efforts continued to be hampered by strong public perception of bias in favor of Israel, aggravated by the administration’s refusal to meet with senior Palestinian leaders despite frequent meetings with Prime Minister Sharon. On August 5, Israel and the United States signed a bilateral treaty preventing the citizens of either country from facing charges in the International Criminal Court. On August 28, Israel informed the U.N. secretary-general that it did not intend to become a party to the ICC statute, and therefore had no legal obligations arising from its December 31, 2000 signature.

U.S. reactions to reported Israeli violations of international humanitarian law continued to emphasize Israel’s right of self-defense without clear reference to international humanitarian law standards. The U.S. continued its stated opposition to Israel’s policy of “liquidations,” reiterated on November 5, after the U.S. targeted killing of an alleged al-Qaeda associate in Yemen. U.S. language on Palestinian civilian casualties strengthened somewhat toward the end of the year. On October 7, a Department of State spokesperson described the U.S. as “deeply troubled” by the civilian casualties caused by an IDF attack in Gaza, and called on the Israeli authorities to act with “the utmost care to avoid harm to civilians,” particularly when conducting operations in heavily populated areas. U.S. language was not, however, accompanied by public steps to pressure Israel to meet its obligations under international humanitarian law.

RELEVANT HUMAN RIGHTS WATCH REPORTS:

Erased in a Moment: Suicide Bombing Attacks Against Israeli Civilians, 11/02
Jenin: IDF Military Operations, 05/02
In a Dark Hour: the Use of Civilians During IDF Arrest Operations, 04/02

SAUDI ARABIA

Following the attacks on New York and Washington on September 11, 2001, Saudi Arabia faced the most sustained international scrutiny in its modern history. Despite massive media attention and liberal access granted to Western journalists, detailed information about human rights violations remained elusive. The continuing absence of a local human rights movement and the government’s policy of keeping the kingdom closed to investigators from international human rights organizations contributed to the information shortage, as did the Interior Ministry’s effective use of harassment and intimidation to keep human rights victims and their advocates silent. Interior Ministry operatives also pressured families of perceived critics and in several documented cases security officials detained close relatives without charge.

HUMAN RIGHTS DEVELOPMENTS

The broad features of the kingdom’s human rights landscape remained unchanged. Saudi Arabia lacked independent national institutions to question, criticize or hold accountable the all-powerful executive branch of government controlled by the royal family. The appointed Consultative Council (majlis al-shura) had a limited role and was no substitute for an elected parliament with independent oversight powers. Political groups of any kind were not permitted and demonstrations were banned. Meetings and public assemblies required permission of the authorities. Procedures to obtain legal status for nongovernmental organizations (NGOs) remained cumbersome and opaque, with independent groups unable to establish themselves. The department of statistics disclosed on August 9 that 50 percent of the Saudi population was under the age of fifteen. It remained unclear how authorities were prepared to accommodate this educated and potentially restive population in the coming years, since students were not permitted to organize groups to articulate their concerns.

Freedom of expression, including press freedom, was limited, and authorities took punitive measures against journalists and others viewed as too outspoken. The King Abdul Aziz Center for Science and Technology controlled access to the Internet. Users were unable to reach sites that authorities blocked for political or “moral” reasons. There were no independent women’s rights organizations to give voice to gender issues, such as discrimination in the legal and education systems and sharp restrictions on women’s freedom of movement. Similarly, the kingdom had no NGOs to advocate for the rights of religious minorities—notably, Shiite and Ismaili Muslims who faced serious discrimination—or the kingdom’s estimated six million to seven million foreign workers. Senior government officials refused to give credence to reports of human rights violations and reacted defensively when such information was publicized internationally.

On the positive side, the newly adopted code of criminal procedure came into force on May 1. The law represented an important step toward greater transparency in the administration of the criminal justice system by specifying legal procedures and due-process rights. Notably, it prohibited torture and other forms of ill treatment, stated clearly that persons arrested or detained must be promptly informed of the charges against them, and acknowledged the right of criminal suspects to the assistance of lawyers during investigation proceedings and trial. It also provided for oversight of prisons and other places of detention by members of the Public Investigation and Prosecution Department to ensure that no one was detained or imprisoned in an unlawful manner.

