



Saudi Arabia

Call for input: The death penalty from the perspective of the prohibition against torture and other forms of ill-treatment and the protection of human dignity

Submission to the Special Rapporteur on summary, extrajudicial or arbitrary executions

Report submitted to inform the report of the Special Rapporteur, to be presented at the 62nd session of the Human Rights Council.

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1 Introduction

In the present report, MENA Rights Group would like to communicate information to the Special Rapporteur on summary, extrajudicial and arbitrary executions (hereinafter “SR Summex”) regarding serious human rights violations arising from the use of the death penalty in Saudi Arabia, including practices that amount to torture and ill-treatment at different stages of the criminal process. The report, prepared in the context of a call for input to inform the SR Summex’ report to be presented at the 62nd session of the Human Rights Council, is jointly submitted by MENA Rights Group, ALQST for Human Rights, and the European Saudi Organisation for Human Rights (ESOHR).

This report analyses the legal framework governing capital punishment, the practice of torture and ill-treatment during criminal proceedings, conditions of detention during trial and on death row, as well as the discriminatory application of the death penalty. The report is based on the in-depth monitoring and documentation of individual cases and systemic patterns of violations. Submitting organisations have notably have submitted 11 cases¹ of individuals sentenced to death to UN Special Procedures.

Over the past decade, the use of the death penalty in Saudi Arabia has escalated significantly, culminating in a record number of 356 executions in 2025.² According to ESOHR, at least 240 executions were carried out for drug-related offences in 2025.³ The year also marked the resumption of executions of individuals who were under 18 at the time of the alleged offence, contrary to Saudi Arabia’s stated commitments,⁴ and an increase in the number of Shi’a Muslims and foreign nationals.

¹ MENA Rights Group, *Shia Saudi businessman sentenced to death after refusing to collaborate with Saudi government*, 18 December 2023, available at: <https://menarights.org/en/case/saud-al-faraj> (accessed 19 February 2026) ; UN Working Group on Arbitrary Detention, *Opinion No. 26/2024 concerning Saud bin Mohammed bin Ali al-Faraj (Saudi Arabia)*, 19 September 2024, available at: <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session99/a-hrc-wgad-26-2024-saudi-arabia-aev.pdf> (accessed 19 February 2026) ; MENA Rights Group, *An Egyptian national, Farhat Abu al-Saud, was executed in Saudi Arabia*, 25 April 2025, available at: <https://menarights.org/en/case/farhat-fathi-abdel-maksoud-abu-al-saud> (accessed 19 February 2026) ; MENA Rights Group, *Egyptian national Essam Mohamed sentenced to death in Saudi Arabia*, 25 April 2025, available at: <https://menarights.org/en/case/essam-shazly-ahmed-mohamed> (accessed 19 February 2026) ; MENA Rights Group, *Egyptian national, Mohamed Kamel, to be executed in Saudi Arabia*, 25 April 2025, available at: <https://menarights.org/en/case/mohamed-kamel-salah-kamel> (accessed 19 February 2026) ; MENA Rights Group, *Young Saudi dissident executed by Saudi authorities for protesting while he was a minor*, 14 June 2023, available at: <https://menarights.org/en/case/jalal-al-labbad> (accessed 19 February 2026) ; MENA Rights Group, *Young Saudi protester executed for acts committed as a minor*, 14 June 2023, available at: <https://menarights.org/en/case/abdullah-al-derazi> (accessed 19 February 2026) ; MENA Rights Group, *Young Saudi dissident faces execution for protesting as a minor*, 14 June 2023, available at: <https://menarights.org/en/case/yusuf-al-manasif> (accessed 19 February 2026) ; MENA Rights Group, *Young Saudi dissident sentenced to death for participating in funerals and protests as a minor*, 14 June 2023, available at: <https://menarights.org/en/case/hassan-zaki-al-faraj> (accessed 19 February 2026) ; MENA Rights Group, *Brother of youngest political prisoner in Saudi Arabia, Murtaja Qureiris, sentenced to death*, 15 June 2023, available at: <https://menarights.org/en/case/jawad-quireiris> (accessed 19 February 2026) ; UN Working Group on Arbitrary Detention, *Opinion No. 71/2024 concerning Abdullah al-Derazi, Jalal al-Labbad, Yusuf Muhammad Mahdi al-Manasif, Jawad Abdullah Qureiris and Hassan Zaki al-Faraj (Saudi Arabia)*, 18 December 2024, available at: <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session101/a-hrc-wgad-2024-71-saudi-arabia-advance-edited.pdf> (accessed 19 February 2026) ; MENA Rights Group, *Saudi protester Mohammad al-Faraj sentenced to death*, 19 March 2025, available at: <https://menarights.org/en/case/mohammad-abdullah-al-faraj> (accessed 19 February 2026) ; MENA Rights Group, *Saudi protester Mohammad Labbad sentenced to death*, 19 March 2025, available at: <https://menarights.org/en/case/mohammad-labbad> (accessed 19 February 2026)

² Human Rights Watch, *Saudi Arabia: Record Number of Executions in 2025*, 13 January 2026, <https://www.hrw.org/news/2026/01/13/saudi-arabia-record-number-of-executions-in-2025> (accessed 4 February 2026).

