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## TEXTS ADOPTED

*Provisional edition*

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### **P8\_TA-PROV(2018)0232**

#### **Women's rights defenders in Saudi Arabia**

##### **European Parliament resolution of 31 May 2018 on the situation of women's rights defenders in Saudi Arabia (2018/2712(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Saudi Arabia, in particular those of 11 March 2014 on Saudi Arabia, its relations with the EU and its role in the Middle East and North Africa<sup>1</sup>, of 12 February 2015 on the case of Raif Badawi<sup>2</sup> and of 8 October 2015 on the case of Ali Mohammed al-Nimr<sup>3</sup>,
- 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 the statement of 29 May 2018 by the Spokesperson for the UN High Commissioner for Human Rights on recent arrests in Saudi Arabia, including the arbitrary detention and disappearance, without due process, of Nawaf Talal Rasheed, a prince from the Al-Rashid dynasty, and the son of the late poet Nawaf Talal bin Abdul Aziz Al-Rashid,
- having regard to the statement of 18 May 2018 by the State Security Presidency of Saudi Arabia on the arrests of seven suspects,
- having regard to the new draft legislation outlawing harassment approved by the Saudi Shura Council on 28 May 2018,
- having regard to the impact on human rights, both at domestic and regional level, of the sanctions put in place by Saudi Arabia and other countries against Qatar and the report on the impact of the Gulf Crisis on human rights published by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in December 2017,
- having regard to Saudi Arabia's membership of the UN Human Rights Council and of the UN Commission on the Status of Women (CSW), as well as its future membership of the Executive Council of the CSW, starting in January 2019,

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<sup>1</sup> OJ C 378, 9.11.2017, p. 64.

<sup>2</sup> OJ C 310, 25.8.2016, p. 29.

<sup>3</sup> OJ C 349, 17.10.2017, p. 34.

- having regard to the speech by Commissioner Christos Stylianides, on behalf of the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR), in the European Parliament debate of 4 July 2017 on Saudi Arabia’s election as a member of the CSW,
  - having regard to the concluding observations of 9 March 2018 of the Committee on the Elimination of All Forms of Discrimination against Women on the combined third and fourth periodic reports of Saudi Arabia<sup>1</sup>,
  - having regard to the joint submission on Saudi Arabia on behalf of ALQST, the Gulf Centre for Human Rights (GCHR) and the International Federation for Human Rights (FIDH) from the 69th session of the UN Committee on the Elimination of All Forms of Discrimination against Women on 7 March 2018,
  - 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 of 1966,
  - having regard to the International Covenant on Economic, Social and Cultural Rights of 1966,
  - having regard to the Universal Declaration of Human Rights of 1948,
  - having regard to the EU Guidelines on Human Rights Defenders,
  - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas since 15 May 2018 Saudi authorities have arrested seven women – Loujain al-Hathloul, Aisha al-Mana, Madeha al-Ajroush, Eman al-Nafjan, Aziza al-Youssef, Hessah al-Sheikh, Walaa al-Shubbar – and four men – Ibrahim Fahad Al-Nafjan, Ibrahim al-Modeimigh, Mohammed al-Rabiah and Abdulaziz al-Meshaal – for their women’s rights activism; whereas the arrested human rights defenders have since been charged with supporting the activities of foreign circles, recruiting persons in charge of sensitive government positions and providing foreign circles with money with the aim of destabilising the Kingdom; whereas these activists are known for their campaign against the ban on women driving and in favour of abolishing the male guardianship system; whereas they were arrested ahead of the anticipated lifting of the ban on women driving on 24 June 2018;
- B. whereas Ms Madeha al-Ajroush, Ms Walaa al-Shubbar, Ms Aisha al-Mana and Ms Hessah al-Sheikh were reportedly released on 24 May 2018;
- C. whereas the case of Loujain al-Hathloul is particularly alarming, as she was transferred from Abu Dhabi to Saudi Arabia against her will in March 2018 after attending a review session on Saudi Arabia at the UN Committee on the Elimination of Discrimination against Women; whereas she was placed under a travel ban until her recent arrest and is currently, reportedly among other activists, being held incommunicado;
- D. whereas Saudi Arabia has some of the tightest restrictions imposed on women, despite

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<sup>1</sup> CEDAW/C/SAU/CO/3-4.

recent government reforms aimed at boosting women's rights in the employment sector; whereas the Saudi political and social system remains undemocratic and discriminatory, makes women second-class citizens, allows no freedom of religion and belief, seriously discriminates against the country's large foreign workforce and severely represses all voices of dissent;

