

**In the Matter of Waleed Abulkhair v. The Kingdom of
Saudi Arabia**

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APPENDIX I

Statement by the Petitioner to the Specialized Criminal Court on 26 June 2014. (English translation)

Your Honour,

After I meditate and asked God for support and patience, I have decided not to cooperate with this court and this trial as it has been settled in myself that it lacks justice, in addition to the lack of neutrality from your side for the following reasons:

1- I have been accused in a previous lawsuit for asking for a constitutional monarchy, contempt of the judiciary, harming the Kingdom's image, and contacting human rights organizations. The judge (who was before you, from the same office judiciary and the same court) Sheikh Mohammed Al-Dosari decided lack of jurisdiction and the case was transferred to Judge Sheikh Abdul Majeed Alshowaihi, (judge in criminal court in Jeddah) and I have been sentenced with three months, during that, The prosecutor filed another lawsuit against me with similar charges, he just re-arranged them. However, you have insisted that it falls under your judiciary without explanation although you have promised to do so.

2- The prosecutor has accused me with participating in establishing the Saudi Civil and Political Rights Association (SCPRA) where all its founders (dr. Abdullah al-Hamed, dr. Mohammed al-Qahtani, dr. Abdulkarim Alkhidr, Omar Saeed, Issa al-Hamid, Fauzan Al Harbi) have been tried in their place of residence, and some of them have received final provisions based on the same charges I am facing and more, so why I am an exception?

The prosecutor's has requested some time to reply on this point but he never did, on the other hand, you have not confirmed his inability to do so.

This confirms that the jurisdiction of this court is blurry and it is controlled by the prosecutor of the Ministry of the Interior and any other court he wanted to refer to.

3- Your Honour have ordered to arrest me without mentioning the reasons, then you have sent to the Minister of the Interior requesting his opinion regarding my release, while he (the minister of interior) was able not bring me to the court from beginning if I agreed to sign a pledge. However, when I refused, to sign, the prosecutor continued in threatening me to be in jail for years based on your judgment and your court, but I was in doubt by that time.

4- Your Honour have arrested me for two months and a half now, I was deprived from my simplest rights, moving between four prisons, where I have mistreated and being psychologically and physically tortured, and when I informed you during the second session about what happened to me from solitary confinement and inability to sleep, I have transferred immediately from your office to the criminal investigation prison while deprived of my clothes but what I am wearing. Additionally, I was deprived from my medicines for diabetes, barred from contacting anyone or to be visited, I was kept on the ground without even a blanket.

5- The prosecutor has fragmented his prosecutions, requesting for multiple punishment and multiple trials against me, as the investigation's records included the subject of the statement I have signed, in which I was sentenced to prison already. However, the prosecutor repeated the same charge (contempt of the judiciary) from the same records in addition to other facts.

Your Honour, before you, four judges have looked on the subject of the same charges: 2 Judges from the Special Criminal Court of Terrorism, Sheikh Mohammed Al-Dosari and Sheikh Mohammed Muslim, and 2 judges from the Criminal Court in Jeddah: Sheikh Abdul Majeed Alshowaihi and Sheikh Nasser bin Atiq, each of them was pushing the case from himself until the a decision has been issued by the Court of Appeal in the prior case to compel Sheikh Alshowaihi to look at the case, While you have ordered my arrest without hearing one word from my reply.

Accordingly, I will never respond to the merits of this case and this is my last reply.

I ask anyone facing the same, to exonerates the judiciary from things he hates, do not recognize this court and do not cooperate with it.

I will be waiting your judgment, which I expect it to be so many years in jail, asking god to keep me holding on my pains, bearing the consequences of what I did as he (god) always reward of the reformers.

Waleed Sami Abulkhair

بسم الله الرحمن الرحيم

فضيلة الشيخ / يوسف بن غنم لله الغامدي
القاضي بالحكمة الجزائية المتخصصة
السلام عليكم ورحمة الله وبركاته وبعد :

فاينى وبعد لتأمل سؤال الله عز وجل العود ولا بعد قررت عدم
التجارب مع هذه المحكمة وهذه المحكمة حيث استمر في نفس
افتقارها للعدالة وعدم حيادية قضايتكم وذلك بناء على
الأشياء التالية :

١- أنهت في دعوى سابقة بالمطالبة بالملكية الدستورية
ما زراء القضاء وتوجيه سمعة المحاكم والتواصل مع منظمات
حقوقية، وحكم القاضي الذي سبقكم في ذات المكتب لقضائي
و ذات المحكمة الشيخ عاتق لدرسين بعدم الاختصاص وأعطيت
القضية للشيخ عبد المجيد لتوجيه القاضي في المحكمة الجزائية
بجدة وحكم على بالسجن ثلاثة شهور وفي أثناء ذلك حاكم
المدعي العام برفع قضية أخرى بتهمة مشابهة فقط أثناء ترقبها
و أنهم فضيلتكم على اختصاصكم بالنظر في الدعوى دور إنشاء
مستغاث على الرغم من عدمكم بذلك ...

