



Plenary sitting

B8-0113/2019

12.2.2019

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on the situation on women's rights defenders in Saudi Arabia
(2019/2564(RSP))

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on behalf of the Verts/ALE Group

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**European Parliament resolution on the situation on women's rights defenders in Saudi Arabia
(2019/2564(RSP))**

The European Parliament,

- having regard to its previous resolutions on Saudi Arabia, notably the one on Saudi Arabia, its relations with the EU and its role in the Middle East and North Africa of March 2014, the one on the case of Raif Badawi of February 2015; the one on the case of Ali Mohammed al-Nimr of October 2015; the one on the situation of women's rights defenders in Saudi Arabia of 31 May 2018 and the one on the killing of journalist Jamal Khashoggi in the Saudi consulate in Istanbul of 24 October 2018;

- having regard to the awarding of the Sakharov Prize for Freedom of Thought and Expression to the Saudi blogger Raif Badawi in 2015;

- having regard to Saudi Arabia's membership of the UN Human Rights Council and of the Commission on the Status of Women, as well as its membership of the Executive Council of the UN Commission on the Status of Women, which started in January 2019;

- having regard to the CEDAW Concluding observations on the combined third and fourth periodic reports of Saudi Arabia from 9th March 2018;

- having regard to the Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism of June 2018, after his visit to Saudi Arabia;

- having regard to the report of the UK Detention Review Panel into Women Activist Detainees in Saudi Arabia of February 2019;

- having regard to the UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW);

- having regard to the International Covenant on Political and Civil Rights;

- having regard to the Universal Declaration of Human Rights;

- having regard to the European Union Guidelines on Human Rights Defenders;

- having regard to Rule 135 of its Rules of Procedure,

A. Whereas Saudi Arabia ranks among the world's most discriminatory and retrograde countries in terms of rights of women and girls, even compared to regional standards; whereas the Saudi political and social system remains profoundly undemocratic, makes women, Shia Muslims and other members of religious minorities second-class citizens, seriously discriminates against the country's large foreign workforce and severely represses all voices

of dissent;

B. whereas since the 15 May 2018 Saudi authorities have kept under arrest twelve women: Loujain al-Hathloul, Iman al-Nafjan, Aziza al-Yousef, Samar Badawi, Nassima al-Sada, Nouf Abdulaziz, Mayaa al-Zahrani, Shadan al-Anezi, Hatoon al-Fassi, Ruqayyah al-Mharib, Abir Namankani, Amal al-Harbi and two men: Mohammad al-Rabae and Abdulaziz al-Meshaal, for their engagement in support of women's rights, including campaigning against the ban on women driving and advocacy for the abolishment of the male guardianship system; whereas at least nine of them will reportedly be referred for trial to the Specialised Criminal Court, which was originally established to try detainees held in connection with terrorism offences;

C. whereas there are credible testimonies that at least ten of these women rights defenders were subject to torture, ill-treatment and sexual abuse, including by electric shocks and flogging; whereas a culture of impunity prevails for public officials who are guilty of acts of torture and ill-treatment;

D. whereas Loujain al-Hathloul has been nominated for the 2019 Nobel Peace Prize;

E. whereas a number of reforms have been announced or introduced in recent years, including in the field of participation in municipal elections, appointment of women to the Shura Council, the opening of the labour market, improving access to government services, responding to domestic violence and allowing women to drive as of 24 June 2018;

F. whereas the announcements on societal reforms, spearheaded by Crown Prince Mohammad bin Salman as part of his much-touted Vision 2030, including on women's rights, have paradoxically been accompanied by an increasing crackdown, inter alia on women human rights defenders, who are subject to arrest, threats of prosecution by the Specialised Criminal Court and other forms of intimidation; whereas achieving gender equality and ensuring women's rights requires fundamental changes and the elimination of human rights violations and discriminations in the law and in practice;

G. whereas Saudi Arabia has a range of discriminatory laws, in particular the legal provisions relating to personal status, the Civil Status Code, the Labour Code, the Nationality Act and the system of male guardianship, by which authorization from a male guardian is still expected in a number of areas, including travelling internationally, accessing health care services, choosing residency, marriage, filing complaints in the justice system, leaving state-run shelters for abused women, and for leaving detention centers;

H. whereas the state-run online system "Absher", by which Saudi men can specify where women are allowed to travel and which sends an automatic SMS if a woman uses her passport at a border crossing or airport, has further strengthened the male guardianship system;

I. whereas tradition, religion and culture are persistently used to justify discrimination against women; whereas there is a deep-rooted use of discriminatory stereotypes in Saudi Arabia, focusing primarily on the roles of women as mothers and housewives;

J. whereas Saudi Arabia's general reservation to the CEDAW is, according to the Committee on the Elimination of Discrimination against Women, incompatible with the object and purpose of the Convention and impermissible under article 28 of the Convention;