³ ESOHR, *Saudi Arabia 2025: The Death Penalty Rules*, 2 February 2026, <https://www.esohr.org/en/%D8%A7%D9%84%D8%B3%D8%B9%D9%88%D8%AF%D9%8A%D8%A9-2025-%D8%A7%D9%84%D8%A5%D8%B9%D8%AF%D8%A7%D9%85-%D9%8A%D8%AD%D9%83%D9%85/> (accessed 4 February 2026).

⁴ Saudi Human Rights Commission’s Twitter account (@HRCSaudi_EN), 21 October 2020, https://x.com/HRCSaudi_EN/status/1318935445284278273?s=19 (accessed 4 February 2026). Saudi authorities have stated on several occasions, including in April 2022 and January 2024 during their Universal Periodic Review, that the 2020 Royal Decree No. 46274 of 29/7/1441 means children are protected from the death penalty. See: United Nations Web TV, *Saudi Arabia Review - 45th Session of Universal Periodic Review*, 22 January 2024, available at: <https://webtv.un.org/en/asset/k1q/k1q9kuguv>

2 Legal framework and background on the death penalty in Saudi Arabia

2.1 The Saudi criminal law system and the use of ta'zīr in capital sentencing

Saudi Arabia does not have a codified penal code, code of criminal procedure, or code of judicial procedure, allowing broad discretion to judges to determine which acts may constitute a criminal offence and the corresponding punishments, through their interpretation of Islamic law (sharia) and jurisprudence (fiqh).⁵ Punishments are subject to the three categories of crimes under Islamic law: qisas (retributive punishments), hadd (fixed punishments) and ta'zir (discretionary punishments).⁶

Ta'zir crimes are offences for which the law does not prescribe a penalty under hadd or qisas and for which the judge has discretion to determine the penalty. They concern all acts which infringe private or community interests related to public order. These are offences which violate rules set by public authorities and are found in Shari'a law. Corporal penalties applied in matters of ta'zir are the death penalty (which is rarely imposed) and flagellation.⁷ Judicial decisions issuing the death penalty combine fixed religious rules with discretionary Ta'zir judgments. As the most serious and irreversible punishment, capital punishment is left to judicial discretion.

In February 2021, Saudi authorities announced the drafting of a new Penal Code for Discretionary Sentences intended to codify Ta'zir crimes. According to a leaked draft analysed by Amnesty International, the draft Penal Code "does nothing to limit the use of the death penalty in Saudi Arabia in line with international standards and with Saudi Arabia's obligations under international law [...]. [T]he draft Penal Code codifies the use of execution as a primary punishment alongside imprisonment and fines and continues to enable judges to use their discretion to hand down death sentences."⁸

While Saudi authorities publicly claimed that the Juvenile Law prohibits the imposition of death sentences for child offenders, the law in fact permits the death penalty for child offenders if they committed hadd and qisas crimes for which sharia mandates the death penalty⁹. The submitting

(accessed 18 February 2026).

⁵ Human Rights Watch, Saudi Arabia: Forthcoming Penal Code Should Protect Rights, 29 April 2022, available at: <https://www.hrw.org/news/2022/04/29/saudi-arabia-forthcoming-penal-code-should-protect-rights> (accessed on 16 February 2026).

⁶ A detailed definition of each of these categories can be found in the following report: Reprieve, *Bloodshed and Lies: Mohammed Bin Salman's Kingdom of Executions*, 31 January 2023, p. 8, available at : <https://reprieve.org/us/2023/01/31/saudi-arabia-and-the-death-penalty-everything-you-need-to-know-about-the-rise-in-executions-under-mohammed-bin-salman/> (accessed on 16 February 2026).

⁷ In the first four months of 2025, Saudi Arabia carried out 100 executions, among which 64 were ta'zir sentences. See: ESOHR, 100 executions since the beginning of 2025: Saudi Arabia kills one person every day and a half, 5 May 2025, available at: <https://www.esohr.org/en/100-%d8%a5%d8%b9%d8%af%d8%a7%d9%85-%d9%85%d9%86%d8%b0-%d8%a8%d8%af%d8%a7%d9%8a%d8%a9-2025-%d8%a7%d9%84%d8%b3%d8%b9%d9%88%d8%af%d9%8a%d8%a9-%d8%aa%d9%82%d8%aa%d9%84-%d8%b4%d8%ae%d8%b5%d8%a7-%d9%83/> (accessed 18 February 2026).

⁸ Amnesty International, Saudi Arabia: Manifesto for Repression: Saudi Arabia's Forthcoming Penal Code Must Uphold Human Rights in Line with International Law and Standards, 19 March 2024, p. 23, available at: <https://www.amnesty.org/en/documents/mde23/7783/2024/en/> (accessed 19 February 2026).

