

INHUMAN SENTENCING OF CHILDREN IN SAUDI ARABIA

Summary

People may be lawfully sentenced to corporal punishment, life imprisonment and the death penalty for offences committed while under the age of 18.

This report was initially prepared for the Child Rights International Network in September 2010, but was updated in October 2015. For more information about CRIN's inhuman sentencing campaign, visit: www.crin.org/home/campaigns/inhuman-sentencing or contact us at info@crin.org

Introduction

There is no codified criminal law in Saudi Arabia, rather statutory legislation exists alongside Shari'a, made up of rules derived from the Quran and the Sunna (traditions of the Prophet Muhammad).¹ There is not official published interpretation of Shari'a within Saudi legal practice.²

The main laws governing juvenile justice are the Juvenile Justice Act 1975, the Juvenile Justice Regulations 1969, the Law of Criminal Procedure 2001, the Detention and Imprisonment Act 1978, the Detention Regulations and the Juvenile Homes' Regulation 1975, and the Basic Law of Governance 1992. All laws are based on Shari'a. There is no written Penal Code and judges have considerable discretion in defining and punishing crime within the bounds of Shari'a. There are three types of offence - qisas (punished by retaliation), hadd (for which the prescribed penalty is mandatory), and ta'zir (for which the punishment is discretionary). The Law of Criminal Procedure sets out the jurisdiction of the courts in relation to sentences of death, stoning and amputation.

The minimum age for criminal responsibility has reportedly been raised from 7 to 12, but reports are inconsistent and the rise does not apply to girls or in qisas cases.³ The Detention Regulation and the Juvenile Homes' Regulation 1975 define a juvenile as below the age of 18. There are provisions for juvenile courts and the law states that juveniles must be tried "in accordance with the relevant laws and regulations",⁴ but the law does not require all child offenders to be tried in the juvenile justice system or require judges to base their



¹ Basic Law of Governance, Article 1.

² For a more detailed background on the criminal justice system of Saudi Arabia, see Human Rights Watch, *Adults Before Their Time: Children in Saudi Arabia's criminal justice system*, 2008. Available at: <http://www.hrw.org/reports/2008/saudicrd0308/saudicrd0308web-wcover.pdf>.

³ Cipriani, D. (2009), *Children's Rights and the Minimum Age of Criminal Responsibility*, Farnham: Ashgate Publishing

⁴ Law of Criminal Procedure, Royal Decree No. M/39, 16 October 2001, Article 13. Available in English at: http://www1.umn.edu/humanrts/research/saudi-arabia/criminal_procedure.html and in Arabic at: <http://www.moj.gov.sa:50/downloades/file1.pdf>.

decisions on children's age at the time of the offence. Judicial opinion on when a child can be tried as an adult varies widely and tends to be based on a child's physical development.⁵ Under the Law of Protection from Abuse, a child is defined as a person under the age of 18.⁶

Legality of inhuman sentencing

Death penalty

The Government has stated that persons who have not attained majority in accordance with Islamic law are never subject to capital punishment.⁷ However, judges have discretionary power to decide that a person has reached the age of majority before the age of 18 and to impose capital punishment.⁸

Offences punishable by death include adultery, apostasy, "corruption on earth", drug trafficking, sabotage, political rebellion, murder and manslaughter. It can also be imposed as a discretionary punishment (ta'zir)⁹ for actions the court considers to be criminal, such as witchcraft.¹⁰ Execution is usually by public beheading or, for adultery, stoning.¹¹

Sentences of death, stoning, amputation, or qisas (retaliatory punishment) in cases other than for death must be reviewed by an Appellate Court consisting of five judges.¹² These sentences become final once they are approved by the Permanent Panel of the Supreme Judicial Council.¹³ Judgments imposing death or stoning can only be carried out pursuant to a Royal Order issued by the King or his representative, and must be witnessed by representatives of the Administrative Governor, the Court, the Bureau of the Promotion of Virtue and Prevention of Vice, and the police.¹⁴

