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country summary

Saudi Arabia

Human rights conditions remain poor in Saudi Arabia. King Abdullah has not fulfilled several specific reform promises; reforms to date have involved largely symbolic steps to improve the visibility of women and marginally expand freedom of expression.

Authorities continue to systematically suppress or fail to protect the rights of nine million Saudi women and girls, eight million foreign workers, and some two million Shia citizens. Each year thousands of people receive unfair trials or are subject to arbitrary detention. Curbs on freedom of association, expression, and movement, as well as a pervasive lack of official accountability, remain serious concerns.

Women's and Girls' Rights

Saudi Arabia continues to treat women as legal minors, allowing male guardians to determine whether a woman may work, study, marry, travel, or undergo certain medical procedures. The government has not fulfilled its 2009 pledge to the United Nations Human Rights Council to dismantle the male guardianship system.

The Ministry of Interior since October 2009 has refused to issue a 43-year-old divorced woman cardiologist a new passport without male guardian approval. In 2010 the uncles and male guardians of a US-based adult woman with dual Saudi and US nationality did not allow her to obtain a Saudi passport. In May Nazia Quazi—the Indian father of 23-year-old dual Canadian and Indian national—finally permitted his daughter to leave Saudi Arabia after luring her to the kingdom in 2007 and keeping her there, as her guardian, against her will because he disapproved of her fiancé.

A medical doctor in her forties lost a court appeal to remove her father as her guardian after he refused to give her hand in marriage and confiscated her income. She lives in a women's shelter. The brothers of two unrelated women—one in Buraida, the other in Riyadh—acting as their guardians, forced their sisters to marry five men each, for money and against their wills. In January 2010 a court in Qasim province sentenced Sawsan Salim to 300 lashes and one-and-a-half years in prison for “appearing [in court] without a male guardian.”

The Saudi Human Rights Commission did not respond to written requests from Human Rights Watch that it assist Nazia Quazi, Sawsan Salim, 'A'isha Ali, or the women in Buraida and Riyadh. The woman in Riyadh said she had contacted the commission but that it had failed to assist her.

Women and children who are victims of domestic violence face societal and governmental obstacles in obtaining redress. In September the appointed Shura Council that fulfills some functions of a parliament discussed a law aimed at better protecting children from violence. In March officials in the Family Protection Program said they had received 200 reports of child abuse in the previous six months.

Saudi Arabia strictly enforces gender segregation throughout the kingdom, including in work places, impeding women's full participation in public life. Women make up 14.4 percent of the workforce, triple the rate in 1992, a March 2010 study by Booz & Company found. Women's unemployment rate is four times that of men. Panda Supermarket in August reassigned 11 designated women cashiers after prominent cleric Yusuf al-Ahmad called for a boycott.

Women cannot work as judges or prosecutors. Promises by the Justice Ministry in February to draft a law allowing women lawyers to practice in court remained unmet.

The government has not yet set a minimum legal age for marriage, but in June issued new marriage contracts noting the bride's age. In January, a divorced father married off his 12-year-old daughter for 80,000 riyals (ca. US\$21,300) because his ex-wife had gained custody, *Al-Riyadh* newspaper reported.

Migrant Worker Rights

8.3 million migrant workers legally reside in Saudi Arabia; an unknown number of other migrant workers are undocumented. They fill manual, clerical, and service jobs, constituting more than half the national workforce. Many suffer multiple abuses and labor exploitation, sometimes rising to slavery-like conditions. Saudi Arabia did not bring any prosecutions under a 2009 anti-trafficking law against Saudis employing Nepali domestic workers trafficked from Kuwait.

Saudi Arabia made no progress reforming the restrictive *kafala* (sponsorship) system that ties migrant workers' residency permits to their employers; workers cannot change employers or exit the country without written consent from their initial employer or sponsor.

The system fuels abuses such as employers confiscating passports, withholding wages, and forcing migrants to work against their will.

On Saudi National Day, September 23, the king announced a six-month amnesty for undocumented workers to return home without incurring immigration penalties.

In 2010, illegal strike actions by migrant workers increased, typically because of unpaid salaries. In May, 30 Nepalese cleaners were repatriated after striking in February over pay and lack of accommodation. They spent two months homeless and three weeks in deportation detention. Also in May workers at the Dhahran compound of Jadawel International—owned by Saudi Arabia's third richest man, Shaikh Muhammad bin Issa Al Jaber—went on strike over unpaid salaries and expired residency permits. Jadawel made a partial payment in August, but by September salary payments were again three months in arrears. In September workers at the Mecca metro went on strike, as did over 200 Filipino workers at Ansar hospital in Jeddah in June.

1.5 million migrant domestic workers remain excluded from the 2005 labor law. Although the Shura Council in July 2009 approved an annex to the law extending them limited labor protections, at this writing the government has not enacted it. Asian embassies report thousands of complaints each year from domestic workers forced to work 15-20 hours a day, seven days a week, and denied their salaries. Domestic workers frequently endure forced confinement; food deprivation; and severe psychological, physical, and sexual abuse. After returning home in August, a Sri Lankan domestic worker had dozens of metal nails extracted from her body that she claimed her Saudi employers had hammered into her as punishment for complaining about long working hours. In September a Filipina domestic worker was found dead with acid burns and stab wounds in her employers' home in Khobar.

Criminal Justice, Arbitrary Detention, Torture, and Ill-Treatment

Detainees, including children, are commonly the victims of systematic violations of due process and fair trial rights, including arbitrary arrest and torture and ill-treatment in detention. Saudi judges routinely sentence defendants to thousands of lashes.