⁹ You may consult article 15 (2) of the Juvenile Law: Kingdom of Saudi Arabia, *Royal Decree No. (M/113), 19/11/1439H*, published in Umm al-Qura No. 4751, 22/02/1440H / 31 October 2018, available at: <https://arabruleoflaw.org/files/legaldatabase/Laws/Saudi/Doc01.pdf> (accessed 19 February 2026). See also, Human Rights Watch, *Saudi Arabia: Alleged Child Offenders Face Death Sentence, Reform to Curb Death Penalty for Children Leaves Glaring Exceptions*, 20 October 2020, <https://www.hrw.org/news/2020/10/20/saudi->

organisations documented and litigated five cases¹⁰ involving individuals who were sentenced to death for crimes committed under the age of 18 in which one of them was sentenced under ta'zīr,¹¹ and the rest were sentenced under hadd or qisas.¹²

2.2 Drug-related offences and capital punishment

Under international law, the death penalty should only be applied in cases that reach the threshold of “most serious crimes”.¹³ The government has repeatedly indicated its will to abide by this standard of international law, including in its response to the WGAD regarding the case of an arbitrarily detained individual, by claiming that the death penalty is applied only in cases of “most serious crimes”.¹⁴ Crown Prince Mohammed bin Salman has also repeatedly made public assurances to ensure that the death penalty is exclusively applied for crimes of murder and to abolish it for offenses for which Sharia does not mandate capital punishment, such as drug-related crimes.¹⁵

In practice, however, Saudi Arabia continues to impose death sentences for drug-related offences under the Anti-Drugs and Psychotropic Substances Control System.¹⁶ Drug-related offenses are classified as ta'zīr crimes for which punishment range from imprisonment and flagellation to the death penalty as a matter of discretion left to the judge.¹⁷ Submitting organisations have documented and litigated the cases of three individuals sentenced on the basis of this legal framework. In 2025, 240 executions of individuals sentenced for drug-related crimes were publicly announced by the Saudi Press

arabia-alleged-child-offenders-face-death-sentences (accessed 18 February 2026).

¹⁰ MENA Rights Group, *Young Saudi dissident executed by Saudi authorities for protesting while he was a minor*, 14 June 2023, available at: <https://menarights.org/en/case/jalal-al-labbad> (accessed 19 February 2026); MENA Rights Group, *Young Saudi protester executed for acts committed as a minor*, 14 June 2023, available at: <https://menarights.org/en/case/abdullah-al-derazi> (accessed 19 February 2026); MENA Rights Group, *Young Saudi dissident faces execution for protesting as a minor*, 14 June 2023, available at: <https://menarights.org/en/case/yusuf-al-manasif> (accessed 19 February 2026); MENA Rights Group, *Young Saudi dissident sentenced to death for participating in funerals and protests as a minor*, 14 June 2023, available at: <https://menarights.org/en/case/hassan-zaki-al-faraj> (accessed 19 February 2026); MENA Rights Group, *Brother of youngest political prisoner in Saudi Arabia, Murtaja Qureiris, sentenced to death*, 15 June 2023, available at: <https://menarights.org/en/case/jawad-qureiris> (accessed 19 February 2026).

¹¹ WGAD, *Opinion No. 71/2024 concerning Abdullah al-Derazi, Jalal al-Labbad, Yusuf Muhammad Mahdi al-Manasif, Jawad Abdullah Qureiris and Hassan Zaki al-Faraj (Saudi Arabia)*, 18 December 2024, UN Doc.A/HRC/WGAD/2024/71, para.20.

¹² WGAD, *Opinion No. 71/2024 concerning Abdullah al-Derazi, Jalal al-Labbad, Yusuf Muhammad Mahdi al-Manasif, Jawad Abdullah Qureiris and Hassan Zaki al-Faraj (Saudi Arabia)*, 18 December 2024, UN Doc.A/HRC/WGAD/2024/71, available at: <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session101/a-hrc-wgad-2024-71-saudi-arabia-advance-edited.pdf> (accessed 18 February 2026).

¹³ Human Rights Committee, *General Comment No. 36, article 6: right to life*, CCPR/C/GC/36, para. 32ss. Being mindful that Saudi Arabia is not a party to the International Covenant on Civil and Political Rights and therefore not bound by the findings of the Human Rights Committee, we submit nonetheless that it should be taken into consideration in the present analysis on a consultative manner and applied *mutatis mutandis* to countries bound by the right to life under the UDHR. The mandates of the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, considered that the death penalty for drug-related crimes against 29 Egyptians in Saudi Arabia does not reach the threshold of “most serious” crimes, see, UN Special Procedures mandate holders, *UA SAU 5/2024*, 3 December 2024, p. 4.

¹⁴ UN Working Group on Arbitrary Detention, *Opinion No. 36/2022 concerning Hussein Abo al-Kheir (Saudi Arabia)*, 20 October 2022, UN. Doc. A/HRC/WGAD/2022/36, para. 49.