Under Saudi Arabia's justice system, it is possible for a convicted person to forgo punishment for a qisas offence, most commonly homicide, by financially compensating the victim or his or her heirs. In practice, a number of people who have been sentenced to death for murder allegedly committed while under the age of 18 have been released following the payment of diya (blood money).¹⁵

Corporal punishment

Corporal punishment (amputation and flogging) is lawful as a sentence, including for child offenders. Flogging is mandatory for a number of offences (hadd), and can be ordered at the discretion of judges (ta'zir). Sentences range from dozens to thousands of lashes, and are usually carried out in instalments, at intervals ranging from two weeks to one month.¹⁶ The Juvenile Justice Regulations 1969 encourage juvenile courts to settle cases without placing children in supervised facilities and to limit penalties to admonishment, guidance, counselling or a reprimand, but under the Juvenile Justice Act 1975 young persons under 18 may be sentenced to corporal punishment, including flogging, stoning and amputation.

Under the Law of Criminal Procedure, amputation is carried out pursuant to a Royal Order issued by the King or his representative, and must be witnessed by representatives of the Administrative Governor, the Court, the Bureau of the Promotion of Virtue and Prevention of Vice, and the police.¹⁷ Flogging should also be witnessed by these officials but there is no requirement for a Royal Order.¹⁸

The Law of Protection from Abuse and the Law of the Protection of the Child both contain legislative protections against the physical abuse of children, but do not prohibit corporal punishment.¹⁹

Life imprisonment

Life imprisonment appears to be lawful as a punishment for child offenders. The Government has stated that minors may not be detained in a public prison and must be placed in

5 Human Rights Watch (2008), *Adults Before Their Time: Children in Saudi Arabia's Criminal Justice System*, p.13

6 Law on the Protection of the Child < Royal Decree No. M/14, Article 1(1). Available at: <https://www.boe.gov.sa/printsystem.aspx?lang=ar&systemid=356&versionid=333>.

7 21 April 2005, CRC/C/136/Add.1, Second state party report to the Committee on the Rights of the Child, paras. 68 and 120; 29 March 2000, CRC/C/61/Add.2, Initial state party report to the Committee on the Rights of the Child, paras. 57, 140, 249, 253.

8 17 March 2006, CRC/C/SAU/CO/2, Concluding observations on second report, paras. 32 and 73; 18 December 2009, E/2010/10, Capital punishment and implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty: Report of the Secretary-General, para. 78.

9 Law of Criminal Procedure, article 129

10 Human Rights Watch (2008), *Adults Before Their Time: Children in Saudi Arabia's Criminal Justice System*, p. 25. For further information see, Amnesty International, *Defying World Trends: Saudi Arabia's extensive use of capital punishment*. Available at: <https://www.amnesty.org/en/documents/mde23/015/2001/en/>

11 Human Rights Watch (2008), *Adults Before Their Time: Children in Saudi Arabia's Criminal Justice System*; see also Human Rights Watch (2008), *The Last Holdouts: Ending the Juvenile death Penalty in Iran, Saudi Arabia, Sudan, Pakistan, and Yemen*

12 Law of Criminal Procedure, Article 10.

13 Law of Criminal Procedure, Article 11.

14 Law of Criminal Procedure, 16 October 2001, Article 220.

15 For examples, see Human Rights Watch, *Adults Before Their Time: Children in Saudi Arabia's Criminal Justice System*, 2008, pp. 28-32.

16 Amnesty International (January 2008), *AI Index: MDE 23/003/2008*, 11 January 2008, Further Information on UA 69/07 (MDE 23/013/2007, 16 March 2007) *Fear of Flogging/ Prisoners of conscience/ Torture and other ill-treatment and Update on MDE 23/040/2007*, 19 November 2007

17 Law of Criminal Procedure, article 220

18 Law of Criminal Procedure, article 220

19 Law of Protection from Abuse, Royal Decree No. M/52. Available at: <https://www.boe.gov.sa/printsystem.aspx?lang=ar&systemid=356&versionid=333>. Law of the Protection of the Child, Royal Decree No. M/14. Available at: <https://www.boe.gov.sa/printsystem.aspx?lang=ar&systemid=309&versionid=287>.

supervised residential institutions.²⁰ The law allows judges to reduce the period of time which children spend in supervised institutions “if they memorise the Holy Koran or improve their behaviour”.²¹ There is no explicit prohibition of life imprisonment for child offenders.

