rights defenders held in crackdown, say UN experts. See: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23270>

³ GCHR (October 2018) Saudi Arabia: Over 170 groups call for accountability following murder of journalist and widespread arrest of women's rights defenders. See: <https://www.gc4hr.org/news/view/1972>

⁴ GCHR (October 2018) Saudi Arabia: Detained economist faces show trial while journalist disappears at Saudi Consulate in Istanbul as persecution of critics continues. See: <https://www.gc4hr.org/news/view/1963>

⁵ GCHR (March 2019) What's happening in Saudi Arabia? See: <https://www.gc4hr.org/country/index/country/3>

II. CHALLENGES TO RESEARCH AND DOCUMENT TORTURE OF WHRDS

GCHR has identified a number of challenges while documenting and reporting on the cases of torture, mainly of an ethical nature.

Informed consent: The dilemma of obtaining informed consent, especially in reporting cases of torture, persists. It conflicts with the urgency of support, the rapidity of action and timely advocacy response to these types of violations. Revealing the information without the victims' consent remains critical and extremely problematic as it may subject the behind-bars victims to further ill-treatment, harassment, reprisals and severe torture. Especially in a state where torture is considered a legitimate punishment mechanism. In such cases, parental and guardian consent is considered relatively valid ethically, yet equally precarious due to safety and security considerations. In the case of some Saudi WHRDs in prison, GCHR received prior consent to publicise their cases should they be arrested.

Proving credibility: On the other hand, the first-hand reports received by the GCHR are undoubtedly credible and are of informed reliable sources. However, proving the torture of WHRDs, as well as the sexual assaults, gender and sexual-based violence and harassment in prison and during the interrogation process, remains difficult to prove. This is especially true when the WHRDs are still locked inside cells, held in solitary confinement or incommunicado except from some monitored family visits and calls, away from independent investigators and impartial committees.

Anonymity and confidentiality: Also, the anonymity of the victims and confidentiality of their information are jeopardised by the nature of reporting, and the extent of the knowledge shared within the report based on the received accounts, as certain details may indicate who went through what, and then who declared what.

Therefore, GCHR with its coalition of partners decided to reveal the least amount of information possible, while highlighting the full accounts of torture details confidentially via bilateral meetings with allies and international actors.

As some WHRD's families decided subsequently to be vocal about the cases of torture, GCHR was able to obtain consent and to document and openly speak about the amount, the extent and the details of torture the WHRDs were subjected to. Our behind closed doors advocacy continues to put as much pressure as possible on the Saudi authorities. Whilst the Saudi authorities' state of denial has yet ignored any attempts made by international community, human rights organisations or experts to visit to investigate or reveal more information about the WHRDs fate in prisons. At the same time the Saudi Arabian' monarchy propaganda for the new reforms intensifies on social media.

III. TORTURE AS A SYSTEMATIC APPROACH IN SAUDI ARABIA

The concept of torture is profoundly rooted in the culture and has been well-established within the legal system in Saudi Arabia and therefore, it has become socially constructed and customary to many citizens. Lashing and flogging are the most common public types among other types of torture, and inhumane ill-treatment which the Saudi authorities use and endorse as a way of promoting virtue and guiding the public to the righteous path.

This report does not aim to investigate the history of torture in the country, as it requires multidisciplinary research with more in-depth analysis inquiring about the surfaced and unsurfaced reasons, circumstances and approaches which led to the institutionalisation of this approach. Nor does it elaborate on how the very same state continues to commit severe human rights violations, supposedly in the name of religion and combating terrorism, while also supporting radicalism; yet at the same time obtaining UN human rights positions.

The Kingdom of Saudi Arabia has confirmed its compliance with the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT)⁶ on September 1997 with two reservations. Therefore, the state is bound by the standards and provisions set by this Convention ever since its ratification.

However, not only has Saudi Arabia failed to comply with its commitment under the Convention, but it is constantly delaying its reporting to the committee. In fact, it took the Kingdom five years to submit its recent report, a “tactic” used by the state to “divert the Committee from its original purpose,”⁷ as noted by OMCT.