¹⁵ The Atlantic, « Absolute Power », 3 March 2022, <https://www.theatlantic.com/magazine/archive/2022/04/mohammed-bin-salman-saudi-arabia-palace-interview/622822/> (accessed 4 February 2026). This claim was repeated in July 2024 by Saudi Arabia at the UN Human Rights Council, according to which the death penalty “can only be applied to the most serious crimes.” The same statement was reiterated in October 2024 by Saudi Arabia’s representatives at the Committee on the Elimination of Discrimination against Women’s (CEDAW) 89th session. See, Saudi Arabia, 26th Meeting – 56th Regular Session of the Human Rights Council (Item 6: Adoption of the outcome of the Universal Periodic Review of Saudi Arabia), 4 July 2024, available at: <https://webtv.un.org/en/asset/k1t/k1tt6njldu> (accessed on 27 February 2026), minute 52:15 (“...the death penalty ... only for the most serious crimes ...”); Saudi Arabia, Summary record of the 2093rd meeting (CEDAW/C/SR.2093), Eighty-ninth session – Consideration of the fifth periodic report of Saudi Arabia, 22 October 2024, available at: <https://documents.un.org/access.nsf/get?DS=CEDAW%2FC%2FSR.2093&Lang=E&OpenAgent=> (accessed on 27 February 2026), para. 25.

¹⁶ Kingdom of Saudi Arabia, Royal Order No.M/39 dated 08/07/1426H, published on 13 August 2005, available at: <https://laws.boe.gov.sa/BoeLaws/Laws/LawDetails/221b3286-a3c6-4ea4-97c7-a9a700f18273/2> (accessed 19 February 2026).

¹⁷ See article 37 of the Anti-Drugs and Psychotropic Substances Control System Law which translates to: “[...] whoever is proven by Sharia to have committed any of the following acts shall be punished by death as a discretionary punishment.”

Agency.¹⁸ Notably, three Egyptian nationals, amongst others, Farhat Fathi Abdel Maksoud Abu al-Saud,¹⁹ Essam Shazly Ahmed Mohamed,²⁰ and Mohamed Kamel Salah Kamel,²¹ were sentenced to death by the Criminal Court of Tabuk in and executed in 2025.

2.3 Discriminatory application of the death penalty

The cases documented by the submitting organisations reveal a pattern of discriminatory application of the death penalty in Saudi Arabia, most acutely against members of the Shi'a ethno-religious minority and foreign nationals.

Shi'a individuals are frequently arrested, prosecuted, and sentenced to death in connection with the exercise of their freedom of expression, peaceful assembly, and religion or belief.²² In the context of longstanding grievances related to discrimination against the Shi'a community, protests in the Eastern Province intensified during the 2011–2012 period.²³ The authorities responded with a crackdown on individuals suspected of participating in or supporting demonstrations or expressing views critical of the State, resulting in the arrest of numerous Shi'a protesters, including minors, and the use of the death penalty as a punitive measure.²⁴

In 2024, the WGAD adopted an Opinion concerning five young men sentenced to death for acts committed while they were minors, all of whom belong to the Shi'a community.²⁵ These individuals participated, as children, in demonstrations in al-Qatif in 2011 and 2012 protesting the treatment of Shi'a citizens in Saudi Arabia. The cases of Abdullah al-Derazi, Yusuf al-Manasif and Jalal Labbad were included in a communication of the UN Special Procedures dating from June 2024.²⁶

MENA Rights Group and ESOHR have also documented the case of Saud al-Faraj, a Shi'a Saudi businessman sentenced to death in 2022 for protesting during the 2011-2012 al-Qatif demonstrations,

¹⁸ ALQST for Human Rights,, Highest execution toll ever recorded in Saudi Arabia – at least 356 individuals executed in 2025, 1 January 2026, available at: <https://alqst.org/en/post/highest-execution-toll-ever-recorded-in-saudi-arabia-at-least-356-individuals-executed-in-2025> (accessed on 27 February 2026); Reprieve (UK), The Saudi regime executed at least 356 people in 2025 – the most ever in the modern era, 1 January 2026, available at: <https://reprieve.org/uk/2026/01/01/the-saudi-regime-executed-at-least-356-people-in-2025-the-most-ever-in-the-modern-era/> (accessed on 27 February 2026).

¹⁹ For further information on this case, see: <https://menarights.org/en/case/farhat-fathi-abdel-maksoud-abu-al-saud>.

²⁰ For further information on this case, see: <https://menarights.org/en/case/essam-shazly-ahmed-mohamed>.

²¹ For further information on this case, see: <https://menarights.org/en/case/mohamed-kamel-salah-kamel>.

²² UN Working Group on Arbitrary Detention, *Opinion, No. 26/2019 concerning Abdelkarim Mohamed Al Hawaj and Mounir Abdullah Ahmad Aal Adam (Saudi Arabia)*, UN doc. A/HRC/WGAD/2019/26, 9 October 2019, para. 57.

²³ Amnesty International, *Amnesty International Annual Report 2012 – Saudi Arabia*, 2012, noting that “sporadic protests continued, particularly by Shi'a Muslims in Eastern Province who alleged discrimination...” available at: <https://www.refworld.org/reference/annualreport/amnesty/2012/en/85896> (accessed 19 February 2026).

²⁴ Human Rights Watch, *Saudi Arabia: 14 Protesters Facing Execution After Unfair Trials*, 6 June 2017, <https://www.hrw.org/news/2017/06/06/saudi-arabia-14-protesters-facing-execution-after-unfair-trials> (accessed 18 February 2026).