Inhuman sentencing in practice

Death penalty

Saudi Arabia does not publish official statistics on death sentences and executions, but nonetheless a substantial number of cases have been documented of people executed for offences committed while under the age of 18. It is likely that these reported cases underrepresent the number of executions carried out.

At the time of writing, three people were at imminent risk of execution for offences allegedly committed while they were children. Ali Mohammed al-Nimr,²² Dawoud Hussain al-Marhon²³ and Abdullah Hass al-Zaher were all sentenced to death in 2014.²⁴

In January 2013, the State carried out the execution of a woman for allegedly killing a baby in her care when she was 17 years old.²⁵ In March of the same year, seven men were executed for armed robbery, despite indications that some of the accused were under the age of 18 at the time of the offence.²⁶

Amnesty International reported that in 2011, Bandar bin Juza’ Rumaithan al-Luhaibi was executed and named as a “juvenile” by the Ministry of Interior, though it is not known how old he was at the time of the alleged offence.²⁷ The organisation also reported that that Sultan bin Sulayman bin Muslim al-Muwallad and ‘Issa bin Muhammad ‘Ummar Muhammad were executed in May 2009 for offences

committed when they were 17 years old.²⁸

Human Rights Watch reported on three executions of child offenders that took place during 2007, Abdullah bin Mohammed al-Otaibi, Dhahiyan bin Rakan bin Sa’d al Thawri al-Sibai’i and Mu’id bin Husayn bin Abu al-Qasim bin ‘Ali Hakami.²⁹ According to Amnesty International, two child offenders were executed in 2007 (one aged 15 or 16 at the time of the offence, one aged 16 at the time of execution) and two in 2009 (both aged 17 at the time of the offence).³⁰

In 2005, a 14-year old boy was reportedly sentenced to death for a murder committed when he was 13.³¹

Corporal punishment

A review of sentences by Human Rights Watch found that it was rare for them not to include flogging.³²

Life imprisonment

CRIN has not been able to locate any statistics on the sentencing of people to life imprisonment for offences committed while children.

Progress towards prohibition and elimination

Law reform needed

Legislation should be enacted to explicitly prohibit capital punishment, corporal punishment and life imprisonment as a penalty for any offence committed while under the age of 18.

National campaigns

CRIN is not aware of any national campaigns on inhuman sentencing of children in Saudi Arabia, but the European Saudi Organisation for Human Rights has campaigned on the cases of children sentenced to death.³³

In March 2013, CRIN submitted a report as part of the Universal Periodic Review of Saudi Arabia, highlighting the forms of inhuman sentencing of children that are still legal in

20 21 April 2005, CRC/C/136/Add.1, Second state party report to the Committee on the Rights of the Child, para. 36

21 21 April 2005, CRC/C/136/Add.1, Second state party report to the Committee on the Rights of the Child, para. 66

22 UN News Centre, UN Rights experts urge Saudi Arabia to immediately halt child executions, 22 September 2015. Available at: <http://www.un.org/apps/news/story.asp?NewsID=51943#.VieEnRArJE4>.

23 See Joint letter to Saudi Arabia’s Minister of Justice. Available at: www.crin.org/node/41705.

24 Amnesty International, Saudi Arabia: Fears grow that three young activists could soon be executed, 16 October 2015. Available at: <https://www.amnesty.org/en/latest/news/2015/10/saudi-arabia-three-young-activists-could-soon-be-executed/>.

25 Human Rights Watch, Saudi Arabia: Halt execution of Sri Lankan migrant worker, 8 January 2013. Available at: <https://www.hrw.org/news/2013/01/08/saudi-arabia-halt-execution-sri-lankan-migrant-worker>.