During the last review of Saudi Arabia’s commitments to the convention by the Committee Against Torture (CAT) in 2016, the experts expressed grave concerns in relation to: “the use of corporal punishment in Saudi Arabia, including flogging, stoning and amputations, in clear violation of the Convention.” Among other concerns⁸. They also called on the state to “repeal these sentences and to commute them to sentences that were in compliance with international standards.” The experts noted the different forms of ill-treatment committed inside prisons against human rights activists and defenders such as **Waleed Abu Al-Khair**⁹, a prominent human rights lawyer who reportedly was subjected to torture and ill-treatment in prison.

The CAT questioned the credibility¹⁰ of the state party’s report that indicated visits to prisons made by foreign diplomats which had no complaints submitted following these visits. On the issue of complaints and their low number, the committee’s Co-Rapporteur linked it to the fear of reprisal according to reports of human rights organisations. The committee echoed concerns with regard to torture inside detention as well as the ability of the detainees to access to a lawyer in a confidential manner if requested.

The concluding observations on the CAT’s second periodic report of Saudi Arabia¹¹ point to a number of concerns, such as the definition and criminalising of torture, and the need to update national legal provision to reflect the definitions set by the Convention. Concerns about the prosecution of perpetrators and ending corporal punishment were also raised.

The report specifies the case of **Ra’if Badawi**¹², “who was sentenced and subjected to lashing, which constitutes torture under the Convention.” It recommends “the State party should acknowledge the legitimacy of peaceful criticism and advocacy related to violations of the Convention and consider reviewing the cases of the above-mentioned individuals and releasing any individual detained solely for peaceful criticism or human rights advocacy.” As well, the judicial system should remain impartial and comply with international standards.

Consequently, in 2017, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism conducted a visit to Saudi Arabia, the visit concluded in a report that discussed the issue of torture, as the Special Rapporteur expressed “serious concern over the fact that allegations of torture or other forms of ill-treatment made by terrorism suspects, lawyers and human rights defenders do not appear to systematically result in rapid and thorough independent investigations.”¹³

These observations made by the CAT committee and UN special procedures substantiate WHRDs’ accounts of torture; they also show that recent reports of ill-treatment and sexual assault of WHRDs in Saudi prisons are not unprecedented. They provide evidence-based facts of the Saudi authorities’ history of similar violations which have been already discussed by UN mechanisms and experts.

⁶ UNCAT. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Adopted and opened for signature, ratification and accession by General Assembly resolution 39/46 of 10 December 1984 entry into force 26 June 1987, in accordance with article 27 (1). See: <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CAT.aspx>

⁷ OMCT (March 2017) Arab States and the Committee against Torture: Promises with a bag of tricks? See: <http://blog.omct.org/arab-states-committee-torture-promises-bag-tricks/>

⁸ CAT (April 2016). Committee against Torture reviews report of Saudi Arabia. See: <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=19876&LangID=E>

⁹ GCHR (June 2016) Saudi Arabia: UPDATE: Saudi Arabia: Imprisoned human rights lawyer Walid Abu Al-Khair ends hunger strike. see: <https://www.gc4hr.org/news/view/1281>

¹⁰ CAT (April 2016) Committee against Torture reviews report of Saudi Arabia. See: <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=19876&LangID=E>

¹¹ CAT/C/SAU/CO/2 (June, 2016) Concluding observations on the second periodic report of Saudi Arabia. See: https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CAT%2fC%2fSAU%2fCO%2f2&Lang=en

¹² GCHR (December 2015) Saudi Arabia: Saudi Arabia: Raif Badawi wins prestigious Sakharov Prize for Freedom of Thought. <https://www.gc4hr.org/news/view/1142>

¹³ GOHCR (2017). UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism concludes visit to Saudi Arabia. See: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21584&LangID=E>

VI. TYPES OF TORTURE PERPETRATED AGAINST WHRDS BY SAUDI AUTHORITIES

The first-hand reports¹⁴ of torture of Saudi WHRDs that GCHR received in November 2018 were extremely disturbing and some were of graphic nature. The reports confirm that the WHRDs were subjected to severe forms of torture in different prisons (including al-Mabahith Prison in Dammam, Dhahban Prison in Jeddah and Al-Ha'ir political prison in Riyadh) or in a place¹⁵ called "the hotel" or the "officer's guesthouse" where the interrogation sessions took place.