²⁵ WGAD, *Opinion No. 71/2024 concerning Abdullah al-Derazi, Jalal al-Labbad, Yusuf Muhammad Mahdi al-Manasif, Jawad Abdullah Qureiris and Hassan Zaki al-Faraj (Saudi Arabia)*, 18 December 2024, UN Doc.A/HRC/WGAD/2024/71, available at: <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session101/a-hrc-wgad-2024-71-saudi-arabia-advance-edited.pdf> (accessed 18 February 2026).

²⁶ UN Special Procedures, UA SAU 2/2024, 13 June 2024, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=29155>, (accessed 9 February 2026).

object of Opinion No. 26/2024 of the WGAD.²⁷ The WGAD's jurisprudence contains additional cases of Shi'a detainees who were reportedly executed, including Opinions No. 26/2019 and No. 56/2019.²⁸

Similarly, foreign nationals are disproportionately subjected to the death penalty in Saudi Arabia, particularly in cases involving drug-related offences. This pattern became especially evident following the lifting of an informal three-year moratorium on executions for drug offences in 2022, after which executions resumed in cases that had previously been paused.²⁹ Available data indicates that the majority of executions carried out in 2025 concerned drug-related cases (240 individuals) for which at least 81% (188) were non-saudis.³⁰

This discriminatory pattern has been repeatedly raised by UN mechanisms. In December 2024, the SR SUMMEX and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment addressed a joint communication to the Government of Saudi Arabia concerning the execution of three Egyptian nationals and the imminent execution of 29 other male foreign nationals, including 28 Egyptians and one Jordanian.³¹ UN Special Procedures expressed concern that the "individual cases mentioned above lead to presume a discriminatory application of the death penalty for drug offences on foreign nationals, previously raised in the context of Saudi Arabia".³²

In December 2024, the UN Committee on the Elimination of Racial Discrimination (CERD) reviewed Saudi Arabia's human rights record and issued Concluding Observations identifying systemic racial discrimination in the country's criminal justice system.³³ The Committee expressed concern that :

Members of the Shia ethno-religious minority group, migrant workers and domestic workers, including women, are overrepresented in the criminal justice system and disproportionately subjected to arbitrary detention, torture and ill-treatment along with an absence of fair trial guarantees, and with coerced confessions, particularly in cases involving the death penalty.³⁴

The Committee also noted, with particular alarm, a "significant increase in the rate of executions carried out since 2023, in particular among members of the Shia ethno-religious minority group, migrant workers and domestic workers".³⁵

²⁷ MENA Rights Group, *Shia Saudi businessman sentenced to death after refusing to collaborate with Saudi government*, 18 December 2023, available at: <https://menarights.org/en/case/saud-al-faraj> (accessed 19 February 2026); MENA Rights Group and European Saudi Organisation for Human Rights (ESOHR), *UN experts call for release of Saudi businessman sentenced to death*, 26 September 2024, available at: <https://menarights.org/en/articles/un-experts-call-release-saudi-businessman-sentenced-death> (accessed 19 February 2026); UN Working Group on Arbitrary Detention, *Opinion No. 26/2024 concerning Saud bin Mohammed bin Ali al-Faraj (Saudi Arabia)*, 19 September 2024, available at: <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session99/a-hrc-wgad-26-2024-saudi-arabia-aev.pdf> (accessed 19 February 2026).

²⁸ UN Working Group on Arbitrary Detention, *Opinion No. 26/2019 concerning Abdelkarim Mohamed Al Hawaj and Mounir Abdullah Ahmad Aal Adam (Saudi Arabia)*, 9 October 2019, available at: https://www.ohchr.org/sites/default/files/Documents/Issues/Detention/Opinions/Session84/A_HRC_WGAD_2019_26_Advanc eEditedVersion.pdf (accessed 19 February 2026) ; UN Working Group on Arbitrary Detention, *Opinion No. 56/2019 concerning Abbas Hajji Al-Hassan (Saudi Arabia)*, 10 October 2019, available at: https://digitallibrary.un.org/record/3933284/files/A_HRC_WGAD_2019_56-EN.pdf (accessed 19 February 2026).

²⁹ United Nations, *خبران أمميان يريان عن القلق بنتن ان اعداء مواطنين مصريين في السعودية*, 4 December 2024, available at: <https://news.un.org/ar/story/2024/12/1137181> (accessed 9 February 2026).

³⁰ ESOHR, *Saudi Arabia 2025: The Death Penalty Rules*, 2 February 2026, <https://www.esohr.org/en/%D8%A7%D9%84%D8%B3%D8%B9%D9%88%D8%AF%D9%8A%D8%A9-2025-%D8%A7%D9%84%D8%A5%D8%B9%D8%AF%D8%A7%D9%85-%D9%8A%D8%AD%D9%83%D9%85/> (accessed 9 February 2026).

³¹ UN Special Procedures Mandate holders, *UA SAU 5/2024*, 3 December 2024, available at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=29550> (accessed 9 February 2026).