26 Huffington Post, “Saudi Arabia executions: 7 put to death for robbery”, 13 May 2013. Available at: http://www.huffingtonpost.com/2013/03/13/saudi-arabia-executes-7-men-by-firing-squad_n_2866655.html

27 Amnesty International, Death Sentences and Executions in 2011, p. 42.

28 Amnesty International, Death Sentences and Executions in 2009, p. 21. Available at: <http://www.amnestyusa.org/pdfs/DeathSentencesExecutions2009.pdf>.

29 Human Rights Watch, Adults Before Their Time, p. 28.

30 Amnesty International, Executions of juveniles since 1990, www.amnesty.org/en/death-penalty/executions-of-child-offenders-since-1990, accessed 4 May 2010

31 Human Rights Watch (2008), Adults Before Their Time: Children in Saudi Arabia’s Criminal Justice System

32 Human Rights Watch (2008), Adults Before Their Time: Children in Saudi Arabia’s Criminal Justice System.

33 For more information, see the organisation’s website: <http://www.esohr.org/en/>.

the State.³⁴

CRIN has also been lobbying internationally to raise the issue of inhuman sentencing on the international agenda. We have met with UN experts working on judicial sentencing (including relevant Special Procedures) and participated in expert meetings on juvenile justice and to influence UN reports and resolutions.

When launching the original reports, CRIN contacted the government of Saudi Arabia for their response to the information contained in reports about their country, but received no reply.

National and international law conflicting with inhuman sentencing

The Constitution

Chapter Five of the Basic Law of Governance sets out “rights and duties” of citizens and residents of Saudi Arabia, but does not contain any provisions that prohibiting inhuman sentencing of children.³⁵

International human rights treaties

Saudi Arabia has ratified or acceded to the following international treaties:

- Convention on the Rights of the Child (in 1996)
Reservation: “[The Government of Saudi Arabia enters] reservations with respect to all such articles as are in conflict with the provisions of Islamic law.”
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (in 2011)
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2010)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (in 1997)
Reservation: “The Kingdom of Saudi Arabia does not recognize the jurisdiction of the Committee as provided for in article 20 of this Convention. The Kingdom of Saudi Arabia shall not be bound by the provisions of paragraph (1) of article 30 of this Convention.”³⁶
- Convention on the Elimination of All Forms of Discrimination Against Women (in 2000)

Reservation: Reservation: “1. In case of contradiction between any term of the Convention and the norms of Islamic law, the Kingdom is not under obligation to observe the contradictory terms of the Convention....”

- Convention on the Rights of Persons with Disabilities (in 2008)
- International Convention on the Elimination of All Forms of Racial Discrimination (in 1997)
Reservation: “[The Government of Saudi Arabia declares that it will] implement the provisions [of the above Convention], providing these do not conflict with the precepts of the Islamic Shariah....”
- Arab Charter on Human Rights (in 2009)

Saudi Arabia has not ratified the International Covenant on Civil and Political Rights (ICCPR), the Second Optional Protocol to the ICCPR aiming at the abolition of the death penalty, or the International Covenant on Economic, Social and Cultural Rights.

International complaints procedures

Saudi Arabia ratified Optional Protocol to the Convention on the Rights of Persons with Disabilities (in 2008) accepting the complaints procedure under the Convention on the Rights of Persons with Disabilities.

Treaty Bodies communications and complaints procedures According to the Basic Law of Governance of Saudi Arabia, international agreements are approved and amended by Royal Decree and become effective from the date of publication in the Official Gazette. This indicates that, theoretically, the CRC has the same legal status as domestic legislation and can be directly invoked in domestic court proceedings.³⁷

Status of treaties

According to the Basic Law of Governance of Saudi Arabia, international agreements are approved and amended by Royal Decree and become effective from the date of publication in the Official Gazette.³⁸ This indicates that, theoretically, the CRC has the same legal status as domestic legislation and can be directly invoked in domestic court

³⁴ CRIN, Saudi Arabia: UPR submission on inhuman sentencing, March 2013. Available at: www.crin.org/node/24251.

