**The main guarantees that protect the rights of persons facing the death penalty according to Saudi Arabia's laws**

This paper was prepared for contributing to the preparation of the Secretary-General report on the question of the death penalty, which included the safeguards guaranteeing the protection of the rights of those facing death penalty, and the most notable legislations related to this include the following:

1. The death penalty in Saudi Arabia is imposed only in the most serious crimes, and in accordance with a legislative provision, it is issued only on the basis of conclusive and substantial evidence, according to a final judgment issued by a competent court and after all legal guarantees fulfilling, including access to legal assistance. The death sentence issued by the Court of First Instance is subject to the Mandatory Appeal to the Court of Appeal, and subsequently reviewed by the Supreme Court, and therefore such cases are considered by (13) judges in the various stages of judicial review.
2. 8. With regard to the prohibition of applying the death penalty to people under the age of 18 when committing the crime, the Juveniles Law which issued under Royal Decree No. (M/113) dated July 31, 2018, which contain the provisions and measures necessary for dealing with juvenile delinquents, including arrest, investigation and prosecution, in a manner appropriate to their age in order to rehabilitate them, and Article (15) states that if the crime committed by the juvenile is punishable by death, the sentence shall be reduced to a term of not more than 10 years detention in a juvenile detention institution.
3. Issuance of the Royal order in 2020, that ending the application of the death penalty for individuals convicted of crimes committed while they were minors before the Juveniles Law came into force.
4. Regarding pregnant women facing death penalty, Article (157/3) of the Executive Regulations of the Criminal Procedures Law stipulates that the execution of the death penalty shall be postponed for a pregnant or breastfeeding woman until the termination of her pregnancy and the period of breastfeeding her child.
5. For people with mental or intellectual disabilities, the criminal judgments are issued only to those who were fully competent and legally responsible when committing the crime.
6. With regard to children of parents facing the death penalty, the Child Protection Law issued by Royal Decree No. (M/14) dated 11/25/2014 included provisions that protect every person under the age of 18 by facing abuse and neglect that may be exposed to them. The law also required taking the measures to provide the necessary care to the child who is subject to such a situation. The Executive Regulations of the Child Protection Law included that in case of child’s parents absence due to death, imprisonment or any other reasons, the relevant authorities shall take all necessary measures and actions to protect this child from deviation that endangers his psychological or physical safety.
7. The Criminal Procedures Law stipulates in Article (2) of the Criminal Procedures Law stipulates that “A person under arrest may not be subjected to any bodily or moral harm, nor torture or degrading treatment.”, and in Article 4 that “An accused person may seek the assistance of a legal representative or an attorney to defend him during investigation and trial,” and the accused person shall be notified upon his arrest or detention of this right in accordance with Article (22) of the executive regulations of the Criminal Procedures Law, and in Article (102) of the same law stipulates that “The interrogation shall be conducted in a manner not affecting the will of the accused in making his statements. The accused may not be asked to take an oath nor subjected to any duress measures …”.
8. Article (70) of the Criminal Procedures Law stipulates that “The investigator may not, during the investigation, separate the accused from his legal representative or attorney. The legal representative or attorney may not intervene in the investigation except with the permission of the investigator. In all cases, the legal representative or attorney may deliver to the investigator a written memorandum of his comments and the investigator shall attach such memorandum to the case file”.
9. Article (139) of the Criminal Procedures Law stipulates that “In major crimes, the accused shall personally appear before the court, without prejudice to his right to seek legal assistance. If the accused person cannot afford appointing an attorney, he/she may request the court to appoint one for his defense at the expense of the State in accordance with the regulations”. The “Mechanism for Hiring a Lawyer at the State’s Expense for the Accused in Major Crimes” was also issued, clarifying the mechanism for disbursing the entitlements of lawyers appointed by the state to defend the accused in these crimes.

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