٢- انتهى المدعي العام بالمهاجمة في إنشاء جمعية باسم
حوكم مؤسسوها : (د. عبد الله محمد ، د. محمد لقمان ، د. عبد الكريم خضر ،
محمد سعيد ، عيسى حامد ، نوراني محري) جميعهم في المحاكم الجزائية
على إقامتهم وحديث جمع بعضهم أحداثاً اكتسبت القضاة تأسيساً
على ذات لهم إلى وجهت في وزارة (فرضه صراحة مع لوائح لعداوى)

فلمّا دُرِ استَشَاحِي أَنَا ، الأَمْرَ الَّذِي حَلَّتْ الحُرُفُ لِعَامِ
هَذِهِ مِنْ فَضِيلَتِكُمْ لِلْإِجَابَةِ عَلَيْهِ ، وَلَمْ يَجِبْ ، وَلَمْ يَنْبَغِ فَضِيلَتِكُمْ
مِنْهُ ..

فَمَا يُؤَكِّدُ عَلَى ضَرَابِيَةِ اخْتِصَاصِ هَذِهِ الْحُكْمَةِ وَأَنَّهَا خُصَّ
تَحْكُمُ بِهِ قَبْلَ الْإِدْعَاءِ لِعَامِ النَّاسِ لَوَازِرِهِ الْخَاصَّةِ وَأَنَّ
حُكْمَهُ سَاءَ الْإِحْوَالَةِ إِلَيْهَا ...

٣- أَمْرُ فَضِيلَتِكُمْ بِإِقَامَتِي دُونَ ذِكْرِ أَسْبَابِهِ ثُمَّ أَرْسَلْتُمْ
لِعَزِيمِ الْخَاطِمَةِ حُلْبَةً فِي لُطْفٍ بَنَانٍ الْإِفْرَاجِ عَنِّي
وَهُوَ الَّذِي كَانَ بِإِطْلَاقِهِ أَنَّهُ لَا يَحِيلُنِي إِلَى حُكْمَةِ ابْتِدَاءٍ
إِلَيْهِ وَافَقْتُ عَلَى التَّوَسُّعِ عَلَى تَقَرُّهِ ، فَتَرَى إِذَا رَفَضْتُ
اسْتَرْسَلَ الْإِدْعَاءَ لِعَامِ فِي تَهْدِيدِهِ بِكُمْ وَبِإِسْخَاطِ سَرَائِرِ
بَنَانِ عَلَى حُكْمِكُمْ وَمَخَافَتِكُمْ ، وَكَذَلِكَ أَنْزَلَ فِي سَلَمِهِ
ذَلِكَ ..

٤- أَمْرُ قَضَائِي مِنْ شَرِيهِ وَرَفَضْتُ حُرْمَتِي بِأَنْ يَكُونَ حَتُومًا ،
مُسْتَقْلَابِيهِ أَرْبَعَةً سَبْعُونَ ، شَرِيفًا يَلْجَأُ إِلَى التَّقْذِيبِ لِقَضَائِي
وَالْحَدِيثِ مِنْ سَوْدِ الْعَامِلَةِ ، وَعِنْدَنَا الْإِطْلَاقُ فِي الْجُلُوسِ الْكُنْهِي
أَعَانَكُمْ عَلَى مَا جَرَى لَكُمْ مِنْ حَبْسِ الْفَرَادِيِّ وَتَسْهِيرِ نَفْسِي
عَلَى الْفُورِ مِنْ مَكْتَبِكُمْ إِنَّا لَجِئْنَا الْكُنْهِي حُرُومًا مِنْ مَلَابِسِي
إِلَّا لِي عَلَى وَجْهِ أَدْوِيَةِ طَرَفِي لِنُكْرِ وَثَرِهِ وَمَعْنُوًّا مِنْ
مِنْ لَاتَّصَالُ مِنَ الزَّيَارَةِ مَوْضُوعًا عَلَى الْأَرْضِ دُونَ مَنَ الْخَافَةِ ... !

٥ تجزئة لدرعي العام لدعواه حكماً في تقدير العقوبة وتقدر
الحالجات ضده، حيث أنه محاضر التحقيق التي أنتمكم
حوت موضح البينة الذي حكم على مجرمه بالسجن ومع
ذلك يعيد المدعي العام ذات لفة وهي الزدراء لقضاء
وليسل به ذات محاضر التحقيق وماتع أضرت ..

فصلتكم لقد نظر به صلبكم أربع قضاة في موضوع لائق
ذاً وهم : قاضي المحكمة الجزائية المختصة بقضايا الإرجاء
السج عاتق للدسري والسج محمد طلم وقاضي
المحكمة الجزائية بمحكمة جده وهما : السج عبد الجيد
التويج والسج ناصر بن عتيق ، وجميعهم كان يدين
القضية عنه نفسه من حدود قرار محكمة الاستئناف في القضية
الرافعة بالزام السج التويج بالنظر في ...
بينما فصلتكم وره أنه شمع من كلمة جوابية واحدة أمرت
باعتقالي ...