³² *Ibid*; Committee on the Elimination of Racial Discrimination, *Concluding observations of the Committee on the Elimination of Racial Discrimination Saudi Arabia*, 2 June 2003, UN Doc. CERD/C/62/CO/8, para. 18.

³³ Committee on the Elimination of Racial Discrimination, *Concluding observations on the combined tenth and eleventh periodic reports of Saudi Arabia*, 24 December 2024, UN Doc. CERD/C/SAU/CO/10-11.

³⁴ *Ibid*, para.25(a).

³⁵ *Ibid*, para.25(b).

In light of these findings, the Committee urged Saudi Arabia to impose a moratorium on the death penalty with the aim of abolishing it.³⁶ These findings by the CERD are consistent with and corroborate the pattern of cases documented by the submitting organisations in the present report.

3 Practice of torture and ill-treatment during investigation and criminal proceedings

3.1 Systematic use of forced confessions and lack of effective investigation

Across all cases documented by submitting organisations, defendants consistently raised allegations of torture or ill-treatment in the context of interrogations aimed at obtaining confessions that are subsequently admitted as inculpatory evidence in court.

Saud al-Faraj,³⁷ a Saudi businessman arrested in December 2019 in connection with his alleged involvement in protests in al-Qatif, was subjected to repeated acts of torture after refusing to write a false confession, including beatings that left him hospitalised, sexual violence, and threats of collective rape against his wife. His wife was herself coerced into signing a statement incriminating him under threat of having their young child taken away.

Similarly, Jalal al-Labbad,³⁸ sentenced to death for participating in demonstrations to protest against the treatment of the Shi'a minority in al-Qatif when he was a minor, was allegedly subjected to severe physical and psychological torture, including electrocution, suffocation, beatings, and prolonged isolation, to compel him to sign false statements. In multiple cases, including those of five Shi'a individuals sentenced to death for protest-related activities committed while they were minors, confessions obtained under torture were later admitted at trial as the sole evidence for conviction.³⁹

In fact, practice has shown that in Saudi Arabia, most executions and convictions are carried out on the basis of solely forced confessions.⁴⁰ Reliance on forced confessions is compounded by the systematic failure of authorities to investigate allegations of torture. In all cases examined, defendants' made allegations of torture and ill-treatments which were dismissed without inquiry. In Saud al-Faraj's case, despite raising detailed torture allegations during his trial, submitting multiple written complaints to the Specialized Criminal Court (SCC), the Public Prosecutor, the Saudi Human Rights Commission (SHRC), and directly to the Crown Prince, no investigation was initiated and the court failed to assess the admissibility of his confession.

³⁶ Ibid, 26(a).

³⁷ For further information on this case, see: <https://menarights.org/en/case/saud-al-faraj>.

³⁸ For further information on this case, see: <https://menarights.org/en/case/jalal-al-labbad>.

³⁹ Working Group on Arbitrary Detention, *Opinion No. 71/2024 concerning Abdullah al-Derazi, Jalal al-Labbad, Yusuf Muhammad Mahdi al-Manasif, Jawad Abdullah Qureiris and Hassan Zaki al-Faraj (Saudi Arabia)*, 18 December 2024, UN Doc.A/HRC/WGAD/2024/71, para.65.

⁴⁰ Reprieve, *Bloodshed and Lies: Mohammed Bin Salman's Kingdom of Executions*, 31 January 2023, <https://reprieve.org/us/2023/01/31/saudi-arabia-and-the-death-penalty-everything-you-need-to-know-about-the-rise-in-executions-under-mohammed-bin-salman/> (accessed 9 February 2026).

The Special Rapporteur on torture has repeatedly affirmed that confessions should never constitute the sole basis for a conviction,⁴¹ and the WGAD has reiterated that “a forced confession taints the entire proceedings and seriously undermines the fundamental principles of a fair trial.”⁴²

3.2 Denial of procedural safeguards against torture: prolonged solitary confinement, torture and *incommunicado* detention

The submitting organisations documented multiple instances in which individuals sentenced to the death penalty were subjected to successive or repeated periods of isolation, cut off from any contact with family, legal counsel, and the outside world.

Regarding the case of Saud al-Faraj, submitting organisations documented that he was held in solitary confinement from the date of his arrest on 2 December 2019 to 8 August 2021, amounting to a total of more than 20 months, and detained *incommunicado* for this entire period.

All five young men sentenced to death for acts committed while they were minors were also subjected to solitary confinement.⁴³ Jalal al-Labbad was held in solitary confinement twice and for an overall period of nine months.⁴⁴ In the case of Abdullah al-Derazi, submitting organisations documented that he was detained and interrogated for three months at Tarut Police Station and later at Dammam Investigations Prison without any communication with the outside world for three months, while his family remained unaware of his whereabouts, a situation amounting to enforced disappearance.⁴⁵ In the case of Yusuf al-Manasif, family visits were prohibited for five months following arrest.⁴⁶ Similarly, Jawad Qureiris was denied access to both legal counsel and his family during the investigation phase.⁴⁷ Hassan Zaki al-Faraj was held in solitary confinement for three months after his arrest on 28 November 2017.⁴⁸

In another documented case, Mohammad Abdullah al-Faraj⁴⁹ was prevented from contacting his family for one week following his arrest. Farhat Abu al-Saud remained in solitary confinement for four months, during which time he was unable to communicate with the outside world, and his family was not informed of his detention. Additionally, during the period in which he was held in solitary confinement, Mohammad Labbad⁵⁰ was subjected to acts of torture and ill-treatment, such as beating and flogging by multiple individuals at a time with metal wires, kicking on all parts of his body, including his reproductive parts, stepping on his neck until he suffocated, waterboarding, and handcuffing on his hands and feet for long periods of time.