³⁵ Basic Law of Governance. Available in English at: https://www.saudiembassy.net/about/country-information/laws/The_Basic_Law_Of_Governance.aspx.

³⁶ Article 30(1) concerns the use of arbitration in disputes between state parties regarding interpretation of the Convention

³⁷ UN Committee on the Rights of the Child, Summary Record of the 1114th Meeting (Chamber A), CRC/C/SR.1114, 30 January 2006, available at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fSR.1114&Lang=en. For further details, see: Human Rights Watch, *Adults Before Their Time*, 2008,

³⁸ Basic Law of Governance Royal Order No. (A/91) 27 Sha'ban 1412H – 1 March 1992 Published in Umm al Qura Gazette No. 3397. 02 Ramadan 1412H 5 March 1992, Articles 70 and 71. Available at: [http://www.wipo.int/edocs/lexdocs/laws/en/sa/sa016en.pdf](http://www.shura.gov.sa/wps/wcm/connect/ShuraArabic/internet/Laws+and+Regulations/The+Basic+law+Of+Government/The+Basic+Law+Of+Government/ (Arabic), http://www.wipo.int/edocs/lexdocs/laws/en/sa/sa016en.pdf) (English)

proceedings.³⁹ However, given the lack of a transparent system of recording and publishing court rulings, any incident in which a judge has cited a human rights treaty during a judgment could not be confirmed.⁴⁰

Recommendations from human rights treaty monitoring bodies

Committee on the Rights of the Child

The UN Committee on the Rights of the Child is set to hold its pre-sessional working group on Saudi Arabia in February 2016.

(17 March 2006, CRC/C/SAU/CO/2, Concluding observations on second report, paras. 32, 33, 42, 43, 44, 73, 74 and 75)

“The Committee takes note of the information that no child is sentenced to death and that capital punishment is not passed to persons who commit a crime before they reach the age of majority (in general 18 years). Nevertheless, it is deeply concerned that judges have the discretionary power which is often when presiding over criminal cases involving children, to decide that a child has reached the age of majority at an earlier age, and that as a consequence capital punishment is imposed for offences committed by persons before they have reached the age of 18. The Committee is deeply alarmed that this is a serious violation of the fundamental rights under article 37 of the Convention.

“The Committee urges the State party to take the necessary steps to immediately suspend the execution of all death penalties imposed on persons for having committed a crime before the age of 18, to take the appropriate legal measures to convert them into penalties in conformity with the provisions of the Convention and to abolish as a matter of the highest priority the death penalty as a sentence imposed on persons for having committed crimes before the age of 18, as required by article 37 of the Convention.

“While noting articles 2 and 13 of the Code of Criminal Procedure promulgated in Royal Decree No. M/39 of 15 October 2001 which prohibit torture or degrading treatment and the State party’s reassurance that corporal punishment is not imposed upon minors, the Committee is concerned at reports of extrajudicial and summary floggings of teenagers suspected of behaviour deemed immoral and acts of police brutality.

“The Committee urges the State party to take all necessary steps for the immediate abolition of extrajudicial and summary floggings of teenagers, and also other forms of cruel, inhuman or degrading punishments imposed on persons having committed a crime when under the age of 18 years, including acts of police brutality.

“While noting with appreciation the regular circulars issued by the Ministry of Education, which prohibit the beating or ill-treatment of children during all stages of general education and prescribe penalties designed to deter teachers from committing such acts, the Committee notes with concern that corporal punishment is lawful and widely used in the home and that it is a lawful penal sanction.

“The Committee is encouraged by the State party’s efforts to reform its juvenile justice system, inter alia, through adoption of the new Code of Criminal Procedure and Practice for Lawyers in 2001.... As noted in paragraph 32, the Committee is deeply concerned about reports that persons are sentenced to death for crimes committed while under the age of 18, and at the fact that capital and corporal punishment can be imposed on persons having committed a crime when under 18 years of age at the discretion of the judge.

“The Committee urges the State party to ensure the full implementation of juvenile justice standards in particular articles 37, 40 and 39 of the Convention, and other relevant international standards in this area, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System, and take into account the recommendations adopted by the Committee on its day of general discussion on juvenile justice (CRC/C/46, paras. 203-238).