K. whereas Saudi Arabia is actively engaged in imposing its own preconceptions in the UN Human Rights Council and the Commission on the Status of Women by, inter alia, pushing for reducing the scope in which certain rights apply, including LGBTBI rights and freedom of opinion and expression;

L. whereas Saudi Arabia ranks 169 out of 180 on the Reporters Without Borders Press Freedom Index 2018 and is listed among the NGOs “Enemies of the Internet” list; whereas although internet is widely used and Saudi Arabia has the highest number of active Twitter users in the region, internet is heavily censored with thousands of websites being blocked and new blogs and websites needing a license from the Ministry of Information; whereas Sakharov Prize Laureate Raif Badawi is still in jail solely for peacefully expressing his views;

M. whereas the counter-terrorism law adopted in 2013 and revised in 2017 includes provisions which allow turning any dissenting expression or independent association into a crime of terrorism; whereas this law has been heavily criticised by UN experts, who have stated that they are “witnessing the persecution of human rights defenders for peacefully exercising their rights to freedom of expression, assembly, association and belief, as well as in retaliation for their work” and pointed out that “the government has ignored repeated calls by UN experts and others to halt these violations, rectify them, and prevent their recurrence”;

N. whereas Saudi Arabia is one of the five top executing countries in the world;

1. Denounces the continued, systemic discrimination against women and girls in Saudi Arabia and deplores the glaring disconnect between the encouraging announcements of reform by the Saudi leadership and the reality on the ground; expresses its solidarity with the admirable women’s rights defenders activists who are being repressed for seeking to redress one of the most misogynistic system worldwide;

2. Is deeply concerned about the prevalence of gender-based violence in Saudi Arabia, which remains largely underreported and undocumented and justified with retrograde reasons such as the need to discipline women under men’s guardianship; urges Saudi authorities to adopt comprehensive legislation to specifically define and criminalise all forms of gender-based violence against women, in particular female genital mutilation, rape, including marital rape, sexual assault and sexual harassment, and to remove all obstacles women face in their access to justice; expresses profound disquiet about the reports of a prevailing practice of child marriage;

3. Is dismayed by the existence of the male guardianship system, which is a reflection of the deeply rooted patriarchal system that prevails in the country, and urges Saudi authorities to abolish it without any delay;

4. Calls on the Government of Saudi Arabia to immediately and unconditionally release all these activists, as well as all the other human rights defenders and prisoners of conscience detained and sentenced for merely expressing their right to freedom of expression;

5. Is deeply disturbed by the allegations of sexual harassment, torture and other forms of ill-treatment suffered by the women rights defenders in prison; calls on the Saudi authorities to urgently launch an independent investigation into these allegations, to allow international

independent monitors to meet with the women rights defenders arrested and to bring perpetrators to justice; reminds the Saudi regime that as party to the UN Convention against Torture Saudi Arabia is obliged to take all measures to prevent torture, enforced disappearances and other serious human rights violations, to investigate allegations of acts constituting these crimes, and to bring to justice those suspected of committing them;

6. Urges the EU VP/HR Frederica Mogherini to issue a public statement calling for the release of the women arrested; deplores that no statement has been issued until now; calls on the European Union and the Member States to take a strong, public stand towards this flagrant violation of human rights, including by demanding their release in all contacts they hold with Saudi authorities; urges the EU Delegation in Riyadh to provide all appropriate support to the imprisoned women's rights defenders, such as prison visits, trial monitoring and the provision of legal or any other form of assistance that the defendants might require;

7. Calls on the European automotive companies, allured by the commercial benefits to be accrued from the lifting of the ban on women driving and engaged in gender-targeted advertisement such as Volkswagen, Renault, Nissan, BMW, Bugatti, Mini and Lexus, to publicly call for the release of the women's rights activists; calls on the European automotive industry to support initiatives advocating for women's rights in Saudi Arabia, such as #Women2Drive;

8. Decides to send an ad-hoc mission of the DROI and FEMM chairs to Saudi Arabia in order to visit the imprisoned women and to hold the necessary meetings with Saudi authorities;

9. Urges the President of the European Parliament to release a statement in support of these women and to call the Ambassador of Saudi Arabia to the EU to personally communicate him the content of this resolution;

10. Calls on the EU to table a resolution on the situation of human rights defenders in Saudi Arabia at the next session of the UN Human Rights Council, which inter alia should call for the establishment of a UN Special Rapporteur on Saudi Arabia, in line with the other HRC Special Procedures created for the most serious human rights situation worldwide; calls on the EU to take an initiative at the next Human Rights Council and at the Commission on the Status of Women which would raise the issue of membership by States with deeply questionable human rights records, notably in terms of women's rights and gender equality; deplores the vote of several EU Member States in support of Saudi Arabia's membership to the UN HRC and CSW;

11. Calls on the Saudi authorities to revise the Law on Associations and Foundations of December 2015 in order to allow women activists to organise themselves and to work freely and independently without undue interference by the authorities; urges as well the revision of the Anti-Terrorist law, the Anti-Cybercrime Law and the Press and Publications Law, which are repeatedly used to prosecute human rights defenders, as well as of all discriminatory provisions present in the legal system including in fields such as inheritance, transmission of nationality and marriage;

