

SAUDI ARABIA

Saudi Arabia in 2012 stepped up arrests and trials of peaceful dissidents, and responded with force to demonstrations by citizens. Authorities continue to suppress or fail to protect the rights of 9 million Saudi women and girls and 9 million foreign workers. As in past years, thousands of people have received unfair trials or been subject to arbitrary detention. The year has seen trials against half-a-dozen human rights defenders and several others for their peaceful expression or assembly demanding political and human rights reforms.

Women's and Girls' Rights

Under the discriminatory Saudi guardianship system, girls and women are forbidden from traveling, conducting official business, or undergoing certain medical procedures without permission from their male guardians. In July, after a car chase by religious police left the driver dead and his wife and daughter in critical condition, King Fahd hospital in Baha postponed amputating the wife's hand because she had no male legal guardian to authorize the procedure, *Okaz* newspaper reported.

In July 2012, the Ministry of Labor issued four decrees regulating women's work in clothing stores, amusement parks, food preparation, and as cashiers, for which guardian permission was no longer required. However, the decrees reinforced strict sex segregation in the workplace, mandating that female workers not interact with men. Women remain barred from certain professions. On October 8, *Al-Watan* newspaper published a directive from the Ministry of Justice that approved granting Saudi female lawyers the right to obtain practice licenses. Prior to the announcement, women who graduated from law schools were allowed to work as consultants but could not officially represent clients in court. The new directive will apply to all women who have a law degree and at least three years of experience.

At the London 2012 summer Olympic Games, Saudi women for the first time participated in an official sporting event: Sarah Attar competed in the 800 meters, and Wujdan Shahrkhani in judo. Women and girls remain effectively banned from sports within the kingdom.

Women remain banned from driving. In November 2011, lawyer Abd al-Rahman al-Lahim sued the traffic department on behalf of Manal al-Sharif, who led a women's driving protest in May 2011, for gender discrimination after the department refused to issue her a driving license. The case remained pending at this writing.

Strict clothing requirements for women were publicly enforced. In July, the Mecca public prosecution department detained three women for taking off their full-body cloaks and headscarves in a shopping mall, *sabq.org* news website reported.

Al-Sharq al-Awsat newspaper in March reported that the first women-staffed police stations had opened in Jeddah and Riyadh in order to facilitate women's access to police. However, punishment for domestic violence remained lax. The government failed to enact a 2011 draft law to combat violence against women and children. In May, Jeddah's Summary Court convicted a man for physically abusing his wife to the point of hospitalization, but sentenced him to learning by heart five parts of the Quran and 100 sayings of the Prophet Muhammad.

Migrant Workers' Rights

Over 9 million migrant workers fill manual, clerical, and service jobs, constituting more than half the workforce. Many suffer multiple abuses and labor exploitation, sometimes amounting to slavery-like conditions.

The *kafala* (sponsorship) system ties migrant workers' residency permits to "sponsoring" employers, whose written consent is required for workers to change employers or exit the country. Employers abuse this power to confiscate passports, withhold wages, and force migrants to work against their will, against Saudi law.

In April, the Labor Ministry proposed to abolish the *kafala* system by transferring immigration sponsorship to newly created recruitment and placement agencies, but the change had not taken effect at this writing. To tackle *kafala*-related abuses, Saudi Arabia would also need to amend its Residency Law so that a migrant worker no longer would require a sponsor's consent to change jobs or leave the country.

Some 1.5 million migrant domestic workers remain excluded from the 2005 Labor Law. In years past, Asian embassies reported thousands of complaints from domestic workers forced to work 15 to 20 hours a day, seven days a week, and denied their salaries. Domestic workers, most of them women, frequently endure forced confinement, food deprivation, and severe psychological, physical, and sexual abuse.

In 2011 and 2012, the rampant abuse led the Philippines, Indonesia, Nepal, and Kenya to impose restrictions on their citizens from migrating to Saudi Arabia for domestic work. In October 2012, the Philippines and Saudi Arabia approved resuming migration after agreeing upon a US\$400 minimum wage but few other rights.

In April, Saudi Arabia pardoned 22 Indonesian domestic workers on death row. Many migrant domestic workers still face the death penalty, often after having limited access to legal advice and translators during court proceedings. These include 32 Indonesian domestic workers whose convictions include witchcraft and “sexual offenses,” and Rizana Nafeek, a Sri Lankan domestic worker who was under 18 years old when a baby died in her care.

