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Country Summary

Saudi Arabia

Human rights conditions remain poor in Saudi Arabia. International and domestic pressure to implement human rights reforms have considerably weakened and the government undertook no major reforms in 2007. Curbs on freedom of association and expression, unfair trials, arbitrary detention, mistreatment and torture of detainees, restrictions on freedom of movement, and lack of official accountability remain serious concerns. Saudi law and policies discriminate against women, foreign workers, and religious minorities, especially Shia and Ismaili Saudis.

In May in its first public report the government-approved National Society for Human Rights (NSHR) highlighted major areas of rights abuses. The governmental Human Rights Commission's 24-member board began its work in January 2007 after a two-year delay. The government allowed Human Rights Watch to conduct research in the country in December 2006, but did not honor its promise to allow a return visit in May 2007, or similar promises made to Amnesty International.

Arbitrary Detention and Unfair Trial

Detainees are commonly the victims of systematic and multiple violations of due process and fair trial rights, including arbitrary arrest and torture and ill-treatment during interrogation. The authorities rarely inform them of the crime of which they are accused, or the evidence supporting the accusation. Detainees do not have access to a lawyer, face excessive pretrial delays, and at trial they often cannot examine witnesses or evidence or present a defense. Saudi Arabia in October 2007 adopted a new Judiciary Law setting up specialized courts, but has yet to write a penal code or ensure its criminal procedure code is consistently adhered to.

Saudi Arabia's secret police (*mabahith*) detains without trial or access to lawyers, in many cases for several years, around 3,000 security detainees suspected of sympathies with or involvement in terrorism.

In February the *mabahith* arrested seven reformist academics and lawyers, allegedly for funding terrorism. The authorities did not formally charge them or bring them to trial within the six months of pretrial detention allowed under Saudi law, and kept them in solitary confinement without family visits for five months. At this writing they remain detained without charge, and have had no access to lawyers.

Torture, Ill-Treatment, and the Death Penalty

In 2007 the government undertook the first prosecutions against religious police for abuse of power and for beating two detainees to death. However, not all alleged perpetrators of such abuses have faced trial, officials arrested innocent witnesses, and the religious police failed to appear in court. Minister of Interior Prince Nayef in July decreed that religious policemen must not detain persons they arrest, but instead promptly deliver them to the police.

Human Rights Watch found numerous allegations of ill-treatment and torture in al-Ha'ir prison in a December 2006 visit. In May 2007 a video showing torture there appeared on the internet. Prisoners in Najran, Buraiman, Ruwais, Dammam, al-Hasa, and Buraida prisons also alleged abuse.

Saudi judges routinely sentence defendants to thousands of lashes, often carried out in public. *Okaz* newspaper reported in October that a court sentenced two men in southern Baha to 7,000 lashes for "sodomy," the most severe sentence with lashes known to Human Rights Watch.

The kingdom carried out some 147 executions by decapitation with a sword as of November 2007, over four times the figure for 2006. There is no obvious explanation for this rise, as the most recent Ministry of Justice statistics for 2006 showed a downward trend in court cases for two years. Judges sentence persons as young as 13 to death. On July 21, 2007, Saudi Arabia executed Dhahiyah al-Thawri al-Sibai'i for a murder he committed when he was 15 or 16.

Freedom of Expression and Freedom of Religion

Freedom to voice criticism or openly discuss controversial ideas in the media and internet is limited. In early 2007 the government closed Ra'if al-Badawi's website www.saliberal.com, which spotlights the practices of the religious police, and in October it closed the human rights and current affairs website www.menbar-alhewar.com, run by former political prisoner Ali al-Dumaini. In late 2006 the government banished journalist Qinan al-Ghamdi for an article lamenting the slow implementation of reforms.

The Ministry of Interior routinely orders Saudis hosting private intellectual salons to desist or not invite certain individuals. In November 2006 King Abdullah prohibited any official from "opposing the policies or programs of the state ... by participating in any discussion through media channels or through domestic or foreign communications."

The governor of al-Ahsa province has detained without charge over 150 Shia prayer leaders for short periods, including during 2007. The Ministry of Education in June expelled a Shia girl from school for insulting the Prophet Muhammad's companions.