⁴¹ Human Rights Council, *Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment*, 5 February 2010, UN Doc. A/HRC/13/39/Add.5, 2010, paras. 100-101; Human Rights Council, *Resolution 13/19*, 2010, para. 7.

⁴² Working Group on Arbitrary Detention, *Opinion No. 26/2024 concerning Saud bin Mohammed bin Ali al-Faraj (Saudi Arabia)*, 20 September 2024, UN Doc. A/HRC/WGAD/2024/26, para.115.

⁴³ UN Working Group on Arbitrary Detention, *Opinion No. 71/2024 concerning Abdullah al-Derazi, Jalal al-Labbad, Yusuf Muhammad Mahdi al-Manasif, Jawad Abdullah Qureiris and Hassan Zaki al-Faraj (Saudi Arabia)*, 18 December 2024 (adopted at the Working Group’s 101st session, 11–15 November 2024), UN Doc. A/HRC/WGAD/2024/71, available at: <https://documents.un.org/doc/undoc/gen/g24/224/54/pdf/g2422454.pdf> (accessed 19 February 2026).

⁴⁴ *Ibid.*, para. 17 and 47.

⁴⁵ *Ibid.*, para. 8.

⁴⁶ *Ibid.*, para. 23.

⁴⁷ *Ibid.*, para. 35.

⁴⁸ *Ibid.*, para. 39.

⁴⁹ MENA Rights Group, *Saudi protester Mohammad al-Faraj sentenced to death*, 19 March 2025, available at: <https://menarights.org/en/case/mohammad-abdullah-al-faraj> (accessed 19 February 2026).

⁵⁰ MENA Rights Group, *Saudi protester Mohammad Labbad sentenced to death*, 19 March 2025, available at: <https://menarights.org/en/case/mohammad-labbad> (accessed 19 February 2026).

Incommunicado detention has been recognised by the Human Rights Council and the WGAD as a condition that significantly increases the risk of torture or other ill-treatment.⁵¹ Additionally, it is crucial to note that prolonged *incommunicado* detention not only facilitates but may itself constitute torture and other cruel, inhuman or degrading treatment or punishment.⁵² In the case of the five individuals sentenced to death for protesting against the treatment of the Shi'a minority while they were minors, the WGAD found that "prompt and regular access to family members, as well as to independent medical personnel and lawyers, is an essential and necessary safeguard for the prevention of torture as well as for protection against arbitrary detention and infringement of personal security."⁵³

3.3 Conditions of detention on death row

For all those imprisoned in Saudi Arabia's harsh prison system and on death row, conditions are notoriously poor, characterised by overcrowding, inadequate hygiene and sanitation, and widespread medical and administrative neglect.

Prior to their execution, inmates at Tabouk Prison were held in severely overcrowded, unsanitary, and poorly ventilated cells. On 18 February 2025, several inmates initiated a hunger strike to protest restrictions on communication with their families and degrading treatment during medical transfers, including being forced to walk barefoot while handcuffed.⁵⁴

Saudi Arabia routinely carries out executions in cases where individuals reasonably believe their convictions or sentences remain under review. Hussein Abu al-Kheir was executed shortly after being instructed by prison officials to retain counsel in preparation for a retrial. In September 2025, four Egyptian nationals were executed soon after prison authorities reportedly assured them that Crown Prince Mohammed bin Salman had ordered a suspension of their executions pending case review. This false reassurance, followed by their sudden execution without prior notice, caused severe psychological suffering to the prisoners and their families. The former SR SUMMEX has recognised that "prolonged uncertainty and anxiety created by the threat of death and other circumstances surrounding execution" may amount to torture.

4 Absence of an effective moratorium despite official assurances

Saudi Arabia has repeatedly provided assurances, both domestically and internationally, suggesting a move toward restricting the application of the death penalty. The Saudi Human Rights Commission

⁵¹ Human Rights Council, *Report of the Working Group on Arbitrary Detention*, 19 January 2011, UN Doc. A/HRC/16/47, para.54 ; Human Rights Council, *Resolution 8/8 Torture and other cruel, inhuman or degrading treatment or punishment*, 18 June 2008, UN Doc. A/HRC/RES/8/8, para.7(c).