- E. whereas the investigation and work on the case are still ongoing and information on the arrests is difficult to come by owing to the limited information released by the Saudi authorities;
- F. whereas on 25 May 2018 Saudi authorities arrested prominent human rights defender Mohammed al-Bajadi, a founding member of the banned Saudi Civil and Political Rights Association, which has accused the security forces of abuses;
- G. whereas within days of the human rights defenders' arrests, government-aligned media outlets and social media platforms launched a vicious smear campaign against them, denouncing them as 'traitors' posing a threat to state security; whereas experts believe that the smear campaign currently being waged against the human rights defenders' suggests the intention to issue potentially very harsh punishments;
- H. whereas Saudi society is changing gradually but constantly, and whereas the Saudi authorities have adopted a number of measures to improve due recognition of women as equal citizens, such as granting them the right to vote in municipal elections, providing them with access to the consultative Shura Council and the National Human Rights Council, lifting the ban prohibiting women from driving, and granting them access to public sports events;
- I. whereas the reform agenda Vision 2030, bringing about economic and social transformation of the country based on women's empowerment, should be a real opportunity for Saudi women to secure their legal emancipation, which is absolutely crucial for the full enjoyment of their rights under the CEDAW; whereas, however, the recent wave of arrests of women's rights activists seems to run counter to this aim and may distract from the reform agenda;
- J. whereas the Saudi Crown Prince Mohammad bin Salman Al Saud has offered rhetorical support for women's rights reforms, especially during his tour in Europe and the United States, but such reforms have so far been limited, and the male guardianship system, the most serious impediment to women's rights, remains largely intact; whereas, moreover, he has overseen a widespread crackdown on prominent activists, lawyers and human rights defenders, which has intensified since he began consolidating control over the country's security institutions;
- K. whereas Saudi Arabia has a range of discriminatory laws, in particular the legal provisions relating to personal status, the situation of women migrant workers, the Civil Status Code, the Labour Code, the Nationality Act and the system of male guardianship, which subjects women's enjoyment of most of their rights under the CEDAW to authorisation by a male guardian;
- L. whereas Saudi Arabia has a lively community of online human rights defenders and the highest number of Twitter users in the Middle East; whereas Saudi Arabia is on the Reporters Without Borders list of 'Enemies of the Internet' owing to the censorship of

the Saudi media and the Internet and punishment of those who criticise the government or religion; whereas freedom of expression and freedom of the press and media, both online and offline, are crucial preconditions and catalysts for democratisation and reform and are essential checks on power; whereas the 2015 Sakharov Prize Laureate, Raif Badawi, is still imprisoned solely for peacefully expressing his views;

- M. whereas Saudi Arabia's UN Human Development Index value for 2015 is 0,847, ranking it 38th out of 188 countries and territories; whereas Saudi Arabia has a UN Gender Inequality Index value of 0,257, ranking it 50th out of 159 countries in the 2015 index; whereas Saudi Arabia ranked 138th out of 144 countries in the Global Gender Gap Report 2017 published by the World Economic Forum;
- N. 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 thereof; whereas Saudi Arabia pledged to 'uphold the highest standards in the promotion and protection of human rights' when it applied successfully for membership to the UN Human Rights Council in 2013;
1. Calls on the Saudi authorities to put an end to all forms of harassment, including at judicial level, against Ms Eman al-Nafjan, Ms Aziza al-Youssef, Ms Loujain al-Hathloul, Ms Aisha al-Mana, Ms Madeha al-Ajroush, Ms Hessah al-Sheikh, Ms Walaa al-Shubbar, Mr Mohammed al-Rabiah, and Mr Ibrahim al-Modeimigh and all other human rights defenders in the country, so that they are able to carry out their work without unjustified hindrance and fear of reprisal;
  2. Condemns the ongoing repression of human rights defenders, including women's rights defenders, in Saudi Arabia, which undermines the credibility of the reform process in the country; calls on the Government of Saudi Arabia to immediately and unconditionally release all human rights defenders and other prisoners of conscience detained and sentenced for merely exercising their right to freedom of expression and their peaceful human rights work; denounces the continued, systemic discrimination against women and girls in Saudi Arabia;
  3. Pays tribute to the Saudi women and women's rights defenders seeking to defeat any unfair and discriminatory treatment and to those who have defended human rights despite the difficulties they have to face;
  4. Welcomes the promise to lift the driving ban for women inside the Kingdom as part of the Vision 2030 agenda;
  5. Emphasises that the treatment of all detainees, including human rights defenders, while in detention, must adhere to the conditions set out in the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment adopted by UN General Assembly Resolution 43/173 of 9 December 1988;
  6. Notes that international automotive companies, in particular ones based in the EU, have already engaged in gender-targeted advertisement ahead of the lifting of the ban on women driving;
  7. Is deeply concerned about the prevalence of gender-based violence in Saudi Arabia,