Freedom of Assembly and Association

The *mabahith* in July 2007 arrested five women peacefully demonstrating for the release or trial of their relatives detained for over two years without trial. Also arrested and later convicted for instigating a public demonstration were prominent reformers Abdullah al-Hamid, a lawyer for the detained husband of one of the demonstrators, and his brother 'Isa. Human rights activist Muhammad al-Bajadi remains detained following a second demonstration in September. In October Matrook al-Faleh, who publicized these rights violations, alleged that *mabahith* agents threatened his life by trying to run his vehicle off the road.

In December 2006 the appointed national Shura (Advisory) Council amended a first-ever draft law regulating nongovernmental organizations (NGOs) to reduce governmental control over them, but its recommendations are not binding. Currently, licensing NGOs is an arbitrary process. The government's National Dialogue platform promoting tolerance and dialogue has barred Ibrahim al-Mugaiteeb, president of the

still unlicensed NGO Human Rights First in Saudi Arabia, from participating in its online forum because it was “a non-registered society.”

Women’s Rights

The Saudi system of male legal guardianship denies women their fundamental rights. Women must obtain permission from their father, husband, even sons, acting as male guardians to work, travel, study, marry, receive health care, and access government agencies, including when they seek protection or redress as victims of domestic violence. Strictly enforced gender segregation denies women full participation in public life.

In January 2007 a court finalized the forcible divorce of the consenting, adult couple Fatima `Azzaz and Mansour al-Timani after her half-brothers filed for the divorce citing his socially inferior tribal affiliation. Ministry of Interior officials have harassed the couple since, enforcing their complete separation by detaining Fatima with their two-year old son, while denying visits by Mansur, who has custody of their daughter.

In November 2007 a judge doubled on appeal—from 90 lashes to 200 lashes and six months’ imprisonment—an October 2006 sentence handed down to a 20-year-old rape survivor for unlawful mixing with the opposite sex after she met a man who had blackmailed her. A gang kidnapped both of them at the meeting place and raped them. Up to the point of the judge’s earlier verdict the woman had been unaware of facing any charges herself. The rapists also had their sentences doubled on appeal, to up to 10 years’ imprisonment.

Saudi Arabia detains girls indefinitely without judicial review for “guidance.”

Migrant Worker Rights

Restrictive immigration laws and inadequate labor protections place many of the estimated eight million foreign workers at risk of unpaid wages, excessively long working hours, confinement in the workplace or dormitories, confiscation of passports, and, in some cases, physical or sexual abuse. A visa sponsorship system ties migrant workers to their employers, whose agreement is needed for a host of bureaucratic procedures and who can terminate the worker’s legal status at any time.

Employers can also withhold permission to change employers, although a recent policy reform, if implemented, would strip that right from employers who do not pay their workers. Isolation in private homes and abuse of domestic workers often amount to conditions of forced labor, as evidenced by the thousands of complaints the Philippines, Indonesian, and Sri Lankan embassies receive. Saudi plans to codify protections for domestic workers, whom the labor law currently excludes, remain on hold since 2005.

Migrant workers suing their employers for abuse or labor violations risk imprisonment and deportation as a result of spurious countercharges in a justice system skewed against them. In August employers severely beat four Indonesian domestic workers, killing two of them, and police subsequently removed the survivors from hospital intensive care to investigate charges of witchcraft, and have denied the Indonesian embassy access to them. In June a Saudi court sentenced a Sri Lankan domestic worker, Rizana Nafeek, to death for murdering a baby in her care. Nafeek was 17 when the incident she described as an accident occurred, did not have access to legal or consular assistance during the trial, and alleged she was forced to confess. A lawyer, paid for by a foreign charity, has filed an appeal.

Key International Actors

Saudi Arabia is a key United States ally. US pressure for human rights improvements lessened: for example, the 2007 US State Department's international religious freedom report found "some improvements" in protecting the right to private worship for non-Muslims in Saudi Arabia, and the US chose not to impose sanctions. The US in July announced arms sales to the kingdom totaling US\$7 billion.

The United Kingdom in December 2006 halted a governmental inquiry into illegal payments in connection with a UK-Saudi arms deal, claiming that the halt was in the national interest. During the Saudi king's first state visit in 20 years to the UK in October 2007, the government stressed shared Saudi-UK values, but did not publicly mention concern over Saudi Arabia's human rights record.