As a result of torture, WHRDs were observed with "marks on their bodies, unable to stand or walk properly and had uncontrolled shaking of their hands." While others were reported to have been seen with "black eyes," and "suffering from tremors and to have lost weight." GCHR also received reports of the women being placed in solitary confinement at length, which is considered a form of torture, and denied family visits.

Following these detailed reports of WHRDs' torture, GCHR and its partners¹⁶ carried out advocacy campaigns¹⁷ as well as missions to Geneva and New York to push Saudi authorities to respect their international commitments, and to immediately release WHRDs and to allow independent investigation into these violations.

The ill-treatment and torture the WHRDs were subjected to are varied in types but uniform in their gravity and cruelty. The Saudi authorities applied psychological, and physical methods of torture on the detained activists; yet it remains unknown whether these practices were performed "to coerce confessions or install submission," but they definitely succeeded in causing one of the WHRDs "to attempt suicide", as indicated by GCHR sources.

Currently detained women's rights defenders include **Loujain Al-Hathloul, Aziza Al-Yousef, Eman Al-Nafjan, Nouf Abdelaziz, Dr. Hatoun Al-Fassi, Samar Badawi, Nassima Al-Sadah, Mohammed Al-Bajadi, Amal Al-Harbi, and Shadan Al-Anezi**. Others cannot be named.

The psychological torture started with the arbitrary detention of the WHRDs and launching a smearing – or naming and shaming¹⁸ - campaign against them, led by the official and semi-official media outlets; accusing the WHRDs of treason¹⁹ and being foreign agents.

Following their detention, WHRDs were held incommunicado and were banned from accessing legal support and/or family visits. After their initial arrest in 2018, some WHRDs were held in solitary confinement for up to three months, and GCHR received reports most recently of one WHRD being placed in solitary again in February 2019²⁰. The reasons are undeclared, but Saudi authorities are known to use it as a method of torture to put more pressure on WHRDs.

During an interrogation session in 2018, one of the WHRDs was "wrongly told by an interrogator that her family member had died and was made to believe this for an entire month."²¹ Similarly, ALQST reported that at least one of the WHRDs was "photographed naked and then had the photograph placed on the table during her interrogation."²² Apparently, the use of such methods aims at putting extra pressure on the WHRD, a method used by male interrogators to humiliate and disrespect women's rights work by revealing the activist's nudity.

Another WHRD was taunted with phrases like "who's there to protect you?" and "where are the NGOs?" and "where are the human rights defenders to help you?"; or in one case "where is your Lord to protect you?", according to the same source.²³

The Saudi authorities were creative in their psychological means of torture, as according to ALQST's report, "authorities used the father of one of the women to create video clips against her in order to smear her reputation." The severe torture to which the WHRDs were subjected resulted in one of the victims saying that she thought "she wasn't going to live another day on earth. Every confession she signed was under torture & threat of murder"²⁴ (and rape.)

¹⁴ Anonymous source (November 2018)

¹⁵ ALQST (January 2019) Confirms New Details of Torture of Saudi Women Activists as British MPs Seek Access to Prisons to Investigate. See: <https://alqst.org/eng/confirm-new-details-of-torture-of-saudi-women-activists-as-british-mps-seek-access-to-prisons-to-investigate/>

¹⁶ International Service for Human Rights (ISHR), Women's March Global, CIVICUS, ADHRB and other members of the Free Saudi WHRDs coalition

¹⁷ GCHR (November 2018) Saudi Arabia: Coalition calls for women human rights defenders to be freed amid mounting concerns for their well-being in prison. See: <https://www.gc4hr.org/news/view/2000>

¹⁸ GCHR (May 2018). Saudi Arabia: Update: Seven Saudi women's rights defenders branded as traitors in a dangerous new wave of arrests. See: <https://www.gc4hr.org/news/view/1867>