Some of the code’s provisions were at odds with international human rights standards, such as article 33, which stated that suspects must establish their innocence to the satisfaction of non-judicial authorities within the first twenty-four hours of arrest or face the prospect of long-term detention. Despite the code’s various deficiencies, it nevertheless provided important benchmarks for assessing the practices of internal security and police forces, public prosecutors, and other officials. But without an active network of human rights lawyers or an effective civil
rights association serving citizens and foreign residents alike, it remained to be seen how compliance with the code will be monitored and how violations of it will be addressed. It also remained unclear how the government planned to educate the public about the new law. Saudi citizens interviewed by Human Rights Watch during the year had no knowledge of the code or the specific rights it guaranteed.

Westerners continued to be targeted and killed in mysterious car bombings, which the government maintained were not the work of Saudis. On June 20, British banker Simon Veness died in Riyadh when his car exploded on the way to work. Nine days later, also in Riyadh, an American couple discovered a bomb under their car before it detonated. On September 29, German worker W. Maximilian Graf was killed in Riyadh when his car exploded. Prince Nawwaf bin Abdulaziz, director of the General Intelligence Department, called it an “isolated” incident and not “a terrorist [act] against foreigners in the kingdom.”

Torture under interrogation of political prisoners and criminal suspects continued. One Saudi prisoner, released in 2002 after being held for six years without charge or trial by the Interior Ministry’s General Directorate of Investigation (popularly called mabahith in Arabic), said that as a condition of release he was forced to sign a pledge that he would not speak or write to anyone about what he witnessed. In a document provided to Human Rights Watch he described how detainees were tortured, including “beating with sticks, whips, and electric cables; use of a revolving electric chair until the victim loses consciousness and begins to vomit; sleep deprivation for long periods, up to one week; and forcing the victim to stand on one leg and raise one arm for extended periods.” He also alleged that prisoners were subjected to “sexual harassment by threat or the actual practice [of] inserting an iron rod in the rectum,” and held in “solitary confinement for more than four months, in some cases in a windowless room less than two meters square and without ventilation.” Human Rights Watch also received credible information concerning the physical and psychological torture meted out to five Britons and one Canadian imprisoned as suspects in bombings of Westerners that began in November 2000. (See below.) Techniques included: continuous sleep deprivation for up to ten days; abrupt slapping on the face and punches to the body; forcing them to stand while their hands were shackled to the top of a door; hanging them upside down, with their hands and feet shackled; and threats to harm their relatives if they did not agree to sign dictated confessions.

In September, British citizen Ron Jones, a forty-nine-year-old accountant, initiated legal action to sue the Saudi government for false imprisonment and torture during his sixty-seven days of detention in 2001. He was injured in a bombing in Riyadh in March 2001; within twenty-four hours Jones was removed from his hospital bed and detained by the Interior Ministry as a suspect, according to The Guardian (London). “They said they knew I was part of the bombing circle, that I had planted the bomb, and that if I didn’t admit it they would torture me until I confessed,” Jones told the newspaper.

Secret and wholly irregular trials of Saudis and foreigners continued. In some cases, it appeared that the defendants themselves were not aware that a trial was in progress, since they were asked to do no more than verify that a signed confession was their own. In February, Prince Nayef said that the case of seven foreigners—one Briton, one Canadian, and one Belgian—charged with the anti-Western bombings—was “before the judiciary.” He provided no additional details. Human Rights Watch learned that the defendants were secretly tried and sentenced without the notification or presence of their Saudi defense lawyers. Nor were the lawyers informed when the Court of Cassation and the Supreme Judicial Council (SJC) reviewed and approved the sentences—reportedly eight years for Belgian Raf Schyns, eighteen years for Britons Pete Brandon, James Cottle, James Lee, and Les Walker, and the death penalty for Briton Alexander Mitchell and Canadian William Sampson. In a special written appeal to the SJC after it upheld the sentences, the lawyers made clear that they had no opportunity to defend their clients while the legal proceedings were underway; that the only evidence presented was coerced confessions obtained under torture; and that judges ignored defendants’ claims of coerced confessions and did not request investigations. The lawyers also pointed out that similar car bombings of Westerners continued after the arrest of their clients, citing the June 20 attack that killed a Briton in Riyadh.