عليه ياتي أحيط فصلتكم بأي له أرد على موضوع
الدعوى أبداً وهذا آخر رد لي أقدم به ...
دائماً كل به يقف موقف هذا أنه يرى القضاء مما يحركه
فلا يعترف بهذه المحكمة ولا يتجاوب مع هكذا حالة ..

وأن منتظر حكمكم والذي أوقف حكماً بالسجن عند حيد
سألاً الله عز وجل أنه يجعلني جديراً بالامني متحملاً لثقات
أحمالي إنه لا يضع أجر لصلحي

مقدم / وليد ساري أبو الخير

مليح

١٤٣٥ / ٨ / ٢٨

Penal Law for Crimes of Terrorism and its Financing,

Royal Decree No. 44 (12/2013)

Definitions

Article I

Whenever used in this law, the following words and phrases shall have the meanings assigned to them unless the context otherwise requires.

A - Terrorist Crime

An act committed by an offender in furtherance of a criminal enterprise, whether individually or collectively, directly or indirectly, which is intended to disturb public order, or undermine the security of society and the stability of the state or which endangers national unity, the Constitution (Basic Law) or any part thereof, or which defames the state or position, or causes damage to a state facility or natural resource, or which attempts to compel an officer or employee to take action or refrain from taking action within the scope of his duties due to threats.

B - The Offense of Financing Terrorism

Any act that involves the collection, receipt, conversion or movement of funds, in whole or in part for the purpose of any terrorist activity individually or collectively, whether structured or unstructured, at home or abroad, either directly or indirectly, from a legitimate or illegal source, is an offense.

Anyone who uses any bank or banking process, whether financial or commercial, in order to obtain, directly or through the mediation of another, funds to exploit them to his advantage, or for the advocacy and promotion of terrorism, its principles, or management, training places, or to harboring elements, or provide them with any kind of weapons or falsified documents, or provide them with any

ways or means of support or funding with intent, or which constitutes an offense within the scope of one of the agreements contained in the annex to the International Convention for the Suppression of the Financing of Terrorism, as defined in those agreements has committed an offense.

C - Money

Assets or property of any value or type whether tangible or intangible, movable or immovable; documents, instruments and certificate in whatever form, including electronic systems or digital and bank credits that indicate ownership or interest therein, including but not limited to all types of checks, money orders, shares, securities, bonds, drafts and letters of credit.

D - Seizure

A temporary ban on the transfer of funds and their proceeds and means, or their conversion, transportation or movement on a temporary basis; based on an order issued by a court or competent authority.

E - Utilities and Public and Private Property

Real and personal property owned by the state or [persons with the general moral character], or which are dedicated to the public interest including existing installations belonging to the state, or activities relating to public utilities. This definition shall include real and personal property belonging to individuals or persons with special moral status, or the diplomatic corps, or international organizations or humanitarian bodies operating in the country.

Jurisdiction

An investigating or prosecuting authority authorized to conduct investigations of the violation of crimes specified by this law under the provisions of this law.

Article 2 [Terrorist Crimes Punishable]

The crimes of terrorism and financing of major crimes shall be punishable under the law.

Article 3 {Extraterritorial Application}

As an exception to the principle of territoriality, this law shall apply to anyone, whether of Saudi or foreign nationality, who commits or aids and abets in the commission of an offense described in this law while outside the Kingdom of Saudi Arabia whose aim is the following:

- 1 - Regime change in Saudi Arabia.
- 2 - Abolition of the Constitution or any part thereof
- 3 - Download State to do or abstain.
- 4 - Assault on Saudis abroad.
- 5 - Damage to Saudi public property abroad, including embassies or other diplomatic or consular premises.
- 6 - Commission of a terrorist crime while on board a Saudi-flagged or registered vessel or means of transport.
- 7 - Commission of an act undertaken to sabotage the economy, undermine national security or social interests of the Kingdom of Saudi Arabia.

Article 4 [Arrest Warrants]

The Minister of the Interior shall issue an arrest warrant for anyone suspected of having committed the offenses set forth in this law and may establish guidelines for the issuance of such warrants.

Article 5 [Investigative Detention]

Detention of those so arrested shall be for an initial period of up to six months in the aggregate to permit the investigation of the offense under this law. If the investigation so requires, the period of investigative detention may be extended for an additional period of six months in accordance with the regulations. Cases that require an additional investigative period must be referred to the Specialized Criminal Court for approval of the request for additional investigative detention.

Article 6 [Contact with Investigative Detainee]

Without prejudice to the right of the Investigative Detainee to contact his family to inform them of his arrest; an order may be issued to prevent other contact

with the accused for a period not to exceed 90 days, if in the interest of the investigation. If the investigation requires a longer period the matter must be referred to the Specialized Criminal Court for approval.

Article 7 [Bail Pending Investigation]

Provisional release of a detainee is not authorized except by order of the Minister of Interior or his authorized representative.

Article 8 [Specialized Criminal Court; Jurisdiction and Appeals]

The Specialized Criminal Court shall have jurisdiction over all offenses defined by this law as well as claims for compensation arising out of administrative actions undertaken in accordance with this law. Rulings of the Specialized Criminal Court may be appealed to special departments of the Court of Appeal or the Supreme Court as appropriate.