“The Committee refers to its recommendations made in paragraphs 33 on right to life and capital punishment and on 43 on protection from torture, inhuman or degrading treatment or punishment and it urges the State party to:

- a) critically review its legislation with a view to abolishing the imposition of capital and corporal punishment on persons having committed crimes when under 18 years of age at the sole discretion of the judge;
- b) implement alternative measures to deprivation of liberty, such as probation, community service or suspended sentences;
- c) amend the Detention and Imprisonment Regulations (1977) and the Juvenile Justice and Social Surveillance Centre

³⁹ UN Committee on the Rights of the Child, Summary Record of the 1114th Meeting (Chamber A), CRC/C/SR.1114, 30 January 2006. For further details, see: Human Rights Watch, *Adults Before Their Time*, 2008, available at: <http://www.hrw.org/reports/2008/03/24/adultstheirtime>.

⁴⁰ See CRIN, *Access to justice for children: Saudi Arabia*, July 2015, pp. 1-2. Available at: www.crin.org/node/41839.

Regulations to prohibit flogging or any other form of corporal punishment for persons under 18 deprived of their liberty....”

(22 February 2001, CRC/C/15/Add.148, Concluding observations on initial report, paras. 9, 27, 28, 33, 34, 41 and 42)

“The Committee is concerned that several rights contained in the Convention are not reflected in domestic law. In particular, the Basic Law and other applicable laws do not expressly guarantee non-discrimination on the basis of all the grounds contained in article 2 of the Convention. In addition, the Committee notes the incompatibility of certain areas of domestic law with the Convention (e.g. discrimination against females and non-Muslims and the use of judicial punishments such as flogging)....”

“As the age of majority is not defined, the Committee is seriously concerned that there is a possibility that the death penalty may be imposed for offences committed by persons who were below 18 years at the time the crime was committed, contrary to articles 6 and 37 (a) of the Convention.

“The Committee strongly recommends that the State party take immediate steps to halt and abolish by law the imposition of the death penalty for crimes committed by persons under 18.

“In light of article 37 (a) of the Convention, the Committee is seriously concerned that persons under 18 may be subject while in detention to corporal punishment, such as flogging, under article 28 of the 1977 Detention and Imprisonment Regulations. It is also disturbed that persons who committed crimes when they were under 18 may be sentenced to a variety of methods of cruel, inhuman or degrading treatment or punishment such as flogging, stoning and amputation, which are systematically imposed by judicial authorities. The Committee finds that application of such measures is incompatible with the Convention...

“The Committee recommends that the State party take all necessary steps to end the imposition of corporal punishment, including flogging and other forms of cruel, inhuman or degrading treatment and punishment on persons who may have committed crimes when they were under 18. It also recommends that the State party take all appropriate measures to ensure that law enforcement officials respect and protect human dignity and maintain and uphold the human rights of all persons in the course of their duties.

“The Committee is concerned that as the age of majority is not defined, and in the absence of a published criminal code and code of criminal procedure, persons under 18 may be prosecuted for crimes in the same manner as adults

(i.e. without special procedures) and be subject to the same penalties as adults....”

“The Committee recommends that the State party establish a system of juvenile justice, fully integrating into its legislation and practice the provisions of the Convention, in particular articles 37, 40 and 39, as well as other relevant international standards in this area, such as the Beijing Rules, the Riyadh Guidelines, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System....”

Committee Against Torture

The Committee Against Torture is due to review Saudi Arabia during its upcoming 57th Session, scheduled for April 2016.

(12 June 2002, CAT/C/CR/28/5, Concluding observations on initial report, paras. 3, 4 and 8)

“The Committee welcomes the following:

...

c) the State party’s expression that its domestic law provides that no exceptional circumstances, including superior orders, may be invoked as a defence to a charge of torture, the reassurance that statements obtained by torture are inadmissible in proceedings, and the oral assurance that confessions are revocable at any point of proceedings. The State party’s reassurance that corporal punishments are not imposed upon minors was noted;

...