Criminal Justice and Torture

Detainees, including children, commonly face 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.

Authorities do not always inform suspects of the crime with which they are charged, nor of supporting evidence. Saudi Arabia has no penal code, so prosecutors and judges largely define criminal offenses at their discretion. Lawyers are not generally allowed to assist suspects during interrogation and face difficulty examining witnesses or presenting evidence at trial.

From January to September 2012, Saudi Arabia executed at least 69 persons, mostly for murder or drug offenses, but also, in the case of one Saudi man, Muri’ al-‘Asiri, for “sorcery.”

By October 2012, The Saudi Association for Civil and Political Rights (ACPRA), an unlicensed Saudi rights organization, had filed over 60 cases over two years against the secret police for long-term detention without trial and, in some cases, torture. The court typically ruled it did not have jurisdiction, ACPRA said.

Saudi Arabia continued to sentence children to death. In March, *Okaz* reported that authorities had sentenced to death eight persons aged 16 to 19.

Freedom of Expression, Belief, and Assembly

Authorities in 2012 arrested persons for peaceful criticism or human rights activism. Muhammad al-Bajadi, a businessman and rights activist, was convicted for setting up ACPRA and Yusuf al-Ahmad, a cleric, for disobeying senior clerics by calling for release or trial of detainees. Prosecutors issued politicized charges, including being in touch with international rights organizations, against Abdullah al-Hamid, Muhammad al-Qahtani, Walid Abu al-Khair, and Fadhil al-Manasif.

Saudi Arabia does not tolerate public worship by adherents of religions other than Islam and systematically discriminates against its Muslim religious minorities, in particular Shia and Ismailis. The chief mufti in March called for the destruction of all churches in the Arabian Peninsula. In 2012, authorities made arrests for expression of religious opinion, including, in February, of Hamza Kashgari, whom Malaysia extradited to the kingdom on blasphemy charges related to his fictitious Twitter dialogue with the Prophet Muhammad. In May, authorities in the northern town of 'Ar'ar arrested two persons for apostasy because they adopted the Ahmadi interpretation of Islam.

In June, prosecutors arrested Ra'if Badawi on the charge of operating the Saudi Liberals website, deemed insulting to Islam. By August, all 35 Christian Ethiopian men and women arrested in December for "illicit mingling" during a religious service had been deported. Official discrimination against Shia encompasses religious practices, education, and the justice system. Shia protests revived in October 2011 and escalated in January and again in July 2012, when the authorities arrested Shaikh Nimr al-Nimr, a prominent cleric. Security forces have killed at least 11 Shia in protests since 2011. Protesters demanded the release of Shia prisoners and an end to discrimination.

In July, activists reported that 100 Saudis in Buraida and about a dozen in a Riyadh shopping mall demonstrated for the release of long-term detainees without trial. University and public security forces in March intervened to quell a protest by female students in King Khaled University, leaving at least one woman dead. She reportedly suffered from an epileptic fit that was triggered after security guards attempted to force the students to disperse.

Saudi Arabia does not allow political or human rights associations. In December 2011, the authorities denied the Justice Center for Human Rights a license, and did not reply to requests for a license by the Saudi Human Rights Monitor, which registered in Canada in May.

In July, authorities released Nadhir al-Majid, detained since April 2011 for critical writings, and a court released Khalid al-Juhani, detained since demonstrating, alone, on the Saudi day of rage, March 11, 2011. In February, Hadi Al Mutif was freed after 18 years in prison, most of them on death row, convicted of apostasy for insulting the prophet. The chief mufti had accepted his repentance.

Key International Actors

Saudi Arabia is a key ally of the United States and European countries. The US did not publicly criticize any Saudi human rights violations except through annual reports. Some members of the US Congress have expressed skepticism about Saudi's policy priorities. The US concluded a \$60 billion arms sale to Saudi Arabia, its largest anywhere to date.

The European Union also failed to publicly criticize human rights abuses in the kingdom, although the Subcommittee on Human Rights of the European Parliament in May held a rare hearing on human rights in Saudi Arabia.

United Nations High Commissioner for Human Rights Navi Pillay in January voiced alarm over the use of the death penalty and cruel sentences such as "cross-amputation" of both the right hand and left foot.