**5. November 2018**

**31st Session of the Universal Periodic Review**

**Review of Saudi Arabia**

**Statement by AUSTRIA**

Austria welcomes H.E. Dr. Al Aiban and the delegation of Saudi Arabia to the UPR and thanks for the submission of its national report.

We note steps taken by Saudi Arabia in line with Vision 2030, including improvements for women to start businesses without guardian consent and the lifting of the driving ban. We strongly encourage Saudi Arabia to cooperate with women’s rights defenders and repeal all remaining discriminatory legislation and practices against women and girls.

We also note the amendments to the Criminal Procedure Act subsequent to the previous UPR and Saudi Arabia’s apparent recognition of the need for statutory measures for dealing with juveniles in the criminal justice system as reflected in the recently promulgated Juveniles Act.

Austria remains very concerned about the continued and frequent use of the death penalty. Particular concern is caused by the recent practice of using an overly broad definition of terrorism for trying individuals, such as human rights defenders, clerics and journalists under counter-terrorism laws before the Specialized Criminal Court, as well as by the lack of procedural safeguards in these trials.

We offer as recommendations:

1. Ensure credible, transparent, impartial, independent and effective investigations into the killing of Jamal Khashoggi;
2. Ratify ICCPR, allow for the full applicability of Art 20 and 21 of the CAT;
3. Amend the 2017 counter-terrorism legal definition of terrorism to ensure that it does not lend itself to prosecution of women's rights defenders, non-violent human rights activists, political dissenters and other persons merely for exercising their human rights;
4. Ensure that the treatment of persons suspected of acts of terrorism strictly complies with international human rights law and abolish the Public Prosecutors’ discretion to forbid detainees’ access to a lawyer;
5. Ensure that capital punishment is not imposed , including in cases where it is not mandatorily foreseen by Sharia law; ensure strict compliance with article 37 of the Convention on the Rights of the Child prohibiting the death penalty for offences committed below the age of eighteen; review the cases of prisoners currently under a death sentence, including for committing a non-violent offence, with the aim of commuting their sentences;
6. Make substantive progress in the field of women’s rights, including by complete review of the existing guardianship system, as foreseen in Supreme Order 33322.

I thank you.