⁵² Human Rights Council, *Resolution 8/8: Torture and Other Cruel, Inhuman or Degrading Treatment*, 18 June 2008, UN Doc.A/HRC/RES/8/8, para.7 (c) ("[Reminds States that] Prolonged incommunicado detention or detention in secret places may facilitate the perpetration of torture and other cruel, inhuman or degrading treatment or punishment and can in itself constitute a form of such treatment, and urges all States to respect the safeguards concerning the liberty, security and the dignity of the person."); Human Rights Council, *Report of the Working Group on Arbitrary Detention*, 19 January 2011, UN Doc.A/HRC/16/ 47, para.54 ("Prolonged incommunicado detention may facilitate the perpetration of torture and other cruel, inhuman or degrading treatment or punishment, and may in itself constitute such treatment.").

⁵³ Working Group on Arbitrary Detention, *Opinion No. 71/2024 concerning Abdullah al-Derazi, Jalal al-Labbad, Yusuf Muhammad Mahdi al-Manasif, Jawad Abdullah Qureiris and Hassan Zaki al-Faraj (Saudi Arabia)*, 18 December 2024, UN Doc.A/HRC/WGAD/2024/71, para.113.

⁵⁴ Reprieve and ESOHR, *Joint Submission to the United Nations Special Rapporteur on Torture – Conditions of detention and treatment in Tabuk Prison, including overcrowding and hunger strike protest*, 9 May 2025, available at: <https://www.ohchr.org/sites/default/files/documents/cfi-subm/global-trends-developments/subm-global-trends-developments-cso-76-reprieve-european-saudi-organisat-ights.pdf> (accessed on 27 February 2026), section 2.3.

(SHRC) has publicly stated that “no juvenile offender will face the death penalty in Saudi Arabia”⁵⁵ and that the abolition of the death penalty for individuals convicted of crimes committed while they were minors “applies to all cases and entered into force immediately upon announcement.”⁵⁶ Similarly, in January 2021, the SHRC announced via social media a moratorium on the death penalty for drug-related offences, presenting it as evidence of a shift toward rehabilitation and prevention.⁵⁷ These assurances have not been translated into binding legal reforms and have failed to prevent the continued imposition and execution of death sentences.

International scrutiny has consistently highlighted these shortcomings. During its 2024 Universal Periodic Review (UPR), Saudi Arabia received at least 35 recommendations concerning the death penalty. Several States urged the Kingdom to establish an official moratorium as a step toward abolition, while Argentina recommended explicitly prohibiting the death penalty for crimes committed by persons under 18 years of age.⁵⁸ These recommendations echo longstanding calls from UN mechanisms to institute a moratorium with a view to its full abolition.⁵⁹

5 Conclusion and recommendations

In conclusion, and in light of the above-mentioned considerations, we believe that in the context of the Special Rapporteur’s thematic report to be presented at the 62nd session of the Human Rights Council on the death penalty from the perspective of the prohibition against torture and other forms of ill-treatment and the protection of human dignity, it would be highly important to call on the Saudi authorities to:

- Establish an immediate, official, and legally binding moratorium on all executions, with a view to the full abolition of the death penalty, in line with repeated recommendations by United Nations mechanisms;
- Deliver on its commitments to end the use of the death penalty for child defendants and those convicted of non-lethal offences, pending full abolition of the death penalty;
- Ensure that public statements obtained under torture or other ill-treatment are absolutely excluded from evidence in all criminal proceedings, including capital cases;
- Establish independent, prompt, and effective investigations into all allegations of torture or ill-treatment, particularly in cases resulting in death sentences, and ensure that perpetrators are held accountable;
- Ensure that conditions of detention during criminal proceedings and on death row comply with international standards, including access to adequate medical care, contact with family, and protection from psychological suffering amounting to ill-treatment.
- Consider the death penalty, in all its forms, as violating the prohibition of torture, without exception.

⁵⁵ Saudi Human Rights Commission’s Twitter account (@HRCSaudi_EN), 21 October 2020, https://x.com/HRCSaudi_EN/status/1318935445284278273?s=19 (accessed 4 February 2026).

⁵⁶ Ibid.

⁵⁷ Saudi Human Rights Commission’s Twitter account (@HRCSaudi_EN), 18 January 2021, https://x.com/HRCSaudi_EN/status/1351087958565281793 (accessed 4 February 2026).

⁵⁸ Human Rights Council, *Report of the Working Group on the Universal Periodic Review, Saudi Arabia*, 14 March 2024, UN Doc. A/HRC/56/4, https://upr-info.org/sites/default/files/country-document/2026-01/A_HRC_56_4_E.pdf (accessed 4 February 2026), paras.43.92-43.107.

⁵⁹ CERD, *Concluding Observations on the combined tenth and eleventh periodic reports of Saudi Arabia*, 24 December 2024, UN Doc. CERD/C/SAU/CO/10-11, <https://docs.un.org/en/cerd/c/sau/co/10-11> (accessed 9 February 2026), para.26.

MENA Rights Group is a Geneva-based legal advocacy NGO defending and promoting fundamental rights and freedoms in the Middle East and North Africa (MENA) region. Adopting a holistic approach, we work at both the individual and structural level. We represent victims of human rights violations before international law mechanisms. In order to ensure the non-repetition of these violations, we identify patterns and root causes of violations on the ground and bring key issues to the attention of relevant stakeholders to call for legal and policy reform.