12. Calls on the Saudi authorities to ratify the International Covenant on Civil and Political Rights, to lift the reservations made to CEDAW and to ratify the Optional Protocol to the CEDAW in order to ensure that Saudi women can fully enjoy the rights enshrined in the

Convention; urges Saudi authorities to extend a standing invitation to the visit of all Special Procedures of the UN Human Rights Council, including to Agnes Callamard, Special Rapporteur on extrajudicial, summary or arbitrary executions, who has not yet received a response to her recent request to visit the country;

13. Calls on the Saudi authorities to introduce an immediate moratorium on the use of the death penalty as a step towards abolition; calls for a review of all death sentences to ensure that these trials adhered to international standards;

14. Calls on the European Union to include a discussion on human rights, particularly the situation of women's human rights defenders, as a permanent item on the agenda of the annual summit between the EU and the Gulf Cooperation Council;

15. Calls on the EEAS to consider proposing the adoption of EU restricted measures related to serious human rights violations, including asset freeze and visa bans; strongly supports the ongoing discussions at EU level to establish an EU global human rights sanctions regime against human rights abusers worldwide, which would entail targeting individuals among others through visa bans and asset freezes;

16. Calls on the External Action Service and Member States to adopt an annex to the EU Guidelines on Human Rights Defenders dealing specifically with the situation and needs of women human rights defenders;

17. Deplores that there are no women holding senior positions in the EU Delegation to Saudi Arabia; calls on the EEAS to reverse the trend of gender imbalance in senior positions in the EU delegation;

18. Denounces the involvement of foreign public relations companies in representing Saudi Arabia and handling its public image; is deeply disturbed by media reports directly linking the activities of consultancies working for Saudi Arabia, namely McKinsey, with the crackdown on human rights defenders; is disturbed by the facilitation of lobbying meetings for Saudi officials with EU institutions by academic institutions, among them the College of Europe;

19. Expresses its surprise at the lack of listings of Saudi Arabia within the EU Transparency Register; is appalled by recent reports revealing the alleged involvement of consultancies, namely MSL, lobbying for Saudi interests which have not declared it in their entries in the EU's Transparency Register; and calls on the European Commission and the European Parliament to look into this matter; calls on the different EU lobbying firms to commit to refusing to represent any regime responsible of continuous human rights violations or persecution of human rights defenders;

20. Calls on the European Court of Auditors to carry out an audit of the Chaillot Prize for the Promotion of Human Rights in the Gulf Cooperation Council Region, organized annually by the EU delegation to Riyadh; expresses consternation at the award rules, which restrict applications to those who are legally registered and active in a "constructive engagement with the authorities"; urges the EU delegation to Saudi Arabia to refrain from using EU money to legitimize laws such as the Law on Associations and Foundations which in practice do not allow the registration of civil society organisations and severely impede the activity of human rights defenders;

21. Calls, once again, on the Saudi authorities to put a stop to any further flogging of Raif Badawi and to release him immediately and unconditionally; insists that all senior representatives of the EU, notably VPHR Mogherini and Commissioners, systematically raise the case of Raif Badawi in their contacts with their Saudi counterparts and to request to meet with him during their visits in the country; commits to stepping up its efforts in support of his release; decides to send its President to Riyadh in order to raise the case of the Sakharov Prize laureates directly with the authorities;

22. Deplores the significant arms deals by EU Member States, among others Spain, France and the United Kingdom, with Saudi Arabia, which run counter to the EU Common Position on Arms exports; welcomes the decision of some EU Member States, such as Germany and the Netherlands, to halt arms exports to Saudi Arabia; stresses however that a temporary ban on arms exports is not sufficient and that a permanent ban should be put in place until the Saudi authorities can prove that these arms will not be used to violate human rights or international humanitarian law and there has been full accountability regarding the human rights violations and violations of international humanitarian law committed until now;

23. Calls, once again, for an EU-wide ban on export, sale, update and maintenance of any form of security and military equipment and the provision of related services, components and technical assistance to Saudi Arabia which can be or is used for internal repression or to commit violations of international humanitarian law; stresses that this ban must include cyber surveillance technology, as established by the European Parliament position on the recast of the Dual Use Export Control Regulation; calls on the High Representative to report on the current state of military and security cooperation by EU Member States with the Saudi regime;

24. Instructs its President to forward this resolution to the Council, the Commission, the High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission, the European External Action Service, the UN Secretary General, the UN High Commissioner for Human Rights, the Commission on the Status of Women, the Human Rights Council, H.M. King Salman bin Abdulaziz Al Saud and the Crown Prince Mohammad Bin Salman Al Saud, the Government of the Kingdom of Saudi Arabia, and the Secretary-General of the Centre for National Dialogue of the Kingdom of Saudi Arabia.