Deputy Interior Minister Prince Ahmed bin Abdulaziz revealed on June 13 that some of the suspects in the 1996 bombing of the Khobar Towers, in which 19 U.S. Air Force personnel were killed, were tried in a court of first instance. He did not disclose the dates of the trial or the names or number of defendants. He provided few details other than that the group “did not include non-Saudi nationals.” The prince said the “sentences will go to a higher court, then to the Supreme Judicial Council and then to the king for approval,” adding vaguely that the verdicts would be “announced at the appropriate time.”

Authorities continued to detain without charge relatives of perceived critics. Kamil al-Ahmed, the younger brother of Saudi activist Ali al-Ahmed, who founded the U.S.-based nongovernmental Saudi Institute in 2000, was arrested at his home in Safwa on September 13, 2001. He was held without charge in a mabahith detention facility in Dammam. More recently, internal security forces detained the son of Dr. Said bin Zuair, an academic and political prisoner who has been held without charge since March 1995. The son, Saad, had campaigned for his father’s release, speaking on the widely watched Al-Jazeera television station on several occasions and writing about the case in Internet discussion forums. He was arrested on July 4 at Riyadh airport, reportedly en route to Qatar for an interview on al-Jazeera. He was taken to al-Ha’ir prison, where his father was also being held. As of this writing, there was no information about any legal basis for his arrest.

The rights of Saudi women and girls remained captive to the kingdom’s patriarchal social-cultural traditions as well as conservative interpretations of shari’a (Islamic law). Women did not enjoy freedom of movement and required permission from their fathers, husbands, or other close male relatives to travel inside the kingdom or abroad. Some 3,500 members of the Committee to Promote Virtue and Prevent Vice, or religious police, enforced the mandatory dress code for women. In May, the Commerce Ministry confirmed that it was coordinating with the religious police to clamp down on local factories that made abayas (the traditional formless black cloaks that were regulation public attire for Saudi women) that officials considered risqué. The garments were reportedly becoming popular in some Saudi cities. Authorities were prepared to confiscate and destroy the new abayas and take
the local press. Prince Nayef met with newspaper editors and “scolded them for crossing lines concerning religion,” the Associated Press reported from Riyadh on April 24, citing a source who attended the meeting. This informal control of the press from the top, influencing coverage and content, was noted by Saudi journalism professor Suleiman al-Shammari, whom the Associated Press quoted as saying: “The government acts like the media’s doorman, especially when it comes to foreign policy, opening and closing the door when it wishes.”

Muhammed Mukhtar al-Fal, editor in chief of the daily al-Madina, was dismissed from his post in March, reportedly on orders of the interior minister. The action came after the newspaper published “The Corrupt on Earth,” a poem of Saudi writer and poet Abdel Mohsen Mosallam. The poem lambasted corrupt judges, stating in part: “Your beards are smeared with blood. You indulge a thousand tyrants and only the tyrant do you obey,” Mosallam was arrested on March 18, eight days after the newspaper published his poem. He was held for eighteen days without charge in a mubahith office in Riyadh and was not mistreated during his detention. As of this writing, he was blacklisted, unable to publish in Saudi newspapers, and banned from traveling. Al-Fal was not reinstated to his post but was not banned from writing.