Article 9 [Default Judgment]

The Specialized Criminal Court may issue a default judgment against a defendant guilty of any offense under this law *in absentia* if notification of the proceedings was accomplished by service of process, or public notice through the official media. If convicted, the defendant shall have the right to challenge the conviction.

Article 10 [Right to Counsel]

Every person accused of a crime under this law has the right to be represented by counsel who will be afforded sufficient time to prepare a defense.

Article 11 [Multiple Offenses]

In the case of multiple related offenses, a single crime defined by this law shall be sufficient to bring the matter within the jurisdiction of the Specialized Criminal Court.

Article 12 [Experts, Witnesses, Ex-parte Testimony, Protection]

The Court may use experts and may call and examine them concerning the contents of the arrest warrant and investigation and where appropriate, may receive their testimony and testimony from other witnesses ex parte outside the presence of the accused or his attorney in coordination with the Public Prosecutor and without revealing the identity of the expert or witness. The Court shall provide the necessary procedural protections to protect the identities of the expert and witnesses as the circumstances of the case may require and with due care for potential danger.

Article 13 [Access to Financial Records]

As an exception to the rules relating to banking secrecy, in exceptional cases within the judgment of the Minister of the Interior, the Saudi Arabian Monetary Agency shall permit access or access to data or information relating to the accounts or deposits or safety deposit boxes or funds or movements of funds with respect to any financial institution if there is sufficient evidence under investigation concerning the commission of an offenses under this law. The Minister of the Interior in coordination with the Governor of the Saudi Arabian Monetary Agency shall issue appropriate implementing regulations.

Article 14 [Subpoena Power, Access to Records]

All parties shall provide access to the appropriate criminal investigating authority and their investigating agents to information and data on the crime of terrorism financing which in their discretion is required for the completion of an investigation.

Article 15 [Private Rights, No Suspension of Investigation]

The investigation or prosecution of crimes under this law shall not be halted or suspended due to the complaint of a victim, his agent or his heirs. Any private rights sought to be enforced shall be presented to the Specialized Criminal Court upon the completion of the investigation.

Article 16 [Entry onto Land, Warrantless Entry, Exigent Circumstances]

The Minister of the Interior or his delegate may enter homes and offices for inspection and arrest of any charge relating to an offense under this law at any time during the period specified in the warrant, and in the case of necessity is not required to obtain permission to do so as long as a record stating the basis for the warrantless entry and the existence of exigent circumstances.

Article 17 [Interception of Communications Authorized]

The Minister of the Interior or his delegate may monitor communications, letters, parcels, publications and other means of communication including but not limited to telephone conversations, whether written or recorded in furtherance of the investigation of an offense which has occurred or which is likely to occur.

Article 18 [Investigative Seizure of Funds]

The Minister of the Interior or delegate may order the provisional seizure, for a period of up to three months, renewable for a similar period or periods, of the money or the proceeds or means that are suspected to be used in the commission of an offense under this law, until the completion of the investigation. Implementation of such a seizure order shall be without delay.

Article 19 [Court-Ordered Seizure]

During the course of proceedings, the Specialized Criminal Court may order the seizure of funds, proceeds or means, or to extend an existing seizure order until the completion of trial. Such seizure orders shall be implemented by the regulatory and supervisory authorities without delay.

Article 20 [Immunity for Compliance with Lawful Orders]

Immunity shall be afforded to the heads of the boards of directors of financial institutions and businesses as well as non-financial professionals and non-profit organizations, and their members, and their owners, and their employees and agents, from criminal liability that could result from the implementation of a

lawful order issued pursuant to this law, without regard for any other legal obligation to maintain the confidentiality of information, unless it is proved that they have acted in bad faith in order to harm the target of the investigative order.

Article 21 [Remission of Punishment upon Evidence of Rehabilitation]

The Specialized Criminal Court may, upon the presentation of reasonable grounds for believing that the defendant has been rehabilitated and will not commit another offense under this law - remit the sentence by no more than half of that previously imposed. The court must show that the reasons relied upon for remission of sentence and the judgment must be approved by the Specialized Court of Appeals. If the defendant is rearrested for another terrorist crime, the previous remission shall be rescinded and the remaining sentence imposed, without prejudice to the penalty prescribed for the new crime.

Article 22 [Conspiracy]

Conspiracy between two or more for the commission of any offense under this law shall merit increased punishment.

Article 23 [Cooperation with other Authorities]

Without prejudice to a private right, the Minister of the Interior may halt proceedings in order to cooperate with the competent authorities during the investigation and arrest of any offenders who have committed a crime of similar type and severity who may be at-large so as to guide the competent authorities or security personnel in the prevention of dangerous criminal schemes similar to the type and seriousness of that committed.

Article 24 [Release of Offender at Request of Ministry of the Interior]

The Minister of the Interior may obtain the release of a detained or sentenced offender during the execution of the sentence [for the purpose of further investigation].