¹⁹ Okaz (July 2018) <https://www.okaz.com.sa/article/1646456/-9-جرائم-كبرى-تلاحق-المتهمين-ال-3-محاظ-عكاظ>

²⁰ GCHR (February 2019) Saudi Arabia: Woman human rights defender Nassima Al-Sadah placed in solitary confinement <https://www.gc4hr.org/news/view/2059>

²¹ Amnesty International (January 2019) Saudi Arabia: Access for independent monitors urgently needed amid more reports of torture of activists. See: <https://www.amnesty.org/en/latest/news/2019/01/saudi-arabia-access-for-independent-monitors-urgently-needed-amid-more-reports-of-torture-of-activists/>

²² ALQST (January 2019) Confirms New Details of Torture of Saudi Women Activists as British MPs Seek Access to Prisons to Investigate. See: <https://alqst.org/eng/confirm-new-details-of-torture-of-saudi-women-activists-as-british-mps-seek-access-to-prisons-to-investigate/>

²³ Ibid.

²⁴ https://twitter.com/alia_ww/status/1101588113808334848



The physical torture included the use of “electrocution”²⁵ on bodies of the WHRDs. Flogging was common among the other forms of torture, this included “whipping on thighs”²⁶ during the interrogation sessions. The continued ill-treatment and torture augmented to take forms of “sexual assaults” for the younger WHRDs, which included “having male interrogators kissing and hugging” them.²⁷ This seemed to be systematically carried out by multiple interrogators, who were also masked, and at other times they blindfolded the WHRDs, according to GCHR’s source.²⁸

ALQST reported that “at least one woman was beaten and groped in sensitive places” and “one was stripped completely naked in front of several interrogators and touched in sensitive places while handcuffed.”²⁹ As well, “two activists were forced to kiss each other while interrogators watched”³⁰ and “when they refused, they were harshly whipped.”³¹ Meanwhile, another WHRD “reported that interrogators had forced water into her mouth as she was shouting while being tortured.”³²

GCHR sources as well as reports from ALQST³³ confirm that the torture was systematic and institutionalised as WHRDs reported seeing Saud Al-Qahtani, an advisor to Crown Prince Mohammed Bin Salman, present while being tortured.

Following the first reports released about the women’s torture in November 2018, the Ministry of Media denied them and called them “baseless.”³⁴ In its public statement, the Ministry said: “The government of the Kingdom of Saudi Arabia categorically and strongly denies the allegations made by them. The wild claims made, quoting anonymous ‘testimonies’ or ‘informed sources’, are simply wrong.”³⁵ Shortly after, in December 2018, Saudi authorities “hinted that the Saudi Human Rights Commission was investigating the torture claims.”³⁶

The Saudi authorities have refused any attempts to allow visits to the detained WHRDs by international independent bodies. This included an ad hoc panel consisting of UK MPs who had “sought access to eight jailed women to assess their welfare but received no response from the Saudi ambassador Prince Mohammed bin Nawwaf bin Abdulaziz.”³⁷ Which is a clear indication that the authorities attempt to hide facts while blocking any endeavour to seek transparency.

Alternatively, the authorities promised to carry out their own investigations. Yet, it is obvious that the Saudi institutions lack independence and impartiality and therefore, any investigation carried out, if it is indeed carried out at all, wouldn’t be legitimate. Also, it is worth noting that one of the activist’s family members who decided to go public about their sister’s cases confirmed on her [twitter account](#)³⁸ that there were requests made by the WHRDs to file complaints, but her requests were in vain.

²⁵ Anonymous source (November 2018)

²⁶ Anonymous source (November 2018)

²⁷ ALQST (January 2019) Confirms New Details of Torture of Saudi Women Activists as British MPs Seek Access to Prisons to Investigate. See: <https://alqst.org/eng/confirm-new-details-of-torture-of-saudi-women-activists-as-british-mps-see-access-to-prisons-to-investigate/>

²⁸ Anonymous source (November 2018).