The government did not respect the rights of religious minorities in the kingdom, whether these communities were Saudi or expatriate. In April 2000, Ismaili Shi‘ite Muslims in the southern province of Najran protested the storming and closure of a mosque, leading to violent clashes with Saudi security forces and mass arrests. In December 2001, Ismaili elders in Najran issued a public statement, charging that ninety-three Ismailis remained imprisoned and seventeen of them faced the death penalty, adding that they were being held “for opposing the condition of degradation, repression and humiliation that is practiced against them and their tribesmen by Saudi authorities because of their faith.” Subsequent confirmed reports said the death sentences had been commuted to life imprisonment. On January 9, 2002, the Wall Street Journal published an article from Najran discussing discrimination against the Ismaili minority. It quoted tribal leader Sheikh Ahmed Turki al-Sa‘ab, who said: “We love our country, but we believe that the government is making a mistake against us.” Although this was his only quote in the article, he was reportedly arrested on January 15 and on April 23 sentenced to seven years imprisonment and flogging. On February 25, the Wall Street Journal reported that two other Ismaili tribal leaders, Sheikh Hamad Ali Daseeny, a retired geologist, and Hamad Qulayyan al-Zbaidy, had been detained on February 4.

Members of the kingdom’s Shi‘a Muslim minority, numbering about one million—six percent of the Saudi population—continued to assert that the government practiced severe forms of discrimination against them, including toleration of hate speech from the pulpits of Sunni Muslim mosques and from educators in public schools. The Interior Ministry targeted outspoken peaceful critics, harassed them in interrogation sessions, and threatened them with sanctions including loss of their jobs.

Christian residents of the kingdom were not permitted any public display of their faith. The government did not allow churches of any Christian denomination to occupy public space, in sharp contrast to the large number of churches allowed...
in nearby Dubai. Asian and African Christians suspected of proselytizing Saudi Muslims were arrested and imprisoned in harsh conditions, and pressured to convert to Islam as a condition of release. Two U.S.-based groups, International Christian Concern and Middle East Concern, publicized the arrest and detention between July and September 2001 in Jeddah of eleven foreign nationals—from India, Eritrea, Ethiopia, and the Philippines. They reportedly were held for practicing their religion in their homes. One of them, Dennis Moreno-Lacalla, a Filipino who worked in the kingdom for sixteen years, was arrested in Jeddah in August 2001 and held without charge until his release seven months later. He said that he witnessed the flogging of three Ethiopian Christians—Tinsaie Gizachew, Bahru Mengistu, and Gebeayahu Tafera—in January 2002, reporting that the men were “kicked, suspended with chains, and lashed 80 times with a steel rod cable about one inch in diameter,” punishment that left them bleeding and in severe pain.

The government took action to move the kingdom slightly closer to compliance with international labor standards when Minister of Labor and Social Affairs Dr. Ali al-Namlah authorized on April 17 the creation of “labor committees” at companies with one hundred or more employees, although foreign workers were barred from committee membership. International Labor Organization (ILO) Director General Juan Somavia described it as “a milestone in the labor history of Saudi Arabia.” The ILO also reported that a second expert team completed consultations with the Labor Ministry in April concerning a new labor law, which it said would be submitted to the kingdom’s appointed Consultative Council (majlis al-shura) “in the near future.”

Despite this positive development, foreign workers in the kingdom—particularly Arabs and South Asians in low-wage occupations, including women domestic workers—remained extremely vulnerable to poor working conditions and other abuse at the hands of their employers, who typically held their passports and official residence permits (iqama, in Arabic). With these documents essentially confiscated, these workers had limited freedom of movement. They were unable to leave the country unless their employment sponsors requested an exit visa, and were subjected to arrest and steep fines if stopped without residence permits in their possession. Foreigner workers comprised about 65 percent of the private sector labor force, the U.S. State Department’s Bureau of Economic and Business Affairs reported in February.

DEFENDING HUMAN RIGHTS

The absence of freedom of association, coupled with strict limits on freedom of expression, left Saudi citizens and other residents of the kingdom without the ability to report openly about human rights conditions. There were no independent rights organizations, including women’s rights groups, despite signing the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 2000. The U.N. special rapporteur on the independence of judges and lawyers, during an official mission to Saudi Arabia in October (see below), reported that the government was “proposing the establishment of a national human rights institution.”

