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Suspend Saudi Arabia from the UN Human Rights Council

We call upon the United Nations General Assembly to immediately suspend the membership rights of Saudi Arabia in the UN Human Rights Council.

General Assembly Resolution 60/251, which created the Human Rights Council, provides that “the General Assembly, by a two-thirds majority of the members present and voting, may suspend the rights of membership in the Council of a member of the Council that commits gross and systematic violations of human rights.”

Saudi Arabia has committed gross and systematic violations of human rights during its time as a Council member, and it has used its position on the Council to shield itself from accountability for its violations in Yemen. Saudi Arabia leads the military coalition fighting in Yemen, with Riyadh hosting its command control structure. Since 26 March 2015, the coalition has carried out numerous attacks that have violated international humanitarian law, including indiscriminate and disproportionate airstrikes that have killed and injured many civilians. It has repeatedly used internationally banned cluster munitions, including in civilian populated areas.

Despite well-documented violations by the Saudi-led coalition in Yemen, there has been no accountability. Saudi Arabia has failed to conduct credible, impartial and transparent investigations into possible war crimes and has used its position on the Human Rights Council, aided by its allies, to effectively obstruct the creation of an independent international investigation, as urged by the UN High Commissioner for Human Rights. A national commission of inquiry set up by the internationally recognized Yemeni government, backed by Saudi Arabia, has to date failed to carry out credible investigations into violations in the conflict. Moreover, Saudi Arabia has used the threat of withdrawing funds from critical UN programs to compel the UN Secretary-General to remove the coalition from his “List of Shame” for killing and maiming children and attacking schools and hospitals in Yemen. We call on the General Assembly to suspend Saudi Arabia’s rights of membership in the Human Rights Council until it not only ends unlawful attacks in Yemen, but also conducts a credible and impartial investigation that meets international standards or agrees to – and cooperates with – an independent international inquiry into alleged violations in Yemen.

In the past year, UN institutions have denounced violations by the Saudi-led coalition in Yemen. The UN Panel of Experts on Yemen, established by UN Security Council Resolution 2140 (2013), in a report made public on January 26, 2016, “documented 119 coalition sorties relating to violations” of the laws of war. The Office of the UN High Commissioner for Human Rights [estimates](#) that at least 3,539 civilians have been killed and 6,268 wounded since coalition military operations began. In March 2016, UN High Commissioner for Human Rights Zeid Ra’ad Al Hussein [said](#) the coalition was responsible for twice as many civilian casualties as other forces combined, according to OHCHR figures. He noted, “It

would appear to be the case that the distinction between legitimate military targets and civilian ones – which are protected under international law – is at best woefully inadequate... [a]nd at worst, we are possibly looking at the commission of international crimes by members of the Coalition.”

Human Rights Watch and Amnesty International have documented 69 unlawful airstrikes by the Saudi-led coalition, some of which may amount to war crimes, which have killed at least 913 civilians and have hit residences, markets, hospitals, schools, civilian businesses, and mosques. Human Rights Watch and Amnesty International have also documented 19 attacks involving internationally banned cluster munitions.

Concerns about Saudi Arabia’s human rights record at home also compromises its membership in the Human Rights Council. Since Saudi Arabia joined the Council in January 2014, its crackdown on all forms of dissent has continued unabated, including through the use of grossly unfair trials at a special counter-terror court and long prison terms for peaceful dissidents and human rights defenders. Executions in Saudi Arabia have surged, with more than 350 having been carried out since it was elected to the Council. A large number of these executions were not imposed for the most serious crimes but for offenses such as non-violent drug-related crimes. Among those facing execution are individuals who were under 18 at the time of their alleged offense, in violation of the Convention on the Rights of the Child, to which Saudi Arabia is a party. Some of these death sentences appear to have been based solely on “confessions” that the defendants say were obtained through torture or other ill-treatment.

Saudi Arabia also continues to discriminate against women in law and practice, including through the imposition of the male guardianship system, which treats all adult women as legal minors. Discrimination against the Shi’a minority remains systematic and entrenched; a prominent Shi’a Muslim cleric was executed in January 2016, following a grossly unfair trial, and other Shi’a activists have been arrested, imprisoned and face the death penalty following their alleged participation in protests. The authorities have failed to take adequate measures to protect migrant workers from abuse.

When it ran for election to the Human Rights Council in 2013, Saudi Arabia pledged to “support the human rights bodies and mechanisms of the United Nations and cooperate constructively with them, particularly the Human Rights Council and its subsidiary mechanisms.”¹ However, Saudi Arabia’s engagement with the Human Rights Council and other UN human rights mechanisms has not been satisfactory: it currently has seven outstanding requests from the Council’s Special Procedures to visit the country, some of which are 10 years old.² The government issued a travel ban against activist Samar Badawi in 2014 after she spoke at the Council on behalf of imprisoned Saudi activist Waleed Abu al-Khair. Several other Saudi human rights defenders who have cooperated with the Human Rights Council have been imprisoned. Ministry of Interior regulations stipulated in 2014 provisions that contacting “any groups... or individuals hostile to [Saudi Arabia]” is a “terrorist crime.”

As the Human Rights Council marks its tenth anniversary, its performance, effectiveness and adherence to membership criteria are under scrutiny. UN member states should ensure that the Human Rights

¹ A/68/535, Note verbale dated 6 October 2013 from the Permanent Mission of Saudi Arabia to the United Nations addressed to the President of the General Assembly, 17 October 2013

² Visits of Special Procedures of the Human Rights Council to Saudi Arabia since 1998, Office of the UN High Commissioner on Human Rights: http://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=SAU

Council does not face the same loss of credibility as its predecessor, the UN Commission on Human Rights. Failure to act on Saudi Arabia's gross and systematic human rights violations committed in Yemen, and its use of its membership to obstruct independent scrutiny and accountability threatens the credibility of both the Council and the General Assembly.

NGO Signatories

Human Rights Watch



www.hrw.org

Amnesty International