²⁹ ALQST (January 2019) Confirms New Details of Torture of Saudi Women Activists as British MPs Seek Access to Prisons to Investigate. See: <https://alqst.org/eng/confirm-new-details-of-torture-of-saudi-women-activists-as-british-mps-see-access-to-prisons-to-investigate/>

³⁰ Amnesty International (January, 2018). Saudi Arabia: new reports of women activists being tortured in detention. See: <https://www.amnesty.org.uk/press-releases/saudi-arabia-new-reports-women-activists-being-tortured-detention>

³¹ ALQST (January 2019) Confirms New Details of Torture of Saudi Women Activists as British MPs Seek Access to Prisons to Investigate. See: <https://alqst.org/eng/confirm-new-details-of-torture-of-saudi-women-activists-as-british-mps-see-access-to-prisons-to-investigate/>

³² Amnesty International (January, 2018). Saudi Arabia: new reports of women activists being tortured in detention. See: <https://www.amnesty.org.uk/press-releases/saudi-arabia-new-reports-women-activists-being-tortured-detention>

³³ ALQST (January 2019) Confirms New Details of Torture of Saudi Women Activists as British MPs Seek Access to Prisons to Investigate. See: <https://alqst.org/eng/confirm-new-details-of-torture-of-saudi-women-activists-as-british-mps-see-access-to-prisons-to-investigate/>

³⁴ Reuters (November 2018) Saudi Arabia says reports about torture by Amnesty, HRW are baseless. See: <https://uk.reuters.com/article/uk-saudi-rights/saudi-arabia-says-reports-about-torture-by-amnesty-hrw-are-baseless-idUKKCN1NS11C>

³⁵ ALQST (January 2019) Confirms New Details of Torture of Saudi Women Activists as British MPs Seek Access to Prisons to Investigate. See: <https://alqst.org/eng/confirm-new-details-of-torture-of-saudi-women-activists-as-british-mps-see-access-to-prisons-to-investigate/>

³⁶ Ibid

³⁷ The Guardian (February 2019) Saudi female activists face jail conditions akin to torture, say UK MPs. See <https://www.theguardian.com/world/2019/feb/04/saudi-arabia-holding-women-in-torture-conditions-say-uk-mps>

³⁸ https://twitter.com/alia_ww/status/1098988517324177408?s=21

While a number of organisations confirm that the torture might be ongoing, especially as access to WHRDs stays restricted, at the same time, WHRDs access to justice is in the hands of their perpetrators.

However, it is hoped that the torture will end and the circumstances of their detention will improve following the international pressure put on the Saudi authorities led by the International Service for Human Rights (ISHR), GCHR, Women’s March Global, CIVICUS and other members of the Free Saudi WHRDs coalition. Coalition member were among over 50 signatory organisations who submitted a joint letter³⁹ to over 30 Ministers of Foreign Affairs of States calling on UN Member States to adopt a resolution at the 40th session of the UN Human Rights Council “calling explicitly for the immediate and unconditional release of the detained Saudi women human rights defenders and establishing a monitoring mechanism over the human rights violations in the country.”

On 1 March 2019, a family member of one of the WHRDs on her twitter account has confirmed that new bedding, beds and dressers (or chests of drawers) were provided to the WHRDs, and that they are expecting a visit from an official delegation.⁴⁰ The same source via another tweet has confirmed that WHRDs were forced to sign a Royal Amnesty request on 23 February 2019.⁴¹

On the other hand, on the very same day that the letter was published by over 50 NGOs including GCHR and coalition partners, the Saudi public prosecutor announced the completion of the related investigations in the case, and the indictment and referral of the “suspects” (referring to the human rights defenders) to the Specialised Criminal Court.⁴² The completion of the investigation could be seen as a positive step towards releasing the WHRDs, however the accounts of WHRDs confirming that confessions were extracted under torture might prolong their release and could be used to justify longer sentences or be a reason to opt for a potential Royal pardon to release the WHRDs despite their confessions.