Article 25 [Prolonged Detention Review Committee]

An accused or a person convicted of an offense under this law who claims his detention has been improperly prolonged or whose imprisonment exceeds the prescribed period may petition the Minister of Interior or his deputy for relief. The Minister will convene a Review Committee composed of three members including a legal advisor to consider the petition. The Review Committee will issue a decision within 60 days from the date of the petition and will rule by majority vote.

Article 26 [Rehabilitation Centers]

Specialized centers shall be established for the purposes of the rehabilitation of those arrested and convicted of any offenses under this law in order to correct their thoughts and to strengthen their community ties. Rules for these centers, their staffing and compensation shall be in accordance with a decision by the Minister of the Interior. The investigative authorities may admit into such centers persons arrested or those who have been informed upon and that are suspected and feared, instead of detaining such persons.

Article 27 [Reform and Rehabilitation or Officer]

The Minister of the Interior shall establish a position called «the Reform and Rehabilitation Officer». The Officer shall supervise the detainees and those convicted of any of the offenses under this law in order to facilitate their reintegration into the community, to strengthen their community ties and to correct any misconceptions they have. The Minister of the Interior shall issue rules regulating this office and compensation for its employees.

Article 28 [Classification of Detainees]

The Minister of the Interior shall issue regulations covering security measures, rights and obligations of prisoners, violations and penalties , and classify detainees and prisoners inside detention centers and prisons, in order to implement the goals of this law, and taking into account what is required to correct the detainees' social [attitude], and to provide for their health and

well-being.

Article 29 [Confidentiality]

Confidentiality of information obtained due to investigations of criminal violations of the provisions of this law shall be maintained and shall not be revealed, except for proper uses by the competent authorities, and shall not be disclosed to any person except as provided for by law.

Article 30 [Exchange of Information]

Information may be exchanged by and between the competent authorities of the Kingdom of Saudi Arabia and with their counterpart agencies in other countries with which the Kingdom has agreements or treaties in force, or on the basis of reciprocity.

Article 31 [Statute of Limitations]

1 - There shall be no statute of limitations with regard to any of the offenses set forth under this law.

2 - In cases of terrorism or its financing, where the accused has been declared incompetent, the matter shall be referred to the Specialized Criminal Court for disposition in accordance with the law.

Article 32 [Standing Committee for the Fight Against Terrorism]

In order to implement Security Council Resolutions Nos. 1267 and 1373 and the relevant resolutions issued by the Minister of the Interior, there is established a Standing Committee for the Fight against Terrorism within the Ministry of the Interior.

Article 33 [Duties of Committee]

The Standing Committee for the Fight against Terrorism shall receive requests from countries, agencies and organizations in relation to the resolutions of the Security Council on combating the financing of terrorism.

Article 34 [Mutual Legal Assistance]

Requests for Mutual Legal Assistance shall be referred to the Ministry of Interior concerning the financing of terrorism offenses.

Article 35 [Financial Intelligence Unit]

There is established a Financial Intelligence Unit in the Ministry of Interior as a centralized, national instrumentality to receive communications concerning any suspicion of a crime of terrorist financing and in order to collect information conduct analysis and dissemination of information, for the purposes of Article 18 of this law and the exchange of information with agency counterparts in accordance with the provisions of Article 25 of the Anti-Money Laundering Law.

Article 36 [FIU Investigation and Seizure]

Without prejudice to the rights of bona fide third party, the Financial Intelligence Unit may investigate the provenance of funds, property and assets and instrumentalities used in the commission of the offense of financing terrorism, all of which may be subject to confiscation.

Article 37 [FIU Exchange of Information]

The Financial Intelligence Unit may exchange information disclosed by financial institutions and businesses as well as non-financial professionals and non-profit organizations with other competent authorities in the Kingdom, with the condition to maintain the confidentiality of such information and to disclose it only to the extent that necessary for use in investigations or proceedings relating to the crime of financing terrorism.

Article 38 [Extradition]

A person convicted of the crime of financing terrorism may be extradited to another state pursuant to an agreement in force between the Kingdom and the requesting state, or on the basis of the principle of reciprocity. If an extradition request regarding the offense of financing terrorism is refused, the competent courts in the Kingdom shall rule in the case, and any investigation by the State requesting extradition shall be used as evidence in such cases.

Article 39 [Applicability to Financial Institutions]

Regulations relating to combating money laundering in relation to crimes of financing terrorism or terrorist acts or terrorist organizations or terrorist financiers shall apply to financial institutions, businesses as well as non-financial professionals and non-profit organizations, in relation to crimes of financing terrorism or terrorist acts or terrorist organizations or by terrorist financiers.

Article 40 [Applicability of Criminal Procedure Code]

The provisions of the Criminal Procedure Code shall be applicable in any prosecution except as provided for herein.

THE BASIC LAW OF GOVERNANCE

The Custodian of the Two Holy Mosques, King Fahd Bin Abdulaziz Al-Saud issued a Royal Decree embodying the Basic Law of Governance. The following is the text of the Decree.

In the name of God, the most compassionate, the most Merciful.