Some Saudi citizens who suffered rights abuses, or collected information about such abuses, communicated to the outside world in clandestine fashion for fear of punishment at the hands of authorities. Human Rights Watch received information in 2002 from individuals who were summoned to the Interior Ministry and questioned at length about publicizing human rights abuses and contacting international human rights groups. Such harassment and intimidation enforced their silence, leaving them frightened and fearful of arrest or dismissal from their public-sector jobs.

The kingdom remained closed to international human rights organizations during the year. As of this writing, Saudi authorities did not respond to Human Rights Watch’s longstanding requests to visit. Amnesty International was similarly denied. In December 2001, Lieutenant-General Ali Hussein al-Harithi, head of the Interior Ministry’s General Directorate of Prisons, told al-Sharq al-Awsat newspaper that Amnesty International and other groups were welcome to visit at “any time.” He added: “We have nothing to hide or fear. [They] will find that the reality of our prisons and inmates does not conform with what is rumored or said about them.” A Human Rights Watch letter to the government following up on these remarks went unanswered.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

Pursuant to an invitation first extended in 2000, the first official visit to Saudi Arabia by a U.N. special rapporteur took place in 2002. Dato’ Param Cumaraswamy, special rapporteur on the independence of judges and lawyers, conducted an official mission October 20-27. He met with senior government officials and examined law, policy, and practice in the kingdom’s administration of justice. He offered preliminary observations in a statement to the press in Riyadh on October 27, noting that the justice system was “currently in a stage of transition.” Cumaraswamy said that there was “some resistance on the part of some judges to the presence of lawyers in their courts” and that the kingdom lacked “a culture of legal representation in the courts but this may soon be rectified.” He expressed concern about “the frequent reliance on confessional evidence before the courts to prove an offense” and “the lack of compliance with some international standards of due process,” including “the right of anyone deprived of their liberty by arrest or detention to be promptly brought before a court to ensure the legality of their continuing detention.” He said he learned that women represented about half the graduates of university law faculties and that there were “no restrictions on them appearing as lawyers before the courts.” He stated that “[m]ore women should be encouraged to seek admission to the legal profession and practice before the courts.” The special rapporteur was scheduled to report his findings at the fifty-ninth session of the Commission on Human Rights in March 2003.

U.N. High Commissioner for Refugees (UNHCR) Ruud Lubbers conducted his first mission to Saudi Arabia October 11-14. He had meetings with senior government officials to discuss Rafha refugee camp and the kingdom’s possible accession.
to the 1951 Refugee Convention. On October 14, he visited Rafha camp, where 5,200 Iraqi refugees have remained in limbo since the end of the 1991 Gulf war, neither resettled nor repatriated to Iraq. The United Nations High Commissioner for Refugees (UNHCR) said in an October 15 press release that Lubbers told the refugees that UNHCR wanted “to help them find a solution to their long exile” through resettlement in third countries or local integration, if they did not wish to return to Iraq. He noted that the camp was “a remote site” and that the refugees were afforded “only occasional access to the nearby town.”

As part of its obligations under the U.N. Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the government submitted an initial report to the U.N. Committee against Torture. The committee considered this report during its twenty-eighth session in April and May 2002, and issued concluding observations and comments on May 28. Among the subjects of concern, the committee noted the lack of criminal sanctions in Saudi domestic law for the crime of torture; corporal punishment, including flogging and amputation of limbs; prolonged incommunicado detention, including lack of access to legal and medical assistance; minimal judicial supervision of pre-trial detention; and prolonged pre-trial detention and denial of consular access to detained foreigners for extended periods. The committee also found that the powers of the religious police were “vaguely defined by law, and that their activities may violate the Convention.” It concluded that Saudi Arabia failed “to provide effective mechanisms to investigate complaints of breaches of the Convention [against Torture],” stating that “as a practical matter” compensation to individuals for violations of the convention was “rarely obtained,” thus limiting “full enjoyment of the rights guaranteed by the Convention.”