³⁹ GCHR (March, 2019) Saudi Arabia: Over 50 human rights groups call for immediate release of women’s rights defenders. See: <https://www.gc4hr.org/news/view/2072>

⁴⁰ https://twitter.com/alia_ww/status/1101599843703799809

⁴¹ https://twitter.com/alia_ww/status/1101597098913476608

⁴² SPA (March 2019) General / Prosecution announces the end of investigations with those accused of violating the security of the Kingdom and is in the process of referring them to the competent court. See: <https://www.spa.gov.sa/1894007>

V. CONCLUSION

To sum up, surveying the different types of torture the WHRDs were subjected to following a crackdown carried out by the Saudi authorities starting in May 2018 is incomprehensive as it is believed that other WHRDs were subjected to other violations, which have not been reported yet. This report depends on first-hand reports from GCHR's informed sources, as well as reports made public by partners and international human rights organisations. The report highlights the main challenges faced in drafting related reports and decisions made by GCHR and its coalition partners informing a timely and tailored response to the cases of torture, in order to avoid putting Saudi WHRDs at further risk.

Despite ratifying UNCAT, among other conventions and protocols pertaining to the protection and promotion of human rights in the kingdom, the Saudi authorities have failed to protect human rights defenders engaged in the protection of those rights, and precisely those related to women's rights. The Saudi authorities have also taken positive steps towards allowing more freedoms for Saudi women in the country, at the same time as they have carried out a vicious campaign to lock up all WHRDs promoting women's rights inside its prisons.

The arbitrary detention of these women activists, leaders of famous campaigns including the right to drive and abolishing the male guardianship system, is intended to break the feminist movement in the country and put an end to their demands. It is designed to mute their voices and dismantle the movement by various means and tactics. This includes subjecting those WHRDs to detention, psychological and physical torture and inhumane treatment. This torture has proved yet again the state's defiance of its international commitments, while it asserts double standards in dealing with women's rights and gender-based violence. It is especially alarming to hear reports that the special advisor to the crown prince has been supervising, or at least participating in the torture of WHRDs, including sexual harassment and assault.

There has been news in early March about enhancements made to the WHRDs' cells, but reports about official visits remain uncertain. On the other hand, the public prosecutor announced the end of his investigation and interrogation and referred the WHRDs to the Specialised Criminal Court. This could be seen as an indication that the WHRDs might be released soon, perhaps in response to international pressure, especially as some WHRDs were forced to sign a request for Royal amnesty. However, an amnesty would not address the violations committed in the past year, nor would it address the fact that they should never have been arrested in the first place on false charges; and it could be seen as another tactic used by the monarchy to whitewash their violations.

VI. RECOMMENDATIONS

We call on the Saudi authorities and international mechanisms to ensure the following:

- The immediate and unconditional release of all those detained for exercising their rights to freedom of expression, assembly and association, including the women human rights defenders who are facing specific risks in challenging the structural discrimination against women in the country;
- An immediate end to all forms of harassment and intimidation against human rights defenders, their families and lawyers, including the lifting of all travel bans against them and guaranteeing the right to cooperate and engage with the UN without fear of reprisal or intimidation;
- Independent, impartial and effective investigations into the attacks against human rights defenders and journalists including the torture allegations, extraterritorial attacks, and calls for accountability for perpetrators;
- The repeal of all laws that restrict the legitimate work of civil society (such as the 2007 Anti-Cyber Crime Law, the 2015 Law of Associations, the 2017 Penal Law for Crimes of Terrorism and its Financing, and the 2000 Press and Publications Law;)
- Imposing of a moratorium on the death penalty;
- Dismantling of the male guardianship system over women in law and practice, publicly affirming the legitimate role of women human rights defenders including by protecting them from violations by State and non-State actors through acknowledging such violations and implementing security measures for their protection;
- Conducting impartial and independent investigations into the torture of women human rights defenders inside Saudi prisons as confirmed by this report and other international reports and ensuring the transparency of the processes; and holding perpetrators involved with torture accountable for their human rights violations; and
- Saudi authorities must comply with their international commitments and to respect human rights as set by international standards while guaranteeing the safety and the security of all human rights defenders through enabling the environment for the defenders to work without fear of reprisals.