No: A/90

Dated 27th Sha'ban 1412 H (1 March 1992)

With the help of God, we, Fahd Bin Abdulaziz Al-Saud, Monarch of the Kingdom of Saudi Arabia, having taken into consideration the public interest, and in view of the progress of the State in various fields and out of the desire to achieve the objectives we are pursuing, have decreed the following:

- That the promulgation of the Basic Law of Governance is as the attached text.
- That all regulations, orders and decrees in force shall remain valid when this Basic Law comes into force, until they are amended to conform with it.
- That this decree shall be published in the Official Gazette, and shall come into force on the date of its publication.

CHAPTER ONE GENERAL PRINCIPLES

Article 1:

The Kingdom of Saudi Arabia is a sovereign Arab Islamic State. Its religion is Islam. Its constitution is Almighty God's Book, The Holy Qur'an, and the Sunna (Traditions) of the Prophet (PBUH). Arabic is the language of the Kingdom. The City of Riyadh is the capital.

Article 2:

The State public holidays are Eid Al Fitr (the Feast of Ramadan) and Eid Al Adha (The Feast of the Sacrifice). Its calendar follows the Hijri year (the lunar year).

Article 3:

The flag of the State is as follows:

- (a) Its color is green
- (b) Its width equals two thirds of its length

The words: "There is no god but God and Mohammed is His Messenger" are inscribed in the center, with a drawn sword underneath. The flag should never be inverted. The Law will specify the rules pertaining to the flag.

Article 4:

The State's Emblem represents two crossed swords with a palm tree in the middle of the upper space between them. The Law will define the State's Anthem and medals

CHAPTER TWO THE LAW OF GOVERNANCE

Article 5:

- Monarchy is the system of rule in the Kingdom of Saudi Arabia
- Rulers of the country shall be from amongst the sons of the founder King Abdulaziz bin Abdulrahman Al-Faisal Al-Saud, and their descendants.
- The most upright among them shall receive allegiance according to Almighty God's Book and His Messenger's Sunna (Traditions).
- The Crown Prince shall devote himself exclusively to his duties as Crown Prince and shall perform any other duties delegated to him by the King.
- Upon the death of the King, the Crown Prince shall assume the Royal powers until a pledge of allegiance (bay'a) is given.

Article 6:

In support of the Book of God and the Sunna of His Messenger (PBUH), citizens shall give the pledge of allegiance (bay'a) to the King, professing loyalty in times of hardship and ease.

Article 7:

Government in the Kingdom of Saudi Arabia derives its authority from the Book of God and the Sunna of the Prophet (PBUH), which are the ultimate sources of reference for this Law and the other laws of the State.

Article 8:

Governance in the Kingdom of Saudi Arabia is based on justice, shura (consultation) and equality according to Islamic Sharia.

CHAPTER THREE THE VALUES OF SAUDI SOCIETY

Article 9:

The family is the nucleus of Saudi Society. Members of the family shall be raised in the Islamic Creed, which demands allegiance and obedience to God, to His Prophet and to the rulers, respect for and obedience to the laws, and love for and pride in the homeland and its glorious history.

Article 10:

The State shall aspire to promote family bonds and Arab-Islamic values. It shall take care of all individuals and provide the right conditions for the growth of their talents and skills.

Article 11:

Saudi society is based on full adherence to God's guidance. Members of this society shall cooperate amongst themselves in charity, piety and cohesion.

Article 12:

Consolidation of the national unity is a duty. The State shall forbid all activities that may lead to division, disorder and partition.

Article 13:

The aim of education is to implant the Islamic Creed in the hearts of all youths, to help them acquire knowledge and skills, to qualify them to become useful members of their society, to love their homeland and take pride in its history.

CHAPTER FOUR ECONOMIC PRINCIPLES

Article 14:

All natural resources that God has deposited underground, above ground, in territorial waters or within the land and sea domains under the authority of the State, together with revenues of these resources, shall be the property of the State, as provided by the Law.

The Law shall specify means for exploitation, protection and development of these resources in the best interest of the State, and its security and economy.

Article 15:

No concessions or licenses to exploit any public resources of the country shall be granted unless authorized by provisions of the Law.

Article 16:

Public funds are inviolable. They shall be protected by the State and safeguarded by all citizens and residents.

Article 17:

Ownership, capital and labor are basic components of the economic and social entity of the Kingdom. They are personal rights which perform a social function in accordance with the Islamic Sharia.

Article 18:

The State shall guarantee private ownership and its sanctity. No-one shall be deprived of his private property, unless in service of the public interest. In this case, a fair compensation shall be given to him.

Article 19:

General confiscation of assets is prohibited. No confiscation of an individual's assets shall be enforced without a judicial ruling.

Article 20:

No taxes or fees shall be imposed, except in need and on a just basis. Imposition, amendment, cancellation or exemption shall take place according to the provisions of the Law.

Article 21:

Zakat shall be collected and spent for legitimate expenses.

Article 22:

Economic and social development shall be carried out according to a fair, wise plan.

CHAPTER FIVE RIGHTS AND DUTIES

Article 23:

The State shall protect the Islamic Creed, apply the Sharia, encourage good and discourage evil, and undertake its duty regarding the Propagation of Islam (Da'wa).