“The Committee is concerned about the following:

...

b) the sentencing to, and imposition of, corporal punishments by judicial and administrative authorities, including, in particular, flogging and amputation of limbs, that are not in conformity with the Convention.

...

“The Committee recommends, in particular, that the State party:

...

b) re-examine its imposition of corporal punishments, which are in breach of the Convention....”

...

Committee on the Elimination of Racial Discrimination

(2 June 2003, CERD/C/62/CO/8, Concluding observations on combined initial, second and third report, para. 18)

The Committee is concerned at allegations that a disproportionate number of foreigners are facing the death penalty. The Committee encourages the State party to

cooperate fully with the Special Rapporteur on extrajudicial, summary and arbitrary executions who has requested information on several cases of migrant workers who have not received legal assistance and have been sentenced to death.

Universal Periodic Review

Second cycle

Saudi Arabia was examined under the Universal Periodic Review process in October 2013. During the review, 18 States made recommendations that Saudi Arabia⁴¹ abolish the death penalty or institute a moratorium. Of these recommendations, 10 specifically addressed the death penalty as imposed on children.⁴² A further three States recommended that Saudi Arabia abolish corporal punishment for children⁴³ and the Czech Republic recommended the abolition of life imprisonment for children.

Saudi Arabia took note of most of these recommendations, but accepted one recommendation from Australia to “implement legal reforms recognising a legally-defined age of minority that prevents early and forced marriage, detention of minors as adults and exposure of minors to the death penalty”.⁴⁴

First cycle

Saudi Arabia was examined under the Universal Periodic Review process in February 2009. Recommendations were made to prohibit and eliminate capital and corporal punishment of persons under the age of 18.⁴⁵ The Government accepted the recommendations.⁴⁶

41 Brazil, Canada, Paraguay, Slovenia, Sweden, Italy, Poland, Slovakia, Spain, Germany, Australia, Lithuania, France, Switzerland, Austria, Czech Republic, Albania, Norway. For full details, see 26 December 2013, A/HRC/25/3, Report of the Working Group on the Universal Periodic Review: Saudi Arabia.

42 Brazil, Canada, Lithuania, France, Switzerland, Austria, Czech Republic, Albania, Australia, Norway. For full details, see 26 December 2013, A/HRC/25/3, Report of the Working Group on the Universal Periodic Review: Saudi Arabia.

43 Canada, Czech Republic, Albania. For full details, see 26 December 2013, A/HRC/25/3, Report of the Working Group on the Universal Periodic Review: Saudi Arabia.

44 OHCHR UPR documents not functional at time of writing. Recommendations available at www.uprinfo.org.

45 4 March 2009, A/HRC/11/23, Report of the Working Group on the Universal Periodic Review: Saudi Arabia, para. 87

46 9 June 2009, A/HRC/11/23/Add.1, Report of the Working Group on the Universal Periodic Review: Saudi Arabia, Addendum: Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, para. 38

About CRIN (www.crin.org)

Our goal: A world where children's rights are recognised, respected and enforced, and where every rights violation has a remedy.

Our organisation: CRIN is a global research, policy and advocacy organisation. Our work is grounded in the United Nations Convention on the Rights of the Child.

Our work is based on five core values:

- We believe in rights, not charity
- We are stronger when we work together
- Information is power and it should be free and accessible
- Societies, organisations and institutions should be open, transparent and accountable
- We believe in promoting children's rights, not ourselves.

The Child Rights International Network (CRIN) is registered in the United Kingdom and regulated by Companies House and the Charity Commission (Company Limited by Guarantee No 6653398 and Charity No 1125925).

Illustrations by Miriam Sugranyes Coca
Designed by Remember Creative

This report is produced for informational and educational purposes only and should not be construed as legal advice. CRIN does not accept liability for any loss, damage, cost or expense incurred or arising by reason of any person using or relying on information in this report.

CRIN encourages personal and educational use of this publication and grants permission for its reproduction in this capacity where proper credit is given in good faith.