Judges can order arrest and detention, including of children, at their discretion. Children can be tried and sentenced as adults if physical signs of puberty exist. It was unclear whether the law setting the age of majority at 18, passed by the Shura Council in 2008 but not yet enacted, would apply to criminal justice matters.

Authorities rarely inform suspects of the crime with which they are charged, or of the supporting evidence. Saudi Arabia has no penal code and prosecutors and judges largely define criminal offenses at their discretion. In April the Council of Senior Religious Scholars in principle approved codification of Sharia. During interrogation detainees are not assisted by lawyers; they face excessive pretrial delays and difficulty examining witnesses or presenting evidence at trial. The Shura Council in January approved, but the government at this writing has not enacted, a law to provide defendants with legal assistance free of charge.

In August a judge in Tabuk considered sentencing a man to be surgically paralyzed after convicting him of paralyzing another man in a fight two years earlier. In March a Medina court reaffirmed Lebanese television presenter Ali Sibat's death sentence for "witchcraft" based on his fortune-telling show broadcast from Lebanon. In September a Qatif court sentenced two high school pupils to six months in prison and 120 lashes for stealing exam questions.

Secret police detained without trial or access to lawyers, in many cases for years, around 2,000 persons suspected of sympathies or involvement with armed groups or for their peaceful political views. Muhammad al-'Utaibi and Khalid al-'Umair, two human rights activists arrested in January 2009 for trying to organize a peaceful Gaza solidarity demonstration, continued to be held in al-Ha'ir prison without trial beyond the six-month limit allowed under Saudi law and despite a prosecution order for their release. In Saudi Arabia, prosecutors under the Ministry of Interior issue arrest and detention warrants and orders for release.

On January 20, Saudi authorities informed the family of Jordanian professor Muhammad al-Nimarat that he had died in Abha secret police prison on November 27, 2009. Al-Nimarat remained in detention after he finished his two-year sentence in early 2009 for "issuing private religious rulings."

Prisoners and detainees in several facilities described inhumane conditions. Women twice rioted in Makka women's prison in 2010. Five Ethiopian detainees in Jizan deportation center died from alleged asphyxiation due to overcrowding in August, and Saudi websites in September published what they said were recent photos showing overcrowded communal cells in Riyadh's Malaz prison. In September a number of detainees in the Jeddah deportation center rioted and then escaped. Inmates in several prisons complained about ill-treatment and forced confessions extracted at police stations.

Freedom of Expression and Belief

Saudi authorities continue to brook little public criticism of officials or government policies in 2010. The Ministry of Culture and Information approves newspaper and television editors and heavily censors print and broadcast media. Internet critics crossing vague “red lines” face arrest.

Police in June arrested Sunni human rights activist Shaikh Mikhlif bin Dahham al-Shammari for “annoying others” with articles he wrote criticizing prominent Sunni clerics for their anti-Shia views. In August 2009, prosecutors charged Nasir al-Subai’i under unspecified articles of the Law against Cybercrimes with making allegedly libelous comments against the Saudi consul in Beijing. Al-Subai’i had written on his website about his ordeal trying to secure funding for his brother’s medical care abroad.

In May Jamal Khashoggi, chief editor of the liberal *Al-Watan* newspaper, was sacked over articles questioning Saudi Arabia’s religious ideology. A judge in October sentenced journalist Fahd al-Jukhaibid to prison and public lashes for a news article describing a public protest against electricity cuts in the northern town of Qubba. The books of Abdo Khal, a Saudi novelist and columnist, remain banned even after he won the International Prize for Arabic Fiction in March 2010.

A Ministry of Culture and Information spokesperson made conflicting statements regarding the requirement that blogs and news websites obtain a license under a proposed law regulating online expression.

Saudi Arabia does not tolerate public worship by adherents of religions other than Islam and systematically discriminates against its religious minorities, in particular Shia in the Eastern Province and around Media, and Ismailis (a distinct branch of Shiism) in Najran. Official discrimination against Shia encompasses religious practices, education, and the justice system. Government officials exclude Shia from certain public jobs and policy questions and publicly disparage their faith.

Authorities have kept Munir Al Jassas, a Saudi Shia human rights activist, in detention without trial since November 2009 and Muhammad Al Libad, a young Shia from ‘Awwamiyya town, in detention since January 2010 for his alleged role in March 2009 sectarian disturbances there. Authorities in Ahsa’ province continue to detain six Shia students arrested in January and February for publicly displaying religious banners during Ashura, a Shia religious holiday, in December 2009.

Key International Actors

Saudi Arabia is a key ally of the United States and the United Kingdom and both countries continued in 2010 to laud Saudi counterterrorism cooperation. US pressure for human rights improvements was imperceptible. In September the Pentagon proposed for Congressional approval a US\$60 billion arms sale to Saudi Arabia, the biggest-ever US arms sale. It is unknown whether the UK made efforts through the Two Kingdoms Dialogue to promote human rights, but if so they had no tangible effect.

UN High Commissioner for Human Rights Navenathem Pillay, in a visit to the region in April, called on Saudi Arabia to improve women's rights; abolish the sponsorship system; address statelessness; and protect the rights to freedom of expression, assembly, and association. The Gulf Cooperation Council announced the establishment of a human rights committee in July 2010, but its mandate and working methods remain unclear at this writing. Other Gulf countries made no human rights demands of Saudi Arabia, and the kingdom joined others in supporting a crackdown in Bahrain on peaceful political dissidents and human rights activists ahead of elections there in October.