which remains largely underreported and undocumented and is justified with reasons such as the need to discipline women under men's guardianship; urges the Saudi authorities to adopt comprehensive legislation to specifically define and criminalise all forms of gender-based violence against women, in particular rape, including marital rape, sexual assault and sexual harassment, and to remove all obstacles to women's access to justice;

8. Is dismayed by the existence of the male guardianship system, whereby authorisation from a male guardian is still expected in a number of areas, including international travel, accessing healthcare services, choosing residency, marriage, filing complaints with the justice system, leaving state-run shelters for abused women, and leaving detention centres; underlines that this system is a reflection of the deep-rooted patriarchal system that rules the country;
9. 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 also 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;
10. Calls on the Saudi authorities to ratify the International Covenant on Civil and Political Rights, lift the reservations made to the CEDAW and ratify the Optional Protocol to the CEDAW so that Saudi women can fully enjoy the rights enshrined in the Convention, and to end child marriages, forced marriages and the compulsory dress code for women; urges Saudi Arabia to extend a standing invitation to all Special Procedures of the UN Human Rights Council to visit;
11. Calls on the Saudi authorities to allow independent press and media and ensure freedom of expression, association and peaceful assembly for all inhabitants of Saudi Arabia; condemns the repression of human rights defenders and protesters when they demonstrate peacefully; stresses that peaceful campaigning for basic legal rights or making critical remarks using social media are expressions of an indispensable right; urges the Saudi authorities to remove restrictions placed on human rights defenders which prohibit them from speaking out on social media and to international media;
12. Recalls that Saudi Arabia was elected to the UN Commission on the Status of Women with the support of some EU Member States;
13. Calls on the VP/HR, the European External Action Service (EEAS) and the Member States to ensure full implementation of the EU Guidelines on Human Rights Defenders, and to expand their protection and support for human rights defenders, particularly women human rights defenders;
14. Calls for 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; calls for the EU, at the next Human Rights Council and at the Commission on the Status of Women, to raise the issue of membership of states with questionable human rights records, including as regards respect for women's rights and gender equality; calls for the EU to propose at the UN Human Rights Council the appointment of a Special Rapporteur on human rights in Saudi Arabia;

15. Calls for the EU to include a discussion on human rights, particularly the situation of women human rights defenders, as a permanent item on the agenda of the annual summit between the EU and the Gulf Cooperation Council, as well as other bilateral and multilateral fora; calls on the Council to consider the introduction of targeted measures against individuals responsible for grave human rights violations; notes that the Chaillot Prize for the Promotion of Human Rights in the Gulf Cooperation Council Region award rules restrict applications to those who are legally registered and active in a 'constructive engagement with the authorities';
16. Calls on the EEAS and the Commission to actively support civil society groups and individuals defending human rights in Saudi Arabia, including through the arrangement of prison visits, trial monitoring and public statements;
17. Urges the VP/HR, the EEAS and the Member States to continue conducting a dialogue with Saudi Arabia on human rights, fundamental freedoms and the troubling role of the country in the region; expresses its readiness to hold a constructive and open dialogue with the Saudi authorities, including parliamentarians, on the implementation of their international human rights commitments; calls for an exchange of expertise on justice and legal matters in order to strengthen the protection of individual rights in Saudi Arabia;
18. Calls on the Saudi authorities to put a stop to any further flogging of Raif Badawi, and to release him immediately and unconditionally, as he is considered to be a prisoner of conscience detained and sentenced solely for exercising his right to freedom of expression; calls for the EU to continue to raise the issue of his case in any high-level contact there may be;
19. 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;
20. Calls on the Saudi authorities to end incitement to hatred and discrimination against religious minorities, and against all other individuals and groups subjected to violations of their human rights by Saudi Arabia, including foreign nationals from countries from other regions;
21. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the European External Action Service, the UN Secretary-General, the UN High Commissioner for Human Rights, the Commission on the Status of Women, the UN Human Rights Council, H.M. King Salman bin Abdulaziz Al Saud and 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.