Article 24:

The State shall develop and maintain the Two Holy Mosques. It shall provide care and security to pilgrims to help them perform their Hajj and Umra and visit to the Prophet's Mosque in ease and comfort.

Article 25:

The State shall nourish the aspirations of Arab and Muslim nations in solidarity and harmony and strengthen relations with friendly states.

Article 26:

The State shall protect human rights in accordance with the Sharia.

Article 27:

The State shall guarantee the rights of the citizens and their families in cases of emergency, illness, disability and old age. The State shall support the Social Insurance Law and encourage organizations and individuals to participate in philanthropic activities.

Article 28:

The State shall facilitate job opportunities for every able person, and enact laws to protect the worker and the employer.

Article 29:

The State shall patronize sciences, letters and culture. It shall encourage scientific research, protect the Islamic and Arab heritage, and contribute towards Arab, Islamic and human civilization.

Article 30:

The State shall provide public education and commit itself to the eradication of illiteracy.

Article 31:

The State shall look after public health and provide health care for every citizen.

Article 32:

The State shall work towards the preservation, protection and improvement of the environment, as well as prevent pollution.

Article 33:

The State shall form armed forces and equip them to defend the Islamic Creed, the Two Holy Mosques, the society and the homeland.

Article 34:

It shall be the duty of every citizen to defend the Islamic Creed, the society and homeland. The Law shall specify rules for military service.

Article 35:

The Law shall specify rules pertaining to Saudi Arabian nationality.

Article 36:

The State shall provide security for all citizens and residents on its territories. No-one may be confined, arrested or imprisoned without reference to the Law.

Article 37:

Dwellings are inviolate. Access is prohibited without their owners' permission. No search may be made except in cases specified by the Law.

Article 38:

No-one shall be punished for another's crimes. No conviction or penalty shall be inflicted without reference to the Sharia or the provisions of the Law. Punishment shall not be imposed ex post facto.

Article 39:

Mass media and all other vehicles of expression shall employ civil and polite language, contribute towards the education of the nation and strengthen unity. It is prohibited to commit acts leading to disorder and division, affecting the security of the state and its public relations, or undermining human dignity and rights. Details shall be specified in the Law.

Article 40:

The privacy of telegraphic and postal communications, and telephone and other means of communication, shall be inviolate. There shall be no confiscation, delay, surveillance or eavesdropping, except in cases provided by the Law.

Article 41:

Residents in the Kingdom of Saudi Arabia shall abide by its laws, observe the values of the Saudi community and respect Saudi traditions and feelings.

Article 42:

The State shall grant the right of political asylum provided it is in the public interest. International agreements and laws shall define rules and procedures for the extradition of common criminals.

Article 43:

Councils held by the King and the Crown Prince shall be open for all citizens and anyone else who may have a complaint or a grievance. A citizen shall be entitled to address public authorities and discuss any matters of concern to him.

CHAPTER SIX THE AUTHORITIES OF THE STATE

Article 44:

The Authorities of the State consist of:

- The Judicial Authority
- The Executive Authority
- The Regulatory Authority

These Authorities will cooperate in the performance of their functions, according to this Law or other laws. The King is the ultimate arbiter for these Authorities.

Article 45:

The Holy Qur'an and the Sunna (Traditions) of God's Messenger shall be the source for fatwas (religious advisory rulings). The Law shall specify hierarchical organization for the composition of the Council of the Senior Ulema, the Research Administration, and the Office of the Mufti, together with their functions.

Article 46:

The Judiciary is an independent authority. The decisions of judges shall not be subject to any authority other than the authority of the Islamic Sharia.

Article 47:

All people, either citizens or residents in the Kingdom, are entitled to file suit on an equal basis. The Law shall specify procedures for this purpose.

Article 48:

The Courts shall apply rules of the Islamic Sharia in cases that are brought before them, according to the Holy Qur'an and the Sunna, and according to laws which are decreed by the ruler in agreement with the Holy Qur'an and the Sunna.

Article 49:

Courts are empowered to arbitrate in all disputes and crimes, taking into account the provisions of Article 53 of this Law.

Article 50:

The King or whomsoever he may deputize shall concern himself with the implementation of judicial rulings.

Article 51:

The Law shall specify the composition of the Supreme Judiciary Council and its functions, as well as the hierarchy for the courts and their functions.

Article 52:

Judges shall be appointed and relieved by Royal Decree, based on a proposal of the Supreme Judiciary Council, in accordance with provisions of the Law.

Article 53:

The Law shall specify the hierarchy of the Board of Grievances and its functions.

Article 54:

The Law shall specify the relationship between the Commission of Inquiry and the Attorney-General and their organization and functions.

Article 55:

The King shall rule the nation according to the Sharia. He shall also supervise the implementation of the Sharia, the general policy of the State, and the defense and protection of the country.