**United States**

Despite political tension in the aftermath of the September 11 attacks, the U.S. and Saudi Arabia maintained close economic and military ties. Shared economic interests included improvement of the stability and reliability of the international oil market. The kingdom’s “capacity to mitigate [oil] supply disruptions in any region,” was noted by Alan P. Larson, under secretary of state for economic, business and agricultural affairs, in an April 22 speech.

The bilateral trade relationship was substantial. In 2001, the kingdom exported $13.3 billion to the U.S., mostly crude oil and other petroleum products. Saudi Arabia remained the largest market in the Middle East for U.S. products, importing $5.9 billion. The kingdom’s defense spending “increased by 50.8 percent in 2001, reversing a 30 percent decrease between 1998 and 2000,” according to Allied Contributions to the Common Defense, published in June by the U.S. Department of Defense (DOD). DOD’s Defense Security Cooperation Agency reported on September 26 that in fiscal year 2001 the U.S. government’s Foreign Military Sales (FMS) program delivered $2.03 billion to Saudi Arabia and concluded FMS agreements of another $587 million. Arms exports from U.S. companies in the same period totaled $1.02 billion. Formal military ties included a U.S. Military Training Mission to assist Saudi forces with procured U.S. weapons and a similar training mission with the kingdom’s National Guard. An estimated 6,600 U.S. military personnel, mostly air force, and an undisclosed number of aircraft, were stationed in Saudi Arabia.

Official statements from both governments de-emphasized bilateral political tensions during the year concerning Afghanistan, the Israeli-Palestinian conflict, and the U.S.-led campaign to use military force to overthrow the government of Saddam Hussein. There appeared to be a tacit agreement to highlight mutual interests, such as counterterrorism, trade, and energy sources. The U.S. repeatedly made clear that it was willing to assist Saudi Arabia in its longstanding bid to join the World Trade Organization, and that it hoped for a positive outcome from the Saudi government’s protracted negotiations of a $20 billion natural gas exploration and development deal with seven international energy companies, four of which were U.S.-based: Exxon Mobil, ConocoPhillips, Marathon Oil Corporation, and Occidental Petroleum Corporation. The other multinationals were BP, Royal Dutch/Shell, and TotalFinaElf.

Senior U.S. officials maintained a distinct public silence about the royal family’s autocratic rule and the persistent pattern of serious human rights violations in the kingdom. Meanwhile, representatives of both governments affirmed publicly that ties remained strong. Crown Prince Abdullah, de facto head of state, made an official visit to the U.S. and met with President Bush on April 25 at his ranch in Texas. The president said that the meeting “confirmed the strong relationship” between the U.S. and the kingdom. He added: “And we’re constantly working with him and his government on intelligence-sharing and cutting off money,” On August 12, U.S. State Department spokesman Philip Reeker said: “[W]e’ve been very pleased with the level of Saudi cooperation in the international campaign against terrorism.” His comments came after Iran arrested and transferred to the kingdom sixteen Saudi citizens, all alleged al-Qaeda members. On September 20, the Saudi embassy in Washington stated that the government had “blocked more than $700 million in suspected terrorist assets.”

Bush administration officials scrambled to distance themselves from the controversial July 10 briefing given by Rand Corporation analyst Laurent Murawiec to the U.S. Defense Policy Board, which provides advice to the U.S. Defense Department. He charged that Saudi Arabia was “active at every level of the terror chain” and “supports our enemies and attacks our allies.” U.S. Defense Secretary Donald Rumsfeld said on August 6 that Murawiec’s analysis “did not represent the views of the government; it didn’t represent the views of the Defense Policy Board.”

On October 7, the State Department issued the 2002 International Religious Freedom Report, which found, as in past reports, that freedom of religion did not exist in Saudi Arabia, the government prohibited the public practice of non-Muslim religions, and “continued to detain non-Muslims engaged in worship services.”

**RELEVANT HUMAN RIGHTS WATCH REPORTS:**

*Human Rights in Saudi Arabia: A Deafening Silence, 12/01*