Article 56:

The King is the Prime Minister. Members of the Council of Ministers shall assist him in the performance of his mission according to the provisions of this Law and other laws. The Council

of Ministers Law shall specify the powers of the Council in respect of internal and external affairs, organization of governmental departments and their coordination. In additions, the Law shall specify the qualifications and the powers of the ministers, ministerial accountability procedures and all matters pertaining to the ministers. The Law of the Council of Ministers and the areas of their authority may be amended according to this Law.

Article 57:

- The King shall appoint and relieve deputies of the Prime Minister and member minister of the Council by Royal Decree.
- Deputies of the Prime Minister and member ministers of the Council shall be jointly responsible to the King for the implementation of the Sharia, laws and the general policy of the State.
- The King is entitled to dissolve and reconstitute the Council of Ministers.

Article 58:

The King shall appoint those who are at the rank of ministers and deputy ministers, and those who are at the highest grade and relieve them by a Royal Decree as provided by the Law. Ministers and heads of independent departments shall be answerable to the King in respect of the ministries and agencies they head.

Article 59:

The Law shall specify the rules of the Civil Service, including salaries, awards, compensations, privileges, and pensions.

Article 60:

The King is the Supreme Commander of the Armed Forces. He shall appoint and dismiss officers form service, as provided by terms of the Law.

Article 61:

The King shall announce any state of emergency or general mobilization and shall declare war. The Law shall specify rules for this purpose.

Article 62:

If an imminent danger is threatening the safety of the Kingdom, the integrity of its territories or the security and interests of its people, or is impeding the functions of official organizations, the King may take urgent measures to deal with such a danger. When he considers that these measures should continue, necessary arrangements shall be made in accordance with the Law.

Article 63:

The King shall receive kings and heads of state, appoint his representatives to other states, and receive credentials of other states' representatives accredited to him.

Article 64:

The King shall award medals according to provisions of the Law.

Article 65:

The King may delegate some powers of authority to the Crown Prince by Royal Decree.

Article 66:

Should the King happen to travel abroad, he shall issue a Royal Decree to deputize the Crown Prince to manage the affairs of state and look after the interests of the people, as set out in the Royal Decree.

Article 67:

The Regulatory Authority shall be concerned with the making of laws and regulations which will safeguard all interests, and remove evil from the State's affairs, according to Sharia. Its powers shall be exercised according to provisions of this Law and the Law of the Council of Ministers and the Law of the Shura Council.

Article 68:

The Shura Council shall be established. Its Law shall specify the details of its formation, powers and selection of members. The King may dissolve and reconstitute Majlis Ash-Shura.

Article 69:

The King may summon Majlis Ash-Shura and the Council of Ministers for a joint session. He may summon others whom he deems necessary to attend the meeting and discuss whatever affairs he considers fit.

Article 70:

Laws, international agreements, treaties and concessions shall be approved and amended by Royal Decrees.

Article 71:

Laws shall be published in the Official Gazette, and implemented effective from the date of publication, unless another date is specified.

CHAPTER SEVEN FINANCIAL AFFAIRS

Article 72:

- The Law shall include provisions for the State's revenues and their depositing with the General Treasury of the State
- Revenues shall be recorded and spent according to procedures stipulated by provisions of the Law.

Article 73:

No commitment to pay a sum of money from the General Treasury shall be made without adherence to budget rules. If provisions of the budget cannot cover the demand, then a provision shall be made through a Royal Decree.

Article 74:

Assets of the State may not be sold, rented or disposed of unless so authorized by the Law.

Article 75:

Laws shall specify provisions for currency, banks, standards, measures and weights.

Article 76:

The Law shall set the fiscal year for the State. The budget shall be announced according to a Royal Decree. It shall specify assessed amounts of revenue and expenditure one month ahead of the coming fiscal year. If the budget cannot be issued due to compelling reasons before the beginning of the new fiscal year, the budget of the previous year shall remain in force until the new budget can be issued.

Article 77:

The competent department shall prepare the closing account of the State for the past year and forward it to the Prime Minister.

Article 78:

Budgets and closing accounts of departments which have corporate rights, shall be subject to the same procedures which are applicable to the State's budget and closing accounts

CHAPTER EIGHT INSTITUTIONS OF AUDIT

Article 79:

All revenues and expenditures of the State, as well as movable and fixed assets, shall be subsequently audited to ensure proper use and management. An annual report to this effect shall be forwarded to the Prime Minister. The Law shall specify details of the competent auditing institution, together with its affiliations and areas of authority.

Article 80:

Governmental institutions shall also be audited to ensure proper administrative performance and implementation of laws. Financial and administrative violations shall be investigated. An annual report shall be forwarded to the Prime Minister. The Law shall specify details of the competent institution in charge, together with its affiliations and areas of authority.

CHAPTER NINE GENERAL PRINCIPLES

Article 81:

With regard to treaties and agreements, the application of this Law shall not violate commitments of the Kingdom of Saudi Arabia towards other states, international organizations and bodies.

Article 82:

No provision of this Law whatsoever may be suspended except on a temporary basis, such as in wartime or during the declaration of a state of emergency. Such a suspension shall be in accordance with the terms of the Law and may not violate Article 7.

Article 83:

No amendment to this Law shall be made, except in the same manner as it was promulgated.